

Development Control Committee – 21st February 2018

Application Number: CM/57/17

Title: The extraction and processing of sand and gravel with restoration to agriculture using imported inert materials, the installation and use of mineral processing plant and soil treatment plant, access onto Hedgerley Lane, and ancillary buildings, including a weighbridge, office, workshop and welfare facilities

Site Location: Slade Farm, Hedgerley Lane, Hedgerley, Slough, Buckinghamshire, SL2 3XD

Applicant: RJD Ltd

Author: Head of Planning & Environment

Contact Officer: Andrew Sierakowski dcplanning@buckscc.gov.uk

Contact Number: 01296 380000

Electoral divisions affected: Gerrards Cross

Local Member: Barbara Gibbs

Summary Recommendation(s):

That the Development Management Committee **APPROVES** application number CM/57/17 in accordance with the conditions set out in Appendix A to this report and a s.106 agreement to secure the routing of HGVs west out of the site and to provide for monitoring arrangements for HGV movements along Hedgerley Lane and at the A355 signalised junction.

Appendices: Appendix A: Draft Conditions



INVESTOR IN PEOPLE



SUPPORTING INFORMATION

Introduction

1. This application has been submitted by the D.K. Symes Associates on behalf of RJD Ltd. It was validated on 25th July 2017. It is a resubmission of the previous application, Ref. CM/59/15 that was refused consent in August 2016. The decision to refuse permission on the first application is currently the subject of an appeal to the Secretary of State that is due to be determined by way of hearing to be held on the 16-17 May 2018. The current application was accompanied by an Environmental Statement and was sent out for consultation on 26th July 2017 and was advertised by site notice, neighbour notification and newspaper advertisement.
2. Following the initial round of consultation, the applicant was invited to respond to the comments of statutory consultees, including the requests for additional information. Formal notice under Regulation 25 of the Town and Country (Environmental Impact Assessment) Regulations 2017 was served on the applicant, requesting further environmental information on 20th September 2017. This followed the issuing of similar notice by the Secretary of State in relation to the concurrent appeal on the original application. An additional document that addresses the consultation responses and the Regulation 25 request was subsequently submitted to the County Council on 1st December 2017.
3. On the 4th December 2017, the applicant notified the Council of an amendment, including the submission of amended plans, omitting the inclusion of a concrete batching plant included in the original scheme. As a result of this change, an additional notice under Regulation 25 of the Town and Country (Environmental Impact Assessment) Regulations 2017 was served on the applicant on the 11th December 2017, requesting further environmental information by way of an Addendum to the submitted Environmental Statement, assessing the effects of the proposed changes to the scheme. In response to this request the applicant submitted an Environmental Update Statement on the 18th December 2017.
4. A further round of consultation was undertaken in response to the submitted further Environmental Information and the amended plans. The application was also re-advertised by site notice, neighbour notification and newspaper advertisement.
5. Further consultation responses and representations were received in response to the re-consultation and re-advertisement.
6. The target for determination of this application was originally the 24th October 2017 but an extension of time has been agreed until the 28th February 2018.
7. 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 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.

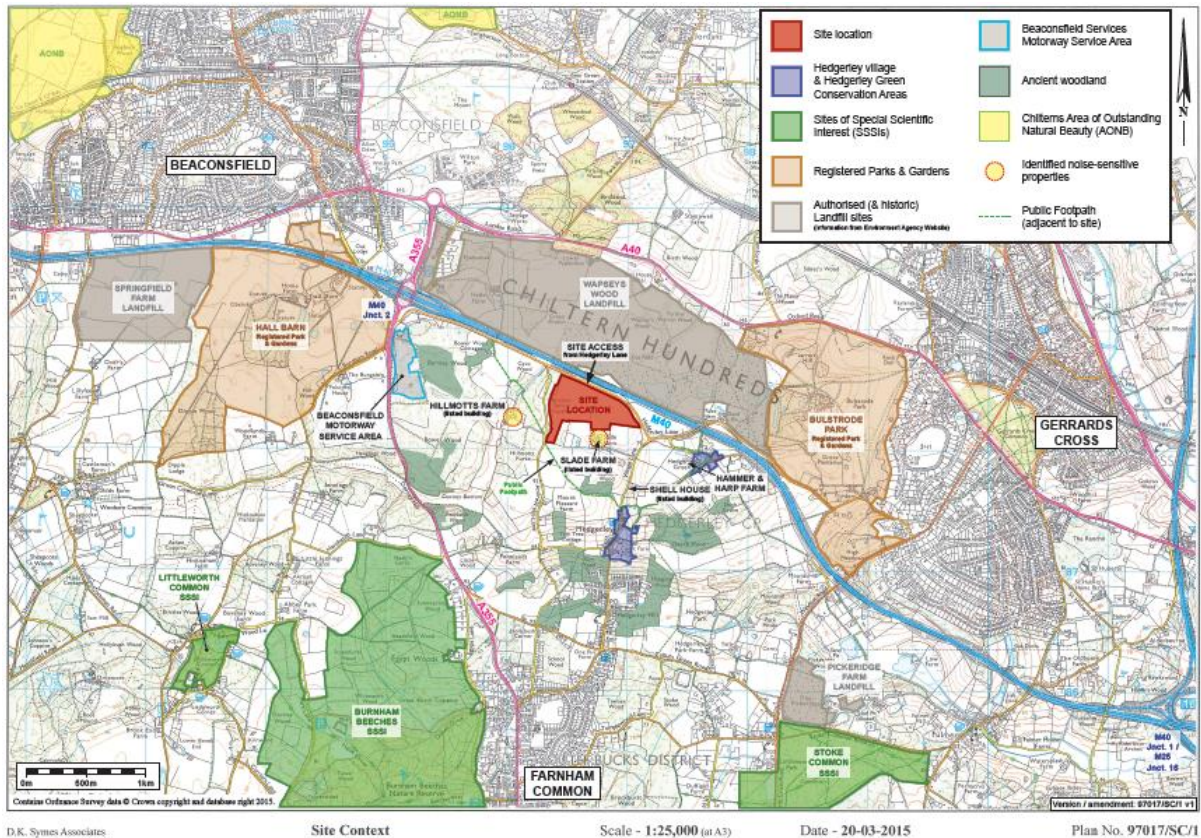
Site Description

8. The Site comprises approximately 22 hectares of arable agricultural land 2km south east of Beaconsfield, 700m north of Hedgerley and 500m west of Hedgerley Green.
9. It would be accessed from Hedgerley Lane on its northern boundary, with vehicles turning left towards the A 355 and Junction 2 of the M40. The M40 runs parallel with north side of Hedgerley Lane, and Wapseys Wood Landfill site lies to the north of the M40. Village Lane is located on the eastern boundary of the site, with agricultural land to the south, whilst the western boundary is bordered by Andrew Hill Lane/Beaconsfield Common Lane.
10. The site comprises Grade 3 agricultural land, and is gently undulating, sloping slightly from 93m AOD on its western boundary down to 75m AOD on Village Lane.
11. It is located in the Metropolitan Green Belt and is bordered to the west and south west by woodland, including Slade Wood and Hillmotts Wood. There is an additional area of woodland known as Sutton's Wood approximately 430m to the south of the site.
12. Burnham Beeches (Egypt Woods) Site of Special Scientific Interest (SSSI), Special Areas of Conservation (SAC) and National Nature Reserve (NNR) are located 1.5km to the south west and Church Wood RSPB Reserve is located 675m to the south east.
13. The local topography and existence of woodland and mature and semi-mature hedges around the site and alongside the surrounding roads means that the site is generally well screened and with only limited views from nearby sensitive receptors.
14. The nearest residential properties at Slade Farm include Slade Farmhouse and Slade Farm Cottage, which are located approximately 95m south of the southern boundary of the site.
15. Slade Farmhouse and the adjacent outbuildings are separately listed as Grade II Listed Buildings. Slade Farmhouse is a mid-19th century two storey three bay folly, built from flint with stone dressings materials reputedly from Hedgerley old church and has a mansard roof.
16. There are no public footpaths crossing on the site, but there is a footpath running from its south west corner in a south easterly direction, south of Sutton's Wood towards Hedgerley. There is large pond to the south of Slade Farmhouse and further pond between Slade Farm House and Slade Wood to the west.
17. The location of Slade Farm is shown shaded red in Figure 1 below.

Environmental Impact Assessment

18. As an Environmental Statement has been submitted with the application, it is to be treated as 'EIA development' under the Town and Country Planning (Environmental Impact Assessment) Regulations 2017.

Figure 1: The Site



Site History

19. As set out in paragraph 1 of this report, this application is a resubmission of the previously submitted application Ref. CM/59/15 that was refused consent in August 2016. The decision to refuse permission on the first application is currently the subject of an appeal to the Secretary of State that is due to be determined by way of hearing to be held on the 16-17 May 2018.
20. The reasons for refusal stated in the decision notice issued on the 10th August 2016 concerned the absence of adequate proven need for development in a new green field site, in the green belt location and prematurity, as follows:
 1. There is no proven need for the proposal in support of maintaining an adequate and steady provision of sand and gravel to ensure a landbank equivalent to at least 7-years supply contrary to Policy CS4 of the Buckinghamshire Minerals and Waste Core Strategy Development Plan Document (2012).
 2. The proposal would involve development of a green field site, when there is no proven need, contrary to Policy CS5 of the Buckinghamshire Minerals and Waste Core Strategy Development Plan Document (2012), which promotes extensions to existing quarries and there are sites where there remains potential for expansion which should be given priority for consideration in line with Policy CS5.
 3. Insofar as this the proposal is contrary to Policies CS4 and CS5 of the Buckinghamshire Minerals and Waste Core Strategy Development Plan Document (2012), it would also be contrary to Policy CS20 insofar as it is development in the Green Belt, but is not otherwise compliant with all the other policies in the Core Strategy.

4. In view of the foregoing reasons for refusal, approval of the application would be premature pending the adoption of the Buckinghamshire Replacement Minerals and Waste Local Plan and the identification of the further Preferred sites, to ensure an adequate and steady supply of Sand Gravel Provision in the County in line with Policy CS4.
21. Although prior to the 2015 application there was no previous planning application history for the site, Slade Farm was put forward in 1978 as a Preferred Area in the then draft Minerals Subject Plan, although it was removed from the deposit version, because at that time the Site was located in an Area of Attractive Landscape (AAL).
22. The site was subsequently put forward again at the 1991 Minerals Local Plan Inquiry, but rejected by the Inspector, on the grounds that there was no need to extract minerals from the AAL to meet the then required levels of provision.
23. The site was put forward for a third time, during the preparation of the existing Minerals and Waste Local Plan (MWLP) adopted in June 2006, but was not included, because it was considered that the County had a sufficient landbank of reserves at that time
24. The site was further nominated for consideration following the adoption of the MWLP and included within the Minerals Development Plan Document Preferred Options Consultation Report published in September 2007. However, progress with separate Minerals and Waste Local Plans ceased with the County Council deciding to begin work on a combined Minerals and Waste Core Strategy, to be followed by a Replacement Minerals and Waste Local Plan (RMWLP).
25. The first consultation of the RMWLP was undertaken in early 2015, which included a 'call for sites'. The application site, and additional land to the south were again, submitted by the applicant for consideration, and subsequently Slade Farm (North and South) has been included as an allocated site in the Preferred Options Consultation on the Buckinghamshire Minerals and Waste Local Plan 2016 – 2036, published in August 2017. Following the consultation both areas at Slade Farm, including the application site have been retained in the Proposed Submission Plan of the Buckinghamshire Minerals and Waste Local Plan which was approved by the County Council's Cabinet in January 2018, and for which the public consultation is due March-April 2018 followed by submission to the Secretary of State in May 2018.

Proposal - Overview

26. The proposal is for the extraction and processing of approximately 1.25 million tonnes of sand and gravel, to be progressively excavated and restored using imported inert material to productive farmland.
27. Geological investigation of the site indicates that it contains approximately 1.25 million tonnes of good quality sand and gravel. This will be processed on-site to provide aggregates to the construction industry.
28. Approximately 15 ha of the 22 ha of the site will be used for mineral extraction and associated operations. The mineral will be worked progressively in phases so that only a portion of the site would be out of agricultural production at any one time.
29. Following site set-up and establishment, operations would last for 13 years. There would be low level processing plant, a weighbridge, wheel cleaning facilities, modular site offices, a maintenance workshop and re-fueling facilities for the mobile plant to be used on the site.

30. When submitted, the application included the erection of a concrete batching plant that would primarily use the sand and gravel produced at the site, but this has subsequently been omitted, and is no longer included as part of the scheme.
31. The site will generate HGV traffic for the dispatch of aggregates as well as delivery of the inert material need for restoration. The day-to-day numbers of vehicles will fluctuate with an average of 156 daily vehicle movements (78 in, 78 out), of which 142 (71 in, 71 out) would be HGVs when all activities are taking place.
32. In order to ensure that the restoration is undertaken to a high standard, the imported inert material will be treated to remove any large pieces of concrete, brick etc using a dry screening plant. The larger material will be stockpiled and then crushed, as and when required, to produce a recycled material. In addition to returning the site to agricultural use, new areas of woodland, grassland and biodiversity features will be established.

Timescales, Excavation and Phasing

33. The works include an initial 12-month period for site set up and establishment including the setting up of a Plant and Operations Area and Silt and Water Management Area at its western end. This will then be followed by seven phases of extraction and progressive restoration, extending over 12 years broadly working clockwise around the central and eastern area of the site, and ending with the final site clearance and restoration of the Plant and Operations Area and Silt and Water Management Area. Following the site set up and establishment and starting with Phase 1 it is anticipated that extraction will last eight years. Progressive reclamation and restoration will follow the phased extraction. It is anticipated that this will be completed up to four years after the end of extraction, so that the overall timescale for the operation would be 13 years.
34. In relation to the of excavation of the site, and in order to reduce the level of the Plant and Operations Area, the mineral will first be excavated to a depth of approximately 5m below ground level. These works comprise the Initial Operations.
35. The topsoil would first be removed from the Plant and Operations Area and the Silt and Water Management Area, Phase 1, Phase 7 and from a subsoil storage bund area south of the plant site using an excavator. This topsoil would be used to construct perimeter bunds around these areas at the western end of the site. The subsoil would then be stripped from these areas and placed in a shaped bund in the south west corner of the site, to west of Slade Wood. The bund would be sown to grass and retained for the duration of the development until required to complete the final restoration. The mineral would then be extracted from the western part of the Plant and Operations Area and the Silt and Water Management Area and temporarily stored on the area of Phases 1 and 7 in stockpiles not exceeding 5m in height.
36. This will then allow development of the Plant and Operations Area and the Silt and Water Management Area.
37. Once the processing plant and the ancillary buildings and plant (including the weighbridge, office wheel wash/vehicle cleaner and fuel area) have been erected, mineral processing would commence, and the remaining mineral in the eastern part of the Plant and Operations Area recovered, allowing the completion and full development of this area. The processing of temporarily stored mineral from the Plant and Operations Area and the Silt and Water Management Area would then be undertaken and completed in years 2-3.

38. Progressive working of the site would then commence in the phases shown on the submitted plans.
39. Phase 1, to the south of the Plant and Operations Area would be undertaken first as this would then allow for some extension of the operational area. The workings would then progress in an easterly direction with the topsoil from the subsequent phases being stripped and used to extend the perimeter bund ahead of excavation. The subsoils would be temporarily stored, initially in the area of Phase 1 and then on the reclaimed Phase 2.
40. As the excavation moves eastwards to Phases 4 and 5, the soil movements begin to balance out and soils from the subsequent phases can be directly placed to restore the earlier reclaimed phases.
41. The movement of excavated mineral between the excavation face and the plant will be by Articulated Dump Trucks (ADTs) travelling on an internal haul road that would be between 3 and 5 m below existing ground level. The route of the haul road would change to match the progressive nature of the development. A similar approach would be followed for the delivery of the reclamation material which would be by a tipper lorry. There would be sharing of the internal haul road, which would be regularly graded by dozer or a towed sled and would be dressed with aggregates to ensure that it is maintained in a good condition.
42. Within each phase the reclamation platform would be built up in layers with the loose tipped material being spread and compacted by dozer. As part of the quality control the material would be inspected and any unsuitable material segregated into a 'quarantine' area within the phase. Unsuitable material will either be removed from site or if still usable would be stockpiled for crushing. The final upper layer will comprise screened material that would be de-compacted by either ripping or by re-excavation and replacement ready to receive the restoration soils.
43. Once the mineral has been recovered from the final Phase 7, any mineral remaining in the Plant and Operations Area would be recovered thereby completing the mineral extraction. At this stage the Processing Plant, would be removed, and the Plant and Operations Area and the Silt and Water Management Area will be cleared of any infrastructure other than the access, weighbridge, office and wheel cleaner. This would enable the final phase to be fully reclaimed and enable the subsoils from the subsoil storage area and the perimeter bunds to be taken down and the material used to complete the final restoration of the site. This will include the removal of the last of the buildings. The access would be retained and adapted to be suitable for future agricultural use.

Plant Layout and Design

44. Geological investigation has proven that the mineral seam above the underlying clay on the site is dry to 5 metres depth, which would enable the plant and operations area to be placed some 5m below the surrounding ground levels, in the part of the site that is furthest from Hedgerley village and the nearest residential properties at Slade Farm, as well as being close to the access on to Hedgerley Lane.
45. The internal haul road from Hedgerley Lane will slope down to the floor of the Plant and Operations Area. It will be fully hard surfaced with concrete and designed to ensure that all water is drained back into the plant site. This will reduce the risk of any material or dirty water draining on to the highway.

46. At the bottom of the concrete road there will be a weighbridge and small site office beyond which there will be a lorry chassis and wheel wash facility.
47. A site office and welfare facility will be located in the Plant and Operations Area, close to the weighbridge. This will be a standard steel ISO container style building. Also located in this area, will be a portal framed workshop building clad with corrugated steel sheeting. A car parking area for site personnel and visitors will be constructed adjacent to the workshop and beyond this will be a fueling area and fuel tanks. The refueling area will comprise a small concrete area designed to contain and direct any drainage to an oil and silt trap which would discharge to a soakaway. This area may be security fenced for overnight and weekend parking of mobile plant.
48. The mineral processing plant will comprise a number of interlinked low profile modular units for washing and grading mineral. The proposed plant would be restricted to 8.6m in height, other than a silt press which would be 10m high to the top of the roof. The press would be used to silt from the recirculated wash water which reduces the need for extensive silt settlement ponds.
49. By reducing the level of the Plant and Operations Area by 5m and erecting 3m high perimeter bunds the intention is to effectively screen the majority of plant and the associated activity of stockpile management and operations from views outside the site. The existing woodland around the northern and western boundaries would provide additional screening which will ensure that the Plant and Operations Area is not easily visible from outside the site.
50. The Plant and Operations Area will also include a soil treatment plant. This will comprise a modular screen, which will be used within the working phase as and when required. A crusher will be utilized on a campaign basis to reduce the size of the large pieces of brick and concrete that have been screened out and which would otherwise be unsuitable because of their size. The crusher would be brought to site as and when required.
51. On site mobile plant will include a hydraulic excavator, ADTs and a dozer and loading shovels, to be stored in the Plant and Operations Area for use in stock pile management and for the excavation and reclamation operations.

Water Management

52. As detailed above the sand and gravel seam at Slade Farm is predominantly dry and as a result the excavation will not require controlled dewatering across the site. It is nevertheless anticipated that some water management (i.e. dewatering) will be required where ground water is met in individual phases, with discharge by gravity to a soakaway through the base of the excavation.
53. Water for processing will either be obtained from the underlying chalk aquifer, or from shallow boreholes within the wider landholding at Slade Farm. This water will be stored within a clay lined pond with the Silt and Water Management Area to the south of the Plant and Operations Area. This will be used for mineral washing in the processing plant and for dust suppression.
54. The water for processing will be fully recirculated through the processing plant and the use of a filter press will reduce the quantities that are required. However, it is expected that even with the filter press there will be a need for some further gravity settlement as well as storage capacity, so additional ponds will be required. The

ponds will receive recirculating water from the silt press, as well as the surface water from the plant site, which will drain by gravity to this area.

55. Clay excavated from below the Silt and Water Management Area will be used to construct the storage and settlement ponds.

