

Local Member	
Mrs. V. Wilson	Kinver

Planning Committee 7 March 2019

Mineral County Matter

Application No (District): [SS.18/08/627 M](#) (South Staffordshire)

Applicant: JPE Holdings Limited

Description Application to vary conditions 3, 12 and 31 of planning permission [SS.15/13/627 M](#) relating to an extension of time for working operations and the import of restoration materials to 31 July 2019; and to amend the approved Restoration Concept Plan

Location: Seisdon Quarry, Ebstree Road, Seisdon (see Plan 1)

Date Received: 24 December 2018

Background/ Introduction

1. Seisdon Quarry has operated since the late 1940s (originally as three separate quarries) and was acquired by the applicant in 2014.
2. In July 2016, planning permission was granted for the continued winning and working of the remaining sand and gravel mineral reserve and import of restoration materials, enabling the restoration of Seisdon Quarry (ref: [SS.15/13/627 M](#)). This permission requires that working operations, including the export of mineral and the import of restoration materials, should cease no later than 31 December 2018, with final restoration being achieved by 31 December 2019.
3. On 4 October 2018, the Planning Committee, when considering an application for a non-material amendment relating to condition 11 of planning permission [SS.15/13/627 M](#) and a progress report relating to restoration of the quarry, resolved to advise the quarry operator amongst other matters, that any changes to the approved Restoration and Aftercare Scheme would not be looked on favourably if those changes would prolong mineral extraction or the restoration of the site (ref. [4 October 2018 Planning Committee agenda](#) (item15)).

Summary of Proposals

4. It is proposed that the following conditions attached to the current permission [SS.15/13/627 M](#), be varied:
 - Condition 3 – to extend the timescale for working operations which would allow the export of sand and gravel from the quarry and the import of waste materials for restoration purposes to continue until 31st July 2019;

- Condition 12 – to allow for up to 35,000 tonnes of soils and clays to be brought into the quarry for restoration purposes in addition to the 200,000 tonnes already permitted up to 31 December 2018;
- Condition 31 – to amend the approved restoration plan for the quarry to address matters that were considered in relation to the approval of the fourth progress report (ref. [4 October 2018 Planning Committee agenda](#) (item15) - paragraph 32 of the report relating to submission ref. [SS.15/13/627 M D5](#)).

Extending the time for extraction, export of mineral and import of restoration materials

5. The proposals are to continue to extract and export the remaining 100,000 tonnes of sand and gravel, as assessed at the beginning of this year. The proposal does not extend the final restoration date which is 31 December 2019.
6. The remaining mineral is to be extracted from that part of the quarry to the north of the lake and south of the existing mineral processing area which is less than 3 hectares of the quarry comprising of 41 hectares (refer to Phase 1a on the “Updated illustrative mineral working and remediation plan – January 2019” (see Plan 2)). The excavations would be worked dry and involve the formation of slopes towards the lake as part of ongoing restoration works in the area shown on the photograph below.



7. Plant within the mineral processing area is currently being decommissioned to allow regrading of this area to achieve restoration levels. Future mineral and soils processing would be undertaken using other mobile and temporary plant.
8. In relation to the continued export and import of materials, the applicant has since the beginning of this year directed HGV drivers to avoid Seisdon village. The applicant has installed a sign to advise drivers to turn right when leaving the quarry and instructions have been issued to drivers.

Amendments to the Restoration Plan

9. Amendments are sought to the approved restoration landform to allow the following changes (see Plan 3):
 - To retain higher levels of backfill used to restore the former lagoon area in the southern part of the quarry;
 - To retain an extended northern lakeshore boundary; and,
 - To form steeper slopes to the north of the extended lakeshore (1 in 4 average).
10. Details of the extent of changes to the habitats to be created are listed on the revised restoration plan. It is suggested by the applicant that the revised plan is generally in line with the currently approved plan with the predominant land use remaining agricultural and including lowland acid grassland, woodland, hedgerows, the lake and reed beds.
11. Provision is also sought for a maximum of 35,000 tonnes of material to be imported to the quarry for restoration purposes in addition to the 200,000 tonnes already brought on to site. The applicant indicates a potential need for additional soil making material suitable for proposed habitats and clays that would be used for slope engineering.
12. The following key documents accompany the application:
 - Planning Statement
 - Revised restoration concept and land use plan (Dwg No CE-SD0609-DW09 C)

