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Peak District National Park Authority

Tel: 01629 816200

E-mail: customer.service@peakdistrict.gov.uk

Web: www.peakdistrict.gov.uk

Minicom: 01629 816319

Aldern House, Baslow Road, Bakewell, Derbyshire. DE45 1AE



MINUTES

Meeting: **Planning Committee**

Date: Friday 3 February 2017 at 12.00 pm

Venue: Board Room, Aldern House, Baslow Road, Bakewell

Chair: Mr P Ancell

Present: Cllr D Birkinshaw, Cllr P Brady, Cllr C Carr, Cllr D Chapman, Cllr A Hart, Mr R Helliwell, Cllr Mrs C Howe, Cllr H Laws, Ms S McGuire, Cllr J Macrae, Cllr Mrs K Potter, Cllr Mrs L C Roberts, Cllr Mrs J A Twigg and Cllr D Williams

Apologies for absence: Cllr A McCloy.

1/17 CHAIR'S ANNOUNCEMENTS

The Chair confirmed that the order of the meeting would be item 6 first, then a lunch break at approx. 12.30pm with item 7 starting at 1.00pm. He stated that he would only take declarations of interest relating to item 6 in the first part of the meeting and then take declarations relating to item 7 in the second part of the meeting at 1.00pm.

2/17 MINUTES OF PREVIOUS MEETING 9 DECEMBER 2016

The minutes of the last meeting of the Planning Committee held on 9 December 2016 were approved as a correct record subject to the following amendment:

MINUTE 160/16 MINUTES OF PREVIOUS MEETING

MINUTE 150/16 FULL APPLICATION - CHANGE OF USE TO 3 AFFORDABLE DWELLINGS AT HURST WATER TREATMENT PLANT, DERBYSHIRE LEVEL

The amendment to minute 150/16 stated under minutes of the previous meeting was amended by deleting the words 'related to water management and treatment in the area'.

3/17 MEMBERS DECLARATIONS OF INTEREST

Item 6

Cllr A Hart stated that he would only be observing this meeting as he had not completed the refresher planning training and therefore would not speak or vote on the item.

Cllr J A Twigg stated that she had been at a Derbyshire County Council Planning meeting when the ROMP for the adjoining site had been approved.

4/17 PUBLIC PARTICIPATION

Fifteen members of the public had given notice to speak at the meeting on item 7 only.

5/17 REVIEW OF OLD MINERAL PERMISSION APPLICATION - OLD MOOR QUARRY (TUNSTEAD), WORMHILL, BUXTON

It was noted that Members had visited the site during the previous month.

The Minerals Team Manager introduced the report and emphasised that planning permission was already in place and that this report was to review and determine the conditions only.

In response to Members' queries the Minerals Team Manager stated that the site was monitored regularly, that the tree belt would be retained and the faces restored. She also stated that there had been no mention of rare orchids in the extensive ecological report.

The recommendation as set out in the report and the conditions as set out in Annex 1 of the report were moved and seconded. The motion was then voted on and carried.

RESOLVED:

That the Review of Old Mineral Permission scheme at Old Moor Quarry be determined for the purposes of Paragraph 9 of Schedule 13 of the Environment Act 1995 and in line with the conditions set out in Annex 1 of the minutes.

The meeting was adjourned at 12.28pm for a short lunch break and reconvened at 1.00pm.

Chair: Mr P Ancell

Present: Cllr D Birkinshaw, Cllr P Brady, Cllr C Carr, Cllr D Chapman, Cllr A Hart, Mr R Helliwell, Cllr Mrs C Howe, Cllr H Laws, Ms S McGuire, Cllr J Macrae, Cllr Mrs K Potter, Cllr Mrs L C Roberts, Cllr Mrs J A Twigg and Cllr D Williams.

Apologies: Cllr A McCloy.

6/17 FULL APPLICATION - OPERATIONAL FACILITIES FOR BROSTERFIELD CAMPING AND CARAVAN SITE TO INCLUDE AMENITY BUILDING, NEW ACCESS, MANAGER'S ACCOMMODATION AND ASSOCIATED ANCILLARY FACILITIES AT BROSTERFIELD CARAVAN SITE, FOLOW

The following declarations of interest were made:

Mr P Ancell declared that he had not been involved in preparation or discussion of the planning application. He had received emails from Foolow Parish Council, Mr Vickers, Mr Molyneux, Mr Martin, Mr Wills and Mr Hardwick.

Cllr D Chapman declared that he had not been involved in preparation or discussion of the planning application. He had received emails from Foolow Parish Council, Mr Vickers, Mr Molyneux, Mr Martin, Mr Wills and Mr Hardwick.

Cllr Mrs L Roberts declared that she had not been involved in preparation or discussion of the planning application. She had received emails from Foolow Parish Council, Mr Vickers, Mr Molyneux, Mr Martin, Mr Wills and Mr Hardwick. She also stated that she was present at the Authority meeting on 24 May 2013 but she had not discussed or voted on the issue.

