

Monitoring of Mining and Landfill Sites

Venn Quarry (Landkey)

27 April 2016

Report prepared by Devon County Council

Section 303 of the Town & Country Planning Act 1990
as amended by the
Section 53 of the Planning and Compulsory Purchase Act 2004

Town & Country Planning (Fees for Applications, Deemed Applications, Requests and Site Visits) (England) Regulations 2012
as amended

Note:

The information in this report reflects only those matters that were discussed at the Monitoring Visit. While every attempt has been made to make the Visit Report as comprehensive as possible, there can be no guarantee that all the requirements or obligations of the planning permission(s), approved scheme(s) and legal requirement(s) that may exist at the site have been included. The absence of any such obligation or requirement in the report cannot, therefore, be used as an indication of compliance.

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Name of Site:	Venn Quarry (Landkey) (500201)	
Location	Venn Quarry (Landkey) Venn Quarry (Landkey) Landkey Barnstaple Devon EX32 0NU	Easting: 258081 Northing: 130507
Operator	Aggregate Industries	
Contact(s)	Mr John Penny	
Date of Visit	27 April 2016	
Time of Visit	12.00 noon - 14.00 followed by Quarry Liaison Meeting	
Weather Conditions (if relevant)	Cloudy	
Type of Inspection	Scheduled Monitoring Visit	
Date of Notification (If Scheduled Visit)	Date: 12 March 2016	
Description of Visit	<p>The monitoring visit began with a discussion about what had happened on the site since the last monitoring visit and the position regarding the schemes that had been submitted to the MPA -restoration plans, environmental scheme, and the surface water and ground water management and monitoring scheme. The prospect of a planning application for a leisure /holiday village was also discussed.</p> <p>The planning conditions were reviewed and then a visit of the site took place – both Bailey’s Pit and Spear’s Land.</p> <p>A quarry liaison took place in the site office after the monitoring visit.</p>	

Monitoring Officer(s)	Name: Jackie Reffell	Title: Senior Planning Officer
Operator Representative(s)	Name: John Penny	Title: Estates Manager – South West
Operator Representative(s)	Name: Alan Stribling	Title: Site Supervisor
Draft Report Details	Written: 17/05/16	Sent: 17/05/16

PLANNING HISTORY

Application Number	Date	Description	Comments
Q12	17/04/47	Quarrying – IDO	
NI/933	08/12/50	Underground store	
NI/1301	22/10/52	Dumping of deads	Lapsed – excluded from ROMP application
NI/2920	27/08/57	Extension to quarry workings	
NI/3714	13/06/59	Erection of portable office	
NI/4137	24/05/60	Tip for quarry deads	
NI/5242	29/11/61	Tipping of quarry deads	
NI/6873	23/01/64	Tipping of quarry deads and diversion of stream	
NI/7116	15/04/64	Ready mix concrete plant	
NI/9050			REFUSED
NI/10143	03/05/67	Quarry operations	
NI/11352	29/08/68	Extension to quarrying	
NI/11769	03/03/69	Tipping of quarry deads and waste	
NI/11780	03/03/69	Quarrying operations	
NI/11781	04/03/69	Tipping of quarry deads and waste	
NI/12375	08/07/69	Quarrying operations	
NI/12774	15/02/72	Quarry waste tips, stream and footpath diversion	
NI/ 12775	14/07/70	Quarry Waste Tip	
NI/16335	17/11/72	Quarry waste tip	
NI/16950	19/04/73	Tipping of quarry deads and waste and use of land as silt pond	
2/74/9/7/3	22/04/75	Winning and working of minerals, tipping of overburden, waste and quarry	

Application Number	Date	Description	Comments
		deads	
2/75/37/7/3	27/06/75	Weighbridge, office and toilets	
02/39/1034/89	09/04/90	Dry waste/silt disposal settlement lagoons and public footpath diversion	
02/07/17697/93	23/12/94	Determination of IDO conditions	
02/07/20772/95	08/02/96	Extension of quarry waste tip wit progressive restoration of existing tips	Expired 30 October 2002
02/39/30313/00	13/07/01	Construction of footpath	
02/07/27949/99	10/01/02	Extension to quarry, widening access road includes legal agreement and provision of second river crossing and highway improvements between Cradlemans Corner and Venn Quarry	
02/39/33764/02	14/02/03	Variation of Condition (o) of 02/39/10341/89 to extend permission for a further 5 years	Expired 30 Oct 2007
02/07/33399/02	09/06/03	ROMP Decision Notice	Supersede by First Periodic Review 54676/2012
02/40145/2005	15/09/05	Variation of Condition of permission 02/07/20772/95 to allow further time for completion of progressive restoration and revegetation of existing tips	
02/39/45043/071	04/02/08	Retention of existing asphalt plant for use with imported aggregates	Expired 1 April 2012
02/51653/29011	06/09/11	Continued development without compliance with condition 2 of permission 02/07/27949/99 – retention of temporary settlement lagoon	
54676/2012	29/09/14	Determination of conditions under a Periodic Review of Mineral permissions – First review.	

CURRENT SITUATION

Mineral working has permanently ceased in Bailey's Pit and an agreement has been signed by the Aggregate Industries and the landowner confirming that working will not recommence within Bailey's Pit except for the purposes of restoration. John Penny confirmed that it was not the intention of AI to recommence working in Spear's Land.

Restoration works

Since the last monitoring visit there has been no further restoration work carried out in either Bailey's Pit or Spears Land. All trees that need to be removed prior to the commencement of restoration works have already been felled – specifically on Stephen's tip.

Previously, soils for restoration purposes have been brought onto the site and currently are being stored where the asphalt plant was previously sited. No soils have been brought onto the site since the last monitoring visit.

Aggregate Industries are hopeful that restoration works will start in June this year (2016) and they have started the tendering process for the work. If restoration works are able to start in June, AI estimates that the majority of the work will be completed by the end of 2017. The timescales were discussed and it was agreed that they are very optimistic given that a number of schemes, including the restoration and aftercare schemes, haven't yet been approved by the MPA. Currently, the MPA is waiting for AI to submit amended restoration and aftercare schemes for both Bailey's Pit and Spears Land and an amended Surface Water and Groundwater Management and Monitoring Scheme. Importantly the water management scheme needs to be aligned with the restoration proposals. John Penny said that the amended schemes should be submitted to the MPA by 6 May 2016.

Sourcing suitable material to cap the site would be part of the restoration contract. The hope is that the material would be sourced locally to the site, however a fall-back position is that the material would be transported from Westleigh Quarry.

Bailey's Pit



Bailey's Pit – no additional restoration work has been carried out since April 2015



Soil storage – to be used for restoration purposes.



No further material has been removed from the southern tip (Stephen's Tip) since the last monitoring visit. The trees have previously been removed on the outer edge of the tip in preparation of the re-profiling operation.

Spear's Pit



Drying lagoons within the north-eastern area of Spears Pit.



Surface water lagoon within the southern area of Spear's Pit – the water is currently pumped to Bailey's Pit

Water Quality/Treatment

The water from both Bailey's Pit and Spear's Land continues to be treated before it is discharged into the Venn Stream, as it is acidic and contains dissolved metals. The water will continue to be treated during and after completion of the quarry restoration, until such time as monitoring demonstrates that the acidity and associated dissolved metal content within surface water run-off and groundwater has reduced to levels that will permit passive treatment. The site supervisor has just started to take water samples from boreholes on the site as part of the on-going monitoring scheme

AI is proposing to move the water treatment facility to a site adjacent to the concrete batching plant. John Penny was made aware that full details of the proposed water treatment plant need to be submitted to the MPA for prior approval and to ensure that planning permission wouldn't be required. Review consent (54676/2012) condition B3 requires prior approval before any plant, machinery etc. is installed.

Concrete Batching Plant

The concrete batching plant continues to operate under a separate planning permission issued by North Devon District Council. It is the intention of Aggregate Industries to continue operating the plant for as long as possible, however the restoration schemes that have been submitted involve the current water treatment plant being relocated to part of the concrete batching plant site.



Proposed site for relocating the water treatment facility – adjacent to concrete batching plant.

Leisure proposals

John Penny was unaware if the landowner intended to submit a planning application in the near future or not.

Complaints

No complaints regarding the quarry had been received either by AI or the MPA since the last monitoring visit.

PLANNING CONDITIONS

The following tables contain details of all those conditions, together with any requirements and obligations of any Approved Schemes and Planning Agreements that were the subject of discussion at the monitoring meeting.

These fall into one of three categories:

Green monitoring requirements

Work carried out/condition discharged.
(Requirements Carried Out)

This identifies certain ongoing activities that fulfil the requirements of planning conditions, and those conditions that have been complied with by the required deadline or as a result of earlier monitoring exercises.

The table specifies what was required to be carried out and gives a brief description of how compliance was achieved.

Amber monitoring comments

Work Required.
(Requirements Needing Action within a Specified Period)

Undertaking compliance with the identified conditions were agreed at the monitoring meeting be considered as a priority as compliance is either required within a nearby deadline, before parts of the development can be undertaken, or involve parts of the development that will be required to be addressed in the near future (within the next 12 months).

The table identifies the condition, the reason the condition has not yet been complied with and the course of action agreed at the monitoring meeting (or if there was no agreement reached, the County Council's required course of action).

Red monitoring comments

Non Compliance.
(Requirements Needing Immediate Compliance)

These are failures to comply with a planning condition, agreement or obligation and must be dealt with as a priority as failure to comply with the requirement can lead to possible enforcement action. (A monitoring report containing a red comment can prejudice ISO 14001 or EMAS accreditation).

The table identifies the condition, the reason for non-compliance and the course of action agreed at the monitoring meeting (or if there was no agreement reached, the County Council's required course of action).

Where there is a red warning on a specific condition it means that the County Council requires compliance for environmental or legal reasons and will state, on the monitoring report the date by which compliance should be reached and, if appropriate the steps agreed with the operator to undertake compliance. **If these timescales are not met and no other agreement has been reached with the County Council then this may result in automatic action to achieve compliance.**

CONDITIONS, SCHEMES AND S106 MONITORING

Application Number: **DCC/3106/2010**

Condition Number: **A1**

Compliance Status: Work Required – submission of amended schemes required (see comments below).

