**Hampshire County Council**
**Director of Economy, Transport & Environment**

**Applicant: Hanson Quarry Products Europe limited**

**Variation of condition 1 & 2 of planning permission BDB/73552 to extend the end date for completion of the eastern extension development by 12 months at Welshman's Road, Mortimer West End, RG7 4QD (No. BDB/77347 )**

**(Received: 30 November 2012)**

**General**

Planning permission is sought to vary condition 1 & 2 of planning permission BDB/73552 to extend the end date for completion of the eastern extension development by 12 months at Welshman's Road, Mortimer West End

Planning permission for the eastern extension was originally granted on 19 April 2005 ( BDB/58692). This was varied on 3 August 2009 (BDB/ 70626) to allow mineral to be conveyed to the plant site using dumper trucks across Ramptons Lane rather than by the approved conveyor tunnel beneath it. This permission was then varied again under permission BDB/73552 allowing an extension of time intil 30 November 2012. The justification for the last extension of time was given that that extraction did not commence on the eastern extension area until 4 January 2007 because of the time it took to complete a section 278 agreement and build the conveyor tunnel beneath Ramptons Lane. This the applicant stated at the time had resulted in 250,000 tonnes of saleable produce remaining to be extracted.

The applicant states that the justification for this current application and request for an extension of time until 30 November 2013 is that, in November 2011 ( with around 76 months of mineral remaining) the processing plant broke down. Sales continued from the stockpiles but the quarry effectively ceased to operate. Contractors were appointed to repair the plant with view to operations commencing by March 2012. The contactors did not fulfil their contract which was terminted in July 2012. A new gearbox had to be ordered from the USA which was not expected to arrive until February 2013. The applicant erected a small mobile processing plant on the site and extraction recommenced on 19 September 2012.

As a result of the plant breaking down and the fact that around 50,000 tonnes of sand and gravel remain to be extracted, the applicant is applying to vary the end date for restoration for 12 months to the 30 November 2013.

**Development Plan**

DC1(Sustainable Minerals and Waste Development) ; DC3( Impact on Landscape and Townscape); DC6( Highways); DC8( Pollution, health, quality of life and amenity)

DC12 ( Restoration and Aftercare); DC15(Sand and Gravel)

**Consultations**

Councillor Chapman - raises no formal objection but adds that this has to be the last extension of time that should be permitted.
Mortimer West End Parish Council - no response received
Environmental Health Basingstoke - no response received
Basingstoke and Deane Borough Council – no objection
Environment Agency Southern - no objection
Highway Authority - no objection subject to existing conditions being carried forward.
Newbury Town Council – no response received
West Berkshire District Council - no objection

**Representations**

A local resident has written in to state her ' disapproval' to the application on basis that the countryside has been destroyed including walks and animal habitats and this applicant along with others in the area , do not make good 'their mess'. No reasonable explanation given for the extension of time..

**Commentary**

This principle of this application is considered to be in accordance with policy in that it seeks to extend the period of an existing quarry for a period of two years for justifiable reasons to ensure it's restoration .. The County Council is not aware that the development has caused any complaints relating to environmental matters over the last 12 months.

It is noted the Highway Authority and the Borough Council raise no objections to the application.

The current application assessed by way of this report enables the quarrying and restoration of the existing Mortimer quarry eastern extension to continue. On the basis that it is unlikely to cause any significant environmental impact it is considered that on balance, permission should be granted subject to conditions.

**Recommendation**

That permission be granted subject to following reason for approval and conditions:

**Reasons for Approval**

1. It is considered that this mineral (DC15) extension of time proposal would be in accordance with the development plan (summary attached), Policy DC6 (Highways) as it would be acceptable in terms of highway safety and convenience. It would not materially harm the character of the area DC3 (Impact on Landscape and Townscape).or the amenity of local residents (DC8) and will be restored to a beneficial afteruse (DC12).