Cllr D Williams declared that he had received emails from Mr Vickers and Mr Wills.

Cllr A Hart stated that he would only be observing this meeting as he had not completed the refresher planning training and therefore would not speak or vote on the item.

Cllr Mrs K Potter declared that she had received emails from Mr Molyneux, Mr Martin, Mr Vickers, Mr Wills and Dr Owens. She also declared that she was a member of CPRE and knew one of the speakers, Mr Youatt, as he is an ex-member of the Authority's staff. Cllr Mrs Potter stated that she was present at the Authority meeting on 24 May 2013 but she had not discussed or voted on the issue.

Cllr H Laws declared that he had not been involved in preparation or discussion of the planning application. He had received emails from Foolow Parish Council, Mr Vickers, Mr Molyneux, Mr Martin, Mr Wills and Mr Hardwick.

Ms S McGuire declared that she had received 2 letters from Dr Owens and emails from Mr Vickers and Mr Wills. She also stated that she knew 3 of the speakers Dr A Tickle, Dr Owens through discussions of National Park issues and Mr Folkard as he is involved in the Stanage Forum, Eastern Moors Partnership and Sheffield Moors Partnership as is Ms McGuire.

Cllr P Brady declared that he had not been involved in preparation or discussion of the planning application. He had received emails from Foolow Parish Council, Mr Vickers, Mr Molyneux, Mr Martin, Mr Wills, Mr Hardwick and Dr Owens. He also declared that he knew 2 of the speakers – Mr Youatt and Mr Hardwick. Cllr Brady stated that he was present at the Authority meeting on 24 May 2013 but he had not discussed or voted on the issue.

Cllr J A Twigg declared that she had received the same emails as other Members and that she knew most of the speakers as their County Councillor.

Cllr C Howe declared she had received emails from Mr Martin, Mr Molyneux, Mr Wills, Mr Vickers, Mr Hardwick and a letter from Dr Owens.

Cllr J Macrae declared he had received emails from Mr Martin, Mr Molyneux, Mr Wills, Mr Vickers, Mr Hardwick and a letter from Dr Owens. He also stated that he was a member of CPRE and the Authority.

Cllr C Carr declared he had received email from Mr Vickers and a letter from Dr Owens.

Mr R Helliwell declared he had received letters from Dr Owens and emails from Mr Molyneux, Mr Vickers and Mr Wills. He also declared that he knew 4 of the speakers – Mr Youatt, Dr Tickle, Mr Folkard and Mr Marsden. Mr Helliwell stated he was a Member of the Authority.

Cllr D Birkinshaw declared that he had not been involved in preparation or discussion of the planning application. He had received emails from Foolow Parish Council, Mr Vickers, Mr Molyneux, Mr Martin, Mr Wills and Mr Hardwick.

Mr John Scott, Director of Conservation and Planning declared that he had represented local objectors at the 2010 planning appeal inquiry and had been instructed by Mr Molyneux and Mr Vickers. He had stated his views on the 1998 application at the inquiry and supported the Authority's position. He considered that his interest was non-prejudicial.

The Planning Manager introduced the report and stated that since the report had been written as further 12 letters of objection had been received giving 108 in total. A consultation response had been received from Natural England stating that they had no objections and did not recommend any conditions.

The Planning Manager stated that officers considered that it was clear that the 1998 planning permission had been implemented as landscaping and fencing had been put in, caravans had been using the site and there was evidence of provision of a passing place. The certificate of proposed lawful use was also clear. He stated that the discontinuance order would reduce harm to the site and the landscape by amending the conditions of the 1998 permission, subject to confirmation by the Secretary of State. It was noted that the Secretary of State had received a request to call this application in, so in the event of the Committee resolving to approve the application, DCLG would require notification of the resolution before a decision notice could be issued.

The following spoke under the public participation at meetings scheme. Mr Wills requested a change to the order of the speakers but this was refused by the Chair:

- Mr S Hardwick, Peak Park Watch, Objector
- Mr J Youatt, Objector
- Mr S Molyneux, Objector
- Ms E Nancolas, Village Resident and Objector
- Mr A Marsden, Objector
- Mr J Church, Objector
- Mrs J Vickers, representing Mr R Vickers, Objector
- Mr D Martin, Objector
- Mr S Slater, representing Mr P Slater, Objector
- Mrs J Wills, Objector
- Dr A Tickle, Friends of the Peak District, Objector
- Mr H Folkard, Objector
- Dr P Owens, Objector
- Mr S Wills, Chair of Foolow Parish Meeting, Objector
- Ms T Shirley, Applicant

The Director of Conservation and Planning stated that the 1998 planning permission had included several conditions and condition 5 referred to the provision of a vehicle passing place on the private road prior to implementation. Other conditions related to foul drainage, use of the site over the season and landscaping. He referred to correspondence in 1999 with an agent working for the landowner which stated that passing spaces were already available at either end of the private road and there was correspondence on the file which shows that this was agreed, therefore officers believe the permission was implemented and it is extant. The 1998 planning consent is a realistic fall back position. The Assistant Solicitor stated that no evidence to refute the existence in 1999 of a parking space as a passing place as referred to in the agent's letter and use by caravans had been presented and the Committee should make a fair and reasonable decision as to implementation on the evidence available to it.