Condition/ Scheme Title: Time Limit

Condition/ Scheme Details: No further mineral working shall take place in Bailey's Pit (Area A) except for the purposes of the restoration of Bailey's Pit. The restoration of Bailey's Pit shall be carried out in accordance with conditions A1 to A32 below and completed within 3 years of the approval of the detailed restoration scheme required by condition A27.

REASON: To ensure that Bailey's Pit is fully restored so that the landscape character, biodiversity and amenity of the area is protected in accordance with DMLP policies MP41 (Development Control Considerations) and MP56 (Restoration) and NDLP policy ENV1 (Development in Countryside).

Officer Comments/ Actions Required:

No working has taken place within Bailey's since the review permission was issued- 29 September 2014

A restoration scheme was submitted within the time period required by condition A27, however as a result of the consultation process the MPA has required a number of amendments to be made to the original scheme. Currently the MPA is waiting for AI to submit an amended restoration scheme and an amended water monitoring and management scheme. In addition, before the restoration scheme can be approved, details of the relocation of the water treatment plant need to be submitted to ensure that it would be permitted development and enable the details to be approved.

The 3 year deadline for the completion of the restoration of Bailey's Pit, commences with the approval of the restoration schemes.

Application Number: **DCC/3106/2010**

Condition Number: **A2**

Compliance Status: Currently the condition is being complied with; however the submission of amended restoration schemes is required

Condition/ Scheme Title: Development in Accordance with Plans

Condition/ Scheme Details: The restoration of Bailey's Pit shall be carried out in accordance with the details shown on the approved plans referenced:

-2072/ROMP/1 (Existing Situation);

-2072/ROMP/2 A (Proposed Restoration of Main/Bailey's Pit and the -Interim Restoration of Spears Land);

2072/ROMP/3 (Sections).

except as varied by the conditions below.

REASON: To ensure that the development is carried out in strict accordance with the approved details.

Officer Comments/ Actions Required:

Amended 'Landscape Management and Aftercare Scheme for Bailey's Pit and Land North of the Venn Stream' expected to be submitted 6 May 2016

Application Number: **DCC/3106/2010**

Condition Number: **A3**

**Compliance Status: Currently the condition is being complied with.
No further action required at this time.**

Condition/ Scheme Title: Notification of Stages of Development

Condition/ Scheme Details: The developer shall notify the Mineral Planning Authority in writing within 14 days of the commencement/ completion of the following:

- The commencement of each phase of restoration contained in the scheme required by condition A27;
- Completion of each phase of restoration contained in the scheme required by condition A27;
- The beginning of the aftercare period of Bailey's Pit and the end of 4th year of aftercare;
Completion of the aftercare period of Bailey's Pit.

REASON: In order that the Mineral Planning Authority can adequately monitor the development.

Officer Comments/ Actions Required:

The MPA requires at least 14 days notice of the commencement of restoration works.

Application Number: **DCC/3106/2010**

Condition Number: **A4**

**Compliance Status: Currently the condition is being complied with.
No further action required at this time (see comments below)**

Condition/ Scheme Title: Waste/ Material Importation Restriction

Condition/ Scheme Details: No refuse, waste or imported materials shall be imported into the site, other than suitable inert clay and soil capping materials that is strictly required to provide an impermeable capping layer for Bailey's Pit. The operator shall maintain records of capping materials imported to restore the site and they shall be made available to the Mineral Planning Authority within 7 days of any request.

REASON: To minimise the duration of disturbance from the development and to protect the living conditions of local residents in accordance with NDLP policy DVS3 (Amenity Considerations)

Officer Comments/ Actions Required:

No capping materials should be brought on to the site until all the schemes required prior to commencement (restoration, environmental, water etc.) have been submitted to and approved by the MPA.

Application Number: **DCC/3106/2010**

Condition Number: **A5**

**Compliance Status: Currently the condition is being complied with.
No further action required at this time.**

Condition/ Scheme Title: Hours of Working

Condition/ Scheme Details: No operations, other than essential maintenance to plant and machinery, environmental monitoring and the operation of pumps and ancillary machinery for water management purposes, shall be carried out at the site and no HGV's shall enter or leave the site except between the following times:

0700 and 1900 on Mondays to Fridays inclusive;
0700 and 1300 on Saturdays.

No operations shall take place on Sundays or Public Holidays, unless previously agreed in writing by the Mineral Planning Authority.

REASON: To safeguard the living conditions of local residents and the amenity of the local area in accordance with NDLP policy DVS3 (Amenity Considerations).

Officer Comments/ Actions Required:

Currently no operations are being carried out on the site, apart from those associated with the water treatment.

Application Number: **DCC/3106/2010**

Condition Number: **A6**

**Compliance Status: Currently the condition is being complied with.
No further action required at this time.**

Condition/ Scheme Title: Removal of Vegetation

Condition/ Scheme Details: No clearance of vegetation shall be carried out within the site between 1 March and 31 August inclusive in any year unless the developer has been advised by a suitably qualified ecologist that the clearance will not disturb nesting birds, and a written record of this is kept by the developer.

REASON: To ensure breeding birds are not disturbed by removal of habitat in accordance with NDLP policy ENV8 (Biodiversity).

Officer Comments/ Actions Required:

John Penny confirmed that no additional trees/ vegetation need to be cleared prior to restoration works commencing.

Application Number: **DCC/3106/2010**

Condition Number: **A7**

**Compliance Status: Currently the condition is being complied with.
No further action required at this time (see comments below)**

Condition/ Scheme Title: Protected Species

Condition/ Scheme Details: No blasting and no re-profiling of the southern quarry bund, shall take place during the peregrine nesting season, 1 February to 31 July inclusive, unless the developer has been advised by a suitably qualified ecologist that the clearance will not disturb nesting peregrines and it has been agreed in writing by the Mineral Planning Authority.

REASON: To ensure no impact on the breeding of a protected species in accordance with NDLP policy ENV11 (Protected Species)

Officer Comments/ Actions Required:

Currently no operations are being carried out on the site. AI is uncertain if any blasting will be required to re-profile the northern rock face. If restoration operations commence in June, the MPA would require confirmation by a suitably qualified ecologist that nesting peregrines would not be disturbed.

Application Number: **DCC/3106/2010**

Condition Number: **A8**

**Compliance Status: Currently the condition is being complied with.
No further action required at this time.**

Condition/ Scheme Title: Vehicle Silencing

Condition/ Scheme Details: All vehicles, plant and machinery operated within the mineral site including the operation of pumps and essential machinery for water management purposes shall be maintained in accordance with the manufacturer's recommendations and specifications at all times and shall be fitted with and use effective silencers.

REASON: To minimise the adverse impact of noise generated by the operations on the local environment and the living conditions of local residents in accordance with NDLP policies DVS3 (Amenity Considerations).

Officer Comments/ Actions Required:

No further action required at this time.

Application Number: **DCC/3106/2010**

Condition Number: **A9**

**Compliance Status: Currently the condition is being complied with.
No further action required at this time.**

Condition/ Scheme Title: Vehicle Silencing

Condition/ Scheme Details: All vehicles and mobile plant operating within the site shall be fitted with and use `white noise` alarms.

REASON: In the interest of protecting the amenities of the local environment and the living conditions of local residents from the adverse impact of noise generated at the site in accordance with NDLP policy DVS3 (Amenity Considerations).

Officer Comments/ Actions Required:

The use of white noise alarms will need to be specified as part of the tender for the restoration works.

Application Number: **DCC/3106/2010**

Condition Number: **A10**

**Compliance Status: Currently the condition is being complied with.
No further action required at this time.**

Condition/ Scheme Title: Noise

Condition/ Scheme Details: The developer shall ensure that the A-weighted sound level of operations at the site do not exceed the following limits when measured on a precision Grade 1 sound level meter (set to fast response) at the nearest inhabited dwellings at Eastacombe, Rubble Hill and Barton and at other noise sensitive premises as may be agreed with the Mineral Planning Authority.

(a) The equivalent continuous A-weighted sound level measured [dB(A) LAeq (1 Hour) free field] over any one-hour period shall not exceed:

i) 50dB(A) between the times of 0700 to 1900 on Mondays to Fridays inclusive and between the times of 0700 to 1300 on Saturdays,

ii) 45dB(A) between the times of 1900 to 2200 and 0600 to 0700 on Mondays to Saturdays, excluding public Holidays when 40dB(A) shall not be exceeded.

iii) 40dB(A) at any other time.

iv) Noise limits may be exceeded for temporary periods (up to 8 weeks in any calendar year) during bund construction, soil stripping, and the construction of new permanent landforms but shall not exceed 70 dB(A) LAeq 1h freefield as measured at any building used for human habitation.

(b) The limits set out in (i) above shall not be exceeded for more than five minutes in any one hour period by more than:

i) 10dB(A) between 0600 and 2200 hours; and

ii) 7dB(A) between 2200 and 0600 hours.

(c) If the sound measured within the monitoring period contains any continuous distinguishable note (whine, hiss, screech, squeal, hum) or if there are significant irregularities in noises, including impulsive irregularities such as bangs, clinks, clatters or thumps, then 5 dB(A) shall be added to the measured sound level prior to determining whether the limits set out in (a) and (b) are being complied with.

The developer shall inform the Mineral Planning Authority in writing within five days of any occurrence following monitoring where these noise limits have been exceeded, together with an explanation and proposals to prevent any recurrence.

REASON: To protect the amenities of the local environment and the living conditions of local residents in accordance with NDLP policy DVS3 (Amenity Considerations).

Officer Comments/ Actions Required:

No action required at this time.

Application Number: **DCC/3106/2010**

Condition Number: **A11**

Compliance Status: Work carried out - an environmental scheme has been submitted (including

noise control) to be approved by MPA.

Condition/ Scheme Title: Scheme for the Control of Noise

Condition/ Scheme Details: No restoration works shall be carried out on the site until a scheme for monitoring noise from the site has been submitted to and approved in writing by the Mineral Planning Authority. The scheme shall include:

- Monitoring during typical working hours with main items of plant and machinery in normal operation under normal loading conditions;
 - The methods for monitoring noise emanating from the site;
 - Monitoring locations;
 - Frequency of measurements;
 - Logging of weather conditions;
 - The methods for the logging of any complaints being made relating to the noise emanating from the site;
 - The procedure to make logs available for inspection by the Mineral Planning Authority;
- A requirement for regular review of the scheme.