**Conditions**

**Time Limit**

1. The use of Ramptons Lane crossing point by vehicles hereby permitted shall cease on or before 30 November 2013. The crossing shall be restored in accordance with the requirements as approved under Condition 7 within a period of three months, or such a longer period as the Mineral Planning Authority may approve in writing.

   Reason: To minimise the duration of disturbance from the operations.

2. The extraction of sand and gravel shall cease and the site be restored in accordance with condition (21) by 30 November 2013, unless otherwise agreed in writing by the Mineral Planning Authority.

   Reason: To secure the satisfactory restoration of the site.

**Restriction of Permitted Development Rights**

3. Notwithstanding the provisions of Parts 4, 8 and 25 Schedule 2 of the Town and Country Planning (General Permitted Development) Order 1995 (or any order revoking and re-enacting that order):

   (i) fixed plant or machinery, buildings, structures and erections or private ways shall not be erected, extended, installed or replaced at the site without the prior agreement of the Waste Planning Authority in writing;

   (ii) no telecommunications antenna shall be installed or erected without the prior agreement of the Waste Planning Authority in writing.

   Reason: To protect the amenities of the area.

4. No materials from sources outside the site shall be imported for backfilling, storage, distribution, processing or for use in the plant unless previously agreed in writing by the Mineral Planning Authority.

   Reason: To minimise lorry traffic generation and duration of disturbance from the operations at the site.

**Highways**

5. Unless otherwise agreed in writing by the Mineral Planning Authority no heavy goods vehicles or plant or machinery shall use the road crossing as detailed on Plan B156r/70,

except between the following hours: 0700-1600 Monday to Friday. There shall be no use on Saturday, Sundays or recognised public holidays.

Reason: In the interests of local amenity.

6. The development hereby permitted shall not commence until such time as the temporary traffic signals have been installed at the crossing point on Ramptons Lane to the written satisfaction of the Highway Authority.

Reason: In the interests of highway safety.

7. Prior to commencement of operations pursuant to this permission, repairs to the highway at the road crossing point on Ramptons Lane shall be carried out by, and at the expense of, the applicant to a standard agreed by the Mineral Planning Authority in writing.

Reason: In the interests of highway safety.

8. The use of the crossing at Ramptons Lane and underground conveyor as approved under BDB/58692 shall be continued, with the exception that sand and gravel may be transported by vehicles over the Ramptons Lane crossing point (as detailed on Plan B156r/70) in the event that the clay content of the deposit renders it unsuitable for transportation by conveyor.

Reason: In the interest of highway safety.

9. There shall be no access to the extension site other than the crossing of Ramptons Lane as approved under Condition 8 above.

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

10. The highway surface of the crossing at Ramptons Lane shall be maintained to the standard as agreed under Condition 7, for the duration of the operations hereby permitted. Any repairs needed shall be by, and at the expense of the applicant.

Reason: In the interests of highway safety.

11. Sight lines of at least 4.5 metres by 210 metres shall be maintained for the duration of the development.

Reason: In the interest of highway safety.

12. The first 30 metres of hard surfacing on the haul road (measured from the highway), and the approved wheel cleaning facilities shall be maintained for the duration of the site's operation. No lorry shall leave the site unless its wheels have been cleaned sufficiently to prevent mud being carried onto the highway. Any mud deposited shall be removed and the highway cleaned by the end of each working day.

Reason: In the interest of highway safety.

13. No lorries shall turn left out of the site or turn right into the site.

Reason: In the interest of local amenity.

**Landscape**

14. Any retained trees or shrubs which, die, are removed or become seriously damaged or diseased shall be replaced in the next planting season with others of similar size and species.

Reason: In the interests of visual amenity.

15. The trees and hedges on site which are to be retained shall be protected by fencing during site preparation, extraction and restoration.

Reason: In the interest of visual amenity.

