Application Number
SM.09/14/113 M

Staffordshire County Council

To: Lafarge Tarmac Trading Limited
Portland House
Bickenhill Lane
Solihull
Birmingham
B37 7BQ

TOWN AND COUNTRY PLANNING ACT 1990

PROJECTS REQUIRING AN ENVIRONMENTAL ASSESSMENT

PERMISSION FOR DEVELOPMENT

Staffordshire County Council in pursuance of powers under the above-mentioned Act and having taken into consideration the environmental information, hereby permit:-

Consolidation of permitted extraction and restoration conditions and schemes at Wardlow/Wredon Quarry Complex, Cauldon Lowe, Staffordshire

subject to the condition(s) and reasons specified hereunder:-

Definition of the Permission

1. This planning permission shall only relate to the land edged red on the 'Planning Application Plan' (dwg no. W69/61) dated September 2008 hereafter referred to as 'the Site'.

2. The development hereby permitted shall only be carried out within the Site in accordance with the details described in the following documents and plans/drawings submitted in support of the application listed below, except in so far as the details are amended by the conditions specified below:

Documents:

- **Application Form dated 1 March 2010**
- **Volume 1 - Environmental Statement (including Non-Technical Summary and Appendices (1-9))**
- **Volume 2 - Written Supporting Statement (including Appendices (1-7)**

Dated this 13th day of December 2013 *[Electronic Copy: Signature Removed]*

On behalf of the said Council

- **Letter from Tarmac Ltd dated 01 March 2010**

Plans/Drawings

- **Planning Application Plan (dwg no. W69/61)**
- **Planning Application Plan (including occupied ancillary mining land) (dwg no. W69/61A)**
- **Location Plan (dwg no. W69/62)**
- **Maximum Permitted Extraction Plan (dwg no. W69/63)**
- **Development Phase 1 Plan (dwg no. W69/64)**
- **Development Phase 2 Plan (dwg no. W69/65)**
- **Development Phase 3 Plan (dwg no. W69/66)**
- **Interim Restoration Plan (dwg no. ST 10772/06)**
- **Phased Restoration Plan (dwg no. ST10772/08)**
- **Restoration Plan (dwg no. ST 10772/07)**

except in so far as the submitted documents and plans/drawings are amended by the conditions specified below.

3. The development hereby permitted shall be deemed to have commenced on the date of this permission and the Site shall be deemed to be subject to 'interim operations'.

Definition of the Interim and Working Operations

4. For the purposes of this permission:

a) 'interim operations' are defined as any operations resulting in the export of mineral from the Site of less than 1000 tonnes in a 12 month period; and,

b) 'working operations' are defined as any operations resulting in the export of mineral from the Site of 1000 tonnes or more in a 12 month period.

Notification of Commencement

5. The developer shall notify the Mineral Planning Authority in writing within two weeks prior to the following commencement dates:

a) the date when the 'working operations' are due to re-commence in Phase 1;

b) the date when the winning and working of mineral is due to commence in each of the subsequent phases (Phases 2 and 3) (ref. Condition 10); and,

c) the date when final restoration is due to commence in each phase of the development (ref. Condition 10).

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Cessation of the Development and Expiry of the Permission

6. The winning and working of mineral shall cease no later than 28 years from the date of the commencement of 'working operations' and in any event shall cease no later than 31 December 2046 (being within 33 years from the date of this permission) ('the cessation date').

7. The Site shall be restored and subject to aftercare in accordance with the latest approved Restoration Strategy and the latest approved detailed Restoration and Aftercare Scheme no later than 30 years from the date of commencement of 'working operations' and in any event the Site shall be restored no later than 31 December 2048 (being within 35 years from the date of this permission), or within 24 months of the cessation date, whichever is the sooner.

8. In the event that the winning and working of mineral should permanently cease prior to 31 December 2046, written notice shall be given to the Mineral Planning Authority within 7 days of the cessation date and the Site shall be restored and subject to aftercare in accordance with the latest approved Restoration Strategy and the latest approved detailed Restoration and Aftercare Scheme (ref. Condition 7).

9. This permission shall expire when the Site has been restored and subject to aftercare in accordance with the latest approved Restoration Strategy and detailed Restoration and Aftercare Scheme (ref. Condition 7).

Reasons (1 to 9): To define the permission; to comply with the provisions of Section 91 of the Town and Country Planning Act, 1990, as amended by Section 51 of the Planning and Compulsory Purchase Act, 2004; to enable the Mineral Planning Authority to monitor operations; to ensure compliance with this permission in the interests of the environment and the amenities of the surrounding area, in accordance with the Staffordshire and Stoke-on-Trent Minerals Local Plan saved policies 9, 12, 19, 20, 21 and 24, the National Planning Policy Framework ((sections 11 and 13); the accompanying Technical Guidance; and, to comply with the requirements of Schedule 5 of the Town and Country Planning Act 1990 which requires that every permission for the winning and working of minerals shall have a condition as to the duration of the development.