The Applicant's Case

13. Seisdon Quarry is currently the applicant's main source of sand products, noting the applicant is bringing forward a replacement facility at Shipley within eastern Shropshire, which benefits from a resolution from Shropshire Council to grant planning permission.
14. The proposal would provide for a more comprehensive recovery of the consented mineral resource and a continuity of mineral supply, whilst the new site at Shipley is prepared for the commencement of sand and gravel production.

[Note: On 25 September 2018, Shropshire Council approved a planning application for a new quarry on land off the Bridgnorth Road, Shipley subject to first completing a legal agreement (ref: [17/05303/MAW](#))].
15. The amount mineral remaining at Seisdon Quarry results from periods when the quarry has not operated at peak capacity and there has been adverse weather. Additional mineral production/ export beyond previously permitted quantities of reserves is not proposed.
16. In view of national policy which states that great weight should be given to the benefits of mineral extraction, the applicant refers to the benefit of the continued mineral supply in terms of jobs and supply of building materials to the local

construction market.

17. Overall, the proposal is temporary and short term and seeks to comply with restoration timescales. Existing environmental controls will be retained as well as a further undertaking that HGV drivers would be instructed to avoid Seisdon village.

Relevant Planning History

18. The relevant planning history is as follows:
- a) [SS.15/13/627 M](#) dated 28 July 2016 – planning permission to consolidate the previous planning permissions for Seisdon Quarry, allowing for the continued winning and working of the remaining sand and gravel mineral reserve and import of restoration materials, enabling the restoration of Seisdon Quarry by 31 December 2018. Note: Condition 3 of this permission requires that final restoration should be achieved by 31 December 2019. The planning permission is also subject a Section 106 legal agreement dated 28 July 2016 including obligations relating to vehicle routes, extended aftercare for the quarry when restored and contributions for highway maintenance.
 - b) [SS.15/13/627 M D1](#) dated 5 June 2017 - approved details in compliance with conditions 17 (Wheel Wash), 19 (Noise Monitoring), 20 (Dust Monitoring), 26 (Invasive Species Method Statement), 27, 28, 29 (Ecology Method Statement) and 32 (Restoration and Aftercare Scheme) related to planning permission SS.15/13/627 M.
 - c) [SS.15/13/627 M D2](#) dated 31 March 2017 - approved details in compliance with condition 33 of planning permission SS.15/13/627 M relating to a 6-monthly progress report (first review).
 - d) [SS.15/13/627 M D3](#) dated 28 September 2017 - approved details in compliance with condition 33 of planning permission SS.15/13/627 M relating to a 6-monthly progress report (second review).
 - e) [SS.15/13/627 M D4](#) dated 6 April 2018 - approved details in compliance with condition 33 of planning permission SS.15/13/627 M relating to a 6-monthly progress report (third review).
 - f) [SS.15/13/627 M D5](#) dated 10 October 2018 - approved details in compliance with condition 33 of planning permission SS.15/13/627 M relating to a 6-month progress report (fourth review).
 - g) [SS.15/13/627 M NMA1](#) dated 10 October 2018 - approved non-material amendment relating to condition 11 of planning permission SS.15/13/627 M.
 - h) [SS.15/13/627 M D6](#) received 31 January 2019 - the submission of details in compliance with condition 33 of planning permission SS.15/13/627 M relating to a 6-month progress report (fifth review). [Not yet determined].

