

Development Control Committee

Title:

- i) **VARIATION OF CONDITION 1 OF PLANNING PERMISSION CM/03/14 TO PROVIDE FOR THE CONTINUATION OF MINERAL EXTRACTION AND PROCESSING AND SITE RESTORATION UNTIL 31 JUNE 2017, WITH THE EXCEPTION OF PHASE 11 WHICH IS TO BE RESTORED BY 31 DECEMBER 2020 AT PARK LODGE QUARRY, IVER HEATH;**

- ii) **VARIATION OF CONDITION 2 OF PLANNING PERMISSION CM/01/14 TO PROVIDE FOR THE CONTINUATION OF MINERAL EXTRACTION AND PROCESSING AND SITE RESTORATION UNTIL 31 JUNE 2017, WITH THE EXCEPTION OF PHASE 11 WHICH IS TO BE RESTORED BY 31 DECEMBER 2020 AT PARK LODGE QUARRY, IVER HEATH;**

- iii) **VARIATION OF CONDITION 1 OF PLANNING PERMISSION CM/02/14 TO PROVIDE FOR THE CONTINUATION OF MINERAL EXTRACTION AND PROCESSING AND SITE RESTORATION UNTIL 31 JUNE 2017, WITH THE EXCEPTION OF PHASE 11 WHICH IS TO BE RESTORED BY 31 DECEMBER 2020 AT PARK LODGE QUARRY, IVER HEATH; AND**

- iv) **VARIATION OF CONDITION 1 OF PLANNING PERMISSION CM/04/14 TO PROVIDE FOR THE CONTINUATION OF MINERAL EXTRACTION AND PROCESSING AND SITE RESTORATION UNTIL 31 JUNE 2017 WITH THE EXCEPTION OF PHASE 11 WHICH IS TO BE RESTORED BY 31 DECEMBER 2020 AT PARK LODGE QUARRY, IVER HEATH.**

**APPLICANT: BRETT AGGREGATES LIMITED
APPLICATION NUMBERS: CM/36/16, CM/37/16 CM/38/16
AND CM/39/16.
BUCKS STREET ATLAS: P 200 B2 & B3**



INVESTOR IN PEOPLE



Date: 22 November 2016

Author: Head of Planning and Environment

Contact Officer: Ian Prosser 01296 383186

Electoral divisions affected: Iver

Local Member Ruth Vigor-Hedderley

Recommendation:

A. The Development Control Committee is invited to **APPROVE** application numbers **CM/36/16, CM/37/16, CM/38/16 and CM/39/16** subject to the same conditions imposed on planning permissions **CM/03/14, CM/01/14, CM/02/14 and CM/04/14** respectively excepting Conditions 1 of **CM/36/16, CM/38/16 and CM/39/16** and Condition 2 of **CM/37/16** which are to be amended to read:

The development shall not be undertaken other than in complete accordance with the following time limits:

(a) With the exception of phase 11, shown on plan **DP/PLQ/3** dated September 2013 all mineral extraction shall have ceased and final restoration shall have been completed no later than **31st June 2017**.

(b) All mineral extraction in phase 11, shown on plan **DP/PLQ/3** dated September 2013, shall have ceased no later than **31 June 2017** and final restoration shall have been completed no later than **31 December 2020**.

(c) All plant, machinery and equipment, other than that required for the restoration and ongoing maintenance of phase 11, shall be removed from the land no later than **June 2017**.

B. That the reasons for the approval of these applications are that the developments would prevent the sterilisation of mineral deposits and, subject to conditions as set out above, the applications are in compliance with the requirements of policies **CS1, CS4, CS18, CS19 and CS20** of the Buckinghamshire Minerals and Waste Core Strategy; policies **28, 29 and 31** of the Buckinghamshire Minerals and Waste Local Plan; and policies **GB1 and TR5** of the South Bucks District Local Plan and the provisions of the National Planning Policy Framework.

Resources Appraisal: None.

SUPPORTING INFORMATION

1. The applications are submitted by Brett Aggregates Ltd. They were received on 19 August 2016 and sent out for consultation on 24 August 2016. The applications were advertised by a newspaper advertisement, site notice and neighbour notification. The thirteen-week target for determination of the applications expired on 18 November 2016 however an extension of time until 25 November 2016 has been agreed in writing with the application to allow for the meeting of the Development Control Committee and subsequent processing of the decision notice.

Site Description

2. Park Lodge Quarry takes access from Pinewood Road and lies to the west of Iver Heath, close to the junction of the A412 (Uxbridge Road) and the A4007 (Slough Road) at the Five Points roundabout. It is approximately 5km north east of Slough and 3km west of Uxbridge. The quarry covers approximately 30 hectares and comprises a consented sand and gravel working with progressive restoration to agriculture using inert waste infill. The northern half of the quarry is fully restored, and extraction and restoration is continuing in the remainder of the quarry in an approximately southerly direction. Residential properties are located along Uxbridge Road and Pinewood Road with the closest to the operations being Park Lodge and Fir Tree Cottage. Park Lodge lies in the centre of the quarry, although the areas immediately adjacent to it have now been restored. Fir Tree Cottage lies in the south east corner of the quarry.
3. The site of the applications is located within the Colne Valley Park and the Metropolitan Green Belt. Black Park SSSI lies approximately 800 metres to the north west of the quarry within Black Park Country Park.