The Committee voted to continue the meeting beyond 3 hours.

In response to Members' queries the Director confirmed that a landscape assessment had been submitted with the application and was available to view on the Authority's website. He also stated that officers had looked at the site and that the applicant had been treated neutrally as any other applicant would be treated.

The Chair stated that the recommendation as set out in the report had been moved but was not seconded. A motion for refusal due to the scale of development, impact on the landscape, and impact on the Foolow community due to traffic and disturbance was moved and seconded.

Members queried if the discontinuance notice could be dealt with separately or deferred. Officers stated that it could be deferred.

The motion for refusal was then voted on and carried.

RESOLVED:

- 1. That the application by REFUSED for the following reasons:**
 - a. Scale of development resulting in an adverse impact on landscape**
 - b. Impact on the local community through traffic and disturbance**

- 2. That consideration of a Discontinuance Order be DEFERRED.**

The meeting ended at 3.34 pm

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Annex 1

Schedule of Conditions – Old Moor

The Site and Scope of Conditions

1) These conditions shall apply to the whole of the remaining development in the area shaded blue on drawing no. T067-00058 Rev A ('the Site') to which the planning permission APP/5172/A/74/9176 (the 'relevant permission') relates, and are due to supersede all the conditions to which this permission is subject, with effect from the date which is six months from the date of this schedule, i.e. from 16/01/17. From that date, the development shall be undertaken only in accordance with these conditions.

Reason: To establish control over the extent of the development and hence, to protect local amenity, and in accordance with paragraph (7), Schedule 13 of the Environment Act 1995.

Approved Details

2) The development to which the relevant permission relates shall only be undertaken in accordance with the following documents and plans or as otherwise required by the conditions below:

- Drawing No. T67/20 - Planning Permission and Landownership Boundary
- Drawing No. T67/22 – Planning Permission and Landownership Boundary
- Drawing No. T67/023 – Site Layout and Features
- Drawing No. T67/026 Rev B – Quarry Development Plan Stage 1
- Drawing No. T67/027 Rev B – Quarry Development Plan Stage 2
- Drawing No. T67/028 – Quarry Development Plan Final
- Drawing No. T67/029 – Illustrative Restoration Cross Sections
- Drawing No. T67/030 Rev A – Tunstead/Old Moor Restoration Stages 1 and 2
- Drawing No. T67/031 Rev B – Tunstead/Old Moor Quarry Restoration Masterplan
- Drawing No. T67/032 – “Manstock” Soil Storage Design
- Drawing No. T67/038 – Noise Monitoring Locations
- Drawing No. T67/039 – Dust Monitoring Locations
- Drawing No. T67/040 – Vibration Monitoring Locations
- Drawing No. T67/041 – Water Monitoring Locations
- Drawing No. T67/078 – Walling Stone Storage Plan
- Planning Supporting Statement and Accompanying Appendices A to K dated 31 August 2013
- Environmental Statement Volumes 1 to 5 dated August 2013, as amended by:
 - Summary Statement of the Supplementary Environmental Information Folder A dated December 2014
 - Technical Annex D – Ecology and Natural Heritage Revised November 2014
- Supplementary Hydrogeological Report – letter dated 19 November 2014 from Hafern Water
- Restoration and Aftercare Strategy dated November 2014 (v5)
- Habitat Loss and Gain Matrix
- Woodland Management Scheme dated March 2015
- Ecological Management Plan dated December 2014
- Confidential Badger report dated August 2013

- Letter dated 19 March 2015 from Lafarge Tarmac Ltd

Reason: To apply appropriate control over the parameters of the development, including relevant mitigation controls to be observed, to protect local amenity.

Duration

3) The extraction of minerals from and the depositing of mineral waste at the Site shall cease by 31 January 2040. The removal of all plant and machinery, all other operations approved by the relevant permission and restoration (other than aftercare) of the Site shall be completed by 31 December 2046.

Reason: To comply with Part 1 of Schedule 5 to the Town and Country Planning Act 1990 that requires all planning permissions for mineral working to be subject to a time limit condition.

Availability of Plans

4) From the date that these conditions take effect until the completion of the development, a copy of these conditions, including all plans, drawings and documents hereby approved, and any other plans, drawings or documents subsequently approved in accordance with these conditions, shall always be kept available at the Tunstead Quarry site offices for inspection during prescribed working hours.