Access and Transport

56. There will be one operational access to the site which is located on the northern boundary on to Hedgerley Lane. This will be a new purpose designed access to allow two-way traffic to enter and exit the site safely. The access will be designed to prevent HGVs from turning right on exiting, ensuring that all quarry traffic uses Hedgerley Lane to the north-west via the A355 and Junction 2 of the M40 adjacent to the Beaconsfield Motorway Service Area (MSA), and does not travel towards Hedgerley or Hedgerley Green.
57. The access will be used for the development of the site and will be fully constructed prior to any minerals leaving the site. Forward visibility at the access is good, due to the alignment of Hedgerley Lane being generally straight with a shallow gradient. However, the vegetation on the southern side of Hedgerley Lane will need some minor cutting back to provide the necessary 215m visibility splay to the east from a setback of 4.5m.
58. Appropriate warning signs will be erected along Hedgerley Lane and within the quarry. Routing restrictions will be imposed and drivers will be informed of these, in addition to being directed by on site signs. All deliveries and arrivals will be from account holders only so that drivers can be made conversant with the routing requirement. Action would be taken, by the site operator, against any driver who repeatedly ignores the approved routing.
59. The traffic numbers will be dependent upon the annual level of output of aggregates which is proposed at approximately 150,000 tonnes per annum. The estimated saleable reserve, after processing is 1.25 million tonnes which would give a mineral life of a little over 8 years.
60. In terms of imports of reclamation material, the mineral void that needs to be reclaimed is in the order of 700,000 cubic metres. Reclamation would not commence until around year 5 which is when the excavation of is complete in Phase 2. If reclamation takes place over an 8-year period, it anticipated that approximately 90,000 cubic metres of material would be required per annum.
61. It is anticipated that a small proportion of the reclamation material will need to be treated to make it suitable to achieve good quality material. This would involve removal of the large hard element, i.e. lumps of brick and concrete, by dry screening. It is anticipated that the amount of rejected material would be unlikely to exceed 15%, i.e. approximately 30,000 tonnes per annum. Additional deliveries will include fuel for the mobile plant.
62. In terms of vehicle movements, the transport of aggregates, reclamation material and recycled material, standard tipper trucks and return loads or backhauling will be employed as far as possible, to minimize the number of vehicle movements.
63. Based on the figures and assumptions set out above it is anticipated that there would be an annual average daily average of 156 daily vehicle movements (78 in, 78 out), of which 142 (71 in, 71 out) would be HGV's when all activities are taking place.

64. It is anticipated, when both mineral and extraction and reclamation are taking place that there will be at least 25% back haul which would reduce the daily movements by minimum of 30.
65. For the first four years before reclamation starts the daily average would be 68 movements (34 in and 34 out), and for the last four years when aggregates and concrete have finished the reclamation traffic only will generate 64 movements (32 in and 32 out) as there would still be a 25% level of back haul.

Reclamation and Treatment

66. The reclamation material would be obtained principally from the excavation sector of the construction market and not from the demolition sector. Whilst there would be limited amount of crushing to produce a recycled aggregate, it is not proposed to import what would primarily be classed as demolition materials. It therefore anticipated that the reclamation material would primarily consist of excavated soils, albeit that these may contain a small amount of large pieces brick and concrete. This material would be dry screened to separate it from the useable reclamation material. The screen would be located within the operational reclamation phase and not in the Plant and Operations Area.
67. This larger material would be temporarily stockpiled until there is a market for it or there is sufficient quantity to warrant the use/hire of a mobile crusher to produce recycled hardcore.
68. The reclamation operations will be controlled through the Environmental Permit. Only account customers would be allowed to provide material and all sources of material would be quality checked to ensure that they meet the requirements of the Environmental Permit and random checks would be made by on the delivered material by periodic sampling.
69. On-site procedures would require all arriving material to be visibly inspected at the weighbridge to check that it conforms with the description of the material on the conveyance note before agreeing to receive it. Once approved the delivery vehicle will travel to the active reclamation phase to tip its load. Here it would undergo a second visual check by the dozer driver who is a trained operative in materials acceptance. This second visual check is carried out whilst the material would be spread in layers of no more than 1m thick.
70. Should the first visual check identify a problem, such as contaminants or incorrect material, the lorry would be required to park-up, until the load has been inspected further and accepted for delivery or turned away and required to remove the material from the site. Any such incidents would be recorded and reported to the Environment Agency as a requirement of the Environmental Permit.
71. Should a problem be identified once the material has been tipped, then it would be put into a quarantine area to be tested, and if appropriate thereafter removed and put into a container for removal to an appropriately licensed disposal facility.
72. As only inert material would be used for reclamation, there would no odour from the material used or any biodegradation of the placed material that can generate landfill gas.
73. Before the reclamation material can be placed, the excavated mineral void will need to be engineered in accordance with the requirements of the Environmental Permit. This requires a geological liner to be constructed in the base and the up the side of

the excavation. This will require the excavation of basal clay which would then re-laid, compacted and engineered to ensure that it meets the low permeability requirements of the Environmental Permit. The geological liner would be extended in sections as mineral extraction progresses. This would be a continuous process. When an area is completed up to the reclamation level it would be ready to be restored. The final upper layer of the reclamation platform would comprise screened 'fine' material, on to which the stored subsoils would be replaced.

Restoration

74. Restoration comprises the replacement of the stored indigenous soils. Soils replacement will be undertaken as reclamation of each phase is completed. Prior to replacing the upper subsoil, the upper 0.5m of the reclamation surface will be de-compacted by either ripping or shallow excavation and spreading on very localized basis. A low ground pressure dozer may be used for the final shaping in accordance with DEFRA Best Practice Guides for Soil Handling.
75. The restored landform would create three gently sloping highpoints to ensure good surface drainage through a provision of series of shallow gradients of 1 in 30. The drainage will be managed by creating low 'attenuation' areas within which water can collect before draining away, during very wet periods or during and following heavy rainfall events.
76. These attenuation areas would be located at the edge of the excavated area so they will be able to drain away into the underlying sand and gravel, without the need to overflow into any ditches. The size and capacity of each area is based on the size of its catchment and calculated rainfall including capacity for climate change.
77. New perimeter field ditches would be constructed and designed to feed surface water run-off into the attenuation areas.

Landscaping

78. The area is already well screened by recent (2008/9) woodland belts planted around the edge of the site and these would be retained. The restored area would initially be planted to grass/pasture but the intention is that the replaced soils could be used for cropping in the future.
79. There is a remnant patchy hedge that crosses the centre of site from north to south, which will be removed to enable the mineral to be recovered. This will be replaced during the restoration of the site, by a new hedge, with occasional trees.
80. A small orchard and a new hedgerow would be planted between Slade Farm and the edge of the working area, prior to mineral extraction. This planting would provide additional screening of any views of the operations from Slade Farm and is intended to reflect the landscape character of the locality.
81. In addition to the planting adjacent to Slade Farm, further early planting is proposed to the west of the farm buildings. This would comprise two small woodland blocks that will break up the field, and are intended to increase biodiversity and provide a filter to the glimpsed view of the site from the footpath to the south. Further work in this field includes the clearing of the silted-up pond to re-establish a larger pond, as it was originally.

Aftercare

82. The objective of the restoration is to return the site to agricultural use. The early landscaping proposals would provide additional biodiversity through the proposed improvements to the pond and additional woodland, grassland and orchard planting.
83. The proposal includes an Aftercare Scheme which comprises two parts, with the first being concerned with the aftercare of the early planting to ensure that it becomes well established, and the second is the management and cultivation of the areas restored to agriculture.

Need

84. The application presents a detailed need argument which has been updated since the original application in 2015. In summary it identifies a number of issues that it considers are relevant. These include the following:
 - The National Need for Mineral;
 - The County Need for Mineral;
 - The Local Aggregates Assessment (LAA);
 - Housing Need;
 - Wider Need;
 - Local Planning Authority Consideration of Local Need;
 - Steady and Adequate Supply;
 - Sufficient Permitted Reserve;
 - Adequate Rate of output; and
 - Replacement of Exhausted Reserves.
85. Each of these issues is considered in turn as follows:
86. The National Need for Mineral: The case presented refers to Paragraph 142 of the National Planning Policy Framework (NPPF) which refers to the importance of ensuring that there is “a sufficient supply of material to provide the infrastructure, buildings, energy and goods that the country needs”.
87. The case presented argues that whilst sales were depressed after the onset of the recession in 2008, reflecting the significant decline in construction markets, they have started to recover since mid-2013 and it refers to the Mineral Products Association forecast of construction output growth of 3% in 2016, followed by 3.5-4% growth per annum until 2019 and an expected increase in aggregate sales of up to 16% by 2019, compared to 2015.
88. In support of this it further quotes the Home Builders Federation as reporting a strong, positive trend in increased house building activity with net additions to housing stock of around 155,000 in the 2014/2015 financial year, although it acknowledges that this is still some way off the 220,000- 250,000 new homes needed over a sustained period to more effectively meet demand.
89. The County Need for Mineral: In terms of the County Need for Mineral it is argued that Policy CS4 of the Minerals and Waste Core Strategy identifies the requirement to provide an “adequate and steady” provision to maintain a landbank of sand and gravel equivalent to at least 7 year’s supply, and that the annual supply estimates for aggregates should be regularly revised by the Council in its Local Aggregate Assessment (LAA). It is argued that the renewed urgency of the County Council to update the Minerals and Waste Local Plan (which is currently on-going) suggests

there is a need for further reserves as evidenced by its 'call for sites' in 2015.

90. Local Aggregate Assessments: It is identified that at the time that the original application was submitted in August 2015, the latest LAA at the time was that for 2014, and that by the time of the determination of the application (Ref. CM/59/15), the 2015 LAA had been published. In addition, since then BCC has published a further LAA dated October 2016, which considers aggregate supply and consumption during 2015.
91. The 2016 LAA is referred to as stating that there are 9.04 million tonnes of permitted reserves, which based on a rolling 10-year average and 2015 sales data, provides a landbank of 11.3 years. In consequence, the earliest that the landbank would fall below the 5.6mt of the 10-year rolling average requirement for a 7-year landbank (based on the yearly average of sales) would be 2019. Accordingly, it is argued that taking into account the lead time for a new site, new reserves need to be permitted now, not in 2 years' time and reference is made to the LAA as stating that there will be a shortfall in the minimum landbank supply by 2019, so that there is a need to increase mineral productivity. It refers to paragraph 6.7 of the LAA which states that there is "an expectation of a significant increase in house building in Buckinghamshire in the next 25 years, and this is likely to lead to an increase in demand for aggregates" and at paragraph 6.9 to demand from infrastructure schemes which are expected to result in the requirement for additional reserves. Therefore, it is argued that demand is increasing and will continue to do so and therefore new reserves, not just extensions to existing quarries, are required to be permitted now in order to ensure that supply can keep up with such increasing demand.
92. Local Housing Need: In relation to housing need, it is argued that housing is one of the key objectives in Buckinghamshire over the period to 2026, with the 'Growth Agenda' highlighting the need to provide additional housing, including affordable housing. The County Council is identified as having a key role in this in terms of providing adequate infrastructure where necessary and in providing sufficient levels of minerals to supply the construction industry. Reference is made to the Buckinghamshire Housing and Economic Development Needs Assessment (HEDNA) Update 2016 Report of Findings which establishes an objectively assessed housing need across Buckinghamshire of 39,798 dwellings over the 20-year period 2013-2033, equivalent to an average of 1,990 dwellings per year. In the south of the county, Chiltern and South Bucks District Councils are identified as needing 14,700 new dwellings (7,400 for South Bucks and 7,300 for Chiltern) as well as an additional net 10 hectares of employment land from 2014 to 2036. It is also argued that a similar need will be required across the south east, not just in Buckinghamshire.
93. On this basis it is argued that it is clear from the 'Growth Agenda' that the construction industry is currently on an upward curve, and that is not reflected in the LAA, which provided the latest information at the time of submission of the 2015 Planning Application, and which was based on 2015 sales data. This in turn, it is argued, is also based on a forecast on falling mineral production as a result of a declining number of quarries. The increasing housing need within Buckinghamshire it is argued in contrast is resulting in an increasing demand for minerals, which is anticipated to continue for duration of the new Minerals Waste Local Plan, i.e. 2016 to 2036.
94. The case then presented goes on to argue that industry is concerned that sand and gravel reserves are also not being replaced at the rate they are being used up, i.e. planning permissions and therefore quarry replenishment is not keeping up with demand. The application includes a CBI report of February 2016 on the 'The UK

Mineral Extraction Industry', which concludes that the supply of construction minerals, including sand and gravel, are showing signs of vulnerability in terms of availability despite the existence of numerous deposits of both hard rock and sand and gravel in the UK, because replenishment rates, which it states provide a meaningful measure of long-term availability, suggest that sand and gravel is being replaced at a slower pace than it is being used up. The report quotes that for around 100 tonnes of material extracted, only around half that amount is being replaced through new planning permissions. This, it is argued, has resulted in a significant decline in permitted reserves in the last 15 years, and the report concludes could, in the long run, result in shortages of material supply. These comments are not specific to Buckinghamshire, but the implication is that these comments are either indicative of the County or that the situation in the County should also to be placed within the context this wider picture.

95. Wider Need: In terms of wider need, the case presented in the application then goes on to state that Buckinghamshire is not an isolated mineral producing authority, but is part of the wider area, including Oxfordshire, Hertfordshire, Hampshire and Berkshire, as well as the western part of Greater London, which produces aggregates for use locally, regionally and nationally. It notes that Buckinghamshire imports and exports mineral from neighbouring authorities, which is recognised within the LAA, albeit this is not quantified, and that the LAA for London 2013 (published in September 2014) indicates a London landbank of less than two years. It is therefore argued that because of Buckinghamshire's proximity to London, it is inevitable that mineral from Buckinghamshire will be sought by the London construction market, placing a greater demand on Buckinghamshire's reserves. It is asserted that as a mineral producing authority, Buckinghamshire has a duty to contribute to national, as well as local supply, as set out within the NPPG (see below).
96. LPA Consideration of Local Need: Turning to the County Council's own consideration of local need that applicant argues that since application CM/59/15 was presented to the Development Control Committee in July 2016, there have been a number of other minerals applications that have been determined, which should be taken into account in the consideration of this application. These include the following:
- Application Ref. CM/51/16 for "the extraction of 2 million tonnes of sand and gravel from land north of North Park Road, Ritchings Park, Langley" which was approved, subject to legal agreements being signed;
 - Application Ref. CM/22/16 for the "extension of existing sand gravel extraction, involving the extraction of a further 0.34 million tonnes of sand and gravel reserves from an area to the north east of the existing New Denham Quarry and restoration for relocation of Hillingdon Outdoor Activity Centre (HOAC) at New Denham Quarry" which was granted planning permission on 14 March 2017; and
 - Application CM/23/16 for the northern extension to existing sand and gravel extraction at New Denham Quarry to provide a further 1.6 million tonnes of sand and gravel, which was granted planning permission dated 31 March 2017.
97. The applicant argues that the County Council in approving the above applications accepted that there was a justified need case in relation to each, despite the fact that, in the case of Application Ref. CM/51/16, there were also technical objections. It is argued that this must be taken into consideration in determining this application.
98. Steady and Adequate Supply: It is argued that a "steady and adequate supply" of aggregates is a requirement of national and local planning policy, with Policy CS4 of

the Minerals and Waste Core Strategy requiring that “adequate and steady provision will be made to maintain a landbank of sand and gravel equivalent to at least seven-years’ worth of supply over the period to 2026, based on the prevalent agreed local annual supply requirement for Buckinghamshire”.

99. In additional reference is made to the National Planning Practice Guidance (NPPG) on Minerals, Paragraph 60, which refers to the “Managed Aggregate Supply System” which it states, “seeks to ensure a steady and adequate supply of aggregates, to handle the significant geographical imbalances in the occurrence of suitable natural aggregate resources”.
100. The NPPG, it is argued, makes clear that Mineral Planning Authorities (MPAs) which have adequate resources of aggregates should make an appropriate contribution to national as well as local supply, and that in order to maintain “steady and adequate supply” (NPPF Paragraph 145) of mineral there is a requirement for all three of the following:
- Ensuring that there is sufficient permitted reserve;
 - That there is an adequate rate of output, i.e. daily output is sufficient to meet market demands, or adapt to meet market demands; and
 - The replacement of exhausted reserves, i.e. to be maintained, new reserves are required to come forward to replace those that may be exhausted.
101. Sufficient Permitted Reserve: Reference as detailed above is made to Policy CS4 of the Minerals and Waste Core and to the National Planning Practice Guidance (NPPG) on Minerals. These require Minerals Planning Authorities to maintain a landbank of sand and gravel equivalent to at least 7 years’ worth of supply. This permitted reserve is to be assessed annually within the Local Aggregate Assessment (LAA). The latest published LAA for Buckinghamshire (at the time of submission of the 2015 Planning Application) sets out that the permitted reserve at 31 December 2015. This, it is stated, was estimated to be 9.04mt, which based upon the ten-year rolling average of sales, would provide a landbank of 11.3 years. Therefore, it is acknowledged by the applicant that, at the end of 2015, Buckinghamshire had in excess of the minimum landbank required and therefore that there is not an urgent need to permit further reserves. It is argued by the applicant, as the NPPG makes clear, that a landbank in excess of the minimum 7 years, is not sufficient reason for refusal of an application for mineral extraction (as it is asserted, was argued in the Council’s refusals of the first Slade Farm application (Application Ref. CM/59/15).
102. It is further argued that the NPPF and the NPPG on Minerals make it clear that there is no maximum landbank (Paragraph 84 of the NPPG) and that “each application for minerals extraction must be considered on its own merits regardless of the length of the landbank”. The aggregate landbank should only be used as a monitoring tool, to provide a warning of possible low levels of supply.
103. Reference is made by the applicant to the NPPG where it sets out reasons why an application for aggregate minerals development may be brought forward in an area where an adequate landbank exists. These include that:
- Significant future increases in demand that can be forecast with reasonable certainty;
 - The location of the consented reserve is inappropriately located relative to the main market areas;
 - The nature, type and qualities of the aggregate, such as its suitability for a particular use within a distinct and separate market; and

- Known constraints on the availability of consented reserves that might limit output over the plan period.

104. It is also argued that the "Growth Agenda" (referred to above), and in particular the demand for significant new housing which is in the HEDNA report, places significant demand on the mineral industry, which is an industry that has seen a drop-in output in recent years as a result of sites closing due to reserves being exhausted.
105. The applicant argues that this does not represent a fall in demand or need, but rather a reduction in the number of permitted sites and the limits on each site (due to restrictions on output rates, in terms of the operational limits of plant and planning restrictions on daily HGV movements) which constrains the availability of the consented reserve, and which, in turn, limits output over the Plan period. It is therefore further argued that it is important that further reserves are permitted and not just additional reserves, but additional processing plants, i.e. new sites, in order to meet the increasing daily output requirement for aggregates. Consequently, it is argued that these are strong reasons why an application for aggregate mineral development should be brought forward, with the current agenda for growth, where an adequate landbank exists.
106. It is contended that this approach has been followed by other mineral authorities, recognising that landbank levels are only part of maintaining an adequate supply and have permitted sites when the landbank is in excess of 7 years, for example, in Oxfordshire and Hampshire.
107. Adequate Rate of Output: It is argued that a steady and adequate supply cannot be provided with adequate reserves alone, because a 7 year or more landbank does not provide for an adequate and steady supply if those reserves are tied up within only a few sites. This, it is stated, is addressed within the NPPG at Paragraph 84, where it refers to "known constraints on the availability of consented reserves that might limit output over the plan period" and at paragraph 145 of the NPPF which states that "Minerals Planning Authorities should plan for a steady and adequate supply of aggregates by...ensuring that large landbanks bound up in very few sites do not stifle competition ...".
108. Reference is made by the applicant to the LAA (2016), which it is stated, refers to 'output restrictions', i.e. planning obligations that restrict tonnage that can be exported from site by limiting vehicle movements, stating that "such restrictions effectively limit the productivity at these sites, and consequently the contribution that they can make towards the annual supply requirement" (paragraph 5.6). This concept, it is stated, is acknowledged within the NPPF at paragraph 145, where it refers to the "productive capacity of permitted sites". It is argued that granting extensions in compliance with Mineral and Waste Core Strategy Policy CS5 does not overcome such output restrictions. In consequence it is asserted that the LAA fails to address the issue that a number of key sites within Buckinghamshire, as well as across the southeast, have closed in recent years, due to depleted reserves. This, it is contended, places further output restrictions on the mineral supply within Buckinghamshire, because fewer sites mean fewer processing plants with lower total output. This, it is argued is a significant factor in providing a "steady and adequate supply" of sand and gravel in Buckinghamshire, which has not been addressed within the LAA, despite the NPPF requirement that LAAs take into account 'other relevant information' (paragraph 145).
109. Replacement of Exhausted Reserves: Finally, in relation to need, it is argued, as stated within the County Council's LAA's, that Buckinghamshire is part of a wider mineral producing area or region and therefore cannot completely be considered on

its own. It is argued, that although it exports sand and gravel to neighbouring counties, it is a net importer of mineral as it imports both sand and gravel and hard rock. Oxfordshire County Council (OCC), it is stated, published an LAA Interim Update in November 2015, within which it made an adjustment to the ten-year sales average figure to compensate for a sharp reduction in sales which had occurred in Oxfordshire due to some quarries being temporarily closed during the recession, with imports into the County being increased. This was done because, it is stated, it was considered that provision based on a straight ten-year average would be "insufficient to meet the increase in demand that is expected to result from the growth planned in the county."