Site History

4. Mineral extraction and phased restoration commenced at the site in 1999 and was originally permitted by consent no. SBD/595/90 issued in September 1994. The site is currently governed by planning permission numbers CM/01/14 (Appendix 1), CM/02/14 (Appendix 2), CM/03/14 (Appendix 3) and CM/04/14 (Appendix 4) which collectively allow for mineral extraction, restoration to agriculture, and the bagging of mineral at the site. Extensions of time for the completion of operations have previously been granted in 2012 and 2014.
5. A planning obligation exists which controls the routing of HGV movements from the site and ensures they travel to and from the site via the southern part of Pinewood Road via the Five Points roundabout. Vehicles are not permitted to use the part of the B470 between its junctions with Wood Lane and Thorney Lane which includes Iver High Street, except where local deliveries are required in these areas. The planning obligation also requires the developer to carry out groundwater monitoring, to remain the proprietor of Fir Tree Cottage for the duration of operations, and to ensure that Fir Tree Cottage remains vacant for the duration of the operations.

Proposal

6. The four applications seek to amend a condition, which is common to all four of the planning permissions relating to the Park Lodge quarry. The condition currently requires the cessation of mineral extraction and processing and the restoration of the site, with the

exception of Phase 11, by 31 December 2015. Phase 11 is required to be restored by 31st December 2020. The planning applications seek permission to extend the period within which sand and gravel is extracted and processed until the 30 June 2017. The completion of the restoration of the quarry would also be undertaken within this period with the exception of Phase 11. Phase 11 contains silt lagoons which need to dry out before the land is restored. It is proposed, therefore, that Phase 11 would be restored by 31st December 2020 in accordance with the existing permission.

7. In support of the applications, the applicants have stated that there was a delay in the completion of pre-commencement set up works at Park Lodge Quarry's replacement quarry at George Green. This meant that it was not possible to relocate the on-site bagging operation at Park Lodge until early 2016. As a result, the sand and gravel to be dug at Park Lodge quarry beneath the bagging operation and the entrance haul road has been delayed by about 18 months and certainly beyond the date specified for the completion of extraction of 31 December 2015. The sand and gravel is now being extracted and is being processed by mobile processing plant. A calculation of the volume of reserves has been carried out and it is expected that there is just under 11 months of sand and gravel reserves remaining.

Planning Policy

8. Policies CS1 (Minerals Safeguarding), CS4 (Maintaining the Level of Sand and Gravel), CS18 (protection of Environmental Assets of National Importance) CS19 (Protection of Environmental Assets of Local Importance) and CS20 (Green Belt) of the Buckinghamshire Minerals and Waste Core Strategy (BMWCS); Policies 28 (Amenity), 29 (Buffer Zones) and 31 (Restoration and Aftercare) of the Buckinghamshire Minerals and Waste Local Plan (MWLP); Policy GB1 (Green Belt) and TR5 (Transport) of the South Bucks District Local Plan (SBDLP) and the provisions of the National Planning Policy Framework (NPPF) are relevant.

View of the District Council

9. South Bucks District Council has objected to the proposed extension of time for the operations at Park Lodge quarry as it is already concerned about excessive lorry movements in the vicinity and further extending the time limit of the works will add to the adverse environmental impact

Consultations

10. The Local Member has not commented on the planning applications.
11. Iver Parish Council has verbally expressed concern about a further extension of the operational period for the quarry because of the continuing environmental effects. The Parish Council has asked, if planning permission is granted, that arrangements are made for it to be represented on the local liaison group which currently operates in relation to the George Green quarry.
12. The Environment Agency has no objection to the applications provided that they relate strictly to an extension of time until 31 December 2020 for the current activity and all other existing environmental protection and pollution prevention measures are applied.
13. Highways Development Management has no objection to the applications as they do not propose any increase in vehicle movements or alteration to the proposed routing.

Representations

14. One local resident has objected to the applications because of the continuance of the detrimental impact that the quarry has on air quality, health, wildlife, noise and visual amenity. The objection also specifically details the mud, stone and debris which is taken onto local roads by lorries which leave the site without being cleaned.

Discussion

15. The key issues are the need for the continued development, the impact of the continuing development on the local amenity including traffic, and the impact of the continuing development on the Green Belt, Colne Valley Park and other environmental assets.

