



Report to Strategic Planning Committee

Application Number:	CM/0049/21
Proposal:	Phased extraction of an allocated sand and gravel deposit, including for the construction and use of a new bell mouth access off North Park; Establishment and use of ancillary activities; and the importation of reclamation material with restoration to high quality agricultural land and nature conservation habitat on land at Sutton Court Farm, Langley, Buckinghamshire.
Site Location:	Land At Sutton Court Farm North Park Langley SL3 8AU
Applicant:	Ingrebourne Valley Limited
Case Officer:	James Suter
Ward(s) affected:	Iver
Parish-Town Council:	Iver Parish Council
Date valid application received:	2nd December 2021
Statutory determination date:	24th March 2022
Recommendation	Subject to the applicant first entering into a legal agreement under s106 of the Town and Country Planning Act 1990 (as amended) securing HGV vehicle routing, EURO VI compliance, laying out of access in accordance with a s184 agreement made under the Highways Act 1980, 15 year-long biodiversity management period and Air Quality Management Contributions, it is recommended the application is APPROVED subject to conditions to be finalised including those set out in Section 21 of this report.

1.0 Summary & Recommendation/ Reason for Planning Committee Consideration

- 1.1 The application is for the extraction of sand and gravel and the importation of reclamation material with restoration to high quality agricultural land and nature conservation habitat on land at Sutton Court Farm, Langley, Buckinghamshire. The development would include the construction of a new bell mouth access off North Park and other related infrastructure.
- 1.2 The key issues for consideration under this application include: Principle of mineral extraction / infilling, Green Belt, Landscape, Ecology, Highways and Amenity.
- 1.3 The application is being brought before committee following the 'three member call in' procedure set out in paragraph 3.33 of Constitution for Buckinghamshire Council. The application was requested to be considered by committee by Cllr Matthews, Cllr Sullivan and Cllr Griffin.
- 1.4 Subject to the applicant first entering into a legal agreement under s106 of the Town and Country Planning Act 1990 (as amended) securing HGV vehicle routing, EURO VI compliance, laying out of access in accordance with a s184 agreement made under the Highways Act 1980, 15 year-long biodiversity management period and Air Quality Management Contributions, it is recommended the application is APPROVED subject to conditions to be finalised including those set out in Section 21 of this report.

2.0 Description of Site Location

- 2.1 The site is located north of North Park Road which connects Richings Park to the east of the site and Slough to the west. Richings Park Golf Course lies directly south of the site.
- 2.2 The Elizabeth Line and Great Western Mainline lie approximately 175m north of the site. The site is approximately 1km north of the M4 motorway and 1.5km west of the M25. Heathrow Airport lies approximately 3.5km south east of the site.
- 2.3 The application site is bounded to the west by the Buckinghamshire Council's county boundary shared with Slough Borough Council. To the north and east the site is bounded by Horton Brook which separates the proposed development from the existing quarry consented on the adjacent land permitted under application ref: CM/51/16. The site is bounded by North Park Road to the south.
- 2.4 The application area covers approximately 16.3ha and is currently in arable use. The majority of the site is Grade 1 (regarded as the 'best and most versatile grade').
- 2.5 The site is located between the residential areas of Richings Park and Langley. There are a number of residential properties to the south west of the site along Parlaunt Road and Sutton Lane. Due to the county boundary / site boundary there is a buffer of approximately 200m between the site and the properties on Market Lane.

- 2.6 Public footpath IVE/15/1 lies east of the application site but is temporarily closed whilst quarrying operations are ongoing at the adjacent site.
- 2.7 The entire site is within the Metropolitan Green Belt and Colne Valley Regional Park.
- 2.8 There are no statutory ecological, landscape or historical designations covering the site.

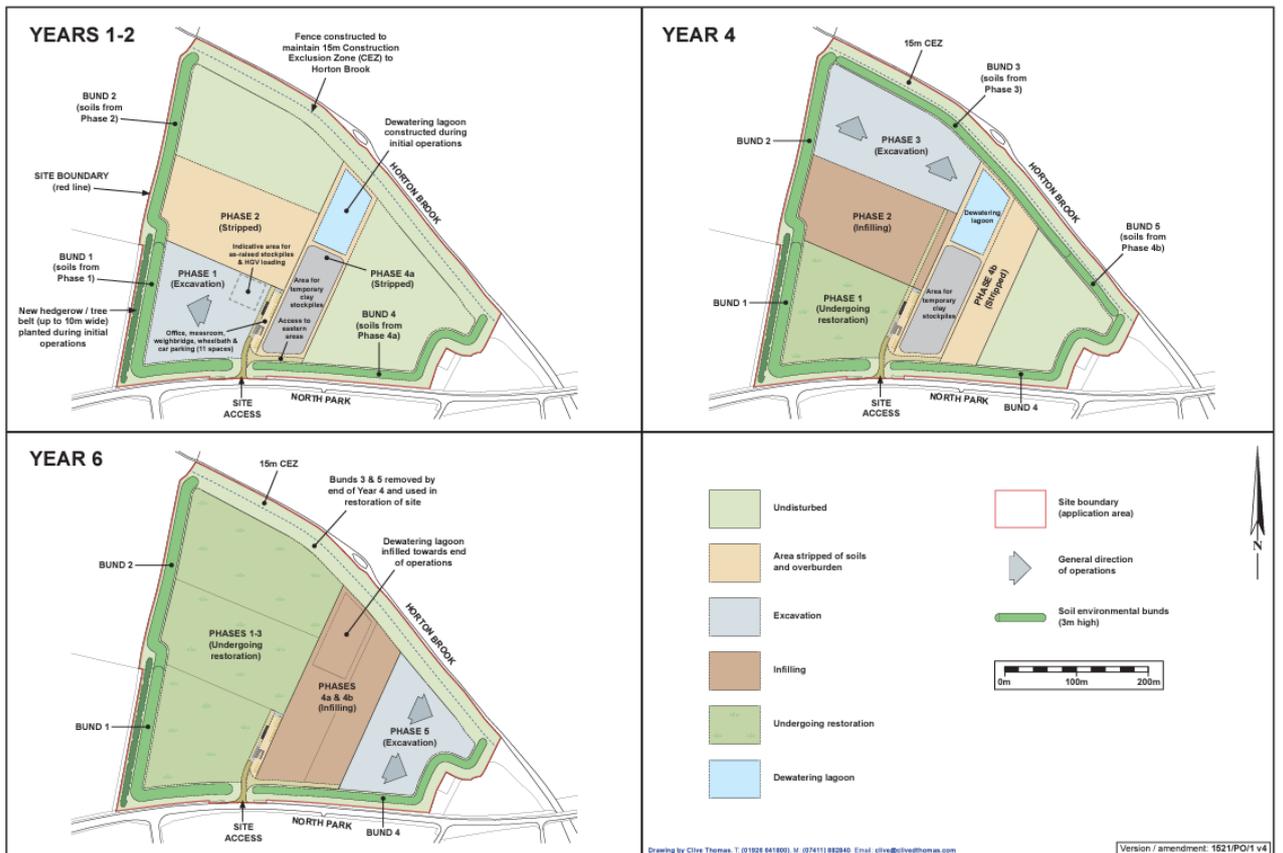
Surrounding Area

- 2.9 The South West London Waterbodies SPA/Ramsar is located approximately 3.5km to the south of the site and comprises a number of SSSI sites. The SPA/Ramsar is designated for its series of reservoirs and former gravel pits which provide important feeding and roosting sites for wintering wildfowl.
- 2.10 Langley Park, a Grade II Registered Park, lies approximately 1.75km northwest of the site.
- 2.11 Aside from Old Timbers and Sutton Court Farmhouse located roughly 650m south of the site (Grade II), the nearest listed buildings are roughly in excess of 1km away located within Sutton, Langley or Richings Park. The nearest conservation areas are in Iver approximately 2km north east and St Mary's Road, Langley approximately 1.75km west.
- 2.12 The site is not within an Archaeology Notification Area but borders one to the east.
- 2.13 The application area is located within the Landscape Character Area 22.4, Iver Heath Mixed Use Terrace as identified by the South Bucks District Landscape Character Assessment.
- 2.14 The nearest ancient woodland is approximately 1km away southeast of the site.
- 2.15 The site is not within a Source Protection Zone. The site is primarily within Flood Zone 1 but has sections within Flood Zones 2 and 3. The site is approximately 400m west of a Source Protection Zone (Zone 3).
- 2.16 A number of Air Quality Management Areas (AQMAs) exist within close proximity of the site within Slough Borough Council's administrative boundaries and 2 within the former South Buckinghamshire District. The site is located within the South Bucks District Council AQMA 2 and within 1km of the Slough AQMA No.1.
- 2.17 North Park Road is an unclassified road onto which the proposed development seeks to establish and use a new access.
- 2.18 The preferred route for the Western Rail Link to Heathrow lies east of the site but an indicative site compound is proposed in close proximity to the site. The scheme is currently not funded but it will be progressed between Heathrow Airport Limited and Network Rail. DfT support for the scheme is subject to the agreement of a satisfactory business case and funding agreement. The business case is being kept up to date but as funding has not been agreed, the scheme cannot progress to Development Consent Order (DCO) submission and is therefore currently paused.

3.0 Description of Proposed Development

- 3.1 The applicant is seeking permission to extract approximately 1,000,000 tonnes of sand and gravel from the ground with restoration using inert waste material over the course of 8 years. It is estimated that the annual extraction will average at approximately 200,000 tonnes per annum. It is anticipated that to restore the site that approximately 500,000m³ of material will be required. Imports of restoration material (inert waste) are anticipated to average at approximately 100,000m³ per annum. Restoration is anticipated to be completed within 2 years of the completion of extraction operations.
- 3.2 No mineral processing is proposed on site with the extracted sand and gravel to be exported 'as dug' to be processed elsewhere.
- 3.3 The site is proposed to be restored to high quality agricultural land and nature conservation habitats.
- 3.4 The farming at the site is proposed to be suspended on a phased basis to prevent conflict between operations.
- 3.5 It is estimated that the proposed development would result in the creation of 5-7 full time jobs.

Working Scheme (Refer to drawing ref: 1521/PO/1)



Pre-extraction

3.6 Prior to the working of the mineral at the site a number of operations would occur. These include:

- Establishment of site access and access roads into the site;
- Establishment of acoustic and visual screening bunds in advance of extraction operations (initially Bunds 1, 2 and 4 as shown on plan ref: 1521/CO/1). The bunds would be shaped asymmetrically to assist in noise and landscape mitigation;
- Planting and establishment of the hedgerow in the south west of the site
- Establishment of ancillary infrastructure including: weighbridge, parking, wheelbath, fuelling area, as raised stockpile, dewatering lagoon, clay stockpiles;
- If required, erection of temporary fencing to protect hedge and tree planting around the site perimeter;
- Completion of any necessary further archaeological investigations

3.7 The site compound would include a meeting room/toilet (circa 10m x 3m x 2.8m), ticket office/messroom (circa 10m x 3m x 2.8m) and site office (8m x 3m x 2.8m).

Phase 1

3.8 Phase 1 is proposed to commence with the stripping of topsoil to be placed in bund 1. The subsoil will be used to either extend bund 1 or be placed in bund 2. Soil bunds are proposed to be up to 3m high using an asymmetrical profile with a 1 in 2.5 outer batter and a 1 in 1.5 inner batter. Bunds will be seeded with ryegrass mix. Overburden is proposed to be stored in the area demarcated as “areas for temporary clay stockpiles” on the above plan.

3.9 Initial extraction operations would commence in the east progressing west within the phase. The extraction would generally be undertaken from the top of the deposit down to the base rather than being worked from the base.

3.10 Extraction would be undertaken using an excavator or similar equipment which would extract sand and gravel and load the mineral into articulated dump trucks. These trucks would then use the internal haul roads to place the mineral into the HGV loading area.

3.11 The sand and gravel would be extracted dry after de-watering. Phase 1 is anticipated to take between 12-18 months to complete.

Phase 2

3.12 Phase 2 would commence with the stripping of topsoil which would be placed within Bund 2. Subsoil is proposed to be stripped and stored in Bund 2 with any overburden to be cast back into the void left by Phase 1.

- 3.13 Again, similar to Phase 1, mineral will be extracted using excavator and loaded into dump trucks to place the mineral in the HGV loading area. It is estimated that phase 2 would take 12 months to extract.
- 3.14 It is proposed that clay underlying the site is used to create a geological barrier around the perimeter of the site. Once the lining is established, imported inert waste would be brought by HGVs into the site to a designated tipping area where the material will be then spread by a bulldozer or front end loader to achieve the desired profile. Thereafter a tracked bulldozer (or similar) would push the material to achieve the required landform prior to soil reinstatement.
- 3.15 Progressively, clay underlying the site would be extracted and placed in Phase 1 to allow for the continuation of restoration. The applicant estimates by the completion of Phase 2 that Phase 1 will be 50% restored.

Phase 3

- 3.16 Phase 3 would commence with the stripping of top and subsoils, which would be used to contribute to the restoration landforms in Phases 1 and 2 or be committed to store elsewhere on site, specifically to construct Bund 3. Extraction would progress northwards following on from phase 2. It is estimated that it would take 12-15 months to complete extraction from this phase. It is projected that once extraction operations in Phase 3 are complete, Phase 1 will be fully restored and approximately 50% of the landform in Phase 2 will be restored. Extracted mineral will be placed within a HGV loading area for export.

Phase 4

- 3.17 Phase 4 would commence with the stripping of top and subsoils, which will be used to contribute to the restoration landforms in Phases 2 and 3 or be committed to store elsewhere on site specifically in Bunds 4 and/or 5. Extraction would progress eastwards taking an estimated 12-15 months to complete. The perimeter bunds are proposed to remain in place throughout this phase.
- 3.18 The dewatering lagoon established earlier in this phase would now be drained and extracted with a sump being maintained in the base of Phase 3 to facilitate the dewatering of the remainder of the scheme.

Phase 5

- 3.19 Phase 5 would commence with the stripping of the remaining soils and overburden materials that will be directly placed into proceeding phases of extraction as required.
- 3.20 Extraction would continue in this phase working eastwards using similar equipment to that mentioned for other phases. It is proposed that the dump trucks will utilise a new internal haul road direct to the loading area. Extraction in this phase is anticipated to occur over a period of 12-15 months.

- 3.21 Upon completion of extraction in Phase 5 the remaining soil stores would be used, along with any stored overburden in restoration operations.
- 3.22 The final activity would be the removal of the ancillary infrastructure, with the weighbridge and site offices retained until the end of importation. This will enable the restoration of the remaining landform in this area. Upon cessation of extraction and the removal of the plant it is estimated that it could take up to 6 months to restore the ancillary plant area.

General

- 3.23 The stockpiling of as raised mineral is proposed to move around the site and be discrete to each phase, this would be as close as possible to the central management areas. The sand and gravel would be extracted and deposited for draining on top of the ballast. A condition requiring the height of stockpiles to be no higher than perimeter bunding would be attached should planning permission be granted.
- 3.24 Sand and gravel extraction would have a maximum depth of 8m below existing ground level and up to 5m below the water table. Overall extraction including those necessary to establish a basal clay liner would be at a maximum depth of 10m.

Compound

- 3.25 The site compound area is set out on drawing ref: 1521/CA/1. Provision is made for a ticket office / messroom, meeting room / toilets, site office, car parking, fuelling area, wheelbath and weighbridge.
- 3.26 Details would be secured by condition should planning permission be granted.

