

Application No.

SM.96/935

STAFFORDSHIRE COUNTY COUNCIL
TOWN AND COUNTRY PLANNING ACT 1990

PERMISSION FOR DEVELOPMENT

To: Hepworth Minerals and Chemicals Ltd
Brookside Hall
Sandbach
Cheshire

The Staffordshire County Council in pursuance of powers under the above-mentioned Act hereby permit:-

Extension and progressive restoration of Moneystone Quarry and associated matters at Moneystone Quarry, Whiston Eaves Lane, Whiston, Stoke-on-Trent.

in accordance with the accompanying plans, subject to the condition(s) specified hereunder:-

1. The development hereby permitted shall commence within 5 years of the date of this permission.

DEFINITION OF PERMISSION

2. This permission relates to the land within the area edged red on Drawing No. 001/P02/07/005 and approves the following matters:

- (i) extension of silica sand workings,
- (ii) scheme of progressive restoration of the whole site,
- (iii) highway and access improvements,
- (iv) amendment to existing definitive footpath network,
- (v) formal amendment of quarrying working hours,
- (vi) aftercare and management scheme,
- (vii) landscaping,

Dated this 22nd day of May 1998

.....
On behalf of the said Council

(viii) mobile crusher and conveyor,

(ix) working of existing permitted reserves.

3. The development hereby permitted shall not be carried out other than in conformity with the approved plans and documents, as amended by any conditions attached to this permission or by any subsequent approved amendment/permission.

4. The extraction of mineral from the extension area south of Whiston Eaves Lane hereby permitted shown hatched green on Drawing No. 001/P02/07/005 shall be completed within 13 years of commencement of development as notified to the Mineral Planning Authority under Condition 5 below.

5. The extraction of mineral within the extension areas shown hatched green on Drawing No. 001/P02/07/005 south of Whiston Eaves Lane hereby permitted shall not commence unless at least 14 days written notice has been given to the Mineral Planning Authority.

6. Within 12 months of the date of this permission details of the phasing and working programme and tailings disposal for the whole site shown edged red on Drawing No. 001/P02/07/005 shall be submitted for the written approval of the Mineral Planning Authority. The site shall then only be worked in accordance with the approved details.

SSSI

7. Within 6 months of the date of this permission the boundary of the Whiston Eaves Site of Special Scientific Interest and associated buffer zone shall be pegged out on site and recorded on a plan in accordance with details previously agreed in writing with the Mineral Planning Authority. The area shall remain pegged out for the duration of the permission hereby permitted.

8. No winning and working of silica sand, soil stripping, storage of materials or any other operations hereby permitted shall take place outside the yellow line shown on Plan SCC3.

9. Access to the buffer zone shown cross hatched on Plan SCC3 shall only be gained for the purposes of maintenance or in cases of emergency and only from locations previously agreed in writing with the Mineral Planning Authority.

10. The area delineated on Drawing No. 001/P02/07/005 shall remain unworked prior to a planning consent being issued for the relocation of the Listed Building.

11. No soils shall be stripped, removed, stored or replaced other than in accordance with the details contained within Sections 4.2 and 4.3 of the planning application, unless otherwise agreed in writing with the Mineral Planning Authority.

12. Sand stockpiled within the extraction areas shall not exceed 12 metres above original ground level.

13. Excavation of mineral shall be limited to 40 metres below original ground level to the south of Whiston Eaves Lane and 35 metres below original ground level to the north of Whiston Eaves Lane.

14. Excavated material from the north of Whiston Eaves Lane shall be transported direct to the existing works shown by Point Y on Drawing No. 001/P02/07/005 via the existing tunnel as shown by Point X.