Note: there is a requirement in the Section 106 Legal Agreement to review the Restoration Strategy.

Interim and Working Strategies and Site Layout

10. The Site shall be progressively worked and restored in a phased manner in general accordance with the phasing arrangements shown on the Development Phase Plans (dwg no. W69/64; dwg no. W69/65 and dwg no. W69/66), and in general accordance with the provisions for the phasing described in the 'Environmental Statement' (Volume 1 – Appendix 9).

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11. Within 12 months of the date of this permission, an Interim Strategy ('the Interim Strategy') for the Site, based on the Interim Restoration Plan (dwg no. ST 10772/06) and the Interim Restoration and Advanced Landscaping Scheme required by Condition 16, shall be submitted for the written approval of the Mineral Planning Authority.

The Interim Strategy shall include but not be limited to the following details:

a) The 'interim operations' to be carried out prior to commencement of the 'working operations', including details of the 'interim operations' to be carried out to implement the Interim Restoration and Advanced Landscaping Scheme required by Condition 16 below.

b) A programme for the implementation of the 'interim operations';

c) The Interim Site Layout Plan/s (at 1:5000 scale or such alternative scale as may be appropriate) shall include the following details:

i) The Site boundary shown as a red line;

ii) The limit of excavation to accord with the provisions set out on the "Maximum Permitted Extraction" drawing (dwg no. W69/63);

iii) The details of the phasing of the proposed Interim Restoration and Advanced Landscaping Scheme (ref. Condition 16);

iv) Contours to show the maximum depth of working currently set out on the "Maximum Permitted Extraction" drawing (dwg no. W69/63);

v) The location of the existing screening bunds and stockpiles of overburden, subsoil and topsoil including their placement, profiles, protection and treatment, together with proposals to amend the bunds and stockpiles as part of the Interim Restoration and Advanced Landscaping Scheme;

vi) The existing restored areas of the Site;

vii) The existing access, the hard surfaced internal haul road, plant site, offices, parking areas, compounds, workshops, weighbridge and wheel cleaning facilities;

viii) The site fencing and security gates;

ix) The fuel storage facilities (ref. Conditions 52 and 53);

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x) Existing and diverted footpaths within/around the Site (ref. Condition 32); and,

xi) Site drainage (ref. Conditions 54 to 57).

d) Traffic generation during the 'interim operations'.

Prior to the commencement of the 'working operations' the Site shall operate in accordance with the approved Interim Strategy and layout shown on the approved Interim Site Layout Plan(s).

12. Prior to the commencement of the 'working operations', a detailed Working Strategy (the 'Working Strategy') for the Site shall be submitted for the written approval of the Mineral Planning Authority.

The Working Strategy shall include but not be limited to the following details:

a) The provisions to achieve the progressive working and restoration of the Site based on the approved phased working and restoration plans (ref. Condition 1) and shall include details of:

i) the steps to achieve the satisfactory merging together of the Wredon and Wardlow Quarries;

ii) habitat translocation trials, their replacement and establishment techniques; and,

iii) those aspects of the 'Advanced Scheme' to continue during the 'working operations' including soil management, ecological surveys and aftercare (ref. Condition 16).

b) The Working Site Layout Plan/s (at 1:5000 scale or such alternative scale as may be appropriate) which shall include the following details:

i) The Site boundary shown as a red line;

ii) The limit of excavation to accord with the provisions set out on the "Maximum Permitted Extraction" drawing (dwg no. W69/63);

iii) The phasing and direction of extraction shown on the Development Phase drawings (dwg no's W69/64, W69/65 and W69/66);

iv) Contours to show the maximum depth of working currently set out on the "Maximum Permitted Extraction" drawing (dwg no. W69/63);

v) The location of screening bunds and stockpiles of overburden, subsoil and topsoil including their placement, profiles, protection and treatment;

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vi) The restored areas of the Site;

vii) The access, the hard surfaced internal haul road, plant site, offices, parking areas, compounds, workshops, weighbridge and wheel cleaning facilities;

viii) The site fencing and security gates;

ix) The fuel storage facilities (ref. Conditions 52 and 53);

x) Existing and diverted footpaths within/around the Site (ref. Condition 32);

xi) Site drainage (ref. Conditions 54 to 57); and,

xii) Habitat translocation trial areas.

The Site shall operate in accordance with the approved Working Strategy and layout shown on the approved Working Site Layout Plan(s).

13. On the 5th anniversary of the date of the first approved Interim Strategy or Working Strategy for the Site, and every 5 years thereafter until the cessation of mineral working, a Progress Report, including an update to the Interim Strategy and Interim Site Layout Plan(s) required by Condition 11 or an update of the Working Strategy and Site Layout Plan(s) required by Condition 12, shall be submitted for the written approval of the Mineral Planning Authority.

