



Appeal Decision

Site visit made on 14 August 2018

by **Michael Moffoot DipTP MRTPI DipMgt**

an Inspector appointed by the Secretary of State

Decision date: 12 September 2018

Appeal Ref: APP/P4415/W/17/3190757

Harrycroft Quarry, Worksop Road, South Anston, Rotherham S81 8BD

- The appeal is made under section 78 of the Town and Country Planning Act 1990 against a refusal to grant planning permission under section 73 of the Town and Country Planning Act 1990 for the development of land without complying with conditions subject to which a previous planning permission was granted.
 - The appeal is made by Mr David Atkinson (Tarmac) against the decision of Rotherham Metropolitan Borough Council.
 - The application Ref: RB2016/1539, dated 10 November 2016, was refused by notice dated 30 June 2017.
 - The application sought planning permission for 'variation to condition 6 imposed by RB/2006/2094 to amend the required period for the submission of a revised scheme for the restoration of the site should mineral extraction/waste infill cease for a period in excess of twelve months' at Harrycroft Quarry, Lindrick Dale, Lindrick, Rotherham for Lafarge Aggregates Limited' without complying with conditions attached to planning permission Ref: RB2010/1308/VC dated 20 December 2010.
 - The relevant conditions and reasons given are set out in the attached Schedule 1.
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Decision

1. The appeal is allowed and planning permission is granted for variation to condition 6 imposed by RB/2006/2094 to amend the required period for the submission of a revised scheme for the restoration of the site should mineral extraction/waste infill cease for a period in excess of twelve months at Harrycroft Quarry, Lindrick Dale, Lindrick, Rotherham for Lafarge Aggregates Limited without compliance with conditions 1, 2, 15, 16, 17, 18, 23, 26, 28, 29, 33, 34, 36, 37, 40 and 41 previously imposed on planning permission Ref: RB2010/1308/VC dated 20 December 2010 but otherwise subject to the other conditions imposed therein, so far as the same are still subsisting and capable of taking effect, and subject to the following additional/replacement conditions set out in Schedule 2 (attached).

Application for Costs

2. An application for costs was made by Tarmac against Rotherham Metropolitan Borough Council. This application is the subject of a separate decision.

Preliminary Matters

3. The application at appeal seeks to vary a number of conditions relating to, amongst other things, the time period for extraction operations, phasing, restoration, hours of quarrying, blasting and loading operations, blasting

regulation, recycling, soil storage, deposit of waste material, delivery of road planings, noise level restrictions, landscaping and site aftercare.

4. The sole reason for refusal relates to highway safety matters. However, a number of the variations to conditions sought are of concern to other parties, including a Ward Councillor, the Parish Council and local residents. I deal with these matters later in my decision.
5. For the avoidance of doubt, the plans accompanying the proposal at appeal comprise: H321/00003; H321/00004; H321/00005; H321/00006 and H321/00007. Plan no 112348/1001 Rev B indicating proposed junction improvements accompanies the appeal papers. It includes replacement, relocated and additional highway signage, new road markings and verge maintenance details. The Council and interested parties have had the opportunity to comment on the drawing, and I do not consider that any party would be prejudiced by inclusion of the proposals in my determination of the appeal.
6. The appeal is accompanied by a planning obligation dated 18 January 2018 under s106 of the 1990 Act relating to payment of a Traffic Management Contribution to the Council, HGV routing and its enforcement and management of the Newt Relocation Area.

Main Issue

7. The main issue in this case is the implications of the proposal for highway safety on the A57.

Reasons

Background

8. The long-established Harrycroft Quarry lies in open countryside to the north-west of Worksop and near the village of South Anston. The overall site extends to some 38ha with operations including limestone extraction as well as importation of inert materials for backfilling and restoration. Vehicular access from the A57 is via a hard-surfaced road which also serves Anston Grange Farm to the east.
9. The estimated remaining limestone reserves amount to some 2.55m tonnes which the appellant estimates will take some 15 years to extract at an annual rate of 200,000-300,000 tonnes. Recycling operations on the site and importation of material for restoration would continue at the present rates. The extant permission¹ for mineral extraction expired on 31 December 2016 (condition 01), and condition 02 requires restoration of the land to render it suitable for agriculture by 31 December 2018.
10. Extraction has declined following a reduction in demand as a result of the economic downturn since the 2010 permission. However, the appellant advises that a gradual increase in regional demand now warrants reopening of the quarry to extract the limestone deposits authorised by earlier permissions. As a consequence, they seek to vary conditions 01 and 02 to extend mineral extraction to December 2031 and complete restoration by December 2033.