HOURS OF WORKING

15. No operations/activities hereby permitted shall be carried out except between the following times:

- (a) The extraction of silica sand shall be restricted to 0700 to 1900 hours Monday to Friday and 0700 to 1300 hours on Saturday. No such operations shall take place on Sundays, Bank or Public Holidays.
- (b) The movement of HGV's to and from the quarry shall be restricted to 0530 to 2000 hours Monday to Saturday. No empty HGV's shall enter the site prior to 0530 Monday to Saturday. No HGV's shall enter or leave the site on Sundays, Bank or Public Holidays.
- (c) Except in the case of emergency no operations, other than mineral processing, water pumping, environmental monitoring, maintenance and testing of vehicles and plant shall be carried out except between the hours of 0600 to 2200 hours Monday to Saturday and between 0700 to 1300 hours on Sundays. No such operations shall take place on any Bank or Public Holiday unless otherwise agreed in writing with the Mineral Planning Authority.

ACCESS AND TRANSPORTATION

16. No other access in connection with the development hereby permitted shall be gained to the site except via the access onto Whiston Eaves Lane as shown by Point Z on Drawing No. 001/P02/07/005. Any alternative access to be used by the ripper and/or mobile plant shall not be utilised without the prior written approval of the Mineral Planning Authority.
17. No lorries carrying uncovered sand shall enter or leave the site unsheeted.
18. No operations other than tree/shrub planting and their maintenance, construction/repair of dry stone walls, soil stripping, environmental monitoring, maintenance of public rights of way, shall be carried out within 14 m. of any highway boundary, unless otherwise agreed in writing with the Mineral Planning Authority.
19. No development shall commence south of Whiston Eaves Lane until the public rights of way have been diverted and/or stopped up.
20. Within 3 months of the date of this permission a sign shall be erected in a location to be agreed with the Mineral Planning Authority instructing all HGV drivers to turn left out of the site.

ENVIRONMENTAL PROTECTION

DUST

21. Best practicable means shall be used to minimise the dust caused by the permitted operations and to prevent the emission of dust from the site. In particular the following measures shall be employed:
- (a) A water bowser with control sprayers shall be used as often as is necessary to suppress dust on all internal roads.
 - (b) In the event of a significant off-site dust occurrence, all relevant dust generating activities shall be suspended until appropriate remedial action has been taken.
 - (c) A road sweeper vehicle shall be used on all surfaced internal roads, as often as is necessary.
 - (d) All drop heights along the conveyor routes shall be minimised.

NOISE

22. Notwithstanding Condition 23 below no winning and working of silica sand shall be carried out which exceeds a freefield noise level of 55 dB(A) LAeq (1 Hour) measured at noise sensitive properties.

23. For a total period not exceeding 12 weeks in any one calendar year, and no more than 6 weeks at any one time the free field noise level attributable to site operations, in the vicinity of Cottage Farm shall, not exceed 60 dB(A) LAeq (1 hour) at the agreed noise monitoring points.

24. Prior to the commencement of the periods of increased noise levels as indicated in Condition 23 above, at least 7 days written notice shall be given to the Mineral Planning Authority of the commencement of the period of increased noise levels.

25. Prior to the commencement of operations as defined by Condition 5 above, a scheme for the monitoring of site attributable noise shall be submitted to and agreed in writing by the Mineral Planning Authority. Such a scheme shall include the following:

(i) location of noise monitoring points;

(ii) frequency of monitoring;

(iii) monitoring parameters and presentation of results;

(iv) a timescale for the dissemination of information to the Local Planning Authorities;

(v) the arrangements for an annual monitoring review meeting to discuss the previous year's results and any requirements for amendment to the approved scheme.

Monitoring of noise levels shall thereafter be carried out in accordance with the approved scheme and within 3 months of the date of the commencement of extraction of mineral as notified under Condition 5 above.

26. All vehicles, plant and machinery operated within the site shall be fitted with and use effective silencers.

BLASTING

27. No blasting shall be carried out without the prior written approval of the Mineral Planning Authority. Prior to the commencement of any blasting, details of the times and dates and proposed limits for blasting shall be agreed in writing with the Mineral Planning Authority. Notification arrangements for local residents of the agreed blasting time and dates shall be agreed in writing with the Mineral Planning Authority prior to the first blast.