14. During the 'interim operations' the Site shall operate in accordance with the latest approved Interim Strategy and Interim Site Layout Plan(s).

15. During the 'working operations' the Site shall operate in accordance with the latest approved Working Strategy and Working Site Layout Plan(s).

Reasons (10 to 15): To enable effective monitoring; to comply with the requirement of the planning permission; to ensure the orderly operation of the Site; and, to accord with the Staffordshire and Stoke-on-Trent Minerals Local Plan saved policies 9 and 54, the Staffordshire Moorlands Local Plan saved policies N8, N9 and N11; the National Planning Policy Framework (sections 11 and 13); the accompanying Technical Guidance; and, having regard to the requirements of the S106 legal agreement.

<u>Interim Restoration and Advanced Landscaping</u>

16. Within 12 months of the date of this permission details of an Interim Restoration and Advanced Landscaping Scheme (the 'Advanced Scheme') shall be submitted for the written approval of the Mineral Planning Authority. The Advanced Scheme shall generally accord with the provisions set out in the Environmental

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Statement (Volume 1 – Appendix 9), and as indicated in the "Interim Restoration Plan" (dwg no. ST10772/06).

In addition, the Advanced Scheme shall include but not be limited to the following details:

a) The measures that have been carried out and the measures still be carried out to re-profile and treat the visible slopes and mounds within or around the edge of the Site in order to reduce the landscape and visual impact of the Site;

b) Soil management in accordance with the provisions set out in the Environmental Statement (Volume 1 – Appendix 9);

c) Surveys for protected and priority Biodiversity Action Plan (BAP) species (ref. Conditions 33 to 35);

d) Detailed baseline grassland surveys;

e) Aftercare of the areas subject to interim restoration and advanced landscaping including but not limited to the following details:

- **i) weed control;**
- **ii) scrub and thistle/ruderal removal;**
- **iii) livestock type and grazing levels;**
- **iv) timing for the grazing of the outer slopes;**
- **v) fencing to secure grazing livestock; and,**
- **vi) the programme of interim aftercare;**

f) Programme for implementation of the 'Advanced Scheme'.

The Advanced Scheme shall be implemented in accordance with the approved details within 6 months of the Scheme being approved.

Reasons: in the interests of biodiversity, landscape and visual amenity in accordance with Staffordshire and Stoke-on-Trent Minerals Local Plan saved policies 9, 12, 20, 21 and 22; the Staffordshire Moorlands Local Plan saved policies N8, N9 and N11; the National Planning Policy Framework (sections 7, 11 and 13); and; the accompanying Technical Guidance. See Informative 3.

Development Restrictions

17. 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

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amending, replacing or re-enacting that Order), no fixed plant or machinery, buildings, structures and erections, or private ways shall be erected, extended, installed, re-arranged, replaced, repaired or altered within the Site, except as shown on the approved Development Phase Plans and Interim Restoration Plan (ref. Condition 1), without the benefit of a planning permission.

18. No more than 1,000,000 tonnes of mineral per annum shall be exported from the Site.

19. The maximum depth of the winning and working of mineral shall not exceed 200 metres AOD and in any event no winning and working of mineral shall be carried out below the natural winter ground water table, the level of which shall be identified from the results of ground water monitoring required by Condition 54.

20. No waste shall be imported onto the Site.

21. No burning shall take place on the Site.

Reasons (17 to 21): To protect the visual and environmental amenity of the area and groundwater, in accordance with the Staffordshire and Stoke-on-Trent Minerals Local Plan saved policy 12; the Staffordshire Moorlands Local Plan policy T14;, the East Staffordshire Borough Local Plan saved policy 5; the National Planning Policy Framework (sections 7, 10, 11 and 13); and, the accompanying Technical Guidance.

Hours of Operation

22. No operations hereby permitted shall take place within the Site other than between the following hours:

- **06:00 to 18:00 Mondays to Fridays**
- **06:00 to 13:00 on Saturdays**

No such operations hereby permitted shall take place on Sundays, Bank and Public Holidays.

23. No operations shall be carried out within the roadstone coating plant other than between the following hours:

- **24 hours per day Monday to Saturday**

24. The roadstone coating plant shall not operate for more than 25 weeks (or part thereof) in any 12 month period.

25. No HCV vehicles shall enter or leave the Site except between the following hours:

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- **07:00 to 18:00 Mondays to Fridays**
- **07:00 to 18:00 on Saturdays**

No HCV vehicles shall enter or leave the Site on Sundays, Bank and Public Holidays.

Reasons (22 to 25): To protect the amenity of local residents in accordance with the Staffordshire and Stoke-on-Trent Minerals Local Plan saved policy 12; and, the National Planning Policy Framework (sections 4, 11 and 13).

Site Access, Transportation and Public Rights of Way

26. Vehicular access to the Site from the public highway and egress from the Site to the public highway shall only be obtained via the access from the A52 as marked 'X' on the 'Planning Application Plan' (dwg no. W69/61A).