¹ Council ref: RB2010/1308(VC)

11. The proposal also includes variation to conditions 15, 17, 18, 23, 26, 29, 33, 34, 36, 37, 40 and 41 to modify the phasing and restoration schemes to take account of ecological circumstances on the site and to reflect the change in drawing numbers. In addition, conditions 16 and 28 would be varied to reduce the operational hours for primary plant and equipment and preclude blasting on Saturdays.
12. The application is accompanied by an Environmental Statement which explains the background to the proposals, existing conditions, proposed working and restoration schemes. It also includes an environmental impact assessment and consideration of mitigation measures where appropriate.

Highway safety

13. The A57 is a key transport route both within the Borough and sub-regionally and accordingly carries a high volume of traffic, as I saw at my site visit. The access to the quarry from the main road comprises a T-junction with auxiliary lanes on both sides to accommodate incoming and departing vehicles. Amongst other things, the Council is concerned that the access is unsuitable to cater for the additional HGV traffic entering and leaving the site via the A57.
14. The Transport Assessment anticipates an average of 8 haulage vehicle movements/hour (4 in/4 out) and up to a maximum of 13 vehicle movements/hour (6.5 in/6.5 out), with a directional split of 75% vehicles to/from the west and 25% to/from the east.
15. The appellant's survey of traffic in the vicinity of the access indicates that the 85th percentile speeds on the A57 are 3.1mph above the 50mph speed limit eastbound and 0.6mph above the limit westbound. As such, there is no evidence to show that the road is subject to speeds materially in excess of the posted limit.
16. The submitted traffic data indicates that traffic levels on the A57 in the vicinity of the appeal site have not increased significantly over the last 12 years. In terms of traffic volume, the appellant's highway evidence includes a modelled junction capacity assessment which shows that the access is capable of accommodating vehicular movements generated by the extended quarrying and associated operations proposed on the site. Even if predicted future traffic growth occurs on the local highway network, the evidence shows that the site access has the capacity to serve the extended quarrying activities to 2033.
17. As to visibility at the access, drawing 112348/1002 shows that 2.4m x 160m visibility splays are achieved at the 'Give Way' line, which is set at the back of the auxiliary lanes to either side of the junction. However, the appellant acknowledges that this is dependent upon pruning of overgrowth at each end of the auxiliary lanes and pruning back of overhanging vegetation on the north side of the A57 to the west of the junction.
18. The Council notes that the carriageway width of 6.66m some 150m to the west of the access and 7m some 175m to the east are below the width of 7.3m advocated in the *Design Manual for Roads and Bridges*². The appellant advises that the carriageway width is about 7.3m in the vicinity of the access, and I have seen no evidence to show otherwise.

² Volume 6 Section 1 Part 1 TD 9/93

19. Concerns are also expressed about the poor condition of the existing advance highway warning signs in the vicinity of the access and the need for measures to secure cutting back of vegetation to improve visibility of the signs for road users. The appellant acknowledges that ongoing highway surface maintenance is likely to be required during the extended operation of the quarry.
20. It includes pruning of roadside vegetation, renewal of road markings and monitoring and possible renewal of the surface on the auxiliary lanes, monitoring of skid resistance of the access road in the vicinity of the 'Give Way' line and possible resurfacing, and monitoring/renewal of road markings at the access as necessary.
21. The appellant suggests an agreement with the Council to secure these measures throughout the life of the quarry. However, whilst the submitted planning obligation provides for the replacement of existing signs in the vicinity of the access, use of suitable passively safe posts and cutting back of vegetation to improve the visibility of the signs, no provision is made for the other measures identified in paragraph 19 (above). Accordingly, the appellant has volunteered an additional condition which would require approval of a scheme to incorporate all the necessary measures.
22. Paragraph 109 of the *National Planning Policy Framework*³ states that "Development should only be prevented or refused on highway grounds if there would be an unacceptable impact on highway safety, or the residual cumulative impacts on the road network would be severe".
23. The Council's evidence shows that there has been only one accident in the immediate vicinity of the junction in the last 12 years, which was unrelated to operational vehicles using the access.
24. The access has therefore served the quarry for some significant time without incident. There are no records of accidents that are directly attributable to the use of the access by vehicles associated with the previous quarrying operations on the land. There are no material changes in the nature of the use of the access arising from the appeal proposal that would adversely affect the operational ability and capacity of the access to serve the quarry. Moreover, there have been no changes in highway design standards since the permission associated with the appeal scheme.
25. Having regard to the prevailing highway conditions, and subject to the provision of the measures volunteered by the appellant by way of condition and planning obligation, I conclude that the operations on the site as a result of the appeal proposal would not materially harm highway safety on the A57.

Other Matters

26. The operation would not affect the landscape in the vicinity of the cemetery to the north-west of the appeal site. There is no technical evidence before me to show that quarrying operations on the site would be detrimental to the cemetery or the structural integrity of residential properties in South Anston, and blasting operations would be controlled by operational and monitoring planning conditions.