Restoration

- 3.27 It is proposed to restore the application site to high grade agricultural land with some areas dedicated for nature conservation habitats.
- 3.28 Approximately 500,000m³ of inert fill is required to carry out the restoration at a rate of 100,000m³ per year.
- 3.29 A number of soil handling measures to ensure a high quality restoration would be secured by condition should planning permission be granted.

Access and Traffic

- 3.30 As aforementioned the application proposes to establish and use a new access into the site directly from North Park road.
- 3.31 The site would function with mineral exports occurring at the same time as restoration imports for a number of phases. It is anticipated that this would result in approximately 40 two-way movements per day from mineral export and 42 two-way movements per day for restoration. With both functions occurring the total HGV movements associated with the development are anticipated to be 82 (two-way movements, 82 in, 82 out) per day on average.

- 3.32 The unladen weight of HGVs associated with mineral and waste transport would range between 18 to 32 tonnes.
- 3.33 LGV movement and cars associated with the development are anticipated to be in the order of 20 (two-way movements) per day.
- 3.34 It is proposed that through a planning obligation the HGV routing to and from the site would be secured. It is proposed that all HGV activity to and from the site would be from the west with the exception of any local deliveries. A split routing approach would be taken with routing to the A4 and M4 being taken either via Parlaunt Road (and the B470) or Sutton Lane.
- 3.35 Internal haul routes would be secured by condition should planning permission be granted.

Operational Hours

- 3.36 The hours of operation for the site are proposed to be Monday to Friday 7am to 6pm, Saturdays 7am to 1pm only for the distribution of materials from the site. There would be no working of mineral at the weekends nor working of any nature (except in emergencies) on Sundays or Public Bank Holidays.

Lighting

- 3.37 The majority of the site operations would be carried out during daylight hours. However, the applicant identifies in winter months there would be a need to have artificial lighting around the site management area as set out on drawing 1521/LP/1. Details and management controls of lighting can be secured by condition should planning permission be granted.

4.0 Relevant Planning History

- 4.1 There is no relevant planning history for this site.
- 4.2 The site falls within the 'North Park' (M5) site allocated within the Buckinghamshire Minerals and Waste Local Plan for Sand and Gravel Provision within the plan period (2016-2036).
- 4.3 An Environmental Statement was submitted which has detailed chapters considering: Soils and Agricultural Land Quality, Ecology, Landscape and Visual Impact, Archaeology and Cultural Heritage, Hydrology and Hydrogeology, Highways and Transport, Noise, Public Rights of Way, Interaction Effects and Cumulative Impacts, Alternatives and Health Impacts.

5.0 Policy Considerations

- 5.1 Section 38(6) of the Planning and Compulsory Purchase Act 2004 requires that planning applications are determined in accordance with the development plan unless material considerations indicate otherwise.

- 5.2 The Development Plan for this area comprises of:
- Buckinghamshire Minerals and Waste Local Plan (BMWLP) 2016 - 2036
 - South Bucks Local Plan (SBLP) 1999
 - South Bucks Core Strategy (SBCS) 2011
 - The Ivers Neighbourhood Plan 2021 – 2040
- 5.3 Other documents that need to be considered in determining this development include:
- National Planning Policy Framework (NPPF)
 - National Planning Practice Guidance (NPPG)
 - Colne Valley Landscape Character Assessment
 - Buckinghamshire Landscape Character Assessments
- 5.4 The Ivers Neighbourhood Plan 2021 – 2040 has limited relevance to this proposal as neighbourhood plans cannot include policies for ‘county matters’ i.e. minerals and waste development.
- 5.5 The following policies are considered most relevant to this development:

Buckinghamshire Minerals and Waste Local Plan (2016-2036)

- Policy 1: Safeguarding Mineral Resources
- Policy 2: Spatial Strategy for Minerals Development
- Policy 3: Sand and Gravel Provision
- Policy 4: Allocated Sites for Sand and Gravel Provision
- Policy 5: Development Principles for Mineral Extraction
- Policy 11: Waste Management Capacity Needs
- Policy 12: Disposal to Landfill
- Policy 13: Spatial Strategy for Waste Management
- Policy 14: Development Principles for Waste Management Facilities
- Policy 16: Managing Impacts upon Amenity and Natural Resources
- Policy 17: Sustainable Transport
- Policy 18: Natural Environment
- Policy 19: Historic Environment
- Policy 20: Landscape Character
- Policy 21: Green Belt
- Policy 23: Design and Climate Change
- Policy 24: Environmental Enhancement

- Policy 25: Delivering High Quality Restoration and Aftercare

South Bucks District Local Plan (SBDLP)

- Policy GB1 - Green Belt
- Policy EP3 - The Use, Design and Layout of Development
- Policy EP4 - Landscaping
- Policy TR5 - Accesses, Highway Works and Traffic Generation
- Policy TR7 - Parking Provision
- Policy TR10 - Heavy Goods Vehicles
- Policy EP17 - Aerodrome / Air Traffic Safeguarding

South Bucks Core Strategy (SBCS)

- Core Policy 5 - Open Space, Sport and Recreation (CP5)
- Core Policy 6 - Local Infrastructure Needs (CP6)
- Core Policy 7 - Accessibility and Transport (CP7)
- Core Policy 8 – Built and Historic Environment (CP8)
- Core Policy 9 - Natural Environment (CP9)
- Core Policy 13 – Environmental and Resource Management (CP13)

6.0 Principle of Development

Policy 1: Safeguarding Mineral Resources

Policy 2: Spatial Strategy for Minerals Development

Policy 3: Sand and Gravel Provision

Policy 4: Allocated Sites for Sand and Gravel Provision

Policy 11: Waste Management Capacity Needs

Policy 12: Disposal to Landfill

Policy 13: Spatial Strategy for Waste Management

Policy 14: Development Principles for Waste Management Facilities

Policy 16: Managing Impacts on Amenity and Natural Resources

Policy 25: Delivering High Quality Restoration and Aftercare

Mineral Extraction Principle

- 6.1 Policy 1 of the BMWLP looks to safeguard mineral resources from being sterilised by non-mineral development and establishes Mineral Safeguarding Areas (MSAs) within the county. This policy mirrors paragraph 210 of the NPPF. This application is within the county's MSAs but explicitly seeks to extract the safeguarded mineral underlying the site. As such it is considered the proposal is fully in accordance with the policy.
- 6.2 Policy 2 of the BMWLP sets out the spatial strategy for minerals development in Buckinghamshire. With relevance to this application, the policy seeks to focus sand and gravel extraction primarily in the Thames and Colne Valleys but with a secondary focus in the Great Ouse Valley east of Buckingham. The site is located within the Colne Valley.
- 6.3 Policy 3 of the BMWLP states provision will be made over the plan period for the extraction of 0.81 mtpa of sand and gravel from the Colne and Thames Valleys (primary focus area). The policy adds that the maintenance of a landbank for sand and gravel equivalent to at least 7 years supply will be sought to ensure a steady and adequate supply. The policy states provision will come from sites with planning permission, extensions to existing sites and from new sites in line with the spatial strategy for mineral extraction. The policy concludes stating that within the Thames and Colne Valleys this provision may be phased to manage supply levels over the plan period and avoid cumulative adverse impacts.
- 6.4 The most recent published Local Aggregates Assessment (LAA) for the county covers the year of 2018 and was published the following year. This document identified at the time that there was a 10-year landbank (using three year average sales data) and a 1.06mtpa provision rate.
- 6.5 Whilst the LAA for the year of 2021 has not yet been published it is understood that the landbank would be below the seven-year supply required by policy. However, the provision rate would exceed the level set by policy 3.
- 6.6 The NPPG identifies that where a landbank is below the minimum level this may be seen as a strong indicator of urgent need (Paragraph: 084 Reference ID: 27-084-20140306).
- 6.7 Policy 4 of the BMWLP sets out the allocated sites for sand and gravel provision within the county over the plan period. The site is located within site M5 and is thus allocated for the proposed development.
- 6.8 In view of the above, as an allocated site the proposal aligns with the spatial strategy for mineral development.
- 6.9 The applicant sets out a detailed argument for need based upon older figures detailed in documents including the 2019 LAA.
- 6.10 In view of the above the council need to be considering consenting additional reserves to ensure maintenance of an adequate supply of aggregates in the County.

In addition, per paragraph 211 of the NPPF, when determining planning applications, great weight should be given to the benefits of mineral extraction, including to the economy. It is considered that the application is not premature in terms of need, is required to maintain the landbank and is in accordance with above policy.

Waste Management Principle

- 6.11 Policy 11 of the BMWLP sets out the waste management capacity needs for the county through the plan period. As set out previously, the scheme involves restoration infilling of void using inert waste. Per policy 11 of the BMWLP, it is estimated that 0.88 Mt per annum of capacity is required in 2021. The corresponding table 7 of the BMWLP sets out the capacity gap (need-capacity).
- 6.12 Accordingly, policy 12 of the BMWLP, (which concerns disposal to landfill) identifies that no specific capacity will be provided for inert disposal (or recovery) during the plan period with the deposit of inert waste to land to be focused at mineral extraction sites with extant planning permission to facilitate restoration.
- 6.13 This stance is replicated by policy 13 of the BMWLP which states the deposit of inert waste to land should be focussed at mineral extraction sites with extant planning permission to facilitate restoration.
- 6.14 Further, paragraph 5.65 of the BMWLP states “It is anticipated that additional inert recovery and/or landfill capacity will result from new mineral extraction sites being permitted through the plan period to deliver a sufficient supply of minerals in line with Policy 3: Sand and Gravel Provision”.
- 6.15 Policy 14 of the BMWLP sets out requirements for waste management facilities. The policy states that proposals for waste management facilities must demonstrate that the development: is in general compliance with the spatial strategy, facilitates delivery of the waste management capacity requirements, identifies waste streams to be treated, catchment area for the waste to be received on-site and end fate of any outputs, and enables communities and businesses to take more responsibility for their own waste and supports management of waste in line with the proximity principle and the waste hierarchy.
- 6.16 As a prospective mineral extraction site seeking restoration utilising inert waste infilling the proposal is in accordance with the spatial strategy for waste development as set out above. As set out above inert disposal (or recovery) for the plan is intended to come from mineral extraction sites. The catchment for waste importation to the site is estimated to be roughly 20 kilometres in radius. The plan was fundamentally based upon the proximity principle and the approach to identifying capacity for inert disposal (or recovery) was tested against national policy as part of the plan making process.
- 6.17 In conclusion it is considered the application is fully in accordance with the above policies.

Restoration

- 6.18 Policy 25 of the BMWLP similarly requires minerals development of a temporary nature must include a restoration scheme that will result in the site being progressively restored to an acceptable condition and stable landform as soon as is practicable and provide for high quality aftercare arrangements including ongoing management and monitoring where necessary.
- 6.19 The policy adds that the after-use of a site will be determined in relation to the land-use context and surrounding environmental character and should take into account landowner interests and the requirements of the local community. Schemes should include objectives that will contribute towards: biodiversity gains, enhancement of the local environment and amenity, climate change mitigation and adaptation, benefits for the local community and economy (as appropriate).
- 6.20 The policy then notes that where relevant, the restoration of the site must accord with a number of requirements:
- Sites that are to be restored to the previous land-use must include a secondary after-use that includes environmental enhancement. Where a site is located within best and most versatile agricultural land, the land should be restored to a condition where the long-term potential of the land is safeguarded and soil resources are conserved, however this does not preclude the requirement for incorporating a secondary after-use.
 - Where specific and favourable conditions occur and when adjacent to identified habitat or designated asset(s), precedence must be given to environmental enhancement objectives, the creation of Biodiversity Action Plan habitat, ecological networks, promotion of geodiversity and enhancement of the historic environment.
 - Sites located within river corridors should address flood risk management and support River Basin Management Plan actions.
 - Sites located within or adjacent to the Chilterns Area of Outstanding Natural Beauty, Colne Valley Regional Park or the Green Belt should seek to enhance the characteristics and qualities for which the area was designated giving consideration to the provision of green infrastructure and opportunities for access and recreation.
- 6.21 It is proposed to restore the application site back to high grade agricultural land with roughly 70% of the land to be restored to agricultural land and the remainder dedicated for nature conservation habitats. It is estimated that restoration works would result in a net gain of 41.61% in habitat units and 4854.29% in hedgerow units.
- 6.22 Policy 16 of the BMWLP seeks to secure that development does not result in unacceptable impacts on a number of factors including soil resources.

- 6.23 As the site is within best and most versatile agricultural land it is considered appropriate to require the submission of a detailed soil handling and replacement strategy building on the principles set out in the ES. As minerals can only be extracted where they are found there is no opportunity to locate the development in poorer quality land. Further as an allocated site, this site's suitability was assessed at the plan-making stage and was taken forward.
- 6.24 The site is located adjacent to the Horton Brook and it is proposed that priority habitat is created along the boundary to deliver environmental enhancement.
- 6.25 The scheme has considered flood risk management and the approach has not been the subject of objection from either the LLFA or Environment Agency.
- 6.26 With regards to the Colne Valley Regional Park it is considered that the restoration proposed is fully consistent with the aims of the area. Fuller consideration of the Colne Valley Regional Park is set out in its respective section and within the Landscape and visual impact section of this report.

7.0 Green Belt

Policy 21: Green Belt

Policy GB1 - Green Belt

- 7.1 The application site lies entirely within the Green Belt. The NPPF highlights that the fundamental aim of the Green Belt policy is to prevent urban sprawl by keeping land permanently open with the essential characteristics of the Green Belt being their openness and permanence.
- 7.2 The purposes of the Green Belt are defined by paragraph 138 of the NPPF:
- a) to check the unrestricted sprawl of large built-up areas;
 - b) to prevent neighbouring towns merging into one another;
 - c) to assist in safeguarding the countryside from encroachment;
 - d) to preserve the setting and special character of historic towns;
 - e) to assist in urban regeneration, by encouraging the recycling of derelict and other urban land.
- 7.3 Paragraph 147 of the NPPF states that inappropriate development is, by definition, harmful to the Green Belt and should not be approved except in very special circumstances. However, as per paragraph 150 of the NPPF, mineral extraction is not inappropriate in the Green Belt provided it preserves openness and does not conflict with the purpose of the designation. This is reflected by policy 21 of the BMWLP.
- 7.4 Policy 21 of the BMWLP states "Other than those required for the winning of mineral, elements of development considered integral to extractive operations include those associated with access and restoration. Other forms of development, including on-

site processing, will be supported where compliant with relevant MWLP policies and national policy.”