Environmental Impact Assessment (EIA)

Screening Opinion: YES Environmental Statement: NO

19. As the proposed development falls within the applicable thresholds and criteria for screening for EIA development (ref. Schedules 1 and 2 to the [Town and Country Planning \(Environmental Impact Assessment\) Regulations 2017](#)), the County Council has issued a "Screening Opinion" which concluded that the proposed development is not EIA development and therefore the planning application need not be accompanied by an Environmental Statement (ref: [SCE.310/SS.18/08/627 M](#) dated 21 February 2019).

Findings of Consultations

Internal

20. The **Environmental Advice Unit (EAT)** – no objections subject to the submission of additional information to define shoreline contours suitable for habitat and testing of soils for those areas to be reinstated as acid grasslands and scrub habitats.
21. **Highways Development Control** (on behalf of the Highways Authority) – no objection subject to the same conditions being imposed (noting that a limit on lorry movements over a 12-month period would no longer be applicable) and a requirement for a further contribution of £5000 towards ongoing maintenance of the highway.

[Note: In the event that planning permission is granted the operator would be obligated to make a further payment of £5,000 (in addition to the £15,000 already paid) in accordance with the undertaking in the Section 106 legal agreement. The legal agreement requires that this money is used by the Council within 24 months of restoration of the quarry to mitigate the impact of HGV traffic on the highways in the vicinity of the quarry.]

22. The **Flood Risk Management Team** (on behalf of the Lead Local Flood Authority) – no objection.
23. The **Planning Regulation Team** – confirmed that they sought legal advice with regard to taking formal enforcement action when operational activity at the quarry continued beyond 31 December 2018. The legal advice was that it would not be expedient to undertake formal enforcement action for continued operational activity until the planning application had been determined. The service of an enforcement notice requiring activity to cease would certainly be appealed and it may potentially be considered unreasonable by an appeal inspector for a planning authority to issue an enforcement notice whilst currently dealing with a valid planning application, arguably prejudging the outcome of the application. This situation will be reviewed when the outcome of the planning application is known.

External

24. **Environment Agency** – no objection subject to all the existing conditions that protect the quality or quantity of Controlled Waters being carried forward in to any new consent, these include conditions 21 to 23 (Ground and Surface Water Protection), and condition 10 (Depth of Extraction).
25. **Natural England** – no comment.
26. **Shropshire Council** – no objection.

27. **City of Wolverhampton Council** – no objection.
28. **South Staffordshire Council** – no response received.
29. **Trysull & Seisdon Parish Council** – objects on the following grounds:
- There is not enough material to extract at the quarry to warrant an extension to 31 July 2019 and question why a further extension of time has been requested when there has been no mention of this at the 6 monthly meetings and especially when a six-month extension was granted to run beyond 30 June 2018 to 31st December 2018.
 - With regard to the Restoration Scheme, the Parish Council are concerned to note that JPE are proposing to import additional material to the site and the Parish Council state that surely any lack of material should have been realised well before this very late date.
 - Very large lorries are travelling through Seisdon and Trysull causing serious damage to highways and verges with mud being deposited on the highway causing a danger to motorists. Residents face danger every day when they walk and drive along the country lanes of Seisdon and encounter these lorries. The Parish Council receive many complaints about JPE drivers who have no regard for other motorists and residents.
 - Many conditions of planning application SS/15/13/627M have been infringed upon by JPE and residents of Seisdon are suffering over and over again by these extensions of time for working operations, especially when there are no valid reasons for this application.
30. **Lower Penn Parish Council** – objects and reports that residents have endured noise, traffic inconvenience and nuisance, excessive mud on the road and damage to verges and roads. Furthermore, residents are extremely annoyed and concerned with the excessive speeding and dangerous manoeuvres of the operator's drivers and any extension of the quarry operations will be yet again placing local road users and residents at risk.

Publicity and Representations

31. Site notice: YES Press notice: YES
32. 155 neighbour notification letters were sent out and 103 representations have been received. The representations raised can be summarised as follows:
- Highway safety;
 - The number of HGV movements and breach of limits;
 - Damage to the highway and cost of repair;
 - Size of HGVs and capacity of local highway;
 - Mud and debris deposited on public highway and the impact on drainage;
 - HGVs continue to pass through village despite intention to divert lorries away from centre of village;

- Failure to regulate and enforce conditions as well as legal agreement e.g. requirement for highway contributions and deadlines for cessation of mineral extraction;
- Questionable justification for additional restoration materials.

