

PLANNING PERMISSION

Name and Address of applicant

Lafarge Tarmac Trading
Croxdon Common
Freehay
Cheadle
Stoke-on-Trent
Staffordshire
ST10 1RH

Name and Address of Agent (if any)

Pleydell Smithyman Limited
20A The Wharfage
Ironbridge
Telford
Shropshire
TF8 7NH

Part I - Particulars of application

Date of Application:

8 December 2014

Application No:

15/000006/CM (15/00332/COM)

Particulars and location of development:

Proposed minerals extraction of about 2.2 million tonnes of sand and gravel by the phased extension to an existing sand and gravel quarry, a new concrete batching plant, consolidation of existing sand and gravel extraction and restoration to agriculture, nature conservation uses and lakes at Clifton Quarry, Clifton Arles Wood, Severn Stoke, Worcestershire.

Part II - Particulars of decision

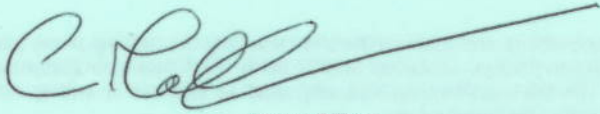
Worcestershire County Council hereby give notice in pursuance of the provisions of the Town and Country Planning Act 1990 that having taken the environmental information into account **permission has been granted** for the carrying out of the development referred to in **Part I** hereof in accordance with the application and plans submitted subject to the following conditions:-

Permission

1. The development must be begun not later than the expiration of three years beginning with the date of this permission.
2. The operator shall provide written notification to the Mineral Planning Authority at least seven days prior to:-
 - i. The commencement of the development hereby permitted;
 - ii. The date of commencement of mineral extraction in any phase;
 - iii. The date of completion of mineral extraction in any phase; and
 - iv. The completion of mineral extraction.
3. All mineral extraction shall cease and the site shall be restored in accordance with the approved restoration scheme as required by Condition 9) before 31st December 2030. Should extraction cease before this date the Mineral Planning Authority shall be notified in writing within 1 month of extraction ceasing.
4. No extraction of sand and gravel shall take place outside the limit of the extraction boundary shown on the Drawing titled: M11.177(h).D.021A.
5. This permission does not allow the importation of waste material onto the site.

Date 12 July 2016

County Hall
Worcester WR5 2NP


Proper Officer

Note: This permission refers only to that required under the above Acts and Regulations and does not include any consent or approval under any other enactment, byelaw, order or regulation.

Approved Documents and Drawings

6. The development hereby permitted shall be carried out in accordance with the following documents and drawings, except where otherwise stipulated by conditions attached to this permission:-

Documents:-

- Planning Statement, Vol 3, dated Jan 2015;

Drawings:-

- M11.177(h).D.044 Site Location Plan, ES Drawing No. 2/1, dated Nov 2014;
- M11.177(h).D.019 Current Situation, ES Drawing No. 2/2, dated Nov 2014;
- M11.177(h).D.045 Local Environmental Receptors (5km Radius), ES Drawing No. 2/3, dated Nov 2014;
- M11.177(h).D.046 Local Environmental Receptors (1km Radius), ES Drawing No. 2/4, dated Nov 2014;
- M11.177(h).D.048 Borehole & Superficial Geology, ES Drawing No. 2/5, dated Nov 2014;
- M11.177(h).D.049 Isopachyte – All Mineral, ES Drawing No. 2/6, dated Nov 2014;
- M11.177(h).D.051 Application Area and Land Under the Control of the Applicant, ES Drawing No. 2/7, dated Nov 2014;
- M11.177(h).D.021A Block Phasing, ES Drawing No. 3/1, dated Jul 2015;
- M11.177(h).D.030 Sections, ES Drawing No. 3/2, dated Nov 2014;
- M11.177(h).D.020 Current On-Site Operations, ES Drawing No. 3/3, dated Nov 2014;
- M11.177(h).D.022 Phase A - Working & Restoration, ES Drawing No. 3/4, dated Nov 2014;
- M11.177(h).D.023 Phase B - Working & Restoration, ES Drawing No. 3/5, dated Nov 2014;
- M11.177(h).D.024 Phase C - Working & Restoration, ES Drawing No. 3/6, dated Nov 2014;
- M11.177(h).D.025 Phase D - Working & Restoration, ES Drawing No. 3/7, dated Nov 2014;
- M11.177(h).D.026 Phase E - Working & Restoration, ES Drawing No. 3/8, dated Nov 2014;
- M11.177(h).D.027 Phase F - Working & Restoration, ES Drawing No. 3/9, dated Nov 2014;
- M11.177(h).D.028 Phase G - Working & Restoration, ES Drawing 3/10, dated Nov 2014;
- M11.177(h).D.029 Restoration Strategy, ES Drawing No. 3/11, dated Nov 2014;
- M11.177(h).D.047 Elevations of Concrete Batching Plant, ES Drawing No. 3/12, dated Nov 2014;
- M11.177(h).D.050 Conveyor Tunnel Plan & Sections, ES Drawing No. 3/13, dated Nov 2014;
- M11.177(h).D.052 Plant Site Layout and Proposed Concrete Batching Plant, ES Drawing No. 3/14, dated Nov 2014;
- M11.177(h).D.053 Local Known Services, ES Drawing No. 3/15, dated Nov 2014;
- M11.177(t).D.001 Trees and Hedgerows Retained and Removed, dated Aug 2015;
- M11.177(t).D.002 Programme of Progressive Restoration, dated Aug 2015;
- M11.177(t).D.003A Restoration to Agricultural Grassland & Riparian Woodland, dated March 2016;
- M11.177(t).D.004 Restoration to Damp Woodland & Hedgerow Planting, dated Aug 2015;
- M11.177(t).D.005 Restoration Sections A – D, dated Aug 2015;
- M11.177(t).D.006 Restorations Sections E – H, dated Aug 2015;
- M11.177(t).D.007A Section Location Plan, dated March 2016;
- M11.177(t).D.008 Fencing Specification, dated Aug 2015;
- M11.177(t).D.009 Listed Building Locations (overlain onto ZTV of Proposed Extraction), dated Aug 2015; and
- M11.177(t).D.011 Aftercare / Management Time Duration, dated Jun 2016.