³ As amended July 2018

27. Given the proximity of the quarry to South Anston, I consider that the operational hours set out in conditions 17, 18 and 24 represent a reasonable balance between the commercial interests of the appellant and the legitimate safeguarding of residents' living conditions.
28. I have seen no compelling justification to require resurfacing of the A57 between South Anston and the site access as a result of resumption of quarrying activities at the site. Similarly, no clear case is made for improvements to highway and pedestrian infrastructure within the village.
29. Subject to the proposed mitigation measures, I am satisfied that the development would not be detrimental to Sites of Special Scientific Interest in the area, including Anston Stones Wood.
30. Finally, I am advised that the planning application for test drilling at Woodsetts was refused by the Council in March 2018.

Conditions

31. The conditions suggested by the main parties are imposed with some minor modification and added precision in the interests of clarity and having regard to relevant provisions in the *Planning Practice Guidance*.
32. Time-limited conditions for extraction and restoration works are fundamental to the development permitted. Upon expiry of operations on the site the associated buildings, hardstandings, plant, equipment, structures and all roads should be removed in the interests of visual amenity.
33. To ensure accordance with the approved scheme it is appropriate to require copies of the permission and relevant tipping/restoration/aftercare measures to be kept on site for inspection.
34. In the interests of residential and environmental amenity it is necessary and reasonable to require:
 - restrictions on the operational hours/days of the site (including blasting) and a noise limit on operations on the site during working hours
 - advance notice of soil stripping/restoration and undertaking of associated operations during dry conditions
 - safeguarding of surrounding land stability
 - a revised scheme for the restoration of the site in the event that the quarrying/infill operations are suspended for more than 12 months
 - an annual limit on the amount of inert material processed on the site and a restriction on the stored height of such material
 - noise attenuation for re-cycling operations
 - a restriction on the number of road plantings deliveries and noise generated by the operation; provision of appropriate silencing for all employee and operational vehicles on the site
 - appropriate measures to contain dust, mud and other materials within the site

- provision of a blast database and measures to review such operations
 - appropriate arrangements for the location and management of soil storage
 - arrangements for progressive and controlled tipping and restoration operations within the site, including prevention of ponding
 - protection of trees and hedgerows on the site and their replacement if necessary
 - provision for landscaping and any necessary replacement following infilling
 - a five year aftercare programme following completion of restoration works
 - protected species habitat investigation if operations cease for more than three months on the site
 - assessment of flora and fauna habitats prior to the recommencement of operations on the site
35. A scheme of archaeological investigation and recording before operations recommence on site is also necessary and reasonable.
36. In the interests of highway safety access to the site should be limited to the A57.
37. To prevent pollution, fuel and oil storage facilities should be enclosed in suitable bunds and waste infill restricted to clean inert material, with waste re-cycling undertaken on an impervious base.

Conclusion

38. For these reasons set out above, and having regard to all other matters raised, I conclude that the proposed development is acceptable and the appeal should succeed subject to the revised conditions.

Michael Moffoot

Inspector

SCHEDULE 1

The conditions in dispute are Nos 1, 2, 15, 16, 17, 18, 23, 26, 28, 29, 33, 34, 36, 37, 40 and 41 which state:

01. The permission hereby granted shall be carried out only in accordance with the details and specifications indicated on the plans presented in report reference No. LAF/HY/SPH/1366/01/FIN comprising the Environmental Statement, dated November 2006. Mineral extraction shall be completed by 31 December 2016 and on-going progressive restoration

by importation with inert waste materials shall be completed by 31 December 2018.

02. No later than 31 December 2018 referred to in Condition 1 above, mineral extraction and restoration works (excluding aftercare) shall have ceased and the site shall have been restored, treated and brought to a state suitable for agriculture in accordance with the conditions set out below and as shown on the approved restoration Plan Ref. 1627/Appendix E - Rev E.
15. Working shall be carried out so as not to endanger the stability of the surrounding land. The site shall be worked and restored progressively, as indicated on Plan No. LAF/HY/03-06/12788 and detailed in the letter dated 26 February 2007. This information shall be updated annually in the form of a report to be submitted to the Mineral Planning Authority identifying restoration work completed during the previous twelve months and proposed restoration work for the next twelve months. The first report shall be submitted within twelve months of the date of the recommencement of works.
16. Except in case of emergency and with the exception of those activities covered by Conditions 17 and 23 below, no operations shall take place on the site other than between the hours of 0700 and 1800 Mondays to Fridays and between the hours of 0700 and 1300 on Saturdays. There shall be no working on Sundays or public holidays. At times when operations are not permitted work shall be limited to maintenance and servicing of plant or other work of an essential or emergency nature. The Mineral Planning Authority shall be notified at the earliest opportunity of the occurrence of any such emergency and a schedule of essential work shall be provided.
17. The loading of stone for sale shall only take place during the hours of 0600 to 1800 on Mondays to Fridays and between the hours of 0600 to 1300 on Saturdays. No such operations shall take place on Sundays or public holidays. All loading of vehicles prior to 0700 hours shall take place only within the area shown as phase 5 on Plan No. LAF/HY/03-06/12788.
18. The recycling element of the scheme shall be located in accordance with Plan No. LAF/HY/10-06/13185 and operated in accordance with the original supporting statement dated November 2001 and the letter dated 1 May 2002.
23. When road planings are delivered to the site outside of the hours that the quarry is usually open as set out in Condition 16 above, this should be at a rate of no more than seven deliveries by lorry per hour during the hours that the quarry is usually closed. During the hours when the quarry is usually closed, noise emissions from the site shall not exceed 45d B (A)Leq, 10 mins, or 5d B(A) above background at least 3.5 metres from the nearest façade of Anston Grange Farm or the nearest residential property.