**Hours of Working**

16. Unless otherwise agreed in writing by the Mineral Planning Authority, no operation authorised by this permission shall be carried out and no plant or machinery shall be operated except between the following hours: 0700-1900 Monday to Friday; 0800-1300 Saturday. There shall be no working on Sundays or recognised public holidays.

Reason: In the interests of local amenity.

**Noise and Dust**

17. Noise from operations on the site, including extraction, restoration, processing and haulage, but excluding soil stripping and perimeter bund construction, shall not exceed 55dBLaeq (one hour)(freefield) at any noise sensitive premises. Noise from soil stripping and perimeter bund construction shall not exceed 60dBLaeq (one hour)(freefield) at any noise sensitive premises.

Reason: To minimise noise disturbance for local residents.

18. Dust suppression measures shall be taken at the site. These measures shall include use of vertically directed exhausts, 3 metre high internal perimeter bunds, water bowser available to dampen down the haul roads, speed limit within extension area and use of a 360 excavator to load dump trucks.

Reason: In the interest of local amenity.

**Protection of Water Environment**

19. No solid matter shall be deposited so that it passes or is likely to pass into any watercourse.

Reason: To prevent pollution of the water environment.

20. Any facilities for the storage of oils, fuels or chemicals shall be sited on impervious bases and surrounded by impervious bund walls. The bund capacity shall give 110% of the total volume for single and hydraulically linked tanks. If there is multiple tankage, the bund capacity shall be 110% of the largest tank or 25% of the total capacity of all tanks, whichever is the greatest. All filling points, vents, gauges and sight glasses and overflow pipes shall be located within the bund. There shall be no outlet connecting the bund to any drain, sewer or watercourse or discharging onto the ground. Associated pipework shall be located above ground where possible and protected from accidental damage.

Reason: To prevent pollution of the water environment.

**Restoration**

21. The site shall be restored to woodland and heathland in accordance with the details shown on approved Drawing No: B156/TAL/2/Rev.a.

Reason: To ensure satisfactory restoration.

22. All topsoil and overburden stripped from the areas to be excavated shall be removed and stored separately before operations commence for use in site restoration. Topsoil shall only be handled when dry and friable. Following tipping and during restoration, overburden shall be replaced and graded in accordance with the final levels hereby approved, and ripped using a winged tine subsoiler. The overburden shall in turn be covered with the topsoil in original sequence and to even depths.

Reason: To ensure the satisfactory restoration of the land to agriculture.

23. No later than 12 months from the cessation of all extraction or such other date as the Mineral Planning Authority may agree in writing that they are no longer required, whichever is the sooner, all plant and machinery, buildings, foundations, hardstandings and access roads no longer required for future use of the site shall be removed.

Reason: In the interests of the amenities of the area.

**After-Care**

24. After-care of the site shall take place for a period of five years in accordance with the approved scheme, as submitted under BDB/58692, beginning when restoration is completed in accordance with condition (21) above.

Reason: To ensure the satisfactory restoration of the site.

**Advice Notes to applicant**

1. This decision does not purport or convey any approval or consent which may be required under the Building Regulations or any other Acts, including Byelaws, orders or Regulations made under such acts.

2. In determining this planning application, the Mineral/Waste/Local Planning Authority has worked with the applicant in a positive and proactive manner based on seeking solutions to problems arising in relation to dealing with the planning application by liaising with consultees, respondents and the applicant/agent and discussing changes to the proposal where considered appropriate or necessary. This approach has been taken positively and proactively in accordance with the requirement in the NPPF, as set out in the Town and Country Planning (Development Management Procedure) (England) (Amendment No.2) Order 2012.