Reason: To ensure that all necessary documentation for the purposes of monitoring and securing compliance with the planning permissions are available to site staff.

Extraction limits

5) The winning and working of minerals at the Site shall not take place outside of the area edged in orange on drawing number T067/028.

Reason: For the avoidance of doubt and to protect local amenity and the environment.

6) The amount of mineral to be extracted from the Site, together with any mineral extracted from Tunstead quarry in pursuance of planning permission code nos. 1946 IDO, 1986/9/2/5, 1986/9/2/8, HPK/581/559, HPK/022937 and HPK/030328 shall not exceed a combined total of 10 million tonnes in any calendar year. A record of annual amounts of mineral extracted will be kept by the operator and made available to the Mineral Planning Authority upon request.

Reason: To enable the Mineral Planning Authority to monitor the progress of the site and to protect local amenity.

7) No extraction of limestone shall take place below 227m AOD.

Reason: To ensure control over the ongoing development and to protect local amenity and the environment.

Quarry Development

8) a) The winning and working of minerals and associated development at the Site shall be carried out only in accordance with the working programme and phasing plans contained in drawings numbers T67/026 (Rev B), T67/027 (Rev B) and T67/028 submitted in support of

application code nos. R1/1197/11 and R1/0913/27, except to the extent that they might be amended by these conditions.

b) There shall be no soil stripping beyond the limit of soil stripping shown on drawing number T67/026 Rev B before 1 January 2024.

Reason: To ensure control over the ongoing development and restoration of the site and hence, to protect local amenity.

9) In addition to the provision of Condition 8 above, not later than 12 weeks from the date these conditions come into effect, and then again every two years from the date that these conditions come into effect, the operator shall submit to the Mineral Planning Authority a detailed 'Quarry Development Plan'. The Quarry Development Plan shall provide the following details:

- an up to date topographical survey plan on an Ordnance Survey base and at a scale in the range of 1:1250 to 1:5000, identifying the current position and level of each quarry face;
 - faces to be worked during the forthcoming 2 year period;
 - anticipated mineral extraction levels and depths to be reached and details of the storage of overburden in the forthcoming 2 year period;
 - areas for the deposit of mineral waste in the forthcoming 2 year period;
 - soil stripping to be carried out in the forthcoming 2 year period;
 - restoration to be carried out, including soil depths, in the forthcoming 2 year period;
- and
- aftercare to be carried out in the forthcoming 2 year period.

Reason: To ensure control over the ongoing development and restoration of the Site and hence, to protect local amenity.

10) The following dates shall be notified in writing to the Mineral Planning Authority no later than seven working days in advance:

- the stripping of soils or overburden within the Site;
 - the commencement of the winning and working of mineral within each stripped area;
- and
- the completion of winning and working of minerals within each working area of the Site.

Reason: To ensure control over the on-going development of the site.

11) No crushing, grading, screening or other treatment or processing of minerals shall take place within the Site outlined in red on drawing no. T67-00058 Rev A.

Reason: To ensure control over the on-going development of the site.

12) Any walling stone arising from dry stone walls removed in the course of the development shall be retained and either used directly for the creation of dry stone walls constructed during restoration works, or stored in the location shown on drawing number T67/078.

Reason: To ensure control over the on-going development of the site.

Archaeology and Soil Handling

13) (a) At least 8 weeks prior to the commencement of soil stripping operations a Written Scheme of Investigation for an archaeological watching brief shall be submitted to the Mineral Planning Authority. No soil stripping shall commence until the Written Scheme of Investigation has been approved in writing by the Mineral Planning Authority. The scheme shall include an assessment of significance and research questions; and:

- i) The programme and methodology of site investigation and recording;
- ii) The programme and provision to be made for post investigation analysis and reporting;
- iii) Provision to be made for publication and dissemination of the analysis and records of the site investigation;
- iv) Provision to be made for archive deposition of the analysis and records of the site investigation;
- v) Nomination of a competent person or persons/organisation to undertake the works set out within the Written Scheme of Investigation.

b) No soil stripping shall take place other than in accordance with the Archaeological Written Scheme of Investigation approved under condition (a).

c) Within a period of 12 weeks from completion of each phase of soil stripping the archaeological site investigation and post investigation analysis and reporting shall have been completed in accordance with the programme set out in the Written Scheme of Investigation approved under condition (a) and the provision to be made for publication and dissemination of results and archive deposition shall have been secured.

Reason: To allow any items of archaeological interest that may be present at the site to be documented prior to the stripping of soils.

14) Top soil and sub soils arising from future soil stripping operations shall be stored separately and shall only be stored at the location shown on plan T67/032.

Reason: In the interests of amenity and to ensure that the site can be restored as proposed.