26. During the working hours permitted in Conditions 16 and 17 above, the A weighted equivalent continuous free field noise level (Leq dB(A), (1 hr.)) attributable to the operations measured at the nearest boundaries of the residential property shall not exceed: 45 dB(A)Leq in any one hour period during all site operations; and 50 dB(A)Leq in any one hour period maximum measured at least 3.5 metres from the nearest facade of Anston Grange Farm (the nearest residential property).
28. Except in case of emergency, blasting operations shall be carried out only between the hours of 11.00 and 12.00 and 14:00 and 16:00. on Mondays and Fridays and between the hours of 11.00 and 12.00 on Saturdays and not at all on public holidays and shall be limited to no more than three times per week.
29. Blasting charges shall be so regulated to ensure that during any period of thirteen consecutive weeks as operations progress, ground vibrations produced shall not exceed a peak particle velocity in any plane of 6 mm/second at the 95% confidence limit, with no blast producing a peak particle velocity in any plane greater than 12 mm/s-1 measured at the ground surface adjacent to the nearest property to the blast. If monitoring results from any blast exceed a peak particle velocity in any plane of 6mms-1 all further blasting will be suspended pending an investigation into the blast design and monitoring data. In devising and implementing the blasting programme for the site, the operator shall at all times employ the best practicable means in order to minimise noise, vibration and air over pressure caused by blasting.
33. All topsoil and subsoil shall be stripped in advance of working and where not immediately employed shall be separately stacked along the northern boundary of the quarry or the soil storage area in the south of the quarry in a location to be agreed with the Mineral Planning Authority and in accordance with details contained in the Environmental Statement. All such materials shall be retained on site and prevented from mixing and contamination. Such stacks shall not be traversed by heavy vehicles or machinery except during stacking or re-spreading. The stacks shall be regularly formed and maintained in a tidy and weed-free condition for the duration of their presence on the site and so as to be available for subsequent agricultural reinstatement of the land.
34. The material to be tipped shall be deposited progressively by methods of controlled tipping which accord with the terms of the improvement conditions contained in the PPC permit issued by the Environment Agency. All waste material shall be deposited within the excavations and re-spread evenly to conform to the approved finished contours as shown on Plan No. LAF/HY/02-07/13372. No waste material either derived from the quarry or brought into the site shall be deposited above the general level of the surrounding original land.
36. Restoration shall be carried out progressively across the site in accordance with the approved scheme indicated on Plan Nos. LAF/HY/10-06/13185 and LAF/HY/03-06/12788 and in accordance with the details contained in the Environmental Statement and the good practice notes drawn up by the Natural England.

37. The graded tipped surfaces shall be progressively achieved as shown on Plan Nos. LAF/HY/03-06/12788 and 1627/Appendix E - rev E and in accordance with the Environmental Statement. Following tipping operations and the placement of the soil, the soil shall be cultivated to bring the topsoil to a suitable agricultural tilth.
40. Trees, shrubs and hedgerows shall be planted on the site in the areas shown on Plan No. 1627/ Appendix E - Rev E within the first available planting season after infilling of the areas shown on Plan No. LAF/HY/03-06/12788, trees and/or shrubs shall be planted on the site in accordance with a scheme to be submitted to and approved in writing by the Mineral Planning Authority, such scheme to provide for species, siting, planting distances, programme of planting and maintenance to establishment and any plants dying, removed or destroyed within five years of planting shall be replaced in a manner for the prior approval of the Mineral Planning Authority.
41. Upon completion of restoration works in each phase shown on Plan No. LAF/HY/03-06/12788 the land shall be managed for a period of five full growing seasons in accordance with an aftercare scheme(s) which shall have received the prior approval of the Mineral Planning Authority and which shall specify the steps to be taken to bring the land to the required standard for use for agriculture. The scheme(s) shall include: (a) Annual meetings attended by the Mineral Planning Authority to appraise the effectiveness of aftercare and to assess any further measures which may be required in the following year; (b) Sub-soiling, cultivation, fertilising, liming, seeding to grass and management of the grass sward by grazing or mowing, together with such drainage/under drainage works as may be necessary as restored areas become established throughout the duration of the aftercare period; and (c) Prior to the annual meeting all restored soils shall be sampled at six samples per hectare and at a depth of 15 cm (in accordance with Natural England advice to assess fertiliser and lime requirements). The results of such analysis shall be supplied to the Mineral Planning Authority and made available to the annual meeting.

