



Application No: CM/33/17

**BUCKINGHAMSHIRE COUNTY COUNCIL  
TOWN AND COUNTRY PLANNING ACT 1990 (AS AMENDED)  
(DEVELOPMENT MANAGEMENT PROCEDURE) (ENGLAND)  
ORDER 2015**

To: Brett Aggregates Ltd,  
Robert Brett House,  
Milton Manor Farm,  
Ashford Road,  
Canterbury,  
CT4 7PP

In pursuance of their powers under the above-mentioned Act and Orders the Buckinghamshire County Council as Local Planning Authority **HEREBY PERMIT** planning application no. CM/33/17

**Variation to condition 2 of planning permission CM/37/16 to provide for the continuation of mineral extraction and processing and site restoration until 31 October 2017, with the exception of Phase 11 which is to be restored by 31 December 2020 at Park Lodge Quarry, Pinewood Road, Iver Heath, Buckinghamshire**

Permission is granted subject to the following **CONDITIONS**:

**Ongoing conditions:**

1. The development hereby permitted shall not be carried out other than in complete accordance with the details submitted with the application, and the following drawings:  
Figure 1 - Location of the Application Site  
Figure 2 - Diagrammatic Representation of Quarry in September 2011 and View of Southern Extension  
Figure 3 - Approved Restoration and Existing Contours and Vegetation on the Application Site  
Figure 4 - Sites and Monuments Record  
Figure 6 Rev 1 - Method of Working and Sections Showing Landform Before and After Extraction  
Figure 7 - Proposed Restoration of the Southern Extension  
Figure 8 - Visual Screening on Uxbridge Road  
Figure 9 - Location of Trees on Northern Boundary and Access Route to Plant  
Figure 10 - Photographic View of the Northern Boundary

Figure 1 Rev A - Hedgerow Survey  
DP/PLQ/1 - Approved working phases  
DP/PLQ/2 - Diagrammatic representation of quarry in August 2013  
DP/PLQ/3 - Proposed amended working phases  
DP/PLQ/4 - Proposed modular processing plant  
DP/PLQ/5 - Silt lagoon restoration

Reason: To define the development that has been submitted and to control the operations and to comply with policies 28 and 36 of the Buckinghamshire Minerals and Waste Local Plan.

2. The development hereby approved shall not be undertaken other than in complete accordance with the following time limits:
  - a) With the exception of phase 11, shown on plan DP/PLQ/3 dated September 2013, all mineral extraction shall have ceased and final restoration shall have been completed no later than 31 October 2017.
  - b) All mineral extraction in phase 11, shown on plan DP/PLQ/3 dated September 2013, shall have ceased no later than 31 October 2017 and final restoration shall have been completed no later than 31 December 2020.
  - c) All plant, machinery and equipment, other than that required for the restoration and ongoing maintenance of phase 11, shall be removed from the land no later than 31 October 2017.

Reason: To control the operations within the timescale that has been judged by the County Council to be acceptable and to comply with policies 28 and 36 of the Buckinghamshire Minerals and Waste Local Plan.

3. No operations authorised by this consent shall occur other than between the following hours:
  - 7.30 am to 5.30 pm Mondays to Fridays
  - 7.30 am to 12 noon Saturdays for maintenance only

No operations shall be carried out on Saturday afternoons, Sundays or Bank and Public Holidays.

Reason: In the interests of the local amenity and to comply with policy 28 of the Buckinghamshire Minerals and Waste Local Plan.

4. The total number of heavy goods vehicle movements to and from the site shall not exceed 146 per day (73 in, 73 out) in conjunction with those permitted pursuant to planning permission nos. CM/32/17, CM/34/17 and CM/35/17

Reason: In the interests of highway safety and the amenities of the local area and to comply with policy 28 of the Buckinghamshire Minerals and Waste Local Plan and policy TR5 of the South Bucks District Local Plan.