15) Any stockpiles, or stored soils and overburden shall be left to naturally vegetate with spot treatment of weeds in May and October, unless a seeding mix and treatment plan is submitted for the written approval of the Mineral Planning Authority.

Reason: To prevent the establishment rank grassland

Restriction of Permitted Development Rights

16) Notwithstanding the provisions of Article 3 and Part 17 of Schedule 2 of the Town and Country Planning (General Permitted Development) Order 2015:

- a) no fixed plant or machinery, buildings or structures in the nature of plant or machinery and no mobile processing plant shall be placed or erected on the Site after the date this permission comes into effect without the prior written approval of the Mineral Planning Authority.
- b) Other than for the final placement of mineral waste for the purposes of quarry restoration in accordance with the approved plans, no mineral waste shall be deposited outside those areas shown on drawing numbers T67/026 (Rev B), T67/027 (Rev B) and T67/028 without the prior written approval of the Mineral Planning Authority.

Reason: To protect the amenity of the National Park.

Plant and Machinery

17) At such time as they are no longer required for the approved development, all plant, structures, other installations, tanks, machinery and temporary buildings shall be dismantled and removed from site.

Reason: To protect local amenity.

Access and Protection of Highway

18) The sole means of operational and HGV vehicular access to the Site shall be from Tunstead Quarry via the existing causeway bridge shown on plan T67/023.

Reason: In the interests of highway safety and local amenity.

Hours of Operation

19) Except in emergencies to maintain safe operational practices, the nature and circumstances of which shall be notified to the Mineral Planning Authority as soon as practicable, the following operations at the Site shall only be undertaken within the following hours:

- Soil and overburden stripping, and movement and placement of soils:
0630 - 1800 hours Monday to Friday and 0700-1300 hours on Saturdays. There shall be no soil stripping, movement or placement of soils on Sundays or on a public or a bank holiday.
- Blasting:

0900 - 1700 hours Monday to Friday and 0900 - 1300 on Saturdays. There shall be no blasting on Sundays or on a public or a bank holiday.

Reason: In the interests of local amenity and to mitigate a potential source of noise.

Noise

20) a) Subject to paragraph (b) to this condition, the received noise levels as measured at any residential property shall not exceed 55 dB $L_{Aeq1hour}$ (free field) between 0700 hours to 1900 hours and shall not exceed 42 dB $L_{Aeq1hour}$ (free field) at all other times.

b) During noisy short term activities at the site, (including such activities as *'soil-stripping, the construction and removal of baffle mounds, soil storage mounds and spoil heaps, construction of new permanent landforms and aspects of site road construction and maintenance'* as referred to in the National Planning Practice Guidance or any successor document), the received noise level limits, as measured at any residential property may exceed the limits set out in part (a) of this condition during the daytime only (0800 hours to 1800 hours) for periods not exceeding a total duration of 8 weeks in any 12 month period. During these periods, the received noise levels shall not exceed 70dB(A) $L_{Aeqhour}$ free field at any residential property.

Reason: In the interests of local amenity and to enable the Mineral Planning Authority to control the noise generated by the development.

21) From the date that these conditions come into effect, the noise management and monitoring procedures set out in Appendix H – Noise Management and Monitoring Protocol

of the Supporting Statement shall be fully implemented and thereafter they shall be complied with at all times for the remainder of the development.

Reason: In the interests of local amenity and to enable the Mineral Planning Authority to control the noise generated by the development.

22) The results of the noise monitoring survey undertaken in accordance with condition 21 above shall be submitted annually to the Mineral Planning Authority commencing one year from the date that these conditions come into effect.

Reason: In the interests of local amenity and to enable the Mineral Planning Authority to control the noise generated by the development.

23) Silencers shall be fitted, used and maintained in accordance with manufacturer's instructions on all vehicles, plant and machinery used on the Site.

Reason: To control the impact of noise generated by the development in the interest of local amenity.

24) The reversing warning system on all vehicles associated with the winning and working of minerals on the Site, shall be non-audible, ambient or low tone devices.

Reason: To control the impact of noise generated by the development in the interest of local amenity.

Lighting

25) No new permanent fixed external lighting shall be erected or operated on the Site, except in accordance with a scheme that has been submitted and approved in writing by the Mineral Planning Authority. The scheme shall then be implemented as approved.

Reason: To protect the amenity of the area and the habitats of bats.

Dust

26) All operations for the winning and working of minerals, restoration works and ancillary operations at the Site shall be carried out in such a manner so as to minimise the generation of dust. Suitable dust prevention and control measures shall be implemented and maintained at all times during the carrying out of the approved development. At such times as any operation gives rise to visible levels of dust leaving the Site which cannot otherwise be controlled, that operation shall be temporarily suspended until such time as conditions improve or the operation can be effectively controlled.

Reason: In the interests of highway safety and local amenity, and to mitigate a potential source of dust.