Quarry Progress Plan

7. At 12 monthly intervals after the date of the permission, the applicant shall submit a quarry progress plan to the Mineral Planning Authority. The quarry progress plan shall:-
- Provide an up-to-date topographical survey of the site in an appropriate format and appropriate scale;
 - Identify areas of the site that have been subject to mineral extraction in the previous 12 months and/or will be subject to mineral extraction in the forthcoming 12 months, including the locations, design and formation of the proposed working areas and any temporary tracks or trafficking routes;
 - Identify areas of the site that have been subject to restoration in the previous 12 months and/or will be subject to restoration in the forthcoming 12 months;
 - Identify areas where aftercare will have been completed, areas of the site that have been subject to aftercare and/or will be subject to aftercare in the forthcoming 12 months;
 - Identify areas of the site that have been subject to soil stripping in the previous 12 months and/or will be subject to soil stripping in the forthcoming 12 months;
 - Quantify the soils and overburden to be encountered in the forthcoming 12 months and provide details of their intended placement and storage over that period;
 - Positioning and formation of any noise attenuation bunds and mineral stockpiles;
 - Set out any necessary adjustment to the approved phasing and restoration plans to take account of the site circumstances over the previous 12 months including any necessary diversion or retention of oil pipeline apparatus;
 - Positioning and formation of any diverted Public Rights of Way proposal; and
 - A copy of the quarry progress plans shall be kept on site and made available for inspection by the Mineral Planning Authority during the approved working hours.

Working Hours

8. Except in emergencies, all operations and uses on the site including the running of any plant or machinery, shall only take place between 07:00 to 19:00 hours Mondays to Fridays, inclusive, and 07:00 to 13:00 hours on Saturdays, with no operations on the site at any time on Sundays or Bank Holidays. The Mineral Planning Authority shall be informed in writing within 48 hours of an emergency occurrence that would cause working outside the stipulated hours.

Restoration

9. Notwithstanding the submitted details, within 12 months of the commencement of the development hereby approved, a detailed restoration scheme for the site, including the processing plant area shall be submitted to and approved in writing by the Mineral Planning Authority. The detailed restoration scheme shall include the form of the proposed water bodies to ensure that they have an irregular and natural form,

and shall ensure the land is free from ponding and capable of receiving an effective artificial under-drainage system. Thereafter the development shall be carried out in accordance with the approved scheme.

10. All plant and buildings, including conveyors shall be removed within 12 months of the completion of mineral extraction at the site.

Aftercare

11. The nature conservation area shall undergo aftercare management for a 10-year period as defined on Drawing Numbered: M11.177(t).D.011; all other land within the application site shall undergo aftercare management for a 5-year period. Prior to any area being entered into aftercare the extent of the area and its date of entry into aftercare shall be agreed in writing with the Mineral Planning Authority.
12. Within 12 months of the commencement of the development hereby approved, an outline aftercare scheme shall be submitted to and approved in writing by the Mineral Planning Authority. Such a scheme shall specify the steps which are to be taken to bring the land up to the required standard for the land uses shown on the Restoration Scheme, as required by Condition 9). These steps shall include the following:-
- i. Control of invasive species;
 - ii. Timing and pattern of vegetation establishment;
 - iii. Cultivation practices;
 - iv. Management of soil, fertility and weeds;
 - v. Drainage;
 - vi. Irrigation and watering;
 - vii. A timetable for undertaking the aftercare scheme; and
 - viii. The establishment of an aftercare working group comprising of the operator, the Mineral Planning Authority and ecological specialists including a timetable for frequency of meetings. The working group shall assess and review the detailed programmes of aftercare operations and the setting out of actions for subsequent years having regard to the condition of the land, progress on its rehabilitation and necessary maintenance.
13. A Detailed Aftercare Scheme shall be submitted to and approved in writing by the Mineral Planning Authority, not later than three months prior to each of the aftercare working group meetings, as required by Condition 12). The scheme shall elaborate on the Outline Aftercare Strategy as required by Condition 12), and shall include a programme of aftercare operations and management to be carried out in the forthcoming year; a review of the previous years' aftercare operations and management; confirm which steps specified in the Outline Aftercare Strategy shall be carried out as originally intended; and include any modifications to the approved Outline Aftercare Strategy proposals. Thereafter, the development shall be carried out in accordance with the approved details in accordance with the approved timetable, or as amended in consultation with the Mineral Planning Authority following each aftercare working group meetings.