The reasons given for the conditions are:

01. To limit the extent and duration of the permission in the interests of amenity and to permit the land to be restored/redeveloped in accordance with Policies MIN 6 of the adopted Unitary Development Plan. #
02. To limit the extent and duration of the permission in the interests of amenity and to permit the land to be restored/redeveloped in accordance with Policies MIN 6 of the adopted Unitary Development Plan.
15. In order to maximise the quality of restoration works carried out, to give effect to the requirement of Policy MIN 6 of the adopted Unitary Development Plan.
16. In the interests of local amenity, to give effect to the requirement of Policy MIN 6 of the adopted Unitary Development Plan.
17. In the interests of local amenity, to give effect to the requirement of Policy MIN 6 of the adopted Unitary Development Plan.

18. To ensure that the development is carried out in an orderly manner with minimal disturbance to the locality and in the interests of local amenity, to give effect to the requirement of Policy MIN 6 of the adopted Unitary Development Plan.
 23. In the interests of local amenity, to give effect to the requirement of Policy MIN 6 of the adopted Unitary Development Plan.
 26. In the interests of local amenity, to give effect to the requirement of Policy MIN 6 of the adopted Unitary Development Plan.
 28. To ensure that the development is carried out in an orderly manner with minimal disturbance to the locality and in the interests of local amenity, to give effect to the requirement of Policy MIN 6 of the adopted Unitary Development Plan.
 29. To ensure that the development is carried out in an orderly manner with minimal disturbance to the locality and in the interests of local amenity, to give effect to the requirement of Policy MIN 6 of the adopted Unitary Development Plan.
 33. To ensure that all available soil resources on the site are efficiently stripped in a controlled manner, retained on site, and suitably stored free from risk of contamination, ready for use in subsequent restoration, to give effect to the requirement of Policy MIN 6 of the adopted Unitary Development Plan.
 34. In order to maximise the quality of restoration works carried out, to give effect to the requirement of Policy MIN 6 of the adopted Unitary Development Plan.
 36. To enable the envisaged afteruses to become established, in accordance with Policy MIN 6 of the adopted Unitary Development Plan.
 37. To enable the envisaged afteruses to become established, in accordance with Policy MIN 6 of the adopted Unitary Development Plan.
 40. To ensure that there is a well laid out scheme of healthy trees and shrubs in the interests of amenity, in accordance with Policy MIN 6 of the adopted Unitary Development Plan.
 41. To enable the envisaged afteruses to become established, in accordance with Policy MIN 6 of the adopted Unitary Development Plan.
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SCHEDULE 2

01. The permission hereby granted shall be carried out only in accordance with the details and specifications indicated on the Mineral Extraction Plan (H321/05 dated 19 October 2016) and the Tarmac Environmental Statement dated November 2016. Mineral extraction shall be completed by 31 December 2031 and ongoing progressive restoration by importation with inert waste materials shall be completed by 31 December 2033.

02. No later than 31 December 2033 referred to in Condition 01 above, mineral extraction and restoration works (excluding aftercare) shall have ceased and the site shall have been restored, treated and brought to a state suitable for agriculture in accordance with the conditions set out below and as shown on the approved restoration Plan No H321/00007.
03. The export of minerals and import of waste materials authorised by this permission shall not commence until a scheme for the maintenance of the public highway, road markings and vegetation shown on Drawing No 112348/1002 dated 22 November 2017 has been submitted to and approved in writing by the Local Planning Authority. The approved highways and verge management scheme shall include measures to:
 - (i) ensure roadside vegetation is regularly trimmed to maintain the visibility splays free of obstruction and ensure sight of the traffic signs for road users;
 - (ii) monitor and renew the road markings along the auxiliary lanes to each side of the site access with the A57;
 - (iii) monitor and renew the road surfacing within the auxiliary lanes;
 - (iv) monitor the surfacing/skid resistance of the access road within the vicinity of the 'Give Way' lines at the access and renew the surface as required by the Local Planning Authority; and
 - (v) monitor and renew the road markings at the access as required by the Local Planning Authority.

