Wiltshire Council

The Town and Country Planning Act 1990

Approval of Minerals & Waste Application with Conditions

Application Reference Number: PL/2023/06338

Decision Date: 09 February 2024

Applicant:	Mr Matthew Millett Cotswold House, Manor Farm, Down Ampney, Cirencester , Gloucestershire, GL7 5QF
Particulars of Development:	Variation of condition 2 (restoration time limit) of 15/09228/WCM from 30.09.23 to 30.09.30
At:	Cleveland Farm Quarry, Ashton Keynes, Wilts, SN6 6QP

In pursuance of its powers under the above Act, the Council hereby **GRANT PLANNING PERMISSION** for the above development to be carried out in accordance with the application and plans submitted (listed below).

In accordance with paragraph 38 of the National Planning Policy Framework, Wiltshire Council has worked proactively to secure this development to improve the economic, social and environmental conditions of the area.

Subject to the following conditions:

Conditions: (17)

1 Extraction of sand and gravel from the site shall cease on or before 31 March 2021.

REASON: To ensure that the satisfactory restoration of the site to a beneficial after-use takes place within a reasonable timescale.

2 The site shall be progressively reclaimed in accordance with the scheme to be approved under Condition 15 of this permission and shall be restored in its entirety by 30 September 2030.

REASON: To ensure that the land is restored to a beneficial after use within a reasonable time.

3 Except in the case of emergency, no operations or activities authorised or required by

this permission shall be carried out and plant shall not be operated on the site other than during the following hours:-
0700 - 1800 Monday to Friday
0700 - 1300 Saturdays

No working shall take place at any time on Sundays and Bank or Public Holidays.

REASON: To protect the amenities of local residents.

4 There shall be no raising of existing ground levels on the Site other than in the areas indicated in drawing number CLEVE006 dated March 2006 submitted with planning application no. 16/02991/WCM and drawing numbers M14.145.D.001 dated April 2015 and M14.145.D.003 dated July 2015 submitted on 20 April 2016 with planning application no. 15/09228/WCM.

REASON: To prevent the increased risk of flooding due to the impedance of flood flows and reduction of flood storage capacity.

5 No temporary stockpiling of materials shall take place in or around the area liable to flood without the prior written approval of the Mineral Planning Authority.

REASON: To prevent the increased risk of flooding due to the impedance of flood flows and reduction of flood storage capacity.

6 Surface water drainage works shall be carried out in accordance with the details submitted and approved pursuant to condition 7 on planning permission no. N/07/07012 dated 8 October 2007.

REASON: To prevent pollution of the water environment and ensure the adequate drainage of the site.

7 Any storage facilities for fuel oil, greases, oils and lubricant (including waste products) provided on the site shall be sited on an impervious base and surrounded by an impervious bunded area of a minimum of 110% of the capacity of the tank and associated pipework. All filling points, gauges and sight glasses must be located within the bund. The drainage system of the bund shall be sealed with no discharge to any surface watercourse or underground water. All associated pipework shall be located above ground and protected from accidental damage. All filling points and tank overflow pipe outlets shall be designed to discharge into the bund or be contained in a

suitable double skinned tank.

REASON: To prevent pollution of the water environment.

8 The development shall be carried out in accordance with the programme of archaeological works set out in the Written Scheme of Investigation submitted and approved pursuant to condition 9 on planning permission no. N/07/07012 dated 8 October 2007.

REASON: To afford the opportunity for archaeological study of the site prior to it being excavated.

9 No top soil, subsoil or overburden shall be exported from the site.

REASON: In the interests of the satisfactory restoration of the site.

10 Best practicable means shall be used to reduce the effects of noise and dust from the site. All plant and machinery shall be maintained and silenced at all times to meet the manufacturers' noise rating levels.

REASON: In the interests of the amenities of surrounding occupiers during the development.

11 The working, restoration and aftercare of the site shall be carried out only in accordance with the working programme and phasing plans submitted in application ref: N/07/07012, consisting of the following drawing numbers: 720/SK1A, 720/SK2A, 720/SK3B, 720/SK4B, 720/SK5A and 720/SK6A, except insofar as superseded by drawing number CLEVE006 dated March 2006 submitted with planning application no. 16/02991/WCM and drawing numbers M14.145.D.001 dated April 2015 and M14.145.D.003 dated July 2015 submitted on 20 April 2016 with planning application no. 15/09228/WCM.