Phasing

14. The development hereby approved shall be carried out in accordance with the working programme as shown on Drawing Numbered: M11.177(h).D.021A and progressive restoration as shown on Drawings Numbered: M11.177(t).D.002.

Landscape

15. Notwithstanding the submitted details, within 12 months of the commencement of the development hereby approved, a detailed planting scheme to include native species, sizes, numbers, spacing, densities; locations; a planting specification, hedgerow infill and an outline of which hedgerows and trees shall be managed to allow them to grow up, shall be submitted to and approved in writing by the Mineral Planning Authority. Thereafter, the development shall be carried out in accordance with the approved details. Any new trees or shrubs, which within a period of five years from the completion of the planting die, are removed, or become damaged or diseased, shall be replaced on an annual basis, in the next planting season with others of a similar size and species.
16. All existing trees, shrubs and hedgerows to be retained shall be protected by suitable fencing in accordance with BS5837:2012, as identified on Drawing Numbered: M11.177(t).D.001. No materials shall be stored, no rubbish dumped, no fires lit and no buildings erected inside the fence. In the event of any trees, shrub or hedgerow being damaged or removed by the development, it shall be replaced with like species and equivalent size, which in the case of a mature tree may entail multiple plantings, in the next planting season.
17. Within 12 months of the commencement of the development hereby approved, a scheme for the restoration of historic water management features such as sluices shall be submitted to and approved in writing by the Mineral Planning Authority. Thereafter, the development shall be carried out in accordance with the approved details.
18. Notwithstanding the submitted details, prior to the construction of the concrete batching plant hereby approved, the detailed design of the concrete batching plant shall be submitted to and approved in writing by the Mineral Planning Authority. Thereafter, the development shall be carried out in accordance with the approved details.

Soil Handling and Storage

19. All soil handling shall be carried out in accordance with the Ministry of Agriculture, Fisheries and Food 'Good Practice Guidance for Handling Soil' (2000) and the DEFRA 'Construction Code of Practice for the Sustainable Use of Soils on Construction Sites (2009).
20. Soil stripping shall not take place until any standing crop or vegetation has been cut and removed.
21. The topsoil and subsoil shall be stripped to the full depth and stored separately. Wherever possible both topsoil and subsoil shall be directly placed as part of restoration following stripping.
22. All stripped topsoils and subsoils shall be permanently retained on site for subsequent use in restoration, as detailed in the application.
23. For purposes of storage and placement of soils, topsoil shall only be mixed with topsoil and subsoil shall only be mixed with subsoil or other soil-making materials.
24. Prior to the use of any area for the storage of subsoil or overburden that area shall first be stripped of topsoil.

25. Plant or vehicles shall not cross areas of unstripped topsoil or subsoil except for the express purpose of stripping operations.
26. Plant and vehicles shall not cross an area of replaced and loosened ground, replaced soil making material, subsoil, or topsoil except where essential and unavoidable for purposes of carrying out ripping and stone picking or beneficially treating such areas. Only low ground pressure machines should work on prepared ground. Soils shall be lifted into position and levelled by equipment that is not standing on relaid topsoil or subsoil.
27. The Mineral Planning Authority shall be notified in writing at least seven days prior to the following stages:-
- Before each phase of soil stripping is due to commence;
 - Overburden has been prepared ready for soil replacement to allow inspection of the area before further restoration of this part is carried out;
 - When soil making material or subsoil has been prepared ready for topsoil replacement to allow inspection of the area before further restoration of this part is carried out; and
 - On completion of topsoil replacement to allow an opportunity to inspect the completed works before the commencement of any cultivation and seeding operations.
28. Notwithstanding the submitted details, prior to the commencement of soil stripping operations in any phase, a scheme for the design location, height, gradient, volume and details of all soil material contained within each soil bund within that phase shall be submitted to and approved in writing by the Mineral Planning Authority. Thereafter, the development shall be carried out in accordance with the approved scheme.
29. Topsoil, subsoil and soil making material shall only be stripped when they are in a dry and friable condition.
30. Prior to resspreading of soil making materials, subsoil or topsoil, the upper 100mm of the surface shall be prepared so that it does not contain material injurious to plant growth. Stones, materials and objects which exceed 200mm in any dimension and occur on the surface of the ripped and loosened ground shall be removed from the site or buried at a depth of not less than 2 metres below the final pre-settlement contours.
31. Working and restoration schemes shall be designed so that no large areas of subsoil are left without topsoil and crop cover over winter. Subsoils or soil making material shall only be replaced when they and the ground on which they are to be placed are in a dry and friable condition.
32. Topsoil shall be re-spread to achieve at least the minimum settled depth of 300mm. Subsoil and any soil making materials shall be levelled to provide an even depth across the re-laid area so that the total thickness of settled subsoil together with the topsoil conforms with the approved landform referred to in Condition 9).
33. Where wet weather conditions render it impractical to complete topsoil reinstatement and it becomes clear that operations cannot be completed before winter then the surface of the reinstated soil should be temporarily seeded (by hand if necessary) to provide some ground cover and aid drying out the soil in the spring. Details of how the vegetation should be treated the following spring should be agreed in writing by the Mineral Planning Authority before restoration resumes the following season. Necessary precautions shall be undertaken to control surface-water run-off and prevent soil erosion.
34. Any part of the site, which is significantly affected by differential settlement that occurs during the restoration and aftercare period, and would interfere with agricultural operations shall be filled. The operation shall fill the depression to the final settlement contours specified with suitable soils from within the site to the specification to be submitted to be agreed in writing by the Mineral Planning Authority. Thereafter, the development shall be carried out in accordance with the approved details.