The restoration of Bailey's Pit shall be carried out in accordance with the approved scheme.

REASON: To enable the effects of the development to be adequately monitored to protect the amenities of the local environment and the living conditions of local residents in accordance with NDLP policy DVS3 (Amenity Considerations).

Officer Comments/ Actions Required:

An Environmental Scheme (covering noise, vibration/air overpressure and dust) has been submitted and the MPA is in a position to approve the scheme and issue a decision notice.

Application Number: **DCC/3106/2010**

Condition Number: **A12**

Compliance Status: Work carried out - an environmental scheme has been submitted (including controls over blasting).

Condition/ Scheme Title: Blasting Scheme

Condition/ Scheme Details: No blasting shall take place until a blasting scheme has been submitted to and approved in writing by the Mineral Planning Authority. The scheme shall include:

- No blasting during the peregrine nesting season, 1 February to 31 July inclusive
- The times and frequency of blasting episodes.
- The method of warning of blasting episodes.
- Details of blast monitoring equipment.
- Details of monitoring locations.
- The maximum levels of ground vibration at specified vibration sensitive buildings and residential properties.
- Methods to be used to minimise the effects of ground vibration arising from blasting.
- The methods to be used to monitor blasting episodes ground vibration and air over pressure.
- The procedure to make monitoring results available to the Mineral Planning Authority
- The procedures to be adopted if ground vibration or air overpressure goes above the maximum levels.

Blasting operations shall be carried out in accordance with the approved scheme.

REASON: To protect the amenities of the local environment and communities from the effects of noise and vibration associated with blasting at the development in accordance with NDLP policy DVS3 (Amenity Considerations).

Officer Comments/ Actions Required:

AI has submitted an Environmental Scheme (covering noise, blasting, vibration/air overpressure and dust) and following consultation the MPA is in a position to approve it.

Application Number: **DCC/3106/2010**

Condition Number: **A13**

**Compliance Status: Currently the condition is being complied with.
No further action required at this time.**

Condition/ Scheme Title: Blasting Times

Condition/ Scheme Details: No blasting shall be carried out on the site except between:

1030 and 1600 hours Monday to Friday

No blasting shall take place on Saturdays, Sundays and on public holidays.

REASON: To protect the amenities of the local environment and the living conditions of local residents from the effects of noise and vibration associated with blasting at the development in accordance NDLP policy DVS3 (Amenity Considerations).

Officer Comments/ Actions Required:

No blasting has been carried out since the last monitoring visit.

Application Number: **DCC/3106/2010**

Condition Number: **A14**

**Compliance Status: Currently the condition is being complied with.
No further action required at this time.**

Condition/ Scheme Title: Control of Ground-Borne Vibration

Condition/ Scheme Details: When carrying out blasting operations, the developer shall minimise the propagation of ground-borne vibration beyond the perimeter of the site and shall ensure that all blasting procedures are planned and executed to ensure that the maximum vibration in terms of blasting, expressed in terms of peak particle velocity (PPV) shall be less than 10mm per second (at 95% confidence) measurable at any building used for human habitation located outside the site.

REASON: to protect the living conditions of local residents from the effects of vibration associated with blasting in accordance with NDLP policy DVS3 (Amenity Considerations).

Officer Comments/ Actions Required:

No blasting has been carried out since the last monitoring visit.

Application Number: **DCC/3106/2010**

Condition Number: **A15**

**Compliance Status: Currently the condition is being complied with.
No further action required at this time.**

Condition/ Scheme Title: HGV Movements

Condition/ Scheme Details: The total number of HGV vehicle movements* associated with the site (including Spear's Land) shall not exceed:

- 240 movements per day (Monday to Friday)
- 120 movements (Saturdays).

No HGV movements shall take place outside the hours of operation stated in condition A5 of this permission.

REASON: In the interests of protecting the living conditions of local residents in accordance with NDLP policy DVS3 (Amenity Considerations).

*for the avoidance of doubt a heavy goods vehicle shall have a gross vehicle weight of 7.5 tonnes or more and 1 vehicle movement is counted when a vehicle either enters or exits the site.

Officer Comments/ Actions Required:

Currently lorry movements aren't an issue as restoration works haven't commenced.

Application Number: **DCC/3106/2010**

Condition Number: **A16**

**Compliance Status: Currently the condition is being complied with.
No further action required at this time.**

Condition/ Scheme Title: Control of Airborne Vibration

Condition/ Scheme Details: When carrying out blasting operations the developer shall minimise the propagation of air-borne vibration outside the site and shall ensure that the vibration in terms of measurable air over pressure at any residential building does not exceed 120dB (decibels).

REASON: To protect the living conditions of local residents in accordance with NDLP policy DVS3 (Amenity Considerations).

Officer Comments/ Actions Required:

No blasting has been carried out since the last monitoring visit.

Application Number: **DCC/3106/2010**

Condition Number: **A17**

**Compliance Status: Currently the condition is being complied with.
No further action required at this time.**

Condition/ Scheme Title: Sheeting of Lorries

Condition/ Scheme Details: All loaded lorries entering the site with restoration material shall be sheeted.

REASON: In the interests of highway safety and to safeguard the local environment against dust in

accordance with NDLP policy DVS3 (Amenity Considerations) and TRA6 (General Highway Considerations).

Officer Comments/ Actions Required:

As restoration works haven't commenced, sheeting of lorries isn't currently an issue.

Application Number: **DCC/3106/2010**

Condition Number: **A18**

Compliance Status: Work Required - a scheme specifying the wheel cleaning facilities is required prior to restoration works commencing

Condition/ Scheme Title: Mud and Dust on the Highway

Condition/ Scheme Details: No restoration works shall take place within Bailey's Pit (Area A) before a scheme specifying the wheel cleaning facilities and methods to be put in place to avoid mud, water, dust and other debris being carried onto any part of the public highway, is submitted to and approved in writing by the Minerals Planning Authority. The scheme shall include provision for revision in the event of the scheme being ineffective and any remedial measures to be put in place to clear the highway of such material.

The approved wheel cleaning facilities shall be installed before the commencement of any restoration works.

REASON: To prevent mud, dust, water or other debris getting on the highway in accordance with NDLP policy TRA6 (General Highway Considerations).

Officer Comments/ Actions Required:

John Penny confirmed that a scheme would be submitted and would include the provision of a mobile wheel wash (Hippo Wash). Provision of a wheel wash will be part of the tender for the restoration works.

Application Number: **DCC/3106/2010**

Condition Number: **A19**

Compliance Status: Work carried out - an environmental scheme has been submitted (including dust control).

Condition/ Scheme Title: Control of Dust

Condition/ Scheme Details: No restoration works shall take place within Bailey's Pit (Area A) until a scheme and programme of measures for the suppression of dust and mud has been submitted to and approved in writing by the Mineral Planning Authority. The scheme shall include:

- (a) Measures for the suppression of dust caused by the moving of soil and overburden, stone and other materials within the site;
- (b) The fitting of drill rigs with efficient dust control measures;
- (c) Measures for dust suppression on all internal roads including speed limits;
- (d) Measures for ensuring that the access road to the public highway, together with the internal surfacing is kept free of dust and mud at all times;
- (e) Provision for monitoring and review of the scheme.

The restoration of Bailey's Pit shall be carried out in accordance with the approved scheme and complied with at all times.

REASON: To protect the amenities of the local environment and the living conditions of local residents from the effects of dust arising from the development in accordance with NDLP policy DVS3 (Amenity Considerations).

Officer Comments/ Actions Required:

AI has submitted an Environmental Scheme (covering noise, vibration/air overpressure and dust) and following consultation the MPA is in a position to approve it.

Application Number: **DCC/3106/2010**

Condition Number: **A20**

Compliance Status: Work Required – a scheme for the protection of trees is included in the Landscape Management and Aftercare Scheme that has been submitted to the MPA. The MPA has informed David Jarvis Associates that the scheme requires amendments.

Condition/ Scheme Title: Protection of Trees

Condition/ Scheme Details: No restoration works shall be carried out within Bailey's Pit before a scheme for the protection of trees (including establishing trees) and shrubs not scheduled for removal is submitted to and approved in writing by the Mineral Planning Authority. The scheme shall include the following:

- Provision that all existing trees and shrubs within the site shall be protected and managed during restoration works including the 5 year aftercare period in accordance with BS5837:2012
- Measures to prevent disturbance to soil levels within the root spread of the tree or hedgerow.
- Details of protective fencing.
- Requirement that the means of protection shall be retained until all plant, equipment and surplus materials have been removed from the site and that nothing shall be stored or placed in any area protected and the ground levels within these areas shall not be altered.

The restoration of Bailey's Pit shall be carried out in accordance with the approved scheme.

REASON: To protect biodiversity interests and the landscape character in accordance with NDLP policy ENV8 (Biodiversity).

Officer Comments/ Actions Required:

An amended Landscape Management and Aftercare scheme needs to be submitted to the MPA – John Penny indicated that it would be submitted by 6 May 2016

Application Number: **DCC/3106/2010**

Condition Number: **A21**

**Compliance Status: Currently the condition is being complied with.
No further action required at this time.**

Condition/ Scheme Title: Weeds

Condition/ Scheme Details: All necessary steps shall be taken to keep the site free from injurious and invasive weeds (as defined by the Weeds Act 1959 - as amended) and including Japanese Knotweed and its hybrids. Steps shall be taken to control such weeds at an early stage of growth to prevent their spreading.

REASON: To ensure that the site does not become a source of weed seeds in the locality and thereby protect biodiversity interests in accordance with NDLP policy ENV8 (Biodiversity)

Officer Comments/ Actions Required:

There was no evidence of injurious weeds on the site

Application Number: **DCC/3106/2010**

Condition Number: **A22**

Compliance Status:

Work Required – soils are currently being stored on the former site of the asphalt plant – details need to be submitted to the MPA for approval (Action required before restoration works commence or by 30 July 2016 at the latest).

Condition/ Scheme Title: Storage Bunds and Stockpiles

Condition/ Scheme Details: All screens and storage bunds and stockpiles shall be formed only in positions that have previously been approved in writing by the Minerals Planning Authority.