The development plan policies and proposals relevant to this decision

33. Refer to [Appendix 1](#) for the development plan policies and proposals, and the other material planning considerations, relevant to this decision.

Observations

34. This is an application to vary conditions 3, 12 and 31 of planning permission SS.15/13/627 M relating to an extension of time for working operations and the import of restoration materials to 31 July 2019; and to amend the approved Restoration Concept Plan at Seisdon Quarry.
35. Having given careful consideration to the application and supporting information, the consultation responses and the representations received, the relevant development plan policies and the other material considerations, all referred to above, the key issues are considered to be:
- A review of the circumstances that have led to this application
 - Would the 7-month extension of time to complete mineral extraction have an unacceptable adverse impact on the local highway network?
 - Other matters raised in representations

A review of the circumstances that have led to this application

The restoration requirements

36. Condition 3 of permission SS.15/13/627 M currently requires that restoration works (i.e. creation of final landform and placement of soils) are completed by 31 December 2019. The reason for this condition is to secure the restoration of the quarry to a beneficial after use at the earliest opportunity which despite changes to planning policy since the grant of permission remains a requirement of national planning policy (refer to paragraph 205 (e) of the National Planning Policy Framework) and an aim of local minerals planning policy (refer to strategic objective 4 and policy 6 of the Minerals Local Plan).
37. The proposals submitted in 2015 sought to achieve a balance between working and restoration of the site within a reasonable timescale while enabling the operator the opportunity to extract sufficient mineral to finance the restoration works. To assure the local community on the restoration works, a requirement to regularly report on progress of the operations was imposed so that an alternative scheme could be adopted if progress was delayed (refer to conditions 33 and 34 of permission SS.15/13/627 M and Schedule 5 of the Section 106 legal agreement dated 28 July 2016).
38. Approved progress reports submitted in accordance with condition 33 of the permission have not indicated any delay in progress but in consideration of the fourth

progress report covering the period up to July 2018, it was indicated by the operator that amendments to the restoration plan were required to address the actual extent of the revised northern lake shore and the extent of backfilling on the former lagoon area within the southern part of the quarry. In approving this progress report, the Planning Committee resolved to advise the operator that “any changes to the approved Restoration and Aftercare Scheme will not be looked on favourably if they would prolong mineral extraction or the restoration of the site as such changes would be contrary to: condition 3 of the planning permission; the purpose of the progress reports (condition 33); and, the undertaking in the Section 106 legal agreement; which were all imposed to ensure that the restoration of the site is achieved within the permitted timescale” (refer to minutes of the Planning Committee meeting on [4 October 2018](#)).

39. Proposals to amend the restoration plan to address those matters raised in the fourth progress report are part of the application now under consideration. It is important to note, however, that the proposed amendments to the restoration plan would not prolong completion of restoration which is required by the end of this year and the changes to the restoration would not extend the period of mineral extraction. For example, the retention of the extended northern shoreline and the proposed steeper slopes above this shoreline would require less backfilling than would be associated with the formation of the current approved landform. Similarly, the retention of higher ground levels in the southern area of the quarry which have been created by backfilling operations would enable a quicker reinstatement than by removing surplus materials to other parts of the quarry.
40. Conclusion: In principle, the proposed amendments to the restoration plan are considered acceptable and provide for practicable and achievable proposals in accordance with policy 6 of the Minerals Local Plan and are compatible with the requirement of completing restoration of the quarry by the end of this year, although further details are required of the proposed shoreline as required by the County Ecologist.