Access and Highways Safety

35. Prior to the commencement of soil stripping operations, a Construction Environmental Management Plan (CEMP) for Highways shall be submitted to and approved in writing by the Mineral Planning Authority. The CEMP for Highways shall include the following:-
- Measures to ensure that vehicles leaving the site do not deposit mud or other detritus on the public highway;
 - Details of site operative parking areas, material storage areas and the location of site operatives facilities (offices, toilets etc);
 - The hours that delivery vehicles will be permitted to arrive and depart, and arrangements for unloading and manoeuvring;
- Thereafter, the development shall be carried out in accordance with the approved scheme.
36. Notwithstanding the requirements of Condition 35) above, the existing site access and the haul road from the A38 to its entrance into Clifton Arles Wood shown on Drawing Numbered: M11.177(h).D.021A, shall be maintained in a good state of repair and kept clean and free of mud and other debris at all times until completion of site restoration and aftercare.
37. Notwithstanding the requirements of Condition 35) above, the existing wheel washing facility shall be retained and maintained in good working order until the completion of the restoration of the site.
38. No commercial vehicles shall enter the public highway unless their wheels and chassis have been cleaned to prevent material deposited on the highway.
39. No development shall commence of the eastern extension area (Phases D to G), as shown on Drawing Numbered: M11.177(h).D.021A, until a scheme for the detailed design and method of construction of the conveyor tunnel underneath the A38 and its subsequent removal and land reinstatement upon completion of mineral extraction in the eastern extension area shall be submitted to and approved in writing by the Mineral Planning Authority. Thereafter, the development shall be carried out in accordance with the approved scheme.

40. All sand and gravel shall be transported by field conveyor from the extraction area to the processing plant in Clifton Arles Woodland.
41. Notwithstanding the submitted details, prior to the construction of the tunnel underneath Bridleway SS-537, as shown on Drawing Numbered: M11.177(h).D.025 details of its design, construction and land reinstatement upon completion of mineral extraction in Phase D shall be submitted to and approved in writing by the Mineral Planning Authority. Thereafter, the development shall be carried out in accordance with the approved scheme.

Lighting

42. Details of any new lighting to be installed at the site shall be submitted to the Mineral Planning Authority for approval in writing prior to being erected. These details shall include:-
- i. Height of the lighting posts;
 - ii. Intensity of the lights;
 - iii. Spread of light in metres (Lux plan);
 - iv. Any measure proposed to minimise the impact of the lighting or disturbance through glare;
 - v. Any measures to minimise the impact of lighting upon protected species and habitats, in particular bats; and
 - vi. Times when the lighting would be illuminated.

Noise

43. Within 6 months of the date of this permission, a detailed Noise Monitoring Scheme shall be submitted to and approved in writing by the Mineral Planning Authority. The Scheme shall include but not be limited to the following details:-
- i. The arrangements for the monitoring of noise emitted from the site;
 - ii. The noise monitoring points;
 - iii. The equipment and methods to be used to monitor noise;
 - iv. The monitoring frequency and periods;
 - v. The presentation of results to the Mineral Planning Authority;
 - vi. The steps to be taken in the event that the measured (or calculated) noise exceeds the permitted limits as defined in Conditions 44) and 45); and,
 - vii. The steps to review the Scheme;

Thereafter, noise monitoring shall be carried out in accordance with the approved Scheme.

44. No site operations with the exception of the topsoil and subsoil stripping and other works in connection with the construction and removal of soil bunds referred to in Condition 45), shall result in the site attributable noise exceeding 55 dB LAeq (1-hour) (free-field) as recorded at any noise sensitive properties.
45. During the construction and removal of soil bunds, the noise levels at the nearest noise sensitive properties shall not exceed 70 dB LAeq (1-hour) (free-field) and be limited to a period not exceeding 8 weeks in a calendar year at any one property.
46. All vehicles, plant and machinery operated within the site shall be maintained in accordance with the manufacturer's specifications at all times, and shall be fitted with and use fully operational silencers.
47. All mobile plant, machinery and vehicles (excluding delivery vehicles which are not owned or under the direct control of the operator) used on the site shall incorporate white noise reversing warning devices.
48. The following measures shall be undertaken to minimise noise emissions within the site arising from all operations including vehicular movements, extraction operations, minerals, soils and overburden stockpiling and soil spreading operations:-
- i. All haul roads are kept clean and maintained in a good state of repair to avoid unwanted rattle and body slap from vehicles;
 - ii. All mobile plant and heavy goods vehicles within the site shall move in a manner to minimise, as far as is practical and safe, noise from reverse warning systems;
 - iii. The minimisation of drop heights during loading and unloading of sand and gravel;
 - iv. All plant engine covers shall be closed whilst the plant is in operation except when undertaking maintenance and repair work;
 - v. Plant that is used intermittently, shall be shut down when not in use;
 - vi. Any pumps, generators and compressors shall either be electrically powered and fitted with an acoustic cover where necessary; or diesel powered pumps, generators and compressors shall be installed within acoustic enclosures; and
 - vii. All field conveyors shall be maintained in accordance with the manufacturer's specifications.