REASON: To limit the visual impact of the development on the surrounding area in accordance with NDLP policy ENV1 (Development in the Countryside).

Officer Comments/ Actions Required:

It was agreed that the current soil storage area, on the old asphalt plant site, is acceptable. However the details need to be submitted to the MPA for formal approval.

Application Number: **DCC/3106/2010**

Condition Number: **A23**

**Compliance Status: Currently the condition is being complied with.
No further action required at this time.**

Condition/ Scheme Title: Soils

Condition/ Scheme Details: No stripping of soils, regrading, sub soiling operations or spreading of soils shall be carried out unless the whole of the soil profile is in a dry and friable condition. No topsoil or subsoil shall be removed from the site.

REASON: To minimise damage to soil structure in order to ensure that all soils remain available for restoration purposes in accordance with DMLP policy MP56 (Restoration).

Officer Comments/ Actions Required:

Currently no soil stripping /spreading operations are being carried out on the site.

Application Number: **DCC/3106/2010**

Condition Number: **A24**

**Compliance Status: Currently the condition is being complied with.
No further action required at this time.**

Condition/ Scheme Title: Soils

Condition/ Scheme Details: Prior to any soil stripping and formation of storage mounds, a scheme for the design and management of soil storage mounds shall be submitted to and approved by the Mineral Planning Authority. The scheme shall include the following details:

- Provision that soil stores shall not exceed 2 metres in height in the case of top soils and 4 metres for subsoils.
- Provision that topsoil, subsoil and overburden shall be transported and stored separately.
- Topsoil stripped from woodland areas to be stored separately from others and re-used in woodland areas.
- Provision for soil storage mounds to be seeded with seed mixes to enhance biodiversity eg wildflowers

The restoration of Bailey's Pit shall be carried out in accordance with the approved scheme.

REASON: To ensure that all available soils are retained in the best possible condition for maximum benefit to the final restoration works in accordance with DMLP policy MP56 (Restoration).

Officer Comments/ Actions Required:

AI confirmed that no further soil stripping is required on the site.

Application Number: **DCC/3106/2010**

Condition Number: **A25**

Compliance Status:

Work Required – An amended surface and groundwater management and monitoring scheme needs to be submitted to and approved by the MPA, before any restoration operations commence on the site

Condition/ Scheme Title: Water Environment

Condition/ Scheme Details: No restoration works shall be carried out on the site until a surface and ground water management and monitoring scheme has been submitted and approved in writing by the Mineral Planning Authority. The scheme shall include:

- (a) The precise details of monitoring arrangements for groundwater levels;
- (b) Detailed design of the surface water drainage system, including discharge rate, storage volume and landscaping of attenuation areas;
- (c) The frequency of monitoring and reporting for the duration of the development;
- (d) Details of water treatment;
- (e) Protection of the Landkey stream.

The restoration of Bailey's Pit shall be carried out in accordance with the approved scheme.

REASON: To protect the water environment including the Landkey stream and ensure that the risk of flooding in Bishops Tawton is not increased in accordance with DMLP policies MP45 (Water Resource Protection) and MP47 (Flood Risk and Flood Plains).

Officer Comments/ Actions Required:

The submitted water management/monitoring scheme requires amendments to ensure that it is aligned with the restoration proposals, specifically the removal of the central channel through Bailey's Pit. John Penny confirmed that the consultants had been requested to make the required amendments and that the amended schemes should be submitted to the MPA by 6 May 2016

Application Number: **DCC/3106/2010**
Condition Number: **A26**

**Compliance Status: Currently the condition is being complied with.
No further action required at this time.**

Condition/ Scheme Title: Water Environment

Condition/ Scheme Details: Any chemical, oil or fuel storage containers on the site shall be sited within an impervious bunded area with walls of sufficient height and construction so as to contain 110% of the container(s) total volume and associated pipework. The floors and walls of the bunded area shall be impervious to both oil and water and there shall be no drain through the bund floor or walls. All filling points, draw pipes, vents and sight gauges shall be located within the bunded area. The pipes shall vent downwards into the bund. The bunded area shall be maintained free of collected fluids.

REASON: To prevent pollution of the water environment in accordance with DMLP policy MP45 (Water Resource Protection)

Officer Comments/ Actions Required:

The existing fuel storage tank is appropriately bunded.

Application Number: **DCC/3106/2010**
Condition Number: **A27**

Compliance Status:
Work Required – An amended Landscape management and Aftercare scheme needs to be submitted to and approved by the MPA before restoration operations commence.

Condition/ Scheme Title: Restoration Schemes

Condition/ Scheme Details: Within 6 months of the date of this Decision Notice a detailed restoration scheme for the Bailey's Pit, based upon the concept restoration scheme shown on Plan 2072/ROMP/2 A (dated Mar 2014 and entitled 'Proposed Restoration of Bailey's Pit and Interim Restoration of Spears Land') shall be submitted to and approved in writing by the Mineral Planning Authority.

The scheme shall include:

- The location, extent and timing of the phases of restoration operations including the requirement that Bailey's Pit shall be fully restored within 3 years of the restoration scheme being approved;
- Removal of buildings and structures including timings;
- Protection of the areas of established vegetation;
- The interim levels of the reclaimed land;
- Final levels of the restored land;
- Depth and extent of clay cap;
- Methods to be employed to prepare the land surface before soiling;
- The depths of sub-soils and top soils, method of spreading soils, cultivation, removal of stones and other obstacles to cultivation and fertilisation;
- Drainage of the restored surface;
- Design and location of fencing;
- Provision to be made for the retention of rock outcrops, ledges, and crevices suitable for nesting birds, geological study and landscape interest;

- Provision of water features for nature conservation interests;
- Details of hedge bank construction and species mix, size of plants and methods of staking/protection of hedgerow planting;
- Details of the species, method of planting, staking, protection etc. of trees, shrubs, grass and wildflower seed mixes and their maintenance;
- Woodland establishment method to take account of need for protection of newly planted woodland against damage by deer;
- Restoration of the old quarry to the North of Rubble Hill to create new features of wildlife interest; Details of access provision;
- Management arrangements to promote long term nature conservation interests;
- Landscape management plan.

The restoration of Bailey's Pit shall be carried out in accordance with the approved scheme.

REASON: To ensure that the land is restored to a condition capable of beneficial after-use and enhances biodiversity and landscape character in accordance with DMLP policy MP56 and NDLP policy ENV1 (Development in the Countryside).

Officer Comments/ Actions Required:

A restoration scheme was submitted to the MPA within the time limit (six months from approval of conditions). As a result of the consultation process the scheme has been amended considerably, however a few minor amendments are still required – John Penny confirmed that David Jarvis Associates had been instructed to make these amendments.

As the restoration and aftercare schemes, water management and monitoring scheme and the water treatment relocation details are all inter-related they all need to be approved by the MPA at the same time.

Application Number: **DCC/3106/2010**

Condition Number: **A28**

Compliance Status: Currently the condition is being complied with. No further action required at this time.

Condition/ Scheme Title: Replacement Planting

Condition/ Scheme Details: Any tree, shrub, hedgerow or other planting or replacement of it which forms part of the approved restoration schemes that dies, is damaged, diseased or removed within five years of planting shall be replaced during the next available planting season (October to March) with plant(s) of similar size and species in the same location.

REASON: To protect the amenity, wildlife and biodiversity interests in the area in accordance with DMLP policies MP10 (Maintenance of the County’s Nature Conservation Resource) and MP56 (Restoration).

Officer Comments/ Actions Required:

Currently this isn’t an issue as planting hasn’t commenced.

Application Number: **DCC/3106/2010**

Condition Number: **A29**

Compliance Status:

Work Required – An amended Landscape Management and Aftercare scheme needs to be submitted to and approved by the MPA before restoration operations commence.

Condition/ Scheme Title: Aftercare Scheme

Condition/ Scheme Details: Within 12 months of the date of this decision notice, an aftercare scheme detailing the steps that are necessary to bring and maintain the land to the standard required for agriculture, woodland or amenity use shall be submitted to and approved in writing by the Mineral Planning Authority.

The scheme (s) shall include:

- a). A strategy for the five year aftercare period following the completion of the restoration operations of Bailey's Pit, specifying the steps to be taken and the period during which they are to be taken.
- (b) Include a programme of monitoring of the progress of all planting and seeding and land drainage provision, together with details of how the developer will remediate any problems that arise during the aftercare period caused either by failure or inadequate initial provision.
- (c) Provide for the submission to the Mineral Planning Authority of a detailed annual programme of works.

The aftercare of Bailey's Pit shall be carried out in accordance with the approved scheme.

REASON: To ensure that the restored land is husbanded in a condition capable of a sustained beneficial use in accordance with DMLP policy MP56 (Restoration)

Officer Comments/ Actions Required:

The aftercare scheme was submitted as part of the Landscape Management and Aftercare Scheme, which requires some amendments.

As the restoration and aftercare schemes, water management and monitoring scheme and the water treatment relocation details are all inter-related they all need to be approved by the MPA at the same time.

Application Number: **DCC/3106/2010**

Condition Number: **A30**

Compliance Status:

3. Non Compliance - a scheme is required by 30 July 2016.

Condition/ Scheme Title: Access for Geological Research

Condition/ Scheme Details: Within six months of the date of this decision notice, a scheme detailing access arrangements for geological research and recording shall be submitted to and approved in writing by the Mineral Planning Authority.

Access to the site shall be made available to approved persons under the terms of the approved scheme.

REASON: To ensure that the site is accessible for geological study.

Officer Comments/ Actions Required:

John Penny explained that there were difficulties in complying with this condition as AI no longer own the site, however it was agreed that a scheme would be submitted.

Application Number: **DCC/3106/2010**
Condition Number: **A31**

Compliance Status: Currently the condition is being complied with. No further action required at this time.

Condition/ Scheme Title: Fences and Hedges

Condition/ Scheme Details: Existing fences and hedges around the mineral site shall be retained and maintained until the site is fully restored.

REASON: To ensure that the site is secure and to prevent livestock entering the site.

Officer Comments/ Actions Required:

The site supervisor confirmed that he checked the boundary fences at least once a month to ensure that they were in good repair.