- 7.5 Policy GB1 of the SBDLP makes similar provision to policy 21 of the BMWLP stating permission for mineral working and subsequent restoration of the land, in accordance with the Buckinghamshire Replacement Minerals Local Plan (the local plan at the time of which the SBDLP was adopted), would only be forthcoming where:
- i. the proposal would not adversely affect the character or amenities of the Green Belt, nearby properties or the locality in general and would be in accordance with EP3 (Use, Design and Layout of Development); and
 - ii. the scale, height, layout, siting, form, design and materials of any new building would not adversely affect the character or amenities of the Green Belt, nearby properties or the locality in general and the proposal would be in accordance with Policy EP3; and
 - iii. proposals for extensions to existing buildings would harmonise with the scale, height, form and design of the original building; and
 - iv. the proposal would comply with all other relevant policies in this Plan.
- 7.6 In summary, the relevant elements of policy GB1 to this application require the proposal to not adversely affect the character or amenities of the Green Belt, nearby properties or the locality in general, require the proposal to accord with policy EP3 of the SBDLP and require the proposal to accord with all other relevant policies of the SBDLP.
- 7.7 To assess impacts of a proposal on openness courts have identified a number of matters which may need to be taken into account in making this assessment. These include, but are not limited to:
- openness is capable of having both spatial and visual aspects – in other words, the visual impact of the proposal may be relevant, as could its volume;
 - the degree of activity likely to be generated, such as traffic generation; and
 - the duration of the development, and its remediability – taking into account any provisions to return land to its original state or to an equivalent (or improved) state of openness;
- 7.8 Paragraph 150 of the NPPF and policy 21 of the BMWLP taken together recognise that some operational development associated with mineral extraction can be appropriate within the Green Belt without harming openness and compromising the objectives of the designation.
- 7.9 The proposed development would be carried out on an area covering approximately 16.3ha with roughly 11.9ha of extraction. As set out within section 3 of this report, the proposal would include the erection of soil and subsoil bunds, erection of site compound including weighbridge, ticket office/messroom, meeting room/toilets, site office and wheel wash, making of access, extraction of mineral, infilling and

restoration, exportation of mineral and the operation of machinery. The buildings would have a total floorspace of circa 50sqm at a maximum height of circa 2.8m. These would be massed centrally within the site screened by perimeter bunding.

- 7.10 As discussed in the landscape and visual impact section of this report there would be temporary adverse visual impacts for the duration of the development up to the completion of restoration. The restored landform would be fully in keeping with the aims of the Green Belt.
- 7.11 Over the course of the development there would be the associated vehicle and heavy goods vehicle movements. Notably, there would be no processing on site with mineral being exported 'as dug' and so no processing plant.
- 7.12 The impacts of the proposal are tempered by virtue of its temporary nature. The proposal is projected to be carried out over the course of approximately 7-8 years with restoration to status and use that is fully in accordance with Green Belt Policy.
- 7.13 In view of the above, the development put forward under this application is directly related to and/or integral to mineral extraction which is not inappropriate within the Green Belt per both local and national policy. Further, it is the case that under this application there would be no permanent harm to openness or that encroachment on the Green Belt would result under this application. It is considered the proposal would preserve the openness of the Green Belt and not conflict with the purposes of the designation.
- 7.14 Assessment of the proposal's impacts upon amenity and against policy EP3 of the SBDLP is set out in the relevant section of this report.

8.0 Transport matters and Parking

CP7 - Accessibility and Transport

TR5 - Accesses, Highway Works and Traffic Generation

TR7 - Parking Provision

Policy TR10 - Heavy Goods Vehicles

Policy 17: Sustainable Transport

- 8.1 Policy 17 of the BMWLP requires minerals and waste development to provide a Transport Statement or Assessment. This policy identifies areas to be included within a statement or assessment for mineral development including a travel plan (where applicable). Topics include: likely traffic flows and throughput per day, identification of market base, capacity of highway network to accommodate movements generated, identifications of any improvements deemed necessary to minimise impacts, identification of potentially adverse impacts arising from transport of minerals on the community and environment and mitigation measures, and emission

control and reduction measures. The application is supported by a Transport Assessment.

- 8.2 Core Policy 7 of the SBCS seeks to improve accessibility to services and ensure a safe and sustainable transport network by supporting the rebalancing of the transport system in favour of more sustainable modes of transport, including by encouraging safe and attractive improvements to pedestrian and cyclist routes and facilities.
- 8.3 Policy TR5 of the SBDLP addresses the effect of development on safety, congestion and the environment. The policy requires development: is in accordance with the standards of the Highways Authority, would not cause the operational capacity of the highway to be exceeded nor exacerbate the situation on a highway where the capacity is already exceeded and that traffic movements or the provision of transport infrastructure would not have an adverse effect on the amenities of nearby properties on the use, quality or character of the locality in general, including rural lanes.
- 8.4 The policy also states that where off-site improvements to the highway are required to serve a development, permission will not be granted unless the applicant enters into a planning obligation to secure the implementation of those works.
- 8.5 Finally the policy states that proposals which involve the construction of a new access or a material increase in the use of an existing access, directly onto the strategic highway network will not be acceptable if they would be likely to result in the encouragement of the use of the network for short local trips or compromise the safe movement and free flow of traffic on the network or the safe use of the road by others.
- 8.6 Policy TR7 sets the parking requirements for development. No specific provision is made for mineral extraction developments. Eleven parking spaces are proposed within the site. It is considered there would not be an increase in non-residential on-street parking in residential areas.
- 8.7 Policy TR10 of the SBDLP states that development likely to generate HGV movements will only be permitted where it would not adversely affect the character or amenities of nearby properties or the locality in general, for example through noise, vibration, disturbance or visual intrusion in line with Policy EP3 of the SBDLP. It adds that in the case of a proposal likely to generate a significant number of heavy goods vehicle trips permission will only be granted where the access would not be onto a residential road, rural lane or other road which is not suitable in principle for such traffic, and that vehicles would be able to conveniently access the strategic highway network without using such roads.
- 8.8 Paragraph 111 of the NPPF states that: "Development should only be prevented or refused on highway grounds if there would be an unacceptable impact on highway safety, or the residual cumulative impacts on the road network would be severe." Paragraph 113 states that "All developments that will generate significant amounts of

movement should be required to provide a travel plan, and the application should be supported by a transport statement or transport assessment so that the likely impacts of the proposal can be assessed.”

- 8.9 The ES, ES addendum and Transport Assessment accompanying the application assesses a number of matters concerning traffic and transportation. The assessment considered a range of matters including: the implications of the establishment of the proposed access and the ability of the local highway to accommodate further HGV activity in both capacity and safety terms, pedestrian delay and amenity and driver delay. The assessment also considered potential cumulative impacts from a number of high-profile developments in the locality including the CEMEX quarry adjacent to the site. The following paragraph briefly summarises the conclusions with regards to these aspects.
- 8.10 With regards to road safety, the assessment concludes that the proposals would result in an insignificant effect on highways safety. With regards to vehicle flows the proposal produces insignificant percentage increases in traffic flows and management options would reduce impacts. With regards to pedestrian delay the proposed development would not lead to significant effects. With regards to pedestrian amenity, there would be no significant effects. With regards to driver delay there is anticipated that there would be no significant adverse effects. With regards to the adjacent quarry the assessment finds that there would be no material impact from the increase in HGV movements.
- 8.11 Overall, the assessments conclude that the proposed development would have no material residual impacts when mitigation measures are implemented. These include: utilisation of a wheel wash, sheeting of HGVs and maintenance of a log of HGV movements.
- 8.12 As previously mentioned, when both restoration works and extraction works are running concurrently it is estimated the development would generate approximately 82 two-way movements per day (82 in, 82 out) on average and a maximum of 95 two-way movements per day (95 in, 95 out). To mitigate impacts it is recommended a condition securing that in AM peak hour (8am to 9am) HGV movements are limited to 8 two-way movements and in PM peak hours (5pm to 6pm) HGV movements are limited to 4 two-way movements. It is also recommended that a daily limit of 95 two-way movements (95 in, 95 out) per day is secured by condition.
- 8.13 Further, it is proposed that through a planning obligation the HGV routing to and from the site would be secured. It is proposed that all HGV activity to and from the site would be from the west with the exception of any local deliveries. A split routing approach would be taken with routing to the A4 and M4 being taken either via Parlaunt Road (and the B470) or Sutton Lane.
- 8.14 The Highway Authority were consulted on the proposal and consider with the use of the aforementioned planning obligation impacts upon the highways network from HGV movements within Buckinghamshire would be minimal. The officer also noted

that staff movements could be accommodated on the highway network. The officer concludes that they have no objection to the proposed development subject to the securing of conditions relating to access construction and parking / manoeuvring.

- 8.15 It is considered that with the aforementioned conditions / obligations that the proposal would not adversely impact the operation and safety of the highway and would not result in severe cumulative impacts.
- 8.16 In consideration of policy TR10 of the SBDLP, the impacts upon locality via noise and vibration are covered in the amenity section of this report, the proposal would also not take access onto an unsuitable road.
- 8.17 With regards to the identification of any improvements deemed necessary to minimise impacts the assessment found that no off-site improvement works are required.
- 8.18 With regards to emission control and reduction measures for transport it is recommended that the use of EURO 6 compliant vehicles is secured. This matter will be explored further in the air quality section of this report.
- 8.19 Overall, it is considered that subject to identified planning conditions and obligations the proposal would be in accordance with policy.

9.0 Amenity of existing and future residents

Policy 16: Managing Impacts on Amenity and Natural Resources

Policy EP3 - The Use, Design and Layout of Development

Policy TR10 – Heavy Goods Vehicles

CP13 Environmental and Resource Management

- 9.1 Policy 16 of the BMWLP seeks to manage impact upon amenity and natural resources. The policy requires minerals and waste development to demonstrate the development is environmentally feasible, secures a good standard of amenity and would not give rise to unacceptable adverse impacts on a number of matters including Human Health and wellbeing and amenity to communities, Air Emissions (including dust), noise, vibration, cumulative impacts, light and visual impacts and/or intrusion.
- 9.2 Policy EP3 of the SBDLP makes similar provision to protect the amenities of neighbouring properties and the locality in general.
- 9.3 Policy TR10 of the SBDLP states that development likely to generate HGV movements will only be permitted where it would not adversely affect the character or amenities of nearby properties or the locality in general, for example through noise, vibration, disturbance or visual intrusion in line with Policy EP3 of the SBDLP. It adds that in the case of a proposal likely to generate a significant number of heavy goods vehicle trips permission will only be granted where the access would not be onto a residential

road, rural lane or other road which is not suitable in principle for such traffic, and that vehicles would be able to conveniently access the strategic highway network without using such roads.

- 9.4 Amongst other matters policy CP13 of the SBCS sets out development shall protect water quality and encourage remediation of contaminated land and seek improvements in air quality (particularly in AQMA areas).

Noise

- 9.5 To assess noise impacts at the nearest receptors a noise assessment was produced in support of the environmental statement. The assessment utilised noise surveys which were conducted at Parlaunt Road and Market Lane to establish typical background noise levels during the proposed operational hours of the quarry. Along Parlaunt Road background noise levels were indicated to be 53dB LA90 15 min. Along Market Lane, background noise levels were indicated to be 45-47dB LA90 15 min.
- 9.6 The noise assessment identified noise sources and their respective noise levels. Calculations were then undertaken to identify likely noise impacts upon identified receptors.
- 9.7 The NPPG details advice relating to noise impacts from minerals development and advises upon acceptable levels of noise from site operations. In sum, for normal daytime works it advises that operations do not exceed 10dB above the background (LA90 1h) level or a maximum value of 55dB(A) LAeq, 1h (free field). The guidance adds that mineral operations will have operations such as soil stripping and movement which gives rise to noisy short-term activities. The guidance advises that limits of up to 70dB(A) LAeq1hour (freefield) for periods of up to 8 weeks a year at specific noise-sensitive properties.
- 9.8 The ES concluded that site noise levels would remain below the levels identified in guidance for temporary and general site operations and generally below background levels.
- 9.9 Following discussion with the applicant a supplementary letter concerning noise impacts from HGV movements on local roads was submitted. This letter provided clarity on likely noise impacts from HGVs travelling principally along Sutton Lane and North Park Road. The letter predicted likely noise level changes over both the busiest hours for transport in the morning and afternoon as well as the quietest daytime hour. The highest noise level increase would be on North Park Road during off peak hours and would result in a 1.3 dB LA10 1hour increase which is deemed to be negligible.
- 9.10 Per appendix A, local members raised concerns regarding noise from the operation of pumps particularly at night. The agent responded to these concerns noting that the pumps would not exceed the guidance set out within the Mineral Planning Guidance for night-time working. It is recommended a condition setting noise limits in line with the guidance is attached should permission be granted.

- 9.11 The council's environmental health officer (EHO) for noise was consulted on the proposal and has no material disagreement with the conclusion of the assessments. The officer does however recommend securing conditions in line with the mineral planning guidance pertaining to noise for normal and temporary noisy operations. The officer also recommends a condition securing a noise management scheme.

Contamination

- 9.12 With regards to contamination, the council's EHO for contamination reviewed the proposal and subject to controls being put in place to ensure that activities at the site do not give rise to contamination and no other waste materials (other than inert) are deposited has no objection.

Air Quality

- 9.13 With regards to air quality an air quality assessment was produced in support of the application and the environmental statement. The assessment considered impacts from dust generation from on-site activities and also road vehicle exhaust emissions.
- 9.14 In summary, with regards to dis-amenity dust impacts and potential PM10 increases the assessment found negligible impacts at 8 assessed locations and non-significant in EIA terms (including residences on North Park, Parlaunt Road, Market Lane and Richings Park Golf Course).
- 9.15 With regards to road vehicle exhaust emissions, impacts on NO2 and PM10 concentrations were assessed to be negligible at identified locations and non-significant in EIA terms.
- 9.16 As previously mentioned, a number of Air Quality Management Areas (AQMA) exist within close proximity of the site with four within Slough Borough Council's administrative boundaries and two within the former South Buckinghamshire District. The site is located within the South Bucks District Council AQMA 2 and within 1km of the Slough AQMA No.1.
- 9.17 The council's EHO for air quality was consulted on the proposal and recommended that a dust management plan is secured by condition, the routing of HGVs is secured and requests a financial contribution (£5146) towards the Air Quality Action Plan for Iver.
- 9.18 The size of the financial contribution has been identified using the Damage Costs Appraisal Toolkit produced by DEFRA.
- 9.19 Slough Borough Council were consulted on the proposal and initially objected. Subject to a financial contribution of £35,000 which would be used to support air quality improvement initiatives the objection was resolved. The contribution was required on the basis that HGVs would be routed through AQMA 4 in Slough. Contributions would be used to support air quality improvement initiatives.
- 9.20 These financial contributions and the purposes for which they are to be used would need to be secured through a planning obligation.

- 9.21 Subject to identified mitigations, conditions and obligations it is considered there would not be unacceptable air quality impacts from the proposal.

Lighting

- 9.22 With regards to lighting, the majority of works would be carried out within daylight hours. In winter months lighting for the site compound area would be required. It is proposed to be downward facing and would not be located outside of the compound area. A condition securing the submission of a lighting scheme is suggested to be included.

Conclusion

- 9.23 Overall, it is considered that subject to provisions to be made through a planning obligation and through conditions that impacts upon amenity can be satisfactorily managed and the proposal would accord with policy.

10.0 Landscape and visual Impact

Policy 16: Managing Impacts upon Amenity and Natural Resources

Policy 20: Landscape Character

Policy 24: Environmental Enhancement

Policy EP3 - The Use, Design and Layout of Development

Policy EP4 - Landscaping

Core Policy 9 - Natural Environment (CP9)

Policy 16: Managing Impacts on Amenity and Natural Resources

- 10.1 Policy CP9 of the SBCS states that development that would harm landscape character will not be permitted, unless the importance of the development outweighs the harm caused, the Council is satisfied that the development cannot reasonably be located on an alternative site that would result in less or no harm and appropriate mitigation or compensation is provided.
- 10.2 Policy EP3 of the SBDLP states that development will only be permitted where its scale, layout, siting, height, design, external materials and use are compatible with the character and amenities of the site itself, adjoining development and the locality in general.
- 10.3 Policy 16 of the BMWLP seeks to manage impact upon amenity and natural resources. The policy requires minerals and waste development to demonstrate the development would not give rise to unacceptable adverse impacts relating to visual impacts and/or intrusion.
- 10.4 Policy 20 of the BMWLP states that proposals for minerals and waste development should protect and enhance valued landscape in a manner commensurate with their status recognising their importance and contribution to wider networks.

