

Agenda

DEVELOPMENT CONTROL COMMITTEE

Date: Monday 10 April 2017
Time: 10.00 am
Venue: Large Dining Room, Judges Lodgings,
Aylesbury

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Those wishing to speak at Development Control Committee regarding any of the items below must register by 10.00am on the Thursday before the meeting date as stated above. Please see details on how to register at the bottom of the Agenda.

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3 MINUTES Minutes of the meeting of the Committee held on 13 February 2017, to be	5 - 10

confirmed as a correct record

- 4 CM/51/16 - TEMPORARY CLOSURE OF PUBLIC FOOTPATH IVE/15/1, FOLLOWED BY THE LAYING OUT OF A SITE ENTRANCE, ERECTION OF NEW PROCESSING AND CONCRETE PLANTS AND RELATED INFRASTRUCTURE, EXTRACTION OF 2 MILLION TONNES OF SAND AND GRAVEL, BACKFILLING WITH INERT WASTE AND PROGRESSIVE RESTORATION OF THE LAND TO AGRICULTURE OVER A PERIOD OF UP TO NINE YEARS AT LAND NORTH OF NORTH PARK ROAD, RICHINGS PARK, LANGLEY** 11 - 58
- 5 EXCLUSION OF THE PRESS AND PUBLIC**
To resolve to exclude the press and public as the following item is exempt by virtue of Paragraph 1 of Part 1 of Schedule 12a of the Local Government Act 1972 because it contains information relating to an individual and Paragraph 3, Information relating to the financial or business affairs of any particular person (including the authority holding that information)
- 6 CONFIDENTIAL MINUTES** 59 - 62
Confidential minutes from the meeting held on 13 February 2017 to be agreed and signed
- 7 ENFORCEMENT REPORT** 63 - 72
Enforcement update report to be presented by Ms O Stapleford
- 8 CABINET MEMBER KEY DECISION PAPER - PRE-APPLICATION CHARGING** 73 - 80
Cabinet Member decision report to be presented by Mrs E Catcheside
- 9 DATE OF NEXT MEETING**
The next meeting will take place on Monday 19 June 2017, Mezzanine Rooms 1 & 2, County Hall, Aylesbury starting at 10.00am.

If you would like to attend a meeting, but need extra help to do so, for example because of a disability, please contact us as early as possible, so that we can try to put the right support in place.

For further information please contact: Rachel Bennett on 01296 382290, email: rbennett@buckscc.gov.uk

Members

Mr R Reed (C)	Ms N Glover
Mr B Roberts (VC)	Mr A Huxley
Mrs L Clarke OBE	Mr D Martin
Mr C Ditta	Mr D Shakespeare OBE

Members of the public wishing to speak at Development Control Committee should apply in the following ways:

- **Registering on the website at:**
<http://www.buckscc.gov.uk/moderngov/mgCommitteeDetails.asp?ID=105>
- **Contacting Member Services, on 01296 382290 or democracy@buckscc.gov.uk**

The Committee will not consider anyone wishing to address the meeting, unless your request to speak has been received by 10.00am on the Thursday preceding the Committee meeting at which the item will be presented. (This applies when Committee Meetings are held on a Monday).

Minutes

DEVELOPMENT CONTROL COMMITTEE

**MINUTES OF THE MEETING OF THE DEVELOPMENT CONTROL COMMITTEE HELD ON
MONDAY 13 FEBRUARY 2017 IN LARGE DINING ROOM, JUDGES LODGINGS,
COMMENCING AT 10AM AND CONCLUDING AT 11.08AM**

MEMBERS PRESENT

Mr R Reed, Mr B Roberts, Mrs L Clarke OBE, Mr C Ditta, Ms N Glover, Mr A Huxley and
Mr D Martin

OTHERS IN ATTENDANCE

Ms L Briggs, Mr M Pugh, Ms R Bennett and Mr A Sierakowski

Agenda Item

1 APOLOGIES FOR ABSENCE / CHANGES IN MEMBERSHIP

Mr David Shakespeare

2 DECLARATIONS OF INTEREST

Item 4 – New Denham Quarry. Mr D Martin declared a non-pecuniary interest as he was
a Director of the Colne

Valley Park Community Interest Company and the Buckinghamshire County Council
representative on the Board of Directors

Item 4 – New Denham Quarry. Mr R Reed declared a non-pecuniary interest as he was
the Local Member and also sat on the quarry Liaison Committee

3 MINUTES

The minutes from the 13 January 2017 were agreed as a correct record and signed by
the Chairman.

4 **CM/22/16 - EXTENSION OF EXISTING SAND GRAVEL EXTRACTION AND RESTORATION FOR RELOCATION OF HILLINGDON OUTDOOR ACTIVITIES CENTRE (HOAC)**

Mr A Sierakowski, Planning Consultant gave an overview of the application which sought agreement for an extension of existing sand gravel extraction and restoration for relocation of Hillingdon Outdoor Activities Centre (HOAC).

The Committee received a presentation showing the site plans and photographs. Members of the Committee had visited the site prior to the Development Control Committee in January.

Mr Sierakowski highlighted the following points:

- The site in question was larger than the existing quarry site and existing consent for the quarry site would continue including the restoration, which would be modified slightly so that it would be suitable for the HOAC development if the application was agreed
- The site sat within flood zones 2, 3a and 3b and Mr Sierakowski confirmed that all alternative sites were in the same flood zones
- Mr Sierakowski pinpointed on the map for Committee Members where the activities would be held including the positioning of the camping site
- It was confirmed that there had been some concerns raised by local residents in particular those in close proximity to the south side of the site and they had been reassured of the intention to instruct a 3m high bund with a screen fence on top
- Some residents had raised the issue about the required 200m buffer zone to the nearest properties. Mr Sierakowski confirmed that the buffer zone had to be appropriate in the context of the site so could be reduced from 200m if required and that additional mitigation was being factored in to address the issue
- Mr Sierakowski also discussed the proposed extension to footpath 23 and that it would join into Cherry Tree Lane which was already an existing public road

Since the publication of the reports Mr Sierakowski advised the Committee of the following updates:

- Comments submitted by Mrs Carol Gibson in relation to the comments from the ecologists regarding having an ecological aftercare plan and asking for a condition to be included referencing this, Mr Sierakowski confirmed that this condition was already included
- Attention was drawn to Conditions 64 and 65 where it referred to bridleways; this should refer to footpaths. These would be amended.

Action: Mr Sierakowski

Public Speaker – Neil Maddock

Mr Neil Maddock, Centre Principle of HOAC attended the Committee to speak in favour of the application.

Mr Maddock highlighted the following points for the Committee to consider:

'HOAC caters for a wide range of users from the whole of West London, Bucks, Hertfordshire and Middlesex. 22,000 users per year making 40,000 visits.

Made up of school groups during the week, evenings - public courses and public events (SUP Yoga) Scout and Guide groups, weekends public events (racing – sailing/Rowing) public courses, birthday parties – a community facility.

Why we are here - HS2's planned route dissects our current site, rendering it unusable.

Along with HS2 we have looked at all water bodies in the area to relocate the centre, due to various issues, availability of land, quality of water (shape/size/depth) the Denham Quarry plan became the only feasible option.

We have worked with HS2, and their design team to create a centre that suits the requirements of HOAC and takes into account the surrounding neighbours, people and wildlife and we believe complies with planning policy. We held two consultation days one at HOAC, one in New Denham. Both events were well attended and objections were listened to and alterations were made to the plan that would be of benefit to the local residents. (remove bunding – move the edges of the lake further from the properties)

There was considerable more feedback to the consultation days than numbers of objections to the planning application – which implies that the majority of the residents' concerns have been addressed. However I would like to cover one of the remaining objections.

There are objections that the centre will be for Hillingdon users, or Hillingdon users would get preferential treatment. HOAC does not operate a tiered membership system or recognise Hillingdon resident cards. So all users from all areas get the same great deal, the fact that HOAC is a non-profit making charity is reflected in our membership packages and charges for using the centre. The residents closest to the centre will be our target market, able to walk to the centre, will be able to influence how the centre develops and will hopefully be a core part of our membership in the future.

I would like to request an alteration to the operating hours of the centre. In the conditions (66) the times proposed are restrictive to our operation. I would request that the outdoor centre operating hours be amended to 9am – 6pm and 9am – 9pm during summer months, and 8am throughout the year for the rowing lake.

The club house (67) operating hours – this is our office, staff area and toilets/showers - be 8am – 9pm and 8am – 6pm Sundays and Bank Holidays, which is similar to how we operate currently.

I would also request that camping is excluded from the time restrictions – camping is only available to groups partaking in activities and is not a public campsite. Campers would obviously need to have access to the site through-out the night

I would also question the need to upgrade the planned footpath to a bridleway (64) as it is not linked to bridleways at either end. In negotiation with Bucks CC we had agreed to implement a couple of permissive paths through the centre during opening hours to allow the lake to be accessed and to allow easier access to the site for the local community

I hope that you agree with my view that this plan will be of benefit to the local community and the opportunity to save HOAC from closure will have long lasting benefits to the area as a whole'.

The Chairman thanked Mr Maddock for his summary and invited questions from the Committee. The following points were raised and discussed:

- Reference was made to the point raised by an objector, that when giving evidence to a Parliamentary Committee a member of HOAC had stated that one of the alternative sites looked at, Broadwater Lake, would be suitable as the level of noise generated by the site would cause too much disruption. Mr Maddock confirmed that Broadwater Lake was a Triple SI Bird Reserve and currently had no people on the reserve, therefore the centre would be too disruptive

- The Committee asked about the comments received as part of the local consultation undertaken and the numbers of those attended. Mr Maddock confirmed that any information relating to issues raised regarding the development itself were passed to HS2 and had been responded to
- The Committee also discussed the use of the campsite and how this would be regulated to ensure minimal noise and disruption to residents. Mr Maddock confirmed that the campsite was not a public campsite and would just be used by groups (e.g. Scouts) that were using the site. No problems had been reported at the current location of the centre as the groups had a reputation risk if they cause disruption. Mr Maddock reassured the Committee that any unacceptable behaviour would be addressed
- Mr Maddock confirmed that the Clubhouse was the base for their offices, changing rooms etc. He also confirmed that the whole site was alcohol free.
- The Chairman of the Committee confirmed that in relation to the request to change the operating hours, that if the Committee were minded to agree the application they would do so on the conditions stated in the report and any requests to change the operating hours would have to be submitted to the Committee for further agreement. Mr Maddock confirmed that at the closing time requested all non-resident (campers) visitors would be offsite and the gates closed
- The Committee raised the issue of the ongoing environmental care of the site and wanted to ensure that this was being considered as part of the application. It was confirmed that HS2 would manage the ongoing environment care plan of the site. Mr Sierakowski confirmed that Conditions 31 and 32 addressed the concerns relating to Rushbolt Brook and that Condition 50 related to the environmental care plan of the entire site
- The Chairman of the Committee confirmed that he had been in touch with Denham Parish Council, including emails received on Friday 10th February that wouldn't be included as part of the Committee discussion, but he confirmed that the Parish Council were in support of the application. They had been consulted but hadn't responded prior to the deadline
- The Committee asked that as the landowner, Buckinghamshire County Council had been consulted. Mr Sierakowski confirmed that the Committee was only asked to consider this application from a planning perspective. He confirmed that the County Council hadn't yet given planning consent for the application but that it was a separate matter. The applicant was required to notify the landowner of the application and it was confirmed that this had been carried out
- Questions were raised about the High Wire activity centre and what this could potentially look like. Mr Sierakowski stated that there was a condition in the report reserving the detail of this and the full detail would have to come back to the Development Control Committee to be agreed. The Chairman asked that he and the Vice Chairman be consulted on any developments of anything that needed to come back for further approval

Action Mr Sierakowski

- The Committee discussed the condition relating to surface finishing (including the car park) and all agreed that hard surfacing of footpaths would not be appropriate for the site. The Committee understood that the detail had to be worked through with HOAC, but the point had been raised by Members as to what they considered acceptable

Officers were thanked for their comprehensive report and agreed to make the following amendments:

- Conditions 64 and 65 to be amended to state footpaths rather than bridleways
- Condition relating to hours of operation
- To include an additional condition relating to clarify the use of the Clubhouse. Officers would also look into changing the use of the word Clubhouse

- General condition relating to the site being used only for HOAC visitors (no public camping allowed)

The detail of the above conditions were delegated to Officers but with the need to consult the Chairman and Vice Chairman of the Development Control Committee

Action: Mr Sierakowski and Mrs E Catcheside

Summary Recommendation:

The Development Control Committee is invited to **APPROVE** application number CM/22/16 in accordance with the conditions set out in Appendix A

DECISION: Members of the Committee unanimously AGREED application CM/22/16

**5 EXCLUSION OF THE PRESS AND PUBLIC
RESOLVED**

That the press and public be excluded for the following item which is exempt by virtue of Paragraph 1 of Part 1 of Schedule 12a of the Local Government Act 1972 because it contains information relating to an individual

6 CONFIDENTIAL MINUTES

The confidential minutes from the 13 January 2017 were agreed as a correct record and signed by the Chairman.

6A PLANNING PERFORMANCE: CRITERIA FOR DESIGNATION

7 ENFORCEMENT REPORT

8 DATE OF NEXT MEETING

20 March 2017

CHAIRMAN

Development Control Committee – 10th April 2017

Application Number: CM/51/16

Title: Temporary closure of public footpath IVE/15/1, followed by the laying out of a site entrance, erection of new processing and concrete plants and related infrastructure, extraction of 2 million tonnes of sand and gravel, backfilling with inert waste and progressive restoration of the land to agriculture over a period of up to nine years.

Site Location: Land North Of North Park Road
Richings Park
Langley
Buckinghamshire SL0 9DJ

Applicant: CEMEX UK Operations Limited
CEMEX House
Coldharbour Lane
Thorpe, Egham,
Surrey TW20 8TD

Author: Head of Planning & Environment

Contact Officer: Taufiq Islam mislam@buckscc.gov.uk

Contact Number: 01296383070

Electoral divisions affected: Iver

Local Members: Ruth Vigor-Hedderly

Summary Recommendation(s):

Subject to the completion of legal agreement between the applicant and Network Rail to ensure the development would not prevent the delivery of proposed Western Rail Link to



INVESTOR IN PEOPLE



Heathrow (WRLtH), the Development Control Committee is invited to DELEGATE the GRANT of planning permission to the Head of Planning & Environment subject to:

- The conditions set out in Appendix A to this report;
- The applicant first entering into a S106 legal agreement to cover routeing arrangements, financial contribution towards transport infrastructure improvements and air quality management, and the implementation of a 10 year long term Biodiversity Management Plan.

Appendices

Appendix A: Conditions

Appendix B : Representations

Appendix C : Proposed Routeing Plan

Introduction

1. This application is submitted by the CEMEX UK Operations Limited. It was validated on 4th October 2016 and sent out for consultation on the same day. The application was advertised by site notice, neighbour notification and newspaper advertisement as EIA Development.

2. Following the initial round of consultation, the applicant was invited to respond to the comments of statutory consultees, including requests for additional information, and consequently submitted a number of further documents, with selective additional consultation undertaken in response to those additional submissions.

3. The target for determination of this application was originally the 24th January 2017. A request for an extension of time was made to the applicant which has been agreed to the 30th April 2017, to allow further time for the receipt of responses from statutory consultees.