Dust

49. The following measures shall be undertaken to suppress dust emissions within the site arising from all operations, including vehicular movements, extraction operations, minerals, soils and overburden stockpiling and soil spreading operations:-
- i. The provision of a water bowser and/or static/mobile spraying units, which shall be used at all times when there is a risk of dust arising from the moving and storage of soil and overburden, mineral extraction, processing and manoeuvring operations;
 - ii. The sweeping of access and haul roads, where necessary;
 - iii. The minimisation of drop heights during loading and unloading of sand and gravel;
 - iv. all plant and vehicles shall have upward facing exhausts to ensure that emissions are directed away from the ground;
 - v. there shall be a maximum speed limit of 20 mph within the site;
 - vi. All vehicles leaving the site and transporting aggregate shall be securely sheeted; and
 - vii. the cessation of operations in conditions when dust cannot be controlled.

Water Environment

50. Any facilities for the storage of oils, fuels or chemicals shall be sited on impervious bases and surrounded by impervious bund walls. The volume of the bunded compound shall be at least equivalent to the capacity of the tank plus 10%. If there is multiple tankage, the compound shall be at least equivalent to the capacity of the largest tank, vessel or the combined capacity of interconnected tanks or vessels plus 10%. All filling points, associated pipework, vents, gauges and site glasses must be located within the bund or have separate secondary containment. The drainage system of the bund shall be sealed with no discharge to any watercourse, land or underground strata. Associated pipework shall be located above ground and protected from accidental damage. All filling points and tank/vessels, overflow pipe outlets shall be detailed to discharge downwards into the bund.
51. Within the eastern extension area hereby approved, dewatering shall only take place from the mineral workings contained in Phases D to E and the southern section of Phase F. Phase G and the northern section of Phase F shall be worked wet for mineral extraction. No dewatering shall take place within Phase G and the northern section of Phase F, as identified on Drawing Numbered: M11.177(h).D.021A. A scheme for the setting up of a permanent marker that allows operatives and officers from the Mineral Planning Authority a means of visually checking this extent shall be submitted to and approved in writing by the Mineral Planning Authority prior to the commencement of the eastern extension area (Phases D to G), as shown on Drawing Numbered: M11.177(h).D.021A. The approved marker shall be erected and maintained on site for the duration of mineral extraction in Phases D, E, F and G.
52. There shall be no new buildings, structures (including gates, walls and fences) or raised ground levels within 8 metres of the top of any bank of watercourses and/or 8 metres of any side of an existing culverted watercourse, inside or along the boundary of the site.
53. Notwithstanding the submitted details, prior to the commencement of soil stripping operations in Phase C as shown on Drawing Numbered: M11.177(h).D.021A, a scheme for the flood risk mitigation measures as outlined within 'Table 3: Summary impact & Mitigation Schedule' on Page 20 of 'Appendix 9/10: Flood Risk Assessment', dated Aug 2014 shall be submitted to and approved in writing by the Mineral Planning Authority. Thereafter, the development shall be carried out in accordance with the approved details.
54. Within 12 months of the commencement of the development hereby approved, a scheme that sets out how the water level within the restored lakes would be regulated and managed shall be submitted to and approved in writing by the Mineral Planning Authority. Thereafter, the development shall be carried out in accordance with the approved details.
55. A surface water drainage plan for the operation of the concrete batching plant hereby approved shall be submitted to and approved in writing by the Mineral Planning Authority. The scheme shall incorporate flood resilience measures and controls for surface water run-off. Thereafter, the development shall be carried out in accordance with the approved details.

Hydrometric Surface & Groundwater Monitoring

56. No development shall commence in the eastern extension area (Phases D to G), as shown on Drawing Numbered: M11.177(h).D.021A, until a scheme for surface and groundwater monitoring principally for the purposes of protecting the integrity of the adjacent Ashmoor Common Site of Special Scientific Interest (SSSI) has been approved in writing by the Mineral Planning Authority in consultation with Natural England and the Environment Agency. The scheme shall include:-
- Pre (collection of a minimum of 24 months baseline water monitoring), during and post extraction monitoring of the existing onsite monitoring boreholes as shown in the Environmental Statement - Volume 1 - Part C - Appendices Chapter 9 - Hydrology and Hydrogeology, Drawing Numbered: PSL Ref: M11.177(h).R.009;
 - Monitoring locations (surface and groundwater);
 - Method and nature of measurement;
 - Design and method of installation of monitoring boreholes;
 - A programme detailing frequency and duration of monitoring along with details of how and when the monitoring data and the Scheme itself shall be reviewed to assess if impacts (if any) are occurring;
 - Trigger levels when action is required to protect a water feature; reporting mechanism; and
 - Details of any contingency and mitigation proposals should a trigger level be breached and an impact apparent on a water feature;

Thereafter, the development shall be carried out in accordance with the approved scheme and the scheme shall continue to be implemented and maintained as required.

