21st December 2023

Our ref: MJR/19.206

Head of Planning
Wiltshire Council
Monkton Park, Monkton Hill
Chippenham, Wiltshire
SN15 1ER

Dear Sir,

VARIATION OF CONDITION 1 OF PL/2022/04973

THE EXTRACTION OF SAND AND GRAVEL, INSTALLATION OF A GROUND CONVEYOR AND ANCILLARY BUILDINGS AND ACTIVITIES WITH PROGRESSIVE RESTORATION TO TWO LANDSCAPED LAKES AND A PASTURE FIELD

LAND AT COTSWOLD COMMUNITY SCHOOL, ASHTON KEYNES, WILTSHIRE, SN6 6QT

On behalf of my client, First Oak HA Limited, please find enclosed an application to vary condition 1 of permission PL/2022/04973.

The application comprises:

- Covering letter;
- Application forms;
- Red line plan;
- The planning fee; and
- Planning Statement submitted in support of application ref. PL/2022/04973.

BACKGROUND

Planning permission was granted in 2018 (ref: 16/02765/WCM) for the completion of mineral extraction and restoration at Land at Cotswold Community. As part of this, condition 2 required that:

"The development hereby permitted shall be limited to a period of three years from notified date of commencement of the development by which time mineral extraction operations shall have ceased and the site shall have been restored in accordance with Plan No. 1203/R1 v3 dated 28-04-2017."

A subsequent extension to this timeframe was granted (PL/2022/04973) for a 12 month period to enable the completion of extraction and restoration. Condition 1 stated:

"The development hereby permitted shall be limited to 1st July 2023 by which time mineral extraction operations shall have ceased and the site shall have been restored in accordance with Plan No. 1203/R1 v3 dated 28-04-2017."

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To confirm, all mineral extractions have now been completed, however, it has not been possible to complete the restoration as it is intended to run in parallel to the construction of the adjoining development site.

PROPOSED VARIATION TO CONDITION 1 OF PL/2022/04973

As noted above, all mineral extracts has been completed at the site, however, restoration is still yet to be complete. It has always been the intention that as part of the restoration process it would be undertaken in parallel with the implementation of the adjoining residential development (re. PL/16/02609/OUT and PL/21/02520/REM). This is now controlled by Bewley Homes who anticipate that it will commence over the coming 6 to 12 months.

As a result of this it is proposed that condition 1 is changed to

"The development hereby permitted shall be limited to 1st July 2023 by which time mineral extraction operations shall have ceased. The site shall have been restored by 1st July 2027 in accordance with Plan No. 1203/R1 v3 dated 28-04-2017."

The site has an agreed restoration plan and will, as areas are completed, move into aftercare of those restored areas to ensure that the seeding and planting develops as intended.

THE SITE

The site measures some 19ha, all mineral extraction is complete and is now awaiting restoration. It is located within the Cotswold Water Park and is well screened by boundary vegetation on all sides.

To the north of the site is Shorncote Quarry, with the Keynes Country Park, which consists of water bodies from historic mineral extraction, to the west. The Spine Road (West) borders to the south, beyond which lies further lakes resulting from historic mineral extraction. To the east lies the old Cotswold Community as well as agricultural fields.

ENVIRONMENTAL STATEMENT

It was noted in the submitted information associated with PL/2022/04973) that:

"The original planning application was accompanied by an Environmental Statement (ES) dated March 2016. The ES assessed the likelihood of there being a significant negative impact in respect of: landscape and visual, ecology, traffic/highways, archaeology/cultural heritage, water environment, noise, dust and air quality, aviation, lighting and cumulative impacts. The conclusions of the ES were that any identified impacts could be adequately mitigated and therefore the development was acceptable in Environmental Impact terms.

This conclusion is not changed as a result of this application to vary the end date of the development by just 12 months. The characteristics of the development remain as originally proposed, the location of the development is unchanged. The only factor that has changed since production of the ES and issue of planning permission is the 2021 SSSI designation of the Cotswold Water Park which now lies adjacent to the site. It should however be noted that the existence of the local quarrying activities was considered by Natural England in designating the SSSI, and it was further recognised that the SSSI was only able to be designated due to historic quarrying of the area.

The site is in a largely rural landscape and would be localised and temporary as limited to the operational lifetime of the quarry. The potential impacts of the development were deemed acceptable when the quarry was consented and there is no reason to consider that extending by just 12 months as requested would give risk to a significant (in EIA term) impact, when the existing mitigation is considered."

It was subsequently concluded that:

"The proposed development is not for a new sand and gravel working but for an extension of working time in order to complete the extraction and restoration. It is not considered to significantly alter the potential environmental impacts of the development and so the conclusions originally reached by the

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Environmental Statement, that the development is not likely to give rise to significant effects on the environment which cannot be mitigated by the imposition of appropriate planning conditions and mitigation measures, remains extant. Therefore, no addendum to the original ES has been submitted with this application."

It is considered that as the extraction is complete, the only outstanding matter relates to restoration. As this is approved and will be undertaken in accordance with the approved plans, it is considered that the original conclusions remain valid and no addendum to the original ES is required.

I trust that this is of assistance and look forward to receipt of the discharge notice. Should you need any further information or explanation in the meantime, please do not hesitate to contact me.

Yours Sincerely,



Michael Rees
Director

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