

## Committee Report – 31<sup>st</sup> July 2017

Application Number:

i) CM/32/17, ii) CM/33/17, iii) CM/34/17 and iv) CM/35/17

i) Variation to condition 1 of planning permission CM/36/16 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

ii) 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

Title:

iii) Variation to condition 1 of planning permission CM/38/16 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

iv) Variation to condition 1 of planning permission CM/39/116 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



INVESTOR IN PEOPLE



**Site Location:** Park Lodge Quarry  
Pinewood Road  
Iver Heath  
Iver Heath

**Applicant:** Brett Aggregates Ltd  
Robert Brett House  
Milton Manor Farm  
Ashford Road  
Canterbury

**Case Officer:** Mrs Sabina Kupczyk

**Electoral divisions affected  
& Local Member:** Iver, Cllr Luisa Sullivan

**Valid Date:** 17 May 2017

**Statutory Determination Date:** 16 August 2017

**Summary Recommendation(s):**

The Development control Committee is invited to APPROVE application no. CM/32/17 subject to the conditions set out in Appendix A, CM/33/17 subject to the conditions set out in Appendix B, CM/34/17 subject to the conditions set out in Appendix C, CM/35/17 subject to the conditions set out in Appendix D

**Appendices:**

**Appendix A: Draft Consent CM/32/17**  
**Appendix B: Draft Consent CM/33/17**  
**Appendix C: Draft Consent CM/34/17**  
**Appendix D: Draft Consent CM/35/17**

## 1.0 Introduction

1.1 The applications were submitted by Brett Aggregates Limited on 15<sup>th</sup> May 2017 and validated on 17<sup>th</sup> May 2017. Consultations were sent out on 22<sup>nd</sup> May 2017. The applications were advertised by site notices, neighbour notifications and newspaper advertisement. The target for determination of the applications will expire on 16<sup>th</sup> August 2017.

## 2.0 Site Description

2.1 Park Lodge Quarry is a consented sand and gravel working with progressive restoration to agriculture using inert waste infill.

2.2 The site lies to the west of Iver Heath and has access from Pinewood Road. It is close to the junction of the A412 (Uxbridge Road) and A4007 (Slough Road) at the Five Points roundabout. The site is located approximately 3km west of Uxbridge and 5km north east of Slough. Residential properties are located along Uxbridge Road and Pinewood Road. The closest to the operations are Park Lodge (lies in the centre of the quarry with adjacent areas being restored) and Fir Tree Cottage (lies in the south east corner of the quarry).

2.3 The extraction and restoration is currently continuing in the remainder of the southern part of the site. The quarry covers approximately 30ha.

2.4 The site of the applications is located within Colne Valley Park and Metropolitan Green Belt. Black Park SSSI lies approximately 800 meters to the north west of the quarry within Black Park Country Park.

## 3.0 Site History

3.1 The majority of the application site was first identified as a Preferred Area for mineral working in the 1989 Review of the Replacement Local Plan for Buckinghamshire (MLP) and an application was made in 1990 to work the site. Following a Public Inquiry into the Minerals Local Plan the application was granted planning permission in 1994. The extraction of the quarry commenced in 1999. Since 1999 there have been a number of additional planning applications for new working areas and/or plant as well as numerous applications to vary conditions on existing planning permissions. The site is currently governed by four planning permissions (CM/36/16, CM/37/16, CM/38/16, and CM/39/16) each granted in November 2016, and each of which permit extraction and progressive restoration of different parts of the overall site.

3.1 The current four planning permissions for the site require extraction and restoration to cease by 30<sup>th</sup> June 2017 with the exception of phase 11, the silt lagoon, which is to be restored by 31<sup>st</sup> December 2020. A detailed planning history is as follows:

CM/36/16	Variation of conditions 1 of CM/03/14 of original planning permission 11/01719/CM in order to allow extension of operational period until 31 December 2020	Application Permitted	23.11.2016
CM/37/16	Variation of condition 2 of CC/01/14 of original planning permission 11/01717/CM in order to allow extension of operational	Application Permitted	23.11.2016

	period until 31 December 2020		
CM/38/16	Variation of condition 1 of CM/02/14 of original planning permission 11/01718CM in order to allow extension of operational period until 31 December 2020	Application Permitted	23.11.2016
CM/39/16	Variation of condition 1 of CM/04/14 of original application 11/01720/CM in order to allow extension of operational period until 31 December 2020	Application Permitted	23.11.2016
CM/02/14	Variation to conditions 1, 3 and 16 of planning permission 11/01718/CM in order to allow the use of mobile processing plant until 31 December 2015 and to allow final restoration to be completed by 31 December 2020.	Application Permitted	14.02.2014
CM/03/14	Variation to conditions 1, 2 and 15 of planning permission 11/01719/CM in order to allow the use of mobile processing plant until 31 December 2015 and to allow final restoration to be completed by 31 December 2020.	Application Permitted	14.02.2014
CM/04/14	Variation to conditions 1, 3 and 22 of planning permission 11/01720/CM in order to allow the use of mobile processing plant until 31 December 2015 and to allow final restoration to be completed by 31 December 2020. Open for Comment Park Lodge Quarry Pinewood Road Iver Heath Iver Heath	Application Permitted	14.02.2014
CM/01/14	Variation to conditions 2, 3 and 16 of planning permission 11/01717/CM in order to allow the use of mobile processing plant until 31 December 2015 and to allow final restoration to be completed by 31 December 2020.	Application Permitted	14.02.2014
11/01719/CM	Application to vary conditions 2, 7, 8 and 20 of planning permission SBD/8202/07 to amend the approved phasing scheme and extend the lifetime of the site to 31st December 2015	Application Permitted	2.07.2012

11/01718/CM	Application to vary condition 2 of planning permission SBD/8203/05 to extend the lifetime of the site until 31st December 2015.	Application Permitted	2.07.2012
11/01720/CM	Application to vary condition 2 of planning permission SBD/8220/04 to extend the lifetime of the site until 31st December 2015	Application Permitted	2.07.2012
11/01717/CM	An application involving the extraction of sand and gravel from 0.9 hectares (2.2 acres) of land within a 1.4 hectare parcel of land and restoration mainly to agriculture following infilling the void with inert waste with a narrow tree belt on the north-eastern boundary	Application Permitted	2.07.2012
SBD/8202/07	Variation of conditions 3 and 5 of planning permission SBD/8220/04 and conditions 3, 4 and 5 of consent SBD/8203/05 in relation to phasing of work	Application Permitted	24.09.2007
SBD/8203/05	Application to extract sand and gravel from 1 hectare with restoration to agricultural land	Application Permitted	4.10.2005
SBD/8209/01	Extension of area of extraction of sand and gravel upon western margin of permitted site	Withdrawn	30.05.2002
SBD/8220/04	Application to vary conditions 1 and 5 of consent No. SBD/8218/02	Application Permitted	17.02.2005
SBD/8212/03	Variation of condition 2 of permission SBD/595/90 to modify the site access.	Application Permitted	5.12.2003
SBD/8214/00	Proposed extension of area of extraction of sand and gravel from western margin of permitted site	Withdrawn	20.11.2000
SBD/8218/02	Establishment of a recycling facility, extension of sand and gravel working and re-phasing of site	Application Permitted	15.07.2003
SBD/8213/00	Erection of ready mixed concrete plant	Application Permitted	2002
SBD/595/90	Extraction and processing of sand and gravel with re-filling with inert material and restoration to agriculture	Application Permitted	25.09.1994

**3.2** A planning obligation exists which controls the routing of HGV movements from the site to ensure they travel to and from the site via the southern part of Pinewood Road

via the Five points roundabout. Vehicles are not permitted to use the part of the B470 between its junctions with Wood Lane and Thorney Lane which includes Iver High Street, except where local deliveries are required in these areas. The planning obligation also requires the developer to carry out groundwater monitoring, to remain the proprietor of Fir Tree Cottage for the duration of operations, and to ensure that Fir Tree Cottage remains vacant for the duration of the operations. The S106 Agreement covers all planning permissions at the site and would be carried forward to any new permissions granted.