57. The existing hydrometric monitoring equipment that has been installed for the purposes of protecting the Ashmoor Common Site of Special Scientific Interest (SSSI), Clifton Arles Local Wildlife Site (LWS), The Bogs LWS and Brickpits Plantation & Sandford Pits LWS, as shown in the Environmental Statement - Volume 1 - Part C - Appendices Chapter 9 - Hydrology and Hydrogeology, Drawing Numbered: PSL Ref: M11.177(h).R.009 shall be maintained in good working order until the scheme for the proposed extended hydrometric monitoring scheme set out in Condition 56) has been approved and implemented.
58. Readings from the existing hydrometric monitoring equipment referred to in Condition 57) shall be taken at least once every calendar month for the duration of soil stripping, mineral extraction and restoration of the southern extension area (Phases A, B and C) as shown on Drawing Numbered: M11.177(h).D.021A and the results of such monitoring shall be submitted to the Mineral Planning Authority once every calendar month, together with at least once every six calendar months, a short commentary of the results until the scheme for the proposed extended hydrometric monitoring scheme set out in Condition 56) has been approved and implemented.

Ecology and biodiversity

59. Within 3 months of the commencement of the development hereby approved, a Construction and Environmental Management Plan (CEMP) for Ecology shall be submitted to and approved in writing by the Mineral Planning Authority. The CEMP for Ecology shall include, but not be limited to the following:-
- Risk assessment of potentially damaging construction activities;
 - Identification and appropriate fencing, exclusion barriers and signage of "biodiversity protection zones";
 - Sensitive working methods and the steps to be taken to avoid harm to ecological receptors;

- iv. The times during construction when specialist ecologists need to be present on site to oversee works;
- v. Measures to protect badgers from being trapped in open excavations and/or pipework and culverts; and
- vi. Details of the requirements for ongoing ecological monitoring of the site;

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

- 60. Within 3 months of the development hereby approved, a scheme for the mitigation measures to protect the integrity of the Clifton Arles Local Wildlife Site (LWS) and Ancient Woodland shall be submitted to and approved in writing by the Mineral Planning Authority. The scheme shall include the location and details of the fencing to surround the processing plant site to address the risk of encroachment of material stores into the LWS and Ancient Woodland site. Thereafter, the development shall be carried out in accordance with the approved scheme.
- 61. Within 12 months of the commencement of the development hereby approved, a Woodland Management Plan for the Clifton Arles Local Wildlife Site and Ancient Woodland shall be submitted to and approved in writing by the Mineral Planning Authority. Thereafter, the development shall be carried out in accordance with the approved details.
- 62. Notwithstanding the submitted details, within 12 months of the commencement of the development hereby approved, a Habitat Management Plan shall be submitted to and approved in writing by the Mineral Planning Authority. Thereafter, the development shall be carried out in accordance with the approved details.
- 63. All vegetation clearance at the site shall be undertaken outside the bird nesting season which generally extends between March and September inclusive. If this is not possible then any vegetation that is to be removed or disturbed should be checked by an experienced ecologist for nesting birds immediately prior to works commencing. If birds are found to be nesting any works which may affect them would have to be delayed until the young have fledged and the nest has been abandoned naturally.
- 64. Within 12 months of the commencement of the development hereby approved, a scheme for the provision of invertebrate, bat and bird boxes including at least one artificial barn owl box on the site shall be submitted to and approved in writing by the Mineral Planning Authority. The scheme shall include the specification, number, location and timetable for their installation. Thereafter, the development shall be carried out in accordance with the approved details.
- 65. Within 12 months of the commencement of the development hereby approved, the content, design and location of biodiversity and geodiversity interpretation panels shall be submitted to and approved in writing by the Mineral Planning Authority. Thereafter, the development shall be carried out in accordance with the approved details.

Archaeology

- 66. Notwithstanding the submitted details, prior to the commencement of soil stripping operations, a programme of archaeological work, including a Written Scheme of Investigation, shall be submitted to and approved in writing by the Mineral Planning Authority. The scheme shall include an assessment of significance and research questions; and:
 - i. The programme and methodology of site investigation and recording;
 - ii. The programme for post investigation assessment;
 - iii. Provision to be made for analysis of the site investigation and recording;
 - iv. Provision and timetable to be made for publication and dissemination of the analysis and records of the site investigation;
 - v. Provision and timetable to be made for archive deposition of the analysis and records of the site investigation; and
 - vi. Nomination of a competent person or persons/organisation to undertake the works set out within the Written Scheme of Investigation;

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

Local Liaison

- 67. Within 6 months of the date of this permission a scheme that sets out measures for liaison arrangements with the local community shall be submitted to, and approved in writing by the Mineral Planning Authority. The approved scheme shall be implemented for the duration of the development.

In the event of Cessation of Workings

- 68. In the event of a cessation of winning and working of minerals prior to the achievement of the completion of the approved restoration and aftercare scheme which in the opinion of the Mineral Planning Authority constitutes a permanent cessation, a revised scheme, to include details of reclamation and aftercare, shall be submitted in writing for approval for the Mineral Planning Authority, within 6 months of the cessation of winning and working sand and gravel. The revised scheme shall be implemented within 12 months of its approval in writing by the Mineral Planning Authority or such revised timescale as shall be determined by the Mineral Planning Authority.

The reasons for the conditions are:-

- 1. Required to be imposed pursuant to Section 91 of the Town and Country Planning Act 1990.
- 2. To notify the Mineral Planning Authority when the development commences for development monitoring purposes.