27. The existing access to the Site marked 'X' on the 'Planning Application Plan' (dwg no. W69/61A) shall be improved to an appropriate standard to handle traffic entering and leaving the Site during the 'interim operations' and 'working operations' in accordance with the following requirements:

a) Within 12 months of the date of this permission, details of the improvements to the existing access to handle traffic entering and leaving the Site during the 'interim operations' shall be submitted for the written approval of the Mineral Planning Authority; and,

b) Prior to the commencement of the 'working operations', details of the improvements to the existing access to handle traffic entering and leaving the Site during the 'working operations' shall be submitted for the written approval of the Mineral Planning Authority. The details shall generally accord with the provisions set out in the Environmental Statement (Volume 1 – Appendix 7 (section 7).

The improvements to the access shall be completed within 6 months of their approval and thereafter maintained in accordance with the approved details for the duration of the 'interim operations', the 'working operations' and the restoration of the Site (see also Informative 2).

28. No more than 174 HCVs shall enter or leave the Site per full working day (348 two-way HCV vehicle movements) and no more than 970 HCVs shall enter or leave the Site per full working week (1,940 two-way HCV vehicle movements).

29. HCV wheel cleaning facilities shall be provided during the 'interim operations' and 'working operations' in accordance with the following requirements:

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a) Within 12 months of the date of this permission, details of the wheel cleaning facilities and their operation and maintenance during the 'interim operations' shall be submitted for the written approval of the Mineral Planning Authority.

b) Prior to the commencement of the 'working operations', details of the wheel cleaning facilities and their operation and maintenance shall be submitted for the written approval of the Mineral Planning Authority.

The wheel cleaning facilities shall thereafter be installed, operated and maintained in accordance with the approved details and used by all HCV vehicles as necessary before leaving the Site to ensure compliance with Condition 31 below.

30. No loads of mineral shall leave the Site unless the load has first been securely contained or sheeted.

31. No mud or deleterious materials shall be deposited on the public highway arising from the operations hereby permitted.

32. In the event that the operations hereby permitted should prevent the use of an existing public right of way, the public right of way shall be temporarily or permanently diverted in accordance with a statutory Diversion Order before the public right of way is closed. Any temporary diversion shall thereafter be clearly signposted, kept open and unobstructed until such time as the original public right of way is reinstated and clearly signposted. Any permanent diversion shall thereafter be clearly signposted, kept open and unobstructed.

Reasons (25 to 32): To accord with the provisions set out within the planning application, in the interests of highway safety and to safeguard public rights of way, in accordance with the Staffordshire and Stoke-on-Trent Minerals Local Plan saved policies 12 and 30; the Staffordshire Moorlands Local Plan saved policy T14; the East Staffordshire Borough Local Plan saved policy T5; and, the National Planning Policy Framework (section 4).

Nature Conservation

33. Within 12 months of the date of this permission and prior to the commencement of the 'working operations', details of the programmes of surveys to be undertaken for the presence of protected and priority Biodiversity Action Plan (BAP) species shall be submitted for the written approval of the Mineral Planning Authority.

The results of the surveys shall be submitted to the Mineral Planning Authority within 4 weeks of the survey being carried out.

In the event that surveys indicate the presence of protected and priority Biodiversity Action Plan (BAP) species, details of measures to protect and enhance

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the populations of protected and priority Biodiversity Action Plan (BAP) species shall be submitted for the written approval of the Mineral Planning Authority.

The protection and enhancement measures shall be carried out in accordance with the approved details.

34. No stripping of vegetation or soils shall take place during the bird breeding season (March – August) unless preceded by a bird survey, the results of which shall be submitted to the Mineral Planning Authority within 4 weeks of the survey being carried out.

35. The surveys required by Conditions 33 and 34 shall be carried out by a suitably experienced and qualified ecologist to appropriate published guidelines for protected and priority Biodiversity Action Plan (BAP) species.

Reasons (33 to 35) To enable easy reference and to encourage compliance with the requirement of the planning permission so as to ensure the orderly operation of the Site and to safeguard protected and priority species, in accordance with the Staffordshire and Stoke-on-Trent Minerals Local Plan saved policy 12; and, the National Planning Policy Framework (section 11).

Soil Management

36. Soil management shall be carried out in accordance with the provisions set out in the Environmental Statement (Volume 1 – Appendix 9) and all topsoil and subsoil shall be permanently retained on Site and used for restoration purposes. Available soil making materials recovered during excavation shall also be permanently retained on Site for restoration purposes.

37. All areas affected by excavation or deposition of materials shall be stripped of their soil. Topsoil and subsoil shall be stripped and handled separately. Wherever possible both topsoil and subsoil shall be directly placed as part of the final restoration of the Site.