110. It is therefore argued that the difference in terms of this issue between Oxfordshire and Buckinghamshire, is that a number of quarries in Buckinghamshire have also closed during this period of recession, albeit permanently. Therefore, in order to ensure a steady supply of mineral as required, there is a requirement not only for additional reserves, but new producing sites, such as Slade Farm.

PLANNING POLICY

111. Adopted relevant development plan policies in relation to mineral extraction at Slade Farm include the following:

112. From the Buckinghamshire Minerals and Waste Local Plan (MWLP) (2006):

- Policy 28 - Amenity;
- Policy 29 - Buffer Zones;
- Policy 31 - Restoration and Aftercare;
- Policy 36 - Planning Application issues;
- Policy 37 - EIA;
- Policy 38 - Planning Obligations; and
- Policy 39 - Site Monitoring and Enforcement.

113. From the Buckinghamshire Minerals and Waste Core Strategy (MWCS) (2012):

- Strategic Objective SO1 - Improving the Sustainability of Minerals Development;
- Strategic Objective SO2 - Improving the Sustainability of Waste Development;
- Strategic Objective SO4 - Spatial distribution of Minerals Development;
- Strategic Objective SO6 - Spatial Distribution of Waste Development;
- Strategic Objective SO9 - Protection of the Green Belt and AONB;
- Strategic Objective SO10 - Protecting and Enhancing the Environment;
- Policy CS1 - Minerals Safeguarding;
- Policy CS/LP1 - The Overarching Presumption in favour of Sustainable Development;
- Policy CS2 - Areas of Search;
- Policy CS4 - Maintaining the Level of Sand and Gravel Provision;
- Policy CS5 - Preferred Areas;
- Policy CS6 - Sites for Recycled and Secondary Aggregates;
- 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.

114. From the South Bucks District Local Plan (SBDLP) (1999):

- Policy GB1 - Green Belt;
- Policy EP4 - Landscaping;
- Policy TR5 - Accesses, Highway Works and Traffic Generation; and
- Policy TR10 - Heavy Goods Vehicles.

115. From the South Bucks Core Strategy (SBCD) (2011):

- Policy CS8 - Built and Historic Environment
- Policy CS9 - Natural Environment.
- Policy CS13 - Environmental and Resource Management

116. In addition, the following policies are included in the Buckinghamshire Minerals and Waste Local Plan 2016-2036 Proposed Submission Plan (2018) (which was published and approved by cabinet for formal consultation), are relevant, although as emerging policies at the pre-submission stage, these can only be given limited weight.

- Strategic Objective SO1 -Contributing Towards Sustainable Communities and Economic Growth;
- Strategic Objective SO3 - Facilitating the Delivery of Sustainable Minerals Development;
- Strategic Objective SO4 - Facilitating the Delivery of Sustainable Waste Development;
- Strategic Objective SO5 - Buckinghamshire's Environment;
- Strategic Objective SO6 - Sustainable Transport of Minerals and Waste;
- Strategic Objective SO7 - Design and Amenity;
- Strategic Objective SO8 - Tackling Climate Change;
- Strategic Objective SO9 - High Quality Restoration and Aftercare;
- Policy 2 - Spatial Strategy for Minerals Development;
- Policy 3 - Sand and Gravel Provision;
- Policy 4 - Allocated Sites for Sand and Gravel Provision;
- Policy 5 - Development Principles for Mineral Extraction;
- Policy 7 - Provision of Secondary and Recycled Aggregates;
- Policy 10 - Waste Prevention and Minimisation in New Development;
- Policy 11 - Spatial Strategy for Waste Management;
- Policy 13 - Disposal to Landfill;
- Policy 15 - Development Principles for Waste Management Facilities;
- Policy 17 - Managing Impacts on Amenity and Natural Resources;
- Policy 18 - Sustainable Transport;
- Policy 19 - Natural Environment;
- Policy 20 - Historic Environment;
- Policy 21 - Landscape Character;
- Policy 22 - Green Belt;
- Policy 24 - Design and Climate Change;
- Policy 25 - Environmental Enhancement;
- Policy 26 - Delivering High Quality Restoration and Aftercare;

- Policy 29 - Implementation

117. Relevant national planning policy includes the National Planning Policy Framework (NPPF) (March 2012), National Planning Policy for Waste (2014) and the Planning Practice Guidance (PPG) on:

- Air Quality;
- Environmental Impact Assessment;
- Flood Risk and Coastal Change;
- Minerals;
- Natural Environment.
- Noise;
- Open space, sports and recreation facilities, public rights of way and local green space;
- Travel plans, transport assessments and statements in decision-taking;
- Waste; and
- Water supply, wastewater and water quality.

CONSULTATIONS

118. **Local Member:** The Local Member for Gerrards Cross is a member of the Development Control Committee and has not commented on the application.

119. **South Bucks District Council (SBDC) Planning:** In response to the initial consultation SBDC have objected on the following grounds:

- That the application has been submitted on the presumption that Slade Farm will become a 'Preferred Site' in the Draft Mineral and Waste Local Plan 2016-2036. SBDC stands by previous comments that it considers that mineral extraction at Slade Farm be inappropriate and that no demonstrable need has been outlined. It argues that the Draft Mineral and Waste Local Plan should be applied very limited weight in accordance with the NPPF.
- That the application has been submitted prematurely in an attempt to avoid paying the appropriate application fee. The priority should be to overcome the previous reasons for refusal and to comply with the relevant planning policies, which this does not appear to. There does not appear to be a demonstrable need for extraction as highlighted in the Committee Report on the 2015 application.
- That the applicant has stated that there is no material difference between this application and that previously refused. It has also been made clear by the Planning Inspectorate that insufficient information has been submitted by the applicant that an appeal can even be considered. As such, it would not appear that the newly submitted application overcomes the previous concerns raised by South Bucks District Council, or indeed, that sufficient information has been submitted.
- That the extraction of minerals at this site in addition to the associated buildings and HGV traffic movements, would be detrimental to this existing open area of Green Belt land and would also have an undue impact on Hedgerley Village by way of traffic generation, highway safety issues and pollution.
- The proposal is deemed to be contrary to Policies 24, 26, 27 and 30 of the Bucks Mineral and Waste Local Plan and Policies GB1 and TR5 of the South

Bucks District Local Plan (adopted March 1999). The proposal is also contrary to policies CS4, CS5 and CS20 of the Bucks Mineral and Waste Core Strategy.

120. No additional comments have been offered in response to additional information submitted by the applicant.
121. **Parish Council:** Comments have been submitted by Hedgerley Parish Council, Gerrards Cross Parish Council, and Farnham Royal Parish Council.
122. **Hedgerley Parish Council** in their initial comments 'strongly object' to the application. The Parish Council has resubmitted its original comments on the 2015 application together with a lengthy report by Aecom prepared jointly for Hedgerley Village Fighting Fund and Hedgerley Parish Council. This identifies what it considers to be a number of deficiencies in the information included in the application and offers detailed comment on the proposal including the extent to which it is complaint with policy.
123. In their original submission on the 2015 application the Parish Council made the following comments which are based on and summarise the advice provided in the Aecom report:
 - That the applicant had not addressed a number of the procedural defects raised in the AECOM report dated November 2015; the County Council should therefore still request further information from the applicant;
 - That no substantial evidence has been provided by the applicant to demonstrate comparable cases where such development has been accepted as satisfying the "very special circumstances" test in Green Belt policy. Therefore, the development does not comply with the saved South Bucks District Local Plan Policy GB1 (Green Belt Boundaries and the Control of Development in the Green Belt) and the relevant paragraphs of the NPPF;
 - That the applicant has provided no response in respect of the objections made based on MWCS Policies CS5, CS6, CS18, CS19, CS22, CS23 and SBDLP Policies GB1, and BCC and it is therefore requested to look carefully at the reasons why the proposed development does not comply with these policies as stated in the AECOM report;
 - That the applicant has not adequately addressed the question of what is meant by sustainable development in the NPPF and therefore the proposals are not considered to be sustainable, which means that the proposed development fails to comply with the policies at paragraphs 87, 88, 90, 133 and 144 of the NPPF;
 - That the applicant has shown a lack of consideration of the setting and significance of various heritage assets within the vicinity of the site, and has not provided additional information to address points raised in the AECOM report, it is therefore contended that the application is in conflict with NPPF paragraph 128, 132,133 and 134;
 - That the applicant has offered no cogent argument that the proposed development satisfies a requirement to grant planning permission for sand and gravel extraction at Slade Farm based on the need to maintain "adequate and steady provision";
 - That the applicant has failed to provide financial evidence to counter the issues raised in relation to its financial standing, which therefore indicate that the applicant may not have sufficient funds to carry out the restoration;
 - That there is no pressing need for the grant of planning applications to work further reserves of sand and gravel in Buckinghamshire; and

- That the response by the applicant to the points made in regard to environmental and transport effects have still not addressed the points raised in the AECOM report. In some instances, the applicant has provided a detailed response and BCC is requested to seek advice on the merits made on behalf of the Parish Council and the applicants responses from statutory consultees in relation to landscape and visual impact, flood risk, hydrogeology, ecology and cultural heritage before determining the application, or refuse permission on the basis that the applicant has failed to demonstrate compliance with the related development plan policies and material considerations cited in the original AECOM report.

124. In direct response to the current application, as well as resubmitting their comments and the previous AECOM report, Hedgerley Parish Council has commented on the 2017 application with their initial response stating:

- Hedgerley Parish Council strongly objects to application number CM/57/17. Application CM/57/17 is a resubmission of planning application CM/59/15 which was refused by the County Council on 10th August 2016. The applicant has confirmed in correspondence with Hedgerley Parish Council that the development now being proposed at Slade Farm has not materially changed relative to the previous planning application.
- It follows that Hedgerley Parish Council wishes to maintain its original objections on the grounds set out in the attached documents produced on its behalf by AECOM.
- In maintaining this position, it is acknowledged that there have been important changes since the original application was determined:

- (a) the publication of the latest Local Aggregate Assessment [LAA]; and
- (b) the publication of the BCC draft Minerals and Waste Local Plan.

125. On these two issues Hedgerley Parish Council provides the following additional comments:

Local Aggregate Assessments

- That at the time when the first application was submitted, the most up to date LAA was for the period up to December 2013, published in 2014. This confirmed that based on the average sales for the 10-year period up to December 2013, the sand and gravel landbank in Buckinghamshire stood at 10.05 years.
- That the document also confirmed that based on the average sales for the 3-year period up to 31st December 2013, the sand and gravel landbank in Buckinghamshire stood at 12.88 years;
- That the most recent LAA published in February 2017 covers the period to 31st December 2015. This document confirms that based on the average 10-year period up to December 2015, the sand and gravel landbank in Buckinghamshire stands at 11.3 years. The document also confirms that based on the average sales for the 3-year period up to 31st December 2015, the sand and gravel landbank in Buckinghamshire stands at 12.38 years; and
- That the figures indicate that "the earliest that the landbank would fall below the 5.6mt of the 10-year rolling average requirement for a 7-year landbank (based on the year average of sales) would be 2019 and the earliest it would fall below a 5.11mt requirement (based on the 3-year average of sales) would be 2020."

126. In summary, Hedgerley Parish Council argue that the sand and gravel landbank in Buckinghamshire as reported in the latest LAA (as well as previous years] is sufficient. In addition, the more recent and pending decisions reported in the LAAs appear likely to maintain that position for some time. Therefore, it follows that there is no overriding requirement to grant permission for sand and gravel extraction at Slade Farm based on the need to maintain "adequate and steady provision".

Emerging Minerals and Waste Local Plan

127. In relation to the emerging Minerals and Waste Local Plan, Hedgerley Parish Council argue that as the new Local Plan is (at the time of their comments) at the Draft Plan stage and has yet to be consulted on, it is at such an early stage that national planning guidance and case law clearly establish that BCC should give no weight to the new Local Plan when it determines the application.
128. To conclude their comments Hedgerley Parish Council argues that the proposed development proposed at Slade Farm has not materially changed since the refusal of the previous planning application, and that there have been no changes in terms of the planning policies or material considerations which apply.
129. Accordingly, the Parish Council argues that BCC has a legal duty to ensure that 'like cases' are decided in a 'like manner', on the basis of judgement in Fox Strategic Land and Property Ltd V Secretary of State for Communities and Local Government 2012 WL 2922789 Court of Appeal (Civil Division). The circumstances in this case, are therefore such, that they require that the County Council refuses the application for the same or similar reasons as it gave in the refusal of planning application Ref. CM/59/15.
130. In response to the second consultation, following the amendment of the application to omit the concrete batching plant, Hedgerley Parish Council has commented as follows:
- That it still considers that the application is substantially the same in a number of aspects as the previously refused planning application (Ref. CM/59/15); and
 - That whilst removal of the concrete batching plant is welcomed, it is considered that the proposed development remains substantially the same.
 - Therefore, Hedgerley Parish Council (HPC) wishes to maintain its original objections to application number CM/57/17 on the grounds set out in the previously submitted documents produced on its behalf by AECOM.
131. On this basis Hedgerley Parish Council wishes to maintain its original objections to the current application on the grounds set out in the previously submitted documents produced on its behalf by AECOM. The Parish Council also wishes to reiterate the following points:
- That the proposed development as amended still fails to comply with development plan and NPPF policies in relation to the Green Belt as:
 - it is inappropriate - substantial elements do not constitute "mineral extraction" e.g. landfilling, recycling, workshop and other buildings;
 - no "very special circumstances" have been demonstrated by the applicant; and
 - the effects of both the elements which do constitute "mineral extraction" and those which do not, adversely affect the openness of the Green Belt;

- That the proposed development at Slade Farm, even as amended, still affects the setting of a listed building, specifically in relation to the setting of the Grade II listed Slade Farm (as demonstrated in the previously submitted materials); no further assessment has been undertaken as a result of the amendment to the planning application, the applicant has not demonstrated any public benefits which outweigh the considerable importance and weight afforded to the identified harm on the setting of Slade Farm, and insufficient justification for overriding the presumption in favour of preservation of the Slade Farm and its setting have been provided; and
 - That there have been no changes in terms of the planning policies or material considerations which apply since the previous correspondence from Hedgerley Parish Council. It therefore wishes to maintain its original objections to the current application;
132. In addition, Hedgerley Parish Council (HPC) wish to draw the County Council's attention to the point that no assessment of cumulative impact on the local highway network has been completed, and in particular it refers to the South Bucks planning application 17/01919/FUL for the "*Extension to existing motorway service area (MSA) to include additional 42 HGV parking spaces with associated access and landscaping*", at the Junction 2, of the M40 motorway services. Both planning applications utilise the same local highway network (i.e. HGV traffic from Slade Farm and the MSA application will utilise Hedgerley Lane), and it is therefore appropriate that the cumulative impact of HGV traffic from both developments on the local highway network should be adequately assessed.
133. **Gerrards Cross Parish Council** in response to the initial consultation has "strongly" objected to the plans for gravel extraction from Slade Farm, Hedgerley. It has commented that the site is not included in the current BCC Minerals and Waste Local Plan and there is no reason therefore to allow a development outside the scope of that Plan, as it is a purely a commercial venture in the Green Belt. The Parish Council further comments that there has been barely sufficient landfill waste to fill Wapseys Wood for the 2017 closure date, even though all waste has been diverted from the Springfield Site. They observe that the original closure date of the year 2000 for Wapseys has already been delayed twice and it does not wish to see further delay in its closure.
134. The Council is concerned that the only access to Slade Farm is via Hedgerley Lane which will impact Gerrards Cross residents who use this to access the A355. This, they argue, is a narrow road that has already suffered damage from the HGVs constructing the new Service Station and is unsuitable for the substantial HGV traffic that the proposed mineral extraction will result in. The Council is also concerned that it will also cause congestion at the Motorway Service Area (MSA) roundabout that is used by both east and westbound traffic on the M40 motorway. Congestion on the small roundabout serving the MSA is already significant at peak times, often exacerbated by motorists leaving the services and rejoining the M40 being confused as to which lane to be in. Adding an average of 130 HGV movements per day into and out of Hedgerley Lane will pose a real safety hazard. The Council is also concerned that there would be an increase in HGV traffic on the A40 westbound to the south of Gerrards Cross village centre in the case of any HGVs taking the A40 route to transport landfill to the Slade Farm site.
135. The Council also comments that the justification for the application is an increasing demand for sand and gravel (which is not evidenced in the latest BCC Local Aggregate Assessment) and the infill to be used post excavation will be construction industry excavation waste of which will be required at a rate of 90,000m³ per annum

for 7 years. The Council is concerned that the only likely local source for material available on this scale will be the HS2 works, which may result in HGV movements coming along the A40 through Gerrards Cross and Denham. The Council has also commented that Hedgerley Green is part of a Conservation Area, and is an attractive adjacent amenity area for Gerrards Cross. The Council is concerned that there will be a loss of this amenity for Gerrards Cross residents who may visit the village of Hedgerley and surrounding countryside as it would be affected by the proposed gravel extraction works and HGV traffic.

136. **Farnham Royal Parish Council:** Objects to the application primarily on the grounds of the adverse highways impact it will have on roads in Farnham Parish. The Council does believe that it is necessary to develop the site, when seen in the context of the number of sites being put forward for similar development and as result it considers that the need does not outweigh the harm
137. It comments that the surrounding areas are used for agricultural uses and support many forms of livestock from cows to game birds. There are many species which exist on the adjoining land that are already under threat and which will be affected by the pollution from the proposed works. There is an apiary on adjoining land and the Parish Council raises the question of whether the assessments submitted with the application demonstrate that the local wildlife will not be adversely affected when the site is developed.
138. The Council is also concerned about the effect that the works will have on the surrounding areas of Hedgerley.

Statutory Consultees (Summary Responses)

139. **BCC Archaeology:** The County Archaeologist in response to both rounds of consultation has advised that the Buckinghamshire Historic Environment Record (HER) includes a number of relevant records for the site and surrounding area, including the suggested route of a possible Roman Road, Early Roman pottery kilns found in excavation at Wapsey's Wood, possible Roman pottery kiln or natural features seen on aerial photographs at Slade Farm and identifies the nearby Moat Farm as a probable site of a thirteenth or fourteenth century Templar's preceptory and then a manor house until the seventeenth century.
140. The County Archaeologist comments that an archaeological desk-based assessment and evaluation in the form of a geophysical survey and trial trenching has been undertaken, the report of which confirms that features archaeological were found, the majority in the southern area of the site. These trenches collectively contained five pits, two gullies and a ditch. No finds were present in any of these features and it is unknown if they are contemporary. A kiln was also found which may be Romano British.
141. The recommendation included in the archaeological assessment submitted with the application, is that further targeted archaeological excavation should be undertaken, to investigate the area/s of highest archaeological interest/importance, to be agreed in consultation with the County Archaeologist. The County Archaeologist is in agreement with this conclusion and recommends that a condition be included in the permission, if granted, to this effect, together with appropriate recording, publication and archiving of the results in conformity with Paragraph 141 of the NPPF.
142. **BCC Ecology Advisor:** Advice on the initial consultation from the BCC Ecology Advisor included a holding objection pending the receipt of the further information included in the later submitted further environmental information. The primary

concern was with the potential impact of aerial pollution and especially nitrogen dioxide (NO₂) from HGV emissions as a result of vehicle movements along the A355, on the Burnham Beeches Special area of Conservation (SAC). Although the predicted impacts from the Air Quality Assessment report included with the application, suggest that the effects to receptors along the A355 is negligible the Ecology Advisor was concerned that air pollution is already causing damage to the qualifying habitats and species within the SAC. The concern is that additional traffic through arising from the proposed development, in combination with other developments in the area, needs to be considered.