Reason for pre-commencement condition: Each of the stages listed are critical points in the site's life cycle and it is important that the Mineral Planning Authority are notified in advance for development monitoring purposes.
- 3. 4. 5. & 27. For the avoidance of doubt and to assist with the monitoring of the planning permission.

6. For the avoidance of doubt and to secure a satisfactory form of development.
7. To enable monitoring of progress and compliance by the Mineral Planning Authority, and to provide appropriate flexibility to ensure that, within the limitations of the approved development, ongoing extraction and site restoration works can take account of any changes in circumstances.
8. To protect the amenity of adjacent residential properties.
- 9 & 68. To ensure satisfactory restoration of the site, in accordance with Policies SWDP 22 and SWDP 25 of the South Worcestershire Development Plan.
10. To protect the visual amenity of the site and the surrounding area in accordance with Policies SWDP 21 and SWDP 25 of the South Worcestershire Development Plan.
11. 12. & 13. To provide for aftercare of the restored site, in accordance with Policies SWDP 22 and SWDP 25 of the South Worcestershire Development Plan.
14. To minimise the area of land taken out of beneficial use at any one time and to ensure that reclamation is achieved as quickly as possible.
15. To ensure that species are appropriate and sympathetic to the character of the area, in accordance with Policy SWDP 25 of the South Worcestershire Development Plan.
16. To ensure adequate protection is given to trees, which are considered worthy of retention and to maintain the visual and environmental quality of the site in accordance with Policies SWDP 21 and SWDP 25 of the South Worcestershire Development Plan.
17. In order to achieve betterment of the local historic landscape and nature conservation in accordance with Policies SWDP 6, SWDP 21 SWDP 24 and SWDP 25 of the South Worcestershire Development Plan.
18. To maintain the visual and environmental quality of the site, in accordance with Policy SWDP 21 of the South Worcestershire Development Plan.
19. 20. 21. 24. To ensure soils are managed and conserved for beneficial purposes to ensure the satisfactory restoration of the site, in accordance with Policy SWDP 22 of the South Worcestershire Development Plan.
22. 23. & 29. To minimise damage to the existing soils and to ensure that the maximum depth of soils with high organic matter content, and a reservoir of nutrients is retained and kept available on site to ensure the satisfactory restoration of the site, in accordance with Policy SWDP 22 of the South Worcestershire Development Plan.
25. 26. 30. 31. To ensure soils are managed and conserved for beneficial purposes to ensure the satisfactory restoration of the site and to protect the visual amenity of the site and the surrounding area in accordance with Policies SWDP 21, SWDP 22 and SWDP 31 of the South Worcestershire Development Plan.
28. To ensure soils are managed and conserved for beneficial purposes to ensure the satisfactory restoration of the site and to protect the visual amenity of the site and the surrounding area in accordance with Policies SWDP 21, SWDP 22 and SWDP 31 of the South Worcestershire Development Plan.
32. & 33.
34. To bring the land to the required standard for agricultural use.
35. In the interests of highway safety and to define the permission, in accordance with Policy SWDP 4 of the South Worcestershire Development Plan.
36. 37. & 38. In the interests of highway safety, in accordance with Policy SWDP 4 of the South Worcestershire Development Plan.
39. To protect the integrity of the public highway, in accordance with Policy SWDP 4 of the South Worcestershire Development Plan.
40. In the interests of highway safety and to reduce vehicle movements, in accordance with Policy SWDP 4 of the South Worcestershire Development Plan.
41. To protect the integrity of the Public Right of Way (Bridleway SS-537).
42. To maintain the visual and environmental quality of the site, in accordance with Policies SWDP 21 and SWDP 31 of the South Worcestershire Development Plan.
43. 44. 45. 46. To control noise emissions in accordance with Policy SWDP 31 of the South Worcestershire Development Plan.
47. & 48.
49. To control dust emissions in accordance with Policy SWDP 31 of the South Worcestershire Development Plan.
50. To protect the water environment and prevent pollution, in accordance with Policy SWDP 31 of the South Worcestershire Development Plan.
51. To protect the integrity of the adjacent Ashmoor Common Site of Special Scientific Interest (SSSI), in accordance with Policy SWDP 22 of the South Worcestershire Development Plan.
52. To maintain access to the watercourse for maintenance or improvements and to provide for overland flood flows, in accordance with Policy 28 of the South Worcestershire Development Plan.
53. In order to ensure the development will not create or exacerbate the risk of flooding at the site or within the surrounding area, in accordance with Policies 28 and 29 of the South Worcestershire Development Plan.

54. In order to ensure satisfactory drainage that will not create or exacerbate flood risk on site or within the surrounding local area, in accordance with Policies SWDP 28 and SWDP 29 of the South Worcestershire Development Plan.
55. In order to ensure satisfactory drainage that will not create or exacerbate flood risk on site or within the surrounding local area and to protect the water environment, in accordance with Policies SWDP 28, SWDP 29 and SWDP 31 of the South Worcestershire Development Plan.
56. To monitor the impact upon the water environment as a result of mineral extraction and associated activities at the quarry, in accordance with Policy SWDP 22 of the South Worcestershire Development Plan.
57. & 58. To monitor the impact upon the water environment as a result of mineral extraction and associated activities at the quarry, in accordance with Policy SWDP 22 of the South Worcestershire Development Plan.
59. 60. 61. 62. To protect and conserve statutorily protected species and to protect, conserve and enhance the site's value for biodiversity, in accordance with Policy SWDP 22 of the South Worcestershire Development Plan.
63. 64. & 65.
66. To allow the historical and archaeological interest of the site to be recorded, in accordance with Policies SWDP 6 and SWDP 24 of the South Worcestershire Development Plan.
67. To protect the amenity of neighbouring residents and to ensure satisfactory restoration of the site.