27) From the date that these conditions come into effect, the dust management and monitoring procedures set out in Appendix J - Dust Management and Monitoring Protocol of the Supporting Statement shall be fully implemented and thereafter they shall be complied with at all times for the remainder of the development.

Reason: In the interests of local amenity, to ensure the control of dust from the site and to enable the Mineral Planning Authority to monitor the impacts of dust arising from the site.

28) The results of monthly dust monitoring undertaken in accordance with condition 27 above shall be submitted to the Mineral Planning Authority on the 31 January each year from the date that these conditions come into effect.

Reason: In the interests of local amenity, to ensure the control of dust from the site and to enable the Mineral Planning Authority to monitor the impacts of dust arising from the site.

Ground Vibration

29) Ground vibration from blasting operations at the Site:

i) at any residential property or sensitive property shall not exceed a peak particle velocity (ppv) of 6mm/sec in 95% of all blasts measured over any period of 6 months and no individual blast shall exceed a ppv of 12mm/sec;

ii) at the railway boundary shall not exceed ppv of 12 mm/sec.

Reason: To mitigate a potential source of vibration, protect the amenity of the area and maintain the integrity of the railway infrastructure.

30) From the date that these conditions come into effect, the mitigation and monitoring procedures set out in the Vibration Monitoring Protocol in Appendix I of the Supporting Statement, shall be fully implemented and they shall be complied with at all times for the remainder of the development. The recording and monitoring of every blast design and every blast (including air overpressure) shall be carried out at the locations shown on plan T67/040.

Reason: To mitigate a potential source of vibration and protect the amenity of the area.

31) Blast monitoring results shall be retained for 5 years and shall be supplied to the Mineral Planning Authority within 14 days of a request being made.

Reason: To protect the amenity of the area.

32) A siren shall be sounded before the firing of each blast.

Reason: To protect the amenity of the area.

Drainage and Prevention of Pollution

33) All surface water drainage and foul water drainage systems shall be maintained in working order at all times. There shall be no direct discharge of foul or contaminated surface water from the site into either the groundwater or any surface waters.

Reason: In order to protect the environment and watercourses.

34) Any facilities for the storage of oils, fuels or chemicals shall be sited on impervious bases and surrounded by impervious bund walls. The volume of the bunded compound shall be at least equivalent to the capacity of the tank plus 10%. If there is multiple tankage, the compound shall be at least equivalent to the capacity of the largest tank, or the combined capacity of the interconnected tanks, plus 10%. All filling points, vents, gauges and sight glasses shall be located within the bund. The drainage system of the bund shall be sealed with no discharge to any watercourse, land or underground strata. Associated pipework shall be located above ground and protected from accidental damage. All filling points and tank overflow pipe outlets shall be detailed to discharge downwards into the

bend.

Reason: In the interests of protecting the local hydrological and hydrogeological environments from potential pollution.

35) The monitoring of groundwater within the Site shall be carried out in accordance with the Groundwater Monitoring Protocol set out in Appendix K of the Supporting Statement and Plan T67/041. The monitoring of groundwater shall also include:

- Water level monitoring of the two sumps in Tunstead and Old Moor Quarries, at the same frequency as that specified in Protocol for groundwater monitoring boreholes i.e. monthly.

All ground water monitoring data which is generated from the monitoring required by this condition shall be submitted to the Mineral Planning Authority every two years from the date that these conditions take effect.

Reason: In order to protect the environment and watercourses.

36) A groundwater monitoring report shall be submitted to the Mineral Planning Authority every two years from the date these conditions take effect, which shall include:

- The presentation of all data and hydrographs;
- Comment on any changes to the monitoring system, including problems with boreholes and their means of rectification;
- Comments upon trends, correlation to rainfall and any potential difficulties which the data indicates relating to water management and impacts upon the external water environment. Should any adverse impacts on the external water environment be identified, arising from operations at the Site, mitigation measures shall be proposed and submitted to the Mineral Planning Authority for written approval. These measures shall then be implemented as approved.

Reason: In order to protect the environment and watercourses.

Ecology

37) There shall be no clearance of trees, scrub, hedgerows or grassland during the bird nesting season (i.e. March to August inclusive) in any year unless otherwise approved in writing by the Mineral Planning Authority.

Reason: To ensure that nesting birds are not disturbed on site as a result of the operations.

38) The operator shall:

- i) prior to 15 March each year, in liaison with an appropriate ecological advisor, prepare and submit to the Mineral Planning Authority a plan showing the areas of rock-face to be worked over the next 12 month from 15 March;
- ii) during the period 15 March – 30 April allow the ecological advisor access to the site so as to enable it to observe any peregrines nesting in the site or in its vicinity;
- iii) on or before 15 May each year, in liaison with the ecological advisor, identify and provide details to the Mineral Planning Authority of any safeguards required to be undertaken to ensure that working of those areas of rock face is in compliance with the protections now afforded to peregrines and their eggs and nests under the Wildlife & Countryside Act 1981 and is carried out in a manner that is designed to avoid harming any

peregrines or peregrine nests and eggs ; and

iv) carry out all working of the areas of rock face in conformity with all safeguards identified in any details provided in accordance with point iii above.