143. In response to this concern, the applicant has in the further environmental information, sought to address the concerns of the Ecology Advisor's initial comments. As a result, she has confirmed that, the initial holding objection can be withdrawn, following receipt of further details about the impact of the development on the Burnham Beeches Special Area of Conservation (SAC).
144. The Ecology Advisor confirms that she considers that the issue of increased HGV movements along the A355 has been addressed and that the assessment of likely vehicle movements appears to be robust, with the removal of the concrete batching plant also reducing the potential movements to well below the suggested threshold value of an increase in 1% of vehicle movements.
145. The Ecology Advisor comments that although, Natural England have not advised that an Habitats Regulations Assessment (HRA) under Regulation 21 of the Conservation of Habitats and Species Regulations 2010 is required, in relation to the potential air pollution impacts on the Burnham Beeches Special Area of Conservation (SAC), as pre-cautionary measure, a formal Screening Assessment has been undertaken, and decision notice issued confirming that Appropriate Assessment under the Regulations is not required.
146. Notwithstanding the formal determination of the Screening Assessment, the Ecology Advisor references Section 40 of the Natural Environment and Rural Communities Act 2006 and Paragraph 109 of the National Planning Policy Framework, under which Buckinghamshire County Council has a duty to have regard to conserving biodiversity and providing net gains wherever possible as part of our decision making. Because mineral applications have the potential to result in gains for biodiversity following restoration, it is recommended that conditions attached to the Planning Permission, if the application is approved, to secure the implementation of measures to secure biodiversity net-gain and maintenance the favourable conservation status of European Protected Species (in case bats), including a requirement to submit a Method Statement for an Ecological Clerk of Works and a Landscape and Ecological.
147. **BCC Highways Development Management:** Offered comments on the initial submission from the applicant in response to which a number of comments have been made as follows:
148. The current application is a re-submission of Application Ref. CM/59/15, which in a response dated the 27th May 2016, the Highway Authority had no objections subject to conditions. It is noted that whilst no Transport Statement has been submitted as part of the current proposals, a letter has been included in the application submission stating that the proposals would not materially change in Highway terms from that of the previous application. The Highway Authority is satisfied that this is the case, and as such, would reiterate comments made on the previous application.

Traffic Generation

149. As quarry sites are expected to generate a high number of HGV movements it is imperative that the assessment of traffic generation is robust, so that the resultant impact on the highway can be accurately assessed.
150. Within the TS the applicant has broken down the traffic generation of the proposed development into the expected number of HGV movements associated with the extraction of material, the cement batching plant, restoration of the site and staff. The applicant has clarified the reasoning behind the forecasted traffic generation of each of these elements, and the Highway Authority can be satisfied that the forecast is robust, which states that the proposal would generate a total of 156 daily vehicle movements (78 in, 78 out), of which 142 (71 in, 71 out) would be HGVs. The Highway Authority would seek to limit the total number of daily HGV movements in and out of the site by condition, as the impact of any movements over this amount has not been assessed.

Traffic Distribution & Impact

151. A traffic survey was undertaken on Hedgerley Lane in the vicinity of the proposed site access. This concluded that the total 5-day average traffic flow along Hedgerley Lane is 1431 vehicles.
152. Paragraph 5.17 of the TS states that HGVs will be routed westerly out of the site onto Hedgerley Lane. The Highway Authority would have concerns if vehicles routed east out of the site, as Hedgerley Lane in this direction is not suitable for HGVs and becomes residential in nature. Therefore, it is expected that adequate measures are taken to ensure that HGVs only route west.
153. The proposed site access has been designed to force vehicles to turn left with raised kerbing, and a swept path undertaken shows that vehicles would find it extremely difficult to turn right out of the site.
154. Traffic surveys were undertaken at the Hedgerley Lane/Beaconsfield MSA roundabout and Hedgerley Lane/A355 signalised junction on Thursday 5th March 2015 during the hours of 07:00-10:00 and 16:00-19:00.
155. Survey results of the Hedgerley Lane/A355 signalised junction showed that the maximum queue length during the PM peak for the A355 left turn in lane was 10 vehicles, which occurred only once. This lane has a maximum capacity of 11 vehicles. However, a maximum of 9 HGV's from the development would utilise this lane in any 1-hour period, and therefore the possibility of this lane exceeding its maximum capacity as a result of the proposed development is minimal.
156. The right turn in lane travelling north on the A355 has a maximum capacity of 9 vehicles. Whilst it is noted that the applicant has not undertaken traffic flow and queue length surveys for this lane, again, a maximum of 9 HGV's from the development would utilise this lane in any 1-hour period, and therefore it could not be justified that the development would have a material impact on the operation of this lane.
157. The Transport Statement estimates how HGV movements associated with the site will be distributed onto the strategic network of the A355 and M40 as a percentage. The A355 south towards Slough, and north towards Beaconsfield has known capacity issues, particularly at Pyebush roundabout. The applicant has stated that only 10% of HGV's (15 – 16 daily) from the proposed development would travel north and 10% south on the A355. Provided that this is the case, the Highway Authority

would not have grounds for objecting to the proposal as the impact on the A355 could not be considered material. However, as the justification put forward by the applicant is not sufficient, the Highway Authority would therefore request that this number and routing of HGV movements is enforced through a S.106 agreement and S.278 agreement to provide for monitoring arrangements for HGV movements along Hedgerley Lane and at the A355 signalised junction

Site Access & Layout

158. The proposed site access is shown on drawing no.46282/P/001, which depicts a 10m wide access, narrowing to 7.3m further into the site. This is sufficient to accommodate two-way flow of HGV's.
159. The applicant has however failed to submit a plan showing the internal layout of the site. This is required to ensure that there is sufficient space on site to accommodate parked vehicles and the manoeuvring of HGVs so that they can egress the site in a forward gear. This can be secured by condition.

Conclusion

160. There is 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, a to provide for monitoring arrangements for HGV movements along Hedgerley Lane and at the A355 signalised junction and conditions relating the HGV numbers, details of the construction of the site access, provision or adequate visibility splays, submission of the details of parking, manoeuvring and the loading and unloading of vehicles, and the submission of details of precautions to be taken to prevent the deposit of mud and similar debris on the adjacent public highways
161. **BCC Landscape (Jacobs Landscape on behalf of BCC):** Jacobs have responded to both consultations, offering the following observations.
162. The proposed development would progressively and temporarily affect approximately 22ha of undisturbed agricultural landscape and following a period of significant disturbance for mineral working and landfill, would return the land to a close approximation of the existing levels, landscape and land use. Subject to the proper application of modern mineral extraction, landfilling and restoration techniques this should not have a permanent detrimental effect upon the prevailing landscape character.
163. The proposals would have no significant effect on key landscape features and those limited landscape features which are lost to the development are of low value and would be replaced by the restoration proposals.
164. Visual receptors in the immediate locality are restricted to sections of a public footpath to the south of the application area, Slade Farm (including listed buildings) to the south, and Hedgerley Lane to the north from which only glimpses can be obtained into the site. Views from these locations and from viewpoints in the wider landscape are limited as the application site is well enclosed and screened by mature and maturing vegetation - the latter can be expected to increasingly contribute to screening value during the operational period. The design of the proposed development makes good use of existing vegetation, siting of plant at the lower excavation level, temporary screening bunds, and new planting to minimise visual impacts of both operations and plant

165. The application boundary has been drawn to exclude all screening planting within the ownership of the applicant. Screen planting critical to the effective mitigation of the proposals should be included within the application boundary and subject to retention throughout the operational and restoration period.
166. The level of detail and coverage contained in the landscape and visual impact appraisal is proportionate and appropriate, and based on a desk review only, the assessment and magnitude of landscape and visual effects consequent on the proposal - see para 2.7 above, would appear to be reasonable. However, it is not possible to confirm the assessment without undertaking a check assessment in the field.
167. Whereas direct effects on landscape and upon visual receptors are assessed as low, the prevailing effects beyond the site boundaries can be expected to be a loss of tranquillity due principally to vehicle movements. However, the site is located in an area where tranquillity is already significantly reduced by proximity to the M40.
168. The established mature woodlands surrounding the application site make a significant contribution to local landscape character and structure. In order to retain healthy landscape features, the proposed excavations and the storage of materials on land immediately adjacent to mature woodland should be subject to minimum clearances agreed with the arboricultural/forestry adviser to take account of root protection and potential depression of the water table.
169. The bulk of the restoration proposals comprise 'potential off-site landscaping', i.e. outside of the application boundary. These areas would appear to be located within land under the control of the applicant. Whereas the proposals are consistent with and appropriate for the location, they take land out of agricultural use and represent an ongoing maintenance and management burden. The location of these proposals outside of the application area and the potential consequences of taking land out of agricultural use raises concerns as to whether these treatments can be relied upon to materialise and to what extent they might be controlled through the development management process.
170. The proposed east-west hedgerow should include hedgerow trees. The detail of landscape proposals provided by the landscape mitigation plan Drawing No. SK602/1 is appropriate in nature but should be considered indicative. There is some discrepancy between drawings in the delineation of the site boundary to the north of Slade Farm.

Recommendations

171. Accordingly, the following recommendations are made:
 - (a) There is no basis for objection on the grounds of adverse landscape and/or visual effects; and
 - (b) In the event that planning permission is granted it would be appropriate to require the submission and agreement of the following through further submissions or by Conditions:
 - (i) The provision of the potential off site landscaping;
 - (ii) The retention of all screening planting within the control of the applicant for the duration of the operational and restoration period;
 - (iii) Protection zones between all retained vegetation and the proposed excavations and stockpiles;

- (iv) A fully detailed landscape proposal and specification using locally occurring indigenous species; and
- (v) Establishment management and maintenance programme for a minimum of five years for all new landscape works, and during the programme period the replacement of all failed plants (irrespective of cause) in the planting season immediately following failure.

172. In response to the revised proposals omitting the concrete batching plant, Jacobs advise that its deletion is of neutral/slight beneficial effect compared with the original application due to removal of potential visual effects of the plant and the associated reduction of vehicle movements within the landscape. They agree with the conclusions of the updated ES that there is no material change to the findings of the LVIA.
173. **BCC Landscape (Jacobs Forestry on behalf of BCC):** Jacobs Forestry comment that there would be a standoff from protected trees of approximately 15m in line with the guidance within BS 5837 2012. The British Standard has a maximum Root Protection Area (RPA) with a radius of 15m. Jacobs advise that as no tree schedule or an Arboricultural Impact Assessment report (AIA) has been submitted with the application, the referenced 15m standoff should be applied to all trees located near the site boundaries.
174. Whilst the application confirms measures to be adopted for the protection of Ancient Woodland, there is no mention of loss or protection offered to aged or veteran trees potentially located elsewhere on site. It remains unclear as to whether a full assessment of tree types and age has been undertaken.
175. The ecological air quality findings conclude that the impacts are considered to be insignificant. Nevertheless, given the distance of the proximity of the woodland areas Jacobs comments that it remains likely that dust will settle on nearby tree foliage. If left unmanaged they are concerned that this has the potential to significantly reduce leaf function during the growing season with an accumulative effect on tree vitality over the 9-12 year period.
176. Plan No 97017/CO/1 v10, which forms part of Environmental Statement update, indicates the creation of bunds (3m – 5m in height) around much of the site boundary. These bunds appear to fall within the before mentioned standoff buffer zone for Birchen Spring Coppice and appears to eliminate any produced buffer zones for Slade Wood, individual trees near Slade Farm and the existing shelter belt planting to the north (M40 boundary). Soil compaction has the potential to result in rapid tree decline due to changes in soil composition and the reduced passage of moisture and gaseous exchange.
177. In view of the above comments Jacobs recommend the following:
- (i) The 15m buffer zone should be applied to all boundary trees irrespective of size and age;
 - (ii) Consideration should be given to the control and management of dust with respect to Ancient Woodland and any Veteran trees. Control measures can be found within BS 5827 2012 and the Governments guidance for ancient woodland and veteran tree protection;
 - (iii) Drawing No 97017/CO/1 v10 should be revised to show the 15m buffer zone applied to the entire site. This plan should also be annotated to ensure that no activity (including storage and set down areas) takes place within the standoff area and should clearly demonstrate the extent of proposed tree protection fencing; and

(iv) In line with *BS5837:2012 Trees in relation to design, demolition and construction* it is recommended that an Arboricultural Method Statement is provided as a planning condition and includes the points raised above.

178. **BCC Strategic Planning Team:** Identify that the site is located in the Green Belt, but that as stated in paragraph 90 of the NPPF, mineral extraction is to be treated as appropriate development within the Green Belt provided it preserves the openness. In this case it is considered that the proposal for the site and its restoration will not harm the openness of the Green Belt. Furthermore, the removal of the concrete batching plant from the proposal is welcome because it is considered that a more appropriate location outside the Green Belt can be found for the plant.
179. The BCC Strategic Planning Team is responsible for the production of the annual Local Aggregate Assessment (LAA) to ensure that a steady and adequate supply of minerals. The team comment that the latest published LAA 2015 based on data from 2015 indicates that there is approximately 9.04 million tonnes (mt) of sand and gravel reserves within the county. This equated a landbank of 11.3 years based on the 10 years average sales data. The 2016 LAA has recently been drafted. The 2016 data indicates a decrease in reserves and landbank but is on trend with the forecast from the 2015 LAA. While there has been a reduction in reserves from 2015 to 2016 the county's landbank still remains above the required 7-year supply. While this is only a minimum requirement and there is no maximum requirement, having above a 10-year landbank is classed as having a steady and adequate supply.
180. The team further comment that, based on the 10-year average sales figure and the permitted reserves from the 2015 LAA, it would indicate that if the future average sales figures stayed similar to the current 0.8mt, that the Buckinghamshire's reserves would fall below the 7-year supply during 2020. The team advise that whilst this does not include the newly permitted reserve from 2017, once this is taken into consideration, it is expected that the reserve may fall below the 7-year supply during 2025. However, the team also advise that if the sales figure were to increase significantly over the coming years due to market demands, this will deplete reserves and would indicate the new reserves may be needed sooner than expected.
181. The Strategic Planning Team then go on to comment that whilst the LAA helps to demonstrate a need for mineral extraction, it is only part of the picture and the application should also be assessed against the development plan. At present this consists of Buckinghamshire Minerals and Waste Local Plan 2004 (BMWLP), Saved Policies, and the Minerals and Waste Core Strategy, 2012 (MWCS). Given that the proposal is not an allocated site in either of the adopted plans we would like to draw your attention to paragraph 4.35 of the MWCS, which states:
- "It is possible planning applications for mineral extraction could come forward prior to adoption of the Minerals Local Plan. In this instance proposals will be tested against the 'Saved' policies of Buckinghamshire Minerals and Waste Local Plan (BMWLP) 2004 to 2016. However, proposals will also need to accord with the criteria for site selection set out in Policy CS5."*
182. While the BMWLP and MWCS are the adopted plans that make up the development plan, the Minerals and Waste Team is currently undertaking work to produce the Buckinghamshire Minerals and Waste Local Plan 2016-2036 (BMWLP 2016-2036) which will replace the BMWLP saved policies and update the policies within the MWCS when adopted. They advise that as part of this work, a call for sites was undertaken in early 2015 in which the current application site was put forward for future allocation consideration. Work has been undertaken to assess the suitability of all the sites received during the call for sites, and this has now identified the current

Slade Farm site (together with an adjoining site to the south) as one of the proposed allocations within the emerging Local Plan. Consultation on the Submission Version of the Plan (Regulation 19) is currently due in March-April 2018 and submission to the Secretary of State in May 2018, although this has yet to be approved by the County Council at the Full Council meeting on 22nd February 2018. The site is therefore identified as a proposed allocation within the emerging Local Plan, which it is anticipated will come forward in the early 2020's.

183. This would fit with the LAA indication that landbank would fall below the 7-year supply during 2025, or possibly earlier. Ensuring mineral extraction sites start extracting at the right time, requires a lead in period, so that the expectation would be that a planning application for Slade Farm would be submitted in or around 2020. On this basis the Strategic Planning Team consider the application to be premature; ahead of the formal adoption of the Local Plan in early 2019 and the allocation it carries and in terms of need demonstrated through the LAA. The Minerals and Waste Team advise that only limited weight can be afforded to the emerging policies and the allocation and therefore this application needs to be assessed on its merits against the policies in the MWCS and BMWLP and how it performs against the NPPF and NPPW. They nevertheless also advise that in terms of need it is the case that additional minerals will be need during the early to mid- 2020's.
184. **BCC Public Rights of Way:** No Objection on first or second consultation.
185. **BCC SUDs Officer:** Comments that a Flood Risk Assessment has been prepared by Hafren Water, which describes water management occurring in two stages. These include:
- A short-term phase of groundwater level control during mineral extraction and restoration, when mineral will be extracted to the base of the deposit and a sump established within the underlying clay for dewatering. Water may be either pumped from the sump to the freshwater lagoon for the mineral processing plant or discharged to a groundwater recharge/soakaway feature. There is no permanent watercourse for discharge off-site, hence the need for a groundwater recharge system. Water from the silt settlement lagoons will be re-circulated back to the mineral processing plant and be supplemented as required. A filter press will be installed to remove silt from water after it has passed through the processing plant. The press will remove approximately 95% of the silt before the water is discharged to the lagoons or to the groundwater recharge point; and//Following the completion of restoration, long-term passive water management will essentially be a continuation of the existing situation.
 - The return of site to agricultural land after 12-year extraction period as shown is welcome. The post-extraction the site will be divided into two catchments each containing two attenuation ponds to manage surface water. In addition, the two ponds at outside of the southern boundary are to be joined to form one larger pond. (It is recommended that the ponds remain undisturbed so not to affect the local ecology).
186. The Hydrogeological Assessment, includes information on boreholes adjacent to the site and in the surrounding area. There is no evidence of borehole records for within the site boundaries. It is recommended that ground investigations take place in accordance with BRE Digest 365 as soon as reasonably possible. In addition, due to the medium risk of groundwater flooding further water table level monitoring onsite should be undertaken.

187. The SUD Officer recommends that the following condition be placed on the approval of the application, should this be granted.

Development shall not begin 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 local planning authority. The scheme shall subsequently be implemented in accordance with the approved details before the development is completed. The scheme shall also include:

- Groundwater monitoring, in particular during the winter months; and
- Infiltration rate tests in accordance with BRE Digest 365 across the proposed site

188. In relation to the further environmental information and the removal of the concrete batching plant the SUDs Officer raises no objection.

189. **Environment Agency:** No response received from the Environment Agency.

190. **Natural England:** Has responded to both rounds of consultation on the application. It considers that the proposed development will not have significant adverse impacts on designated sites or protected landscapes and therefore has no objection.

191. Natural England's advice on other natural environment issues is set out below.

Ancient Woodland and Veteran Trees.

192. As the site is immediately adjacent to Ancient Woodland the County Council should consider any impacts on ancient woodland and veteran trees in line with paragraph 118 of the NPPF. Natural England and the Forestry Commission have produced standing advice for planning authorities in relation to ancient woodland and veteran trees. It should be taken into account by planning authorities when determining relevant planning applications. Natural England will only provide bespoke advice on ancient woodland/veteran trees where they form part of a SSSI or in exceptional circumstances.

Best and Most Versatile Agricultural Land or Minerals and Waste Reclamation

193. Natural England has considered this proposal in the light of our statutory duties under Schedule 5 of the Town and Country Planning Act 1990 (as amended) and the Government's policy for the sustainable use of soil as set out in paragraphs 109 and 112 of the National Planning Policy Framework (March 2012).

194. Based on the information provided in support of the planning application, it is noted that the proposed development would extend to approximately 22 ha, including some 4.4 ha of 'best and most versatile' (BMV) agricultural land; namely Grades 1, 2 and 3a land in the Agricultural Land Classification (ALC) system.

195. While Natural England does not wish to comment in detail on the soils and reclamation issues arising from this proposal, it would expect the Planning Authority to take the economic and other benefits of the BMV land into account (in line with para 112 of the NPPF). Natural England also makes the following points:

- The site working and reclamation plans should meet the requirements for sustainable minerals development, set out in current Minerals Planning

Practice Guidance, particularly section 6 on restoration and aftercare of minerals sites.

- In accordance with Schedule 5, Part 1, Para 4 (1) of the Town & Country Planning Act 1990, Natural England confirms that it would be appropriate to specify agriculture as an after use, and for the land to be reclaimed in accordance with Para 3 (1) of the 1990 Act; namely that the physical characteristics of the land be restored, so far as practicable, to what they were when last used for agriculture.
- Should the development proceed (and subject to no more accurate information coming to light during the working of the site), Natural England is satisfied that the Soils and Agricultural Land Classification Report constitutes a record of the pre-working physical characteristics of the land within the application site boundary.
- Some suggested conditions to safeguard soil resources and achieve a satisfactory standard of agricultural reclamation are attached in Annex B, which may be of use.
- Defra's Good Practice Guide for Handling Soils provides detailed advice on the choice of machinery and method of their use for handling soils at various phases. We would recommend the adoption of "Loose-handling" methods (as described by Sheets 1-4 of the Guide), to minimise damage to soil structure and achieve high standards of restoration.
- More general advice for planning authorities on the agricultural aspects of site working and reclamation can be found in the Defra Guidance for successful reclamation of mineral and waste sites.