- 10.5 Policy 24 of the BMWLP states proposals for new minerals and waste development must incorporate measures to enhance Buckinghamshire's environmental assets and green infrastructure networks, including the positive integration of the site with the wider landscape taking into account the Colne Valley Regional Park and other designations.
- 10.6 Policy 16 of the BMWLP seeks to ensure waste development does not give rise to unacceptable impacts including visual impacts and intrusion.
- 10.7 Policy EP4 of the SBDLP requires development to incorporate appropriate hard and soft landscaping into any proposal, take account of, and retain, existing planting and landscape features, which are or may become important elements in the character and appearance of the site and wider area, where appropriate provide for additional planting of native species and provide for the maintenance of existing and proposed planting.
- 10.8 The ES accompanying the application considers landscape and visual impacts. The ES is supported by a Landscape and Visual Impact Assessment.
- 10.9 In terms of landscape designations, the site is not located in a protected landscape (i.e. within an Area of Outstanding Natural Beauty). The site is located within the National Character Area (NCA) area NCA 115 Thames Valley. This NCA covers an extensive area, predominately to the western edge of greater London. The key characteristics of NC115 are as follows:
- Flat and low-lying land, rising to low, river-terraced hills, which include the prominent local outcrop of chalk on which Windsor Castle sits;
 - The underlying geology is dominated by the London Clay which, over much of the area, is overlain by river-lain sands and gravels;
 - Farming limited. Where it survives, grazed pasture is the major land use within a generally open, flat and featureless landscape. The field pattern is medium-scale and irregular, with smaller fields to the west;
 - Natural character of the area is overtaken by urban influences: a dense network of roads (including the M25 corridor), Heathrow Airport, railway lines, golf course, pylons, reservoirs, extensive mineral extraction and numerous flooded gravel pits;
 - Area has an urban character, and there are very few villages of more traditional character, although almost half of the area is in Green Belt land
- 10.10 Under the 'landscape change' section of the same document the following is stated: "Extraction of gravel has shaped the landscape and remains an important industry in the NCA. Reclamation of disused mineral extraction sites has resulted in large expanses of lake and wetland which provide important habitats for wildlife and are also valuable recreational resources".
- 10.11 In addition to the above, the South Bucks District Landscape Character Assessment (2011) identifies a series of landscape character areas (LCAs) across the South Bucks area. The application site lies within LCA22.4 Iver Heath Mixed Use Terrace. Key characteristics include the following:

- Mixed land cover, including arable land influenced by development and dominated by settlement such as the villages of Iver and Iver Heath
- Between settlements there are large open arable fields divided by a network of hedgerows and hedgerow trees. Smaller subdivisions are used for horse paddocks;
- This is a discordant landscape which often lacks unity; and
- Long extensive views across open fields, particularly south, over lower landscapes. Settlement sometimes limits and fragments views

- 10.12 Sensitivities identified for the Iver Heath Mixed Use Terrace include the hedgerow networks, long views across arable fields and undeveloped spaces between built up areas. The strength of character / intactness for the LCA is weak and fragmented.
- 10.13 The site also lies within the Colne Valley Regional Park (CVRP). The aims and objectives of the CVRP include safeguarding the countryside, maintaining the historic landscape, conserve and enhance biodiversity, provide opportunities for countryside recreation, supporting a sustainable and rural economy and encouraging community participation.
- 10.14 The CVRP have produced a landscape character document entitled Colne Valley Landscape Character Assessment (2017) (CVLCA) of which there is some overlap with the South Bucks District Landscape Character Assessment (2011) in terms of landscape character. The application lies within the Richings Lowlands LCA and similar characteristics and sensitivities are identified to those identified in the above assessments.
- 10.15 A total of 11 viewpoints were selected to represent views for key visual receptors and identify impacts of the proposal.

Landscape Character and Features

- 10.16 The ES considers the impact of the proposed development upon landscape character and finds that the works would take place within a wider landscape of limited sensitivity. The assessments find that during the proposed development there would be minor-moderate adverse effects of a minor-moderate significance. However, these effects would be temporary for the duration of the development. The ES also considers the restoration would create a small beneficial effect of minor significance at a local level to negative negligible beneficial effects across the wider landscape character area.
- 10.17 The site and surrounding area lacks any significant landscape features and as such there would not be any significant adverse effects upon them from this development.

Visual Effects

- 10.18 The ES also considers the visual effects of the proposal. The ES considered the magnitude and significance of visual effects during establishment, extraction/infill and restoration. The report finds that visual effects vary through the project's lifespan, with effects of a temporary nature and reversible. It finds that in the long

term, visual receptors in close proximity would experience limited changes of neutral significance.

- 10.19 In the short-term i.e. during the establishment and extraction/infilling of the site there would be adverse impacts from negligible to medium in magnitude at the identified viewpoints. This is with the exception of Viewpoints 8, 11 and 12 which lie on the southern side of North Park and Parlaunt Road which have potential for large impacts.
- 10.20 With regards to cumulative impacts in combination with the adjacent existing quarry, the ES found there are no publicly accessible locations or residential properties where views of both sites are available at the same time, although there may be distant glimpses from first floor windows of elements of both operations, which would not be significant.
- 10.21 There would be transitory and filtered views for road users along Parlaunt Road and North Park but this would be restricted to glimpses through trees. The impacts would not be significant in combination.

Summary

- 10.22 Incorporation of mitigation measures including: erection of perimeter bunds (and seeding), hedgerow planting, restoration works would significantly reduce adverse effects on viewpoints.
- 10.23 The ES considers that the restoration of the site would have a permanent positive impact on landscape.
- 10.24 The council's landscape advisor was consulted on the proposal and while they do not always agree with some details of the likely effects arising from the operational development in the short to medium term, they consider that the post-operational landscape and visual impacts would be neutral from the medium-term onwards.
- 10.25 During the lifetime of the development there would be temporary disturbance to the landscape. However, appropriate mitigation has been identified to effectively reduce these impacts to acceptable levels. The restoration design would provide enhancement in the long term and deliver a landform and land use fully in accordance with the landscape character area.
- 10.26 Subject to appropriate conditions securing high-quality landscape management and design it is considered that the proposal is acceptable with regards to the above identified policies.

11.0 Ecology

CP9 Natural Environment

Policy 18: Natural Environment

Policy 24: Environmental Enhancement

- 11.1 Policy 18 of the BMWLP seeks to conserve and enhance natural assets and resources, including protected and notable species. A hierarchy of designated sites and level of protection afforded to them is contained within Policy 18. Undesignated natural environment assets should be conserved and enhanced with proposals causing harm only being granted where these impacts can be reduced to an acceptable level. The policy also states development should provide net gains in biodiversity and proposals should include an assessment of the natural environment assets.
- 11.2 Policy 24 of the BMWLP states proposals for new minerals and waste development must incorporate measures to enhance Buckinghamshire's environmental assets and green infrastructure networks, including: opportunities for biodiversity net gain.
- 11.3 Policy CP9 of the SBCS states that the landscape characteristics and biodiversity resources within the area will be conserved by: not permitting development that would harm landscape character or nature conservation interests, unless the importance of the development outweighs the harm caused, the Council is satisfied that the development cannot reasonably be located on an alternative site that would result in less or no harm and appropriate mitigation or compensation is provided. The policy also seeks conservation and net gain in biodiversity resources, maintaining existing ecological corridors, conserving and enhancing landscapes and improving the rural-urban fringe by supporting initiatives in the Colne Valley Park Action Plan.
- 11.4 In terms of national designations, as set out in section 2 of this report the South West London Waterbodies SPA/Ramsar is located approximately 3.5km to the south of the site. The site is over 8km from the Burnham Beeches SSSI.
- 11.5 The ES accompanying the application considers impacts upon ecology and nature conservation. The ES is supported by a preliminary ecological impact assessment and biodiversity net gain metric report.
- 11.6 A walkover survey, preliminary roost assessment and breeding bird survey were completed.
- 11.7 In summary, mineral developments by nature struggle to avoid impacts as a whole as existing habitats will be removed for extraction, these impacts would be significant for arable and not significant for other habitats. The vast majority of the site is productive agricultural land of limited ecological value. Faunal surveys identified suitable habitat for a number of protected species. During surveys no other protected species were identified at the site (aside for an outlier badger site to be under close ecological supervision) and overall the site was considered to be of local importance.
- 11.8 Phased operations and progressive restoration will help to maximise the retention of ecological value.
- 11.9 The proposal would result in a 41.61% increase in habitat value and increase in hedgerows in excess of 4800%.

- 11.10 The council's ecologist initially objected to the proposal due to a need for further information to assess the impact of the development. Following provision of further information, subject to conditions securing a Construction Environment Management Plan, Habitat Management Plan and the submission of a lighting design scheme they have no objection.
- 11.11 The council's Ecologist requested the habitat management to be conducted over a 30 year period in line with the Environment Act which comes into effect in November 2023.
- 11.12 At this time, the requirements of the legislation are not in effect and as such the applicant is not required by law to deliver the extended management period. The provisions of the Town and Country Planning Act allow for an aftercare period of 5 years. The applicant has agreed to provide for a total of 15 years of management (10 + 5 years). This is considered to be acceptable.
- 11.13 Moreover, in addition to the management period described above the applicant has proposed a woodland management scheme for the adjacent woodland to the south east of the site. This includes erection of bird and bat boxes and management of the trees over the duration of the development and for the five-year aftercare period.
- 11.14 Natural England were consulted on the proposal and hold no objection considering that the proposed development would not have significant adverse impacts on statutory designated sites. The representative then sets out some advice relevant to the proposal.
- 11.15 Overall, whilst the operations would require disturbance to habitats, the majority of these have been assessed to be of low ecological value. Mitigation measures identified would help reduce impacts. The restoration of the site would provide a positive impact upon the ecological network. It is considered the proposal is in accordance with the above policies subject to the aforementioned conditions / obligations.

12.0 Green networks and infrastructure

Policy 24: Environmental Enhancement

CP5 Open Space, Sport and Recreation

CP6 Local Infrastructure Needs

- 12.1 Policy 24 of the BMWLP states proposals for new minerals and waste development must incorporate measures to enhance Buckinghamshire's environmental assets and green infrastructure networks, including (where appropriate) achieving consistency with the Buckinghamshire Green Infrastructure Strategy. The policy also seeks the retention of existing ROW or where this is not possible their diversion or replacement to an equal or greater standard in terms of recreational, social and economic value to site users and local communities, including linking with wider transport and strategic

rights of way networks. In addition, consideration should be given to the opportunity for providing new routes, taking into account the potential value to site users and to local communities. Proposals will be required to be consistent with the Buckinghamshire Rights of Way Improvement Plan.

- 12.2 Policy CP5 of the SBCS sets out that open space will be protected and enhanced in line with national guidance in PPG17. In terms of applying policy CP5 as per footnotes in the SBCS “open space” will be taken to mean all open space of public value. The footnotes also refer to the typology set out in PPG17. “Open Space” for the purpose of this policy is considered to include green Corridors (including river and canal banks, cycleways and rights of way). The loss of open space will only be permitted in the exceptional circumstances set out below:
- It is of low value or quality and it cannot be usefully or practically enhanced for recreational benefit.
 - There is clear evidence to show that there is no local quantitative or qualitative deficiency in open space, sport or recreational provision.
 - It is of low biodiversity interest.
 - The site is within a settlement excluded from the Green Belt, and makes no significant contribution to the character of the area.
 - The proposed new use or uses would be of demonstrable benefit to the local community, for example affordable housing, alternative community uses or specialist accommodation for older people.
- 12.3 For the avoidance of doubt, any proposal would need to comply with all five of the requirements set out above.
- 12.4 Policy CP6 of the SBCS states that existing physical, social and Green Infrastructure will be protected (unless it is clear that it is no longer needed, or alternative appropriate provision is made elsewhere).
- 12.5 As set out in section 2 of this report, there are no public rights of way within the confines of the site. Footpath IVE/15/1 is temporarily closed but is east of the site running through the adjacent quarry. New routes connecting off of IVE/15/1 would be provided by the adjacent quarry upon completion.
- 12.6 The council’s Rights of Way (ROW) officer was consulted and initially suggested a route connecting from IVE/15/1 across the brook and to Market Lane through the centre of the site. The officer recognised this would split the agricultural land into two parcels perhaps at the disbenefit to future viability and that this would not be in the ownership of the applicant. The officer concluded that the site would not appear to lend itself to future cycling and pedestrian access.
- 12.7 The applicant evaluated this and deemed it would not be appropriate due to health and safety risks and hindering of the afteruses. Further the route was deemed to be

of lower value given there are other routes available in close proximity. The council's Rights of Way Officer was consulted again but made no further comments.

- 12.8 In consideration of the above policy, no existing provision of access would be lost from this application. The applicant has given due regard to the creation / enhancement of public rights of way.

13.0 Colne Valley Regional Park

Policy 18: Natural Environment

Policy 24: Environmental Enhancement

Policy 25: Delivering High Quality Restoration and Aftercare

CP9 Natural Environment

- 13.1 The Colne Valley Regional Park (CVRP) is guided by six objectives pertaining to: landscape, countryside, biodiversity, recreation, rural economy and community participation.
- 13.2 The CVRP was established in 1965 by a number of Local Authorities including predecessors of Buckinghamshire Council to enhance and protect this area of Green Belt.
- 13.3 Policy 18 of the BMWLP states development should provide net gains in biodiversity and enhance strategic ecological networks, particularly within the Colne Valley Regional Park.
- 13.4 Policy 24 of the BMWLP states proposals for new minerals and waste development must incorporate measures to enhance Buckinghamshire's environmental assets and green infrastructure networks, including: the positive integration of the site with the wider landscape taking into account the Colne Valley Regional Park and other designations.
- 13.5 Policy 25 of the BMWLP states restoration of a site must, when within the Colne Valley Regional Park, seek to enhance the characteristics and qualities for which the area was designated giving consideration to the provision of green infrastructure and opportunities for access and recreation.
- 13.6 Policy CP9 of the SBCS states that landscape characteristics and biodiversity resources will be conserved and enhanced by, among other things, improving the rural/urban fringe by supporting and implementing initiatives in the Colne Valley Park Action Plan.
- 13.7 The Colne Valley Regional Park CIC were consulted on the proposal and objects to the application because of the landscape impact during construction and the cumulative impacts of so many current and proposed developments in this area of the park. The representative states there is a need for an overarching green infrastructure master plan for all the development which each can contribute to. The representative

considers there should be a financial contribution to a Colne Valley Park Management Project to secure improvements to green infrastructure.

- 13.8 Further, the representative supports the restoration plan and states that it is in line with the park objectives.
- 13.9 The proposal would result in a net gain in biodiversity and enhance ecological networks and following the completion of restoration would positively integrate into the wider landscape. Per the 'Green Networks and Infrastructure' section of this report, the council's ROW advisor held no objection and recognised the site does not lend itself to future public walking and cycling routes. With respect to landscape impacts upon the Colne Valley Regional Park Character area, the LVIA considers that these would be restricted to a local scale and would have minimal influence on the overall character of the wider LCA area, which would maintain its inherent qualities. The presence of the adjacent quarry affects the existing character of this part of the LCA and means that temporary works of a similar nature are more able to assimilate into the wider landscape. Once restored, the existing character of the site would be maintained, including the absence of permanent built development, long open views, agricultural land at existing ground levels with improvements to biodiversity / ecological corridors.
- 13.10 Overall, it is considered the proposal is in accordance with the aims of the above policies. It is not considered that a financial contribution as requested is necessary to make the development acceptable.

