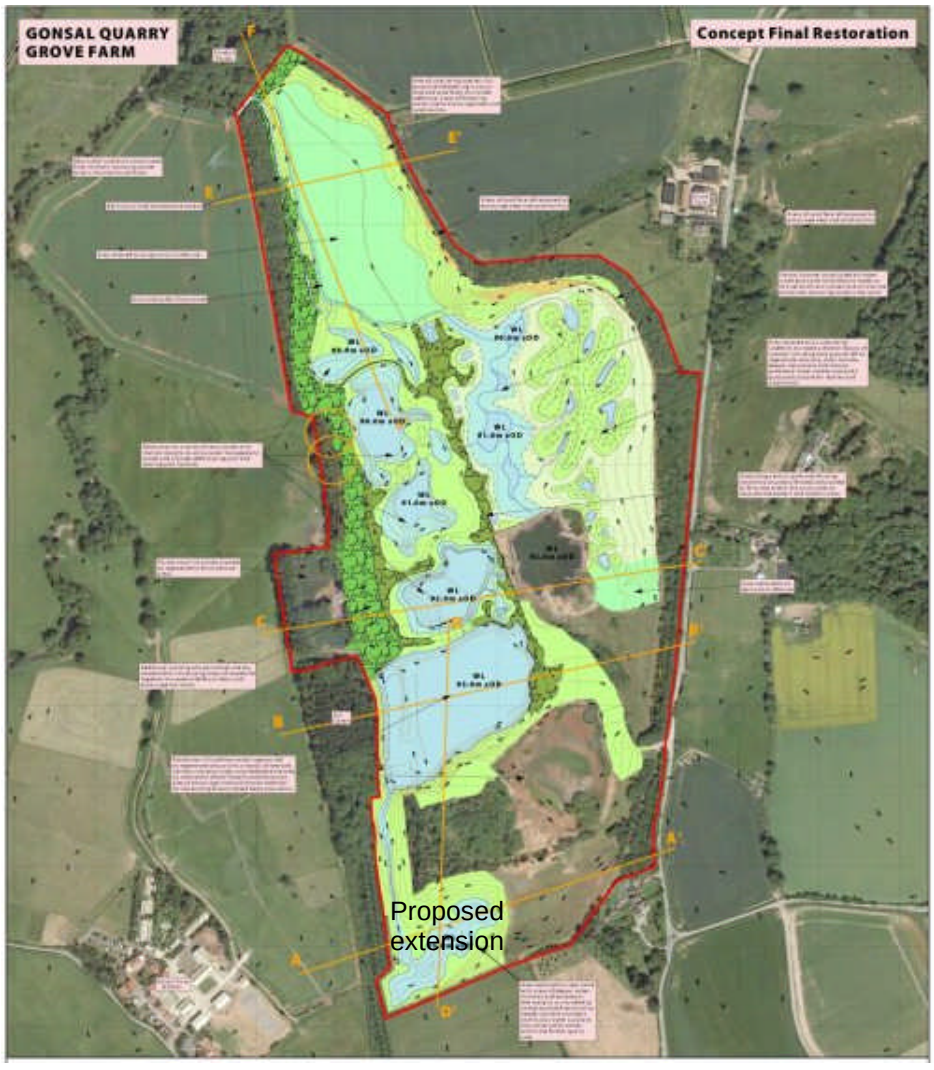
Committee and Date	Item
Central Planning Committee 17th July 2013	8 Public

Officer Appraisal Report

Summary of Application

Application Number: 13/00336/EIA	**Parish:**	Condover
Proposal: Phased extension to Gonsal Quarry and restoration for nature conservation benefits together with the retention of existing plant, silt lagoons and haul route		
Site Address: Shropshire Sand and Gravel, Gonsal Quarry, Condover		
Applicant: Shropshire Sand And Gravel		
Case Officer: Graham French	**email:** planningdmc@shropshire.gov.uk	

Recommendation: Grant Permission subject to the conditions and legal obligations set out in Appendix 1.



Statement of Compliance with Article 31 of the Town and Country Development Management Procedure Order 2012

The authority worked with the applicant in a positive and pro-active manner in order to seek solutions to problems arising in the processing of the planning application. This is in accordance with the advice of the Governments Chief Planning Officer to work with applicants in the context of the NPPF towards positive outcomes. The applicant sought and was provided with pre-application advice by the authority. Further information was subsequently provided by the applicant in response to the planning consultation process in relation to ecology, hydrology and public access. The submitted scheme, as supplemented by the further information, has allowed the identified planning issues raised by the proposals to be satisfactorily addressed, subject to the recommended planning conditions and legal obligation.

REPORT

1.0 THE PROPOSAL

1.1 The applicant Shropshire Sand & Gravel is proposing 1) an amendment to the approved restoration scheme for the existing quarry site to produce a mix of nature conservation wildlife habitats and 2) a small southerly extension to produce building sand for removal at a reduced rate under strict highway controls.