Site Description

4. The site is located north of North Park which connects Langley at the eastern end of Slough with Richings Park to the west. The location of the site is shown on Figure 1 below

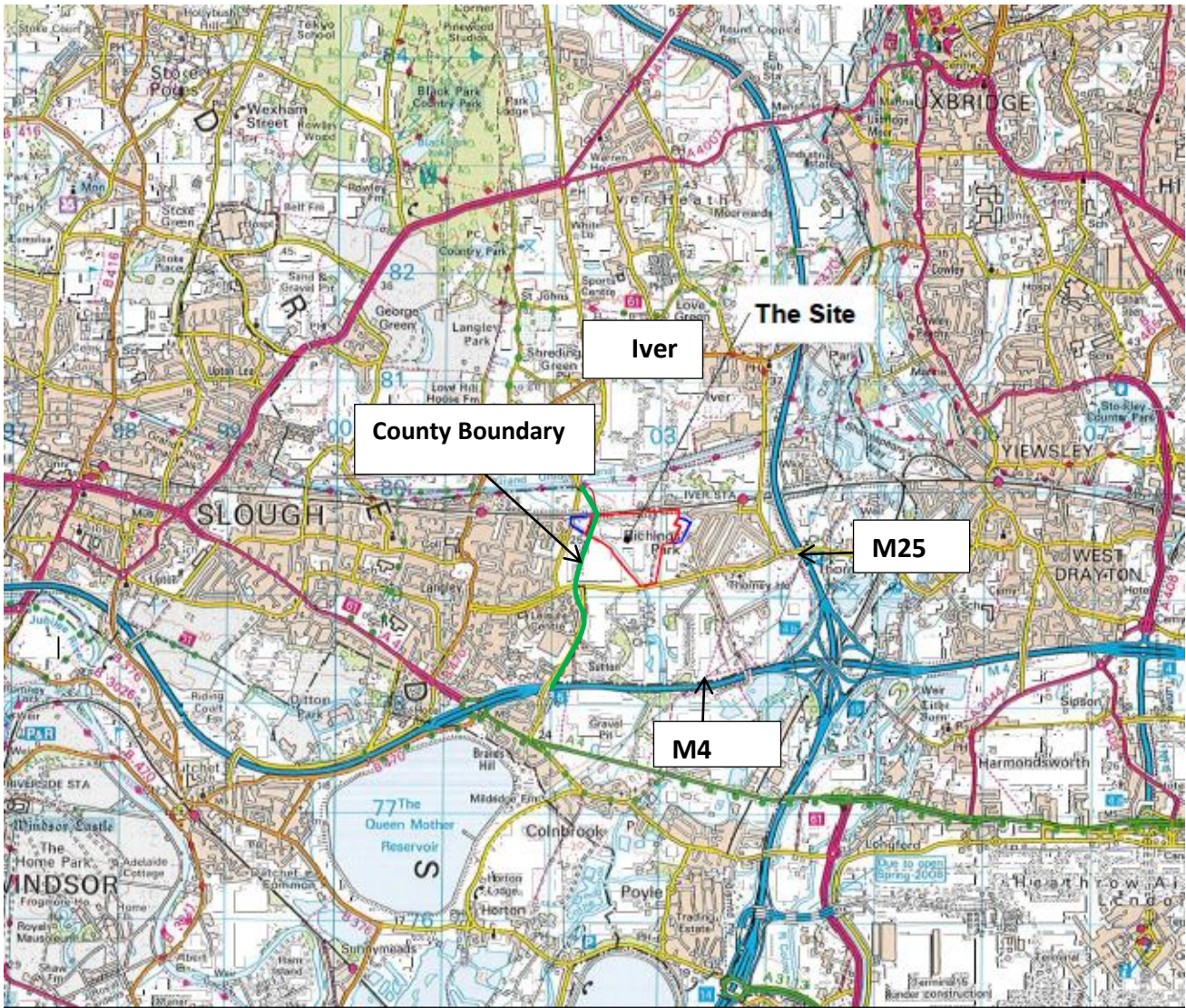


Figure 1: Location of the site

5. The main Bristol to Paddington Railway line lies directly to the north of the site. The M4 motorway located approximately 1km to the south, whilst the M25 located 1km to the east. Heathrow Airport is situated some 3.5km to the south east. To the south of North Park lies the Richings Park golf course and country club.

6. The application site covers an area approximately 37 hectares (92 acres). The site is currently in use as intensive arable agricultural land with the majority being of Agricultural Land Classification Grade 2 and 3A (regarded as one of the 'best and most versatile' grades).

7. The site is located between the residential areas of Richings Park and Langley. The nearest residential properties are:

- Bathurst Walk – approximately 20m from the proposed bunds
- North Park – approximately 45m from proposed phase 5
- Northumberland Walk – approximately 65m from proposed bunds
- St James Walk – approximately 65m from proposed bunds
- Skye Calun – approximately 65m from proposed bunds
- Richings Place- approximately 200m from the site

Properties in Langley lie further to the west off Market Lane at a distance of 200m from the site.

8. The southern edge of the site joins North Park, and has a stretch of established advance planting which has been put in between the site and the road. The eastern boundary is also marked by advance planting. There is a field beyond the planting and then the boundary of the Richings Park residential area. The south western boundary adjoins the Horton Brook, which has an agricultural field beyond. The north western part of the overall landownership of the Applicant's land stretches up to Market Lane, although the application Site itself stops some 180m east of this. The northern boundary of the site abuts the western railway line.

9. A public footpath (reference IVE/15/1) runs north to south alongside a farm track and cuts the eastern part of the site in half. The footpath terminates on the boundary of the railway line.

10. Access to the site is currently provided from North Park via a dropped-kerb field access located at the eastern end of the site frontage. The access has recently been used by construction traffic associated with Crossrail improvements to the rail line.

10. Majority of the application area (33.1 ha) lies within Environment Agency's Flood Zone 1. Rest of the land 3.5 ha and 0.1 ha lies in Flood Zone 2 & 3 respectively.

11. The site is located within the Green Belt but is otherwise not covered by any other statutory landscape, ecological and historical designations.

12. The application site includes the preferred route for the proposed Network Rail's Western Rail Link to Heathrow (WRLtH) scheme. The WRLtH Scheme plans include a new rail tunnel, leaving the Great Western Rail Line between Langley and Iver, connecting to the existing terminal 5 at Heathrow Airport.

Surrounding area

12. The South West London Waterbodies SPA/Ramsar is located approximately 3.4km to the south of the application Site and is 828.14 ha in overall surface area. The SPA/Ramsar comprises seven component SSSIs, including Staines Moor SSSI, Wraysbury Reservoir SSSI and Wraysbury No. 1 Gravel Pit SSSI. The SPA/Ramsar is designated for its series of reservoirs and former gravel pits which provide important feeding and roosting sites for wintering wildfowl.

13. The nearest:

- Registered Park is the Grade II Langley Park located 1.65km to the NW
- Scheduled Ancient Monument – cropmark remains of two undated concentric ditches 9SM BU84 – UID 1006944 – 1km to the east
- Grade 1 listed building is the Church of St Peter, Iver (UID 44186) which lies 1.6km to the NE.
- Conservation Area is the historic core of Iver 1.45km to the NE.
- The Conservation Area of St Mary's Road, Langley 1.7km to the west.

14. An Air Quality Management Area (AQMA) is designated approximately 1km to the south of the site from the Langley Roundabout/M4/A4 junction along a corridor to the M25/M4 Junction.

15. The application area is located within the extreme south west of Landscape Character Area 22.4 Iver Heath Mixed Use Terrace (LCA22.4) identified by the South Bucks District Landscape Character Assessment.

16. The groundwater levels below the site lie at between approximately 2m and 5m below ground level (bgl). The site is not located within any designated source protection zones. A Zone 3 groundwater protection zone lies some 630m west of the site.

Background of the Application

17. The proposed site for extraction is agricultural land with no prior history of development for minerals or waste.

18. The application site is being promoted by the applicant for inclusion in the Replacement Buckinghamshire Minerals and Waste Local Plan (RMWLP). The application site together with a parcel of land to the south west of the Horton Brook was promoted for inclusion in the RMWLP in April 2015 when there was a “call for sites” consultation. These two parcels of land are being promoted as “Langley Airfield” for the extraction of 3 million tonnes of sand and gravel.

19. The original intention was that the applicant was going to wait for preferred areas of mineral working to be allocated in the RMWLP – which is timetabled for adoption in Spring 2019. However, it was then announced that Network Rail (NR) were going to proceed with a new Western Rail Link to Heathrow (WRLtH) airport which is due to start on site in spring 2019, subject to Development Consent Order (DCO) being granted. The timing of the WRLtH project, if given consent, means that the applicant does not have time to wait until sites have been allocated in the RMWLP. Therefore, the land owned by the applicant, is subject to this planning application to extract the sand and gravel now, prior to it being sterilised by the WRLtH scheme.

The Proposed Development

20. The applicant is seeking permission for the extraction of 2 million tonnes of sand and gravel from the ground. The approximate annual output would be 400,000 tonnes. The anticipated duration of extraction is 5 years and restoration is proposed to be fully completed within 4 years of extraction being completed. The applicant proposes to restore the site progressively to agriculture to existing levels.

Working Scheme

21. The extraction of sand and gravel would take place progressively across the site into 5 phases with soil being stripped only from the areas immediately required for extraction in the sequence shown on the *phasing plans (Figure 2)*. In summary, these would be undertaken as follows:

- Set up of the plant site
- 5 phases of mineral extraction
- The sand and gravel would be worked wet meaning that there will be no dewatering.
- Mineral would be won with the use of a single excavator.
- Mineral would be moved by conveyor and spur conveyor and by a wheel loading shovel.
- The plant site would be removed once extraction is complete.
- The site will be progressively restored with each phase restored as extraction is complete
- The site restored back to original ground levels to high quality agriculture involving the importation of clean inert waste materials.
- On completion of filling the stripped soils will be carefully replaced using appropriate soil handling and storage techniques to enable the site to be restored to an agricultural quality similar to the existing land.

- For agricultural restoration a 5 year aftercare programme would follow.

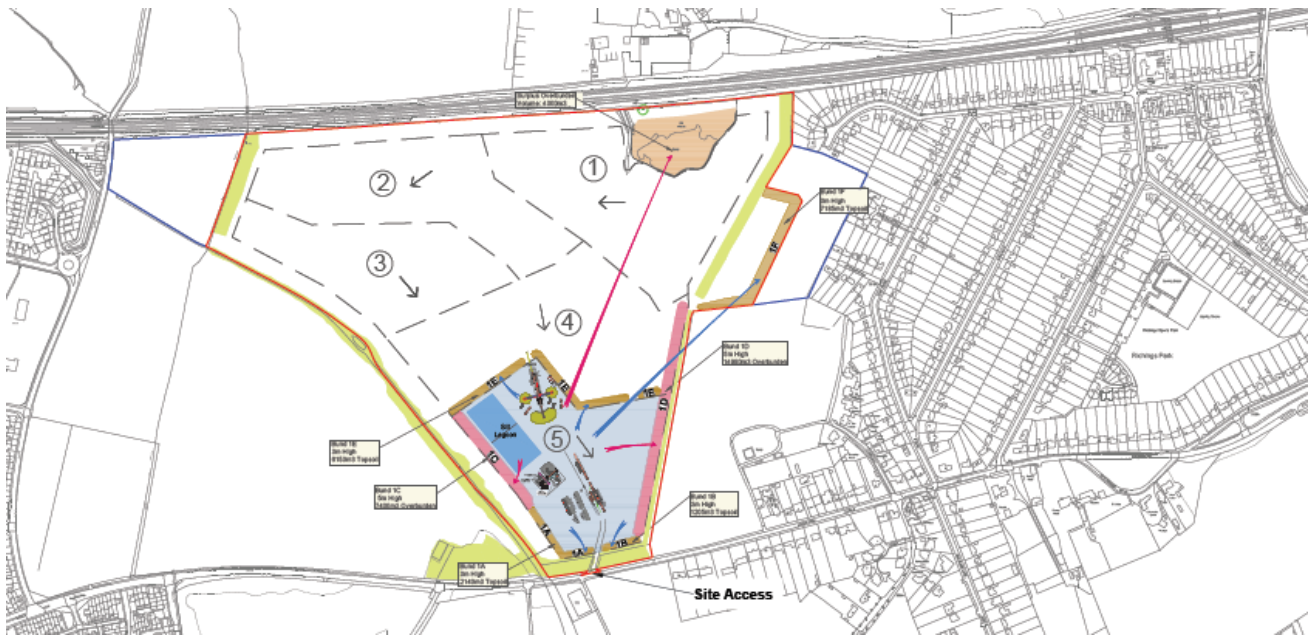


Figure 2: Phasing Plan

22. It is proposed to use excavator plant to strip the soils and place it onto dump trucks. It would then be moved to either an earth screening or acoustic bund or to an area of the site under-going restoration and immediately placed in a final resting place, in order to minimise internal movements. This soil handing strategy would also avoid any unnecessary double handing which can affect soil integrity.

23. Soil storage mounds would be created and profiled using the excavator. Topsoil bunds would be 3m high and overburden bunds 5m high. These would be grass seeded to bind the soil to prevent any wind - blown dust arising and erosion. This would also reduce the amount of surface water run-off and be visually more acceptable. No mounds would be constructed within 10m of the Horton Brook or the high pressure fuel pipeline which runs alongside.

Mineral Processing

24. Mineral from the extraction area would be fed to the processing plant from the field conveyor where it would be washed and graded into various sizes before being discharged to stockpiles on the ground. From the stockpile, mineral would either be loaded directly into lorries by loading shovel for transport off site, for sale as raw aggregate, or taken by loading shovel across to the feed bins of the ready mixed concrete plant for use in the manufacture of ready mixed concrete at the site.

Ready Mix Concrete Plant

25. The proposal also includes a ready mix concrete plant. As stated above processed mineral would be taken from the aggregate stockpile by loading shovel and loaded into the concrete plant feed hopper, following which cement from the silos and water will be added and mixed within the enclosed mixer unit to produce ready mixed concrete.

26. The ready mixed concrete would be a standard type plant up to 16m high with the mixer unit fully enclosed. Cement will be stored in enclosed silos and delivered to the site by sealed tankers. The concrete would be discharged direct into ready mixed concrete lorries, which would sit under the plant, and then be transported from the site. All ready mix

vehicles leaving site would pass through the wheel wash and water sprays on the access road.

Restoration

27. It is proposed to reinstate the application site to high grade agricultural land to the same level and quality involving use of indigenous materials and the minimum amount of recovered restoration inert waste materials from local construction projects.

28. Approximately 2.7mt of inert fill would be required to complete the restoration. Filling would commence in Year 2 at an initial rate of approximately 200,000 tonnes per annum and would progress at this rate until extraction ceases at the end of Year 5. At the end of year 5 filling would increase to a rate of approximately 500,000tpa and would take a further 4 years.

29. Upon completion of filling of each phase topsoil and subsoil will be replaced, either from storage bunds or by direct placement from future extraction areas. Replaced soils will be ripped as necessary to break up any compaction and provide drainage and will be prepared for cultivation using agricultural machinery. Soils will only be handled in appropriate weather conditions.

Access and Traffic

30. Transport Assessment has been provided as part of the Environmental Statement. The assessment states that the development would generate approximately 242 vehicle movements per day (inbound 121 and outbound 121 vehicle movements).

31. The above figures represent a 'worst case scenario' as they take no account of the expected interaction with construction of the Western Rail Link to Heathrow (WRLtH) scheme, which if goes ahead would substantially reduce heavy vehicle movements associated with both development proposals, the result being that movements for both proposals combined would be far lower than the sum of those that would occur if they were to operate independently.

32. The site would be accessed from North Park using the existing field access along the southern boundary. The agricultural field access would be widened to 7.3m to the west. The widened access would be on the same angled alignment as the existing access. The widened access would result in the loss of two highway trees.

33. At its western end, North Park adjoins Parlaunt Road and Sutton Lane via a three-arm, signal-controlled junction. This junction is approximately 0.4 miles from the access of the application site.