28. Prior to the commencement of any blasting details of the times and dates and limits and monitoring regime for blasting shall be agreed in writing with the Mineral Planning Authority. The scheme shall include the following:

(i) location of blast monitoring points;

(ii) frequency of monitoring;

(iii) monitoring parameters and presentation of results;

(iv) a timetable for the dissemination of information to the Local Planning Authorities;

(v) the arrangements for an annual monitoring review meeting to discuss the previous year's results and any requirements for amendment to the approved scheme.

Monitoring of blasting shall thereafter be carried out in accordance with the approved scheme.

GROUNDWATER AND SURFACE WATER DRAINAGE PROTECTION

29. Twelve months before excavation is allowed to commence south of Whiston Eaves Lane a Water Management Plan (WMP) shall be submitted for the written approval of the Mineral Planning Authority. The WMP shall include stream flow data back to March 1996, groundwater levels back to March 1996 and at least 12 months water quality data. Monitoring of stream flows, groundwater levels and water quality shall continue for the duration of the permission and for at least 12 months after the cessation of pumping. In order to protect controlled waters the WMP shall include mitigation measures, details of which may need to be revised dependent on the results of continued monitoring.

30. Before development commences the applicant shall submit to the Mineral Planning Authority for approval, details of any foul or contaminated drainage from the site. The drainage shall be collected, treated and discharged in accordance with the approved details.

31. Prior to the commencement of extraction, details shall be submitted to the Mineral Planning Authority for approval of any facilities for the storage of oils, fuels, or chemicals, to be sited in the excavation area south of Whiston Eaves Lane. No facilities shall be stored on site unless in accordance with the approved details.

32. Nothing other than materials arising from the extraction, processing and/or subsequent disposal of materials from the site shall be deposited within the site. Such materials shall be disposed of in accordance with the approved working and restoration plans.

LANDSCAPING/BOUNDARY TREATMENT

33. Within 12 months of the date of this permission, details of existing and proposed boundary treatment (fences, walls, hedgerows) shall be submitted for the written approval of the Mineral Planning Authority. The approved details shall be implemented in accordance with an agreed programme of implementation. The works carried out on the existing and proposed boundary shall be retained and maintained for the duration of the permission hereby granted.

34. Within 12 months of the date of this permission details of the landscaping proposals contained with Section 10.4 of the Environmental Assessment shall be submitted for the written approval of the Mineral Planning Authority. The details shall include tree species/sizes, plant densities and spacing and timescale for implementation and replacement of failures. The scheme shall be implemented in accordance with the approved details.

RESTORATION AND AFTERCARE

35. Within 12 months of the date of this permission a detailed restoration and aftercare scheme for the whole site to bring the site into agriculture and nature conservation use shall be submitted to the Mineral Planning Authority for its' written approval. Such a scheme shall include details of:

- (a) proposed final contours, gradients and levels;
- (b) treatment and planting of batters and excavated benches;
- (c) tree planting, provision of hedgerows and/or stonewalls;
- (d) the phasing of restoration;
- (e) method of overburden replacement and treatment prior to replacement of soils;
- (g) weed control;

- (h) appropriate measures to minimise damage in the event of drought or fire;
- (i) drainage, including management techniques during the aftercare period for replacement of failures of individual trees, shrubs and plant species;
- (j) the arrangements for the collection and disposal of surface water arising from the restoration of the site including provision of a water retention facility;
- (k) the reinstatement and/or creation of public rights of way.
- (l) programme of implementation for the restoration, landscaping and aftercare works.
- (m) a programme for the progressive restoration of the whole site to the approved final contours within 2 years from the completion of working and for the management and aftercare of the restored site for a period of five years from the completion of its' restoration;
- (n) the cultivation and management of the site to achieve its' restoration;

The approved restoration and aftercare scheme shall be implemented in accordance with the approved plans and the programme of implementation approved in the scheme.