Application Number: **DCC/3106/2010**
Condition Number: **A32**

Compliance Status: Currently the condition is being complied with. No further action required at this time.

Condition/ Scheme Title: Lighting

Condition/ Scheme Details: No new lighting shall be installed on any part of the site until a lighting scheme has been submitted to and approved in writing by the Mineral Planning Authority. The scheme shall include details of the location, height, design, luminescence, direction and spread of beam and hours of use.

Any lighting shall be installed in accordance with the approved plan.

REASON: To protect the amenities of the local area in accordance with NDLP policy DVS3 (Amenity Considerations).

Officer Comments/ Actions Required:

No additional lighting has been installed on the site.

Application Number: **DCC/3106/2010**
Condition Number: **B1**

Compliance Status: No action required

Condition/ Scheme Title: Time Limit

Condition/ Scheme Details: Development of Spear's Land (Area B) shall cease on 21 February 2042, by which time all mineral operations and uses shall be discontinued, all plant, machinery and buildings shall be removed and the land shall have been restored and the 5 year aftercare period completed in accordance with conditions:

- B28 (Interim Restoration Spear's Land);
- B36 (Interim aftercare Spear's Land)

and in the case of winning and working of mineral having recommenced in Spear's Land:

- B39 (Final Restoration Spear's Land)
- B40 (Final Aftercare Spear's Land) by that date (21 February 2042).

This condition does not relate to the concrete batching plant site identified on plan 2072/ROMP/2A.

REASON: To comply with schedule 5 of the Town and Country Planning Act 1990.

Officer Comments/ Actions Required:

No action required.

Application Number: **DCC/3106/2010**

Condition Number: **B2**

Compliance Status: Currently the condition is being complied with.

Condition/ Scheme Title: Development in Accordance with Plans

Condition/ Scheme Details: The interim restoration and working of Spear's Land shall be carried out in accordance with the details shown on the approved plans referenced:

- 2072/ROMP/1 (Existing Situation);
- 2072/ROMP/2 A (Proposed Restoration of Main /Baileys Pit and the Interim Restoration of Spears Land);
- 878/PL6 A (Working Plan Phase 1);
- 878/PL7 A (Working Plan Phase 2);
- 878/PL8 A (Working Plan Phase 3);
- 878/PL9 A (Working Plan Phase 4);
- 878/PL10 A (Working Plan Phase 5);
- 878/PL11 A (Restoration Plan);
- 878/PL12 A (Sections);

except as varied by the conditions below.

REASON: To ensure that the development is carried out in accordance with the approved details.

Officer Comments/ Actions Required:

Currently the MPA is waiting for AI to submit an amended scheme for the interim restoration of Spear's Land (required by condition B28).

Application Number: **DCC/3106/2010**

Condition Number: **B3**

Compliance Status: . Work Required: Details of the proposed water treatment plant need to be formally submitted to the MPA for approval.

Condition/ Scheme Title: Development in Accordance with Plans

Condition/ Scheme Details: Notwithstanding the provisions of Parts 19 and 21 of Schedule 2 of the Town and Country Planning (General Permitted Development Order, 1995) (or any Order revoking, re-enacting or modifying that Order), which relate respectively to development ancillary to mining operations; waste tipping at mines and removal of material from mineral working deposits. No fixed plant or machinery, buildings, structures and erections or roadways shall be constructed, erected,

extended, installed, rearranged, altered or replaced at the site without prior approval from the Mineral Planning Authority.

REASON: To enable the Mineral Planning Authority to adequately control the development to protect the rural character of the area in accordance with DMLP policy MP50.

Officer Comments/ Actions Required:

Details of the proposed water treatment plant need to be formally submitted to the MPA for approval and also to ensure that planning permission isn't required.

The MPA will not approve the restoration/ aftercare schemes (conditions A27, A29, B28 and B30) and the water management and monitoring scheme prior to the water treatment plant details being approved, as the success of these schemes require the relocation of the water treatment plant.

Application Number: **DCC/3106/2010**

Condition Number: **B4**

Compliance Status: Currently the condition is being complied with.

No further action required at this time

Condition/ Scheme Title: Notification of Stages of Development

Condition/ Scheme Details: The developer shall notify the Mineral Planning Authority in writing within 14 days of the commencement/ completion of the following:

- The commencement of each phase of progressive restoration contained in the scheme required by condition B28 (or B39).
- Completion of each phase of restoration contained in the scheme required by condition B28 (or B39)
- The beginning of the aftercare period of Spear's Land (following Interim Restoration) and the end of the 4th year of aftercare.
- Completion of the aftercare period of Spear's Land (following Interim Restoration).

In the event of winning and working of mineral recommencing within Spear's Land the developer shall give the following notification:

- At least 3 months prior to recommencement for working within Spear's Land, the developer shall give the Mineral Planning Authority written notice of their intention to do so.
- Commencement of working of Spear's Land;
- Entering into a new phase of working (shown on approved phasing plan 878/PL6 A - 878/PL10 A);
- Completion of each working phase;
- Completion for winning and working at the site;
- Completion of restoration for the planning permission area
- Start of the aftercare period;
- Completion of the aftercare period.

REASON: In order that the Mineral Planning Authority can adequately monitor the development.

Officer Comments/ Actions Required:

At least 14 days notice of the commencement of restoration works is required.

Application Number: **DCC/3106/2010**

Condition Number: **B5**

**Compliance Status: Currently the condition is being complied with.
No further action required at this time**

Condition/ Scheme Title: Waste/ Material Importation Restriction

Condition/ Scheme Details: No refuse, waste or imported materials shall be imported into the site, other than suitable inert clay and soil capping materials that is strictly required to provide an impermeable capping layer for Spear's Land. The operator shall maintain records of capping materials imported to restore the site and they shall be made available to the Mineral Planning Authority within 7 days of any request.

REASON: To minimise the duration of disturbance from the development and to protect the living conditions of local residents in accordance with NDLP policy DVS3 (Amenity Considerations).

Officer Comments/ Actions Required:

No capping materials should be brought on to the site until all the schemes required prior to commencement (restoration, environmental, water etc.) have been submitted to and approved by the MPA.

Application Number: **DCC/3106/2010**

Condition Number: **B6**

**Compliance Status: Currently the condition is being complied with.
No further action required at this time**

Condition/ Scheme Title: Hours of Working

Condition/ Scheme Details: No operations, other than essential maintenance to plant and machinery, environmental monitoring and the operation of pumps and ancillary machinery for water management purposes, shall be carried out at the site and no HGV's shall enter or leave the site except between the following times:

0700 and 1900 on Mondays to Fridays inclusive;
0700 and 1300 on Saturdays

No operations shall take place on Sundays or Public Holidays, unless previously agreed in writing by the Mineral Planning Authority.

REASON: To safeguard the living conditions of local residents and the amenity of the local area in accordance with NDLP policy DVS3 (Amenity Considerations).

Officer Comments/ Actions Required:

Currently no operations are being carried out on the site, apart from those associated with the water treatment.

Application Number: **DCC/3106/2010**

Condition Number: **B7**

**Compliance Status: Currently the condition is being complied with.
No further action required at this time.**

Condition/ Scheme Title: Removal of Vegetation

Condition/ Scheme Details: No clearance of vegetation shall be carried out within the site between 1 March and 31 August inclusive in any year unless the developer has been advised by a suitably qualified ecologist that the clearance will not disturb nesting birds, and a written record of this is kept by the developer.

REASON: To ensure breeding birds are not disturbed by removal of habitat in accordance with NDLP policy ENV8 (Biodiversity).

Officer Comments: John Penny confirmed that no additional trees/ vegetation need to be cleared prior to restoration works commencing.

Application Number: **DCC/3106/2010**

Condition Number: **B8**

**Compliance Status: Currently the condition is being complied with.
No further action required at this time.**

Condition/ Scheme Title: Protected Species

Condition/ Scheme Details: No blasting shall take place during the peregrine nesting season, 1 February to 31 July inclusive, unless the developer has been advised by a suitably qualified ecologist that the clearance will not disturb nesting peregrines and it has been agreed in writing by the Mineral Planning Authority.

REASON: To ensure no impact on the breeding of a protected species in accordance with NDLP policy ENV11 (Protected Species).

Officer Comments: No blasting is likely to be required in Spear's Land.

Application Number: **DCC/3106/2010**

Condition Number: **B9**

**Compliance Status: Currently the condition is being complied with.
No further action required at this time**

Condition/ Scheme Title: Vehicle Silencing

Condition/ Scheme Details: All vehicles, plant and machinery operated within the mineral site including the operation of pumps and essential machinery for water management purposes shall be maintained in accordance with the manufacturer's recommendations and specifications at all times and shall be fitted with and use effective silencers.

REASON: To minimise the adverse impact of noise generated by the operations on the local environment and the living conditions of local residents in accordance with NDLP policy DVS3 (Amenity Considerations).

Officer Comments The pumps associated with the water treatment were not creating a noise nuisance.

Application Number: **DCC/3106/2010**

Condition Number: **B10**

**Compliance Status: Currently the condition is being complied with.
No further action required at this time**

Condition/ Scheme Title: Vehicle Silencing

Condition/ Scheme Details: All vehicles and mobile plant operating within the site shall be fitted with and use `white noise` alarms.

REASON: In the interest of protecting the amenities of the local environment and the living conditions of local residents from the adverse impact of noise generated at the site in accordance with NDLP policy DVS3 (Amenity Conditions).

Officer Comments/ Actions Required:

The use of `white noise ` alarms should be part of the tender for the restoration works,

Application Number: **DCC/3106/2010**
Condition Number: **B11**

**Compliance Status: Currently the condition is being complied with.
No further action required at this time**

Condition/ Scheme Title: Noise

Condition/ Scheme Details: The developer shall ensure that the A-weighted sound level of operations at the site do not exceed the following limits when measured on a precision Grade 1 sound level meter (set to fast response) at the nearest inhabited dwellings at Eastacombe, Rubble Hill and Barton and at other noise sensitive premises as many be agreed with the Mineral Planning Authority.