The approved highways and verge management scheme shall be complied with by the site operator throughout the life of the development hereby permitted or until such time as an agreement under section 38 of the Highways Act 1980 or appropriate alternative legal arrangements have been entered into between the site operator and Local Planning Authority.

04. At all times a copy of the approved scheme of tipping/restoration/aftercare and a copy of this planning permission shall be available for inspection at the site office by site operatives and contractors working on the site.
05. Not less than seven days' notice shall be given in writing to the Mineral Planning Authority before any soil stripping and/or replacement commences. Top soil, sub soil, and soil making material shall only be stripped, spread or worked in dry weather and when the soil is in a dry and friable condition.
06. On completion of the extraction operations or the termination of the period referred to in Condition 01 above, all buildings, hardstanding areas, roadways, plant, equipment, structures and the whole of the quarry access road to its junction with the (A57) Worksop Road shall be removed from the site and the land restored in accordance with the restoration and aftercare requirements of the conditions below. The access point to Worksop Road shall be closed and the highway/highway verge shall be

reinstated in accordance with details which have previously been submitted to and approved in writing by the Mineral Planning Authority.

07. Should for any reason mineral extraction or waste infill from the site cease for a period in excess of 12 months then, within three months of the receipt of a written request from the Mineral Planning Authority, a revised scheme for the restoration of the site shall be submitted for the written approval of the Mineral Planning Authority. Within 12 months of its approval by the Mineral Planning Authority the approved, revised restoration scheme shall be implemented.
08. Prior to the recommencement of the development hereby permitted a programme of archaeological work shall be implemented in accordance with a written scheme of investigation and a recording of all findings shall be submitted to and approved in writing by the Mineral Planning Authority.
09. All mineral extraction and tipping operations shall be confined to the area shown outlined in red on Plan Nos H321/00005 and H321/00006.
10. Access to and egress from the site for the purposes of this development shall be solely from the (A57) Worksop Road as shown on Plan No LAF/HY/03- 06/12789 Rev A.
11. The access to the quarry shall be maintained and kept in a clean condition for the duration of all extraction, earth moving and tipping operations/works on the site. Measures shall be taken to prevent the deposition of mud, dust and other materials on the adjoining public highway caused by vehicles visiting and leaving the site. Any wheel/chassis cleaning facilities provided on site shall be maintained in good working order and any accidental deposition of mud, dust and other materials on the quarry access road or the public highway shall be immediately removed.
12. All vehicles loaded with aggregate and leaving the site shall be securely and effectively sheeted.
13. Notwithstanding the provisions of Part 17 of the Town and Country Planning General Permitted Development Order 2015 (as amended), no building or immobile plant shall be erected on the site without the prior written permission of the Mineral Planning Authority.
14. Any fuel and oil supply tanks shall be surrounded by bund walls of sufficient height, length and breadth so as to contain at least 110% of the storage capacity of the tanks and any associated pipework. The floor and walls of the bunded area so created shall be impervious to water and oil.
15. The importation of waste materials for deposit in the quarry void shall be limited to clean inert material.
16. All work shall be carried out so as not to endanger the stability of the surrounding land. The site shall be worked and restored progressively, as indicated on Plan No H321/00006 dated 04 November 2016 and as detailed in the Environmental Statement dated November 2016. This

information shall be updated annually in the form of a written report to be submitted to the Mineral Planning Authority identifying restoration work completed during the previous twelve months and proposed restoration work for the next twelve months. The first report shall be submitted within twelve months of the date of the recommencement of works.

17. Except in case of emergency and with the exception of those activities covered by conditions 18 and 24 below, no operations shall take place on the site other than between the hours of 0700 and 1800 Mondays to Fridays and between the hours of 0700 and 1300 on Saturdays. There shall be no working on Sundays or public holidays. At times when operations are not permitted work shall be limited to maintenance and servicing of plant or other work of an essential or emergency nature. The Mineral Planning Authority shall be notified at the earliest opportunity of the occurrence of any such emergency and a written schedule of essential work shall be provided to the Mineral Planning Authority.
18. The loading of stone for sale shall only take place during the hours of 0600 to 1800 on Mondays to Fridays and between the hours of 0700 to 1300 on Saturdays. No such operations shall take place on Sundays or public holidays. All loading of vehicles prior to 0700 hours shall take place only within the area shown as Phase 5 on Plan No LAF/HY/03-06/12788.
19. The recycling element of the scheme shall be located in accordance with Plan No H321/00005 and operated in accordance with the original supporting statement dated November 2001 and the letter dated 1 May 2002.
20. All waste recycling operations shall be carried out on an area with an impervious base.
21. No more than 25,000 tonnes of inert material for recycling shall be delivered and processed at the site in any twelve month period.
22. Stockpiles of material awaiting recycling or which has been recycled shall be stored no higher than three metres above the level of the quarry floor.
23. The recycling operations shall only be operated in accordance with a noise attenuation scheme which has been submitted to and approved in writing by the Mineral Planning Authority before such operations commence.
24. When road planings are delivered to the site outside of the hours that the quarry is usually open (as set out in condition 17 above) this shall be at a rate of no more than seven deliveries by lorry per hour during the hours that the quarry is usually closed. During the hours when the quarry is usually closed, noise emissions from the site shall not exceed 45d B (A)Leq, 10 mins, or 5d B(A) above background at least 3.5 metres from the nearest façade of Anston Grange Farm or the nearest residential property.
25. Seven days' written notice shall be given to the Mineral Planning Authority prior to the commencement of the importation of road planings outside normal working hours.