36. Within the extraction area south of Whiston Eaves Lane, 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 amending, replacing or re-enacting that order); no fixed plant or machinery, buildings, structures and erections, or private ways shall be erected, extended, installed or replaced at the site/quarry complex without the prior agreement in writing of the Mineral Planning Authority.

37. Restoration and aftercare shall only be carried out in accordance with the scheme approved under Condition 35.

38. This permission shall expire when the restoration and aftercare required by Condition 35 has been completed and complied with in accordance with the approved scheme as required by Condition 37.

39. Within 3 years of the cessation of quarrying or as otherwise agreed in writing with the Mineral Planning Authority all plant and buildings shall be removed from the site.

Reason(s):-

1. To comply with section 91 of the Town and Country Planning Act 1990.
No. 1
1. To define the permission. - Nos. 2, 3, 4, 5.
2. In the interests of the amenity of the locality. - Nos. 6, 11, 12, 13, 17, 19, 33, 34, 36.
3. To ensure protection of the SSSI. - Nos. 7,8,9.
4. To ensure protection of the listed building. - No. 10.
5. In the interests of highway safety. - Nos. 14, 16, 18, 20.
6. To protect the amenities of local residents. - Nos. 15, 21, 22, 23, 24, 25, 26, 27, 28.
7. To protect ground and surface water resources in the area. - No. 29

NOTES

(1) If the applicant is aggrieved by the decision of the local planning authority to refuse permission or approval for the proposed development, or to grant permission or approval subject to conditions, he/she may appeal to the Secretary of State for the Environment in accordance with Section 78 of the Town and Country Planning Act 1990 within six months of the date of this notice. (Appeals must be made on a form which is obtainable from the Planning Inspectorate, Tollgate House, Houlton Street, Bristol. BS2 9DJ) The Secretary of State has power to allow a longer period for the giving of a notice of appeal but he will not normally be prepared to exercise this power unless there are special circumstances which excuse the delay in giving notice of appeal. The Secretary of State is not required to entertain an appeal if it appears to him that permission for the proposed development could not have been granted by the local planning authority, or could not have been so granted otherwise then subject to the conditions imposed by them, having regard to the statutory requirements, to the provision of the development order, and to any directions given under the order.

(2) If permission to develop land is refused or granted subject to conditions, whether by the local planning authority or by the Secretary of State for the Environment, and the owner of the land claims that the land has become incapable of reasonably beneficial use in its existing state and cannot be rendered capable of reasonably beneficial use by the carrying out of any development which has been or would be permitted, he may serve on the Common Council, or on the Council of the county borough, London borough or county district in which the land is situated, as the case may be, a Purchase Notice requiring that council to purchase his interest in the land in accordance with the provisions of Part VI of the Town and Country Planning Act, 1990.

(3) In certain circumstances, a claim may be made against the local planning authority for compensation, where permission is refused or granted subject to conditions by the Secretary of State on appeal or on a reference of the application to him. The circumstances in which such compensation is payable are set out in Section 114 of the Town and Country Planning Act, 1990.