Positive and Proactive Statement

Worcestershire County Council works positively and proactively in order to determine planning applications in an efficient and effective manner and in accordance with the presumption in favour of sustainable development, as described in the National Planning Policy Framework.

In dealing with the application the County Council has worked with the applicant in the following way:-

- Further information was requested from the applicant in order to progress the application, and submitted in August 2015 regarding hydrology and Ashmoor Common Site of Special Scientific Interest (SSSI); heritage setting assessment; landscape/restoration planting and 5 year aftercare programme; highways; archaeology; bunds and Public Rights of Way in response to and to resolve comments from consultees and letters of representation from members of the public. This further information was consulted upon and advertised under Regulation 22 of the Town and Country Planning (Environmental Impact Assessment) Regulations 2011 (as amended).
- Further information was requested from the applicant in order to progress the application, and submitted in January 2016 regarding the proposed tunnel connection underneath the A38; and ecology and landscape matters in response to and to resolve further comments from consultees. This further information was consulted upon and advertised under Regulation 22 of the Town and Country Planning (Environmental Impact Assessment) Regulations 2011 (as amended).
- Conditions were drafted in consultation with the applicant to ensure a satisfactory outcome for the applicant and the Mineral Planning Authority.

The County Council has accordingly demonstrated a positive and proactive manner in seeking solutions to problems arising in relation to the planning application.

Notes

The applicant must be aware of their obligations towards the Public Rights of Way as follows:

- a. No disturbance of, or change to, the surface of the path or part thereof should be carried out without the Highway Authority's written consent.
- b. No diminution in the width of the right of way available for use by the public.
- c. Buildings materials must not be stored on the right of way.
- d. Vehicle movements and parking to be arranged so as not to unreasonably interfere with the public's use of the right of way.
- e. No additional barriers are placed across the right of way. No stile, gate, fence or other structure should be created on, or across, a public right of way without written consent of the Highway Authority.
- f. The safety of the public using the right of way is to be ensured at all times.

If during extraction any rock or interesting sand and gravel exposures are uncovered, the applicant should inform Herefordshire and Worcestershire Earth Heritage Trust to arrange for the geology and features of interest to be recorded.

Any proposals for new, or alterations to existing, structures such as culverts on watercourses or alterations to the watercourse itself, will require an application to South Worcestershire Land Drainage Partnership for consent under s.23 Land Drainage Act 1991, prior to commencement of works.

If you abstract water and are currently exempt from requiring a licence you will need to consider whether you will in future need a licence to abstract water (from ground or surface waters). If you do require a licence then you will need to submit an application within a two year application window which is likely to open in autumn 2016. The Environment Agency will have three years to determine and grant the licences. Abstractors will be able to continue to use the water until the licensing process is complete.

Any facilities for the storage of oils, fuels or chemicals should also be made secure with locks to prevent theft when not in use or the site is unoccupied.

No works should be undertaken without first contacting the CLH Pipeline System Operator for advice and, if required, Works Consent.

Should protected species be discovered on site all works in that area should halt immediately and a suitably qualified and experienced ecologist contacted and their advice implemented.

If the applicant is aggrieved by the decision of the local planning authority to refuse permission for the proposed development or to grant it subject to conditions, then you can appeal to the Secretary of State under section 78 of the Town and Country Planning Act 1990.

If you want to appeal against your local planning authority's decision then you must do so within 6 months of the date of this notice.

Appeals must be made using a form which you can get from the Secretary of State at Temple Quay House, 2 The Square, Temple Quay, Bristol BS1 6PN or online at www.planningportal.gov.uk/pcs.

The Secretary of State can allow a longer period for giving notice of an appeal, but will not normally be prepared to use this power unless there are special circumstances which excuse the delay in giving notice of appeal.

The Secretary of State need not consider an appeal if it seems to the Secretary of State that the local planning authority could not have granted planning permission for the proposed development or could not have granted it without the conditions they imposed, having regard to the statutory requirements, to the provisions of any development order and to any directions given under a development order.

In practice, the Secretary of State does not refuse to consider appeals solely because the local planning authority based their decision on a direction given by the Secretary of State.

Purchase Notices

If either the local planning authority or the Secretary of State refuses permission to develop land or grants it subject to conditions, the owner may claim that the owner can neither put the land to a reasonably beneficial use in its existing state nor render the land capable of a reasonably beneficial use by the carrying out of any development which has been or would be permitted.

In these circumstances, the owner may serve a purchase notice on the Council (that is, where the land is situated in a National Park, the National Park authority for that Park, or in any other case the district council (or county council which is exercising the functions of a district council in relation to an area for which there is no district council), London borough council or Common Council of the City of London in whose area the land is situated). This notice will require the Council to purchase the owner's interest in the land in accordance with the provisions of Chapter I of Part VI of the Town and Country Planning Act 1990.