Wiltshire Council

The Town and Country Planning Act 1990

Approval of Minerals & Waste Application with Conditions

Application Reference Number: PL/2023/07537

Decision Date: 20 March 2024

Applicant:	M C Cullimore (Gravels) Ltd Netherhills, Whitminster, Gloucester, Gloucestershire, GL2 7PD
Particulars of Development:	Variation of condition 1 of 19/06818/WCM to retain the aggregate recycling operation for a further two year period to 31 December 2026
At:	Dairy Farm Quarry, Ashton Road, Ashton Keynes, Wiltshire, SN6 6PA

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: (11)

1 The activities authorised by this permission and all associated plant, machinery and stockpiles of processed or unprocessed material on the site shall be removed and the site restored in accordance with the restoration scheme approved under permission no. 19/06811/WCM on or before 31 December 2026.

Reason: To ensure the restoration of the site in accordance with a previously agreed scheme.

2 The development hereby permitted shall be carried out in accordance with the following approved plans:
Plan Ref: Figure 1 - Site Location Plan, dated August 2008
Plan Ref: Figure 2 - Existing Context, dated September 2008
Plan Ref: Figure 3 - Existing Conditions, dated May 2008
Plan Ref: Figure 4 - Proposed Site Layout, dated May 2008

Reason: For the avoidance of doubt and in the interests of proper planning.

3 Suppression of any dust generated by the development shall be in accordance with the Mitigation measures set out in the 'Dust and Air Quality Assessment' by DustScanAQ dated July 2019.

Reason: To protect the amenities of the locality from the effects of any dust arising from the development.

4 The programme of measures for ensuring vehicle reversing alarms do not impact on residential amenity shall be carried out in accordance with the document entitled 'Details in Accordance with the Requirements of Condition No's 2 and 3' and dated 28.07.09.

Reason: To safeguard the amenity of local residents.

5 Operations authorised by this permission, including vehicles entering or leaving the site, shall be restricted to the following periods:
07.00 - 18.00 Monday - Friday
07.00 - 13.00 Saturday, and there shall be no operations on Sundays or Bank or Public Holidays.

Reason: To protect local amenity.

6 The height of any stockpiles of unprocessed or processed material shall not exceed 3.0 metres above existing ground level.

Reason: To protect the visual amenities of the area.

7 No external floodlighting or other illumination shall be erected or installed at the site.

Reason: To ensure that the development is carried out in accordance with the submitted details and to protect the amenities of the area.

8 During the permitted operational hours the level of noise emitted from the site associated with the development hereby permitted shall not exceed 45 dB when measured at the nearest residential property.

Reason: To safeguard the amenity of local residents.

9 Processing of material shall be restricted to a total of 33 working days per calendar year. Details of the days worked during each calendar year shall be submitted to the Waste Planning Authority in writing by 31st December each year.

Reason: To secure what was proposed in the application in the interests of the amenity of local residents.

10 Access to and egress from the site shall only be via the approved site entrance onto the B4696 as shown on Figure 2 entitled 'Existing Context' and dated September 2008.

Reason: In the interests of highway safety.

11 No commercial vehicle using the site shall enter the public highway unless its wheels and chassis have been cleaned to prevent material being deposited on the public highway.

Reason: In the interests of highway safety and to prevent mud, dust and debris being deposited on the highway.

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