196. **South Bucks District Council Environmental Health Officer:** No objection in relation to contaminated land.
197. **South Bucks District Council Design and Conservation Advisor:** Because of the proximity of the Listed Buildings at Slade Farm to the area of extraction and the development as a whole, the advice of the SBDC Advisor on Design and Conservation has been sought. He has visited the site and offered no objection to the development in relation to its potential impacts on heritage and setting of the Grade II Listed Buildings at Slade Farm.
198. **Highways England:** Has responded to both consultations stating that it has no objection but have requested that in the event of Planning Permission being approved, a condition be attached to the consent requiring that prior to start of works the developer is to submit evidence to Buckinghamshire County Council in conjunction with Highways England that the stability of Hedgerley Lane would not compromise the M40 motorway.
199. **Historic England:** Has responded with no objection on either consultation.
200. **Buckinghamshire and Milton Keynes Fire Authority:** No Objection but include advice about providing access for the fire service.

REPRESENTATIONS

201. 52 representations on line representations have been received in response to the initial round of public consultation and a further nine following the second round of consultation. In some case more than one representation has been received from the same person. All the representations offer objections and none supports the proposal. As was the case on the 2015 application, the overwhelming majority of objections have come from local residents. In addition there have been seven

additional emails and letters of objection including those from the Rt. Hon Dominic Grieve QC MP, the Member of Parliament for Beaconsfield, the City of London Corporation and a lengthy objection from the Woodlands Trust. The grounds for objection stated in the submitted representations are too numerous to report individually but the majority object to the proposal because of its impacts in relation to;

- A lack of need and assessment of need in the Local Aggregate Assessments (LAAs);
- That the proposal is contrary to planning policy and the lack of status of the site in the current Minerals and Waste Local Plan;
- Traffic and Highways congestion;
- Road safety and the impact on cyclists, pedestrians, dog walkers horse riders, and children walking to school;
- Impact on air quality and vehicle emissions;
- Adverse impacts on wildlife and biodiversity;
- Impact on the Green Belt and the proposal is inconsistent with Green Belt Policy;
- Adverse impact on the Hedgerley and Hedgerley Green Conservation Areas;
- Dust, odours and smell and the impacts on health
- Adverse impacts on residential amenity;
- Adverse impact on the landscape and visual Impact, including impact on the Area of Attractive Landscape;
- Adverse impact on the adjacent and nearby areas of Ancient Semi Natural Woodland;

202. Other and specific issues raised include the following:

- The increase in HGV traffic and major disruption and impact to the local roads, including the effects in terms noise, fumes and congestion;
- The adverse impacts on ecology and wildlife and destruction of habitats including the RSPB reserve at Church Wood;
- Disruption to and adverse impact on the quality of life and tranquility of the village of Hedgerley for local residents and visitors including children;
- That Hedgerley will be less attractive to newcomers and could adversely impact the value of houses in Hedgerley;
- Adversely affect the landscape and beauty of the area;
- Adverse impact on the Hedgerley Green and Hedgerley Conservation Areas;
- That removal of the concrete batching plant does not address the concerns of local residents;
- Adversely affects the setting of the Listed Buildings at Slade Farm, and that the development therefore contravenes the Planning (Listed Buildings and Conservation Areas) Act 1990;
- That the development does not comply with the development plan and NPPF policies in relation to the Green Belt;
- The cumulative impacts of HGV traffic, particularly with the current application to SBDC (Ref. 17/01919/FUL) for the Beaconsfield MSA;
- The increase in traffic on local roads, causing danger to other local road users, pedestrians, cyclists and horse riders, and will result in the deposit of mud and debris on the public highway;
- This the development would be in addition to another quarrying site at Slade Farm South (currently identified in the Buckinghamshire Minerals and Waste Local Plan 2016-2036 Proposed Submission Plan);

- That the development will have adverse impacts on air quality and cause pollution;
- Noise and dust, and the adverse impacts on health;
- That the application site should not be used for industrial purposes and that it will create an industrial development in a rural farming landscape and in the Green Belt;
- The disruption that will be caused to a quiet rural area;
- That there is no justified need, particularly in the period up to 2024 due to existing reserves and the production of secondary aggregate from the Greatmoor EfW Plant;
- That there is no need to develop a new green field site;
- That there is no justification for development in the Green Belt;
- That the development is opposed by the residents of Hedgerley and Hedgerley Green and the local Parish Councils, including Hedgerley, Farnham, Stoke Poges and Gerrards Cross;
- That there is very important bird life in the area which will be adversely affected by noise, dust and disturbance;
- The potentially adverse impact on businesses at the Beaconsfield Motorway Service Area (MSA);
- That there is no sound business case for the development or is it just to make a profit for the applicant, RJD and that it is more about making a profit than the need for sand and gravel;
- Damage that will be caused to local infrastructure, particularly the local road network in and around Hedgerley and on Hedgerley Lane causing danger to local road users and additional expense to local tax payers;
- The destruction of land for many years which should be used for agricultural purposes, which will disrupt food production;
- Concern that the return of the site to agricultural use be secured within a reasonable timescale;
- That the development is contrary to planning policy on not opening new minerals extraction sites in the Green Belt; the County Council should therefore refuse the re-submitted application for the same reasons it refused the original application;
- That the application should not be considered until the replacement Minerals & Waste Local Plan, currently in consultation, is published and adopted;
- That there is no need for the development given the current availability of alternative sites and the current plan for mineral extraction;
- On the original application, that the batching plant will bring intrusive and possibly permanent and unacceptable development in the Green Belt and contrary to National Planning Policy Framework;
- That restoration and aftercare should be given top priority and the area, which is Green Belt should not be used for landfill or recycling, in accordance with national planning policy.
- That nothing has materially changed since Buckinghamshire County Council refused the first application CM59/15 BCC should therefore refuse this second planning application for gravel extraction at Slade Farm;
- That Slade Farm is included in the draft Bucks MWLP. This should not carry any weight until all the rounds of public consultations have been undertaken the Plan has been subject to examination and formally adopted;
- That the application confirms that 10% HGV traffic will head towards Farnham Common on the A355. Farnham Common High Street is already a "bottleneck" and cannot cope with further disruption;
- Mineral extraction could cause damage to Hillmotts Wood and the prevent use of the adjacent public footpaths;

- That access to the site will be along Hedgerley Lane from the MSA roundabout. Lorries that overshoot the entrance will have nowhere to go and so will try to push through the narrow lanes into Gerrards Cross and Hedgerley;
- That it is likely that lorries will queue along Hedgerley Lane before the site opens at 7am, making it impossible for anyone to overtake safely;
- That the application states that the site will be closed after 12 years. This is contradicted by the consultation document for the new Minerals and Waste Local Plan which states that, subject to planning permission being approved, the Slade Farm site will be extended to the South and worked into the 2030's;
- Doubts about the quality of the material to be extracted;
- That the site is an integral part of the local landscape, classified "an Area of Attractive Landscape", adjacent to Ancient Semi Natural Woodlands, and is therefore entirely inappropriate as a location for industrial processes;
- That it is incorrect as the application claims that ecological surveys have confirmed that "the majority of the area has a very low ecological interest". The site within an area of rich wildlife diversity, including wild roe deer, and a number of bird species which feature on both amber and red lists. The retained trees will not shield the important adjacent areas from the impact of dust or noise, and may be damaged by the inevitable changes to drainage arising from the excavation of the site;
- That the development will have an adverse on local businesses and local economy;
- That a Planning Inspector has previously found that "the workings of the site would be detrimental to the local landscape and the visual quality of an attractive rural area" (1991);
- That all the roads around Hedgerley are minor roads and none appear suited to a high level of HGV traffic;
- That the effect of diesel particulates from HGV movements will have an adverse effect on human health;
- That there are walks all around Slade Farm which form part of a network of paths linking it to Burnham Beeches which will be adversely affected;
- That the assets of the applicant are very limited and if the company goes into liquidation it is likely that the site will be abandoned as there will be not sufficient assets to ensure completion of the project;
- Approval of the application would go against local peoples wishes and would be contrary to the government's agenda of Localism;
- That there is a lack of proven need and no market authority or indicators indicating a shortage of sand and gravel;
- That application site is within 5km of the boundary of Burnham Beeches Special Area of Conservation. A Habitats Regulations Assessment (HRA) is therefore required to rule out the potential for any negative impacts on the SAC. The HRA should, in particular, look at the impact of traffic generated by the application site on the A355 in combination with other projects and plans;
- That should the development be granted permission there should be an overall net gain in biodiversity delivered through the restoration phase. The opportunity should be sought to provide linkage with the various nature reserves and priority habitats in the South Bucks Biodiversity Opportunity Area (BOA) within which the site sits;
- That site is not a preferred site within the current Buckinghamshire Minerals and Waste Local Plan and there has not been enough information provided to allow a development for gravel extraction outside the scope of the adopted plan;
- That the development would contribute further to the ever-decreasing Green Belt land in and around South Buckinghamshire;

- That the application is also contrary to the Green Spaces policies of successive governments and would be a destruction of a significant part of the Chiltern Hills AONB; and
- That the submission of the application appears to have deliberately timed so as to coincide with school and bank holidays when many local families and residents are away, and the application process has not given local residents a fair opportunity to submit a full response and objection. In addition, BCC has failed in its duty to communicate with residents in a timely and relevant way, with some residents not being notified of the application

203. It should be noted that the representations from local residents more generally object to the proposal on the ground that it will adversely affect the quality of life for people living in and around Hedgerley because of the adverse impacts in terms of noise, disturbance, traffic, safety of children, the impact on the countryside and the Green Belt, impacts on wildlife, disturbance to footpath users, loss of property values the intrusive nature of an industrial extractive process and urbanisation of the countryside.
204. A number of representation have raised a planning policy objection, primarily on two grounds; first on the basis that the site is not and has not been identified as a Preferred Area in the Minerals and Waste Local Plan or the Core Strategy, and that it should not be considered for development until the Replacement Minerals and Waste Local Plan has been adopted, i.e. on grounds of prematurity; and second because the land bank in Buckinghamshire exceeds the 7 year land bank required for sand and gravel set in national planning policy and there is declining demand for primary sand and gravel in the County.
205. A considerable number of objections have also referred to the impact on the Green Belt in terms of Green Belt planning policy.
206. The impacts of HGV traffic both in terms of noise, disturbance, road safety and in particular the capacity of the junction of Hedgerley Lane at the roundabout with Beaconsfield Motorway Service Area, the A355 and Junction 2 of the M40 are have caused particular concern. A considerable number of objections have expressed concern about the congestion at the roundabout at the Beaconsfield Motorway Service Area.
207. Some of representations have commented that the assessments undertaken as part of the Environmental Impact Assessment, have not addressed all the issues or that there are gaps in the assessments

DISCUSSION

Introduction

208. As was the case for the original application submitted in 2015 and determined in August 2016 (July 2016 Development Control Committee), there has been considerable objection to the proposal from local residents in and around Hedgerley and Hedgerley Green. As with the previous application, whilst these representations have raised a number of objections to the proposal in relation to the environmental impacts and the scope and approach to the assessment of these, as with the previous application, none of the technical statutory consultees has offered any substantive objections to the application either on technical grounds, inadequacy of the submitted information or on the basis that the application is contrary to policy. Additional information has been submitted by the applicant in answer to the

consultation responses, and this has been re-consulted in the second round of consultation.

209. As with the original application, whilst I have comments to make in relation to number of the environmental issues raised by objectors, I have undertaken a number of visits to the site to assess these and I consider, based on the responses of the technical statutory consultees, that there are no overriding environmental impacts that cannot be overcome, and which cannot, if necessary, be addressed by condition or through a s.106 agreement, so as to warrant refusal of planning permission. As with the original application the key determining issues relate to planning policy issues, primarily the need and prematurity arguments raised by objectors including the District and Parish Councils. This revised application has sought to address these issues, and particularly need, and as set out above has presented an updated argument. In addition, substantial progress has been made with preparing a new and updated Minerals and Waste Local Plan, which, as set out above, has now reached the Submission Draft stage, with the Proposed Submission Plan having been prepared for public consultation. Whilst at this stage the new draft Plan can only be attributed limited weight, the updated assessment of need presented in the draft Plan and the most recent Local Aggregates Assessment (LAA), which is a material consideration in its own right, does substantially and significantly alter and update the need case for the development, and accordingly updates my advice to the Committee on the revised proposal compared with the original application.
210. In essence the key issue before the Committee in considering this application, is the question of what, if anything, has changed since the original application submitted in 2015 and determined in August 2016. The key issues at that time essentially revolved around the need argument, related policy, green belt and prematurity, pending adoption of the replacement Minerals and Waste Local Plan.
211. As with my report in 2016, I shall first consider the environmental impacts of the proposal, starting with landscape and visual impact and then turn to the need and prematurity related issues. I do not propose to deal with all the environmental impacts in detail as these are addressed in the comments of technical consultees and there is no substantive change to the proposed scheme, compared with the 2015 application, other than the omission of the concrete batching plant. There are nevertheless a number of issues that arise from the responses from both consultees and objectors on which I will comment.
212. Before I address these, it should be noted, as I have outlined above, that there are a number of issues that have been raised by objectors that refer to matters that are not valid planning considerations. These include the financial standing and assets of the applicant and the impact of the proposal on property values. Whilst it is understandable that local residents have concerns in relation to these matters, they cannot be taken into consideration in the determination of the application, and the Committee must disregard them.
213. In response to comments that the assessments undertaken as part of the Environmental Impact Assessment have not addressed all the issues or that there are gaps in the assessments, it should be noted, as I have detailed above, that two formal requests for further information were sent to the applicant, who responded to both, and there is no outstanding information that has been requested by statutory consultees.
214. It also should be noted that a Habitats Regulations Assessment has been undertaken on the application, which I have provided further comment below.

215. One objector has also raised the issue that BCC has failed in its duty to communicate with residents in a timely and relevant way in undertaken public consultation on the application. In response to this I can advise the application has been subject to two rounds of public consultation, which has included notification of the application to local residents, a newspaper advert and site notices in relation to both round of consultation.

Landscape and Visual Impacts

216. Environmental Impact Assessment includes a landscape and visual impact assessment of the proposal. Jacobs have restated their comments on the 2015 application as remaining valid, and their view, that it would have no significant effect on key landscape features and that those limited landscape features which are lost to the development are of low value and would be replaced by the restoration proposals.
217. Jacobs advise that the visual receptors in the immediate locality are restricted to sections of the public footpath to the south of the application area, Slade Farm (including listed buildings) to the south, and Hedgerley Lane to the north from which only glimpses can be obtained into the site. Views from these locations and from viewpoints in the wider landscape are limited, as the application site is well enclosed and screened by mature and maturing vegetation and the latter can be expected to increasingly contribute to screening value during the operational period of the mineral extraction and restoration. The design of the proposed development also makes good use of the existing vegetation to provide screening, while the siting of plant at the lower excavation level, temporary screening bunds, and new planting will all serve to minimise the visual impacts of both operations and plant. From my own observations of the site I would agree with these conclusions and would comment that compared with many other mineral extraction sites, the site is now extremely well screened.
218. Jacobs have commented that the application boundary has been drawn to exclude all screening planting within the ownership of the applicant. This includes the recent boundary planting around the northern and western boundaries of the site. This is now several years old and has begun to mature and provides effective screening. I do not consider that this presents an insurmountable issue as it still falls within the blue line boundary (i.e. the land ownership boundary of the applicant) so that its retention for the duration of mineral extraction and restoration can be controlled by condition.
219. As set in Jacobs comments above they, advise that the omission of the concrete batching plant is of neutral/slight beneficial effect compared with the original and they agree with the conclusions of the updated ES that there is no material change to the findings of the LVIA.
220. One issue to which I would draw the Committee's attention in relation to landscape is that in the comments from Hedgerley Parish Council and the supporting report from Aecom, reference is made to the conclusion of the Planning Inspector at the Mineral Local Plan Inquiry in 1991, when he commented that *'The site is an integral part of the Area of Attractive Landscape (AAL) and makes a significant contribution to its visual amenities and landscape. The working of the site would be materially detrimental to the local landscape and the visual quality of an attractive rural area'*.
221. There are two points to note from this; firstly that the Area of Attractive Landscape (AAL) was referenced in Policy 25 of the Minerals and Waste Local Plan, and this is no longer extant policy; and secondly, whilst I would not wish to suggest that the area

is no longer, as result, an attractive landscape, the applicant has responded saying that these comments were made some 25 years ago, and the local situation and context has moved on considerably. I agree with this comment too, and in fact potentially the most significant change has been the additional planting around the northern and western boundaries, which as I have said now provides very effective screening, and this would be further enhanced by the construction of screen bunds around the perimeter of the site as extraction progresses. As a result, compared with other existing mineral extraction sites, I consider that the site is now, overall, from a landscape impact point of view a very good site, and therefore I do not attach much weight to the Inspector's comment made in 1991.

222. For this reason, I concur with the comments from Jacobs and consider the proposal is acceptable in terms of its landscape and visual impact

Green Belt

223. Turning to the Green Belt arguments, as with the 2015 application, it should be noted that a significant proportion of the objections to the proposal, particularly from local residents, relate to its impact on the Green Belt. As I advised in response to the 2015 application, a key point to note in response to this is that National Planning Policy set out in the NPPF, Paragraph 90, excludes mineral extraction from the definition of Inappropriate Development in the Green Belt, although this does not make the issue immaterial, for the reasons I will come on to below. Objectors previous concerns about the impact of the concrete batching plant, are no longer relevant, as this no longer forms part of the application. It is however, still proposed to import and process waste, which objectors have argued is not justified given the location of the site in the Metropolitan Green Belt.
224. As set out in my report on the 2015 application, the development of waste management facilities in the Green Belt is subject to Green Belt policy, both in national planning policy (including the NPPF, paragraphs 79-91 and the NPPW, paragraph 6) and local Development Plan policy (Policy CS20).
225. As far as the proposal is concerned, it is clear 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, thereby maintaining a use that is entirely consistent with the purposes of the Green Belt. The processing of the oversized pieces of brick and concrete would only take place at an incidental level of operation, and would make occasional use, as required, of mobile crushing plant which would be bought in and used only for as long as needed. The material produced may be retained and used on site for the construction and maintenance of the internal haul roads. As such I do not consider that either the deposit of inert fill for restoration of the occasional crushing of oversized material constitutes inappropriate development in the Green Belt.
226. The aspect of Green Belt policy where I am of the view, as set out in my report on the 2015 application, that there is a case to consider is that Core Strategy Policy CS20 makes clear that proposals for mineral extraction will be permitted but only where the development complies with other policies set out in the Core Strategy. Because, as I have outlined in my report on the 2015 application, the application raises an issue in terms of need (and prematurity) I consider that it can only be treated as in compliance with Policy CS20 if it is also in compliance with Policies CS4 and CS5. In other words, if there is not a proven need case then there is justification for refusal of the proposal as the development of new greenfield mineral extraction site in the Green Belt in relation to policy CS20. I will come on to this point in more detail in discussing the need argument in the relevant section below.

Ecology

227. As was the case in 2015, a number of representations, again notably from local residents in Hedgerley and Hedgerley Green, have objected to the proposal on grounds of the proximity of the site to the Burnham Beeches Site of Special Scientific Interest and the Church Wood RSPB Reserve; and the presence of number of protected species on and around the site.
228. As detailed above neither Natural England in relation to designated sites, nor the BCC Ecological Advisor in relation to protected species have objected to the proposal and have not raised any issues in relation to the assessment of the impact on ecology and biodiversity.
229. As detailed above the Ecology Advisor, was initially concerned that there was a potential for air pollution, and especially nitrogen dioxide NO₂, from HGV emissions as a result of vehicle movements along the A355, to impact on the Burnham Beeches Special area of Conservation (SAC). This has however subsequently been considered to have been adequately addressed by the applicant, who has confirmed that only ten per cent (14 movements or 7 loads per day, i.e. less than one additional HGV movement per hour) of the development's traffic is predicted to travel south along the A335 towards Burnham Beeches. As a result, a formal Screening Assessment under Regulation 21 of the Conservation of Habitats and Species Regulations 2010 has been issued confirming that Appropriate Assessment under the Regulations is not required.
230. Otherwise the Ecology Advisor has advised that conditions should be attached to the Planning Permission, if the application is approved, to secure the implementation of measures to ensure biodiversity net-gain and maintenance of the favourable conservation status of European Protected Species (in this case bats) and in relation to obligation under Section 40 of the Natural Environment and Rural Communities Act 2006. These should include a requirement to submit a Method Statement for an Ecological Clerk of Works and a Landscape and Ecological Management Plan.
231. On this basis I consider that in relation to ecology and biodiversity considerations, there is no reason to consider that the proposal is not acceptable, and that permission can be granted, taking into account the County Council's obligations in the Habitats Directive and the Natural Environment and Rural Communities Act 2006.