(a) The equivalent continuous A-weighted sound level measured [dB(A) LAeq (1 Hour) free field] over any one-hour period shall not exceed:

- i) 50dB(A) between the times of 0700 to 1900 on Mondays to Fridays inclusive and between the times of 0700 to 1300 on Saturdays,
- ii) 45dB(A) between the times of 1900 to 2200, and 0600 to 0700 on Mondays to Saturdays, excluding public holidays when 40dB(A) shall not be exceeded.
- iii) 40dB(A) at any other time.
- iv) Noise limits may be exceeded for temporary periods (up to 8 weeks in any calendar year) during bund construction, soil stripping, and the construction of new permanent landforms but shall not exceed 70dB(A) LAeq 1h freefield as measured at any building used for human habitation.

(b) The limits set out in (i) above shall not be exceeded for more than five minutes in any one hour period by more than:

- i) 10dB(A) between 0600 and 2200 hours; and
- ii) 7dB(A) between 2200 hours and 0600 hours.

(c) If the sound measured within the monitoring period contains any continuous distinguishable note (whine, hiss screech, squeal, hum) or if there are significant irregularities in noises, including impulsive irregularities such as bangs, clinks, clatters or thumps, then 5 dB(A) shall be added to the measured sound level prior to determining whether the limits set out in (a) and (b) are being complied with.

The developer shall inform the Mineral Planning Authority in writing within five days of any occurrence following monitoring where these noise limits have been exceeded, together with an

explanation and proposals to prevent any recurrence.

REASON: To protect the amenities of the local environment and the living conditions of local residents in accordance with NDLP policy DVS3 (Amenity Considerations).

Officer Comments/ Actions Required:

Currently no restoration operations are taking place on Spear's Land. No complaints have been received regarding noise.

Application Number: **DCC/3106/2010**

Condition Number: **B12**

Compliance Status: work carried out – an environmental scheme has been submitted to the MPA which includes noise control.

Condition/ Scheme Title: Scheme for Control of Noise

Condition/ Scheme Details: No winning or working of mineral or restoration works shall be carried out on the site until a scheme for monitoring noise from the site has been submitted to and approved in writing by the Mineral Planning Authority. The scheme shall include:

- Monitoring during typical working hours with main items of plant and machinery in normal operation under normal loading conditions;
- The methods for monitoring noise emanating from the site;
- Monitoring locations;
- Frequency of measurements;
- Logging of weather conditions
- The methods for the logging of any complaints being made relating to the noise emanating from the site.
- The procedure to make logs available for inspection by the Mineral Planning Authority.
- A requirement for regular review of the scheme.

The interim restoration of Spear's Land and any winning or working of mineral shall be carried out in accordance with the approved scheme.

REASON: To enable the effects of the development to be adequately monitored to protect the amenities of the local environment and the living conditions of local residents in accordance with NDLP policy DVS3 (Amenity Considerations).

Officer Comments/ Actions Required:

An Environmental Scheme (covering noise, blasting, vibration/air overpressure and dust) has been submitted and the MPA is in a position to approve it.

Application Number: **DCC/3106/2010**

Condition Number: **B13**

Compliance Status: Work carried out – an environmental scheme has been submitted to the MPA which includes controls over blasting.

Condition/ Scheme Title: Blasting Scheme

Condition/ Scheme Details: No blasting shall take place until a blasting scheme has been submitted to and approved in writing by the Mineral Planning Authority. The scheme shall include:

- No blasting during the peregrine nesting season, 1 February to 31 July inclusive
- The times and frequency of blasting episodes.
- The method of warning of blasting episodes.
- Details of blast monitoring equipment.
- Details of monitoring locations.
- The maximum levels of ground vibration at specified vibration sensitive buildings and residential properties.
- Methods to be used to minimise the effects of ground vibrations arising from blasting.
- The maximum levels of air overpressure at specified locations outside the site.
- Methods to be used to minimise the effects of air overpressure arising from blasting.
- The methods to be used to monitor blasting episodes ground vibration and air over pressure.
- The procedure to make monitoring results available to the Mineral Planning Authority
- The procedures to be adopted if ground vibration or air overpressure goes above the maximum levels.

Blasting operations shall be carried out in accordance with the approved scheme.

REASON: To protect the amenities of the local environment and communities from the effects of noise and vibration associated with blasting at the development in accordance with NDLP policy DVS3 (Amenity Conditions).

Officer Comments/ Actions Required: AI has submitted an Environmental Scheme (covering noise, blasting, vibration/air overpressure and dust) and following consultation the MPA is in a position to approve it.

Application Number: **DCC/3106/2010**
 Condition Number: **B14**

Compliance Status: Currently the condition is being complied with.
No further action required at this time.

Condition/ Scheme Title: Blasting Times

Condition/ Scheme Details: No blasting shall be carried out on the site except between:
 1030 and 1630 hours Monday to Friday
 No blasting shall take place on Saturdays, Sundays and on public holidays.

REASON: To protect the amenities of the local environment and the living conditions of local residents from the effects of noise and vibration associated with blasting at the development in accordance NDLP policy DVS3 (Amenity Considerations).

Officer Comments:
 No blasting has taken place since the last monitoring visit.

Application Number: **DCC/3106/2010**
 Condition Number: **B15**

Compliance Status: Currently the condition is being complied with.
No further action required at this time

Condition/ Scheme Title: Control of Ground-Borne Vibration

Condition/ Scheme Details: When carrying out blasting operations, the developer shall minimise

the propagation of ground-borne vibration beyond the perimeter of the site and shall ensure that all blasting procedures are planned and executed to ensure that the maximum vibration in terms of blasting, expressed in terms of peak particle velocity (PPV) shall be less than 10mm per second (at 95% confidence) measurable at any building used for human habitation located outside the site.

REASON: TO protect the living conditions of local residents from the effects of vibration associated with blasting in accordance with NDLP policy DVS3 (Amenity Considerations).

Officer Comments/ Actions Required:

No blasting has taken place since the last monitoring visit.

Application Number: **DCC/3106/2010**

Condition Number: **B16**

**Compliance Status: Currently the condition is being complied with.
No further action required at this time**

Condition/ Scheme Title: Control of Airborne Vibration

Condition/ Scheme Details: When carrying out blasting operations the developer shall minimise the propagation of air-borne vibration outside the site and shall ensure that the vibration in terms of measurable air over pressure at any residential building does not exceed 120dB (decibels).

REASON: To protect the living conditions of local residents in accordance with NDLP policy DVS3 (Amenity Considerations).

No blasting has taken place at the site since the last monitoring visit.

Application Number: **DCC/3106/2010**

Condition Number: **B17**

**Compliance Status: Currently the condition is being complied with.
No further action required at this time.**

Condition/ Scheme Title: HGV Movements

Condition/ Scheme Details: The total number of HGV vehicle movements* associated with the site (including Bailey's Pit) shall not exceed:

- 240 movements per day (Monday to Friday)
- 120 movements (Saturdays).

No HGV movements shall take place outside the hours of operation stated in condition B6 of this permission.

REASON: In the interests of protecting the living conditions of local residents in accordance with NDLP policy DVS3 (Amenity Considerations).

*for the avoidance of doubt a heavy goods vehicle shall have a gross vehicle weight of 7.5 tonnes or more and 1 vehicle movement is counted when a vehicle either enters or exits the site.

Officer Comments/ Actions Required:

Currently lorry movements aren't an issue as restoration works haven't commenced.

Application Number: **DCC/3106/2010**
Condition Number: **B18**

**Compliance Status: Currently the condition is being complied with.
No further action required at this time.**

Condition/ Scheme Title: Sheeting of Lorries

Condition/ Scheme Details: All loaded lorries entering or leaving the site shall be adequately sheeted to secure their load, except for vehicles carrying stone in excess of 500mm.

REASON: In the interests of highway safety and to safeguard the local environment against dust in accordance with NDLP policy DVS3 (Amenity Considerations) and TRA6 (General Highway Consideration).

Officer Comments/ Actions Required:

Currently the only loaded lorries are those associated with the concrete batching plant which is controlled by a separate planning permission.

Application Number: **DCC/3106/2010**
Condition Number: **B19**

Compliance Status: Work Required - a scheme specifying the wheel cleaning facilities is required prior to restoration works commencing

Condition/ Scheme Title: Mud and Dust on the Highway

Condition/ Scheme Details: No winning or working of mineral or restoration works shall take place within Spear's Land (Area B) before a scheme specifying the wheel cleaning facilities and methods to be put in place to avoid mud, water, dust and other debris being carried onto any part of the public highway, is submitted to and approved in writing by the Minerals Planning Authority. The scheme shall include provision for revision in the event of the scheme being ineffective and any remedial measures to be put in place to clear the highway of such material.

The approved wheel cleaning facilities shall be installed before the commencement of mineral working or restoration works.

REASON: To prevent mud, dust, water or other debris getting on the highway in accordance with NDLP policy (General Highway Considerations).

Officer Comments/ Actions Required: John Penny confirmed that a scheme would be submitted and would include the provision of a mobile wheel wash (Hippo Wash). Provision of a wheel wash will be part of the tender for the restoration works.

Application Number: **DCC/3106/2010**
Condition Number: **B20**

Compliance Status: Work carried out - an environmental scheme has been submitted to the MPA which includes dust control.

Condition/ Scheme Title: Control of Dust

Condition/ Scheme Details: No winning or working of mineral or restoration works shall take place within Spear's Land (Area B) until a scheme and programmes of measures for the suppression of

dust and mud has been submitted to and approved in writing by the Mineral Planning Authority. The scheme shall include:

- (a) Measures for the suppression of dust caused by the moving of soil and overburden, stone and other materials within the site;
- (b) The fitting of drill rigs with efficient dust control measures;
- (c) Measures for dust suppression on all internal roads including speed limits;
- (d) Measures for ensuring that the access road to the public highway, together with the internal surfacing is kept free of dust and mud at all times;
- (e) Provision for monitoring and review of the scheme.

The restoration of Spear's Land and the winning and working of mineral shall be carried out in accordance with the approved scheme.

REASON: To protect the amenities of the local environment and the living conditions of local residents from the effects of dust arising from the development in accordance with NDLP policy DVS3 (Amenity Conditions).

Officer Comments/ Actions Required:

AI has submitted an Environmental Scheme (covering noise, vibration/air overpressure and dust) and following consultation the MPA is in a position to approve it.