5. Sole access to the site shall be via the existing access onto Pinewood Road.

Reason: In the interests of highway safety and the amenities of the local area and to comply with policy 28 of the Buckinghamshire Minerals and Waste Local Plan and policy TR5 of the

South Bucks District Local Plan.

6. No laden heavy goods vehicles shall access or egress the site without being securely sheeted.

Reason: Reason: To prevent mud and debris from being carried onto the public highway and to comply with policy 28 of the Buckinghamshire Minerals and Waste Local Plan and policy TR5 of the South Bucks District Local Plan.

7. All heavy goods vehicles leaving the site shall use the existing wheel cleaning facilities prior to exiting the site.

Reason: To prevent mud and debris from being carried onto the public highway and to comply with policy 28 of the Buckinghamshire Minerals and Waste Local Plan and policy TR5 of the South Bucks District Local Plan.

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

Reason: The importation of waste materials outside of these categories would raise environmental and amenity issues which would require consideration afresh and to comply with policy 28 of the Buckinghamshire Minerals and Waste Local Plan and policy CS23 of the Buckinghamshire Minerals and Waste Core Strategy.

9. Any oil storage tanks shall be sited on site on impervious bases and surrounded by oil tight bund walls which shall be capable of containing 110% of the tanks volume and shall enclose all fill and drain pipes.

Reason: To protect groundwater and surface water from pollution policy CS23 of the Buckinghamshire Minerals and Waste Core Strategy.

10. The development shall not be carried out other than in complete accordance with the document entitled "Proposed Extension Flood Risk Assessment" dated February 2011.

Reason: To ensure that surface water flooding is managed to protect the occupants of nearby residential properties from flooding and to comply with policy CS23 of the Buckinghamshire Minerals and Waste Core Strategy.

11. Noise from the operations shall not exceed 55 dB LAeq 1hr (free field) as measured at the facades of the nearest residential properties as shown on the plan submitted to the County Planning Authority pursuant to consent no. SBD/8203/05 and approved in writing by the County Planning Authority by letter dated 5th May 2009. Measurements taken to check compliance shall have regard to the extraneous noise and shall be corrected for any such effects.

Reason: To protect the occupants of nearby residential properties from loss of amenity from noise disturbance and to comply with policy 28 of the Buckinghamshire Minerals and Waste Local Plan.

12. All plant and machinery used at the site shall be silenced in accordance with the best available technology not entailing excessive cost and maintained in accordance with the manufacturer's specifications. Any pumps on the site shall be positioned and acoustically screened such that noise level during operating hours does not exceed 55dB LAeq 1hr free field as measured at the site boundary with the nearest residence. All machinery and equipment shall be constructed, maintained and operated in such a way that any intermittent noises that are likely to be clearly audible above the background noise level at the nearest residential property including the garden, are reduced to a minimum in accordance with the details submitted to the County Planning Authority pursuant to consent no. SBD/8203/05 and approved in writing by the County Planning Authority by letter dated 5th May 2009 to address continuing noise nuisance issues.

Reason: To protect the occupants of nearby residential properties from loss of amenity from noise disturbance and to comply with policy 28 of the Buckinghamshire Minerals and Waste Local Plan.

#### **Development phase conditions**

13. Extraction of phase 9 shall be conducted in accordance with the dust monitoring and mitigation scheme approved by the County Planning Authority on 8 October 2012.

Reason: To protect occupants of nearby residential properties from the loss of amenity from dust generation and to comply with policy 28 of the Buckinghamshire Minerals and Waste Local Plan.

14. Extraction shall not be commenced within phase 9 until a landscaping scheme for phase 9 has been submitted to and approved in writing by the County Planning Authority. The scheme shall include the following:

- Details of the numbers, sizes and species of specimens to be planted;
- Details of the location of proposed planting;
- Details of the protection measures to be applied to existing vegetation and proposed planting;
- Location and details of fencing;
- A five year commitment to replace any planting that dies or becomes diseased within 5 years of the final replacement of topsoil within phase 9.