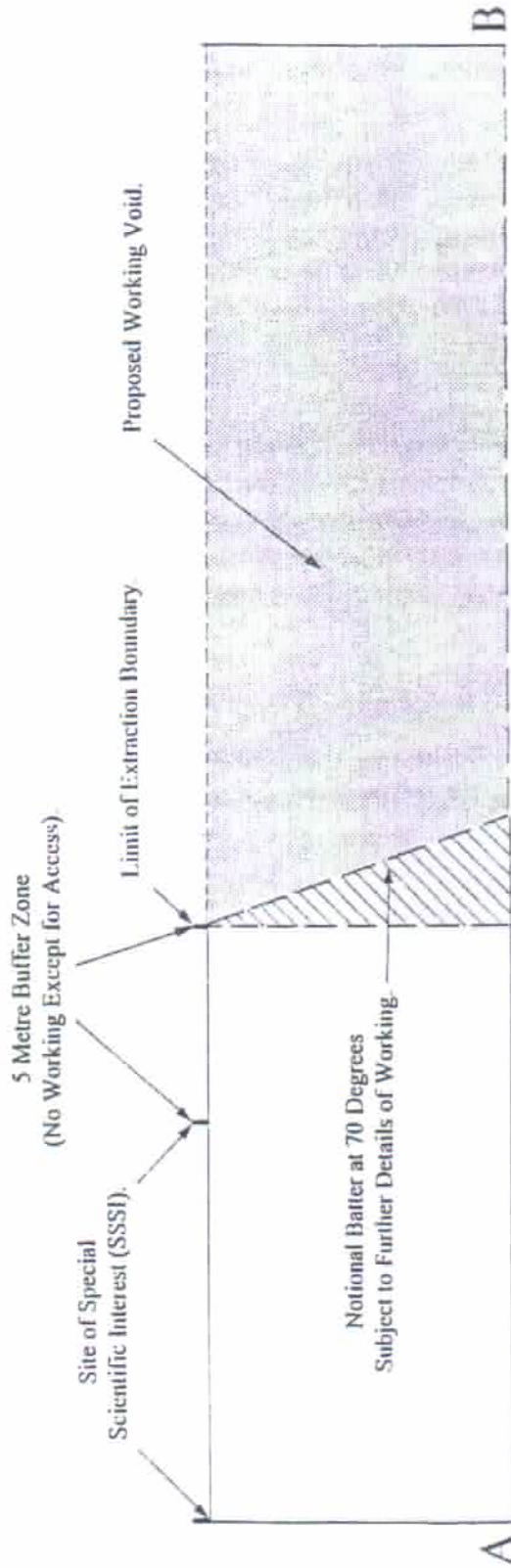
8. To protect groundwater quality in the area. - Nos. 30, 32.