38. All soils stripped from the Site which cannot be placed directly as part of the final restoration works (in accordance with Condition 37) shall be stored in storage mounds to be sited in the locations, heights and gradients, and seeded and managed so as to suppress weed growth and the mounds of topsoil and subsoil shall not be traversed by heavy vehicles or machinery except during construction and removal operations

39. No stripping, movement or re-spreading of soils shall take place except where the full depth of soils to be stripped or re-spread is in a dry and friable condition.

40. The soil or soil-making materials in those restored areas where tree-planting

is shown in the approved Phased Development drawings (ref. Condition 1) shall be placed using loose tipping techniques to minimise compaction.

Reasons (36 to 40): To prevent the loss and deterioration of soils needed for restoration and offset shortfalls of soil by utilising suitable geological materials to facilitate the restoration of the Site in accordance with the Staffordshire and Stoke-on-Trent Minerals Local Plan saved policy 9; the National Planning Policy Framework (sections 11 and 13); and, the accompanying Technical Guidance.

General Environmental Protection

Noise

41. Within 12 months of the date of this permission, details of an Interim Noise Monitoring Scheme ('the Interim Scheme') shall be submitted for the written approval of the Mineral Planning Authority.

The Interim Scheme shall include but not be limited to the following details:

a) The arrangements for the monitoring of noise emitted from the Site;

b) The noise monitoring points;

c) The equipment and methods to be used to monitor noise;

d) The monitoring frequency and periods;

e) The presentation of results to the Mineral Planning Authority;

f) The steps to be taken in the event that the measured (or calculated) noise exceeds the permitted limits as defined in Conditions 44 and 45; and,

g) The steps to review the noise monitoring scheme from time to time.

During the 'interim operations' noise monitoring shall be carried out in accordance with the approved Interim Scheme.

42. Prior to the commencement of the 'working operations', details of a Working Noise Monitoring Scheme ('the Working Scheme') shall be submitted for the written approval of the Mineral Planning Authority.

The Working Scheme shall include but not be limited to the following details:

a) The arrangements for the monitoring of noise emitted from the Site during the period when 'interim operations' are taking place or during the period when 'working operations' are taking place;

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b) The noise monitoring points;

c) The equipment and methods to be used to monitor noise;

d) The monitoring frequency and periods;

e) The presentation of results to the Mineral Planning Authority;

f) The steps to be taken in the event that the measured (or calculated) noise exceeds the permitted limits as defined in Conditions 44 and 45; and,

g) The steps to review the noise monitoring scheme from time to time.

During the 'working operations' noise monitoring shall be carried out in accordance with the approved Working Scheme.

43. Prior to the commencement of the 'working operations', details of an acoustic fence or wall to the frontage of the property ("Hillcrest") shall be submitted for the written approval of the Mineral Planning Authority. The acoustic fence or wall shall generally accord with the noise mitigation measures set out in within the Environmental Statement (Volume 1 – Appendix 3). The acoustic fence or wall shall be constructed and thereafter maintained in accordance with the approved details for the duration of the 'working operations' and the restoration of the Site (see Informative 2).

44. Site attributable noise shall not exceed 53dB LAeq (1-hour) (free-field) as measured from the curtilage of the nearest noise sensitive property "Hillcrest".

45. The noise levels arising from any temporary operations shall not exceed 67 dB(LAeq) (1 hour) (free-field) at any noise sensitive property. Any such temporary operations shall take place for no more than 8 weeks in any 12 month period.

46. Best practicable means shall be used to minimise the noise generated by permitted operations. In particular, all vehicles, plant and equipment operated within the Site that are normally fitted with engine covers and / or silencers shall be operated with the engine covers closed and /or effective silencers. All silencers shall be regularly maintained for the duration of operations on the Site.

47. Wherever possible, and without contravening health and safety requirements, all vehicles shall be fitted with non-intrusive reversing/warning safety systems.

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Dust

48. Dust management shall be carried out at the Site in general accordance with the measures set within the Environmental Statement (Volume 1 – Appendix 4 - section 5), including the watering of haul roads and sweeping of metalled roads.

Blasting

49. Blast ground vibration shall not exceed a 6mm per second peak velocity in 95% of all blasts measured over any period of six months and no individual blast shall exceed 12mm per second peak particle velocity measured at or near the foundations of any vibration sensitive buildings; the measurement to be the maximum of three mutually perpendicular directions taken at the ground surface at any vibration sensitive building.

50. Prior to the commencement of blasting on the Site, a Blast Monitoring Scheme ('the Scheme') shall be submitted for the written approval of the Mineral Planning Authority.

The Scheme shall include but not be limited to the following details:

a) The advanced notification to be given to local residents of the frequency and times of blasting and any changes to those arrangements;

b) The monitoring arrangements;

c) Frequency and times of blasting;

d) The methods to be employed to minimise the effects of air overpressure from blasting operations;

e) Procedures to deal with complaints.

Blasting shall only be carried out within the Site in accordance with the approved Scheme.