Reason: To ensure the satisfactory restoration of the site and in the interests of the local amenity and to comply with policy 28 of the Buckinghamshire Minerals and Waste Local Plan and policy CS23 of the Buckinghamshire Minerals and Waste Core Strategy

15. Prior to the commencement of soil stripping in any phase as shown on Figure 5 which is not yet disturbed, a soil handling scheme shall be submitted to and approved in writing by the County Planning Authority. The scheme shall include the following details:

- The methods to be used for soil stripping, handling, storage and replacement;
- Machinery to be used for soil stripping, handling, storage and replacement;
- The location of any internal haul routes to be created.

The approved scheme(s) shall be implemented for the duration of working in the phase thereafter.

Reason: To ensure the careful handling and storage of soil resources to enable the site to be restored satisfactorily and to comply with policy 28 of the Buckinghamshire Minerals and Waste Local Plan.

16. Soil shall not be stripped, moved, placed or otherwise handled other than when it is in a dry and friable condition. Prior to any stripping, movement, placement or other handling of soils a field test shall be carried out as set out in section 3.2 of the planning application Supporting Statement and in addition the assessment shall be carried out on representative samples on each major soil type, including sandy loams, loamy sands and sands, shall be carried out to identify whether it is in a dry and friable condition.

Reason: To ensure the careful handling and storage of soil resources to enable the site to be restored satisfactorily and to comply with policy 31 of the Buckinghamshire Minerals and Waste Local Plan.

17. All topsoil shall be stored in bunds no more than 2 metres in height as in the location shown on Figure 6, All subsoil shall be stored in bunds no more than 3 metres in height on the southern boundary as shown on Figure 6.

Reason: To ensure the careful handling and storage of soil resources to enable the site to be restored satisfactorily and to provide an acoustic screen to Pleasant Cottage and to comply with policy 28 of the Buckinghamshire Minerals and Waste Local Plan and policy CS23 of the Buckinghamshire Minerals and Waste Core Strategy.

18. No vegetation shall be removed during the bird nesting season (1st March – 31st August inclusive). Vegetation removal shall not be carried out other than by the use of hand tools.

Reason: To protect the ecological interest of the site and policy CS23 of the Buckinghamshire Minerals and Waste Core Strategy and policy 36 of the Buckinghamshire Minerals and Waste Local Plan.

19. Each phase shall be capped and covered with a minimum depth of one metre of suitable cover material, which shall include a minimum of 750mm of subsoil, or other approved substitute material and then a minimum depth of 250mm of topsoil.

Reason: To ensure the satisfactory restoration of the site and to comply with policy CS23 of the Buckinghamshire Minerals and Waste Core Strategy.

20. 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.

21. No topsoil shall be placed until the following operations have been carried out over the filled areas to be restored to agriculture:

- All depressions and hollows shall be filled with subsoils or approved subsoil substitute material to achieve even gradients;
- Subsoil or approved subsoil substitute material shall be ripped or deeply cultivated in the event of there being compaction;
- The top 1000mm shall be free of large solid objects (of greater size than 75mm in any direction) and voids left by the removal of obstructions shall be backfilled with subsoil and topsoil.

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

22. Between 1st and 31st January in each calendar year during the period of the operations hereby authorised, a plan at not less than 1:2500 scale shall be submitted to the County Planning Authority showing the progress of soil stripping and storage, excavation, landfill and restoration at a date within 14 days prior to submission.

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

23. Within three months of the date of the final replacement of subsoil on any phase to be restored in whole or in part to agriculture (and subsequent to the period of interim restoration), an aftercare scheme for a period of five years for that area shall be submitted to and approved in writing by the County Planning Authority. The scheme shall include the annual aftercare programme which shall be carried out in the first year of the aftercare period. A revised annual aftercare programme shall be submitted to the County Planning Authority showing the aftercare measures which shall be carried out in the following year. Following approval in writing of the annual aftercare programme by the County Planning Authority, the annual aftercare programme shall be implemented for the following twelve months.