Access and Traffic

232. Access and traffic are the issues that have given rise to the most number of comments from objectors. I have outlined these above. There are major concerns on the part of local residents that HGV movements will affect the quality of life of local residents, pedestrians, cyclists dog walkers, school children and indeed other local road users.
233. As detailed above the applicant has clarified that the proposal would generate a total of 156 daily vehicle movements (78 in, 78 out), of which 142 (71 in, 71 out) would be HGV's. It should be noted that although the concrete batching plant, originally proposed has now been omitted from the development, for the purposes of the assessment the number of HGV movements this has been left unamended, as the numbers relating to the operation of the plant are understood to have been minimal.

234. There is also clearly a degree of concern on the part of some local residents that the proposal will give rise to HGV movements through Hedgerley and Hedgerley Green and the surrounding small country lanes. This would not be the case. The access to the site would be designed to ensure that all HGV's access would be to the west along Hedgerley Lane to the roundabout and junction at the A335 adjacent to the Beaconsfield Motorway Service Area. No other route is proposed. This can be secured through a s.106 agreement and the imposition of a routing requirement, if consent is granted. This is what Highways Development Management have recommended, along with a number of other matters as set out above, that can also be included in an agreement or otherwise addressed by condition. There would therefore be no direct impacts on Hedgerley, the Hedgerley Conservation Area or Hedgerley Green from HGV movements.
235. The other major issue in relation to traffic concerns the capacity of the Hedgerley Lane/Beaconsfield Motorway Service Area roundabout and Hedgerley Lane/A355 junction. The applicant has been in extended discussions with Highway Development Management on this matter and is clear that Highways Development Management are now satisfied that there are no grounds for objection to the application, and have recommended approval subject the requirements to be included by condition on through a s.106 agreement as detailed above.
236. One further point to note arises from the comments from objectors, in relation to the current application that has been submitted to South Bucks District Council, Ref. 17/01919/FUL. This is for the extension to the existing Beaconsfield Motorway Service Area to include an additional 42 HGV parking spaces with associated access and landscaping. As yet this application has not been determined by South Bucks District Council, and as such there is no basis upon which to require the applicant for the Slade Farm application to take this into consideration in the cumulative assessment of traffic. No additional concerns have been raised by Highways Development Management, as result of the application to South Bucks District Council.
237. Highways England have no objection to the development, although, as I have set out above, they have asked for the inclusion of a condition, if the application is approved, requiring that prior to start of works the developer is to submit evidence to confirm that the stability of Hedgerley Lane would not compromise the M40
238. On this basis I consider that there are no grounds to refuse the application in relation to access and traffic considerations

Best and Most Versatile Agricultural Land

239. The application includes a report by Reading Agricultural Consultants, which confirms that the site has been surveyed and is mostly made up of Grade 3b agricultural land but also includes a relatively small proportion of Grade 2 land (9% of the site) and Grade 3a land (9% of the site). I do not consider this to be a significant issue in relation to the determination of the application. The proposal includes considerable detail on soil handling and it is intended to retain all the top soils and sub soils on the site and restore it to agriculture. There would be no permanent loss of agricultural land, with the site being progressively restored. Natural England have not objected, and have requested, if consent is approved, that a number of detailed requirements are imposed by condition to safeguard the soils on the site. On this basis I consider that the proposal is acceptable in terms of the protection of Best and Most Versatile Agricultural land and national and local development plan policies relating to this matter

Adequacy of Supply of Fill Material

240. As detailed above a number of objectors including Gerrards Cross Parish Council have raised concerns that may be inadequate supply of fill material to ensure that the site is restored. In response to this I would comment that there are no up to date published figures about the local market for fill material, so this is a difficult issue on which to comment with confidence, but the applicant is an established operator in this market, and there is no basis to assume that suitable materials for reclamation could not be sourced over the lifetime of the development.

Groundwater Pollution

241. A number of objectors have raised the risk of pollution to groundwater and refer to the site being in Source Protection Zone 3. This is in fact the lowest of the three main levels of Source Protection Zones and does no more than define the total catchment area around which all groundwater recharge is presumed to be discharged. As such it indicates that the site is not in an area defined as being at the highest risk of pollution. Although the Environment Agency has not commented on the current application, it did not object to the original application, although it did ask for appropriate conditions to be attached to any planning permission issued.

Noise

242. The noise impacts of the development is another concern that has been raised by objectors. A full noise assessment, prepared by LFAcoustics was included with the 2015 application and resubmitted and updated as part of the current application.
243. This confirms that the working scheme for the site has been developed to ensure potential disturbance to the occupants of surrounding properties be minimised, principally by creating appropriate buffer zones, the construction of soil screening mounds and by ensuring that the main processing plant is located away from surrounding properties and at low level.
244. It confirms that baseline noise measurements were made which were used to specify appropriate noise limits based on current planning guidelines attached to the NPPF.
245. Calculations of the likely noise levels associated with the operation of the quarrying and restoration works have been made, which the assessment confirms, demonstrate that with appropriate mitigation and control measures implemented, noise levels associated with the working of the quarry would be acceptable to ensure potential disturbance to the occupants of surrounding properties be minimised, thus ensuring compliance with the minerals planning practice guidance attached to the NPPF.
246. The update confirms that there have been no significant changes within the surrounding area since our report was prepared in 2015 and the results of the baseline noise monitoring undertaken to establish the noise limits at surrounding properties therefore remain valid.
247. The conclusions of the 2015 report remain valid, which indicate, that with appropriate mitigation and control measures implemented on site, noise levels would remain within the proposed noise limits and thus ensure compliance with the 2014 minerals planning practice guidance attached to the NPPF.

248. None of the consultees have raised any concerns in relation to noise. Accordingly, I am satisfied that the site can be developed and operate in accordance with the requirements of the NPPF and relevant development plan policy.

Air Pollution

249. Air quality and vehicle emissions, have been a particular concern raised by objectors. The application includes an air quality assessment. This has assessed the potential air quality impacts from fugitive dust emissions caused by extraction, processing, storage, importation and re-contouring of materials and the exhaust emissions from vehicles travelling to and from the site.
250. A detailed assessment, including an updated assessment which has been undertaken since the 2015 application, using dispersion modelling in order to quantify pollution levels with and without the proposals. This indicated impacts are not predicted to be significant at any sensitive location in the vicinity of the site. The assessment confirms that where necessary the use control measures will provide suitable mitigation for a development of this size and nature and reduce potential impacts to an acceptable level. The assessments' overall conclusions are that air quality issues do not present any overriding constraints to development of the site.
251. As I have detailed above the main air quality concern has been raised by the County Council's Ecology Advisor, who was concerned that there was a potential for air pollution, and especially nitrogen dioxide NO₂, from HGV emissions as a result of vehicle movements along the A355, to impact on the Burnham Beeches Special area of Conservation (SAC). This has however subsequently been considered to have been adequately addressed by the applicant, and the Ecology Advisor, as set out above, has now withdrawn their initial holding objection. Neither the Environment Agency, nor South Bucks District Council have offered any objections on grounds or air quality. Accordingly, I am satisfied that the air quality does not present a significant issue or concern that presents ground for refusal and the application can be considered to be compliant with NPPF and relevant development plan policy.

Archaeology and Historic Environment

252. The impacts on archaeology and the historic environment, and particularly the impact on the setting of the Listed Buildings at Slade Farm, which include Slade Farmhouse and Slade Farm Cottage, are a particular concern of Hedgerley Parish Council and local residents.
253. The concerns are in my view understandable, as Slade Farmhouse in particular is very distinctive and flint-built folly, and whilst located 95m south of the application site, the setting to the north, falls substantially within the application site.
254. A Historic Building Impact Assessment was included in the 2015 Environmental Statement, which has been resubmitted with the current application. This concludes that the development will have no direct impact on the historic building fabric of the Listed Buildings at Slade Farm. Some impact on views from the south west are identified but these are assessed as being minimal and only temporary in nature.
255. In determination the application the County Council, need to be mindful of it's the obligation set out in sections 16 and 66 of the Planning (Listed Buildings and Conservation Areas) Act 1990.
256. This requires that when making a decision on all listed building consent applications or any decision on a planning application for development that affects a listed

building or its setting, a local planning authority must have special regard to the desirability of preserving the building or its setting or any features of special architectural or historic interest which it possesses. This importance of this obligation has been highlighted in the Court of Appeal decision in the case of Barnwell vs East Northamptonshire DC 2014 which made clear that in enacting section 66(1) of the Planning (Listed Buildings and Conservation Areas) Act 1990 Parliament's intention was that 'decision makers should give "considerable importance and weight" to the desirability of preserving the setting of listed buildings'.

257. For this reason, both Historic England and South District Council's Design and Conservation Advisor (who also visited the application site) have been consulted and neither has objected to the application.
258. What is potentially a significant factor is not only that the two Listed Buildings are 95m south of the application site, but the main outlook from the two buildings and the group that they make up is entirely to the south. There is no significant outlook to or from the two buildings from the application site, and there is an intervening field, where it is proposed to plant a new orchard and hedgerow. Furthermore, when considered in the context of the phased extraction and restoration back to agriculture, even when at its closest to Slade Farm, the impact on the setting of the Listed Buildings is likely to be minimal, of relatively short duration, and without any long term or permanent effect. On this basis I agree with the conclusions of the Historic Building Impact Assessment, and I am satisfied that the County Council, if minded, to approve the application, can do so, whilst complying with the statutory obligation under sections 16 and 66 of the Planning (Listed Buildings and Conservation Areas) Act 1990.
259. A Summary of Archaeological Work is also included 2015 Environmental Statement, which has been resubmitted with the current application. The key findings from this are set out in the consultation response from the County Archaeologist. This does not raise any significant issues, although, as I have set out, his comments include a recommendation that a further programme of archaeological work should be undertaken in accordance with a Written Scheme of Investigation to be submitted to the County Council. This can be conditioned.
260. I am therefore satisfied that the proposal is compliant with the NPPF and relevant development plan policy.

Need and Prematurity

261. Turning to the need and prematurity issues, as I have set above the applicant has provided a detailed need argument contending, as before, that the consented landbank of sand and gravel reserves in Buckinghamshire has come down to a level where additional reserve needs to be provided. The argument presented by the applicant has been updated, since the original application in 2015, and as I have set out above, draws on the figures set out in the Local Aggregates Assessment (LAA) for 2015 (the 2016 LAA). This, as I have set out is referred to as stating that there are 9.04 million tonnes of permitted reserves, which based on a rolling 10-year average and 2015 sales data, provided a landbank of 11.3 years and it identified that the earliest that the landbank would fall below the 5.6mt of the 10-year rolling average requirement for a 7-year landbank (based on the yearly average of sales) would be 2019. Accordingly, it is argued that taking into account the lead time for a new site, new reserves need to be permitted now, not in 2 years' time and reference is made to the LAA as stating that there will be a shortfall in the minimum landbank supply by

2019. It is argued that it is therefore appropriate to start granting consent for additional reserves now. This argument as I have set is supplemented by a number of other additional and supporting considerations, including the need to ensure a “Steady and Adequate Supply” of minerals.

262. As was the case in relation to the original 2015 application this remains the key issue before the Committee in determining this application, and consequently whether the argument presented by the applicant is valid.
263. As I have set out above the policy and LAA context has changed significantly since August 2016, and it may be helpful for members if to first revisit the consideration of the issue as it was at the time that the 2015 application was determined, as presented in my report in 2016.
264. The case then was that the permitted reserve in 2015 stood at 10.07 million tonnes and the rolling ten-year average of sales at the 31st December 2014 was 0.85 million tonnes. As result the level of permitted reserves of sand and gravel stood at 11.8 years based on the rolling ten-year average. At that time, the Committee were advised that at 11.8 years the then reserve was not significantly over ten years, but nevertheless it did indicate that there was then more than sufficient reserve based on the rolling ten-year average sales figures and that there was clearly well in excess the 7-year landbank required by the NPPF. The Committee was however also advised that the figure was not so high that the Council should not, at that time consider granting consent for additional reserve in appropriate locations. The preference as set out in Policy CS5 was, and indeed still is, to give preference to extending existing sites so that there was is no clear and overriding argument in favour of granting consent for Slade Farm at that time as a new green field site.
265. With the latter in mind, two additional factors that were considered; firstly that there were at that time also other existing sites where proposals were likely to come forward for extensions to those operations, and second the fact that the Replacement Minerals and Waste Local Plan was then in preparation, and that it was anticipated that this would identify a new round of Preferred Sites, which were to be selected on the basis of the criteria set out in the Minerals and Waste Core Strategy CS5.
266. The first of these two issues, was one that the County Council had to approach with some care, as it could not in determining the Slade Farm application prejudice or prejudice its position in relation to the determination of any then future applications. Nevertheless, the position at that time was that the Council had, in July 2016, received two applications, one from HS2 and the other from Summerleaze Ltd for two extensions to New Denham Quarry, which if approved could provide in excess of 2.0 million tonnes of additional reserve. Whilst at the time of determination of the 2015 Slade Farm planning application, it was too early to come to any view on those applications, they did nevertheless, raise the prospect that they provided definite alternative proposals to extend and provide additional reserve at existing sites, which were potentially compliant with Policy CS5 and indeed more so than Slade Farm insofar as both applications were extensions to existing sites.
267. On the second issue, whilst a Regulation 18 consultation seeking to identify Preferred Sites for the Replacement Minerals and Waste Local Plan, had been undertaken in early 2015, and Slade Farm was one of the sites that had been put forward for inclusion as a Preferred Site, it could not at that time be determined if Slade Farm would be included, when assessed against the criteria set out in Policy CS5. Clearly, it was not an existing site and whilst this would not rule it out, it is a consideration against which it would not be viewed as favourably compared with proposals to extend an existing site.

268. On this basis, it was considered that there was merit in the argument that a decision at that time to approve consent would be premature, especially when considered in conjunction with the lack of an overriding need argument. In conclusion therefore in relation to need, it was considered that there was no proven or overriding case for the development of Slade Farm. Consequently, the proposal could be and was considered to be contrary to Core Strategy Policy CS4 insofar as the then landbank of consented reserves in Buckinghamshire was substantially in excess of 7 years, and Policy CS5 insofar as the site is would involve development of new greenfield location rather than extension to an existing site, at a time when there were proposals for extensions to an existing site, where there was a possibility that planning permission may be granted.
269. In relation to Green Belt Policy and specifically Policy CS20, as the proposal was considered to be contrary to Policies CS4 and CS5 then it could also additionally be considered not to be in accordance with Policy CS20 as development in the Green Belt that is not otherwise compliant with all the other policies in the Core Strategy. For the foregoing reasons, the application was refused.
270. The question for members now in considering the current application, is in essence, what if anything has changed since determination of the 2015 application, in relation to the need and associated arguments (i.e. green belt and prematurity)?
271. There two key elements to this; the first is the updated position in relation to the landbank. This is set out above in the comments from the Minerals and Waste Policy Team, which references LAA for 2015 and which indicates that there was (as the applicant has stated) approximately 9.04 million tonnes (mt) of sand and gravel reserves within the county at the end of 2015. This equated a landbank of 11.3 years based on the 10 years average sales data, 0.5 year less than in 2014.
272. As set out in the comments from the Minerals and Waste Policy Team the new draft 2016 LAA, which has yet to be published, indicates a further decrease in reserves and landbank which is on trend with the forecast from the 2015 LAA. Whilst therefore there has been a reduction in reserves from 2015 to 2016, the County's landbank still remains above the required 7-year supply. On this basis the draft LAA confirms that if the future average sales figures stayed similar to the current 0.8mt per annum, its reserves would fall below the 7-year supply during 2020.
273. However, as the Minerals and Waste Policy Team advise, these figures do not as yet take into account newly permitted reserve from 2017, which once these are taken into consideration, it is expected that the reserve would fall below the 7-year supply during 2025. There is however, as I have set out, also a concern that that the sales figure could increase significantly over the coming years due to market demands, with an anticipated significant increase in new housing completions, the construction of HS2, East-West Rail and the M4 smart motorway upgrade. This would deplete reserves more rapidly and would indicate the new reserves may be needed sooner than 2025. Notwithstanding that this may be the case the position in relation to the landbank, can be considered to be similar to the position at the time of determination of the 2015 application.
274. Turning the current position regarding the Replacement Minerals and Waste Local Plan, this has now reached the point, as I have set out above, where consultation on the Submission version of the Plan (Regulation 19) will be undertaken in March-April 2018, with submission to the Secretary of State due in May 2018. The draft plan, identifies the need 19.53 million tonnes of sand and gravel provision over the period from 2016 to 2036, based on an annual provision rate of 0.93 million tonnes (in line

with the 2015 LAA). On the basis of a permitted reserve of 9.04 million tonnes, it identifies a need for an additional 10.49 million tonnes of reserve being required during the Plan period, and on this basis, it proposes to allocate 8 sites, comprising two sites at Slade Farm, including the current application site.

275. The advice from the Minerals and Waste Policy Team, makes clear that where proposals for new sites come forward these should be tested based on the sites selection criteria set out in Policy CS5, and as part of the work undertaken in response to the call for sites, in early 2015, the proposed site at Slade farm was assessed, and ultimately considered to be sufficiently acceptable to warrant inclusion in the sites proposed for allocation, and on this basis, has been included in the Submission version of the Plan.
276. Inclusion in the final adopted Plan, is as yet, by no means assured, and as such there cannot, at this stage be certainty, notwithstanding the determination on the current application, that it will be included in the final adopted version of the Plan.
277. The Minerals and Waste Policy Team in their advice (as I have set out above) state that it is their view, the application is premature, on the basis that they are envisaging that Slade Farm North, as it is referred to in the Plan, would not come forward until 2020. However, the difficulty with this is that the timing of submission of planning applications and implementation of the mineral planning permissions, is not a matter that the Mineral Planning Authority, can normally seek to regulate. The only circumstances in which an application for an allocated site could reasonably be refused, on grounds of need, because it has come forward too early in the life of the Plan, would be where the permitted reserve is already so high in relation to the total provision over the Plan period, that there simply is no need to consent further reserve in the short term. Furthermore, in such circumstances it would be reasonable to expect any new Plan, in these circumstances to make clear that the consenting of some new sites may not be considered appropriate, until the existing permitted reserve has been reduced to nearer the 7-year minimum.
278. These circumstances could not be said to apply currently in Buckinghamshire, and, as I have set out above, the position even at the time of determination of the 2015 application, was that the permitted reserve had come down to a level, where although still above the 10-year landbank, it was appropriate that consideration should be given to approving additional reserve, to ensure a steady and adequate supply of aggregates in accordance with paragraphs 145 and 146 of the NPPF.
279. On this basis, not only do I consider that there are insufficient grounds to refuse consent, because the application, has been brought forward too early in the emerging plan period, but more importantly the Buckinghamshire Minerals and Waste Local Plan 2016-2036 Proposed Submission Plan has, even if Slade Farm were not to be included as an allocated site, identified a clear need for additional new reserve over the plan period, and that this will necessitate the allocation of new greenfield sites to meet this need. Whilst as I have said above, and objectors correctly argue, little weight can itself be attached to the Proposed Submission Plan, substantial weight should be attached to the need argument presented in the Plan, which remains significant in its own right, whether stated in the Plan or not, and this is not likely to change. For this reason, I now consider in the light of the changed circumstances in relation to progress with the Replacement Mineral and Waste Plan, and more specifically the need for the County Council to identify new greenfield sites to provide the required mineral reserve, that the development of Slade Farm can and should now be considered to be in compliance, with Policy CS5.