Lighting

51. Any external floodlighting or other illumination shall be positioned so as not to cause glare to the occupiers of nearby properties and to highway users and to minimise light pollution.

Reasons (41 to 51): To safeguard the amenity of local residents and minimise the potential adverse environmental impacts from noise, dust, blasting and lighting in accordance with the Staffordshire and Stoke-on-Trent Minerals Local Plan policy 12; the

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National Planning Policy Framework (sections 7, 11 and 13); and, the accompanying Technical Guidance.

Water

52. Within 12 months of the date of this permission, details of the storage of hazardous materials (including fuels) within the Site shall be submitted for the written approval of the Mineral Planning Authority. Hazardous materials and fuels shall not be stored on the Site other than in accordance with the approved details.

53. 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 vessel of the combined capacity of interconnected tanks or vessels plus 10%. All filling points, associated pipe work, vents, gauges and sight glasses must be located within the bund or have separate secondary containment. The drainage system of the bund shall be sealed with no discharge to any watercourse, land or underground strata. Associated pipe work shall be located above ground and protected from accidental damage. All filling points and tank/vessels overflow pipe outlets shall be detailed to discharge downwards into the bund.

54. Prior to the commencement of the 'working operations', details of a Water Monitoring and Mitigation Scheme ('the Scheme') to secure the maintenance of spring-fed flows shall be submitted for the written approval of the Mineral Planning Authority.

The Scheme shall include but not be limited to the following details:

a) arrangements for the monitoring of relevant water features, groundwater levels and spring flows;

b) any necessary mitigation measures.

The Scheme shall be implemented and carried out in accordance with the approved details for the duration of the period of the 'working operations' and the restoration of the Site.

55. Foul water drainage shall be provided during the 'interim operations' and 'working operations' in accordance with the following requirements:

a) Within 12 months of the date of this permission, details of an Interim Foul Water Drainage Scheme ('the Interim Scheme') shall be submitted for the written approval of the Mineral Planning Authority.

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b) Prior to the commencement of the 'working operations', details of a Working Foul Water Drainage Scheme ('the Working Scheme') shall be submitted for the written approval of the Mineral Planning Authority.

Foul water drainage shall not be carried out on the Site other than in accordance with the approved Interim Scheme for the duration of 'interim operations' and in accordance with the approved Working Scheme for the duration of the 'working operations'.

56. Surface water drainage shall be provided during the 'interim operations' and 'working operations' in accordance with the following requirements:

a) Within 12 months of the date of this permission, details of an Interim Surface Water Drainage Scheme ('the Interim Scheme') shall be submitted for the written approval of the Mineral Planning Authority. The Interim Scheme shall include provisions for the surface water outfall from the access road and also accord with the requirements of Condition 57.

b) Prior to the commencement of the 'working operations', details of a Working Surface Water Drainage Scheme ('the Working Scheme') shall be submitted for the written approval of the Mineral Planning Authority. The Working Scheme shall include provisions for the surface water outfall from the access road and also accord with the requirements of Conditions 54 and 57.

Surface water drainage shall not be carried out on the Site other than in accordance with the approved Interim Scheme for the duration of the 'interim operations' and in accordance with the approved Working Scheme for the duration of the 'working operations'.

57. The development hereby permitted shall only be carried out in accordance with the measures set out within the Environmental Statement (Volume 1 – Appendix 6 (Section 4.6), and in the event that pumped water is to be discharged to the Hudford Brook, the rate of flow shall be limited through the use of attenuation ponds, and the works shall include appropriate land profiling, grips and seepage pits to manage surface water run-off, details of which should be provided in the Interim Working Strategy and Working Strategy required by Conditions 11 and 12.

Reasons (52 to 57): To prevent damage and pollution of the water environment, to prevent increase in waters exiting the Site and to prevent flooding and degradation of water quality (on and off the Site), in accordance with the Staffordshire and Stoke-on-Trent Minerals Local Plan saved policy 12; and, the National Planning Policy Framework (sections 10, 11 and 13). See Informative 1.

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Final Restoration and Aftercare

58. The Site shall be restored in accordance with the Restoration Strategy described in the Environmental Statement (Volume 1 – Appendix 9 - sections 3 to 7 inclusive) and as shown on the "Restoration Plan" (dwg no. ST10772/07) in order to bring the land to the required standard for nature conservation.

59. Prior to the commencement of 'working operations', a Revised Restoration Strategy ('the Revised Strategy') shall be submitted for the written approval of the Mineral Planning Authority. The Revised Strategy shall review and where necessary update the approved Restoration Strategy (ref. Condition 58).

In carrying out the review account shall be taken of the approved Interim Restoration and Advanced Landscaping Scheme required by Condition 16, the approved 'Working Strategy' required by Condition 12, and the latest restoration techniques and best practice advice.