Mineral extraction

41. The current permission and the approved restoration scheme is based on proposals to extract for sale an estimated 690,000 tonnes of sand and gravel between 1 July 2015 to 31 December 2018 (refer to paragraph 13 of the [report](#) to Planning Committee on 4 February 2016). Commercially confidential data provided with the progress reports submitted under condition 33 concerning the quantities of mineral exported as well as the amount of restoration material imported, confirms that of the original estimated total mineral reserve there are 150,000 tonnes remaining although the applicant quotes a figure of 100,000 tonnes. The applicant explains that full recovery of reserves over the permitted period has not been achieved due to a combination of commercial factors and adverse weather conditions. In response to Trysull & Seisdon Parish Council's concern, it is contended that sand and gravel reserves as previously approved to be exported are available to be extracted.
42. Residents object to the proposal on grounds that the applicant has previously assured the local community that the quarry would cease production and thereby lorry movements by the end of 2018. Notwithstanding, the current application must be considered in terms of its own planning merits. The proposed extension of time to extract mineral offers benefits in terms of being able to recover more of the permitted

reserves within the quarry and reduces mineral sterilisation. This would accord with national policy that endorses that great weight should be given to the benefits of mineral extraction including to the economy e.g. jobs and fulfilling a local need for construction aggregates, (refer to paragraph 205 of the NPPF); and policy 1 of the Minerals Local Plan that makes provision for sand and gravel initially from existing permitted reserves.

43. Importantly, the applicant has confirmed that the proposal to continue working operations to the end of July would not affect the completion date for restoration of the quarry i.e. 31 December 2019.
44. *Conclusion:* Having regard to the policies, guidance, application and supporting information, comments from consultees and representations received, all referred to above, it is reasonable to conclude that the proposals do not adversely affect the permitted timescale for completion of all restoration works and would enable greater recovery of permitted reserves while progressively reclaiming the quarry for beneficial after use generally in accordance with the approved restoration concept.

Would the 7-month extension of time to complete mineral extraction have an unacceptable adverse impact on the local highway network?

45. National planning policy states: "Development should only be prevented or refused on highways grounds if there would be an unacceptable impact on highway safety, or the residual cumulative impacts on the road network would be severe" (refer to paragraph 109 of the NPPF). Mineral planning authorities should also consider the cumulative effect of multiple impacts from individual sites (refer to paragraph 205 e) of the NPPF). Policy 4 of the Minerals Local Plan sets out how impacts including traffic on the highway network associated with mineral development proposals should be assessed with the aim of preventing or minimising impacts.
46. The Highways Authority has no objection to the application, subject to the imposition of the previous conditions and a further £5,000 contribution being paid towards the ongoing maintenance of the highway.
47. The Parish Councils and residents, however, object to the continuation of HGV traffic on the local highway network beyond the permitted timescale and refer to concerns about the adequacy of the local roads for HGVs, problems with driving standards, the fouling of roads with mud and dust, and damage caused to roads.
48. The highway objections were forwarded to the Highways Authority for consideration. In response to the current application, the Highways Authority confirmed that the highway situation remains comparable to the proposals considered in 2015/16 with no evidence to support a refusal on safety grounds.
49. One of the concerns raised by residents is the effect of managing HGV movements within the limits required by planning condition. The Planning Regulation Team have found breaches of those limits, but no formal enforcement action has been considered expedient in relation to these breaches. Currently, the applicant continues to export mineral from the quarry as well as import restoration materials and it is understood that the quarry now manages HGV movements on a pre-booking basis so that there is more effective control. An acknowledged issue relating to the

control on HGV movements from the quarry on Ebstree/ Langley Road is that other HGVs use the local roads e.g. to gain access to the landfill site opposite the quarry which operates without limits on HGV movements.