Reason: To ensure that the operator takes appropriate advice regarding the protection of peregrine falcons.

39) A survey to ascertain the presence of badger and of any inhabited badger setts at the Site shall be undertaken annually from the date that these conditions come into effect. The survey shall cover areas of the site considered necessary by a qualified ecologist to protect the badger interest. A report of the findings of the survey and details of any further mitigation measures in addition to the measures that are already set out in the Confidential Badger Report dated August 2013, shall be submitted to the Mineral Planning Authority for written approval within one month of the survey date. Any mitigation measures that are approved shall then be implemented as approved.

Reason: To ensure that the development takes place without detriment to badgers and to monitor the badger population on the site.

40) The artificial badger sett shall only be constructed at the location shown at Ecological Management Plan Figure 2 (dated 06/14).

Reason: This specific location is required in order to avoid the loss of calcareous grassland.

41) Every 5 years from the date that these conditions come into effect the operator shall submit to the Mineral Planning Authority for its written approval:

i) an Ecological Management Report identifying the works undertaken at the site over the previous 5 years including

- Species and habitat surveys
- Species and habitat management and mitigation
- Compensation habitat creation
- Review of the techniques and specifications deployed in the execution of such works and an assessment of their relative success; and

ii) the operator's proposed Ecological Management Plan for each subsequent 5 years.

Each Ecological Management Plan which is approved by the Mineral Planning Authority shall be fully implemented over the relevant 5 year period as approved.

Reason: In order to conserve and enhance ecology.

Landscaping and Tree Belts

42) All completed boundary landscaping and woodland areas, as detailed in the Woodland Management Scheme dated March 2015 pages 31 to 36, shall be retained and maintained throughout the duration of the quarrying operations in accordance with the provisions of the Woodland Management Scheme dated March 2015, except as amended by conditions of this permission.

Reason: In order to ensure the continuing screening benefits of the landscaping and woodland.

43) An up to date report on the condition of the boundary landscaping and woodland areas

and an updated Woodland Management Scheme shall be submitted to the Mineral Planning Authority every five years from the date these conditions take effect for its written approval. The development thereafter shall be carried out in accordance with each successive updated Woodland Management scheme as approved.

Reason: In order to ensure the continuing screening benefits of the landscaping and woodland.

44) Tree planting in boundary landscaping and woodland areas, as detailed in the Woodland Management Scheme dated March 2015 pages 31 to 36, shall be maintained in accordance with the principles of good forestry and husbandry for the duration of the permission, and any shrubs or trees which die or become seriously diseased or are missing shall be replaced with plants of the same species or such alternatives species as may be approved by the Mineral Planning Authority (for the avoidance of doubt 100% replacement is required).

Reason: To secure the successful establishment of the landscaping of the Site

Restoration

45) The Site shall be restored for use for agriculture and include features of calcareous grassland, daleside rollover grassland, open water and woodland in accordance with the scheme shown on drawing no T067/031 Rev B, entitled Tunstead and Old Moor Quarries Restoration Plan, dated April 2013, subject to those amendments to the restoration that are provided by other conditions.

Reason: To secure the proper restoration of the Site.

46) Prior to the commencement of restoration in any part of the Site, the operator shall give the Mineral Planning Authority no less than 28 days' notice. The notice shall include:

- identification of the area to be restored on a scaled plan; the nature and source of restoration materials to be employed;
- the depth of restoration material to be placed;
- soil placement methods;
- the expected duration of those restoration works;
- planting details for that phase, to include species mixes, stock numbers, sizes, planting specification and vermin protection;
- the seed mixes and seeding rates to be employed in cultivation.

Reason: To ensure control over the ongoing development and restoration of the Site and hence, to protect local amenity.

47) The quarry floor (as shown on drawing number T067/031 Rev B) shall be restored to:

i) a species rich pasture seeded with a seed mix that has been submitted to and approved in writing by the Mineral Planning Authority.

ii) a tree and shrub planting species mix that shall be as detailed in the Restoration and Aftercare Strategy dated November 2014 (v5) at paragraph 3.4.69, i.e.

- 40% Sycamore (main canopy);
- 20% Beech (main canopy);
- 10% Rowan (sub canopy);
- 5% Hawthorn (sub canopy);

- 10% Hazel (sub canopy);
- 5% Wild Privet (shrub canopy);
- 5% Holly (shrub canopy); and
- 5% Guelder Rose (shrub canopy).

Reason: To ensure the restoration of the land and contribute to BAP habitat targets in order to enhance the National Park.