280. Where I do however consider that, there is at least a legitimate concern or question in relation to prematurity, is about whether, approval of the application in advance of the forthcoming consultation, submission, examination and adoption of the Replacement Minerals and Waste Local Plan, when there is no certainty that application will be retained in the Plan, and whether this amounts to prematurity.
281. At the time of determination of the 2015 application, I considered, as argued by some objectors, including South Buck District Council, that there was, in combination with the overall need argument, justification for the argument of prematurity, pending adoption of the new Plan. This was because the application site at that time had not been assessed or considered in the context of the aggregates requirement of the new Plan, the assessment criteria for new sites, and had not been identified as a new allocated site, when the presumption in the existing Minerals Waste Core Strategy under Policy CS5, favours extensions to existing minerals sites, in preference to developing new greenfield locations.
282. The position now is that the site has been put forward in response to the call for sites, and assessed, both in relation to the aggregates requirement during the new Plan period, and the assessment criteria included in Policy CS5. The Proposed Submission Plan accepts that new greenfield locations will have to be allocated in preference to the extensions to existing site, and it proposed to include two sites at Slade Farm sites, North and South, on this basis.
283. This being the case, unless approval of the application is clearly prejudicial to the strategy and approach of the Replacement Plan, an argument of prematurity cannot now be sustained. The Government's Planning Practice Guidance on "Determining A Planning Application" makes clear that prematurity is only grounds for refusal where "the grant permission would undermine the plan-making process by predetermining decisions about the scale, location or phasing of new development that are central to an emerging Local Plan (Paragraph: 014 Reference ID: 21b-014-20140306). Whilst the 2015 application in the absence of an allocation, could be argued to be new development in a greenfield location contrary to the strategy of the existing Minerals and Waste Core Strategy, at a time when there were other proposals forthcoming based on the developing extensions to existing sites, this can no longer be said to be the case. Approval of the application can no longer, be considered to be prejudicial to the overall strategy proposed in the Replacement Plan with regard to the scale, location or phasing of new development. On this basis I do not consider that the application can any longer be refused in grounds of prematurity.
284. To draw together the points I have outlined above on need, and in response to the question of what has changed since determination of the 2015 application, the position as regards the currently consented landbank and the LLA figures, has not changed substantially. However, what has changed is that the Buckinghamshire Minerals and Waste Local Plan 2016-2036 Proposed Submission Plan has been published and this now contains an identified aggregate requirement for the Plan period and sets out a strategy for ensuring delivery of steady and adequate supply of aggregates in Buckinghamshire (in accordance with the NPPF), based on the allocation of number of sites, including new greenfield sites and specifically the current application site at Slade Farm. Whilst, as the Minerals and Waste Policy Team advise, little weight can be attached to the emerging Plan at this stage, the need argument and the context of the need argument, particularly taking into account the reasons for refusal of the 2015 application, has changed significantly, and indeed, to the point where there is a clear and justified need argument, which will necessitates the development of new greenfield sites to provide the required mineral reserve, that will be required over the forthcoming Minerals and Waste Local Plan

period 2016-2036. Consequently, the development of Slade Farm can and should now be considered to be in compliance, with Policy CS5.

CONCLUSION (including recommendation)

285. As I have set out above the main issue in the determination of this application concerns the need argument, and how this has changed since the determination of the 2015 planning application for the development. Whilst the position as regards the currently consented landbank and the LAA figures, have not changed substantially, the Buckinghamshire Minerals and Waste Local Plan 2016-2036 Proposed Submission Plan has now been published and this contains an identified aggregate requirement for the Plan period, and sets out a strategy for ensuring delivery of steady and adequate supply of aggregates in Buckinghamshire (in accordance with the NPPF). This is based on the allocation of number of sites, including new greenfield sites and specifically the current application site at Slade Farm. Whilst little weight can be attached to the emerging Plan at this stage, the need argument and the context of the need argument, particularly taking into account the reasons for refusal of the 2015 application, has changed significantly, and to the point where there is a clear and justified need argument, which will necessitate the development of new greenfield sites to provide the required mineral reserve, that will be required over the forthcoming Minerals and Waste Local Plan period 2016-2036. Consequently, the development of Slade Farm can and should now be considered to be in compliance, with Policy CS5.
286. Furthermore, and for the reasons I have outlined above, approval of the application cannot now be considered to be prejudicial to the overall strategy proposed in the Replacement Plan with regard to the scale, location or phasing of new development. On this basis I do not consider that the application can any longer be refused in grounds of prematurity.
287. Similarly, to come back to the green belt issue, because the previous argument in relation to green belt was predicated on non-compliance with other Development Plan policies, i.e. Policies CS4 and CS5 of the Buckinghamshire Minerals and Waste Core Strategy Development Plan Document (2012), this too can no longer be sustained as a reason for refusal.
288. As with the original application, I consider, that there are no overriding environmental impacts that cannot be overcome, and which cannot, if necessary, be addressed by condition or through a s.106 agreement, so as to warrant refusal of planning permission.
289. On this basis I consider that the information submitted is appropriate and sufficient to demonstrate that the proposal is in accordance with the development plan and with national planning policy. Accordingly, it can be considered to be sustainable development and consequently also in accordance with the Buckinghamshire Minerals and Waste Core Strategy Policy CS/LP1 and the National Planning Policy Framework Paragraph 14. The proposal will also contribute to conserving biodiversity, and it is therefore recommended that application is approved subject to the conditions set out in Appendix A and a S106 Agreement.

BACKGROUND PAPERS

Application Ref. CM/57/17 including the Planning and Updated Environmental Statement and Non-Technical Summary prepared by DK Symes Associates, July 2017;
Section 78 Appeal Further Information Reponse to PINS Regulation 22 Request prepared by DK Symes Associates, November 2017;
Email to BCC and attached Drawings from DK Symes Associates, dated 4th December 2017;
Email to BCC and attached letters from DK Symes Associates, dated 18th December 2017;
Application Ref. CM/59/15 including Volume 1 and Volume 2 Environmental Statement and Non-Technical Summary prepared by DK Symes Associates, August 2015;
Application Ref. CM/59/15 Addendum to the Environmental Statement prepared by DK Symes Associates, September 2015;
Application Ref. CM/59/15 Response to Consultee Comments, prepared by DK Symes Associates, March 2016;
Report for the Hedgerley Village, Fighting Fund and Hedgerley Parish Council, prepared by Aecom, November 2015;
Buckinghamshire Minerals and Waste Local Plan (MWLP) (2006);
Buckinghamshire Minerals and Waste Core Strategy (MWCS) (2012);
Buckinghamshire Minerals and Waste Local Plan 2016-2036 Proposed Submission Plan (2018);
Buckinghamshire County Council Local Aggregates Assessment 2014 (2015);
Buckinghamshire County Council Local Aggregates Assessment 2015 (2016);
South Bucks District Local Plan (SBDLP) (1999);
South Bucks Core Strategy (SBCD) (2011);
National Planning Policy Framework (NPPF) (March 2012);
National Planning Policy for Waste (2014);
Planning Practice Guidance (PPG) on:

- Air Quality;
- Environmental Impact Assessment;
- Flood Risk and Coastal Change;
- Minerals;
- Natural Environment.
- Noise;
- Open space, sports and recreation facilities, public rights of way and local green space;

Consultation responses dated from 26th July 2017 to 6th February 2018.

APPENDIX A

Draft Conditions

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

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

2.The development hereby permitted shall not be carried out other than in complete accordance with the following documents:

- Planning Application dated 11th July 2017 including the Volume 1 Environmental Statement, Volume 2 Environmental Statement and Non-Technical Summary dated August 2015, Addendum to the Environmental Statement dated September 2015 and Response to the Consultee's Comments dated March 2016, as amended and updated by Planning Statement and Updated Environmental Statement dated July 2017 and Updated Non-Technical Summary dated July 2017 prepared and submitted by DK Symes Associates;
- Letter from DK Symes dated 1st December 2017 and accompanying Section 78 Appeal, Further Information: Response to PINS Regulation 22 Request dated November 2017;
- Email from DK Symes Associates, dated 4th December 2017 and attached Drawings (including the drawing listed below);
- Email from DK Symes Associates and attached Letters, dated 18th December 2017;
- The following drawings and such other documents submitted and approved pursuant to conditions of this permission:
 - 97017/SC/1 v1 - Site Context - Dated 20/03/2015
 - 97017/A/1 v8 - Application Plan (Showing Existing Site) Dated 06/07/2015
 - 97017/CO/1 v10 - Illustrated Composite Operations Plan Dated 28/11/2017
 - 97017/PO/1 v2 - Illustrative Progressive Operations Plans – Initial Operations dated 21/01/2015
 - 97017/PO/2 v5 - Illustrative Progressive Operations Plans - Years 1- 4 Dated 28/1/2017
 - 97017/PO/3 v5 - Illustrative Progressive Operations Plan - Years 5 - 7 Dated 28/11/2017
 - 97017/PO/4 v5 - Progressive Operations Plan - Years 8 to completion Dated 28/1/2017
 - 97017/PP/1 v4 - Illustrative Details of Processing Plant Dated 28/11/2017
 - Gen.02 v2 - Illustrative Details of Typical Office and Weighbridge Dated 24/07/2015
 - Gen.03 v2 - Illustrative Details of Typical Office/Messroom Dated 24/07/2015
 - GEN 04 v1 – Elevations of Typical Workshop dated 24/07/2015
 - 97017/CS/1 v2 - Illustrative Cross Sections (1) Dated 28/11/2017
 - 97017/CS/2 v1 - Illustrative Cross Sections (2) Dated 08/07/2015

- 97017/R/1 v5 - Restoration Proposals dated 06/07/2015
- 46282/P/001 Rev A - Site Access Proposal and Swept Path Analysis Dated 22/10/2014
- 97017/LP/1 v2 - Lighting Plan Dated 28/11/2017

Reason: To define the development which has been permitted and so to control the operations in accordance with Buckinghamshire Minerals and Waste Local Plan Policies 28 and 36.

3. Final restoration shall be completed and all plant, machinery and equipment, other than that required for on-going management and maintenance shall be removed from the land no later than 13 years from the date of commencement or by the 28th February 2031, whichever is the later.

Reason: To control the period of operations within the timescale which has been judged by the County Council to be acceptable in accordance with Buckinghamshire Minerals and Waste Local Plan Policies 28 and 36.

4. Prior to the commencement of development, details of the type and colour of all plant and buildings, shown on the approved drawings listed in Condition No. 2 shall be submitted to the County Planning Authority for written approval, and thereafter only sited, maintained and operated in accordance with the approved details.

Reason: To control the development and in the interest of limiting the visual impact of the development in accordance with the Buckinghamshire Minerals and Waste Local Plan Policies 28 and 36.

Decision Notice for Inspection

5. A copy of the decision notice and the plans and documents as hereby approved shall be kept at the site office and be available for inspection by employees and agents of the site operators and the 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 in accordance with the Buckinghamshire Minerals and Waste Local Plan Policies 28 and 36.

Working Programme and Phasing

6. Working and restoration shall take place in accordance with the phases shown on the approved drawing Nos.97017/CO/1 v10 - Illustrated Composite Operations Plan Dated 28/11/2017, 97017/PO/1 v2 - Illustrative Progressive Operations Plans – Initial Operations dated 21/01/2015, 97017/PO/2 v5 - Illustrative Progressive Operations Plans - Years 1- 4 Dated 28/11/2017, 97017/PO/3 v5 - Illustrative Progressive Operations Plan - Years 5 - 7 Dated 28/11/2017 and 97017/PO/4 v5 - Progressive Operations Plan - Years 8 to completion Dated 28/11/2017 and as set out in Section 5 of the Volume 1 Environmental Statement dated August 2015.

Also:

- i) No mineral extraction shall occur in Phase 5 until mineral extraction has ceased in Phase 4, infilling has been completed in phase 3 and phase 2 has been restored;
- ii) No mineral extraction shall occur in Phase 6 until mineral extraction has ceased in Phase 5, infilling has been completed in phase 4 and phase 3 has been restored;
- iii) No mineral extraction shall occur in Phase 7 until mineral extraction has ceased in Phase 6, infilling has been completed in phase 5 and phase 4 has been restored;
- iv) No mineral extraction shall occur in Phase 8 until mineral extraction has ceased in Phase 7, infilling has been completed in phase 6 and phase 5 has been restored;
- v) No infilling shall commence in Phase 8 until infilling has ceased in phase 7 and phase 6 has been restored;
- vi) The restoration of phase 7 shall be completed within one year of completion of the restoration of phase 6;
- vii) The restoration of phase 8 shall be completed within one year of the completion of the restoration of phase 7;

Unless otherwise agreed in writing with the Local Planning Authority.

Reason: To ensure that the site is worked & restored in an orderly manner and in accordance with Policy 36 of the Buckinghamshire Minerals and Waste Local Plan.

7. Subject to the requirements of Condition No. 6 of this consent working and restoration shall be carried out in 8 main phases (comprising a site set up and establishment phase, which includes the setting up of a Plant and Operations Area and Silt and Water Management Area, followed by seven phases of extraction and progressive restoration) as shown on Drawing Nos. 97017/PO/1-4, Illustrative Progressive Plans and described in the other documents approved under Condition No. 2.

Reason: To ensure that the site is worked and restored in an orderly manner (Buckinghamshire Minerals and Waste Local Plan Policy 36).

8. Prior to the commencement of soil stripping operations in any phase of the development, the relevant phase and soil storage areas within that phase shall be marked out with posts 1.5 metres high in positions and in a manner to be submitted to and approved in writing by the County Planning Authority.

Reason: To ensure that the site worked and restored in an orderly manner and in accordance with the Buckinghamshire Minerals and Waste Local Plan Policy 36.

9. Between 1 January and 31 January in each calendar year during the period of the operations hereby authorised, a plan of not less than 1:2500 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; and

(d) Progress with soil replacement and areas that have been restored at a date within 14 days prior to submission of the plan.

Reason: To assist the County Planning Authority in monitoring the progress of the development and identify at an early stage any problem with meeting the date required by Condition No. 3 for the completion of restoration in accordance with the Buckinghamshire Minerals and Waste Local Plan Policies 28 and 36.

10. Notwithstanding the provisions of the Town and County Planning (General Permitted Development) (England) Order 2015 or any subsequent revision, modification, 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 other than those for which permission has already been granted under this consent shall be erected on the site without the prior approval in writing of the County Planning Authority.

Reason: There is exceptional need 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, in accordance with Buckinghamshire Minerals and Waste Local Plan Policy 28 and the Buckinghamshire Minerals and Waste Core Strategy Policies CS19 and CS20.

Hours of Operation

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

7:30 am to 6:00 pm Mondays to Fridays
7:30 am to 1:00 pm Saturday

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

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

12. All and any plant and machinery shall operate only during the hours permitted, except in the case of an emergency, and shall be properly silenced and maintained in accordance with the manufacturer's specification. Reversing warning alarms shall be operated only to the extent required by the law.

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

Ecology and Biodiversity

13. Prior to the commencement of development a Method Statement for an Ecological Clerk of Works shall be submitted to the County Planning Authority, for written approval, and thereafter implemented in accordance with the approved details.

The Method Statement shall set out details of the roles and responsibilities of a suitably qualified Ecological Clerk of Works (ECoW) before commencement of this development. This must include:

The duties of the Ecological Clerk of Works to be addressed in the Method Statement shall include:

- Ensuring that the favourable conservation status of bats is maintained, especially around the area of the confirmed bat roost. This should include advice on appropriate lighting schemes;
- Applying for the derogation licence that will be required from Natural England, prior to commencement due to the increased lighting and noise levels on site during operation;
- Overseeing the clearing of vegetation on site to ensure that reptiles and birds are not negatively affected, in accordance with the methodology stated in paragraph 4.4.3 of the Updating Phase 2 Ecological Assessment (ECOSA, July 2015);
- Providing advice on enhancement measures, mitigation, habitat restoration and management regimes as detailed in 'Biodiversity Net Gains'; and
- Details of how and progress on how the duties of Ecological Clerk of Works have been carried out in accordance with the roles and responsibilities document.

Reason: To conserve biodiversity, secure biodiversity net-gain and to maintain the favourable conservation status of bats as a European Protected Species.

14. Prior to the commencement development a Landscape and Ecological Management Plan (LEMP) shall be submitted to the County Planning Authority, for written approval, and thereafter implemented in accordance with the approved details. The Landscape and Ecological Management Plan (LEMP) shall include the following:

- An analysis of net gain to show that ecological enhancement will result from the development using a recognised metric such as the Defra metric;
- Description and evaluation of features to be managed;
- Ecological trends and constraints on site that might influence management;
- Aims and objectives of management;
- Appropriate management options for achieving aims and objectives (see below);
- Prescriptions for management actions;
- Preparation of a work schedule (including an annual work plan capable of being rolled forward over a five-year period);
- Details of the body or organization responsible for implementation of the plan; and
- Ongoing monitoring and remedial measures.

The LEMP shall also include details of the legal and funding mechanism(s) by which the long-term implementation of the plan will be secured by the developer with the management body or bodies responsible for its delivery. The plan shall also set out

(where the results from monitoring show that conservation aims and objectives of the LEMP are not being met) how contingencies and/or remedial action will be identified, agreed and implemented so that the development still delivers the fully functioning biodiversity objectives of the originally approved scheme. The approved plan will be implemented in accordance with the approved details.

The appropriate management options for achieving aims and objectives shall include, but are not limited to:

- A landscaping plan that details the locations, size and species of all trees, hedgerows and shrubs to be planted, removed and retained. It shall show preference for the planting of native species of local provenance in keeping with the surrounding landscape (although ash should be avoided due to the threat of ash dieback (*Chalara fraxinea*)). The species, density and age of planting should be detailed;
- Specific details regarding the supplementary planting around the perimeter of the site including hedgerow thickening and when this will be carried out;
- Specific details regarding the plants to be included in and around the restored pond;
- Details of how the new woodland, grassland, orchard, hedgerow and pond will be managed and how this management will be secured in perpetuity;
- Details of Bat and bird boxes to be erected on suitable trees in the woodland surrounding the extraction site. In each case, specific details regarding locations and quantities should be given. These boxes shall be erected at the earliest available opportunity, prior to works taking place.
- Provision of buffer zones around the vegetation around the perimeter of the site, including a 15 metre buffer around the confirmed bat roost located in tree 1; and
- Details of when the off-site mitigation measures will be put in place to ensure that they are given the longest possible time to establish.

Reason: To conserve biodiversity, secure biodiversity net-gain and to maintain the favourable conservation status of bats as a European Protected Species.

15. No removal of vegetation shall take place during the bird nesting season (1 March to 31 August).

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

16. Artificial lighting shall be provided only as detailed on Drawing No. 97017 /LP/1 v 2 Lighting Plan, unless otherwise first in agreed in written with County Planning Authority.

Reason: To protect the ecological interest of the site and to ensure that there are no problems of light spill beyond the site boundary (Buckinghamshire Minerals and Waste Local Plan Policy 28).

Archaeology

17. No development shall take place until the applicant, or their agents or successors in title, have secured the implementation of a programme of archaeological work in accordance with a Written Scheme of Investigation which has been submitted to and approved in writing by the County Planning Authority.

The archaeological investigation should be undertaken by a professionally qualified archaeologist working to the agreed Written Scheme of Investigation and take the form of targeted excavation of an appropriate area around the kiln site located in trial trench 5 and an excavation of an appropriate area around the features recorded in trial trenches 15, 16 and 18 (as detailed in the Summary of Archaeological Work undertaken by Archaeological Solutions Ltd dated 22nd January 2015). An archaeological watching brief should be undertaken on the rest of the site.

Reason: In order to ensure that satisfactory arrangements are made for the investigation and recording of archaeological remains, and the publication of the results (Buckinghamshire Minerals and Waste Core Strategy Development Plan Document Policy CS19).

Access and Vehicles

18. The development shall not exceed 142 HGV movements (71 in, 71 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.

19. No other part of the development shall begin until the new means of access has been sited and laid out in accordance with the approved Drawing Ref. 46282/P/001 Rev A - Site Access Proposal and Swept Path Analysis Dated 22/10/2014, 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.

20. No other part of the development shall begin 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 215 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 intervisibility between the access and the existing public highway for the safety and convenience of users of the highway and of the access.

21. Prior to commencement of the development a scheme for parking, manoeuvring and the loading and unloading of vehicles shall be submitted for approval by the County Planning Authority, for written approval. The approved scheme shall thereafter be implemented and made available for use before the development hereby permitted is occupied and that the area to be used for parking, manoeuvring and the loading and unloading of vehicles 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.

22. Adequate precautions shall be taken for the duration of the development to prevent the deposit of mud and similar debris on the adjacent public highways in accordance with details to be submitted and agreed in writing by the County Planning Authority prior to the commencement of the development.

Reason: To minimise danger and inconvenience to highway users.

Stability of Hedgerley Lane

23. Prior to the commencement of the development, proof of evidence of that the stability of Hedgerley Lane will not compromise the M40 motorway, as result of the construction and operation of the development, shall be submitted to and approved in writing by the County Planning Authority.

Reason: To minimise danger and inconvenience to highway users.

Pollution Prevention and Control

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

Reason: To ensure measures are in place to mitigate potential pollution of groundwater and surface water bodies should there be an accident or emergency (Buckinghamshire Minerals and Waste Core Strategy Development Plan Document Policy CS22).