The Revised Strategy shall include but not be limited to the following:

a) A review of the approved restoration objectives including:

i) the phasing of the restoration of the Site;

ii) the establishment of calcareous grassland;

iii) the establishment of woodland areas;

iv) the treatment of the quarry benches;

v) the retention of varied profiles of rock exposures.

b) A review of the landscaping that has taken place and the landscaping that is due to be carried out;

c) The provisions for biodiversity and geodiversity;

d) The provisions for the future management of the Site.

60. Within 12 months of the approval of the 'Revised Restoration Strategy' required by Condition 59, a detailed Revised Restoration and Aftercare Scheme for the Site shall be submitted for the written approval of the Mineral Planning Authority ('the Revised Scheme'). The Revised Scheme, which shall generally accord with the latest approved Restoration Strategy, shall provide details of the restoration and 5 year aftercare of the Site.

The Revised Scheme shall include but not be limited to the following:

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a) The details of the phased restoration and aftercare programme;

b) The soil management (ref. Conditions 16 (b) and 36 to 40);

c) The use of fertilisers;

d) The management of weeds and invasive species;

e) The creation and aftercare of grassland areas;

f) The creation and aftercare of woodland areas in order to achieve an 85% survival rate at the end of the aftercare period;

g) The creation and aftercare of water areas and the arrangements for the drainage of the Site,

h) The creation and aftercare of habitats;

i) The creation and aftercare geodiversity features;

j) The enclosure of restored areas including fencing and the maintenance thereof;

k) Public access to restored areas including the reinstatement of diverted footpaths;

l) The provision for annual meetings and annual reports describing the previous year's aftercare measures, including comments on the successes and failures and plans for the next year's aftercare;

m) The programme of implementation.

The Revised Scheme shall be carried out in full accordance with the approved programme of implementation (m) following written notification to the Mineral Planning Authority of the completion of the restoration in each phase of the development. In the event that the Restoration Strategy and detailed Restoration and Aftercare Scheme required by Conditions 59 and 60 are revised following the regular review in accordance with the terms of the Section 106 Legal Agreement, then no later than 6 months after the approval of the revised Restoration Strategy, a revised detailed Restoration and Aftercare Scheme, taking into account the approved revisions, shall be submitted for the written approval of the Minerals Planning Authority.

Reasons (58 to 60): To secure the restoration and aftercare of the Site to high environmental standards, at the earliest opportunity, in accordance with the Staffordshire

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and Stoke-on-Trent Minerals Local Plan saved policies 10, 12, 21, 22 and 54; the National Planning Policy Framework (sections 11 and 13); and, the accompanying Technical Guidance. Also to comply with the requirements of Schedule 5 of the Town and Country Planning Act 1990 which requires that every permission for the winning and working of minerals shall have a 'restoration condition' as to steps necessary to bring the land back to the required standard and shall have an 'aftercare condition' as to steps necessary over a 5 year period to bring the land back to the required standard.

Note: There are separate requirements to review the approved Restoration Strategy in the Section 106 Legal Agreement.

Knowledge of the Conditions

61. The terms of this planning permission and any documents subsequently approved in accordance with this planning permission shall be made known to any person(s) given responsibility for the management or control of the activities/operations on the Site.

Reason: To encourage compliance with the requirements of the planning permission.

Record Keeping

62. The following records shall be kept and provided to the Mineral Planning Authority within 5 working days of a request being made. In making a request, the Mineral Planning Authority shall specify the dates between which the following records shall be provided:

a) the total quantity of minerals leaving the Site per day (ref. Condition 18);

b) the total number of HCV movements in and out of the Site per day (ref. Condition 28);

c) the operating dates and times of the roadstone coating plant (ref. Conditions 23 and 24);

d) blast monitoring data (ref. Condition 50);

e) groundwater monitoring data (ref. Condition 54);

f) noise monitoring data (ref. Conditions 41 and 42); and,

g) the current maximum depth of working (ref. Condition 19).

Reason: To encourage compliance with the requirements of the planning permission and to assist with the monitoring of the planning permission.

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INFORMATIVES:

1. Environment Agency

Flood Risk: The discharge of water from the Site to an existing watercourse (controlled waters), will require a Discharge Consent from the Environment Agency. The operator should contact the Environment Agency's Permitting Team on 08708 506 506 for more information.

Biodiversity: the proposed restoration water body has the potential to be used as a native white-clawed crayfish arc site. The water body should therefore be designed with this in mind. Discussion is advised with Karen-Shelley Jones (ecologist) at the Peak National Park on 01629 816269.

2. Highways Authority

Access: the improvements to the access to accommodate the traffic during the working operations should be carried out in accordance with "Y2 conditions" as recommended by the Highways Authority.

Public Right of Way: the diversion of any public right of way would require approval under Section 257 of the Town and Country Planning Act 1990.

Acoustic wall/fence: no part of the acoustic wall/fence or its foundations, fixtures and fittings should project forward of the highway boundary.