26. All machinery and vehicles employed on the site shall be fitted with effective silencers of a type appropriate to their specification and at all times the best practicable means shall be employed to prevent or counteract the effects of noise emitted by vehicles, plant, machinery or other equipment arising from the quarrying activities. All reversing sirens fitted to site vehicles shall comply with BS ISO 9533:2010 – 'Earth-moving machinery. Machine-mounted audible travel alarms and forward horns. Test methods and performance criteria'.
27. During the working hours permitted by Conditions 17 and 18 (above), the A weighted equivalent continuous free field noise level (Leq dB(A), (1 hr.) attributable to the operations shall not exceed the calculations set out in Table 9 of the Environmental Statement dated November 2016.
28. At all times during the carrying out of operations authorised or required under this permission, best practicable means shall be employed to minimise dust. Such measures shall include water bowsers, sprayers (whether mobile or fixed or similar equipment), upward pointing exhausts, wind fences and control of vehicle speeds within the site and on haul roads. At such times when, due to site conditions, the prevention of dust nuisance by these means is impracticable, then movements of soils, stone, overburden and inert waste material shall be temporarily curtailed until such time as the site/weather conditions improve so as to permit a resumption of these operations.
29. Blasting operations shall be carried out only between the hours of 11.00 and 12.00 and 14:00 and 16:00 on Mondays and Fridays and not at all on weekends or public holidays, and shall be limited to no more than three times per week.
30. Blasting charges shall be so regulated to ensure that during any period of thirteen consecutive weeks as operations progress, ground vibrations produced shall not exceed a peak particle velocity in any plane of 6 mm/second at the 95% confidence limit, with no blast producing a peak particle velocity in any plane greater than 12 mm/s-1 measured at the ground surface adjacent to the nearest property to the blast. If monitoring results from any blast exceed a peak particle velocity in any plane of 6mms-1 all further blasting shall be suspended pending an investigation into the blast design and monitoring data. In devising and implementing the blasting programme for the site, the operator shall at all times employ the best practicable means in order to minimise noise, vibration and air over pressure caused by blasting.
31. A blast database shall be established and kept up to date to include all information from blast monitoring data so that site specific factors can be calculated to aid accurate prediction and blast design. During each blasting campaign, monitoring at multiple locations shall be carried out in order to plot a regression curve. The database shall be used to review the impact of blasting and associated processes on the nearest noise/vibration-sensitive property and to advise the future blasting programme prior to the commencement of each new phase of blasting. An annual independent review of the data shall be carried out and submitted in writing to the Mineral Planning Authority.

32. If the results of monitoring of any blasting operation on the site exceed 3mms- 1ppv the operator shall review the blasting specification and assess the reasons for the exceedance. The operator shall also consider whether the specification of the blast could have been reduced, having regard to the need to minimise disturbance off site. Where the operator considers that the blast could have been reduced, this shall be taken into account when determining the next blast specification. The reasons for the exceedance and the result of the operator's consideration on the reduction of the specification shall be kept in a written log and made available to the Mineral Planning Authority at all reasonable times.
33. In devising and implementing a blasting programme for the site, the operator shall at all times employ the best practicable means in order to minimise noise, vibration and air over pressure caused by blasting. The operator shall provide and install all necessary monitoring equipment to carry out vibration and air pressure measurement in accordance with arrangements and at a location/locations to be submitted to and approved in writing by the Mineral Planning Authority. In addition to the collation of blasting records into a monitoring database to enable consideration of blast monitoring data and other site specific factors to be submitted quarterly through the site liaison meeting, the blasting results shall be submitted in writing to the Mineral Planning Authority at the end of each week during blasting operations.
34. All topsoil and subsoil shall be stripped in advance of working and, where not immediately employed, shall be separately stacked along the northern boundary of the quarry or the soil storage area in the south of the quarry in a precise location to be agreed in writing with the Mineral Planning Authority and in accordance with details contained in the Environmental Statement dated November 2016. All such materials shall be retained on site and prevented from mixing and contamination. Such stacks shall not be traversed by heavy vehicles or machinery except during stacking or re-spreading. The stacks shall be regularly formed and maintained in a tidy and weed-free condition for the duration of their presence on the site so as to be available for subsequent agricultural reinstatement of the land.
35. The material to be tipped shall be deposited progressively by methods of controlled tipping which accord with the terms of the improvement conditions contained in the PPC permit issued by the Environment Agency. All waste material shall be deposited within the excavations and re-spread evenly to conform to the approved finished contours as shown on Plan No H321/00007. No waste material either derived from the quarry or brought into the site shall be deposited above the general level of the surrounding original land.
36. For the duration of the development hereby permitted measures shall be taken to protect all existing trees and hedgerows on the site which are outside the approved operational areas from wilful damage or destruction, and no trees and hedgerows shall be lopped, topped or felled without the prior written approval of the Mineral Planning Authority. Any trees and hedgerows removed without such approval or dying or being severely damaged or becoming seriously diseased before the end of that period