14.0 Flooding and drainage

CP13 - Environmental and Resource Management

Policy 16: Managing Impacts on Amenity and Natural Resources

- 14.1 Policy CP 13 of the SBCS dictates that vulnerable development should be directed away from areas at risk of flooding wherever possible and that all new development should incorporate Sustainable Drainage Systems (SuDs) where feasible.
- 14.2 Policy 16 of the BMWLP, amongst other things, seeks to secure that development will not give rise to unacceptable impacts on a number of matters including quality and quantity of water resources, Source Protection Zones and flood risk.

Sequential Test and Exception Test

- 14.3 Paragraph 162 of the NPPF states that the aim of the Sequential Test is to steer new development to areas with the lowest probability of flooding. It states that development should not be permitted if there are reasonably available sites appropriate for the proposed development in areas with a lower probability of flooding.

- 14.4 Paragraph 163 of the NPPF states that if it is not possible for the development to be located in zones with lower probability of flooding, an Exception Test be applied if appropriate.
- 14.5 Paragraph 167 of the NPPF states that when determining any planning applications, local planning authorities should ensure that flood risk is not increased elsewhere. The paragraph adds that development should only be allowed in areas at risk of flooding where, in the light of this assessment (and the sequential and exception tests, as applicable) a number of requirements can be met.
- 14.6 The application is supported by a Hydrological Impact Assessment (HIA) and Flood Risk Assessment (FRA) and Drainage Strategy.
- 14.7 As previously stated, the site is primarily within Flood Zone 1 but has sections within Flood Zones 2 and 3. The site has also already been sequentially tested as part of the allocations within the Buckinghamshire Minerals and Waste Local Plan. As such, it is not necessary to apply the sequential test to the planning application because the proposed development is consistent with the use for which the site was allocated.
- 14.8 The FRA covers a number of matters, including the baseline conditions at the site, the flood risk to the proposed development, flood risk mitigation measures, flood risk to the surrounding area and drainage strategy.
- 14.9 The documents sets out that the quarry will be dewatered when sand and gravel extraction reaches depths of 3.5 - 8.5 metres below ground level. Following the extraction of sand and gravel the underlying clay will be excavated for use in lining the quarry void perimeter for restoration purposes. Depending on the season and location dewatering may lower the groundwater table by up to 5m.
- 14.10 During the operational phase, the majority of the runoff would drain to the Horton Brook, while the remaining runoff would be captured by the active quarry void. Runoff captured by the quarry void would be treated and discharged off-site under the conditions of a new discharge licence (controlled by the Environment Agency).
- 14.11 The proposed restoration scheme includes an ecological corridor adjacent to the Horton Brook. This corridor would include seasonal ditches and open water bodies which could provide surface runoff storage. Following restoration it is considered the risk of downstream flooding would be reduced compared to the current situation.
- 14.12 The HIA assesses the potential impacts from the scheme and notes that the most significant impacts would be the potential reduction of groundwater baseflow into the Horton Brook, reduction of surface water available for abstraction at the Riching's Park Golf Club and the potential for water quality deterioration in both the Horton Brook and the sand and gravel Principal Aquifer during quarry operations. The assessment notes that water quantity impact would be mitigated by maintaining the Horton Brook's baseflow by a compensation flow from the Site under the terms of a discharge activity Environmental Permit and that potential water quality impacts would be addressed by standard good practice and planning conditions applied to

the planning permission. The assessment concludes that there are no hydrogeological reasons why the proposed scheme should be refused.

- 14.13 The ES section concerning Hydrology / Hydrogeology summarises the findings of the aforementioned technical documents and finds that there would be no significant residual effects on the hydrogeological and hydrological regimes that are associated with the proposed mineral extraction or restoration phases subject to appropriate measures being employed.
- 14.14 The Lead Local Flood authority were consulted on the proposal and held no objection subject to conditions securing a detailed surface water drainage scheme for both extraction and restoration.
- 14.15 The Environment Agency were also consulted on the proposal and held no objection to the proposal. The agency agree with the conclusions of the submitted FRA that there will be no increased risk of fluvial flooding as a result of the proposal.
- 14.16 Network Rail were consulted upon the application and raised concerns regarding proposed dewatering of the application site and potential impacts on their assets. Following submission of further details from the applicant the objection was removed.
- 14.17 In view of the above, it is considered the application is in accordance with policy.

15.0 Historic Environment

CP8 Built and Historic Environment

Policy 19: Historic Environment

- 15.1 Policy 19 of the BMWLP requires proposals to conserve heritage assets in a manner appropriate to their significance.
- 15.2 Policy CP8 of the SBCS makes similar provision and sets out that the protection of the area's historic environment is of paramount importance. This policy is not entirely consistent with the language of the NPPF set out in paragraphs 199 and 202 as they apply in this instance, how this harm should be quantified, and the balancing of harm against public benefits, and can only be afforded limited weight.
- 15.3 No designated heritage assets are located within the site.
- 15.4 Aside from Old Timbers and Sutton Court Farmhouse located roughly 650m south of the site (Grade II), the nearest listed historical assets to the site are the nearest listed buildings which are roughly in excess of 1km away located within Sutton, Langley or Richings Park. The nearest conservation areas are in Iver approximately 2km north east and St Mary's Road, Langley approximately 1.75km west.
- 15.5 Paragraph 195 of the NPPF states that local planning authorities should identify and assess the particular significance of any heritage asset that may be affected by the proposal (including by development affecting the setting of a heritage asset) taking

account of the available evidence and any necessary expertise. They should take this into account when considering the impact of a proposal on a heritage asset, to avoid or minimise any conflict between the heritage asset's conservation and any aspect of the proposal.

- 15.6 Paragraph 199 of the NPPF states that when considering the impact of a proposed development on the significance of a designated heritage asset, great weight should be given to the asset's conservation. The same paragraph states that this great weight should be applied irrespective of whether any potential harm amounts to substantial harm, total loss or less than substantial harm to its significance.
- 15.7 Paragraph 202 of the NPPF goes on to state that "where a development proposal will lead to less than substantial harm to the significance of a designated asset, this harm should be weighed against the public benefits of the proposal including, where appropriate, securing its optimum viable use".
- 15.8 Paragraph 205 of the NPPF states "Local planning authorities should require developers to record and advance understanding of the significance of any heritage assets to be lost (wholly or in part) in a manner proportionate to their importance and the impact, and to make this evidence (and any archive generated) publicly accessible. However, the ability to record evidence of our past should not be a factor in deciding whether such loss should be permitted."
- 15.9 Section 66 of the Planning (Listed Buildings and Conservation Areas) Act 1990 requires decision makers in considering whether to grant planning permission for development which affects a listed building, or its setting, to have special regard to the desirability of preserving the building or its setting or any features of special architectural or historic interest which it possesses.
- 15.10 With regards to cultural heritage, it is considered that the designated assets in the wider locality do not have scope to be affected by the proposals.
- 15.11 The ES section concerning archaeology and cultural heritage is supported by a desk based archaeological assessment, geoarchaeological assessment, written scheme of investigation and cultural heritage assessment. The ES summarises the findings of the technical documents and notes that the site is within an area of medium archaeological sensitivity. However, it is found that in view of the reports produced for this application that there would be limited archaeological remains which would justify preservation within the site. As a result, it is proposed to implement a mitigation strategy to preserve archaeological deposits in accordance with guidance.
- 15.12 The council's archaeology team were consulted on the proposal and largely concur with the applicant's assessment within ES that there would be limited archaeological remains which would justify preservation within the site. The team note that if planning permission is granted for this development then it is likely to harm a heritage asset's significance so a condition should be applied to require the

developer to secure appropriate investigation, recording, publication and archiving of the results in conformity with NPPF paragraph 205.

- 15.13 In summary, subject to the above identified mitigation measures / conditions the proposal is in accordance with policy.

16.0 Climate Change

Policy 23: Design and Climate Change

Core Policy 13 – Environmental and Resource Management (CP13)

- 16.1 Government objective is to achieve net-zero carbon emissions by 2050, Buckinghamshire Council has joined this pledge. Paragraph 154 of the NPPF (2021) states that new development should be planned for in ways that avoid increased vulnerability from climate change, reducing greenhouse gas emissions through location, orientation and design.
- 16.2 Policy CP13 of the SBCS DPD seeks to promote best practice in design and construction with developments incorporating SuDs where feasible.
- 16.3 Policy 23 of the BMWLP states development should minimise adverse effects on and from climate change. The policy encourages usage of SuDs and also requires development minimises greenhouse gas emissions. The policy does include the caveat noting that minerals development may have a reduced capacity to achieve this.
- 16.4 Per the recommendation on this report, it is recommended an obligation to utilise EURO VI compliant vehicles is recommended. This will help minimise emissions.
- 16.5 The proposal would be subject to a secured surface water management scheme which utilises SuDs.
- 16.6 It is considered the proposal would be satisfactory when considered in view of the above policies.

17.0 Aerodrome Safeguarding

Policy EP17 - Aerodrome / Air Traffic Safeguarding

Policy 23: Design and Climate Change

- 17.1 Policy EP17 of the SBDLP states the council will not permit development which would interfere with the safe operation of an aerodrome or with the movement of air traffic over the District.
- 17.2 Policy 23 of the BMWLP also requires minerals and waste development incorporates safety measures and takes into account aviation safety.

- 17.3 The local planning authority are also required to follow the protocol set out in the Planning Circular 01/03: Safeguarding Aerodromes.
- 17.4 London Heathrow Airport was consulted on the proposal and had no objections but recommends the dewatering lagoon is kept as small as possible with steep sides. They also recommend no areas of open water are unvegetated.
- 17.5 It is considered the proposal meets policy.

18.0 Raising the quality of place making and design

Policy EP3 - The Use, Design and Layout of Development

CP8 – Built and Historic Environment

Policy 23: Design and Climate Change

- 18.1 Policy 23 of the BMWLP states that minerals development should secure high quality design and minimise adverse effects on and from climate change and to this end should reflect the character of the surrounding environment, incorporate safety and security measures, incorporate the principles of sustainable design and construction, apply SUDS, minimise greenhouse gas emissions including proofing for climate change and utilise appropriate native species in planting schemes. The policy recognises that minerals development may have a reduced capacity to address some of the above criteria however they should be addressed to the fullest extent possible.
- 18.2 Great weight will be given to outstanding or innovative designs which help raise the standard of design for mineral development.
- 18.3 Policy EP3 of the SBDLP states that development will only be permitted where its scale, layout, siting, height, design, external materials and use are compatible with the character and amenities of the site itself, adjoining development and the locality in general. Poor designs which are out of scale or character with their surroundings will not be permitted. The policy states that the layout should not be dominated by large areas set aside for parking, servicing or access, and where extensive space is required for such activities, it should be subdivided by landscaping. It further states that the layout of new development should, where possible, create attractive groupings of buildings and spaces between buildings.
- 18.4 SBCS Policy 8 states that all new development must be of a high standard of design and make a positive contribution to the character of the surrounding area. It states that new development should be designed to help tackle the causes of, and be resilient to the effects of, climate change.
- 18.5 As has been set out in the above sections whilst the proposed development will result in impacts these can be minimised via adherence to planning conditions and best practice. The restoration of the site would be positive for the natural environment and the concept is in line with above policy.

18.6 It is considered the proposal meets the above listed policies.

19.0 Weighing and balancing of issues / Overall Assessment

19.1 In determining the planning application, section 38(6) of the Planning and Compulsory Purchase Act 2004 requires that proposals be determined in accordance with the development plan unless material considerations indicate otherwise. In addition, Section 143 of the Localism Act amends Section 70 of the Town and Country Planning Act relating to the determination of planning applications and states that in dealing with planning applications, the authority shall have regard to:

- a. Provision of the development plan insofar as they are material,
- b. Any local finance considerations, so far as they are material to the application (such as CIL if applicable), and,
- c. Any other material considerations

19.2 As set out above it is considered that the proposed development would accord with the development plan policies and no material considerations dictate that a decision should be taken other than in accordance with the development plan.

19.3 Local Planning Authorities, when making decisions of a strategic nature, must have due regard, through the Equalities Act, to reducing the inequalities which may result from socio-economic disadvantage. In this instance, it is not considered that this proposal would disadvantage any sector of society to a harmful extent.

20.0 Working with the applicant / agent

20.1 In accordance with paragraph 38 of the NPPF (2021) the Council approach decision-taking in a positive and creative way taking a proactive approach to development proposals focused on solutions and work proactively with applicants to secure developments.

20.2 The Council work with the applicants/agents in a positive and proactive manner by offering a pre-application advice service, and as appropriate updating applications/agents of any issues that may arise in the processing of their application.

20.3 In this instance:

- The applicant was provided the opportunity to submit amendments to the scheme/address issues.
- The application was considered by the Planning Committee where the applicant/agent had the opportunity to speak to the committee and promote the application.

21.0 Recommendation

21.1 Subject to the applicant first entering into a legal agreement under s106 of the Town and Country Planning Act 1990 (as amended) securing HGV vehicle routing, EURO VI compliance, laying out of access in accordance with a s184 agreement made under the Highways Act 1980, 15 year-long biodiversity management period and Air Quality Management Contributions, it is recommended the application is APPROVED subject to conditions to be finalised including those set out below:

General

1. The development hereby permitted shall commence no later than three years from the date of this planning permission. No later than seven days before the date of commencement, written notification of the date of commencement shall be provided to the Local Planning Authority.

Reason: In accordance with Section 91 of the Town and Country Planning Act 1990.

2. Otherwise than as may be required by the conditions of this planning permission, the development hereby permitted shall not be carried out other than in complete accordance with the following documents:

- Drawing Number: 1521/CO/1, Composite Operations Plan, Version 9, dated 17th May 2023
- Drawing Number: 1521/CA/1, Compound Area, Version 3, dated 17th May 2023
- Drawing Number: 1521/CS/1, Illustrative Cross Sections, Version 3, dated 17th May 2023
- Drawing Number: 1521/PO/1, Progressive Operations Plans, Version 4, dated 17th May 2023
- Drawing Number: 1521/R/1, Restoration Proposals, Version 4, dated 17th May 2023
- Drawing Number: 1521/A/1, Location Plan showing Application Area, Version 2, dated 24th July 2020
- Drawing Number 20437-03, Proposed Site Access, dated Aug 20

Reason: To define the development which has been permitted and so to control the operations in accordance with policy 16 of the Buckinghamshire Minerals and Waste Local Plan.

3. Final restoration in accordance with the scheme approved pursuant to condition 51 of this consent shall be completed and all plant, machinery and equipment, other than that required for on-going maintenance and management shall be removed from the land no later than eight years from the date of commencement.

Reason: To control the development and ensure timely restoration of the development in accordance with policy 25 of the Buckinghamshire Minerals and Waste Local Plan.

4. Extraction shall not exceed a maximum depth of 10 metres below existing ground level.

Reason: To define the development which has been permitted and so to control the operations in accordance with policy 16 of the Buckinghamshire Minerals and Waste Local Plan.