9. To prevent pollution of the water environment. - No. 31.

10. To ensure that the site is satisfactorily restored. - Nos. 35,37,38,39.

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

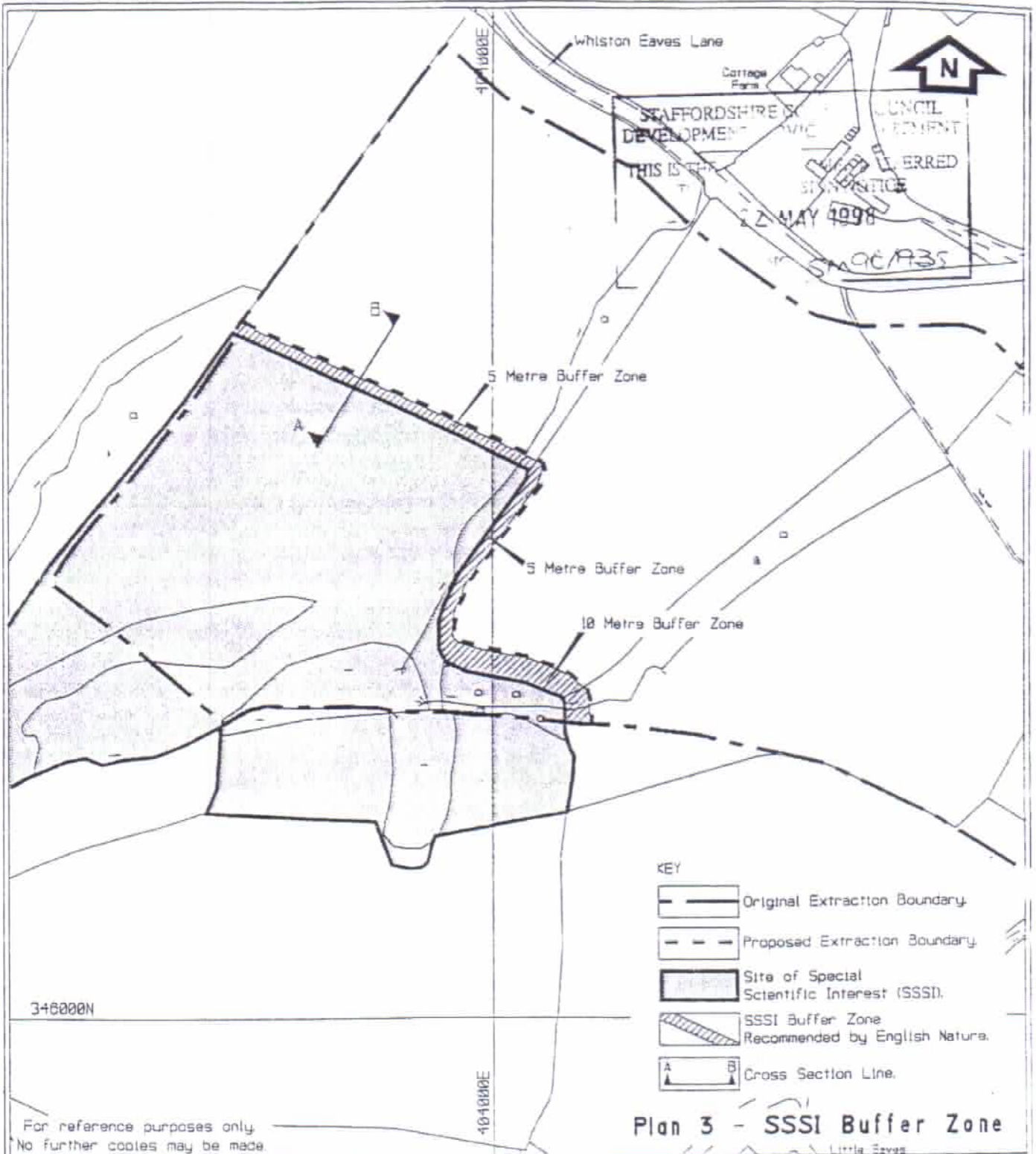
Hepworth Minerals and Chemicals Ltd, for extension and progressive restoration of Moneystone Quarry and associated matter, Moneystone Quarry, Whiston Eaves Lane near Stoke-on-Trent. (SM.96/935)



STAFFORDSHIRE COUNTY COUNCIL
DEVELOPMENT SERVICES
THIS IS THE PLAN TO WHICH THE CONDITIONS REFERRED TO IN THE SECTION NOTICE
DATE: 15/11/1998
APPROVED BY: SM 96/935

Plan 4 - Cross Section Through SSSI, Buffer Zone and Extraction Area.

Diagrammatic Only - Not to Scale.