Application Number: **DCC/3106/2010**

Condition Number: **B21**

Compliance Status: Work Required – a scheme for the protection of trees is included in the Landscape Management and Aftercare Scheme that has been submitted to the MPA.

Condition/ Scheme Title: Protection of Trees

Condition/ Scheme Details: No winning or working of mineral or restoration works shall take place within Spear's Land (Area B) before a scheme for the protection of trees (including establishing trees) and shrubs not scheduled for removal is submitted to and approved in writing by the Minerals Planning Authority. This scheme shall include the following:

- Provision that all existing trees and shrubs within the site shall be protected and managed in accordance with BS5837:2012
- Measures to prevent disturbance to soil levels within the root spread of the tree or hedgerow.
- Details of protective fencing.
- Requirement that the means of protection shall be retained until all plant, equipment and surplus materials have been removed from the site and that nothing shall be stored or placed in any area protected and the ground levels within these areas shall not be altered.

The winning and working of mineral and the restoration works within Spear's Land shall be carried out in accordance with the approved scheme.

REASON: To protect biodiversity interests and the landscape character in accordance with NDLP policy ENV8 (Biodiversity).

Officer Comments/ Actions Required: An amended Landscape Management and Aftercare scheme, including tree protection measures needs to be submitted to the MPA for approval.

Application Number: **DCC/3106/2010**
Condition Number: **B22**

**Compliance Status: Currently the condition is being complied with.
No further action required at this time**

Condition/ Scheme Title: Weeds

Condition/ Scheme Details: All necessary steps shall be taken to keep the site free from injurious and invasive weeds (as defined by the Weeds Act 1959 - as amended) and including Japanese Knotweed and its hybrids. Steps shall be taken to control such weeds at an early stage of growth to prevent their spreading.

REASON: To ensure that the site does not become a source of weed seeds in the locality and thereby protect biodiversity interests in accordance with NDLP policy ENV8 (Biodiversity).

Officer Comments/ Actions Required: There was no evidence of injurious weeds on the site

Application Number: **DCC/3106/2010**
Condition Number: **B23**

**Compliance Status: Currently the condition is being complied with.
No further action required at this time.**

Condition/ Scheme Title: Storage Bunds and Stockpiles

Condition/ Scheme Details: All screen and storage bunds and stockpiles shall be formed only in positions that have previously been approved in writing by the Minerals Planning Authority.

REASON: To limit the visual impact of the development on the surrounding area in accordance with NDLP policy ENV1 (Development in the Countryside).

Officer Comments: On Spear's Land there didn't appear to be any new storage bunds or stockpiles.

Application Number: **DCC/3106/2010**
Condition Number: **B24**

**Compliance Status: Currently the condition is being complied with.
No further action required at this time.**

Condition/ Scheme Title: Soils

Condition/ Scheme Details: No stripping of soils, regrading, sub soiling operations or spreading of soils shall be carried out unless the whole of the soil profile is in a dry and friable condition. No topsoil or subsoil shall be removed from the site.

REASON: To minimise damage to soil structure in order to ensure that all soils remain available for restoration purposes in accordance with DMLP policy MP56 (Restoration).

Officer Comments/ Actions Required:

Currently no soil stripping/spreading operations are being carried out on Spear's Land.

Application Number: **DCC/3106/2010**

Condition Number: **B25**

Compliance Status: Currently the condition is being complied with. No further action required at this time.

Condition/ Scheme Title: Soils

Condition/ Scheme Details: Prior to any soil stripping and formation of storage mounds, a scheme for the design and management of soil storage mounds shall be submitted to and approved in writing by the Mineral Planning Authority. The scheme shall include the following details:

- Provision that soil stores shall not exceed 2 metres in height in the case of top soils and 4 metres for subsoils.
- Provision that topsoil, subsoil and overburden shall be transported and stored separately.
- Topsoil stripped from woodland areas to be stored separately from others and re-used in woodland areas.
- Provision for soil storage mounds to be seeded with seed mixes to enhance biodiversity eg wildflowers

The winning and working of mineral and the restoration works within Spear's Land shall be carried out in accordance with the approved scheme.

REASON: To ensure that all available soils are retained in the best possible condition for maximum benefit to the final restoration works in accordance with DMLP policy MP56 (Restoration).

Officer Comments: John Penny confirmed that no further soil stripping is required on the site.

Application Number: **DCC/3106/2010**

Condition Number: **B26**

Compliance Status:

Work Required – An amended surface and groundwater management and monitoring scheme needs to be submitted to and approved by the MPA, before any restoration operations commence on the site.

Condition/ Scheme Title: Water Environment

Condition/ Scheme Details: No winning or working of mineral or restoration works shall take place within Spear's Land (Area B) before a surface and ground water management and monitoring scheme has been submitted to and approved in writing by the Mineral Planning Authority. The scheme shall include:

- (a) The precise details of monitoring arrangements for groundwater levels;
- (b) Detailed design of the surface water drainage system, including discharge rate, storage volume and landscaping of attenuation areas;
- (c) The frequency of monitoring and reporting for the duration of the development;
- (d) Details of water treatment.
- (e) Protection of the Landkey stream

The winning and working of mineral and the restoration works within Spears' Land shall be carried out in accordance with the approved scheme.

REASON: To protect the water environment including the Landkey stream and ensure that the risk of flooding in Bishops Tawton is not increased in accordance with DMLP policies MP45 (Water Resource Protection) and MP47 (Flood Risk and Flood Plains).

Officer Comments/ Actions Required: The submitted water management/monitoring scheme requires amendments to ensure that it is aligned with the restoration proposals. John Penny confirmed that the consultants had been requested to make the required amendments and that the amended schemes should be submitted to the MPA by 6 May 2016.

Application Number: **DCC/3106/2010**

Condition Number: **B27**

**Compliance Status: Currently the condition is being complied with.
No further action required at this time.**

Condition/ Scheme Title: Water Environment

Condition/ Scheme Details: Any chemical, oil or fuel storage containers on the site shall be sited within an impervious bunded area with walls of sufficient height and construction so as to contain 110% of the container(s) total volume and associated pipework. The floors and walls of the bunded area shall be impervious to both oil and water and there shall be no drain through the bund floor or walls. All filling points, draw pipes, vents and sight gauges shall be located within the bunded area. The pipes shall vent downwards into the bund. The bunded area shall be maintained free of collected fluids.

REASON: To prevent pollution of the water environment in accordance with DMLP policy MP45 (Water Resource Protection).

Officer Comments: no action required.

Application Number: **DCC/3106/2010**

Condition Number: **B28**

Compliance Status: Work Required – the scheme needs to be approved by the MPA before restoration operations commence

Condition/ Scheme Title: Interim Restoration Scheme

Condition/ Scheme Details: Within six months of the date of this Decision Notice, an interim restoration scheme for the area known as Spear's Land, based upon the concept interim restoration scheme shown on plan 2072/ROMP/2A dated Mar 2014 and entitled 'Proposed Restoration of Main/Bailey's Pit and Interim Restoration of Spears Land' shall be submitted to and agreed in writing by the Mineral Planning Authority. The scheme shall include:

- The location, extent and timing of the phases of interim restoration operations including the requirement that the interim restoration of Spear's Land shall be completed within 3 years of the restoration scheme being approved;
- Removal of structures;
- Protection of the areas of established vegetation;
- Final levels of the (interim) restored land;
- Depth and extent of clay cap;
- Methods to be employed to prepare the land surface before soiling;
- The depths of sub-soils and top soils, method of spreading soils, cultivation, removal of stones and other obstacles to cultivation and fertilisation;
- Drainage of the restored surface;
- Design and location of fencing;
- Provision to be made for the retention of rock outcrops, ledges, and crevices suitable for nesting birds, geological study and landscape interest;

- Details of hedgebank construction and species mix, size of plants and methods of staking/protection of hedgerow planting
- Details of the species, method of planting, staking, protection of trees, shrubs, grass and wildflower seed mixes and their maintenance;
- Extensive use of woodland to visually conceal artificial terraces on the north-eastern edge of Spear's Land.
- Management arrangements to promote long term nature conservation interest.

The interim restoration of Spear's Land shall be carried out in accordance with the details and timescales contained in the approval plan. The site of the concrete batching plant identified on plan 2072/ROMP/2A is not part of the site to be restored.

REASON: To ensure that the land is restored to a condition capable of beneficial after-use and enhances biodiversity and landscape character in accordance with DMLP policy MP56 and NDLP policy ENV1 (Development in Countryside).

Officer Comments/ Actions Required:

A restoration scheme was submitted to the MPA within the time limit (six months from approval of the Review conditions). As a result of the consultation process the scheme has been amended considerably, however a few minor amendments are still required – John Penny confirmed that David Jarvis Associates had been instructed to make these amendments.

As the restoration and aftercare schemes, water management and monitoring scheme and the water treatment relocation details are all inter-related, they all need to be approved by the MPA at the same time.

Application Number: **DCC/3106/2010**

Condition Number: **B29**

**Compliance Status: Currently the condition is being complied with.
No further action required at this time.**

Condition/ Scheme Title: Replacement Planting

Condition/ Scheme Details: Any tree, shrub, hedgerow or other planting or replacement of it which forms part of the approved restoration schemes that dies, is damaged, diseased or removed within five years of planting shall be replaced during the next available planting season (October to March) with plant(s) of similar size and species in the same location.

REASON: To protect the amenity, wildlife and biodiversity interests in the area in accordance with DMLP policies MP10 (Maintenance of the County's Nature Conservation Resource) and MP56 (Restoration).

Officer Comments: Currently this isn't an issue as planting hasn't commenced.

Application Number: **DCC/3106/2010**

Condition Number: **B30**

Compliance Status:

Work Required: An amended Landscape Management and Aftercare scheme needs to be submitted to the MPA.

Condition/ Scheme Title: Aftercare Scheme

Condition/ Scheme Details: Within 12 months of the date of this decision notice, and aftercare scheme detailing the steps that are necessary to bring and maintain the land to the standard required for agriculture, woodland or amenity/nature conservation use shall be submitted to and approved in writing by the Mineral Planning Authority.