34. All HGVs associated with the site would turn out of the site to the west – along North Park and then travel south along Sutton Lane to the A4. From there the traffic can travel east or west. The proposed routeing would mean that the HGVs from the site would not travel through Iver and Richings Park. The applicant agrees to enter into a Legal Agreement to secure this. The proposed routeing plan is shown in Appendix C.

35. The proposed site access would have a 3.5m radius kerb-line around the eastern side of the bellmouth, to accommodate left turning car movements, but prohibit left turning HGV movements. Trieff kerbing has also been proposed on the eastern side of the bellmouth to guide HGV's to only turn right out of the site.

36. The administrative boundary between Buckinghamshire County Council and Slough Borough Council lies just east of North Park/Sutton Lane/Parlaunt Road junction. Therefore,

from this junction the ongoing traffic of proposed development would be routed on Slough BC's highway network.

37. The applicant has proposed improvements and alterations to the North Park / Parlaunt Road /Sutton Lane junction. The applicant states that such amendments would substantially improve the ease with which large vehicles are able to undertake turning movements and would significantly improve the effectual operation of the junction.

38. The transport impacts of the development have been subject of discussion with the County Council and Slough BC Highway Authority and the proposal described above represents the highway scheme as finally submitted by the applicant.

39. The proposed development would have possible interaction with the proposed and committed nationally significant transport infrastructure projects. Some of these projects have the potential to generate traffic movements in and around the application site. The proposed timetable for these projects is given below although it is not certain that all of these will go ahead as planned:

Project Name	Proposed Commencement date	Proposed completion date	Current Status
M4 Junction 3 to 12 Smart Motorway	31 March 2017	31 March 2022	Development Consent Order (DCO) granted by SoS.
Western Rail Link to Heathrow (WRLtH)	Summer 2019	2024	DCO to be submitted by late 2017
Heathrow Express (HEx) Depot*	2018/2019	2026	HS Bill currently being considered at the House of Commons
Heathrow Northwest Runway	2021/2022	2024/2025	DfT currently on Draft Airports National Policy Statement (NPS) and UK Airspace Policy
Sand & Gravel extraction by CEMEX (application subject to this report)	January 2018	December 2026	Planning application under consideration by Buckinghamshire County Council

Footpath and Public Access

40. The application proposes to close the footpath (IVE/15/1) temporarily for the 9-year duration of the development, with no alternative provided within the site for health and safety reasons.

41. Once the quarry is restored the footpath will be reinstated on its original alignment. An additional footpath is proposed to be provided along the Horton Brook, from North Park to Market Lane. Existing and proposed footpath links are shown in *Figure 3*.

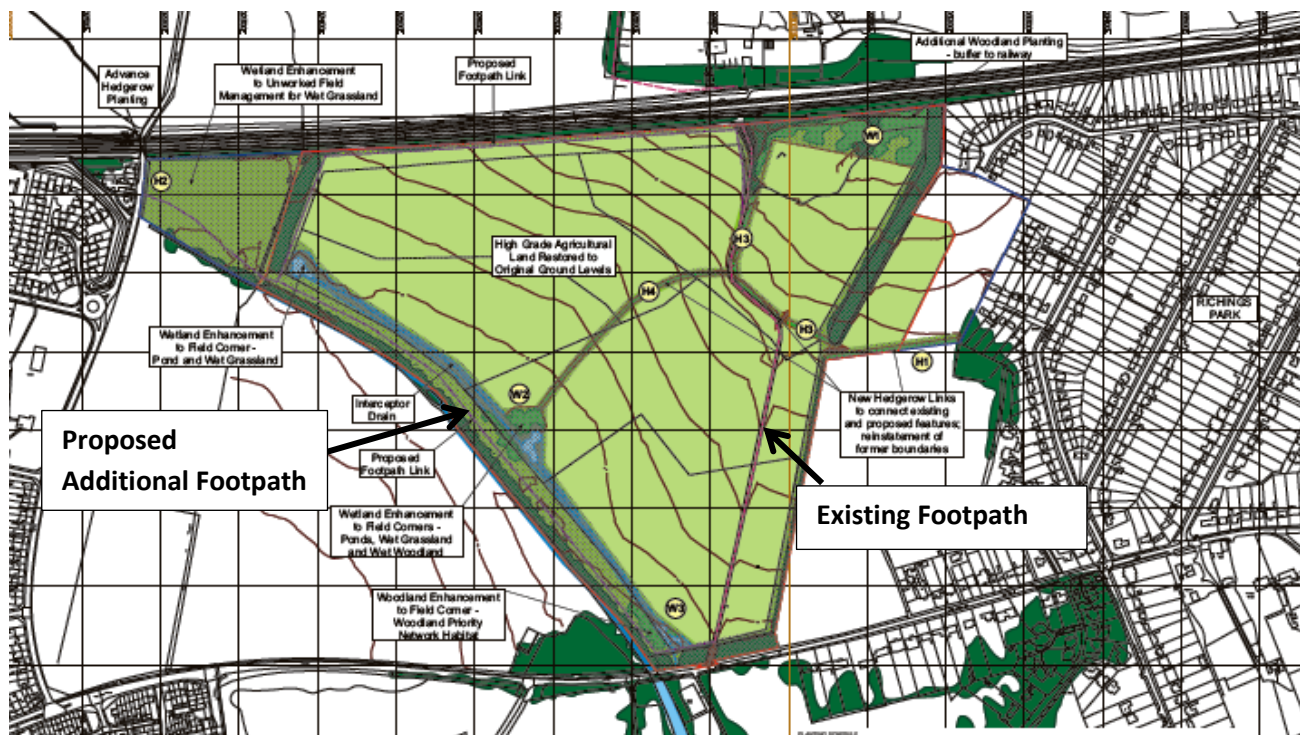


Figure 3: Existing & Proposed footpath

Landscape and Trees

42. The proposals would result in the loss of a total of 8 mature trees, and two small areas of shrub scrub – one part of the plantation at the site access, and one group of trees at the edge of the former unrestored pit. All other trees and tree groups would be retained. No tree of the best quality (grade A) is proposed to be removed.

43. The landscape character assessment submitted with the application considers the landscape sensitivity for the application area and its surroundings to be Low to Medium. The proposals include the use of screening bunds of soils and overburdens to provide screening from surrounding viewpoints in combination with existing planting.

Operational Hours

44. The proposed hours of operation would be:

- Mon-Fri 07:00-18:00
- Sat 07:00-13:00.

No operations are to be carried out on Sundays or Public Holidays.

Environmental Impact Assessment

45. The application is supported by an Environmental Impact Assessment (EIA.) This covers the key environmental impacts of the proposal.

Planning Policy

46. 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. The development plan for this area comprises of

the Buckinghamshire Minerals and Waste Core Strategy (BMWCS) (adopted 2012), the saved policies of the Buckinghamshire Minerals and Waste Local Plan (BMWLP) 2006, the saved policies of the South Bucks District Local Plan (SBDLP) 1999 and the South Bucks District Core Strategy 2011.

47. National Planning Policy Framework (NPPF) 2012 is also material consideration.

48. The following policies from the Buckinghamshire Minerals and Waste Core Strategy (BMWCS) would apply to this development:

- Policy CS/LP1 - The Overarching Presumption in favour of Sustainable Development;
- Policy CS1 - Minerals Safeguarding;
- Policy CS4 - Maintaining the Level of Sand and Gravel Provision;
- Policy CS5 - Preferred Areas;
- Policy CS15 - Landfill;
- Policy CS18 - Protection of Environmental Assets of National Importance;
- Policy CS19 - Protection of Environmental Assets of Local Importance;
- Policy CS20 - Green Belt;
- Policy CS22 - Design and Climate Change; and
- Policy CS23 - Enhancement of the Environment

49. The following saved policy from the Buckinghamshire Minerals and Waste Local Plan (BMWLP) would apply to this development:

- Policy 28 - Amenity;
- Policy 29 - Buffer Zones;
- Policy 31 - Restoration and Aftercare;
- Policy 36 - Planning Application issues;
- Policy 37 - EIA; and
- Policy 38 - Planning Obligations

50. The following saved policies from the South Bucks District Local Plan (SBDLP) would apply to this development:

- Policy GB1 - Green Belt;
- Policy EP3 - The Use, Design and Layout of Development;
- Policy EP4 - Landscaping;
- Policy TR5 - Accesses, Highway Works and Traffic Generation; and
- Policy TR10 - Heavy Goods Vehicles.

51. The following policies from the South Bucks Core Strategy (SBCS) would apply to this development:

- Policy CP7 – Accessibility and Transport
- Policy CP8 – Built and Historic Environment
- Policy CS9 - Natural Environment.
- Policy CS13 – Environmental and Resource Management

CONSULTATIONS

53. **Local Member** – The Local Member for Iver has not commented on the application.

54. **Iver Parish Council** – Iver Parish Council object to this application however, if County Council minded to permit this proposal they requested to note the following:

- That a routing agreement be put in place, to include incoming contractors vehicles for access via Sutton Lane and North Park only.
- Land to the rear of Bathurst Walk has no noise bund planned yet extraction is planned directly behind houses. This small area should be excluded from the extraction. Prevailing westerly wind will contribute to problems with noise and dust for the properties in close proximity.
- Concrete batching plant is not necessary.
- Request that a liaison group be set up to monitor progress.
- Request acoustic fencing on top of bunds.
- Request assurances on adequate dust levels (gravel washing).
- Works should be required to co-ordinate with WRLTH.
- Proposals for works to junction of Sutton Lane and North Park inadequate.
- The proposed site exit at the junction of North Park is too close to the pinch point. Suggest install traffic lights and remove pinch point.
- S106 contribution to relief road scheme.
- Restored land to be kept in perpetuity for local community. Exceptional circumstances may exist to override GB policy in which case enhanced mitigation will be necessary.
- 30 MPH speed limit on North Park.
- Query working hours, clarification that Saturday is 8am – 1pm. No activity before 7am weekdays.
- Clarity on para 16.29 of environmental statement. This refers to Berkshire Joint Minerals Plan 2001. The site is not allocated in current Bucks Minerals & Waste Local Plan 2004 -16.
- Air quality and noise monitoring throughout operation to be reported to liaison group.
- Request additional footpath link along northern boundary (triangular walk) as soon as safely feasible.

Statutory Consultees (Summary Responses – Full consultee responses available at - <http://publicaccess.buckscc.gov.uk/online-applications/applicationDetails.do?activeTab=consulteeComments&keyVal=OE5X91DS00100&consulteeCommentsPager.page=3>)

55. **District Council** – South Bucks District Council has no objection to this planning proposal subject to a routing agreement whereby HGV traffic will not turn east out of the site, a Section 278 agreement to improve the junction at North Park and Sutton Lane, a condition on noise limits not to exceed those stated in the NPPF.

56. **SBDC Environmental Health Officer:** Initial consultation response has advised that the planning application should take the following into consideration:

- Noise & Vibration
- Dust - particularly its impact on Air Quality Management Area
- Road Maintenance - prevent deterioration of surrounding roads due to mud, litter etc.
- Site Traffic Movement – Volume and speed should be restricted
- Odour
- Water runoff: Should be managed so as not to cause pollution, pooling or flood risk in the vicinity of the site.
- Lighting - must be used sensitively so as not to cause disturbance to local residents.

- Land quality should be protected by the secured placement of fuels, oils, lubricants etc in secure tanks and bunds.
- Any soil imported to site should have been tested in situ prior to its transfer to site. Any removal of soil and waste from site should be done so with the appropriate permit/licence;
- Residential areas nearest the development such as Bathurst Walk and North Park should have sufficient buffer zones developed and designed to mitigate impacts which may cause nuisance or effect public health.

Subsequent response from Environmental Health Officer clarified that he has no objection to the proposal subject to restriction of the operation time to:

- Monday to Friday - 8am until 6pm,
- Saturday - 8am until 1pm
- Sunday and/or Bank Holidays no operations

This is to mitigate the impact from noisy equipment that could give rise to nuisance.

57. Environment Agency: The Environment Agency has no objections to the proposed development subject to the inclusion of conditions relating to the following matters:

- Submission of a scheme that includes- a preliminary risk assessment, a site investigation scheme and verification plan, to deal with the risks associated with contamination of the site.
- Submission of a long-term monitoring and maintenance plan in respect of contamination of the site.
- If contamination not previously identified is found then submission of a remediation strategy to the County Council detailing how this unsuspected contamination shall be dealt with.
- No infiltration of surface water drainage into the ground.

58. Natural England has no objection to the proposed development.

59. Highways Development Management: No objection to the proposed development in highway terms, subject to a S106 to secure the routing of HGV's west out of the site, and the conditions to cover the following issues:

- Restriction on number of HGV movements per day (121 in, 121 out).
- Provision of new means of access, to include trieff kerbing and 'keep clear' markings on North Park.
- Provision of adequate visibility splays on both sides of the access.
- Submission of a scheme for parking, manoeuvring and the loading and unloading of vehicles prior to the commencement of development.
- Provision of measures to prevent the deposit of mud and debris on the adjacent public highways.

60. Network Rail have no objections in principle to the development subject to the following:

- Prior to the commencement of those phases of development adjoining the Great Western Main Line railway, full details of ground levels, earthworks – including drainage – and excavations proposed to be carried out, to be submitted and approved.

- The forthcoming legal agreement between Network Rail and the applicant/contactor being in place prior to any works taking place and
- The applicant entering into a Basic Asset Protection Agreement (BAPA).

61. **Slough Borough Council** has no objection to the proposal subject to the conditions and legal obligations (S106 and S278 agreements) covering the following issues:

- Improvements works to the junction of Parlaunt Road/Sutton Lane / North Park would be undertaken as part of S278 agreement. These works should be fully completed prior to first occupation/use of the proposed development. The details works to the junction should include the following elements:
 - New ELV signal controller
 - Upgrade signal heads to ELV LEDs;
 - Trief kerbs on the traffic islands to protect them from further damage;
 - Reduce the speed limit to 30mph on Sutton Lane;
 - Install MOVA and validate MOVA
 - New signal poles;
 - Widen carriageway into the footway on the east side of Sutton Lane;
 - As stated above the footway / cycleway on west side of Sutton Lane shall be a minimum width of 3m wide;
 - The existing on-road Advanced Stop Lines and all associated on-road cycle facilities should be removed from all approaches;
 - Widen the shared use footway on the south side of Parlaunt Road between its junction with Sutton Lane for a distance of 25m into the existing verge and re-siting street furniture as necessary
- A contribution of £750,000 in a maximum of 4 instalments over a three year period. This contribution should be spent on mitigation to improve traffic flow, to reduce speed of traffic and to improve conditions for vulnerable road users on the section of the A4 between Sutton Lane gyratory junction and M4 Junction 5 including works at those junctions.
- A contribution of £50,000 towards air quality management area specifically for the installation of a rapid charger
- A routing agreement for HGVs movements.
- The contributions and routeing should be secured through a S106 agreement or other appropriate agreement by Bucks County Council with Slough Borough Council being a party to that agreement.

Other Consultees

62. The **County Council Flood Management Team** has no objection to the proposals subject to a condition requires to submit a surface water drainage scheme for the site, based on sustainable drainage principles and an assessment of the hydrological and hydro-geological context of the development. The scheme shall include:

- Discharge rates and volumes to be limited to greenfield runoff rates;
- Maintenance and management of SUDS features;
- Detailed drainage layout for both during extraction and post restoration including (as appropriate) pipe numbers, gradients and pipe sizes complete with full construction details, together with storage volumes of all SuDS features;

- Restoration scheme where possible should consider the use of sustainable drainage features, such as wetland areas and swales;
- Phasing;
- 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;
- Exceedance routes;
- Assessment of the impact of changing groundwater levels on the Horton Brook. Mitigation to be provided as necessary.