3. Staffordshire County Council's Environmental Advice Team

Prior to submission of the Interim Restoration and Advanced Landscaping Scheme (ref. Condition 16) you are advised to contact Staffordshire County Council's Environmental Advice Team to continue the discussions that have already taken place.

4. Soil handling and storage

Prior to submission of the soil management details (Condition 16 (b)) you are advised to take into account the Good Practice Guide for Handling Soils (MAFF, 2000) or the latest equivalent best practice advice.

5. Monitoring Visits - fees payable

Regulations that came into effect on 6 April 2006 provide for the payment of fees to Mineral and Waste Planning Authorities in England when they carry out monitoring visits to sites with mineral extraction and / or landfill permissions to help in ensuring that those permissions are monitored in accordance with good practice.

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For more information and contact details visit the Regulation page on the Staffordshire Planning web site at www.staffordshire.gov.uk/planning

This permission does not purport to convey any approval or consent which may be required under any enactment other than Section 57 of the Town and Country Planning Act, 1990.

Dated this 13th day of December 2013

[Electronic Copy: Signature Removed]

On behalf of the said Council

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Background to the decision

On 01 November 2011, the Planning Committee accepted the recommendation in a report to PERMIT the application for consolidation of permitted extraction and restoration conditions and schemes at Wardlow/Wredon Quarry Complex, Cauldon Lowe, Staffordshire, subject to the signing of a Section 106 Legal Agreement. The legal agreement was signed on 13 December 2013. For details refer to the Planning Committee report and minutes.

PART 4, ARTICLE 31(1)(cc): THE TOWN AND COUNTRY PLANNING (DEVELOPMENT MANAGEMENT PROCEDURE)(ENGLAND) ORDER 2010

Statement of the Positive and Proactive steps taken

In dealing with planning applications, the government require us to make a statement about how we have worked with the applicant in a positive and proactive manner based on seeking solutions to problems arising in relation to dealing with a planning application. [ref. The Town and Country Planning (Development Management Procedure) (England) (Amendment No. 2) Order 2012 – Part 4, Article 31(1)(cc)]

Staffordshire County Council endeavours to work positively and proactively in order to determine planning applications in an efficient and effective manner and in accordance with the presumption in favour of sustainable development, as described in the National Planning Policy Framework.

In this case we have worked in a positive and proactive manner with the applicant to resolve the following issues arising in handling the planning application and to update the earlier permissions to take account of:

- the potential for impacts upon the Peak National Park SAC. Negotiations were constructive in allowing appropriate planning conditions to be agreed.
- the non-operational status of the Site;
- the similarities with the applicant's adjoining Kevin Quarry site which is also non-operational and the new permission due to be issued there;
- the possibility that protected and priority species may enter or occupy the Site; and,
- the duration of the permission.

We have also updated the existing Section 106 Legal Agreement to take account of the new permission.

Consideration was given to the fact that the site had not operated for the extraction and export of mineral for some years and that the site would be unlikely to operate in the immediate future following the grant of planning permission. Conditions were therefore appropriate to ensure that interim works are carried out to secure benefits to the environment and local residents.

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PART 4, ARTICLE 31(1)(d) AND SCHEDULE 6:
THE TOWN AND COUNTRY PLANNING
(DEVELOPMENT MANAGEMENT PROCEDURE)(ENGLAND) ORDER 2010

Appeals to the Secretary of State

If you are aggrieved by the decision of your local planning authority to refuse permission for the proposed development or to grant it subject to conditions, then you can appeal to the Secretary of State under section 78 of the Town and Country Planning Act 1990.

If an enforcement notice is served relating to the same or substantially the same land and development as in your application and if you want to appeal against your local planning authority's decision on your application, then you must do so within:

- 28 days of the date of service of the enforcement notice, or,

- within 6 months of the date of this notice, whichever period expires earlier.

If you want to appeal against your local planning authority's decision then you must do so within 6 months of the date of this notice.*

Appeals must be made using a form which you can get from the Secretary of State at Temple Quay House, 2 The Square, Temple Quay, Bristol BS1 6PN (Tel: 0303 444 5000) or online at www.planningportal.gov.uk/pcs.

The Secretary of State can allow a longer period for giving notice of an appeal but will not normally be prepared to use this power unless there are special circumstances which excuse the delay in giving notice of appeal.

The Secretary of State need not consider an appeal if it seems to the Secretary of State that the local planning authority could not have granted planning permission for the proposed development or could not have granted it without the conditions they imposed, having regard to the statutory requirements, to the provisions of any development order and to any directions given under a development order.

Please note, only the applicant possesses the right of appeal.

Note: application documents and plans

Please note that we no longer return stamped approved copies of the submitted application documents and plans with the decision notice. Instead we will specify the approved documents and plans in the decision notice. We will also publish copies of the approved documents and plans on our Staffordshire Planning web site www.staffordshire.gov.uk/planning ('Applications Register').