#### **4.0 Description of the Proposed Development**

- 4.1** The four planning applications hereby considered seek to amend conditions which currently require the cessation of mineral extraction, processing and restoration of the site by 30<sup>th</sup> June 2017, with the exception of Phase 11 which is to be restored by 31<sup>st</sup> December 2020. The planning applications seek permission to extend the period within which sand and gravel is extracted and processed until 31<sup>st</sup> October 2017 but not to amend the overall end date of 31<sup>st</sup> December 2020.
- 4.2** Members of the Committee may recall that four similar applications to extend the time period for extraction and restoration of the site (other than phase 11) were permitted in November 2016. In support of those applications, it was stated that there has been a delay in the set-up of the replacement quarry at George Green and therefore the bagging operation was not relocated from Park Lodge quarry to George Green quarry until early 2016. The sand and gravel remaining to be dug beneath the bagging operation area and haul road was, at that point, delayed by some 18 months.
- 4.3** In support of the current applications, the applicant has stated that since the permissions were granted in November 2016, it has been established by the operator that more sand and gravel is to be found beneath the haul road than was initially envisaged and that extraction has been delayed due to the need for the electricity supply to be disconnected (to allow access) which has been rescheduled by the utility company from May to August 2017. Therefore a short extension of time is required to ensure all mineral is extracted.
- 4.4** The applicant states that there is approximately 60kt of material remaining to be extracted, which would take approximately three months to extract and process.

#### **5.0 Planning Policy & Other Documents**

- 5.1** The planning policies relevant to the proposed extension of time at Park Lodge quarry include the following:

Buckinghamshire Minerals and Waste Core Strategy:

Policies CS1 (Minerals Safeguarding), CS4 (Maintaining the Level of Sand and Gravel), CS5 (Preferred Areas), CS18 (protection of Environmental Assets of Local Importance), CS/LP1 (Presumption in Favour of Sustainable Development), and CS20 (Green Belt)

Buckinghamshire County Council Minerals and Waste Local Plan (MWLP), 2004-2016:

Policies 28 (Amenity), 29 (Buffer Zones), and 31 (Restoration and Aftercare)

South Bucks District Local Plan (SBDLP), adopted March 1999 and consolidated in February 2011- saved policies

Policies GB1 (Green Belt), TR5 (Accesses, Highway Works and Traffic Generation) and TR10 (Heavy Goods Vehicles)

## 6.0 Consultation Responses

Local Member	23.05.2017	No objection to time extension to complete the extraction. Comments made in relation to mud on road and wheel washer facility
Environment Agency		No comments have been received.
Highways Development Management	21.06.2017	No objection
Iver Parish Council	20.06.2017	Objects to applications. Based on the information from previous meetings held by BAL it was understood that no further extension of time is required. General lack of communication and keeping Iver PC up to date. Comments made in relation to mud on road and wheel washer facility. Iver PC is concerned over increased traffic in the area in relation to the quarry site, Pinewood studios phase 2 and additional quarry at Richings Park. Lack of monitoring and enforcement of the conditions at Park Lodge. Request for stringent conditions on wheel washing, noise and resident notification and regular monitoring is being requested should the application be approved. The liaison meetings should be taking place.
SBDC District Planning Officer	20.06.2017	South Bucks District Council raised concerns about the excessive level of lorry movements in the vicinity and further extending the time for the works will only add to the adverse environmental impact.

## 7.0 Representations

- 7.1 2 residents objected to the applications. Comments were made in relation to mud on the road and odour associated with the workings and poor enforcement action from BCC in relation to ensuring that the road stays free of mud and stones.

## 8.0 Discussion

- 8.1 The key issues for consideration in the determination of these applications are the principle of the development, the potential impact of the continuing development in the Green Belt, Colne Valley Park and other environmental assets and impact upon local amenity.

### Principle of the Development

- 8.2 The application site is one of the 10 sites shown on Map 4 of the MWLP as active workings and permitted reserves, all of which fall within the Mineral Safeguarding Area.

As stated above, the application site is an existing active sand and gravel quarry therefore the principle of extracting mineral in this location, and restoring the site with inert waste, is already established in principle. Moreover, Policy CS1 of the MWCS seeks to prevent the sterilisation of mineral within the Mineral Safeguarding Area. The matter for consideration by the committee is whether any harm arising from the extended time period of operations would be significant enough to allow the sterilisation of mineral from beneath the quarry haul road, which would result from the refusal of planning permission.