63. The **Landscape Advisor** has no objection to the proposal subject to conditions covering the following issues:

- Submission and approval of a Soil Strategy and the implementation of mitigation measures.
- Appropriate colours and materials for the new structures designed so as to minimise visual effects including light reflection.
- Submission of 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. The proposal and specification should include all areas of grass seeding and wetland planting.
- Establishment management and maintenance programme for a minimum of five years aftercare for all new planting works, and during the programme period the replacement of all failed plants (irrespective of cause) in the planting season immediately following failure.
- submission and approval of a final aftercare strategy

64. The **Arboriculturalist** has no objection to the proposal subject to conditions covering the following issues:

- Access to the areas behind the fencing should be prevented and rigorously controlled so as to avoid damage to the retained trees.
- Weather proof signage be attached to all of the fencing around the retained trees alerting personnel on site as to the restrictions on access, as recommended in section 2.5 of the original arboricultural response.
- A revised Arboricultural Method Statement (AMS) should be produced closer to the commencement of works upon the site detailing which trees are to be pruned and to what extent.

65. The **County Ecologist** raised objection to this proposal for the following reasons:

- The timing of habitat surveys were outside the optimum period;
- The loss of one UK/Local BAP Priority Habitat comprising Eutrophic Standing Waters, has not been adequately compensated;
- Phase 1 habitat type – Miscellaneous / Cultivated/disturbed land / Ephemeral/short perennial may qualify as a UK/Local BAP Priority Habitat;
- The presence of two county rare plant species comprising marsh dock *Rumex palustris* and galingale *Cyperus longus*;
- There is no evidence that marsh dock *Rumex palustris* habitat is restorable on the site and therefore that subsequent re-translocation of the species will be successful;
- No further surveys for galingale *Cyperus longus* species have been undertaken to review its status at the site and assess any mitigation which may be required.
- The invertebrate fauna of the site has not been given adequate consideration and in particular there is potential for a legally protected species of invertebrate to occur;
- A full reptile survey has not been undertaken in this area as it would appear to provide ideal habitat for some of our reptile species.

66. The **County Archaeologist** has no objection to the proposal subject to the conditions to cover the following issues:

- Submission of a written scheme of investigation for the archaeological monitoring of site works and the halting of works for the excavation of archaeological remains. Where it is agreed that nationally significant archaeological remains are present discussions will be held regarding their preservation in situ.
- Where nationally significant archaeological remains are confirmed, no development shall take place in these areas until the submission of an appropriate methodology for their preservation in situ.
- Preparation and submission of a Geoarchaeological Deposit Model to inform County Council of areas of high potential for Palaeolithic and Mesolithic/Neolithic sites. High potential areas will be evaluated and where nationally significant archaeological remains are confirmed discussions should be held regarding the necessity for their preservation in situ.
- Where it is agreed that nationally significant geoarchaeological archaeological remains are present, no development shall take place in these areas until the submission of an appropriate methodology for their preservation in situ.
- Where geoarchaeological archaeological remains are encountered and are not of sufficient significance to warrant preservation in situ but are worthy of recording no development shall take place in these areas until the implementation of a programme of archaeological work in accordance with an approved written scheme of investigation.
- Where archaeological features and or finds are recorded of sufficient interest to warrant public viewing then a number of outreach events should be organised to inform the local and county community.

67. The **County Council's Rights of Way** Officer has no objection to the proposal subject to the following conditions:

- Closure of Footpath IVE/15/1 for the duration of the works.
- Upon completion of restoration the applicant should dedicate a public footpath between North Park and Market Lane, providing a width of at least 3 metres and following the indicative alignment shown on the Final Restoration Plan (P1/739/5 Rev B), to be agreed in advance with Buckinghamshire County Council and Slough Borough Council.
- Upon completion of the restoration the applicant should dedicate a public footpath between the northern extent of Footpath IVE/15/1 and the new footpath alongside the Horton Brook, providing a width of at least 3 metres and following the indicative alignment shown on the Final Restoration Plan (P1/739/5 Rev B), to be agreed in advance with Buckinghamshire County Council and Slough Borough Council.

68. **HS2 Limited** has no objection to the proposal.

69. **Heathrow Airport Limited** has no safeguarding objection.

Representations

70. A total of 80 third party representations have been received. These are available in the *Public Access* website and are detailed in Annex B. The main areas of concern are as follows:

- Increase in traffic and congestion;
- Impact on local amenity including visual impact;
- Increase in pollution including noise and dust; and
- Impact on Health.

DISCUSSION

71. The key planning issues are:

- i) The principle of the development
- ii) Green Belt
- iii) Access and Traffic
- iv) Potential amenity effects

72. Other important planning issues to consider include:

- v) Landscape and visual impact
- vi) Soils
- vii) Biodiversity
- viii) Rights of Way
- ix) Flood Risk & Drainage
- x) Archaeology
- xi) Restoration
- xii) Cumulative Impact
- xiii) Delivery of Nationally Significant Infrastructure Project

Principle of the Development

73. The main issue to be considered in deciding the suitability of this site for mineral extraction is the sterilisation of minerals; nevertheless the landbank of sand and gravel is also an important consideration.

74. A key aspect of sustainable development is the conservation and safeguarding of non-renewable resources for future generations. As such it is important that non-minerals development does not needlessly prevent the future extraction of mineral resources.

75. Government policy in the NPPF (paragraph 143) requires the Mineral Planning Authority (MPA) to ensure that proven mineral resources are not sterilised by other forms of development. The argument for releasing reserves of sand and gravel is reinforced by the BMWCS policy CS1 stating that mineral resource should not be sterilised by other forms of development.

76. Policy CS1 of BMWCS defined a Mineral Safeguarding Area for sand and gravel in Buckinghamshire which includes the application site. This proposal would provide the opportunity for the prior extraction of minerals where the national infrastructure scheme, Western Rail Link to Heathrow (WRLtH) could take place. The application site was put forward as part of the County Council's Replacement of Minerals and Waste Local Plan (RMWLP) call for Sites consultation. However as the RMWLP will not be adopted until the

end 2018/ or early 2019, the mineral within the site is likely to be sterilised by the forthcoming WRLtH proposal which lies in the path of the tunnel in the middle of the application site. Therefore, the proposal would prevent the risk of the sterilisation of an area for sand and gravel identified within the Mineral Safeguarding Area.

77. The applicant has demonstrated that parallel implementation of two projects (the proposed sand and gravel extraction & WRLtH) would not sterilise the minerals within the site. The County Council is aware that the applicant and Network Rail have been working together to find synergies between their two projects, which will allow this proposal and WRLtH to work alongside each other. Network Rail is aiming to dispose of inert waste at this site, taken from the WRLtH project, and in turn, the applicant will provide concrete for WRLtH. The availability of fill material would also support the applications proposal to reclaim the site within the intended timescales.

78. Turning to the landbank issue, the applicant has put forward a detailed need argument contending that the consented landbank of sand and gravel reserves in Buckinghamshire has now come down to a level where, although the current landbank exceeds the minimum 7 year landbank which the NPPF advises, the County Council now needs to be consenting additional reserves to ensure maintenance of an adequate supply of aggregates in the County.

79. Paragraph 145 of the NPPF and Policy CS4 of the BMWCS state that there should be provision for the maintenance of a landbank of sand and gravel of at least seven years. Paragraph 145 of NPPF goes on to say that longer landbank periods may be appropriate taking into account of need to supply a range of types of aggregates, locations of permitted reserves relative to markets and productive capacity of permitted reserves. It also states that MPA should ensure that large landbanks bound up in very few sites do not stifle completion.

80. According to the NPPF, calculation of the sand and gravel supply requirement is based primarily upon the ten year average of sales data for the preceding ten year period, which would at this point be using the period 2006 – 2015. The recently published Local Aggregate Assessment (LAA) 2016 data for this period identifies average sales of 0.80mtpa. If this level of requirement is adopted it would equate to a minimum requirement of 5.6mt, in order to provide for a landbank sufficient for 7 years production. Based on this supply requirement, the current landbank equates to 11.3 years supply.

81. The planning policy context for minerals planning in Buckinghamshire is changing. As set out in the Minerals and Waste Local Development Scheme 2016-18, a Replacement of Minerals and Waste Local Plan (RMWLP) is being progressed which is due to be adopted in late 2018 or early 2019. This policy document will set out the preferred areas for future minerals extraction.

82. Paragraph 6.5 of the LAA 2016 indicates that the earliest the landbank would fall below the 5.6mt of the 10 year rolling average requirement for a 7 year landbank would be 2019. More recent informal advice from the Minerals and Waste Policy Team is that this estimate is accurate considering recently permitted Northern Extension to New Denham Quarry as this would just replace the existing New Denham site. Therefore, the Local Aggregates Assessment identifies that there will be a shortfall in the minimum landbank supply after 2019, so there is a need to increase mineral productivity. If permitted this proposal would help to maintain the minimum landbank of 7 years beyond 2019.

83. It should also be noted that the 7 year landbank is a minimum period. There is no maximum landbank level and each application for minerals extraction must be considered on its own merits regardless of the length of the landbank. As mentioned in the paragraph 145 of NPPF, longer periods may be appropriate to take account of the need to supply a

range of types of aggregates, locations of permitted reserves relative to markets, and productive capacity of permitted sites.

84. There are a number of major forthcoming projects in and around Bucks which would result in an increased demand for aggregates, these includes High Speed 2 rail link (HS2), the Heathrow Express Depot (HEX), M4 Smart Motorways scheme, Western Rail Link to Heathrow (WRLtH). If all of these schemes are permitted there is going to be a significant increase in demand for aggregates over the next 5-10 year period. This is a key consideration and should be taken into account in predicting future supply. If permitted the proposal would be well located to provide aggregate to the above mentioned schemes and would significantly reduce the number and length of aggregate supply movements across the County.

85. Considering the landbank situation set out in the current LAA, new permissions are required to maintain the landbank beyond 2019 and to supply aggregates for the forthcoming nationally significant infrastructure projects in and around Buckinghamshire. Most importantly granting permission for this proposal would prevent the risk of the sterilisation of an area for sand and gravel identified within the Mineral Safeguarding Area. This is strongly supported by the NPPF and Policy CS1 of BMWCS.

86. The need and potential economic benefits of permitting this application must be balanced against the impacts of the development in this location, as considered in this report.

Appropriateness of the Development in the Green Belt

87. Policy CS20 of BMWCS states that proposals for mineral extraction within the Green Belt will be permitted subject to the development complying with the other policies set out in the Core Strategy and relevant saved Buckinghamshire Minerals and Waste Local Plan. Paragraph 90 of the NPPF confirms that minerals extraction is not inappropriate in Green Belt provided they preserve the openness of the Green Belt and do not conflict with the purposes of including land in Green Belt.

88. The site is located within the Green Belt where most forms of development are inappropriate. However, national and local planning policies support Minerals extraction within Green Belt provided they preserve the openness of the Green Belt. Furthermore, mindful of the geology of the County, much of this mineral is located within the south of the County where, with the exception of certain established built up areas, the Green Belt designation applies.

89. It is clear from the application that the importation of inert fill material is intended primarily to enable restoration of the mineral extraction void and will enable the return of the land to agriculture. Thus maintaining a use that is entirely consistent with the purposes of the Green Belt, and this is recognised in policy CS20 which acknowledges requirements in connection with the restoration of a mineral working as 'very special circumstances'.

90. The proposed concrete batching plant, conveyor belt and other associated facilities at the site are considered as development ancillary to mineral extraction. These structures and plants would be temporary and removed on completion of the restoration of the site. No permanent harm to openness or encroachment on the Green Belt would result.

91. It has already been established that there is a need for this development. Whether or not the proposal complies with other policies of the development plan will be discussed in the sections below. The application will be treated in accordance with policy CS20 of BMWCS if it complies with those policies.

Access and Traffic

92. Policy TR5 of South Bucks Local Plan states that where the development involves the generation of additional traffic it is important to ensure that such proposals will not interfere with the free flow of traffic on the highway and that there would be no risk to the safety of people using that road. Policy TR10 of the same plan states that development which is likely to generate heavy goods vehicle trips will only be permitted where vehicle movements would not adversely affect the character or amenities of nearby properties or the locality in general. Policy CS22 of the BMWCS requires the applicants to demonstrate that their proposals would minimise the distance materials are transported by road by more sustainable ways so as to minimise greenhouse gas emissions and other emissions.

93. The traffic impacts of this development have been a source of significant local concern, however there is no objection from the Buckinghamshire and Slough Highways Authority.

94. There would be an increase in vehicle movements as a result of this development, however all HGVs associated with the site would turn out of the site to the west – along North Park and then travel south along Sutton Lane to the A4 and would not travel through the village of Iver. This routing would be secured through a legal obligation. Therefore, I consider that the site is well located to the strategic road network. I also consider that as HGVs associated with this development would not have to travel through Iver village or Richings Park, residential amenity is protected as far as is reasonable.

95. Concerns have been raised by the local residents about the capacity and safety of the North Park Road and North Park/Sutton Lane/Parlaunt Road junction to accommodate additional HGVs from the development. The applicant has acknowledged that there is some queueing along Sutton Lane during the network peak hours, and therefore they have proposed junction improvements to better accommodate HGV's and improve junction efficiency. The applicant has also proposed modification to an existing vehicular access to the site to make it safe. The Bucks Highways Authority has considered this approach acceptable to minimise any negative impact for the nearby residents.

96. Slough Borough Council (SBC) initially raised concerns about the impact of increased HGV movements through the roads and junctions of their administrative boundary. It is fair to say that the predominant highway impact of the proposed development would be on Slough's highway network, and as such it is my view that their comments should be given substantial consideration in assessing traffic impact of this application.

97. The applicant has submitted additional assessment and offered various improvement works to offset impacts on Slough's transport network and Air Quality Management Area (AQMA). These include – amendment to the scheme to improve Parlaunt Road / Sutton Lane / North Park junction, financial contributions to improve the Sutton Lane Gyratory to M4 J5 and Brands Hill Air Quality Management Area (AQMA). The SBC considered these measures acceptable and now has no objection to the proposal subject to legal obligations (S106 and S278 agreements) to be entered by the applicant. It is my view that the level of improvement works and mitigation measures (including financial contribution) offered by the applicant is satisfactory and would minimise any negative impact of the development to the transport networks of Slough.

98. The development would be subject to a legal obligation (S106 agreement) which secures the completion of the required works prior to the commencement of development on the site. Moreover, planning conditions would be required to ensure that adequate and satisfactory access and turning space is available within the application site as suggested by the Highway Officer of Buckinghamshire County Council.

99. The applicant proposed to use EURO VI HGVs during the operations of the site. This would help to reduce overall emission generated from the traffic movements from the site.

100. I therefore consider that subject to conditions and legal obligations (covering routeing agreement and highways improvement works); the proposals are in accordance with policies TR5 and TR10 of South Bucks Local Plan and policy CS22 of BMWCS.

Potential Amenity Effects

101. Planning policy requires that proposals for minerals development should not have unacceptable adverse impacts on residential amenity and other sensitive receptors. BMWLP policy 28 requires the protection of the amenity of all those who may be affected by mineral workings.

102. BMWLP policy 29 states that Mineral extraction and ancillary proposals will not be permitted unless they can demonstrate that an adequate buffer zone exists, or would be provided, between the proposed development and neighbouring existing or proposed sensitive uses. Paragraph 018 of the National Planning Practice Guidance states that any proposed separation distance should be done on a site by site basis, and should be effective, properly justified and reasonable.

103. The NPPF states that unavoidable noise and dust from mineral workings must be controlled, mitigated or removed at source (paragraph 144).

104. Local residents have raised concerns, as set out in Annex 2, about the potential impacts of this development on residents living near the site. However, there has been no objection from the South Bucks Environmental Health Officer, subject to conditions to control the noise and dust generated by the development.