Need

16. Buckinghamshire is required to maintain a reserve of land with planning permission (a 'permitted land bank') for mineral extraction that would enable 1.05 million tonnes of sand and gravel (as confirmed by the Secretary of State for Communities and Local Government in a letter dated 19th March 2010) to be extracted per annum for at least 7 years over the period up to 2026. Buckinghamshire's current land bank has been calculated to be approximately 8.1 years thus marginally exceeding the minimum 7 year land bank requirement set out in policy. It is not, therefore, essential that the sand and gravel remaining in Park Lodge is extracted to maintain the landbank.
17. However, one of the aims of the Policy CS1 of the MWCS is to prevent workable mineral deposits being sterilised. Not permitting the short extension of time to allow the remaining mineral to be extracted and processed would not accord with this.
18. Considerable weight should, therefore, be given to the principles outlined in Policy CS1 of the MWCS and the provisions of the NPPF. The NPPF specifies a presumption in favour of sustainable development unless there are overriding policy objections. In the current circumstances, it would, therefore, be contrary to policy CS1 and the NPPF provisions not to provide for a short extension to the extraction period to allow the full mineral reserve at Park Lodge quarry to be extracted solely because it is not needed to contribute to Buckinghamshire's land bank.

Green Belt, Colne Valley Park & Protection of Environmental Assets

19. Mineral extraction and subsequent restoration is listed as acceptable development within the Green Belt in policies CS20 of the MWCS and GB1 of the SBDLP. These policies also state that development in the Green Belt should preserve its openness and should have regard to its amenity value. Mineral extraction is a temporary use following which the land would be restored to an acceptable Green Belt use. It is proposed that any planning permissions continue to include conditions to secure the restoration of the site to good quality agricultural land on any planning permission granted. The development would, therefore, continue to be in accordance with policies CS20 of the MWCS and GB1 of the SBDLP.
20. Policies CS18 and CS19 of the MWCS seek to protect environmentally important sites and assets within Buckinghamshire, including SSSIs and the Colne Valley Park from the adverse impacts of mineral development. The entire quarry is located within the Colne Valley Park and adjoins Black Park Country Park within which is a Site of Special Scientific Interest. However, to date, the quarrying operations have not had a detrimental impact on these environmental assets. The monitoring of groundwater boreholes, to ensure that the Black Park SSSI remains unaffected, would continue throughout the

extended operational period. In the circumstances, there is no reason to conclude that harm to the environment assets would occur during the short extension period proposed.

21. Subject to the ongoing conditions, the developments would, therefore, be in accordance with planning policies CS18, CS19 and CS20 of the MWCS and policy GB1 of the SBDLP.

Impact on Amenities of Local Residents

22. Policy 28 of the MWLP states that the County Council will protect the amenity of all those who may be affected by mineral and waste proposals, including the impact of associated traffic, and will not grant permission to proposals which are likely to generate significant adverse levels of disturbance.
23. The continuation of the development would have the potential to cause some disturbance to nearby residents by way of noise, dust and visual impacts due to the nature of the operation. However, the information that supported the application granted in 2012, demonstrated that noise levels would not exceed guidance levels at the nearest residential property, and that there would not be any dust nuisance outside of the site boundary. Whereas the objection to the extension of the operational period raises concerns about these matters, the Council has no record of substantial complaint about noise and dust while the operations have been ongoing. When site monitoring has been undertaken, there has been no evidence that noise and dust are causing a nuisance.
24. Whilst mindful that the District Council has objected to the application on the basis of ongoing impacts of associated traffic and that a local resident has also objected on this basis, again no substantial complaints were received prior to applications being received. No objection has been raised by Highways Development Management as no increase in associated vehicle numbers or alteration to the routing agreement are proposed. Policy TR5 of the SBDLP states that development proposals which comply with the standards of the Highways Authority, would not cause the operational capacity of the highway to be exceeded and where associated traffic would not cause adverse affects on the amenities of nearby properties, are acceptable. As no increase in associated vehicle number are proposed, refusal of the application due to the concern about the general increase in traffic numbers in the vicinity would not be contrary to the provisions of policy TR5 of the SBDLP. The concern about debris, stone and mud being carried onto the road can be more properly addressed through ensuring that the site operators clean vehicles as they exit the site. This could include enforcement action, if necessary.
25. The applicant expects that conditions will continue to be attached to any forthcoming planning permissions to control amenity impacts in line with existing operations at the quarry. Subject to the inclusion of such conditions on any planning permissions issued, I am confident the developments would be acceptable on amenity grounds and would be in accordance with policies 28 and 29 of the MWLP.

Conclusion

26. Provided that the existing conditions, amended as proposed, are attached to any consents, planning applications CM/36/16, CM37/16, CM38/16 and CM/39/16 would be in accordance with development plan policies and should therefore be approved. However, Paragraph 144 of the National Planning Policy Framework requires minerals planning authorities to provide for the restoration and aftercare of mineral extraction sites at the earliest opportunity.
27. If the planning permissions are granted, the period during which the majority of Park Lodge quarry has been worked, will have been extended on three occasions. It is, therefore, recommended that while granting planning permission to allow, with the

exception of phase 11, extraction processing and restoration to continue at Park Lodge quarry until 30th June 2017, the applicants be advised that further application to extend the time period of the operations may be resisted as the delay in restoring the site may not accord with the provisions of the NPPF.

BACKGROUND PAPERS

Planning Permission Nos. CM/01/14, CM/02/14, CM/03/14 and CM/04/14
Buckinghamshire Minerals and Waste Core Strategy
Buckinghamshire Minerals and Waste Local Plan
South Bucks District Local Plan
South Bucks District Core Strategy
National Planning Policy Framework
Consultation Replies dated September/October 2016