1.2 Amended restoration: The approved restoration scheme for Gonsal Quarry was designed in the mid 1990's and will create deep water bodies in the western part of the Site and low lying agricultural land in the east of the Site. The restoration scheme offers limited opportunities for bio-diversity enhancement and is therefore out of line with current Government Policy. Ecological surveys have confirmed the presence of a significant population of Great Crested Newts, a European protected species, in the worked out quarry areas. To implement the approved restoration scheme without revision would directly affect the habitat of the European species and would breach European and UK Law. Therefore, the Applicant has been liaising with ecological stakeholders to prepare a revised restoration 'masterplan' which maintains and enhances the ecological benefits of the Site. This includes a wider expanse of shallow water features and the retention of unworked areas of woodland within the existing consented area in the north west of the existing Quarry. Restoration works at the existing Quarry have been halted pending the outcome of this Planning Application.

1.3 Quarrying proposals: In general, concreting sand occurs in the northern part of Gonsal Quarry with plastering and building sand located in the southern part of the Quarry. In order to ensure the effective supply of a variety of building products to the local construction industry, it is proposed to work the remaining concreting sand reserves at Gonsal Quarry, comprising the margins of the existing access road (Phase A) and beneath the existing plant area (Phase C), in tandem with the building sand reserves in the extension area (Phase B). The proposals would involve the extraction of approximately 250,000 tonnes of additional sand, resources including 150,000 tonnes of extant reserves. Extraction and restoration within the existing Gonsal Quarry and proposed extension area would be undertaken in a phased manner over approximately 8-10 years with an extraction rate of approximately 50,000 tonnes per annum or 1000 tonnes per week. Historically, sand and gravel production levels from the Site have been approximately 150-200,000 tonnes per annum. Twelve full time jobs would be retained, together with a variety of sub-consultants i.e. hauliers, etc.

1.4 Plant Area: The proposals seek to relocate the existing sand processing facility, storage areas and building sand bagging area into a new processing and stocking area on the lower quarry floor to the east of the existing plant area. The existing sand processing plant will be dismantled and replaced with a mobile Linatex sand plant. The existing concreting sand bagging operations will be transferred to the Applicant's Bridgwalton Quarry Site near Bridgnorth.

1.5 Access / Traffic: HGV vehicles associated with the mineral operations currently travel through the villages of Condover or Dorrington to access the A49. The current proposals seek to retain the existing Site entrance and access arrangements during the life of this permission. However, the level of activity of the Site would be significantly reduced, compared to historic production levels, to an average of 2 HGV movements per hour.

1.6 Working hours: The Application Site would continue to operate in line with the same hours of operation as permitted at the extant quarry site, namely, 0700 to 1800 Monday to Friday and 0700 to 1300 Saturdays. There would be no workings on Sundays or Bank Holidays.

1.7 Environmental Statement: An Environmental Statement accompanies the application under Schedule 2 of the EIA Regulations. The applicant has also submitted further technical information in response to questions raised during the planning consultation process, in accordance with Regulation 22 (formerly Regulation 19) of the EIA Regulations. This includes supplementary reports on water supply, aftercare management and public access. These matters are considered in section 6 below.

2.0 SITE LOCATION / DESCRIPTION

2.1 The Application area includes the extant operational quarry (approx. 41ha) together with open land (2.6ha) to the south west of the existing quarry and under the control of the Applicant. Access to the quarry is gained via the Condover to Ruyton road. Extraction operations are nearing completion with the remainder of the unworked reserves on the Site, estimated to be in the order of 150,000 tonnes, located principally under the existing processing/bagging area and the site access road.

2.2 The nearest 2 properties to the proposed extension are located 150m to the east and are screened from the proposed extension by topography and vegetation. A property with distant views towards the extension is located 250m to the south and two further properties are located 270m to the south-south west.

3.0 REASON FOR COMMITTEE DETERMINATION OF APPLICATION

3.1 The proposals to extend Gonsal Quarry and amend the existing approved restoration scheme have been referred to the Committee by Councillor Barker.

4.0 COMMUNITY REPRESENTATIONS

Consultee Comments

4.1 Condover Parish Council – Objection. Condover Parish Council unanimously opposes the application on the following grounds:

1. The application did not meet SC Core Strategy policies as outlined in the LDF (March 2011) as the community gained no community benefits:

CS 5 Countryside and Greenbelt
CS 8 Facilities, Services and Infrastructure Provision
CS 16 Tourism, Culture and Leisure
CS 17 Environmental Networks (7.4)
CS 20 Strategic Planning for Minerals

Note: Informal access and permissive footpaths were not considered a community benefit.

2. The Concept Final Restoration did not comply with the Council's SAMDev submission as quoted below:
'The PC expects subsequent landscaping to include new public footpaths and a new bridle way providing local residents with full public rights of way cross the quarry site (note the PC are not looking for any form of closed nature reserve or permissive access.)