Noise

105. A noise assessment has been carried out and is included in the Environmental Statement. The assessment has involved noise measurements at seven locations, taken to be representative of the nearest noise sensitive premises to the proposed site; St James Walk, Parlaunt Road, Meadfield Road, Southwold Spur, Bathurst Walk, Richings Place and North Park. The suggested noise limits for these locations are, 55dB LAeq 1hr for routine operations and 70dB LAeq 1hr for temporary operations such as site set up and bund construction/removal. These limits are in line with the requirements of National Planning Practice Guidance.

106. The calculated site noise levels for routine and temporary operations on site comply with the suggested site noise limits at all the assessment locations. Accordingly, the assessment concludes that the site can be worked while keeping noise emissions to within environmentally acceptable limits.

107. The design of the proposed workings includes mitigation against any potential loss of amenity through noise is by the provision of soil screen bunds between the workings and any nearby residential properties. These would be up to 3 m in height for topsoils and 5m in height for subsoils. Moreover, extraction close to the above mentioned nearest properties would be temporary.

108. The Environmental Health Officer of SBDC advised that the operation of the site should start at 8am rather than 7am (as proposed on the application) on weekdays and Saturdays.

109. A 7am start time on the site would mean that the mixer trucks and loaded aggregate HGVs can leave the site between 7am and 8am before the morning peak and return after the peak. A 8am start time would see loaded trucks and HGVs enter North Park between 8am and 9am at the peak morning time. In the pre-submission public consultation, members of the public were keen that the applicant avoids putting its HGVs on North Park and Sutton Lane, as much as possible during peak hours. Shorter operational working hours would limit any scope that applicant has to do this.

110. In addition, the plant site is positioned on the western side of the site away from residential properties and has bund around it. The noise assessment submitted as part of the planning application and ES shows that the plant operations and extraction of mineral are within and comply with the national noise guidelines for mineral working and therefore there is no justification from an amenity perspective to reduce the operating hours of the site to 8am.

Air Quality & Dust

111. An air quality and dust assessment has been undertaken which is included in the Environmental Statement with the application. The operation of the site has the potential to impact on the amenity of local receptors due to dust emissions.

112. However, the site would be worked wet and the access road would be hard surfaced. There would be a wheel wash and water sprays to prevent dust and mud going out onto the road. The site would be subject to a Dust Management Plan which sets out the detailed measures to manage and mitigate dust (included in the Environmental Statement dust report).

113. Slough Borough Council (SBC) initially raised objection to this scheme due to the potential significant harmful impact of poor air quality, on their local residents' health, as a direct result of additional applicant's HGV movements through the Brands Hill AQMA. The applicant has provided further air quality assessments along with mitigation and offsetting measures. It is the view of the SBC now that the proposed mitigation and offsetting measures (including financial contribution) would help to reduce negative impact of air quality in the Brands Hill AQMA.

114. I consider that the mitigation measures are appropriate and the proposal will have no adverse impact on the amenities of local residents with regard to noise, dust and air quality. Potential impacts of noise and dust have been adequately assessed in the Environmental Statement and could be satisfactorily mitigated through the use of planning conditions and obligations should planning permission be granted.

115. Accordingly, I consider the proposal to be acceptable in terms of its amenity impacts and relevant development plan policies and national planning policy including the BMWLP Policy 28 Amenity and Policy 29 Buffer Zones and the NPPF.

Landscape and Visual Impacts

116. BMWCS policy CS19 states that planning permission will not be granted for minerals development that would lead to significant adverse effect on the character, appearance or intrinsic environmental value of the locally important landscapes. Policy CS23 of the same plan requires the development proposals to demonstrate that restoration and plating scheme will ensure the positive integration of the site with wider landscape taking into account the Landscape Character Assessments.

117. Policy EP4 of SBDLP expects that the development proposals will:-

- incorporate appropriate hard and soft landscaping as an integral part of the development 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 or the wider area; and
- where appropriate provide for the planting of appropriate additional trees and shrubs including native species and;
- make proper provision for the subsequent maintenance and retention of the existing and proposed planting.

118. The application area is located within the extreme south west of Landscape Character Area 22.4 Iver Heath Mixed Use Terrace (LCA22.4) identified by the South Bucks District Landscape Character Assessment. Concern has been expressed by a number of individual representations regarding the impact of this development on local landscape character and visual impact on nearby properties.

119. It is obvious from the nature of the development that, during the extraction and restoration period (9 years) there would be temporary disturbance in the landscape and visual amenity. However, the proposed restoration would return the land to a landform and land uses of character consistent with LCA22.4, and appropriate new enhancement features such as hedgerows and ponds would be introduced. Therefore, in the longer term the proposed development would contribute to the vision for LCA22.4 due to the enhanced character of the agricultural land.

120. The site is already screened with existing vegetation, particularly by advance tree planting belts in the west, south-west, south-east and east, which are established now for nearly 20 years. It is my view that the combination of existing vegetation and planting with the proposed temporary screening bunds would provide separation and visual screening to the nearby properties. The protection and effective management of existing planting is vital both for visual screening and to ensure their contribution in the post restoration landscape. This could be secured through planning conditions should planning permission be granted.

121. The proposed working on the site would require removal of eight trees and two small areas of scrub or plantation woodland. However, the new native hedgerows to be reinstated with selected standard trees along the line of the existing track where the former trees have been removed, and hedgerow planting which will be extended south-westwards towards Horton Brook.

122. The County Landscape and Arboriculture adviser believes that impact of these tree removals is justified due to the low category grading of the trees and that the proposed mitigation is acceptable, including the reinstatement of hedgerows and trees with appropriate species following the completion of the extraction works.

123. It is my view that the proposals have limited direct impact on existing landscape features and in longer term subject to a successful restoration to agriculture, there would be no loss of local landscape character or local landscape asset. The proposed mitigation measures would reduce any potential visual impact to acceptable level throughout the duration of the works.

124. I therefore consider that the proposal is acceptable on landscape and visual impact ground and in relation to the protection and retention of key natural landscape features including tree and hedges and can be considered to comply with policies CS19 and CS23 of the BMWCS and the South Bucks District Local Plan (SBDLP) Policy EP4.

Soils

125. The NPPF (paragraph 143) supports managing the best and most versatile agricultural land to maintain soil quality.

126. Although mineral extraction would cause the temporary loss of best and most versatile agricultural land, the proposals include restoring all the agricultural land to agricultural use. All the soils from the best agricultural land would be retained in order to ensure the quality of the agricultural restoration. This is in accordance with the NPPF. There has been no objection from Natural England. Conditions could be used to ensure that the development and restoration took place in such a way that these soils would be protected should planning permission be granted.

Biodiversity

127. Paragraph 117 of the NPPF supports the conservation and enhancement of biodiversity whilst allowing a distinction to be drawn between the hierarchy of international, national and locally designated sites so that protection is commensurate with their status and appropriate weight to their importance and the contribution that they make to wider ecological networks. NPPF (paragraph 118) supports the protection and enhancement of biodiversity especially on designated sites. It goes on to say if significant harm resulting from a development cannot be avoided (through locating on an alternative site with less harmful impacts), adequately mitigated, or, as a last resort, compensated for, then planning permission should be refused.

128. The relevant paragraph of NPPF is consistent with the Conservation of Habitats and Species Regulations 2010 which places a duty on all competent authorities to have regard to the requirements of the Habitats Directive in the exercise of their functions. These Regulations extend to England and Wales and provide for:

- The designation and legal protection of 'European Sites';
- The legal protection of 'European Protected Species' (EPS); and
- The adaptation of planning and other controls for the protection of European Sites.

129. BMWCS policy CS18 states that planning permission will not be granted for minerals development that would lead to significant adverse effect on the character, appearance or intrinsic environmental value or where appropriate, setting of the SSSI and conservation areas. BMWCS policy CS19 states that planning permission will not be granted for minerals development that would lead to significant adverse effect on the character, appearance or intrinsic environmental value of the local nature reserves and other areas of locally designated biodiversity features including Ancient semi-natural woodlands, Local Wildlife sites and priority UK Biodiversity Action Plan (BAP) habitats.

130. The application site is not covered by any international, national or local nature conservation designations. It also does not fall within a designated site of biodiversity importance. However, the application site lies within Natural England's 'SSSI Impact Risk Zones' of Statutory Wildlife Sites.

131. The ecological interest present within the application site comprises the following:

- Two UK BAP Priority Habitats – 'Eutrophic Standing Waters' and 'Hedgerows';
- Two Local BAP Priority Habitats – 'Eutrophic Standing Waters' and 'Hedgerows';
- One County rare' plant species – marsh dock;
- One legally protected and UK BAP Priority Species of reptile – slow-worm;
- 19 bird species

132. The Ecological Appraisal submitted with the ES of this application identified the presence of the above ecological features. A detailed mitigation and compensation strategy which includes the translocation of County rare species to new habitat created within the site, a biodiversity offsetting scheme and Ecological Management Plan (EMP).

133. National Planning Practice Guidance is explicit that, on matters related to protected species, Local Planning Authority should take a pragmatic approach – the aim should be to fulfil statutory obligations in a way that minimise delays and burdens. The guidance also allows for biodiversity offsetting to be considered where this would achieve no net loss or a net gain in biodiversity.

134. Natural England considers that there will be no significant adverse impacts on the nearby designated sites from the proposed development. However, the County Ecologist has objected to this application primarily due to the potential loss of the marsh dock, found on site is located around the ephemeral pond in the north east of the site. She has subsequently raised concerns on other issues set out in *paragraph 65* of this report.

135. It is the view of the applicant, in response to the comments of the County Ecologist, that there is adequate information within the Ecological Appraisal of the ES to assess the impact of this development on protected species and therefore that there is no ground for refusal on this matter. They also provided detailed explanation, produced by a qualified ecologist, to prove that further surveys for plant species, invertebrate and reptile are not necessary and that habitat surveys were undertaken during the optimum periods for surveys.

136. The proposal will result a loss of 0.7 ha of surface area of Eutrophic Standing Waters. However, it will be off-set by the creation (during the restoration) of 0.67 ha of another UK BAP Priority Habitat- Ponds, which would be located in the field margins. Overall, the Site currently holds approximately 0.84 ha of two UK and Local BAP Priority Habitats- Eutrophic Standing Waters and Hedgerows. The restored site would hold approximately 6.24 ha of six UK BAP Priority Habitats (Lowland Mixed Deciduous Woodland, Wet Woodland, Arable Field Margins, Lowland Meadows, Ponds and Hedgerows), and approximately 6.38 ha of five Local BAP Priority Habitats (Native woodland, Lowland meadows, Ponds, Watercourses and Hedgerows). This would result in an overall net gain of 5.4 ha, comprising a gain of four UK BAP Priority Habitat types and three Local BAP Priority Habitat types. I consider this as a significant net gain in biodiversity.

137. Moreover, neither marsh dock nor galingale (mentioned by the County Ecologist) is legally protected, nor are either UK or Local BAP Priority Species. It is not identified as locally designated biodiversity features as set out in the Policy CS19 of BMWCS or any other National Planning policies. The County Ecologist recognises that these species are not legally protected or subject to explicit policy protection that would justify a reason for refusal. The development would provide suitable habitat for the species of marsh dock for the entirety of the operation and would provide suitable compensatory habitat post development in the north-west of the site. The proposal to safeguard the marsh dock comprises the collection of seeds from the existing population within the site for translocation onto the margins of the operational silt lagoons, until such a time that the species may be translocated again. The ecological compensation strategy would be incorporated into an overarching Ecological Management Plan (EMP), which would be subject to approval from the County Planning Authority should planning permission be granted.

138. The County Ecologist in her latest response has also asked for - a phase 2 habitat surveys to assess the plant species present and the status of rare species within the pond, an invertebrate survey for the pond and vegetation surrounding the pond and phase 2 reptile surveys.

139. The National Planning Practice Guidance (NPPG) advises that ecological surveys are only necessary if the impact on biodiversity may be significant and existing information is lacking or inadequate. The NPPG also states that surveys should only be required by a local planning authority where they are clearly justified, for example if they consider there is a reasonable likelihood of a protected species being present and affected by development.

140. No legally protected or UK BAP Priority Species of plants were recorded during the Phase 1 habitat survey performed except *Marsh Dock* (which is County rare Species). There is also insufficient evidence to suggest any legally protected and UK BAP Priority Species of invertebrate would occur within the application site. Therefore, it is my view that further plant habitat and invertebrate survey would not be proportionate, and would be in conflict with NPPG and ODPM Circular 06/2005.

141. The applicant's assessment of the habitats within the ES anticipated that there is potential of presence of a population of reptile species (slow-worms) within the site. Therefore, the application has offered off-setting measures by the provision of a due-diligence safeguarding strategy.

142. As slow-worms (and all common reptile species) are legally protected against intentional killing and injury under the Wildlife & Countryside Act 1981 (& as amended), and as the quality of habitats can change between planning permission and commencement of extraction, a safeguarding strategy would be appropriate to protect this reptile species. This safeguarding strategy would be incorporated into an overarching EMP, which would be subject to approval from the County Planning Authority should planning permission be granted. Implementation of the reptile safeguarding strategy would be necessary prior to the taking down of grass-seeded soil storage and screening bunds during the progressive restoration. With the implementation of safeguarding, there are no grounds to predict any significant negative impacts upon slow-worms as a result of the development.

143. It is my view that subject to condition attached to any planning permission requiring submission of Ecological Management Plan (EMP) and a S106 agreement for long term biodiversity management plan, the development is considered to deliver effective mitigation and compensation measures for protected species and would deliver overall biodiversity gain. Therefore, the proposal would be in accordance with policies CS18 and CS19 of the BMWCS and biodiversity elements of NPPF.

Rights of Way

144. Policy CS23 of BMWCS requires proposals for minerals development to retain existing public and permissive footpaths on the site, or where this is not possible, their diversion or replacement to an equivalent or enhanced standard in terms of recreational, social and economic value to the site users and local communities, including linking with wider transport and strategic rights of way network. In addition, consideration should be given to the opportunity for providing new routes, taking into account the potential value to the site users and to local communities.

145. The application proposes to close the footpath temporarily for the 9-year duration of the development for health and safety reasons. Once the quarry is restored the footpath would be reinstated on its original alignment. It is proposed to provide an additional footpath along the Horton Brook, from North Park to Market Lane. Concerns have been raised by a few local residents about the closure of the footpath. Local people also voiced the need for improved access in future.

146. The County ROW officer welcomes the addition of a new footpath route to the strategic rights of way network. However, he proposed in the initial consultation that a

circular route be provided by creating a dedicated link alongside the railway line back to Market Lane. The applicant has now agreed to provide such a route and have included this on a revised restoration plan. Therefore, the ROW officer has no objection to the proposal subject to conditions.

147. It is my view that this new circular route footpath would be set within a traffic-free, river side environment which would more likely encourage local journeys by foot and provide recreational opportunities for the local community. It would also complement the public park and play facilities between Market Lane and Maplin Park, Langley. The provision of improvements to the network is encouraged by policy CS23 of BMWCS.

148. Overall, I consider that adverse impacts on the rights of way network in the area would be temporary and would add value to the site users and local communities upon the completion of the restoration proposals.

Flood Risk and Drainage

Flood Risk

149. Paragraph 103 of NPPF states that when determining planning applications, local planning authorities should ensure flood risk is not increased elsewhere and only considers development appropriate in areas at risk of flooding where, informed by a site-specific flood risk assessment following the Sequential Test. BMWCS policy CS22 (d) of seeks to reduce flood risk from all known source, including river flooding within the flood plain, surface water flooding and groundwater flooding.