5. Prior to the commencement of development, details of the type, size and colour of all buildings, and equipment shown on Drawing Number: 1521/CA/1, Compound Area, (Version 3, dated 17th May 2023), shall be submitted to the Local Planning Authority for written approval, and thereafter only sited, maintained and operated in accordance with the approved details.

Reason: To control the development and in the interest of limiting the visual impact of the development in accordance with policy 20 of the Buckinghamshire Minerals and Waste Local Plan.

6. A copy of the decision notice and the plans and documents as hereby approved shall be kept at the site office and be available for inspection by employees and agents of the site operators and the Local Planning Authority at any time during working hours.

Reason: To ensure that all staff are aware of the relevant conditions and that an orderly programme of operations is carried out in such a way that the adverse effects on the local community are kept to a minimum and that the complete restoration of the land to a beneficial use is achieved in accordance with policy 16 of the Buckinghamshire Minerals and Waste Local Plan.

7. Aside from pumping and emergency maintenance, no operations authorised by this consent shall be carried out other than between the following hours:

- 07:00 to 18:00 Mondays to Fridays
- 07:00 to 13:00 Saturdays

No operations shall be carried out on Sundays or Public Holidays.

No operations other than those in relation to the distribution of materials from the site shall be carried out between 7:00 am to 1:00pm on Saturdays.

Reason: In the interests of local amenity in accordance with policy 16 of the Buckinghamshire Minerals and Waste Local Plan.

8. Other than as approved pursuant to condition 18 of this consent and during the operational hours for the site as defined by condition 7 of this consent no illumination of the site shall occur. This is with the exception of security lighting.

Reason: In the interests of local amenity in accordance with policy 16 of the Buckinghamshire Minerals and Waste Local Plan.

9. Notwithstanding the provisions of the Town and Country Planning (General Permitted Development) (England) Order 2015 or any subsequent revisions, modifications, revocation or re-enactment, no buildings, fixed plant or machinery, structures or erections shall be erected or constructed on the site.

Reason: In the interests of local amenity and to protect the openness of the Green Belt in accordance with policies 16 and 21 of the Buckinghamshire Minerals and Waste Local Plan.

Working Programme and Phasing

10. Working and restoration shall take place in accordance with the phases shown on the following drawings:

- Drawing Number: 1521/PO/1, Progressive Operations Plans, Version 4, dated 17th May 2023

Also:

- i. No mineral extraction shall occur in phase 4 until infilling has been completed within Phase 1
- ii. No mineral extraction shall occur in phase 5 until phase 2 has been restored

Reason: To ensure that the site is worked & restored in an orderly manner and in accordance with policy 25 of the Buckinghamshire Minerals and Waste Local Plan.

11. Between 1 January and 31 January in each calendar year during the period of the operations hereby authorised, a plan at a scale of not less than 1:2500 shall be submitted to the Local Planning Authority showing:

- i. The progress of soil stripping and soil storage
- ii. Extent and depth of excavation
- iii. Extent and levels of infill

iv. Restoration progress

Reason: To assist the Local Planning Authority in monitoring the progress of the development and identify at an early stage any problem with meeting the date required by Condition No. 3 for the completion of restoration in accordance with the policies 25 and 28 of the Buckinghamshire Minerals and Waste Local Plan.

Access and Vehicles

12. The total combined maximum number of heavy goods vehicle movements (where heavy goods vehicles are those greater than 3.5 tonnes unladen weight) shall not exceed 190 HGV movements (95 in, 95 out) per day on Mondays to Fridays.

The maximum number of heavy goods vehicle movements in and out of the site shall not exceed 24 movements (12 in, 12 out) per hour.

The maximum number of heavy goods vehicle movements in and out of the site shall not exceed 16 movements (8 in, 8 out) between the hours of 08:00 and 09:00.

The maximum number of heavy goods vehicle movements in and out of the site shall not exceed 8 movements (4 in, 4 out) between the hours of 17:00 and 18:00.

On Saturdays the maximum total number of heavy good vehicle movements (vehicles over 3.5 tonnes unladen weight) shall not exceed 100 HGV movements (50 in, 50 out).

Reason: In the interests of highways safety and local amenity and to accord with policies 16 and 17 of the Buckinghamshire Minerals and Waste Local Plan.

13. All heavy goods vehicles leaving the site shall pass through wheel cleaning equipment as necessary to prevent mud being carried onto the public highway.

Reason: In the interests of highway safety and the amenities of the local area and to comply with policies 16 and 17 of the Buckinghamshire Minerals and Waste Local Plan.

14. All loaded vehicles associated with the mineral extraction and landfill operations entering and leaving the site shall be sheeted to prevent material falling onto the public highway.

Reason: In the interests of highway safety and the amenities of the local area and to comply with policies 16 and 17 of the Buckinghamshire Minerals and Waste Local Plan.

15. Records of the daily heavy good vehicle movements and the tonnage of mineral being exported and waste being imported to the site shall be maintained for the duration of the development hereby permitted. These records shall include the dates and timings of movements (access and egress) and the associated numberplates for the vehicles. These records shall be made available to the Local Planning Authority no later than one week after any request to view them has been made.

Reason: In the interests of highway safety and the amenities of the local area and to comply with policies 16 and 17 of the Buckinghamshire Minerals and Waste Local Plan.

16. The scheme for parking and manoeuvring indicated on the approved plans set out in condition 2 of this consent shall be laid out prior to the initial occupation of the development hereby permitted and that area shall not thereafter be used for any other purpose.

Reason: To enable vehicles to draw off, park and turn clear of the highway to minimise danger, obstruction and inconvenience to users of the adjoining highway in accordance with policy 17 of the Buckinghamshire Minerals and Waste Local Plan.

Ecology and Biodiversity

17. Before any construction works hereby approved are commenced, a Construction Environment Management Plan (CEMP) detailing, in full, measures to protect existing habitat during construction works, shall be submitted to and approved in writing by the Local Planning Authority. Within the CEMP document the following information shall be provided:

- i. An updated Defra metric showing the proposed time delay between habitat loss and habitat creation along with any changes to the proposed habitats/hedgerows or condition assessments. The update shall show that the proposals continue to demonstrate a biodiversity net gain;
- ii. Current soil conditions of any areas designated for habitat creation and detailing of what conditioning must occur to the soil prior to the commencement of habitat creation works (for example, lowering of soil pH via application of elemental sulphur);
- iii. Descriptions and mapping of all exclusion zones (both vehicular and for storage of materials) to be enforced during construction to avoid any unnecessary soil compaction on areas to be utilised for habitat creation;

- iv. Details of dust management and pollution prevention measures during the operational period to ensure no effects on priority habitat;

The development shall be undertaken and thereafter maintained in accordance with the approved CEMP.

Reason: To ensure the adequate protection of species important for nature conservation and their habitats and for the creation of biodiversity net gain in accordance with Buckinghamshire Minerals and Waste Local Plan policies 18 and 24.

18. Before any works hereby approved are commenced, a “lighting design strategy for biodiversity” for the entire site including for the adjacent woodland, treelines and brook shall be submitted to and approved in writing by the Local Planning Authority. The strategy shall:

a) identify those areas/features on site that are particularly sensitive for bats, otter and water vole and that are likely to cause disturbance in or around their breeding sites and resting places or along important routes used to access key areas of their territory, for example, for foraging; and

b) show how and where external lighting will be installed (through the provision of appropriate lighting contour plans and technical specifications) so that it can be clearly demonstrated that areas to be lit will not disturb or prevent the above species using their territory or having access to their breeding sites and resting places.

All external lighting shall be installed in accordance with the specifications and locations set out in the strategy, and these shall be maintained thereafter in accordance with the strategy. Under no circumstances shall any other external lighting be installed without prior consent from the Local Planning Authority.

Reason: To ensure the adequate protection of species important for nature conservation and their habitats in accordance with Buckinghamshire Minerals and Waste Local Plan Policy 18.

19. The development shall be carried out in accordance with the Woodland Management Plan dated 15th May 2023 for the duration of the development.

Reason: To ensure the secure environmental enhancement in accordance with Buckinghamshire Minerals and Waste Local Plan Policy 24.

Archaeology

20. No development shall take place, unless authorised by the Local Planning Authority, until the applicant, or their agents or successors in title, have secured

the implementation of a programme of archaeological excavation (which will take place over a number of phases). This will be undertaken in accordance with a written scheme of investigation which has been submitted to and approved in writing by the Local Planning Authority.

Reason: In order to ensure that satisfactory arrangements are made for the investigation and recording of archaeological remains in accordance with policy 19 of the Buckinghamshire Minerals and Waste Local Plan.

21. Further geoarchaeological investigation shall be undertaken as outlined in paragraph 5.5.18 within the Environmental Statement. Where geoarchaeological remains are found to be present, no development shall take place in these areas until the applicant, or their agents or successors in title, have secured the implementation of a programme of archaeological work in accordance with a written scheme of investigation which has been submitted to and approved in writing by the Local Planning Authority.

Reason: In order to ensure that satisfactory arrangements are made for the investigation and recording of archaeological remains in accordance with policy 19 of the Buckinghamshire Minerals and Waste Local Plan.

Pollution Control

22. Prior to the commencement of works on site an environmental management strategy and pollution incident response procedure shall be submitted to and approved in writing by the Local Planning Authority. The development site shall be maintained and works carried out in accordance with the approved details for the duration of the development.

Reason: To ensure measures are in place to mitigate potential pollution of groundwater and surface water bodies should there be an accident or emergency in accordance with policy 16 of the Buckinghamshire Minerals and Waste Local Plan.

23. No wastes other than naturally occurring excavated materials and construction and demolition waste of a non-putrescible nature shall be imported to and deposited at the site.

Reason: The importation of waste materials outside these categories would raise environmental and amenity issues which would require consideration afresh. To accord with policy 16 of the Buckinghamshire Minerals and Waste Local Plan.

24. Any oil or chemical storage tanks shall either be sited on impervious bases and surrounded by oil tight bund walls which shall be capable of containing 110% of the tanks' volume and shall enclose all fill and drain pipes or be prevented from causing pollution in accordance with other details to be submitted to and approved in writing by the Local Planning Authority.

Reason: To ensure that groundwater and surface water bodies are not polluted in accordance with policy 16 of the Buckinghamshire Minerals and Waste Local Plan.

Noise

25. Except for the temporary operations outlined in paragraph (b) below, the equivalent continuous noise level (LAeq) at residential properties in the vicinity of the site, due to the operations on the site, shall not exceed 55 dB(A), 1 hour, free field.

Reason: In the interests of local amenity in accordance with policy 16 of the Buckinghamshire Minerals and Waste Local Plan.

26. For temporary operations, such as bund construction and removal, the equivalent continuous noise level (LAeq) at residential properties in the vicinity of the site, due to the operations on the site, shall not exceed 70 dB(A), 1 hour, free field. Temporary operations which exceed the normal day-to-day noise level of 55 dB LAeq, 1 hour, free field, shall be limited to a total of eight weeks in any twelve month period.

Reason: In the interests of local amenity in accordance with policy 16 of the Buckinghamshire Minerals and Waste Local Plan.

27. Between the hours of 22:00 to 07:00 the equivalent continuous noise level (LAeq) at residential properties in the vicinity of the site, due to the operations on the site, shall not exceed 42dB(A) LAeq,1h (free field).

Reason: In the interests of local amenity in accordance with policy 16 of the Buckinghamshire Minerals and Waste Local Plan.

28. Within three months of the date of commencement, a Noise Management Plan (NMP) shall be submitted to and approved in writing by the Local Planning Authority (LPA). The NMP shall include the following information:

- A plan showing the location of noise sources on the site.
- An annual review of the NMP which takes into account any changes in noise sources, magnitude, or their location and any other additional mitigation

measures. The annual review is to be submitted to and approved by the LPA each year until the restoration works are completed.

- A record of noise complaints submitted to the operator and the corresponding action taken to address the complaint

Reason: In the interests of local amenity in accordance with policy 16 of the Buckinghamshire Minerals and Waste Local Plan.

29. All plant and machinery used at the site shall be properly silenced and maintained in accordance with the manufacturer's specification.

Reason: To protect occupants of nearby residential premises from loss of amenity from noise disturbance in accordance with policy 16 of the Buckinghamshire Minerals and Waste Local Plan.

Air Quality

30. The dust mitigation measures set out in section 3.7 of the Environmental Statement dated November 2021 shall be carried out for the duration of the development.

Reason: To protect occupants of nearby residential premises from loss of amenity from dust particles in accordance with policy 16 of the Buckinghamshire Minerals and Waste Local Plan.

Water Environment

31. Extraction of sand and gravels shall not begin until a detailed surface water drainage scheme to serve the site during the excavation phase, based on the principles of the approved Sutton Court Quarry Flood Risk Assessment and Drainage Strategy (ref.66938R2, November 2020, Stantec), has been submitted to and approved in writing by the Local Planning Authority. The scheme shall subsequently be implemented in accordance with the approved details before the development is completed. The scheme shall also include:

- Discharge rates and volumes
- Detailed drainage layout with pipe numbers, gradients and pipe sizes complete, together with storage volumes of all SuDS components
- Details of proposed overland flood flow routes in the event of system exceedance or failure, with demonstration of flow direction
- Details of how and when the full drainage system will be maintained, this should also include details of who will be responsible for the maintenance
- Construction details of all SuDS and drainage components

Reason: The reason for this pre-start condition is to ensure that a surface water drainage strategy to manage runoff during the operational phases of the development has been agreed to ensure that there is a satisfactory solution to managing flood risk in accordance with Paragraph 167 and 169 of the National Planning Policy Framework and Buckinghamshire Minerals and Waste Local Plan policy 16.

32. Restoration shall not begin until a detailed surface water drainage scheme for the site restoration phase, based on the principles of the approved Sutton Court Quarry Flood Risk Assessment and Drainage Strategy (ref.66938R2, November 2020, Stantec), has been submitted to and approved in writing by the Local Planning Authority. The scheme shall subsequently be implemented in accordance with the approved details before the development is completed. The scheme shall also include:

- Infiltration rate testing in accordance with BRE 365 to demonstrate the infiltration potential of the underlying soils
- Subject to infiltration being unviable, the applicant shall demonstrate that an alternative means of surface water disposal is practicable subject to the drainage hierarchy as outlined in paragraph 056 (ID: 7-056-20220825, Revision date: 25 08 2022) of the Planning Practice Guidance.
- Detailed drainage layout with storage volumes of all surface water drainage components
- Calculations to demonstrate that the proposed drainage system can contain up to the 1 in 30 storm event without flooding. Any onsite flooding between the 1 in 30 and the 1 in 100 plus climate change storm event should be safely contained on site.
- Details of proposed overland flood flow routes in the event of system exceedance or failure, with demonstration of flow direction
- Details of how and when the full drainage system will be maintained, this should also include details of who will be responsible for the maintenance
- Construction details of all SuDS and drainage components

Reason: The reason for this condition is to ensure that a surface water drainage strategy for the restoration phase has been agreed to ensure that there is a satisfactory solution to managing flood risk in accordance with Paragraph 167 and 169 of the National Planning Policy Framework and Buckinghamshire Minerals and Waste Local Plan policy 16.

Soil Handling

33. No soil stripping or movement shall take place before 08:00 Mondays to Fridays and no such activity shall occur on weekends or public holidays.

Reason: In the interests of local amenity in accordance with policy 16 of the Buckinghamshire Minerals and Waste Local Plan.

34. The scheme for handling soils detailed in section 3.5 of the Environmental Statement dated November 2021 shall be implemented throughout the duration of the development.

