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26 March 2025

AC/HC/1787/45

Dear Sir or Madam

M C CULLIMORE (GRAVELS) LTD: WHETSTONE QUARRY, DOWN AMPNEY, WILTSHIRE

On behalf of our client, M C Cullimore (Gravels) Ltd, please find enclosed an application made under section 73 of the Town and Country Planning Act 1990 to vary the conditions on planning permission 18/06840/WCM, relating to mineral extraction operations at Whetstone Quarry, Down Ampney, Wiltshire. Whetstone Quarry comprises a cross-boundary operation spanning the administrative borders of Gloucestershire and Wiltshire.

Planning permission 18/06840/WCM permits sand and gravel extraction and processing with restoration using imported inert material. The application comprises an extension of mineral operations into land within Wiltshire. The wider site is located within Gloucestershire and governed by planning permission 16/0083/CWMAJM.

Mineral extraction operations within the two phases in Wiltshire has now completed and are pending restoration. The applicant is awaiting an Environment Agency Environmental Permit to facilitate the deposit of inert material within the extension area and deliver the approved restoration scheme.

The fundamental purpose of this planning application is therefore to extend the time available to deliver the approved restoration scheme for the site.

Condition 2 : Duration

Condition 2 states: *"The development hereby permitted shall cease extraction and be fully restored in accordance with the approved restoration scheme within 5 years of the date of commencement as notified in condition 1 of this consent."*

This Section 73 application seeks a variation to condition 1 to extend the restoration timeframe to 31 December 2029. This would align with a parallel extension of time application submitted to Gloucestershire County Council to vary condition 1 of planning permission 16/0083/CWMAJM.

The proposed extension of time to deliver the approved restoration makes allowance for the fluctuating market availability of inert material. It is therefore feasible that the site will be

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restored before the proposed restoration date of 31 December 2029, should market conditions remain consistent.

Condition 6 : Definition of Inert Material

In monitoring compliance of the site operation with the conditions set out in planning permission 16/0083/CWMAJM, Gloucestershire's Monitoring Officer has invited a revision to the wording of condition 5, which confirms the volume and types of inert material to be deposited on site. Condition 6 of the Wiltshire permission is consistent with this definition of inert material, stating:

"The total quantity of inert material imported into the site for the restoration of the site shall not exceed 137,000 cu m, comprising only wholly inert, uncontaminated freely draining top-soils and sub-soils."

The description of useable inert material, limited to only top-soils and sub-soils, does not align to the defined materials stated on the EA permit (for the Gloucestershire land). Schedule 2 of the permit, appended to this letter, defines useable inert material for the site as construction and demolition wastes comprising concrete, bricks, tiles, ceramics, soil and stones (excluding topsoil and peat). It is therefore proposed that the wording of condition 6 is amended as follows:

"The total quantity of inert material imported into the site for the restoration of the site shall not exceed 137,000 cu m, comprising construction and demolition wastes to include concrete, bricks, tiles, ceramics soils and stones (excluding topsoil and peat)."

This change would align the planning permission with the EA permit and provide clarity to the operator.

Summary

The proposed development seeks to vary condition 2 and 6 of planning permission 18/06840/WCM. The fundamental purpose of the planning application is to facilitate an extension of time for the delivery of the approved restoration scheme. The site is still awaiting issue of an Environmental Permit to enable the deposit of inert material within the extension site.

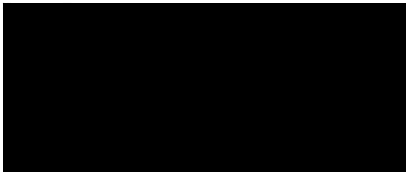
The applicant estimates that the quarry, taken as a whole, will be restored on or before 31 December 2029. Variation of condition 2 would align with a parallel application submitted to Gloucestershire County Council seeking a variation of condition 1 of planning permission 16/0083/WCMAJM.

It is also proposed that the wording of condition 6 is updated to align with the description of inert material approved by the Environmental Permit (for deposit of inert material in Gloucestershire).

Notwithstanding the proposed variations to conditions 2 and 6, this application also presents the MPA with an opportunity to review and update all remaining conditions owing to recent discharge of conditions approvals.

I trust the enclosed details are sufficient to enable the application to be validated and processed. However please do not hesitate to contact me should you require any further information.

Yours faithfully



Antony Cook