150. A site specific flood risk assessment was submitted with the application which concludes that the development is not likely to significantly increase flood risk. Although Buckinghamshire County Council is the lead local flood authority on groundwater flooding, in this case the Environment Agency has also provided technical advice on all flooding matters, including groundwater and has no objection to the proposals. The applicant has also submitted a Sequential Test with the additional information to the application.

151. Table 2 in the Technical Guidance to the NPPF classifies sand and gravel working as “water compatible development” and Table 3 of the Technical Guidance to the NPPF states that it is therefore appropriate development in any flood zone, including flood zone 3b, the functional floodplain (although the sequential test should be first undertaken). Table 1 of the Technical Guidance to the NPPF confirms that water compatible uses must be designed and constructed to remain operational and safe for users in times of flood, result in no net loss in floodplain storage, not impede water flows and not increase flood risk elsewhere.

152. Mineral processing is classified as “less vulnerable” rather than „water compatible” in Table 2 of the Technical Guidance to the NPPF. The NPPF guidance is that this type of development should not take place in the functional floodplain (3b).

153. The application passes the Sequential Test as the majority of the site lies within flood zone 1. The small corridor of the land that lies within flood zone 2 & 3 is predominantly within the stand-off from working zone alongside the brook and would not be worked out. The sand and gravel extraction is considered to be water compatible development. The mineral processing plant area is also located within flood zone 1.

154. Therefore, the proposed sand and gravel working and mineral processing in this location are considered to be “appropriate” in terms of flood risk vulnerability and flood zone compatibility when assessed against the guidance in the Technical Guidance to the NPPF. It is also not contrary to the aim of policy CS22 of BMWCS.

Drainage

155. BMWCS policy CS22 (e) requires avoiding or minimising adverse impacts on the water environment and water infrastructure including direct impacts on surface water and groundwater flows and quality. It goes on to say that SUDS hierarchy should be applied in integrating suitable water efficiency, treatment and storage options.

156. The groundwater table of the application site lies between 2 and 5 metres below ground level. Mineral extraction will take place below the water table however no dewatering is proposed. The proposed Plant Site will be predominately laid on hard surface. The site office is proposed to be drained using a soakaway which will be sealed to protect groundwater quality.

157. Whilst the County Flood Management team has some concern about the local changes in groundwater levels which may impact the brook, they have not raised any objection to the proposal subject to conditions. The condition amongst other things would include provision mitigation measures to reduce the impact of groundwater level on the Horton Brook and maintenance and management of SUDS features. They are satisfied that the proposed mitigation measures would help to reduce any potential impact. The applicant has agreed to provide 30m buffer zone to the Horton Brook. The Environment Agency and Natural England has no objection to the proposals in terms of groundwater levels and quality.

158. I therefore consider that the proposals comply with relevant policy (BMWCS policy 22) regarding the protection of groundwater levels and quality.

Archaeology and the Historic Environment

159. BMWCS policy CS18 states that planning permission will not be granted for minerals development that would lead to a significant adverse effect on the Scheduled Monuments or sites of equivalent archaeological interests. BMWCS policy CS19 states that planning permission will not be granted for minerals development that would lead to a significant adverse effect on locally identified heritage assets of archaeological, architectural and historic interest recorded in the county.

160. An archaeological assessment was submitted as part of the ES. The applicant has also carried out an archaeological geophysical survey following the request of County Archaeologist. This survey did not identify any presence of nationally significant archaeological remains. However, nationally significant archaeological features may be encountered during the operations of the site as geophysical survey does not always provide clear evidence for archaeological presence on site. Therefore, the County Archaeologist has recommended that any consent granted for this development should be subject to conditions to make sure that - the applicant carries out archaeological monitoring of site works and if nationally significant archaeological remains are found then appropriate methodology should be applied for their preservation in situ. Conditions could be attached to enable archaeological recording should planning permission be granted.

161. The proposal is therefore in accordance with the aim of policies CS18 and CS19 of BMWCS.

Restoration

162. Policy 31 of BMWLP states that restoration and after-use schemes shall be submitted with development proposals, which demonstrate that the site will be restored to an appropriate use such as agricultural or woodland within a reasonable timescale. The determining authority will support the restoration of sites to other beneficial uses when the proposals accord with the policies of the development plan. Where located within 13kms of

Heathrow Airport details of the restoration proposals shall be submitted to the relevant aerodrome operator to assess the bird strike hazard.

This policy also states that a scheme of aftercare, normally for a period of five years following restoration, will be required for minerals sites which are to be restored for agriculture, forestry, or amenity use.

163. An Outline Restoration and Five Year Aftercare Strategy is provided with the planning application. The application site is proposed to be restored to high quality agricultural land. It is also proposed to enhance overall biodiversity of the site. However, because of its proximity to Heathrow Airport the restoration and aftercare scheme has also be to ensure that it is not attractive to flocks of large birds. As such, only a number of small limited water areas are proposed in the restoration scheme. The seed mixes and planting along the field margins and in the woodland areas has been selected to ensure they are do not contain berries and do not attract flocking birds such as Canada Geese or Gulls. The site is currently in agricultural use and its return to this use would not increase the risk of bird strike.

164. I therefore consider the restoration proposals to be satisfactory as they meet a number of competing requirements of different planning policies.

Cumulative Impact

165. The NPPF (paragraph 143) states that in relation to minerals, local plans should set out environmental criteria to assess planning applications against and the cumulative effect of multiple impacts from individual sites in a locality should be taken into account. The environmental impacts of the development have been considered above.

166. Local Residents raised concern about the cumulative traffic impacts from other developments in the area namely WRLtH, HS2 –HEX and M4 smart motorway.

167. It is discussed elsewhere in the report that there are potential synergies between the WRLtH and the proposed development, which (if both permitted) could reduce the HGV movements and 'mineral miles' of both schemes. The applicant is working closely with Network Rail to resolve any issue of tunnelling and geological barrier. Network Rail raised no objection to the proposal subject to conditions and applicant entering into a Basic Asset Protection Agreement (BAPA). The applicant agrees to enter into this agreement.

168. The operation of the other above mentioned schemes have been subject to consideration under Transport and Air Quality Assessment. These assessments suggested that this proposal combining with the other proposed transport infrastructure schemes would not have significant impacts on the surrounding area. However, it is my view that the traffic movements to and from the site would contribute (albeit insignificant) to the traffic congestion in the surrounding network and impacts on the Brands Hill AQMA. The applicant therefore proposes improvement measures including financial contribution to mitigate and offset any potential impact. The mitigation measures amongst other things would - improve traffic flow, reduce speed of traffic, improve conditions for vulnerable road users on the section of the A4 between Sutton Lane gyratory junction and M4 Junction 5 and promote zero and ultra-low emission vehicles within the AQMA.

169. Overall, although the proposal along with other transport infrastructure schemes is likely to generate impacts on the surrounding transport networks and AQMA for temporary period, the proposed mitigation measures would help to reduce the potential impacts from the development. The proposed mitigation measures which include financial contribution are fairly and reasonably related in scale and kind to the development.

Delivery of Nationally Significant Infrastructure Project

170. The proposed development has a potential to impede the delivery of the proposed Network Rail's Western Rail Link to Heathrow (WRLtH) scheme, subject to approval of Development Consent Order. WRLtH is a Nationally Significant Infrastructure Project, by way of its status in the Planning Act 2008, comprises a twin-track railway alignment which would bisect the application site edged red almost equally into two halves, approximately north to south. The scheme plans include a new rail tunnel, leaving the Great Western Rail Line between Langley and Iwer, connecting to the existing terminal 5 at Heathrow Airport.

171. Based on the current programme, an application for a Development Consent Order is anticipated in late 2017. Taking account of the likelihood of objections, the Order could be approved by 2019 with an anticipated scheme completion date in 2024. That prospective 2019 WRLtH scheme start date would coincide with the third year of mineral extraction and concrete production at the application site, with 2 years of extraction remaining.

172. The applicant is working closely with Network Rail (NR) to agree such a legal agreement. NR has confirmed that the Heads of Terms has been agreed and both parties are now working on the details of this legal agreement. It is anticipated that formal agreement would be signed before any permission is granted. This agreement will make sure that there is no conflict between the two developments and arrangements are in place to safeguard the delivery of Nationally Significant Infrastructure Project

173. The type of legal agreement referred to above is not unique and is routinely entered into when competing projects seek to agree suitable delivery timescales and mutually beneficial working arrangements.

174. It is clear from the above discussion that a legal agreement is forthcoming between NR and the applicant. The County Council will not approve any permission (should the committee resolve to grant permission) unless NR confirmed that the agreement has been formally agreed. It is therefore my view that the proposed development would not have any impact on the delivery of a Nationally Significant Infrastructure Project.

Conclusion (including recommendation)

175. The proposal would prevent the risk of the sterilisation of an area for sand and gravel identified within the Mineral Safeguarding Area of Buckinghamshire Minerals & Waste Core Strategy. Although the landbank for sand & gravel within the County currently stands over seven years is not a reason to refuse the development. New permissions are required to maintain the landbank beyond 2019 and to supply aggregates for the predicted housing growth & planned nationally significant infrastructure projects in and around Buckinghamshire.

176. The development is generally in accordance with development plan policy and other material considerations, including the policies set out in the NPPF on a range of issues including transport, protection of amenity, restoration, biodiversity, landscape and archaeology.

177. In accordance with advice in the NPPF, there are three dimensions to sustainable development giving rise to the need for the planning system to perform environmental, economic and social roles. It is considered that the development would provide economic benefits through adequate supply of minerals for manufacturing, construction and energy requirements. It is considered that there would be social benefits through creation of jobs, providing minerals for much needed housing including affordable housing and community infrastructure, and I do not consider the impact upon existing resident's amenity would be

significant. There would be some impact upon the transport networks but this would be temporary and would be mitigated and compensated. Therefore it is considered to result in low environmental harm. There would be no other significant harm to the environment. As such, it is considered that the development would be in accordance in terms of economic, social and environmental roles required under the NPPF.

178. Therefore, it is recommended that the application is approved subject to the conditions as outlined in Appendix A and the applicant entering into a Section 106 legal agreement to cover - routing agreement, financial contribution towards transport infrastructure improvements and air quality management, implementation of a 10 year long term Biodiversity Management Plan.

BACKGROUND PAPERS

Planning Application Ref. CM/51/16
Buckinghamshire Minerals and Waste Local Plan 2004 -1016
Buckinghamshire Minerals and Waste Core Strategy Adopted 2012
South Bucks District Council Local Plan 1999
South Bucks District Council Core Strategy 2011
National Planning Policy Framework 2012
National Planning Policy for Waste 2014

Compliance with Article 35 of the Town and Country Planning (Development Management Procedure) (England) Order 2015

In determining this planning application, the County Planning Authority has worked with the applicant in a positive and proactive manner based on seeking resolutions to problems arising in relation to dealing with the planning application by liaising with the applicant, agent and statutory consultees and discussing changes to the proposal or requesting additional information where considered appropriate or necessary. This approach has been taken in accordance with the requirements of the National Planning Policy Framework (NPPF) and as set out in the Town and Country Planning (Development Management Procedure) (England) Order 2015. The applicant has, in the course of the determination of the application, provided additional information, responded to comments raised by statutory consultees and engaged in dialogue in relation to matters related transport, ecology, archaeology, footpaths, air quality, amenity impacts and operational details of the development.

Appendix A - Conditions

Time limit for commencement

1. The development to which this permission relates must be begun before the expiration of three years from the date of this permission.

Reason: To prevent the accumulation of unimplemented planning permissions, to enable the Local Planning Authority to review the suitability of the development in the light of altered circumstances and to comply with the provisions of Section 91(1) of the Town and Country Planning Act 1990 (as amended).

2. The development hereby permitted shall not be carried out otherwise than in complete accordance with the details submitted with the application dated 1 September 2016 (and the Environmental Statement dated September 2016) and the following drawings and supporting details and documents:

- Location Context Plan – P1/739/1 Rev E dated July 2016
- Site Plan – P1/739/3 Rev E dated July 2016
- Method of Working and Restoration Phases (Site Setup) – P1/739/4A dated July 2016
- Method of Working and Restoration Phases (Phase 1) - P1/739/4A Phase 1 dated July 2016
- Method of Working and Restoration Phases (Phase 2) - P1/739/4A Phase 2 dated July 2016
- Method of Working and Restoration Phases (Phase 3) - P1/739/4A Phase 3 dated July 2016
- Method of Working and Restoration Phases (Phase 4) - P1/739/4A Phase 4 dated July 2016
- Method of Working and Restoration Phases (Phase 5) - P1/739/4A Phase 5 dated July 2016
- Method of Working and Restoration Phases - P1/739/4A Restoration of Phase 4 dated July 2016
- Method of Working and Restoration Phases - P1/739/4A Restoration of Phase 5 dated July 2016
- Method of Working and Restoration Phases Final Restoration Configuration- P1/739/4A Final Restoration dated July 2016
- Final Restoration - P1 / 739 / 5 Rev C dated 21 February 2017.
- Typical Elevations of Mineral Processing and Concrete Plants - P1/739/6 dated July 2016
- Indicative Plant Site Layout - P1/739/8 dated July 2016
- Plant Infrastructure Details – Plans and Elevations- P1/739/9 dated July 2016
- In-situ Soil Classification - By phase - P1/739/10 dated 03/08/2016
- Bund Cross Sections - P1/739/11 dated 08/08/2016
- Proposed site access - BTP-1509-TA03 Rev A dated 16/12/2016
- Proposed Site Access, Vehicle Tracking, 10m-long FTA98 Design HG Rigid Lorry - BTP-1509-TA04 Rev A dated 16/12/2016
- Proposed Site Access, Vehicle Tracking, 16.5m-long FTA98 Design Articulated Lorry - BTP-1509-TA05 Rev A dated 16/12/2016
- Proposed Site Access, Vehicle Tracking - Turning Left Out, Design Car, Rigid Lorry & Articulated Lorry - BTP-1509-TA06 dated 16/12/2016
- Tree Protection Plan - L1/739/7A Part 1 to 4 dated August 2016

Reason: To ensure that the development is carried out as proposed and to control the operations (Buckinghamshire Minerals and Waste Local Plan Policies 28 and 36).

Pre-commencement Conditions

Pollution Prevention and Control

3. No development shall take place until a scheme that includes the following components to deal with the risks associated with contamination of the site shall each be submitted to and approved in writing by the County Planning Authority:

a) A preliminary risk assessment which has identified:

- all previous uses,
- potential contaminants associated with those uses,
- a conceptual model of the site indicating sources, pathways and receptors,
- potentially unacceptable risks arising from contamination at the site.

b) A site investigation scheme, if required, as based on the findings of (a) to provide information for a detailed assessment of the risk to all receptors that may be affected, including those off site.

c) The results of the site investigation and detailed risk assessment referred to in (b) and, based on these, an options appraisal and remediation strategy giving full details of the remediation measures required and how they are to be undertaken.

d) A verification plan providing details of the data that will be collected in order to demonstrate that the works set out in the remediation strategy in (c) are complete and identifying any requirements for longer-term monitoring of pollutant linkages, maintenance and arrangements for contingency action.

The scheme shall be implemented as approved.

Reason: To protect groundwater for further deterioration in the principal aquifer and to comply with policy CS22 of the Buckinghamshire Minerals and Waste Core Strategy.

3. No development shall take place until a long-term monitoring and maintenance plan (if the preliminary risk assessment and then the detailed risk assessment indicates that this is required) in respect of contamination including a timetable of monitoring and submission of reports to the County Planning Authority shall be submitted to and approved in writing by the County Planning Authority. Reports as specified in the approved plan, including details of any necessary contingency action arising from the monitoring, shall be submitted to and approved in writing by the County Planning Authority. Any necessary contingency measures shall be carried out in accordance with the details in the approved reports. On completion of the monitoring specified in the plan a final report demonstrating that all long-term remediation works have been carried out and confirming that remedial targets have been achieved shall be submitted to and approved in writing by the County Planning Authority.