Reason: To ensure by the careful handling and storage of soil resources the satisfactory restoration of the site to agriculture and nature conservation uses and to protect the amenities of the area in accordance with policy 25 of the Buckinghamshire Minerals and Waste Local Plan.

35. Prior to the commencement of any replacement of soils, details of restored soil profiles shall be submitted to and approved in writing by the local planning authority. The approved details shall be implemented thereafter.

Reason: To ensure by the careful handling and storage of soil resources the satisfactory restoration of the site to agriculture and nature conservation uses and to protect the amenities of the area in accordance with policy 25 of the Buckinghamshire Minerals and Waste Local Plan.

36. Five working days' notice to the Local Planning Authority shall be given of any operation associated with the stripping, regrading or spreading of top or subsoils. Such operations shall not be carried out if the Local Planning Authority notifies the operator that soil conditions are not suitable.

Reason: To ensure by the careful handling and storage of soil resources the satisfactory restoration of the site to agriculture and nature conservation uses and to protect the amenities of the area in accordance with policy 25 of the Buckinghamshire Minerals and Waste Local Plan.

37. No later than three months prior to the commencement of soil stripping in any phase of the development, a scheme setting out the method of:

- (i) soil stripping, handling, storage and replacement;
- (ii) the machinery to be used;
- (iii) the location of internal haul routes;

- (iv) the location, contours and volumes of the storage bunds including the identification of the soil types and units to be contained therein;

shall be submitted to and approved in writing by the Local Planning Authority. The scheme shall also include details for the marking out of each phase with posts prior to the commencement of working. The scheme shall identify clearly the origin, intermediate and final locations of soils for use in the agricultural restoration, as defined by soil units, together with details balancing the quantities, depths and areas involved. The approved details shall be implemented thereafter for the duration of the development.

Reason: To ensure by the careful handling and storage of soil resources the satisfactory restoration of the site to agriculture and nature conservation uses and to protect the amenities of the area in accordance with policy 25 of the Buckinghamshire Minerals and Waste Local Plan.

- 38. Topsoil shall be stripped to full depth.

Reason: To ensure by the careful handling and storage of soil resources the satisfactory restoration of the site to agriculture and nature conservation uses and to protect the amenities of the area in accordance with policy 25 of the Buckinghamshire Minerals and Waste Local Plan.

- 39. Both when being moved to storage locations and when being moved to final surface position, topsoil and subsoil shall be transported and not bladed.

Reason: To ensure by the careful handling and storage of soil resources the satisfactory restoration of the site to agriculture and nature conservation uses in accordance with policy 25 of the Buckinghamshire Minerals and Waste Local Plan.

- 40. Soil stripping or movement of soil shall not be undertaken other than between 1 May and 30 September inclusive, unless otherwise agreed in writing by the Local Planning Authority. During this period, soil shall not be moved other than when the soil is in a dry and friable condition. The tests for determining if soils are dry and friable shall be carried out as set out in detailed in the in section 3.5 of the Environmental Statement dated November 2021. The tests for weather and ground conditions shall be carried out as set out in detailed in the in section 3.5 of the Environmental Statement dated November 2021.

Reason: To ensure by the careful handling and storage of soil resources the satisfactory restoration of the site to agriculture and nature conservation uses in

accordance with policy 25 of the Buckinghamshire Minerals and Waste Local Plan.

41. Wherever possible, all topsoil shall be stored separately from subsoil and over or underburden (soil substitute material). All subsoil shall be stored separately from over or underburden. Topsoil shall be stripped from areas where mounds of subsoil and over or underburden (soil substitute material) and subsoil are to be stored. Where continuous bunds are used dissimilar soils shall be separated by a third material the details of which shall be submitted to and approved in writing by the Local Planning Authority prior to the bund construction.

Reason: To ensure by the careful handling and storage of soil resources the satisfactory restoration of the site to agriculture and nature conservation uses in accordance with policy 25 of the Buckinghamshire Minerals and Waste Local Plan.

42. Soil bunds shall not be located other in the positions specified on the plans approved pursuant to Condition No. 2 of this Consent.

Reason: To ensure by the careful handling and storage of soil resources the satisfactory restoration of the site to agriculture and nature conservation uses in accordance with policy 25 of the Buckinghamshire Minerals and Waste Local Plan.

43. All stored topsoil, subsoil over or underburden mounds shall be constructed with the minimum of compaction necessary to ensure stability. The storage mounds shall be shaped as specified on the plans approved pursuant to Condition No. 2 of this Consent.

Reason: To ensure by the careful handling and storage of soil resources the satisfactory restoration of the site to agriculture and nature conservation uses in accordance with policy 25 of the Buckinghamshire Minerals and Waste Local Plan.

44. Except for the purposes of soil stripping or replacement operations, no topsoil or subsoil shall be traversed by heavy vehicles and no storage mounds shall be traversed by heavy vehicles or machinery except where essential for purposes of mound construction or maintenance.

Reason: To ensure by the careful handling and storage of soil resources the satisfactory restoration of the site to agriculture and nature conservation uses in accordance with policy 25 of the Buckinghamshire Minerals and Waste Local Plan.

45. Soil and over or underburden storage mounds shall not exceed three metres in height.

Reason: To ensure by the careful handling and storage of soil resources the satisfactory restoration of the site to agriculture and nature conservation uses in accordance with policy 25 of the Buckinghamshire Minerals and Waste Local Plan.

46. The topsoil, subsoil and over or underburden material storage mounds once constructed shall not be subsequently disturbed until required for restoration purposes.

Reason: To ensure by the careful handling and storage of soil resources the satisfactory restoration of the site to agriculture and nature conservation uses in accordance with policy 25 of the Buckinghamshire Minerals and Waste Local Plan.

47. All storage mounds that remain in situ for more than six months, or over the winter period, shall be grass-seeded (ryegrass mix) and kept from a proliferation of weeds.

Reason: To ensure by the careful handling and storage of soil resources the satisfactory restoration of the site to agriculture and nature conservation uses in accordance with policy 25 of the Buckinghamshire Minerals and Waste Local Plan.

48. No subsoil or topsoil shall be exported from the site.

Reason: To ensure that sufficient soils are available for restoration purposes in accordance with policy 25 of the Buckinghamshire Minerals and Waste Local Plan.

Mineral Extraction

49. Stockpiles of extracted sand and gravel shall not exceed the height of the peak of the perimeter bunds.

Reason: To minimise the visual impact of the development on the locality in accordance with policy 20 of the Buckinghamshire Minerals and Waste Local Plan.

Arboricultural

50. Prior to the commencement of the development, a site specific Arboriculture Method Statement (AMS) taking into account guidance within British Standard 5837 :2012 to cover all aspects of tree protection/retention and proposed tree works and including details of: all tree protection measures (including root protection areas and fencing), tree works specifications, supervision by a pre-appointed tree specialist and a detailed tree protection plan shall be submitted to and approved in writing by the Local Planning Authority. The development hereby permitted shall thereafter be carried out in accordance with the approved Arboriculture Method Statement.

Reason: To maintain the amenity of the area and ensure retained trees, shrubs and hedges are not damaged during all phases of development to avoid any irreversible damage to retained trees pursuant to section 197 of the Town and Country Planning Act 1990 by ensuring the development accords with method statement and that the correct materials and techniques are employed which conform to current British Standard 5837 specification guidance. Also, to accord with policy 18 of the Buckinghamshire Minerals and Waste Local Plan.

Restoration and Aftercare

51. Prior to the commencement of development, a detailed restoration and landscape scheme shall be submitted to and approved in writing by the Local Planning Authority. The landscaping scheme shall be based upon Drawing Number: 1521/R/1, Restoration Proposals, (Version 4, dated 17th May 2023), and shall include the following details:

- i. Details of existing planting to be retained; including location and proposed protection measures;
- ii. Details of size and species of trees and shrubs to be planted;
- iii. Location of planting of new trees and shrubs;
- iv. Protection zones between all retained vegetation and proposed excavations and stockpiles;
- v. A fully detailed planting proposal and specification using locally occurring indigenous species, stating the species, size at time of planting, planting spacing/densities, total plant numbers and planting protection/fencing. Hedgerow trees should be included within hedgerows. Areas of grass seeding outside of the agricultural fields should be covered by the proposal and specification. Plants shall be of local provenance;
- vi. Protection measures to be provided to new planting;
- vii. Location and details of fencing;
- viii. Five year programme of maintenance of existing and proposed new planting, including that any trees or shrubs which are damaged, become

diseased or die during the development permitted by this consent or during the aftercare period, shall be replaced in the following planting season in accordance with the details submitted in the landscaping protection and maintenance scheme;

- ix. Programme for implementation including phasing to show progressive landscaping restoration proposals.

The approved scheme shall then be implemented as required throughout the duration of the development.

Reason: To ensure satisfactory restoration of the site in accordance with policy 25 of the Buckinghamshire Minerals and Waste Local Plan.

52. Prior to the commencement of any infilling works a detailed Aftercare Scheme for a period of five years to provide for agriculture and nature conservation after uses shall be submitted to and approved in writing by the Local Planning Authority. The scheme shall include the annual aftercare programme to be carried out and provide for:

- a) The removal of any large stones from the surface;
- b) The making up of any low spots with topsoil;
- c) The provision of a drainage scheme if required to be constructed following the annual aftercare meeting.
- d) An analysis of the soil acidity and nutrient deficiency;
- e) The cropping, fertilisation and drainage measures to correct acidity and nutrient deficiency and to improve soil structure to achieve a good state of cultivation and fertility;
- f) The provision of hedges, trees and fences to provide for the efficient framing of the land and appearance of the landscape.
- g) The maintenance and/or provision of such means of access to, and within, the site necessary for the efficient farming of the land;
- h) The provision of such field water supplies necessary for the efficient farming of the land;
- i) An annual site meeting which will be attended by representatives of the developer, and the Local Planning Authority.
- j) A detailed annual programme, including further details of the type, depth and spacing of drains, ditches and outfalls as may be required and measures to maintain and repair the drainage system and measures to maintain the hedgerows, trees and fences, and replace any dead or diseased trees or shrubs as may be required to be submitted to the Local

Planning Authority not later than two months prior to the annual
Aftercare meeting

Reason: To ensure the satisfactory restoration of the site in accordance with
policy 25 of the Minerals and Waste Local Plan.

Informative(s)

1. Any geoarchaeological recording could be covered by a single written scheme of investigation which covers the site rather than separate documents produced as required. The archaeological investigations should be undertaken by a professionally qualified archaeologist working to the agreed written scheme(s) of investigation which should be based on our on-line template briefs.
2. The applicant is reminded that, under the Wildlife and Countryside Act 1981, as amended (section 1), it is an offence to remove, damage or destroy the nest of any wild bird while that nest is in use or being built. Planning consent for a development does not provide a defence against prosecution under this act. Buildings, trees and other vegetation are likely to contain nesting birds between 1st March and 31st August inclusive.
3. The applicant is reminded that, under the Protection of Badgers Act 1992 it is an offence to; wilfully kill, injure or take a badger (or attempt to do so); cruelly ill-treat a badger; dig for a badger; intentionally or recklessly damage, destroy or obstruct access to a badger sett; Cause a dog to enter a badger sett; and, disturb a badger when it is occupying a sett. Where proposed activities might result in one or more of the above offences, it is possible to apply for a licence from Natural England. If a badger or a badger sett is encountered during works, all works must cease until advice has been sought from Natural England, as failure to do so could result in prosecutable offences being committed.
4. The applicant is advised that the off-site works will need to be constructed under a Section 184 of the Highways Act legal agreement. This Small Works Agreement must be obtained from the Highway Authority before any works are carried out on any footway, carriageway, verge or other land forming part of the highway. A minimum period of 3 weeks is required to process the agreement following the receipt by the Highway Authority of a written request. Please contact Highways Development Management at the following address for information:-

Highway Development Management (Delivery)

Buckinghamshire Council

6th Floor, Walton Street Offices

Walton Street,

Aylesbury

Buckinghamshire

HP20 1UY

highwaysdm@buckinghamshire.gov.uk

5. The applicant is advised that Network Rail request that Asset Protection be engaged well ahead of the start of drawdown pumping and for the duration of the extraction period into restoration. It may be prudent for asset protection to request track monitoring to be put in place at the expense of the quarry prior to start of drawdown activities and regular ground monitoring of the land beyond/between the quarry and the railway. Initially the outside party should contact assetprotectionwestern@networkrail.co.uk to enter into a BAPA. Further, the Network Rail Mining team seek to continue inspections of quarries, excavations and boundaries with liaison with Western route Geotech RAM team as well as anticipated cooperation with the quarry. Additionally any future ground investigation information should be submitted to Network Rail for further information, as well as any change in plans.

APPENDIX A: Consultation Responses and Representations

Councillor Comments

Cllr Paul Griffin, Cllr Luisa Sullivan, Cllr Wendy Matthews -

Having considered this information, we would all like to continue to call this application in as we feel it needs public scrutiny. Our concerns include

- the proposal to operate the quarry dry. This will require the use of large pumps operating 24/7. Our previous experience of this in the vicinity tells us that this is a noisy operation and could affect the nearby residents, particularly at night. The impact of this on our local water table also needs to be considered as again local knowledge indicated that this is very sensitive to any disruption and localised flooding is an issue. The use of the Horton Brook as the outflow would raise this concern.
- The additional HGV traffic on this very heavily trafficked unclassified road. The section from Sutton Lane to the traffic calming island is frequently at a standstill in both directions during the rush hour. Yet another turning on to this short section of road will exacerbate this but no mitigation is proposed. At the very least the speed limit should be reduced from 40 to 30 mph. As we discussed, the best option would be to co-incide the exit with the Sutton Lane junction so that it can exit directly via traffic lights onto Sutton Lane/Parlaunt Road.
- Air quality - has the exhaust from the pumps and the prevailing wind direction been taken into account when considering air quality? Have the houses on our side of Sutton Lane been considered?
- The Minerals and Waste Policy 16 stated that “wellbeing and amenity to communities” and “cumulative impacts” need to be considered and there is no evidence that these matters have been addressed here, in particular the cumulative impact.

Parish/Town Council Comments

Ivers Parish Council – 20th December 2021

The Ivers Parish Council object to HGV access via Iver Villages and vehicles turning right into the site. Note Parish Council concerns; the area has a high water table; water being pumped into the brook; site proximity to underground pipelines.

Consultation Responses

Minerals and Waste Policy Team – No comment received.

Colne Valley Regional Park CIC – Objects to the application because of the landscape impact during construction and the cumulative impacts of so many current and proposed developments in the narrowest part of the Colne Valley Regional Park and the Green Belt between Langley and West Drayton. The planning situation in this area is hugely complicated by many proposals, including: • Sutton Court Farm • Cemex site to the east • Slough Local plan proposal for housing to the east •

Western Rail Link to Heathrow This area needs an overall masterplan relating to Green Infrastructure that all of the above developments, if approved, must play their part in making a contribution to. The Colne & Crane Valley's Green Infrastructure Strategy can provide a framework for that masterplan. We welcome the outline restoration plan for this proposal to agriculture and biodiversity enhancements particularly the biodiversity works that complement the Cemex site restoration plans on the other side of the Horton Brook. This is in line with the Colne Valley Regional Park objectives.