50. To mitigate the impact of quarry traffic, the applicant now voluntarily directs HGV drivers not arrive at or leave the site via Seisdon village. This is a voluntary measure that does not contravene the controls on vehicle routes imposed by the Section 106 legal agreement and is not a measure that is considered to be strictly necessary to mitigate the impact of the current proposals.
51. Recent complaints received about the ongoing HGV movements associated with the quarry have related to driver conduct including speeding wagons and encroachment on road verges. These are traffic regulation issues beyond planning control but the applicant has sought to investigate problems with drivers where there is sufficient evidence to do so. Another problem reported in objections relates to road fouling which in the winter months can be evident with mud and slurry on the highway surface. Planning conditions require vehicles to use wheel cleaning facilities prior to leaving the quarry; and the internal access road between the cleaning facility and the public highway is required to be kept free of mud and dust. The operator regularly brushes the quarry access road and the operator employs a road sweeper on a daily basis to sweep the public highway. In addition, HGVs are required to be sheeted prior to leaving the quarry so that loads are contained. In these circumstances, if it were the case that material from the site is deposited on the public road, the correct response would be through enforcement of the planning conditions or application of highway law (the Highways Act 1980 forbids the depositing on the highway of things that cause danger or injury) to remedy the problem.
52. In response to concerns raised about damage caused by HGVs to the public highway, it is relevant to note that the operator has already paid £15,000 towards the cost of highway maintenance in accordance with the requirements of the Section 106 Legal Agreement and if this application is permitted, a further payment of £5,000 would be required.

The potential traffic implications of the proposed import of restoration material

53. The original proposals estimated that 200,000 tonnes of restoration material would need to be imported to restore the site. Recently, the applicant has assessed that there is 50,000 tonnes of restoration material in stockpiles awaiting final placement across the quarry and that this material would be used for soils, backfill and track surfacing. Despite this, the applicant now seeks to import up to 35,000 tonnes for soil forming restoration material or clays to be used in the formation of slopes. The applicant proposes that this additional material is kept under review to account for any engineering requirements; and, to ensure that there is sufficient restoration material suitable for the proposed habitats (note comments of the County Ecologist earlier) as well as for agricultural restoration.
54. The quantity of material now required to be imported is proposed as a maximum amount and the applicant proposes that the need for imports would be kept under review to account for any engineering requirements (where clay type material would be needed as opposed to loose or sandy substrates) and to ensure that there is sufficient suitable restoration materials for the proposed habitat types. Any hardcore requirements for access and management routes would also be kept under review.

Unsuitable materials resulting from the processing of imported are allowed to be exported as recycled aggregate but the majority of imported materials should be used for the benefit of restoration works. It is considered that the allowance for imports is beneficial for restoration progress and it is recommended that condition 12 be varied to allow no more than 35,000 tonnes of material (as defined in the condition) to be brought on to the site for restoration purposes. The quantity of materials imported to the quarry should continue to be monitored.

55. *Conclusion:* Having regard to the policies, guidance, application and supporting information, comments from consultees and representations received, all referred to above, it is reasonable to conclude that, subject to the recommended condition to limit the further import of restoration material, the proposals would not give rise to an unacceptable adverse impact on the highway network. The proposed export of up to 100,000 tonnes of sand and gravel (average of 33 loads per day) and the import of no more than 35,000 tonnes of restoration material (average of 12 loads per day) can be accommodated within approved limits on HGV movements as defined by the current planning conditions i.e. a daily maximum of 110 movements and a weekly maximum of 550 movements.

Other matters raised in representations

Enforcement action

56. Concerns are raised about the failure of the applicant to conform with the requirements of the planning permission and associated legal agreement. In particular, objections refer to the failure of the applicant to cease mineral exports on 31 December 2018. In this matter, the Planning Regulation Team Manager has confirmed that legal advice was provided that it would not be expedient to undertake formal enforcement action for continued operational activity until the planning application has been determined. The situation would be reviewed when the outcome of the planning application is known.

Timing of the submission of the planning application

57. The timing of the submission of the planning application has been questioned taking into account the advice given by the Planning Committee in October 2018. At that time the applicant was advised that changes to the approved Restoration and Aftercare Scheme would not be looked on favourably if they would prolong mineral extraction or the restoration of the site. However, there is nothing to prevent the applicant making a planning application at any time and planning law requires that every case must be considered on its merits and be determined in accordance with the development plan, unless material considerations indicate otherwise. In this case, as explained earlier, the proposed extension of time to extract mineral would not delay the overall restoration of the site and the impact of the continuation of HGV movements for an additional 7 months is not considered to represent sufficient grounds to recommend refusal of the application.