- 8.4** As per policy CS5, priority is given to the extension of existing sites, where environmentally acceptable. It is considered that the continuation of this site until 31st October 2017 with the exception of the Phase 11 which is to be restored by 31st December 2020 accords with criteria b to g of this policy, as it would not result in further detriment to the environment of amenities of local residents. The overall date for the restoration of the site is not proposed to be extended and it would remain as 31<sup>st</sup> December 2020
- 8.5** Policy CS4 of the MWCS refers to the need to maintain an adequate and steady provision of sand and gravel equivalent to at least 7-years' worth of supply. This site, in its final months of extraction, will continue to assist the Council in meeting this need for a minimum 7-year land bank. Therefore, unless the committee is of the view that the extension of extraction and restoration until the end of October 2017 would cause sufficient harm to warrant refusal, the committee is advised that the development is acceptable in principle.

### **Green Belt, Colne Valley Park and protection of environmental assets**

- 8.8** Mineral extraction and subsequent restoration is listed as acceptable development within Green Belt as per policy CS20 of the MWCS. Policy GB1 of the SBDLP sets out a presumption against development within Green Belt other than a number of listed exceptions which include "*mineral working and subsequent restoration of the land (...)*" Where the development complies with parts I to iv. As the site is nearing completion and has the necessary mitigation measures in place to minimise any potential environmental or amenity impacts, it is considered for the development to be in accordance with parts i to iv.
- 8.9** Policies CS18 and CS19 of the MWCS seek to protect environmentally important sites and assets in Buckinghamshire, including Colne Valley Park from adverse impacts of mineral development. To date, the quarrying operations have not had a detrimental impact on environmental assets. There are existing measures in place to protect the environment, which will continue throughout the extended operational workings (such as monitoring of groundwater boreholes, to ensure that adjacent Black Park Country Park SSSI remains unaffected). Subject to the ongoing conditions, the development would be in accordance with policies CS18, CS19 and CS20 of the MWCS and policy GB1 of the SBDLP.

### **Impact on amenities of Local Residents**

- 8.10** Policy 28 of the MWLP seeks to protect the amenity of receptors from significant levels of disturbance from noise, vibration, dust, fumes, gases, odour, illumination, litter, birds or pests. The site has existing mitigation measures which will be retained, such as planning conditions to control the hours of operations, thereby minimising potential disturbance. The whole site will be restored by 31<sup>st</sup> December 2020 and no changes are proposed to this end date.
- 8.11** Concerns have been raised over poor or lack of monitoring of the existing workings



and especially issues with the mud on the road and lack of wheel washer facility on site. BCC has recently undertaken a site monitoring visit on 2<sup>nd</sup> May 2017 during which lack of wheel washer facility was documented. The wheel washer which was broken and taken off site has been replaced on 18<sup>th</sup> May 2017. Officers visited the site post monitoring visit to check if the wheel washer is in working condition and if any mud on the road is present. The additional checks took place on 18<sup>th</sup> May 2017 and 23<sup>rd</sup> May 2017. It is envisaged that there will be 4 planned site monitoring visits a year to the quarry with additional visits undertaken if complaints are generated.

- 8.12** The conditions controlling the amenity impacts of the quarrying will continue to be attached to any forthcoming planning permissions. Subject to the inclusion of such conditions on any planning permissions issued, the development would be acceptable on amenity grounds and would be in accordance with policy 28 and 29 of the MWLP.

## **Conclusion**

- 9.0** Planning applications CM/32/17, CM/33/17, CM/34/17 and CM/35/17 seek permission to vary consents CM/36/16, CM/37/16, CM/38/16 and CM/39/16 to provide a further 4 months to allow extraction of the mineral from the area where bagging operation took place and entrance haul road to ensure that the mineral is not sterilised and the site is restored in accordance with the approved restoration scheme.
- 9.1** The proposal would not result in any further detriment to the environment or amenities of nearby receptors and it accords with the policies of the Development Plan and therefore should be approved. Subject to retaining and amending where necessary, the relevant conditions on the existing permission applications are recommended for approval.