Reason: To protect groundwater from pollution and/or further deterioration and to comply with policy CS22 of the Buckinghamshire Minerals and Waste Core Strategy.

Surface Water Drainage

4. No development shall take place until a surface water drainage scheme for the site, based on sustainable drainage principles and an assessment of the hydrological and hydro-

geological context of the development, has been submitted to and approved in writing by the County Planning Authority. The scheme shall include:

- (a) Discharge rates and volumes to be limited to greenfield runoff rates;
- (b) Maintenance and management of SUDS features;
- (c) Detailed drainage layout for both during extraction and post restoration including (as appropriate) pipe numbers, gradients and pipe sizes complete with full construction details, together with storage volumes of all SuDS features;
- (d) Restoration scheme where possible should consider the use of sustainable drainage features, such as wetland areas and swales;
- (e) Phasing;
- (f) 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;
- (g) Exceedance routes;
- (h) Assessment of the impact of changing groundwater levels on the Horton Brook. Mitigation to be provided as necessary.

The scheme shall subsequently be implemented in accordance with the approved details before the development is completed.

Reason: to ensure that there is a satisfactory solution to managing flood risk and to comply with policy CS22 of the Buckinghamshire Minerals and Waste Core Strategy.

Traffic & Access

5. No development shall take place until a scheme for parking, manoeuvring and the loading and unloading of vehicles shall be submitted for approval by the County Planning Authority. The approved scheme shall thereafter be implemented and made available for use before the development hereby permitted is occupied and that area shall not be used for any other purpose.

Reason: To enable vehicles to draw off, park, load/unload and turn clear of the highway to minimise danger, obstruction and inconvenience to users of the adjoining highway and to comply with policies TR5 and TR10 of South Bucks Local Plan.

6. No site preparatory works , including plant site construction works and mineral extraction to take place other than soil stripping shall commence until the new means of access, to include trieff kerbing and 'keep clear' markings on North Park, has been sited and laid out in accordance with the approved Plans TA03revA, TA04revA, TA05revA and TA06 and constructed in accordance with Buckinghamshire County Council's guide note "Commercial Vehicular Access Within Highway Limits" 2013.

Reason: In order to minimise danger, obstruction and inconvenience to users of the highway and of the development and to comply with policies TR5 and TR10 of South Bucks Local Plan.

7. No site preparatory works , including plant site construction works and mineral extraction to take place other than soil stripping shall commence until visibility splays have been provided on both sides of the access between a point 2.4 metres along the centre line of the access measured from the edge of the carriageway and a point 79 metres along the edge of the carriageway measured from the intersection of the centre line of the access. The area contained within the splays shall be kept free of any obstruction exceeding 0.6 metres in height above the nearside channel level of the carriageway.

Reason: To provide adequate visibility between the access and the existing public highway for the safety and convenience of users of the highway and of the access and to comply with policies TR5 and TR10 of South Bucks Local Plan

Archaeology

8. No development shall take place until the applicant, or their agents or successors in title, have submitted a written scheme of investigation which has been approved by the County Planning Authority for the archaeological monitoring of site works and the halting of works for the excavation of archaeological remains.

Reason: To safeguard the recording and inspection of matters of archaeological importance on the site in accordance with the NPPF and policy CS18 and CS19 of Buckinghamshire Minerals and Waste Core Strategy.

9. Where nationally significant archaeological remains are confirmed, no development shall take place in these areas until the applicant, or their agents or successors in title, have provided an appropriate methodology for their preservation in situ which has been submitted by the applicant and approved by the County Planning Authority.

Reason: To safeguard the archaeological importance on the site in accordance with the NPPF and policy CS18 and CS19 of Buckinghamshire Minerals and Waste Core Strategy.

10. No development shall take place until the applicant, or their agents or successors in title have produced a Geoarchaeological Deposit Model to inform Planning of areas of high potential for Palaeolithic and Mesolithic/Neolithic sites which has been submitted by the applicant and approved by the County Planning Authority.

Reason: To safeguard the recording and inspection of matters of archaeological importance on the site in accordance with the NPPF and policy CS18 and CS19 of Buckinghamshire Minerals and Waste Core Strategy.

11. Where nationally significant 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 provided an appropriate methodology for their preservation in situ which has been submitted by the applicant and approved by the Planning Authority.

Reason: To safeguard the archaeological importance on the site in accordance with the NPPF and policy CS18 and CS19 of Buckinghamshire Minerals and Waste Core Strategy.

12. Where geoarchaeological remains are encountered and are not of sufficient significance to warrant preservation in situ but are worthy of recording 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 County Planning Authority.

Reason: To safeguard the recording and inspection of matters of archaeological importance on the site in accordance with the NPPF and policy CS18 and CS19 of Buckinghamshire Minerals and Waste Core Strategy.

Arboriculture

13. No development shall take place until a detailed arboricultural method statement (AMS) for the entire site shall be submitted to and approved in writing by the County Planning Authority. It shall make provision for regular arboricultural supervision to be carried out

throughout the works to ensure the protective measures are adhered to and regular reports shall be submitted to the County Planning Authority to confirm the effectiveness of all agreed tree protection measures and that they are being correctly observed by the applicant.

Reason: To ensure the satisfactory restoration of the site (Buckinghamshire Minerals and Waste Local Plan Policy 31).

Dust

14. No development shall take place until a scheme of measures for the suppression of dust, have been submitted to and approved in writing by the County Planning Authority. The scheme shall include:

- (a) The suppression of dust caused by the moving and storage of soil and overburden, stone and other materials within the site;
- (b) The fitting of drilling rigs with efficient dust control measures;
- (c) Dust suppression on haul roads, including speed limits;
- (d) The provision of dust collection and storage facilities;
- (e) The provision of restrictions according to wind speed and direction;
- (f) Provision for monitoring and review of the scheme.

The development shall be carried out in accordance with the approved scheme.

Reason: To protect occupants of nearby residential premises from loss of amenity from dust particles (Buckinghamshire Minerals and Waste Local Plan Policies 28 and 30 and South Bucks District Local Plan Policy EP3).

Ecology

15. No development shall take place until an Ecological Management Plan has been submitted to and approved in writing by the County Planning Authority. This shall include details on how the ecological features will be managed and safeguarded during the development for the benefit of plant species, bats, badgers, reptiles, great crested newts, breeding birds, over-wintering birds and invertebrates. Any plan that is approved must be fully implemented and no work shall take place other than in accordance with the approved plan.

Reason: To ensure that protected species are safeguarded at all phases of development and restoration and to ensure a net gain for biodiversity (Policy CS19 and CS23 of Buckinghamshire Minerals and Waste Core Strategy).

Vehicle Cleaning

16. No development shall take place until the details of vehicle wheel and body cleaning facilities within the site shall be submitted to and approved in writing by the County Planning Authority. The approved measures shall be utilised thereafter by all heavy goods vehicles involved in the transport, handling or deposit of waste or mineral prior to those heavy goods vehicles exiting the site.

Reason: In the interests of highway safety and the amenities of the local area (Buckinghamshire Minerals and Waste Local Plan Policies 28 and 30).

Rights of Way

17. No development shall take place until the public footpath IVE/15/1 crossing the site has been closed. The footpath shall remain closed for the entire duration of the works.

Reason: In the interests of public safety and to allow the development to take place without contravening section 137 of Highways Act 1980.

Soil Stripping, Handling and Storage

18. Prior to soil stripping and formation of storage mounds , a scheme for grass seeding and management of all storage mounds that will remain in situ for more than six months shall be submitted for the written approval of the County Planning Authority. Seeding and management of the storage mounds shall be carried out in accordance with the approved details.

Reason: To protect mounds from soil erosion, prevent build-up of weeds in the soil and remove vegetation prior to soil replacement (Buckinghamshire Minerals and Waste Local Plan Policy 28 and 31).

Other

19. Prior to the commencement of phase 1 of the development as shown on approved plan P1/739/4A Phase 1 dated July 2016, full details of ground levels, earthworks including drainage and excavations proposed to be carried out, shall be submitted to and approved in writing by the County Planning Authority. Any works within the site shall then be carried out in accordance with the approved details .

Reason: To reduce any potential impact on adjoining Great Western Main Line railway.

Development Phase Conditions

Lighting

20. Details of the location, height, design, sensors, and luminance of external lighting (which shall be designed to minimise the potential nuisance of light spillage on adjoining properties, highways and pollution of the sky), shall be submitted to and approved in writing by the County Planning Authority before any external lighting is used on site. Any scheme that is approved shall be implemented for the duration of the development and no development shall take place other than in accordance with the approved scheme.

Reason: To minimise the nuisance and disturbances to neighbours and the surrounding area in accordance with the policy 28 of Buckinghamshire Minerals and Waste Local Plan.

Post Development Phase Conditions

Aftercare

21. Prior to the commencement of Phase 1 of the infilling and placement of soils as shown on approved plan - Method of Working and Restoration Phases (Phase 1) - P1/739/4A Phase 1 dated July 2016, an agricultural aftercare scheme outline strategy shall be submitted to the County Planning Authority for written approval. The strategy shall provide for:

- (a) The physical characteristics of the land to be restored, as far as it is practical to do so, to what they were when the land was last used for agriculture as satisfies the requirements of paragraph 3(1) of Schedule 5 of the 1990 Act;
- (b) Aftercare phasing of land to be demarcated, identifying the start date of aftercare following restoration of each phase.
- (c) A five year period of aftercare specifying the steps to be taken and the period during which they are to be taken, and who will be responsible for taking those steps. The scheme shall include provision of a field drainage system and provide for an annual meeting with the County Planning Authority;
- (d) A detailed annual programme to be submitted to the County Planning Authority.

Any scheme that is agreed shall be implemented for the duration of the five year aftercare period.

Reason: To ensure the productive afteruse of the land and to comply with policy 31 of the Buckinghamshire Minerals and Waste Local Plan.

22. Within the first year of aftercare and every subsequent year during the aftercare period, a detailed annual programme shall be submitted to the County Planning Authority for approval: This should include:

- (a) Proposals for managing the land in accordance with the rules of good husbandry including planting, cultivating, seeding, fertilising, draining, watering or otherwise treating the land for the forthcoming 12 months;
- (b) A record of aftercare operations carried out on the land during the previous 12 months.

Any scheme that is agreed in writing by the County Planning Authority shall be implemented for the duration of the time period to which it relates.

Reason: To ensure the productive afteruse of the land and to comply with policy 31 of the Buckinghamshire Minerals and Waste Local Plan.

Rights of Way

23. Upon completion of restoration the applicant shall construct a public footpath between North Park and Market Lane, providing a width of at least 3 metres and following the indicative alignment shown on the Final Restoration Plan - P1/739/5 Rev C dated 21 February 2017. The details of this footpath shall be submitted and approved in writing by the County Planning Authority by 31 December 2026.

Reason: In order to encourage greater walking opportunities to access the site and to comply with policy CS23 of the Buckinghamshire Minerals and Waste Core Strategy.

24. Upon completion of restoration the applicant shall construct a public footpath between the northern extent of Footpath IVE/15/1 and the new footpath alongside the Horton Brook, providing a width of at least 3 metres and following the indicative alignment shown on the Final Restoration Plan - P1/739/5 Rev C dated 21 February 2017. The details of this footpath shall be submitted and approved in writing by the County Planning Authority by 31 December 2026.

Reason: In order to encourage greater walking opportunities to access the site and to comply with policy CS23 of the Buckinghamshire Minerals and Waste Core Strategy.

On-going Conditions

25. Between 20 January and 20 February in each calendar year during the period of the operations hereby authorised, a plan of not less than 1:2500 scale shall be submitted to the County Planning Authority showing:

- a) The progress of soil stripping and soil storage;
- b) Extent and depth of excavation;
- c) Extent and levels of infill;
- d) Progress with soil replacement and areas that have been restored at a date within 14 days prior to the submission of the plan.

Reason: To assist the County Planning Authority in monitoring the progress of the development (Buckinghamshire Minerals and Waste Local Plan Policy 31).

Noise

26. (a) Except for the temporary operations outlined in paragraph (b) below, the equivalent continuous noise level at the nearest residential properties, due to operations on the site, shall not exceed 55dB ALeq, 1 hour, free field at the nearest sensitive properties shown on table 30 of the Noise Assessment submitted under Environmental Assessment Volume 2A dated September 2016.

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

Reason: To protect occupants of nearby residential premises from loss of amenity from noise disturbance (Buckinghamshire Minerals and Waste Local Plan Policy 28 and Policy EP3 of the South Bucks District Local Plan).

Ecology

27. No tree felling or similar works shall be carried out other than outside the bird nesting season, which runs from the end of March to September. Alternatively, if works cannot be appropriately scheduled, vegetation must be inspected beforehand by a suitably experienced ecologist. Clearance must only be undertaken if the ecologist has confirmed the absence of nesting birds.

Reason: To protect the ecological interest of the site (Policy CS19 of the Buckinghamshire Minerals and Waste Core Strategy).

Pollution Prevention and Control

28. No infiltration of surface water drainage into the ground at this site is permitted other than with the express written consent of the local planning authority, which may be given for those parts of the site where it has been demonstrated that there is no resultant unacceptable risk to controlled waters. The development shall be carried out in accordance with the approval details.

Reason: To protect groundwater from pollution and to comply with policy CS22 of the Buckinghamshire Minerals and Waste Core Strategy.

Soil Stripping, Handling and Storage

29. No development shall take place except in accordance with the scheme for stripping, handling and storing soils as specified in the Soil Strategy in Chapter 16 of the Environmental Statement (Volume 2) paragraphs 16.107-16.170.

Reason: To prevent loss or damage to soil and to husband it for restoration and to comply with policy 31 of the Buckinghamshire Minerals and Waste Local Plan.

30. All topsoil and subsoil shall be permanently retained on site and used in restoration.

Reason: To ensure by the careful handling and storage of soil resources the satisfactory restoration of the site to agriculture uses and to protect the amenities of the area (Buckinghamshire Minerals and Waste Local Plan Policy 28 and 31).

31. When being moved both to storage locations and 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 uses and to protect the amenities of the area (Buckinghamshire Minerals and Waste Local Plan Policy 28 and 31).

32. Topsoil, subsoil and soil making material shall only be stripped when they are in a dry and friable condition.

Reason: To ensure by the careful handling and storage of soil resources the satisfactory restoration of the site to agriculture uses and to protect the amenities of the area (Buckinghamshire Minerals and Waste Local Plan Policy 28 and 31).

33. All topsoil, subsoil, imported soil and soil making materials shall be stored in accordance with the following:

- (a) Not exceed 3 metres in height in the case of topsoil, or exceed 5 metres in height in the case of subsoil.
- (b) Be constructed with only the minimum amount of soil compaction to ensure stability and shaped so as to avoid collection of water in surface undulations;
- (c) Not be subsequently moved or added to until required for restoration.
- (d) Have a minimum 3.0 metre standoff, undisturbed around each storage mound;
- (e) Comprise topsoils on like texture topsoils and subsoils on like texture subsoils; and
- (f) In the case of continuous mounds, ensure that dissimilar soils are separated

Reason: To prevent the loss of soil and minimise damage to soil structure during storage (Buckinghamshire Minerals and Waste Local Plan Policy 28 and 31).

Restoration

34. No development shall take place except in accordance with the restoration scheme specified in the approved Final Restoration - P1 / 739 / 5 Rev C dated 21 February 2017. The County Planning Authority must be informed within 1 month upon the completion of restoration.

Reason: To ensure that the site is restored in an orderly manner to a condition capable of beneficial afteruse and in the interests of the amenity of local residents (policy 31 of the Buckinghamshire Minerals and Waste Local Plan).