Overall Conclusion

58. Overall, as an exercise of judgement, taking the relevant development plan policies as a whole and having given consideration to application, the supporting information, the consultation responses, the representations and the other material considerations, all referred to above, it is reasonable to conclude that the application

to vary conditions 3, 12 and 31 of planning permission SS.15/13/627 M relating to an extension of time for working operations and the import of restoration materials to 31 July 2019; and to amend the approved Restoration Concept Plan should be approved subject to the amended conditions recommended below.

Recommendation

Permit the application to vary conditions 3, 12 and 31 of planning permission SS.15/13/627 M relating to an extension of time for working operations and the import of restoration materials to 31 July 2019; and to amend the approved Restoration Concept Plan subject to the conditions of the current planning permission (SS.15/13/627 M) **updated as highlighted in bold** and additional conditions recommended below.

1. To define the permission in accordance with the approved documents, **plans** and details to include: **Revised restoration concept and land use plan (Dwg No CE-SD0609-DW 09 C)** as a replacement for Restoration Concept and Land Use Plan (Dwg No. CE-SD0609-DW09 Final Revision B dated 20 January 2016)
3. The 'working operations' and the 'import of restoration materials' shall cease no later than **31 July 2019**, hereafter referred to as 'the cessation date' and final restoration shall be completed no later than 31 December 2019 'the final restoration date' and thereafter subject to 5 years aftercare in accordance with the approved Restoration and Aftercare Scheme (Condition 32). Final restoration shall include placement of soils to the approved landform (ref. **Revised restoration concept and land use plan (Dwg No CE-SD0609-DW 09 C)**) and the removal of all buildings, structures, plant, machinery, equipment, security fencing, internal roads, roadways and hardstanding areas unless they are required in accordance with the approved Restoration and Aftercare Scheme (Conditions 31 to **33**).
8. The 'working operations' shall only be carried out as shown on the "Planning Statement Appendix A - Illustrative Mineral Working and Remediation Plan" (Dwg No. CE-SD0609-DW10) **unless otherwise approved in writing by the Mineral Planning Authority in connection with the latest approved Progress Report submitted in accordance with Condition 33.**
11. The 'working operations' and 'restoration operations' shall only be carried out in accordance with the phasing shown on the 'Planning Statement Appendix A - Outline restoration phases and timings' plan (Dwg No CE-SD0609-DW15b) **unless otherwise approved in writing by the Mineral Planning Authority in connection with the latest approved Progress Report submitted in accordance with Condition 33.**
12. The 'restoration material' **to be imported between 1 January 2019 to 31 July 2019** shall be **no more than 35,000** tonnes of inert and uncontaminated materials comprising soils, subsoils, clays and construction demolition wastes. There shall be no deposition of biodegradable, liquid, odorous or putrescible material including paper, cardboard, timber, plasterboard or related products nor any potentially polluting materials.
16. The number of HGV movements to and from the Site shall not exceed:

- a) A daily maximum of 110 movements (55 in and 55 out) Monday to Friday and 54 movements (27 in and 27 out) on Saturdays (but also subject to the limitations of (b) and (c) of this condition); and
- b) A weekly maximum of 550 movements (275 in and 275 out) Monday to Saturday (but also subject to the limitations of (a) and (c) of this condition).
- c) **Delete as this relates to a limit measured over a 12-month period.**

17. **The approved wheel cleaning facilities (refer to details approved 5 June 2017 ref: [SS.15/13/627 M D1](#)) shall be operated, and maintained** in place in full working order until such time as they are no longer required in accordance with the approved Restoration and Aftercare Scheme (Conditions 31 to 34). All vehicles leaving the Site shall use the wheel cleaning facilities as necessary to prevent the deposit of mud, dirt, dust or other deleterious material on the public highway.