shall be replaced with trees/plants of such size and species as may be approved in writing by the Mineral Planning Authority.

37. Restoration shall be carried out progressively across the site in accordance with the approved scheme indicated on Plan Nos H321/00006 and H321/00007 and in accordance with the details contained in the Environmental Statement dated November 2016 and the good practice notes drawn up by Natural England.
38. The graded tipped surfaces shall be progressively achieved as shown on Plan Nos H321/00006 and H321/00007 and in accordance with the Environmental Statement dated November 2016. Following tipping operations and the placement of the soil, the soil shall be cultivated to bring the topsoil to a suitable agricultural tilth.
39. Within three years of the date of this permission, a scheme shall be submitted for the written approval of the Mineral Planning Authority detailing how a minimum of 3ha of calcareous grassland shall be created on that part of the site within the ownership of Tarmac Aggregates. The submitted scheme shall include the timescale for the establishment of the grassland. Thereafter, the grassland shall be maintained as part of the aftercare scheme for the site.
40. Restored surfaces shall be free from ponds and standing water and such land drainage works as may be necessary (both as tipping operations proceed and in relation to finally restored surfaces following settlement) shall be effected by the operator in accordance with details which have been submitted to and approved in writing by the Mineral Planning Authority. Any restored area which is affected by surface ponding or by local settlement shall be infilled with topsoil and re-graded to the approved contours or, with the prior written approval of the Mineral Planning Authority, rectified by additional works such as to render effective the overall drainage provisions relevant to the approved scheme.
41. Trees, shrubs and hedgerows shall be planted on the site in the areas shown on Plan No H321/00007 within the first available planting season after infilling of the areas shown on Plan No H321/00007. Trees and shrubs shall be planted on the site in accordance with a scheme to be submitted to and approved in writing by the Mineral Planning Authority. Such scheme shall provide for species, siting, planting distances, programme of planting and maintenance to establishment, and any plants dying, removed or destroyed within five years of planting shall be replaced in a manner subject to the prior written approval of the Mineral Planning Authority.
42. Upon completion of restoration works in each phase shown on Plan No H321/00006, the land shall be managed for a period of five full growing seasons in accordance with an aftercare scheme(s) which shall have received the prior written approval of the Mineral Planning Authority and which shall specify the steps to be taken to bring the land to the required standard for use for agriculture. The scheme(s) shall include:

- (a) annual meetings attended by the Mineral Planning Authority to appraise the effectiveness of aftercare and to assess any further measures which may be required in the following year; and
- (b) sub-soiling, cultivation, fertilising, liming, seeding to grass and management of the grass sward by grazing or mowing, together with such drainage/under drainage works as may be necessary as restored areas become established throughout the duration of the aftercare period.

Prior to the annual meeting, all restored soils shall be sampled at six samples per hectare and at a depth of 15cm in accordance with Natural England advice to assess fertiliser and lime requirements. The results of such analysis shall be supplied in writing to the Mineral Planning Authority and made available to the annual meeting.

- 43. In the event that site activities cease for a period in excess of three months, operations shall not recommence until all potential habitats for protected species within the operational area have been investigated by a qualified ecologist and a report of the investigation has been submitted to and approved in writing by the Mineral Planning Authority. In the event that protected species are present the report shall provide a working design, methodology and timetable to investigate any undue adverse effects on the species involved. The mitigation measures shall be implemented as approved.
- 44. The Phase 2 vegetation survey, invertebrates and assessment of cliffs for birds, bats and plants set out in the scoping report shall be undertaken prior to the quarry being brought back into use. The survey shall be submitted to and approved in writing by the Mineral Planning Authority.
- 45. Prior to the recommencement of quarrying on the site, details of methods to minimise air pressure during blasting shall be submitted to and approved in writing by the Mineral Planning Authority. Thereafter, all blasting shall be undertaken in accordance with the approved methods.