However, the impact on the CVRP objectives is not addressed during operation which will be a lengthy process affecting the local landscape and how this is perceived by local residents and visitors. In addition, the cumulative impact (policy 16) is not addressed. Therefore, there should be a contribution towards a Colne Valley Park Countryside Management project of circa 5-10k/year during the operational lifespan to improve landscape, biodiversity and paths in the Richings Park area around the site. Works will be informed by the Colne Valley Green Infrastructure Strategy including 'whole area opportunities' A, M, S, X and Z. This is consistent with: • Policy 24 "proposals must incorporate measures on site and/or off-site to enhance Buckinghamshire's assets and Green Infrastructure networks...the positive integration of the site with the wider landscape...Colne Valley Regional Park" • Policy 25 that states " Sites located within ... the Colne Valley Regional Park or the Green Belt should seek to enhance the characteristics and qualities for which the area was designated giving consideration to the provision of green infrastructure and opportunities for access and recreation" • Local Authorities duties to enhance the green belt in line with NPPF paragraph 145. This requirement is also within Policy 21

Ministry of Defence (RAF Northolt) – No comment received.

National Planning Casework Unit – No comment received.

BC Archaeology – Largely concur with applicant's assessment within ES. Note that if planning permission is granted for this development then it is likely to harm a heritage asset's significance so a condition should be applied to require the developer to secure appropriate investigation, recording, publication and archiving of the results in conformity with NPPF paragraph 205. With reference to the NPPF we therefore recommend that any consent granted for this development should be subject to the following conditions:

1. No development shall take place, unless authorised by the local planning authority, until the applicant, or their agents or successors in title, have secured the implementation of a programme of archaeological excavation, which may take place over a number of phases. This will be undertaken in accordance with a written scheme of investigation which has been submitted by the applicant and approved by the planning authority.
2. Further geoarchaeological investigation will be undertaken as outlined in paragraph 5.5.18 within the Environmental Statement. Where geoarchaeological remains are found to be present, no development shall take place in these areas until the applicant, or their agents or successors in title, have 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 by the planning authority.

BC Ecology – Objected in a letter dated 17th December 2021 due to the need for further information to fully assess the impact of the proposed development. Additional information was submitted in September 2022.

The assessment of the effects of the proposals on protected species are considered to be appropriate. The updated information has satisfied the reasons for the original objection. However, conditions are required to secure the proposed mitigation and enhancement plans.

1. Before any construction works hereby approved are commenced, a Construction Environment Management Plan (CEMP) and Habitat Management Plan (HMP) detailing, in full, measures to protect existing habitat during construction works and the formation of new habitat to secure habitat compensation and biodiversity net gain, shall be submitted to and approved in writing by the Local Planning Authority. Within the CEMP/HMP document the following information shall be provided:
 - a) An updated Defra metric showing the proposed time delay between habitat loss and habitat creation along with any changes to the proposed habitats/hedgerows or condition assessments. The update should show that the proposals continue to demonstrate a biodiversity net gain;
 - b) Current soil conditions of any areas designated for habitat creation and detailing of what conditioning must occur to the soil prior to the commencement of habitat creation works (for example, lowering of soil pH via application of elemental sulfur);
 - c) Descriptions and mapping of all exclusion zones (both vehicular and for storage of materials) to be enforced during construction to avoid any unnecessary soil compaction on areas to be utilised for habitat creation;
 - d) Details of dust management and pollution prevention measures during the operational period to ensure no effects on priority habitat;
 - e) Details of how the habitats due to be created will enhance the site for the notable species known to use it including bats, breeding birds and badger;
 - f) Details of both species composition and abundance where planting is to occur;
 - g) Proposed management prescriptions for all habitats for a period of no less than 30 years (in line with the emerging requirements of the Environment Act and local planning policy);
 - h) Assurances of achievability;
 - i) Timetable of delivery for all habitats;
 - j) A timetable of future ecological monitoring to ensure that all habitats achieve their proposed management condition as well as description of a feed-back mechanism by which the management prescriptions can be amended should the monitoring deem it necessary. All ecological monitoring and all recommendations for the

maintenance/amendment of future management shall be submitted to and approved in writing by the Local Planning Authority; and

k) Details of the funding mechanism by which the long-term implementation of the plan will be secured by the developer and those responsible for its delivery.

The development shall be undertaken and thereafter maintained in accordance with the approved CEMP and HMP.

2. Before any construction works hereby approved are commenced, a “lighting design strategy for biodiversity” for the adjacent woodland, treelines and brook shall be submitted to and approved in writing by the local planning authority. The strategy shall:
 - a) identify those areas/features on site that are particularly sensitive for bats, otter and water vole and that are likely to cause disturbance in or around their breeding sites and resting places or along important routes used to access key areas of their territory, for example, for foraging; and
 - b) show how and where external lighting will be installed (through the provision of appropriate lighting contour plans and technical specifications) so that it can be clearly demonstrated that areas to be lit will not disturb or prevent the above species using their territory or having access to their breeding sites and resting places.

All external lighting shall be installed in accordance with the specifications and locations set out in the strategy, and these shall be maintained thereafter in accordance with the strategy. Under no circumstances should any other external lighting be installed without prior consent from the local planning authority.

The council’s Ecologist also reviewed the Woodland Management Plan and held no objection but recommended some improvements to the proposal.

BC LLFA – No objection subject to conditions:

1. Extraction of sand and gravels shall not begin until a detailed surface water drainage scheme to serve the site during the excavation phase, based on the principles of the approved Sutton Court Quarry Flood Risk Assessment and Drainage Strategy (ref.66938R2, November 2020, Stantec), has been submitted to and approved in writing by the Local Planning Authority. The scheme shall subsequently be implemented in accordance with the approved details before the development is completed. The scheme shall also include:
 - Discharge rates and volumes as agreed with the Environment Agency
 - Detailed drainage layout with pipe numbers, gradients and pipe sizes complete, together with storage volumes of all SuDS components
 - Details of proposed overland flood flow routes in the event of system exceedance or failure, with demonstration of flow direction
 - Details of how and when the full drainage system will be maintained, this should also include details of who will be responsible for the maintenance
 - Construction details of all SuDS and drainage components

Reason: The reason for this pre-start condition is to ensure that a surface water drainage strategy to manage runoff during the operational phases of the development has been agreed to ensure that there is a satisfactory solution to managing flood risk in accordance with Paragraph 167 and 169 of the National Planning Policy Framework.

2. Restoration shall not begin until a detailed surface water drainage scheme for the site restoration phase, based on the principles of the approved Sutton Court Quarry Flood Risk Assessment and Drainage Strategy (ref.66938R2, November 2020, Stantec), has been submitted to and approved in writing by the Local Planning Authority. The scheme shall subsequently be implemented in accordance with the approved details before the development is completed. The scheme shall also include:

- Infiltration rate testing in accordance with BRE 365 to demonstrate the infiltration potential of the underlying soils
- Subject to infiltration being inviable, the applicant shall demonstrate that an alternative means of surface water disposal is practicable subject to the drainage hierarchy as outlined in paragraph 080 of the Planning Practice Guidance.
- Detailed drainage layout with storage volumes of all surface water drainage components
- Calculations to demonstrate that the proposed drainage system can contain up to the 1 in 30 storm event without flooding. Any onsite flooding between the 1 in 30 and the 1 in 100 plus climate change storm event should be safely contained on site.
- Details of proposed overland flood flow routes in the event of system exceedance or failure, with demonstration of flow direction
- Details of how and when the full drainage system will be maintained, this should also include details of who will be responsible for the maintenance
- Construction details of all SuDS and drainage components

Reason: The reason for this condition is to ensure that a surface water drainage strategy for the restoration phase has been agreed to ensure that there is a satisfactory solution to managing flood risk in accordance with Paragraph 167 and 169 of the National Planning Policy Framework.

BC Highways – Support the application of a planning obligation to control the HGV routing. Note the need for some deliveries to go towards Iver for local drop off. Accepts parking proposal would not lead to impacts on the adjacent highway. Finds swept paths acceptable for access acceptable.

No objection subject to the following conditions and aforementioned s106:

1. No other part of the development shall begin until the new means of access has been sited and laid out in general accordance with the submitted drawing and constructed in accordance with the Buckinghamshire Council guide note “Industrial Vehicular Access Within the Public Highway” under a s184 agreement.

Reason: In order to minimise danger, obstruction and inconvenience to users of the highway and of the development.

2. The scheme for parking and manoeuvring indicated on the submitted plans shall be laid out prior to the initial occupation of the development hereby permitted and that area shall not thereafter be used for any other purpose.

Reason: To enable vehicles to draw off, park and turn clear of the highway to minimise danger, obstruction and inconvenience to users of the adjoining highway.

Informative:

The applicant is advised that the off-site works will need to be constructed under a Section 184 of the Highways Act legal agreement. This Small Works Agreement must be obtained from the Highway Authority before any works are carried out on any footway, carriageway, verge or other land forming part of the highway. A minimum period of 3 weeks is required to process the agreement following the receipt by the Highway Authority of a written request. Please contact Highways Development Management at the following address for information:-

Highway Development Management (Delivery)

Buckinghamshire Council

6th Floor, Walton Street Offices

Walton Street,

Aylesbury

Buckinghamshire

HP20 1UY

highwaysdm@buckinghamshire.gov.uk

BC Landscape – No objection – Whilst the council’s landscape advisor does not always agree with some of the details of the LVIA they are satisfied that the post-operational landscape and visual impacts of the restored site will essentially be neutral from the medium-term onwards. The advisor recommends that planting along North Park should be omitted to preserve the open character of the site (this has been done). The advisor recommends conditions securing details of the existing and proposed soil profiles, details for aftercare proposals and for stockpiles.

Thames Water – No comment received.

BC Arboriculture – recommend the following planning condition:

No works or development (including for the avoidance of doubt any works of demolition/site clearance) shall take place until a tree constraints plan and Arboricultural Method Statement (AMS) with Tree Protection Plan (TPP) has been submitted in accordance with current British

Standard 5837 and approved in writing by the Local Planning Authority. Ground protection measures including protective fencing shall be erected or installed prior to the commencement of any works or development on the site including any works of demolition and shall conform to current British Standard 5837 specification guidance. The approved fencing and/or ground protection measures shall be retained and maintained until all building, engineering or other operations have been completed. No work shall be carried out or materials stored within the fenced or protected areas without prior written agreement from the Local Planning Authority. The development thereafter shall be implemented in strict accordance with the approved details.

The AMS and TPP shall include:

- 1.) Detailed plans showing location of the protective fencing including any additional ground protection whether temporary or permanent;
- 2.) Details as to the location of proposed and existing services and utilities including sustainable drainage, where these are close to Root Protection Areas (RPAs);
- 3.) Details as to the method, specification and materials to be used for any "no dig" cellular confinement systems where the installation of no-dig surfacing is within the Root Protection Areas of retained or planted trees is to be in accordance with current nationally recognised best practice guidance British Standard BS 5837 and current Arboricultural Guidance Note 'Cellular Confinement Systems Near Trees (area within the development to which it applies).
- 4.) Details of all proposed Access Facilitation Pruning, including root pruning, as outlined in current British Standard 5837 guidance shall be carried out in accordance with current British Standard 3998.
- 5.) All phases and timing of the project, including phasing of demolition and construction operations, in relation to arboricultural matters and details of supervision and reporting by a qualified arboriculturist.
- 6.) Siting of work huts and contractor parking; areas for the storage of materials and the siting of skips and working spaces; the erection of scaffolding and to be shown on submitted TPP.

BC Heritage – No comment received.

BC ROW – Provides suggestions for ROW improvement.

BC Public Health – No comment received.

BC Waste Management Team – No comment received.

BC Environmental Health Officer –

Contamination

No objection. Notes suitable controls should be put in place to ensure activities at the site do not give rise to contamination and to ensure that other waste materials are not deposited.

Air Quality

Routing Agreement recommended. Dust Management Plan recommended to be secured by condition. Requests contribution of £5146 to be made towards Air Quality Management Plan measures.

Noise

No material disagreement with conclusions of noise reports produced and finds noise levels at nearby sensitive receptors would be within levels set out by the PPG for Minerals Development.

Recommends the following conditions:

1. Except for the temporary operations outlined in paragraph (b) below, the equivalent continuous noise level (Leq) at residential properties in the vicinity of the site, due to the operations on the site, shall not exceed 55 dB(A), 1 hour, free field.
2. For temporary operations, such as bund construction and removal, the equivalent continuous noise level (Leq) at residential properties in the vicinity of the site, due to the operations on the site, shall not exceed 70 dB(A), 1 hour, free field. Temporary operations which exceed the normal day-to-day noise level of 55 dB LAeq, 1 hour, free field, shall be limited to a total of eight weeks in any twelve month period.

Recognises that whilst within above limits there may be on occasion a demonstrable diminution in amenity in the locality. Also recommends the following condition:

3. No works shall begin in connection with any Phase as set out in the Composite Operations Plan (Plan No. 1521/CO/1 dated 7th of October 2020) until a written scheme for assessing and protecting nearby residents from noise and vibration from any plant, vehicles, or machinery to be operated within the overall site has been submitted and approved in writing by the Local Planning Authority. Any measures, including monitoring, which form part of the scheme approved by the Authority shall be carried out in accordance with the approved scheme at all times.

Also recommends hours of operation are conditioned.

In the initial comments the officer recommended an assessment was made for road traffic noise impacts on the local community. The applicant completed this and upon review the EHO agreed with the principal conclusion that the increase in road traffic noise associated with the proposed development will have only a relatively minor impact on the local community.

Crime Prevention Officer – No comment received.

Environment Agency – No objection. Agree conclusions of the submitted FRA that there will be no increased risk of fluvial flooding as a result of the proposal. Provides some advice for the applicant regarding permitting.

Natural England – No objection. Based on the plans submitted, Natural England considers that the proposed development will not have significant adverse impacts on statutory designated sites and has no objection. Advice regarding the proposal is also provided.

London Heathrow – No safeguarding objections. Recommends the dewatering lagoon is kept as small as possible, with a functional design of straight steep sides. The ecological corridor and seasonal ditch and ponds/attenuation areas are vegetated so that no areas of open water are visible.

Health and Safety Executive – made comments in December 2021 seeking clarifications regarding any potential hazardous substances and the nearby Cadent Gas pipelines. Reconsulted in September but made no further comment.

Cadent Gas – No objection to the proposal.

National Highways – No comment received.

CPRE Bucks – No comment received.

Hillingdon Borough Council – No comment received.

Slough Borough Council – Contribution of £35,000 towards air quality resolves the objection previously lodged.

Network Rail – No objection. Requests the following informatives: It would be requested that Asset Protection be engaged well ahead of the start of drawdown pumping and for the duration of the extraction period into restoration. It may be prudent for asset protection to request track monitoring to be put in place at the expense of the quarry prior to start of drawdown activities and regular ground monitoring of the land beyond/between the quarry and the railway. Initially the outside party should contact assetprotectionwestern@networkrail.co.uk to enter into a BAPA.

The NR Mining team is to continue inspections of quarries, excavations and boundaries with liaison with Western route Geotech RAM team as well as anticipated cooperation with the quarry. Additionally any future ground investigation information should be submitted to NR for further information, as well as any change in plans.

British Pipelines – No comment received.

Representations

No comments have been received supporting the proposal, one comment neither supporting nor objecting and two comments objecting to the proposal. The comments raised concern regarding:

- Water being pumped into local water courses

- Noise impacts
- Impacts on Colne Valley
- Green Belt
- Traffic
- HGV Movements
- Air Quality
- Pipelines
- Surface Water

APPENDIX B: Site Location Plan