19. **Refer to details approved 5 June 2017 ref: [SS.15/13/627 M D1](#).**

19. **Refer to details approved 5 June 2017 ref: [SS.15/13/627 M D1](#).**

26 – 29. **Refer to details approved 5 June 2017 ref: [SS.15/13/627 M D1](#).**

31. **Refer to Revised restoration concept and land use plan (Dwg No CE-SD0609-DW 09 C) as a replacement for Restoration Concept and Land Use Plan (Dwg No. CE-SD0609-DW09 Final Revision B dated 20 January 2016); and, in accordance with the timings shown on 'Planning Statement Appendix A - Outline restoration phases and timings (Dwg No CE-SD0609-DW15b)', hereafter referred to as the 'Restoration Concept', unless otherwise approved in writing by the Mineral Planning Authority in connection with the latest approved Progress Report submitted in accordance with Condition 33.**

34. **Delete as the review of the Restoration Scheme is no longer necessary.**

Additional recommended conditions

- a) To require the submission of details of the shoreline contours and habitat to be implemented as part of the approved restoration works.
- b) To require the testing of soils for those areas to be reinstated as acid grasslands and scrub habitats and for those results to be submitted to the Mineral Planning Authority so that only soils with the target chemistry are used for those areas.

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A list of background papers for this report is available on request and for public inspection at the offices of Staffordshire County Council, 1 Staffordshire Place, Stafford during normal office hours Monday to Thursday (8.30 am – 5.00 pm); Friday (8.30 am – 4.30 pm).

The development plan policies and proposals, and the other material planning considerations, relevant to this decision

[Staffordshire and Stoke on Trent Minerals Local Plan](#) (2015 - 2030)

(adopted 16 February 2017):

- Policy 1: Provision for Sand and Gravel
- Policy 3: Safeguarding Minerals of Local and National Importance and Important Infrastructure
- Policy 4: Minimising the impact of mineral development
- Policy 6: Restoration of Mineral Sites

A [partial review of the Minerals Local Plan for Staffordshire](#) to check conformity with the revised National Planning Policy Framework took place in February 2019. The review concluded the policies in the Minerals Local Plan conform with the revised NPPF and therefore continue to carry weight in the determination of planning applications for mineral development.

[Staffordshire and Stoke on Trent Joint Waste Local Plan](#) (2010 – 2026) (adopted 22 March 2013):

- Policy 1: Waste as a resource
 - Policy 1.1 General principles
 - Policy 1.3 Construction, demolition and excavation waste
 - Policy 1.6 Landfill or landraise
- Policy 4: Sustainable design and protection and improvement of environmental quality
 - Policy 4.1 Sustainable design
 - Policy 4.2 Protection of environmental quality

[The South Staffordshire Core Strategy](#) (adopted 11 December 2012):

- Core Policy 2: Protecting and Enhancing the Natural and Historic Environment
 - Policy EQ1: Protecting, Expanding and Enhancing Natural Assets
 - Policy EQ4: Protecting and Enhancing the Character and Appearance of the Landscape
- Core Policy 3: Sustainable Development and Climate Change
 - Policy EQ9: Protecting Residential Amenity
- Core Policy 4: Promoting High Quality Design
 - Policy EQ11: Wider Design Considerations
 - Policy EQ12: Landscaping

[South Staffordshire Site Allocations document](#) (SAD) (adopted on 11 September 2018)

Inset Plan 36 shows that the quarry is to the north of the Trysull conservation area.

The other material planning considerations

- [National Planning Policy Framework](#) (updated February 2019):
 - Section 2: Achieving sustainable development
 - Section 4: Decision-making
 - Section 9: Promoting sustainable transport
 - Section 13: Protecting Green Belt land
 - Section 15: Conserving and enhancing the natural environment;
 - Section 17: Facilitating the sustainable use of minerals

- [Planning Practice Guidance](#)
 - [Minerals](#)
 - [Natural environment](#)
 - [Use of planning conditions](#)

- [National Planning Policy for Waste](#) (published on 16 October 2014) and accompanying [Planning Practice Guidance on Waste](#).

[Return to the Observations section of the report.](#)