35. Each phase shall be capped and covered with a minimum depth of one metre of suitable cover material, which shall include a minimum of 200mm of subsoil, or other approved substitute material and then a minimum depth of 300mm of topsoil.

Reason: To ensure the careful handling and storage of soil resources to enable the site to be restored satisfactorily and to comply with policy CS23 of the Buckinghamshire Minerals and Waste Core Strategy.

36. Before the fill material in any phase is within two metres of the final pre-settlement levels, profile markers shall be erected in that phase to show the final levels of fill material, capping material, subsoil and topsoil respectively.

Reason: To ensure the satisfactory restoration of the site and to comply with policy 31 of the Buckinghamshire Minerals and Waste Local Plan

Decision Notice for Inspection

37. A copy of the decision notice, 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 County 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 (Buckinghamshire Minerals and Waste Local Plan Policies 28 and 36).

Transport and Access

38. The development shall not exceed 242 HGV movements (121 in, 121 out) per day.

Reason: To limit the number of HGV's the site generates and in order to minimise danger, obstruction and inconvenience to users of the highway and of the development (Policies TR5 and TR10 of South Bucks Local Plan).

Restriction of Permitted Development Rights

39. 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, plant or machinery, structures or erections required for the winning, working, treatment, preparation for sale, consumption or utilisation of minerals under this consent shall be erected on the site without the prior written approval of the County Planning Authority.

Reason: There is an exceptional need here to secure control over additional plant and machinery, in the interests of local amenity in visual terms and bearing in mind the degree of discretion allowed by the GPDO 2015 (Buckinghamshire Minerals and Waste Local Plan Policies 28).

Hours of Operation

40. No operations authorised by this consent shall be carried out other than between the following hours:

7:00am to 6.00pm Mondays to Fridays

7.00am to 1.00pm Saturdays

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

Reason: In the interests of local amenity (Buckinghamshire Minerals and Waste Local Plan Policies 28).

Sheeting of Lorries

41. No loaded vehicles shall enter or leave the site unsheeted.

Reason: In the interests of highway safety to reduce the effect of dust on North Park Road and surrounding area (Buckinghamshire Minerals and Waste Local Plan Policies 28).

Dust

42. The surface of the internal access road between the wheel washing facility and the public highway shall be metalled, drained and kept clear of debris for the duration of the development.

Reason: In the interests of highway safety and the amenities of the local area (Buckinghamshire Minerals and Waste Local Plan Policies 28 and 30).

Noise

43. All vehicles, plant and machinery operated within the site shall be serviced and maintained in accordance with the manufacturer's instructions and, where silencers are specified by the manufacturer for any vehicles, plant or machinery; they shall be installed and retained in use.

Reason: To ensure minimum disturbance from operations and avoidance of nuisance to the local community (Buckinghamshire Minerals and Waste Local Plan Policies 28 and 30).

44. No reversing beepers or other means of audible warning of reversing vehicles shall be fixed to, or used on, any vehicle operating on the site, other than those which use white noise.

Reason: To protect the residents of nearby properties from noise intrusion (Buckinghamshire Minerals and Waste Local Plan Policies 28 and 30).

Protection of Existing Trees

45. No development shall take place except in accordance with details for the protection of trees from damage, as specified in the tree protection fencing shown on the Tree Protection Plan L1/739/7A Part 1 to 4 dated August 2016.

Reason: In the interests of the amenity of the local area (Buckinghamshire Minerals and Waste Local Plan Policy 28)

46. Appropriate signage shall be attached to the tree protection fencing prior to works commencing to deter entry to these areas, as stated in BS583. This signage shall not be removed without prior written consent from the County Planning Authority.

Reason: To ensure adequate protection of trees (Buckinghamshire Minerals and Waste Local Plan Policy 28)

Time Limit

47. Extraction of minerals shall cease by 31 December 2022 and buildings, plant and machinery to which this permission relates shall be removed by and restoration shall be completed by 31 December 2026.

Reason: To control the period of operations within the timescale which has been judged by the County Planning Authority to be acceptable (Buckinghamshire Minerals and Waste Local Plan Policies 28 and 36)

Informatives

Set up Stakeholder Liaison Meeting

The applicant is advised to create and implement a stakeholder liaison meeting before the commencement of the development.

Environmental permit - Controlled Waste

1. This development must comply with the Environmental Permitting (England and Wales) Regulations 2010 (as amended) and will require an Environmental Permit for Landfill issued by the Environment Agency. The application for the Environmental Permit will need to demonstrate the development will comply with the Landfill Directive and relevant sector guidance and will not pose a risk to the environment or human health. The applicant is advised to contact Rob Devonshire on 0203 025 9152 to discuss the issues likely to be raised.
2. The proposed method of working confirms mineral will be worked wet and backfilled into water. It is an offence to dispose of controlled waste directly into a water body covered by the Water Framework Directive. This is reinforced in the Landfill Directive which requires a barrier to be in place between waste and the groundwater during and after operation of the site. Environment Agency does not accept that this can be achieved in subwater table situations, therefore this may require the phased dewatering of the site during restoration. If the development fails to meet the minimum requirements of the legislation Environment Agency will refuse to issue an environmental permit for the importation and backfill of the site. Without this authorisation the restoration identified could not be delivered.

Oil Storage

Any facilities for the storage of oils, fuels or chemicals shall be provided with secondary containment that is impermeable to all of the oil, fuel or chemicals and water, for example a bund, details of which shall be submitted to the local planning authority for approval. The minimum volume of the secondary containment should be at least equivalent to the capacity of the tank plus 10%. If there is more than one tank in the secondary containment the capacity of the containment should be at least the capacity of the largest tank plus 10% or 25% of the total tank capacity, whichever is greatest. All fill points, vents, gauges and sight gauge must be located within the secondary containment. The secondary containment shall

have no opening used to drain the system. Associated above ground pipework should be protected from accidental damage. Below ground pipework should have no mechanical joints, except at inspection hatches and either leak detection equipment installed or regular leak checks. All fill points and tank vent pipe outlets should be detailed to discharge downwards into the bund. This is a requirement of the Control of Pollution (Oil Storage) (England) Regulations 2001.

Extractive Waste (Mining Waste)

The Operator must submit an Extractive Materials Management Statement (EMMS) to the Environment Agency. Written information on the materials and the waste needs to be collated and submitted to our Permitting Support Centre (PSC) in Sheffield for assessment. This needs to be signed off by an appropriate verifier before being submitted to Environment Agency. The quarry industry (represented by the CBI minerals group) has developed their own guidance known as Minerals Industry Guidance Note for Extractive Materials. It describes the procedure they will follow to assess their extractive materials against our Position Statement (PS015), Their guidance also specifies the information necessary to be included in an EMMS and has a template statement. It also describes the knowledge and experience necessary to be a verifier of an EMMS.

Biodiversity

If any protected species e.g. bats, badgers, dormice, otters, water voles, reptiles, amphibians, breeding birds are found at any point, all work should cease immediately. Killing, injuring or disturbing any of these species could constitute a criminal offence.

Traffic & Access

The applicants will be required to enter into a S184 Small Works Agreement with the Highway Authority in order to comply with the requirements of condition 18 of this permission.

Cranes

Given the nature of the proposed development it is possible that a crane may be required during its construction. We would, therefore, draw the applicant's attention to the requirement within the British Standard Code of Practice for the safe use of Cranes, for crane operators to consult the aerodrome before erecting a crane in close proximity to an aerodrome. This is explained further in Advice Note 4, 'Cranes and Other Construction Issues' (available at <http://www.aoa.org.uk/policysafeguarding.htm>)

Network Rail

The applicant is required to enter into a Basic Asset Protection Agreement (BAPA) with Network Rail prior to implement the permission.

Appendix B – Representations

1. 79 Letters of representation were received from individuals during period of consultation.
2. All objections summarised below. All the comments can be viewed in the Public Access Website - <http://publicaccess.buckscc.gov.uk/online-applications/applicationDetails.do?activeTab=neighbourComments&keyVal=OE5X91DS00100>

Access/traffic

- An increase in HGV movements on already overcrowded roads
- Inadequate road infrastructure to accommodate more HGVs
- Increase in traffic will affect safety and cause congestion.
- The road junction at North Park, Sutton Lane and Parlaunt Road is insufficient to accommodate any more traffic
- Need of improvement of Sutton Lane and North Park junction
- Insufficient assessment to determine the cumulative effect of the additional traffic combined with the other proposed developments in the area that plan to use the same routes, eg WRLtH, HS2
- Traffic impact on the residents of Richings Park, Iver and Langley
- Relief road should not be compromised
- The Brands Hill area is gridlocked daily from the road closure at Mansion Lane. More lorry movements along Sutton Lane and A4 is a crazy suggestion
- Closure of footpath will cause risk to pedestrians

Nuisance and Pollution

- An increase in dust generation through the extraction process
- Noise and air pollution from increased traffic
- Increased noise and dust from the Concrete Batching Plant
- Effect on air quality from HGV's
- Nitrous oxide pollution from HGV's
- According to Slough BC report Brands Hill already crosses national emission targets, an increase if HGV's will worsen the situation
- Iver's air quality is already exceeding pollution limits;
- Air pollution in areas already exceeds WHO levels, next to Heathrow pollution and rail links plus motorway pollution; air and noise pollution levels should be achieved prior development
- Noise from Heathrow airport and the motorways is already very loud – this development will add to this problem
- The developer has not taken into account the cumulative noise impact from both current sources and planned sources.

Impact on Local Amenity

- affect the view from private house
- general impact on local amenity
- visual impact from residential gardens

- possible impact on local properties from dust and potential need of getting an agreement from CEMEX which would clean the dust from areas when needed e.g. paint properties
- impact on quality of outside time in gardens
- impact on village green's
- removing local footpath will impact residents
- residents of Bathurst walk will be affected, won't be able enjoy the garden space
- an increase in traffic will add stress levels
- impact on residents wellbeing
- loss of open space
- insufficient bunding and screening to the west of Northumberland Walk and Bathurst Walk on the eastern part of proposed development, bund to short should extend all the way from North Park to the railway line
- 5 m clay bund should be provided to protect all surrounding residents not only 4 homes
- lack of noise bund on North East side
- mature trees at back of Bathurst walk not suitable for resident protection
- too close to residential properties

Impact on Health

- impact on quality of life and mental health
- breathing difficulties related illnesses already affecting residents
- general effects on human health
- health risk from passing HGV's
- existing breathing conditions can worsen due to existence of concrete batching plant, cement working can cause various diseases such as cancer, tumours, dermatitis
- increase in traffic will cause an increase in respiratory issues amongst residents
- possible impact on health by noise and air pollution
- possible health effect on children

Ecology

- Concern about impact on wildlife/environment
- Impact on biodiversity and habitats

Green Belt

- Inappropriate development on Green Belt especially cement workings
- Impact on Green Belt
- loss of green belt for 9 years

Operating Hours

- too long operating hours
- no work should take place over the weekend
- operating hours should be limited; start from 7am and no weekends
- there should be no lorry movements on Saturdays
- if granted , should only be for 5 days a week with hours 8:00-18:00

Site Allocation and Local Plan

- Site not included in Bucks minerals plan

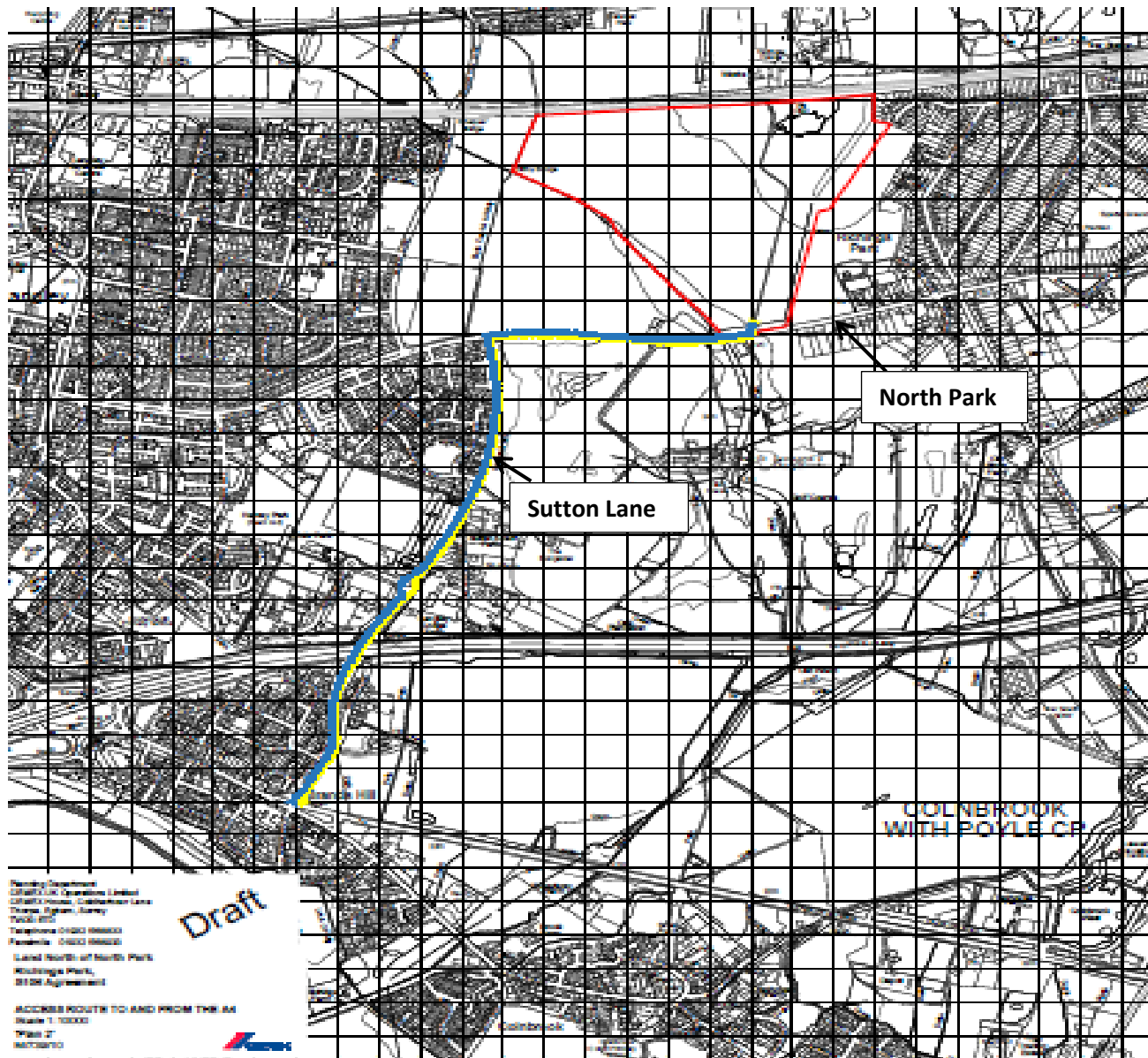
Restoration

- infilling with inert material could cause flooding in the future, ES does not reflect aftercare and possibility of flooding; flooding already happens on Trenches Lane and Middle Green

Other Issues/concerns

- an increase of infrastructure making local area look like industrial estate
- lack of cumulative impact assessment (WRLtH, Heathrow, HS2)
- concrete plant not needed
- south bucks does not have good quality sand and gravel and it is just an excuse to deposit waste
- objection to length of permission
- Increases of infrastructure making local area look like industrial estate.
- inadequate consultation process
- lack of communication with the public during process

Appendix C: Proposed Routeing Plan



By virtue of paragraph(s) 1 of Part 1 of Schedule 12A
of the Local Government Act 1972.

Document is Restricted

By virtue of paragraph(s) 3 of Part 1 of Schedule 12A
of the Local Government Act 1972.

Document is Restricted

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