48) The Quarry faces infill planting species mix shall be as detailed in the Restoration and Aftercare Strategy dated November 2014 (v5) at paragraph 3.4.71, i.e.

- 30% Sycamore (main canopy);
- 20% Field Maple (main canopy);
- 10% Rowan (main canopy);
- 5% Crab apple (sub canopy);
- 5% Bird Cherry (sub canopy);
- 5% Yew (shrub and sub canopy);
- 5% Hawthorn (shrub canopy);
- 10% Hazel (sub canopy);
- 5% Goat Willow (shrub canopy); and
- 5% Holly (sub canopy).

Reason: To secure the proper restoration of the land.

49) The soils placed on the quarry floor (as shown on plan T067/031 Rev B) for restoration shall be placed with topsoils first then subsoils as the final surface.

Reason: To secure the proper restoration of the land and to ensure the Site is restored to agriculture and contributes to BAP habitat targets in order to enhance the National Park.

50) The Mineral Planning Authority shall be notified in writing of the completion date of restoration in each area of the Site, as notified under condition 46 above, within 1 month of such completion.

Reason: To ensure control over the ongoing development and to secure the proper restoration of the Site.

51) No later than 12 weeks from the date these conditions come into effect, and then annually from the date these conditions come into effect, a Restoration and Aftercare report shall be submitted to and approved in writing by the Mineral Planning Authority. The report shall identify the works undertaken for the purpose of restoration and aftercare at the Site in the preceding year and include details of:

- Quarry restoration works;
- Habitat creation works;
- Woodland management works;
- Aftercare undertaken;
- A review of techniques and specifications deployed in the execution of such works and an assessment of the success of these.

Reason: To ensure control over the ongoing development and restoration of the site and hence, to protect local amenity.

Aftercare

52) On completion of restoration works at the Site or in each area, as notified to the Mineral Planning Authority under condition 50 above, the Site or phase shall be subject to a five year aftercare period. The aftercare period shall commence on the date of written confirmation from the Mineral Planning Authority that the land concerned has been satisfactorily restored.

Reason: To ensure that the land is brought into aftercare when it is satisfactorily restored.

53) No later than 6 months prior to the programmed completion of restoration of the Site or in any part of the Site as notified to the Mineral Planning Authority under condition 46 above, an aftercare scheme or schemes shall be submitted to and approved in writing by the Mineral Planning Authority. The aftercare scheme/s shall have regard to the Restoration and Aftercare Strategy dated November 2014 and include details of:

- i) secondary soil treatment (e.g. stone picking);
- ii) fertiliser applications (based on soil analysis);
- iii) weed control;
- iv) re-seeding areas of failure as necessary;
- v) habitat development;
- vi) watering and draining;
- vii) grazing management;
- viii) pond margins establishment;
- ix) wetland maintenance;
- x) phased management and maintenance of walling and fencing;
- xi) the management of tree belts and woodland;

The scheme(s) shall be implemented as approved by the Mineral Planning Authority.

Reason: To ensure the aftercare of the reinstated land to the required standard in accordance with approved schemes and annual programmes.

54) For the first five years following implementation of restoration in each area, planting shall be maintained in accordance with the principles of good forestry and husbandry, and any shrubs or trees which die or become seriously diseased or are missing shall each season following planting be replaced with plants of the same species or such alternatives species as may be approved by the Mineral Planning Authority (for the avoidance of doubt 100% replacement is required).

Reason: To secure the successful establishment of the landscaping of the Site

55) During September of each year, unless otherwise agreed in writing by the Minerals Planning Authority, after the date that these conditions take effect until the cessation of the development, an annual aftercare meeting shall be convened between the site operator, representatives of the Mineral Planning Authority and any other interested party whose attendance is agreed by both the site operator and the Mineral Planning Authority to review the progress of the development of the Site and in particular any restoration and/or aftercare proposed to commence or be completed that year.

Reason: In the interests of establishing the adequate restoration of the site and to monitor aftercare performance.

Footnotes

Hours of Operation

1) Except for the operations specified in condition 19 which are subject to restricted operational hours, all other operations associated with the winning and working of minerals, the secondary crushing, screening, processing, grading, external despatch and internal transfer of minerals, the operation of pumps, ancillary equipment and essential maintenance may be carried 24 hours a day throughout the year.

Environment Agency

2) The applicant's attention is drawn the following comments from the Environment Agency:

- Nothing should be imported or deposited on the site other than strictly uncontaminated, inert material. This helps to protect the groundwater quality in the area and the underlying Principal Aquifer.
- Consideration should be given to the potential to create a more varied and undulating depth of water as part of the permanent water features associated with the Tunstead and Old Moor Quarry restoration plan. Doing so will enhance the biodiversity of such a large expanse of water and will complement the ephemeral ponds proposed for the Bold Venture Site.

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