The scheme(s) shall include:

- (a) A strategy for the five year aftercare period following the completion of the interim restoration of Spear's Land, specifying the steps to be taken and the period during which they are to be taken
- (b) Include a programme of monitoring of the progress of all planting and seeding and land drainage provision, together with details of how the developer will remediate any problems that arise during the aftercare period caused wither by failure or inadequate initial provision.
- (c) Provide for the submission to the Mineral Planning Authority of a detailed annual programme of works.

The aftercare of Spear's land shall be carried out in accordance with the approved scheme.

REASON: To ensure that the restored land is husbanded in a condition capable of a sustained beneficial use in accordance with DMLP policy MP56 (Restoration)

Officer Comments/ Actions Required:

The aftercare scheme was submitted as part of the Landscape Management and Aftercare Scheme, which requires some amendments.

As the restoration and aftercare schemes, water management and monitoring scheme and the water treatment relocation details are all inter-related they all need to be approved by the MPA at the same time.

Application Number: **DCC/3106/2010**

Condition Number: **B31**

Compliance Status: Currently the condition is being complied with.

Condition/ Scheme Title: Fences and Hedges

Condition/ Scheme Details: Existing fences and hedges around the mineral site shall be retained and maintained until the site is fully restored.

REASON: To ensure that the site is secure and to prevent livestock entering the site in accordance with

Officer Comments: The site supervisor confirmed that he checked the boundary fences at least once a month to ensure that they were in good repair.

Application Number: **DCC/3106/2010**

Condition Number: **B32**

Compliance Status: Currently the condition is being complied with.

Condition/ Scheme Title: Lighting

Condition/ Scheme Details: No new lighting shall be installed on any part of the site until a lighting scheme has been submitted to and approved in writing by the Mineral Planning Authority. The scheme shall include details of the location, height, design, luminescence, direction and spread of beam and hours of use.

Any lighting shall be installed in accordance with the approved plan.

REASON: To protect the amenities of the local area in accordance with NDLP policy DVS3 (Amenity Considerations)

Officer Comments: No additional lighting has been installed on the site.

Application Number: **DCC/3106/2010**

Conditions Number: **Conditions B33 – B41 below. Currently these conditions do not apply as the resumption of winning and working of mineral in Spear's Land isn't currently being proposed.**

Condition/ Scheme Title: B33

Condition/ Scheme Details: Before any resumption of winning and working of mineral in the area known as Spear's Land, schemes required by the conditions listed below, shall be reviewed and revised schemes shall be submitted to and approved in writing by the Mineral Planning Authority:

- B12 (scheme for the control of noise)
- B13 (blasting scheme)
- B19 (wheel cleaning facilities)
- B20 (control of dust)
- B21 (protection of trees)
- B26 (surface and ground water management and monitoring scheme).

The winning and working of mineral and the subsequent restoration of Spear's Land shall be carried out in accordance with the approved revised schemes.

REASON: To protect the local environment and the living conditions of local people.

Application Number: **DCC/3106/2010**

Condition Number: **B34**

Condition/ Scheme Title: Wildlife Survey

Condition/ Scheme Details: Before any resumption of winning and working of mineral in Spear's Land, a further wildlife survey of the site shall be carried out to update the information previously submitted in the Environmental Statement 2012 submitted with this First Periodic Review planning application.

The findings of the survey shall be used to prepare an updated Wildlife Scheme which shall be submitted for approval to the Mineral Planning Authority to provide any measures required to mitigate or compensate the impact of the development on any new wildlife interests identified

since this First Periodic Review application submission. No quarrying activities shall resume until the updated wildlife scheme has been approved in writing by the Mineral Planning Authority and the approved scheme has been implemented.

REASON: To protect wildlife interests in accordance with NDLP policy ENV8 (Biodiversity) and ENV11 (Protected Species).

Application Number: **DCC/3106/2010**

Condition Number: **B35**

Condition/ Scheme Title: Highway Stability Survey

Condition/ Scheme Details: Before any resumption of winning and working of mineral in Spear's Land, a ground investigation survey shall be carried out by the developer to assess the impact of the proposed excavations on the stability of the public highway and the results submitted to the Mineral Planning Authority. Any measures to protect the stability of the public highway that are recommended by the survey report shall be implemented prior to winning and working restarting.

REASON: To ensure that excavations shall not adversely affect the structural stability of the road accordance with NDLP policy TRA6.

Application Number: **DCC/3106/2010**

Condition Number: **B36**

Condition/ Scheme Title: Tipping

Condition/ Scheme Details: Before the resumption of any winning and working of mineral in Spear's Land, a scheme detailing how the mineral would be worked and how quarry wastes would be dealt with shall be submitted to and approved in writing by the Mineral Planning Authority. The scheme shall include:

- (a) Use of the existing concrete batching plant for the stockpiling, storage and processing of mineral/mineral waste.
- (b) No tipping of quarry waste within the restored Main/Bailey's Pit.

The winning and working of mineral in Spear's Land shall be carried out in accordance with the approved scheme.

REASON: To minimise the effect of the development on the amenity of the local environment and to minimise the harm to the landscape character and quality of views from Codden Hill in accordance with NDLP policy ENV1 (Development in the Countryside).

Application Number: **DCC/3106/2010**

Condition Number: **B37**

Condition/ Scheme Title: Limit on Depth of Extraction

Condition/ Scheme Details: No winning and working of minerals shall take place below 45 metres below ordnance datum in Spear's Land (as identified on plan 878/PL10A).

REASON: To minimise the effect of the development on the amenity of the local environment in accordance with NDLP policy ENV1 (Development in the Countryside)

Application Number: **DCC/3106/2010**

Condition Number: **B38**

Condition/ Scheme Title: Phasing

Condition/ Scheme Details: No extraction of minerals shall take place in any new phase of working (as shown on approved phasing plans 878/PL6A - 878 PL10A) until the extraction of minerals has been completed substantially in the previous phase.

REASON: To limit the area of land disturbed by mineral working and to protect the amenities of the local environment in accordance with NDLP policy ENV1 (Development in the Countryside)

Application Number: **DCC/3106/2010**

Condition Number: **B39**

Condition/ Scheme Title: Restoration

Condition/ Scheme Details: At least 3 months prior to the recommencement of the winning and working of mineral within Spears Land, a restoration scheme for the area shall be submitted to and approved in writing by the Mineral Planning Authority. The scheme shall include:

- The location, extent and timing of the phases of restoration operations;
- Removal of all structures including plant, buildings, haul roads and machinery;
- Protection of the areas of established vegetation;
- The interim levels of the reclaimed land;
- Final levels of the restored land and gradients of the restored slopes;
- Design and depth of lake;
- Methods to be employed to prepare the land surface before soiling;
- The depths of sub-soils and top soils, method of spreading soils, cultivation, removal of stones and other obstacles to cultivation and fertilisation;
- Drainage of the restored surface;
- Design and location of fencing;
- Provision to be made for the retention of rock outcrops, ledges, and crevices suitable for nesting birds, geological study and landscape interest;

- Details of hedgebank construction and species mix, size of plants and methods of staking/protection of hedgerow planting
- Details of the species, method of planting, staking, protection of trees, shrubs, grass and wildflower seed mixes and their maintenance;
- Details of maintenance programme of planting to include replacement of dead, damaged or diseased planting during the next available planting season.
- Details of access provision;
- Management arrangements to promote the intended afteruse of woodland and amenity.

The restoration of Spear's Land shall be carried out in accordance with the approved scheme

REASON: To ensure that the land is restored to a condition capable of beneficial after-use in accordance with DMLP policy MP56 (Restoration)

Application Number: **DCC/3106/2010**

Condition Number: **B40**

Condition/ Scheme Title: Aftercare

Condition/ Scheme Details: Prior to the recommencement of the winning and working of mineral within Spears Land, an aftercare scheme detailing the steps that are necessary to bring and maintain the land to the standard required for woodland and amenity use shall be submitted to and approved in writing by the Mineral Planning Authority.

The scheme shall include:

- (a) A strategy for the five year aftercare period following the completion of the restoration operations of Spear's Land, specifying the steps to be taken and the period during which they are to be taken.
- (b) Include a programme of monitoring of the progress of all planting and seeding and land drainage provision, together with details of how the developer will remediate any problems that arise during the aftercare period caused either by failure or inadequate initial provision.
- (c) Provide for the submission to the Mineral Planning Authority of a detailed annual programme of works.

The aftercare of Spears Land shall be carried out in accordance with the approved scheme.

REASON: To ensure that the restored land is husbanded in a condition capable of a sustained beneficial use in accordance with DMLP policy MP56 (Restoration).

Application Number: **DCC/3106/2010**

Condition Number: **B41**

Condition/ Scheme Title: Restoration in the Event of Cessation of Working

Condition/ Scheme Details: In the event of a cessation in winning and working of mineral prior to

the achievement of the scheme required by conditions B39 and B40 which is the opinion of the Mineral Planning Authority constitutes a permanent cessation within the terms of Paragraph 3 of Schedule 9 of the Town and Country Planning Act 1990, restoration and aftercare schemes shall be submitted to and approved in writing by the Mineral Planning Authority.

- The schemes shall be submitted within 6 months of the developer/landowner being informed by the Minerals and Planning Authority of its opinion that working has ceased.
- The submitted schemes shall include all those matters prescribed in the Restoration and Aftercare conditions (conditions B39 and B40).
- The approved schemes shall be implemented on approval.

REASON: to ensure that the land is restored and husbanded in a condition capable of a sustained beneficial use in accordance with DMLP policy MP56 (Restoration)

Application Number: **S106 Agreement 31 December 2001**

Condition Number:

Compliance Status:

- A) Highway works – work completed;
- B) Land at Rubble Hill to be managed as species rich grassland – this land wasn't visited at the time of the monitoring visit. AI need to confirm that this land is being managed in accordance with scheme and plan attached to the agreement -work required.
- C) Groundwater obligations – on going.

Condition/ Scheme Title: Agreement 29 September 2014

Officer Comment. AI need to confirm that the land is being managed in accordance with the scheme and plan attached to the agreement.

Application Number: **S106 Agreement 29 September 2014**

Condition Number:

Compliance Status:

1. Agreement not to claim compensation claim - on going;
2. No further winning or working of mineral in Bailey's Pit – on going.

Officer Comments: No action required.