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

24. Within one month of the date of this permission, a timetable for the extraction and restoration of the remaining operations at the site shall be submitted for approval to the County Planning Authority. The scheme shall include details of the areas where extraction and restoration operations have already taken place at the site and where operations are anticipated to have reached at the end of each calendar month ending 31 October 2017. At the end of each calendar month up to and including 31 October 2017 the following information shall be submitted to and approved in writing by the County Planning Authority to show progress against the timetable:

- a) The remaining tonnage of aggregate to be removed from the site and the remaining void to be backfilled.
- b) Monthly tonnages of exported aggregate and imported inert waste.
- c) A written assessment of the likelihood of achieving the approved timetable based on the actual rate of extraction and restoration in the preceding month.

- d) Further works to be undertaken if the operations have not achieved the target in any calendar month.

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

**Informatives**

**1. Compliance with Article 35 of the Town and County Planning (Development Management Procedure) Order 2015**

In determining this planning application, the County Planning Authority has worked with the applicant in a positive and pro-active manner based on seeking solutions to problems arising during the planning application process by liaising with consultees, respondents and the applicant/agent and discussing changes to the proposal where considered appropriate or necessary. In this instance the applicant has been informed of the progress of the application. This approach has been taken positively and proactively in accordance with the requirements of the National Planning Policy Framework as set out in the Town and Country Planning (Development Management Procedure) (England) Order 2015.

**2. Bats**

Works to trees should be carried out by a suitably qualified tree surgeon who should carry out a visual check before felling and identify any potential bat roosting sites (natural holes, woodpecker holes, cracks, splits, and loose bark). If ivy is present, it is necessary to consider whether bat roosts might be hidden. If roosts are identified, further ecological advice must be sought. Each potential roost should be treated as if bats are present. The sections containing the potential roosts need to be cut and carefully lowered to the ground. Limbs with internal fissures, when felled, should avoid closure of fissures. Cross cutting should avoid cavities and hollow sections. The sections containing potential bat roosts should be left on the ground for a period of at least 24 hours. If any bats are found at any point, all work should cease immediately.

**3. Site Notice**

Please remove any site notice that was displayed on the site to advertise this planning application.

Dated:

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David Sutherland  
Head of Planning and Environment  
For and on behalf of the County Council

## **NOTES:**

### **TOWN AND COUNTRY PLANNING ACT 1990**

#### **Appeals to the Secretary of State**

- If you are aggrieved by the decision of your local planning authority to refuse permission for the proposed development or to grant it subject to conditions, then you can appeal to the Secretary of State under section 78 of the Town and Country Planning Act 1990.
- If you want to appeal against your local planning authority's decision then you must do so within 6 months of the date of this notice.
- If this is a decision on a planning application relating to the same or substantially the same land and development is already the subject of an enforcement notice, if you want to appeal against your local planning authority's decision on your application, then you must do so within 28 days of the date of this notice.
- If an enforcement notice is served relating to the same or substantially the same land and development as in your application and if you want to appeal against your local planning authority's decision on your application, then you must do so within 28 days of the date of service of the enforcement notice, or within 6 months of the date of this notice, whichever period expires earlier.
- Appeals must be made using a form which you can get from the Secretary of State at Temple Quay House, 2 The Square, Temple Quay, Bristol BS1 6PN (Tel: 0303 444 5000) or online at [www.planningportal.gov.uk/pcs](http://www.planningportal.gov.uk/pcs).
- The Secretary of State can allow a longer period for giving notice of an appeal but will not normally be prepared to use this power unless there are special circumstances which excuse the delay in giving notice of appeal.
- The Secretary of State need not consider an appeal if it seems to the Secretary of State that the local planning authority could not have granted planning permission for the proposed development or could not have granted it without the conditions they imposed, having regard to the statutory requirements, to the provisions of any development order and to any directions given under a development order.