**Case Officer** ……..
**Julia Davey**

**Date**……26/02/2013……

**Authorised on behalf of the Director of the Economy, Transport & Environment**

……P Chadwick……

**Date**……26/02/2012…….

# Annexe to Reasons for Conditions
# (as required by Article 31 of the Town and Country Planning (Development Management Procedure) (England) Order 2010)

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**Hampshire Minerals and Waste Core Strategy DPD 2007**

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**DC1 - Sustainable Minerals and Waste Development**
Minerals and waste developments will only be permitted if they meet the standards outlined in Policy S1 and, in appropriate circumstances, are designed and constructed to use water and energy efficiently.

**DC3 - Impact on Landscape and Townscape**
Minerals and waste development will only be permitted if due regard is given to the likely visual impact of the proposed development and its impact on, and the need to maintain and enhance, the distinctive character of the landscape or townscape. If necessary, additional design, landscaping, planting and screening, including planting in advance of the commencement of the development, should be proposed.

**DC6 – Highways**

Major mineral extractions, landfills and 'strategic' recycling, aggregate processing and recovery and treatment facilities, will be permitted provided they have a suitable access to and/or route to the minerals and waste lorry route as illustrated on the Key Diagram. In all cases, minerals and waste development will only be permitted if it pays due regard to the likely volume and nature of traffic that would be generated by the proposal and the suitability of the proposed access to the site and of the road network that would be affected. Consideration should be given to highway capacity, road and pedestrian safety, congestion and environmental impact, and whether any highway improvements are required and whether these could be carried out satisfactorily without causing unacceptable environmental impact.

**DC8 - Pollution, health, quality of life and amenity**

Minerals and waste development will only be permitted if due regard is given to the pollution and amenity impacts on the residents and users of the locality and there is unlikely to be an unacceptable impact on health and/or the quality of life of occupants of nearby dwellings and other sensitive properties. Where necessary minerals and waste developments should include mitigation measures, such as buffer zones between the site and such properties.

**DC12 - Restoration and Aftercare**
Mineral extraction, landfill and other appropriate developments will not be permitted unless there is satisfactory provision for the restoration of the site, within a reasonable timescale, for an after use consistent with the general planning objectives of the area.

The restoration and after care of sites should seek to meet two or more of the following planning objectives:
a. Improving public access to the countryside, including public access for disabled people and recreation;
b. Use for management of water resources and/or flooding management;
c. The improvement of biodiversity;
d. Use as back-up grazing;
e. Return to agriculture, forestry or other 'open' use recreational facilities.
*Proposals for mineral extraction and landfill must include provision for at least five years of aftercare following restoration of the site.*
*Restoration proposals for mineral workings in Aerodrome Safeguarding Zones should take account of the need for progressive working and restoration, to prevent open water bodies becoming bird roosts*

**DC15 - Sand and Gravel**
Sand and gravel extraction will be permitted, provided the site:
a. Is identified for sand and gravel extraction in the Hampshire Minerals Plan or pending its adoption, is within the Mineral Resource Area shown on the Key Diagram, or
b. The proposed development involves a small-scale extension to or deepening of an active sand and gravel extraction site, and
c. Hampshire's landbank indicates there is a need for sand and gravel which cannot reasonably be met from identified sites and locations and it can be shown that working such land would be equally acceptable to working within an identified site or location, and
d. Is not within or would not have an unacceptable impact upon the New Forest National Park, the proposed South Downs National Park or Areas of Outstanding Natural Beauty, and
e. The proposals include restoration opportunities for increasing biodiversity or access to public open space, or help to meet other planning objectives, and
f. Where necessary, proposals for landscaping and planting (prior to operation)are included, and
g. Is close to, and with good access to, the minerals and waste lorry route illustrated on the Key Diagram.

**S1 - Sustainable Design, Construction and Demolition**
New built development should facilitate the efficient use of resources through:
a. Designs and layouts that allow the effective sorting, recycling and composting of waste;
b. Design principles and construction methods that minimise primary aggregate use and encourage the use of high-quality building materials made from recycled and secondary sources;
c. Construction and demolition methods that minimise waste production and re-use/recycle materials, as far as practicable on-site**.**