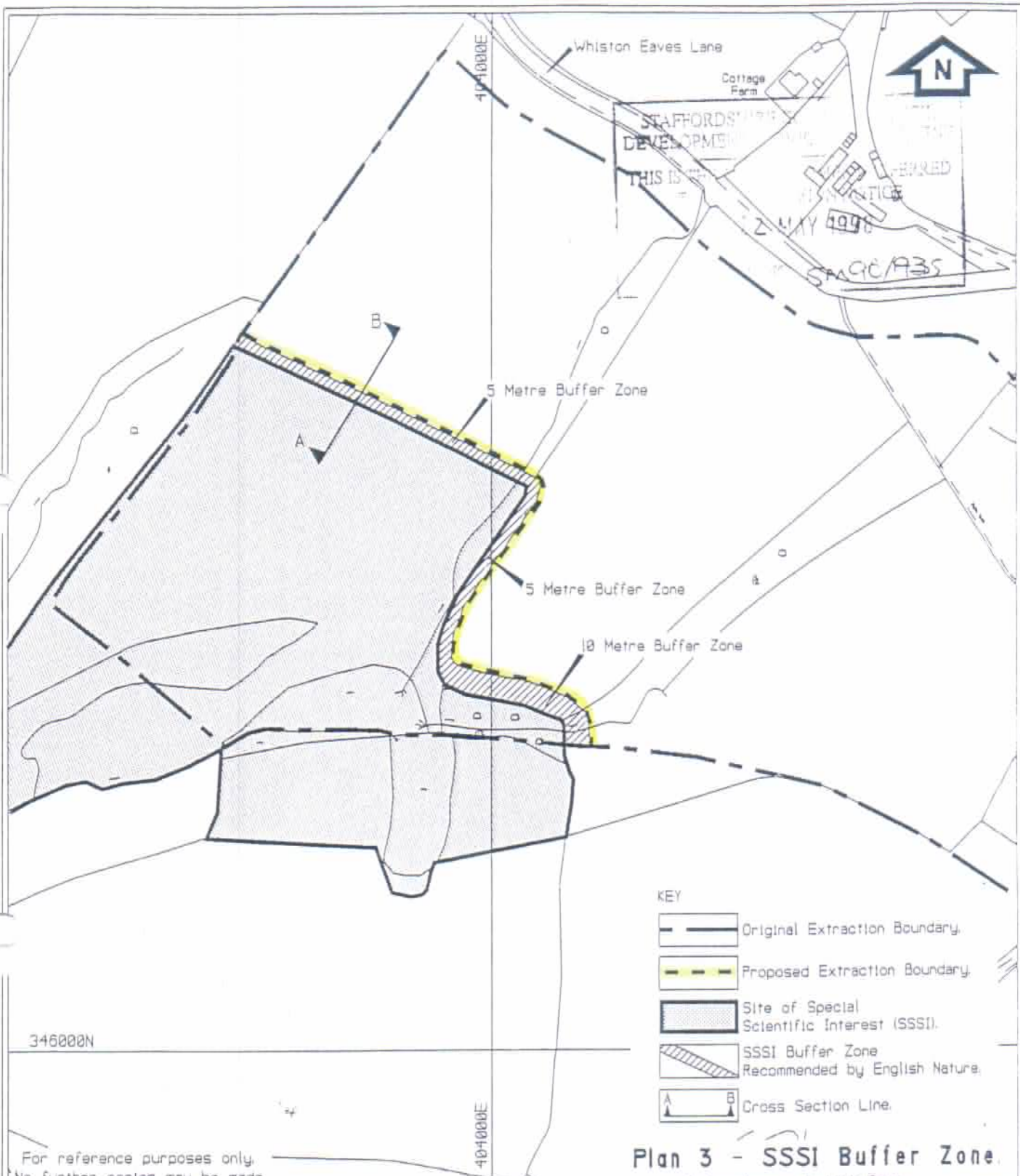
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Adrian L. Murray
Director of Development Services
Riverway, Staffs. S710 3TU
Telephone No. 01795 223121 Fax No. 01795 211279

Hepworth Minerals and Chemicals Ltd, for extension and progressive restoration of Moneystone Quarry and associated matter, Moneystone Quarry, Whiston Eaves Lane, Whiston near Stoke-on-Trent.



- KEY
- Original Extraction Boundary.
 - Proposed Extraction Boundary.
 - Site of Special Scientific Interest (SSSI).
 - SSSI Buffer Zone Recommended by English Nature.
 - Cross Section Line.

Plan 3 - SSSI Buffer Zone.

346000N

404000E

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Ardan L Murray
Director of Development Services
Riverside, Stafford, ST16 3TJ
Telephone No. 01785 223121 Fax No. 01785 211278

Hepworth Minerals and Chemicals Ltd, for extension and progressive restoration of Moneystone Quarry and associated matter, Moneystone Quarry, Whiston Eaves Lane, Whiston near Stoke-on-Trent.

Date	11/05/98	OS Grid	SK.041462	Scale	1:2500	File	SM.96/935
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