25. Prior to the commencement of works on site an emergency spill response plan shall be submitted to and approved in writing by the County Planning Authority. The development site shall be maintained and works carried out in accordance with the approved plan for the duration of the development.

Reason: To ensure measures are in place to mitigate potential pollution of groundwater and surface water bodies should there be an accident or emergency (Buckinghamshire Minerals and Waste Core Strategy Development Plan Document Policy CS22).

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

Reason: The importation of waste materials outside these categories would raise environmental and amenity issues which would require consideration afresh (Buckinghamshire Minerals and Waste Local Plan Policies 28 & 31. Buckinghamshire Minerals and Waste Core Strategy Development Plan Document Policy CS22).

27. Any oil or chemical storage tanks shall either be sited on impervious bases and surrounded by oil tight bund walls which shall be capable of containing 110% of the

tanks' volume and shall enclose all fill and drain pipes or be prevented from causing pollution in accordance with other details to be submitted to and approved in writing by the County Planning Authority.

Reason: To ensure that groundwater and surface water bodies are not polluted (Buckinghamshire Minerals and Waste Core Strategy Development Plan Document Policy CS22).

Noise

28. The scheme for the monitoring and mitigation of noise detailed in paragraph 16.26 and Volume 1 Environmental Statement dated August 2015 and the LFAcoustic Noise Assessment, included in the Volume 2 Environmental Statement dated August 2015 shall be maintained and carried out in accordance with the approved plan for the duration of the development.

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

29. (a) Except for the temporary operations outlined in b), the equivalent continuous noise level at the nearest noise sensitive properties, due to operations on the site, shall not exceed 10dB above the ambient (LA90) noise level, subject to a maximum of 55dB LAeq, 1 hour (free field) in accordance with BS 5228:Part1, 1997;

(b) For temporary operations including soils and overburden removal and bund construction and removal, the equivalent continuous noise level at the nearest noise sensitive properties shall not exceed 70dB LAeq, 1 hour (free field). Temporary operations, which exceed the normal day-to-day 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. All works for which this noise limit and time constraint will not be met, shall be subject to prior approval in writing by the County Planning Authority.

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

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

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

31. Prior to the commencement of the development on site, details of all fixed plant and equipment to be installed on the site, including their acoustic specifications shall be submitted to and approved in writing by the County Planning Authority. Thereafter the development shall be operated in accordance with the approved details for the duration of the development.

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

Air Quality

32. The scheme for the management, monitoring and mitigation of dust in paragraph 17.14 and Volume 1 Environmental Statement dated August 2015 shall be carried out in accordance with the approved scheme for the duration of the development.

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

The Water Environment

33. The development permitted by this planning permission shall only be carried out in accordance with the approved Hafren Water Hydrogeological Assessment dated December 2011 (Reviewed May 2017) and the Flood Risk Assessment (FRA) Version 1 dated January 2012 (Reviewed May 2017) included in the Planning Statement and Updated Environmental Statement dated July 2017, and Supplemented by the Hafren Water Impact Assessment Addendum Final Version dated September 2017 included in the Section 78 Appeal, Further Information: Response to PINS Regulation 22 Request dated November 2017. The mitigation measures in accordance with the FRA, shall limit the surface water run-off generated by the 1 in 100 year plus climate change critical storm so that it will not exceed the run-off from the undeveloped site and not increase the risk of flooding off-site.

Reason: To prevent flooding by ensuring the satisfactory storage of/disposal of surface water from the site (Buckinghamshire Minerals and Waste Local Plan Policy 28 and Buckinghamshire Minerals and Waste Core Strategy Development Plan Document Policy CS22).

Soil Stripping and Storage

34. The scheme for handling soils detailed in the Volume 1 Environmental Statement dated August 2015 (Section 5.2) shall be implemented in accordance with the approved details.

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

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

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

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

- i. soil stripping, handling, storage and replacement;
- ii. the machinery to be used;
- iii. the location of internal haul routes;
- iv. the location, contours and volumes of the storage bunds including the identification of the soil types and units to be contained therein;

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

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

37. Topsoil shall be stripped to full depth and shall be stored for subsequent placement in the locations shown on the plans approved pursuant to Condition No. 2 of this consent and in accordance with the details set out in the Volume 1 Environmental Statement dated August 2015 (Sections 5.2, 5.8 and 5.10).

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

38. Indigenous upper subsoils shall be stripped to full depth and shall be stored separately in the location shown on the plans approved pursuant to Condition No. 2 of this consent and in accordance with the details set out in the Volume 1 Environmental Statement dated August 2015 (Sections 5.2, 5.8 and 5.10), for subsequent replacement.

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

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

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

40. Soil stripping or movement of soil shall not be undertaken other than between 1 May and 30 September inclusive, unless otherwise agreed in writing by the County Planning Authority. During this period, soil shall not be moved other than when the soil is in a dry and friable condition. The criteria for determining dry and friable shall be based on a field assessment of the soils wetness in relation to its lower plastic limit. An assessment shall be made by attempting to roll a ball of soil into a thread on the surface of a clean plain glazed tile (or plate glass square) using light pressure from the flat of the hand (where the soils are particularly stony, stones should be removed from the soil sample before attempting this test). If a long thread of less than 3mm diameter can be formed, the soil is wetter than the lower plastic limit and soil moving should not take place until the soils have dried out. If the soil crumbles before a long thread of 3mm diameter can be formed, then the soil is dry enough to move. This assessment shall be carried out on representative samples on each major soil type.

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

41. All topsoil shall be stored separately from subsoil and over or underburden (soil substitute material). All subsoil shall be stored separately from over or underburden. Topsoil shall be stripped from areas where mounds of subsoil and over or underburden (soil substitute material) and subsoil are to be stored. Where continuous bunds are used dissimilar soils shall be separated by a third material the details of which shall be submitted to and approved in writing by the County Planning Authority prior to the bund construction. The bunds shall not be located other in the positions specified on the plans approved pursuant to Condition No. 2 of this Consent.

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

42. All stored topsoil, subsoil over or underburden mounds shall be constructed with the minimum of compaction necessary to ensure stability. The storage mounds shall be shaped to avoid the collection of water in surface undulations.

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

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

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

44. Topsoil storage mounds shall not exceed three metres in height. Subsoil mounds shall not exceed five metres in height unless otherwise agreed in writing with the County Planning Authority.

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

45. The topsoil, subsoil material storage mounds once constructed shall not be subsequently disturbed until required for restoration purposes unless otherwise agreed in writing with the County Planning Authority.

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

46. All storage mounds that remain in situ for more than six months, or over the winter period, shall be grass-seeded in accordance with the details required pursuant to Condition No. 72. Weed control and other maintenance measures provided for in the landscaping scheme required subject to Condition No. 72 shall be carried out for the duration of restoration material storage.

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

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

Reason: To ensure that sufficient soils are available for restoration purposes. (Buckinghamshire Minerals and Waste Local Plan Policy 31).

Extraction and Processing

48. No processing of sand and gravel authorized by this consent shall commence until after one month's notice has been given in writing to the County Planning Authority.

Reason: To control the development and in the interests of limiting the visual impact of the development (Buckinghamshire Minerals and Waste Local Plan Policies 28 and 36).

49. All sand and gravel extracted from the site shall be worked dry, subject to the controlled detwatering, where required in individual phases in accordance with the details set out the Volume 1 Environmental Statement dated August 2015, Section 5.7.

Reason: To prevent pollution of the water environment (Buckinghamshire Minerals and Waste Core Strategy Development Plan Document Policy CS22).

50. Stockpiles of unprocessed and processed sand and gravel within the plant and operations area shall not exceed 5 metres in height.

Reason: To minimise the visual impact of the development on the locality (Buckinghamshire Minerals and Waste Local Plan Policy 28).

51. No mineral processing plant shall be located or stockpiles of processed mineral or mineral for processing shall be stored other than in the area shown on Drawing No. 97017/CO/1 v10 - Illustrated Composite Operations Plan Dated 28/11/2017 unless otherwise approved in writing by the County Planning Authority.

Reason: To ensure that mineral processing and stockpiling is not carried out other than in the designated areas, in the interest of local amenity and flood protection (Buckinghamshire Minerals and Waste Local Plan Policy 28 and Buckinghamshire Minerals and Waste Core Strategy Development Plan Document Policy CS22).

Infilling

52. The base of the excavation shall be levelled prior to the commencement of the infilling with waste material.

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

53. Within two months of reaching finished levels upon each phase wooden profile markers showing:

- i. the approved finished levels of inert fill before the placement of subsoil and topsoil;

- ii. the approved finished levels following the placement of subsoil;
- iii. the approved finished restored levels following the placement of topsoil in accordance with those set out on approved Drawing No. 97017/R/1 v5 - Restoration Proposals dated 06/07/2015.

shall be erected on the site to the approval in writing of the County Planning Authority. Such finished level markers shall be retained on the site and be strictly adhered to at all times during the period of tipping.

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

54. The top one metre of fill prior to the replacement of soils shall consist of either overburden or clean fill and in either case shall be free of any objects larger than 15 centimetres in any dimension which are likely to be an obstruction to deep cultivations or underdrainage.

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

55. Prior to the re-spreading of the subsoil upon any phase of the development a survey levels shall be carried out and submitted to the County Planning Authority.

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

56. Restoration to agriculture shall be carried out in accordance with the approved scheme so that after replacement of subsoils and topsoil, the contours shall conform with those shown on approved Drawing No. Drawing No. 97017/R/1 v5 - Restoration Proposals dated 06/07/2015.

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

Soil Replacement and Restoration

57. Prior to the re-spreading of subsoil in any phase the County Planning Authority shall be given at least five days' notice in writing. The upper 0.5 metres of the reclamation surface shall be decompacted by either ripping or shallow excavation and spreading on a local basis in accordance with the details set out in accordance with the Volume 1 Environmental Statement dated August 2015, Section 5.10.

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

58. Sections of haul road formed to a higher level than one metre below the final restoration levels shall be removed before the subsoil and topsoil are re-spread. All sections of haul road shall be ripped before being covered with soil during restoration.

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

59. The County Planning Authority shall be notified when the works required pursuant to Condition Nos. 57 & 58 have been completed and given at least five working days to inspect the area before further restoration of the site is carried out.

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

60. Within each phase of the development, lower subsoil shall be:

- i. only spread onto the ground when the works required pursuant to Condition Nos 57 & 58 have been completed; and
- ii. placed in accordance with the details set out in the Volume 1 Environmental Statement dated August 2015, Section 5.2.

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

61. Unless otherwise approved in writing by the County Planning Authority the lower subsoil layer formed in accordance with the requirements of Condition No. 60 shall be ripped:

- i. to provide loosening equivalent to a single pass at a tine spacing of one metre or closer;
- ii. to its full depth; and
- iii. any non-subsoil material or rock or stone greater than 100 millimetres in any dimension shall be removed from the loosened surface before further soil is laid. Materials that are removed shall be disposed off-site or buried at a depth not less than three metres below the final contours.

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

62. Upon completion of the works required pursuant to Condition No. 61, the upper subsoil shall be tipped in windrows and spread over the loosened lower subsoil or subsoil substitute in five metres wide strips in such a manner so as to avoid compacting placed upper subsoils and to an average thickness of 0.6 metres as specified in the Volume 1 Environmental Statement dated August 2015, Section 5.2.

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

63. Unless otherwise approved in writing by the County Planning Authority the upper subsoil layer formed in accordance with the requirements of Condition No. 62 shall be ripped:

- i. to provide loosening equivalent to a single pass at a tine spacing of one metre or closer;
- ii. to its full depth; and
- iii. any non-subsoil material or rock or stone greater than 100 millimetres in any dimension shall be removed from the loosened surface before further soil is

laid. Materials that are removed shall be disposed of off-site or buried at a depth not less than three metres below the final contours.

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

64. Topsoiling shall not commence until the County Planning Authority has been notified in writing that the requirements of Condition No. 63 have been fulfilled and has been given the opportunity of at least five working days to inspect the completed subsoiling works.

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

65. Following the inspection by the County Planning Authority pursuant to the requirements of Condition No. 64, the topsoil shall be tipped in windrows and spread over the loosened upper subsoil in 5 metres wide strips in such a manner as to avoid compacting placed upper subsoils and topsoils and to an average thickness of 0.3 metres as specified in the Volume 1 Environmental Statement dated August 2015, Section 5.2.

66. The replaced uncompacted soil profile shall be at least 0.9 metres above the a decompacted 0.5 metre reclamation layer to give an overall soil thickness of 1.4 metres, in accordance with the details specified in the Volume 1 Environmental Statement dated August 2015, Section 5.2.

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

67. The re-spread topsoil shall be rendered suitable for agricultural cultivation and ripped or loosened with winged tines:

- i. to provide loosening equivalent to a single pass at a tine spacing of one metre or closer;
- ii. to the full depth of the topsoil; and
- iii. any stone on the loosened topsoil surface and greater than 100 millimetres in any dimension shall be removed from the site or buried at a depth not less than three metres below the final contours.

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

68. The County Planning Authority shall be notified in writing within five days of completion of the works within each phase, required pursuant to Condition No. 67 and given at least five working days to inspect the completed works before the commencement of any cultivation operations.

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

69. No later than two weeks from the inspection by the County Planning Authority pursuant to the requirements of Condition No. 68 the respective phase shall be grass

seeded with the grass seed mixture approved pursuant to the requirements of Condition No. 72.

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

70. Any area of the site which is affected by surface ponding or by local settlement caused by the approved operations shall be re-graded to resolve the problem using materials in accordance with the approved specifications. Topsoil, subsoil and other overburden removed in the course of re-grading shall not be mixed and shall be handled and replaced in accordance with the abovementioned Conditions (Nos. 57 to 69).

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

71. No non-agricultural vehicles shall run over the replaced topsoil during the restoration and aftercare period.

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

Landscaping

72. Prior to the commencement of development a landscaping scheme shall be submitted to and approved in writing by the Local Planning Authority. The landscaping scheme shall include details of the scheme in accordance with Drawing No. of: 97017/R/1 v5 - Restoration Proposals dated 06/07/2015 and shall include the following details:

- (a) the off-site landscaping;
- (b) proposed seeding;
- (c) the retention of all screen planting within the control of the applicant for the duration of the operational and restoration period;
- (d) The establishment of protection zones between all retained vegetation and the proposed excavations and stockpiles;
- (e) A fully detailed landscape proposal and specification using locally occurring indigenous species; and
- (f) The establishment of a management and maintenance programme for a minimum of five years for all new landscape works, and during the programme period the replacement of all failed plants (irrespective of cause) in the planting season immediately following failure.

Reason: In the interests of the visual amenity of the area (Buckinghamshire Minerals and Waste Local Plan Policies 28 and 36).

Arboricultural

73. Prior to the commencement of development, an Arboricultural Method Statement provided in accordance with *BS5837:2012 Trees in relation to design, demolition and construction* providing details of the following:

- i) The 15m buffer zone applied to all boundary trees irrespective of size and age;

- ii) Provision for the control and management of dust with respect to Ancient Woodland and any Veteran trees. (*Control measures can be found within BS 5827 2012 and the Governments guidance for ancient woodland and veteran tree protection.*)
- iii) A revised version of Drawing No. 97017/CO/1 v10 to show the 15m buffer zone applied to the entire site. This plan should also be annotated to ensure that no activity (including storage and set down areas) takes place within the standoff area and should clearly demonstrate the extent of proposed tree protection fencing

Pipelines and Cables

74. There shall be no workings within the vicinity of electricity cables and equipment other than in accordance with details to be first submitted to and approved in writing by the County Planning Authority.

Reason: In the interests of the amenity of the area (Buckinghamshire Minerals and Waste Local Plan Policies 28 and 36).

Aftercare

75. Within three months of the date of the final replacement of topsoil on any phase or part phase to be restored to agriculture, 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. Each year within four weeks of the annual site meeting required by Condition No. 76 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 12 months.

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

76. Prior to the commencement of any infilling works a detailed Aftercare Scheme shall be submitted to and approved in writing by the County Planning Authority. The Aftercare Scheme shall include the details specified in the Volume 1 Environmental Statement dated August 2015, Section 5.12, shall include a provision for an annual aftercare programme and for areas to be restored to agricultural use, shall provide for:

- i. The removal of any large stones from the surface;
- ii. The making up of any low spots with topsoil;
- iii. The provision of a drainage scheme if required to be constructed following the annual aftercare meeting. Further details of the type, depth and spacing of drains, ditches and outfalls shall be approved in writing by the County Planning Authority. In subsequent years of the aftercare period measures to maintain and repair the drainage system shall be taken;
- iv. An analysis of the soil acidity and nutrient deficiency;

- v. The cropping, fertilisation and drainage measures to correct acidity and nutrient deficiency and to improve soil structure to achieve a good state of cultivation and fertility;
- vi. The provision of hedges, trees and fences approved by the County Planning Authority to provide for the efficient farming of the land and appearance of the landscape. In subsequent years of the aftercare period, measures to maintain the hedgerows, trees and fences, and replace any dead or diseased trees or shrubs, shall be taken;
- vii. The maintenance and/or provision of such means of access to, and within, the site as approved by the County Planning Authority to be necessary for the efficient farming of the land;
- viii. The provision of such field water supplies as required by the County Planning Authority to be necessary for the efficient farming of the land;
- ix. An annual site meeting which will be attended by representatives of the developer, central Government's agriculture agency and the County Planning Authority.

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

77. Throughout the development hereby permitted the developer shall retain the services of an agricultural consultant first approved by the County Planning Authority, for the purpose of supervising soil stripping, soil movement, soil storage, subsoil substitute manufacturing, soil replacement, restoration, drainage and aftercare works.

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

78. Aftercare for the areas to be restored to woodland, grassland and pasture in accordance with the details specified in the Volume 1 Environmental Statement dated August 2015, Section 5.11, shall be carried out in accordance with the details to be submitted and approved pursuant to the requirements of Condition No. 76.

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

Informatives

General

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 in relation to dealing with the proposed development by liaising with consultees, respondents and the applicant/agent and discussing changes to the proposal where considered appropriate or necessary. This approach has been taken positively and pro-actively 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.

Controlled Waste

This development must comply with the Environmental Permitting (England and Wales) Regulations 2010 (as amended) which requires an Environmental Permit for Landfill issued by the Environment Agency.

Ecology and Biodiversity

Badgers

Badgers and their setts are protected under the Protection of Badgers Act 1992, which makes it illegal to kill, injure or take badgers or to interfere with a badger sett. Measures should be implemented to make sure that badgers and other mammals are excluded from the site during extraction works. These mammals can often become trapped in excavations where mitigation measures are not put in place, especially of excavations fill with water.

Breeding birds

All wild birds are protected under the Wildlife and Countryside Act 1981 (as amended), including their nests (whilst in use or being built) as well as any eggs the nest may contain. Therefore, no vegetation should be removed during the bird nesting season. This is weather dependant but generally extends from 1st March to 31st August (inclusive). If this is not possible, a qualified ecologist should check the areas concerned immediately prior to vegetation removal to ensure that no nesting or nest-building birds are present. If any nesting or nest-building birds are present, no vegetation should be removed until the fledglings have left the nest.

Landscape and Ecological Management Plan (LEMP)

In preparing the LEMP it is recommended that the applicant approach an organisation such as Bernwode Fruit Trees (<http://www.bernwodeplants.co.uk/index.htm>) who can provide advice on heritage fruit trees which can be incorporated into the orchard area on site.

Access and Vehicles

The applicant is advised that the access and offsite highway works will have to be constructed under a section 278 of the Highways Act legal agreement. This agreement must be obtained from the Highway Authority before any works are carried out on any footway, carriageway, verge or other land forming part of the highway. A minimum period of 8 weeks is required to draw up the agreement following the receipt by the Highway Authority of a completed Section 278 application form. Please contact Highways Development Management at the following address for information: -

Highways Development Management
6th Floor, County Hall
Walton Street, Aylesbury,
Buckinghamshire
HP20 1UY
Telephone 0845 230 2882

Pipelines and Cables

Any workings within the vicinity of electricity cables and equipment shall not be commenced until consultation with Scottish and Southern Energy and their Health and Safety Executive's booklet or their 'Watch-It' leaflet.

S.106 Agreement

The S.106 Agreement shall include the following requirements:

1. That all HGVs access the site only via Hedgerley Lane and its junction with the A 355 turning right into the site on arrival and turning left only on departure; and
2. That the development shall not route any more than 16 HGV's south on the A355 and 16 HGV's north on the A355 beyond the A355/M40 junction per day.
3. To provide for monitoring arrangements for HGV movements along Hedgerley Lane and at the A355 signalised junction.