REASON: To ensure that the development is carried out in a satisfactory manner in the interests of the amenities of the area.

12 No commercial vehicles shall enter the public highway unless their wheels and chassis have been cleaned to prevent material being deposited on the highway.

REASON: To safeguard highway safety.

13 Top soil, subsoil or soil making materials shall only be stripped when they are in a dry and friable condition.

REASON: In the interests of the satisfactory restoration of the site.

14 During the hours of operation of the site, the noise from construction operations shall not exceed 70 dB LAeq 1 hour freefield at the nearest occupied dwellings to the site. Noise relating to sand and gravel operations shall not exceed 55 dB LAeq 1 hour freefield at the nearest occupied dwellings.

REASON: To protect the amenities of local residents.

15 The development shall be carried out in accordance with the scheme of habitat creation, restoration and aftercare plans approved pursuant to conditions 16 and 17 on planning permission no. N/07/07012 dated 8 October 2007, except insofar as superseded by drawing number CLEVE006 dated March 2006 submitted with planning application no. 16/02991/WCM and drawing numbers M14.145.D.001 dated April 2015 and M14.145.D.003 dated July 2015 submitted on 20 April 2016 with planning application no. 15/09228/WCM. An annual report shall be submitted to the Mineral Planning Authority providing details of progress on restoration in December of each year.

REASON: To safeguard the nature conservation interest of the site and in the interests of the satisfactory restoration of the site.

16 Within six months of the commencement of each working phase, a detailed planting scheme shall be submitted to the Mineral Planning Authority for written approval to cover wetland habitat, hedgerows, grassland and tree planting for that particular phase. The planting schemes shall provide details of species to be planted and their provenance, location, spacing and layout, ground preparation, method and timing of planting, and details of aftercare and maintenance, and shall be implemented in accordance with the agreed details.

REASON: In the interests of safeguarding and enhancing the visual amenity of the area and to provide for the creation of a variety of habitats.

17 The development shall be carried out in strict accordance with the Ecological Mitigation Scheme dated July 2005 submitted with planning application no. N/07/07012 and the measures described in sections 5 and 6 of the Ecological Appraisal report prepared by AD Ecology Ltd dated 23 March 2015 submitted with planning application no. 16/02991/WCM.

REASON: To safeguard the nature conservation interest of the site.

Parvis Khansari - **Corporate Director, Place**

NOTES

1 **Other Necessary Consents.** This document only conveys permission for the proposed development under Part III of the Town and Country Planning Act 1990 and the applicant must also comply with all the byelaws, regulations and statutory provisions in force in the area and secure such other approvals and permissions as may be necessary under other parts of the Town and Country Planning Act 1990 or other legislation.

1.1 the need in appropriate cases to obtain approval under Building Regulations. **(The Building Regulations may be applicable to this proposal. Please contact the Council's Building Control team before considering work on site);**

1.2 the need to obtain an appropriate order if the proposal involves the stopping up or diversion of a public right of way or other highway (including highway verge);

1.3 the need to obtain a separate "Listed Building Consent" to the demolition, alteration or extension of any listed building of architectural or historic interest;

1.4 the need to make any appropriate arrangements under the Highways Act 1980, in respect of any works within the limits of a highway. The address of the Highway Authority is County Hall, Trowbridge, BA14 8JD (It is the responsibility of the applicant to ascertain whether the proposed development affects any listed building or public right of way / other highway, including highway verge).

2 **Appeals.** If the applicant is aggrieved by the decision of the local planning authority to grant permission subject to conditions, he may appeal to the Secretary of State for the Environment in accordance with Section 78(1) of the Town and Country Planning Act 1990 within six months of the date of this decision. (Information and forms relating to the appeals process can be found at the Planning Portal - http://www.planningportal.gov.uk/planning/appeals).

3 **Climate Change.** Wiltshire Council acknowledges the climate emergency and is seeking to make the county carbon neutral. You are encouraged to include energy efficiency that exceeds building regulations and to meet residual energy demand through renewable energy and low-carbon technologies, including high levels of electric vehicle charging points. The developer is encouraged to contact the climate team to discuss this further. climate@wiltshire.gov.uk