3. The application contains no mention of CS9 Infrastructure Contribution; which again was included in the Council's SAMDev submission.
Extract: 'the PC will receive a levy in relation to new minerals extracted'.

4. The project's planned activity time span is difficult to understand. The Council strongly recommends that a one page project time plan/line is added to the application, which includes the individual extraction and restoration stages or timelines. This will assist all concerned in effectively monitoring the project.

5. Neighbouring residents have asked for additional screening, to reduce the nuisance of traffic and excavation noise and alleviate the nuisance of dust arising from the excavation of minerals.

6. The existing transport plan requires revision given that the present plan was written many years ago and circumstances have significantly changed which impact on it.

(This was agreed at the Planning Committee Meeting on 5-2-2013 and subsequently agreed by Full Council on 5-3-2013.)

4.2 Environment Agency – (holding objection on hydrology - 26/03/13)

i. We have previously provided an EIA scoping opinion to inform this proposal dated 19 March 2009, this is provided in Appendix 12.1 of the planning submission. This was followed up by a response of 18 December 2009 (our reference SV/2008/102101/02) in response to further details on hydrological and hydro-geological investigations. This correspondence raised a number of concerns and recommendations for further work to inform any future planning application (EIA). Having reviewed the Environmental Statement (ES) dated December 2012 the ES is not considered sufficiently robust at this time, there are a number of uncertainties, and we would recommend that the applicant provides further information to fully consider the likely environmental effects of the project:

ii. Hydrology: The Hydrogeological and hydro-geological investigation (study) of June 2009, Hafren Water, concluded that dewatering will result in a zone of impact of 320m from the edge of the quarry and that portion of the Cound Brook falls within this zone.

The study states that the dewatering will impact on the brook as a consequence of this but dismisses any resultant impact as "negligible" without further justification. The study therefore fails to provide assurance that the risks of dewatering to the Cound Brook have been adequately ascertained. The study fails to consider the impact of the dewatering on the ponds at Grove Farm and Gonsall Farm. The study fails to consider the impact of the dewatering on the Spring at Chatbrook The study has not adequately considered the potential hazard that may arise from leachate entering the quarry workings from the Grove Farm Landfill that is located only 80m from the perimeter of the Quarry.) In addition to the above, the ES fails to provide/interpret more up to date information since the last study – the majority of data, including flow data from the Cound Brook and groundwater data is only as recent as 2008. Recent data is more useful for site assessment, especially as calculations for dewatering requirements have been based on the old data too. On this basis, the EIA is not considered robust as it does not contain up to date 'baseline' information. This is necessary to provide a reference for all assessments, including the prediction of likely impacts, the comparison of alternatives and possible mitigation measures. Your Public Protection team (Shropshire Council) should also be contacted to ascertain whether there are any new local abstractions on record or potential receptor (private water supplies) since the last review was carried out (2008/2009). Note - Due to the most recent report being informed by evidence from 2008/2009, the aquifer is still referred to as 'minor aquifer' rather than the new classification of 'Secondary A' aquifer. Paragraph 12.73 of the ES mentions that 'it is thought that in places to the north and northwest of the site groundwater is below the Cound Brook and does not therefore contribute to flows within the brook'. We would expect the ES to provide evidence to substantiate this claim. The report also states that due to the 'short duration of dewatering any impacts are anticipated to be small'. Similar to the above, it would be useful for the term 'short duration' to be clarified in this instance to substantiate the small (likely significant?) impacts. It would also be useful if the location/stretches of Cound Brook, which are anticipated by the report to be impacted during dewatering, could be identified more specifically. We would also question whether this (any impact) has already been seen as a result of current dewatering? In relation to the above issue, it is mentioned that 'Discharge from site to brook should mitigate this' (decreased flow in the brook). If this does not provide sufficient mitigation are there additional measures/actions proposed to do so? In assessing the impact of the restoration proposals on the Cound Brook, the report details that at times of low flows groundwater levels are likely to be below brook level base of the pools. This appears to be a general assumption. Is it the case that groundwater monitoring point G5 will be retained should extraction commence in the proposed Phase B3 area? Are there any proposals for new monitoring locations as a result of the extra areas of land to be quarried? Are mitigation proposals in place should the Cound Brook and/or abstractions or pools/surface water features be impacted?

iii. Water Quality/Pollution Prevention: Under the Water Framework Directive (WFD) the Cound Brook catchment ('confluence of an unnamed tributary to confluence of the Condover Brook' reference GB109054049490) is classified as being at 'Good' status. The objective is to achieve or in this case maintain 'good status' by 2027. There is no reference to WFD in the ES. To protect its WFD status we do need to protect the flow of water to, and in the brook. There is an existing discharge consent held by the quarry which discharges into the Cound Brook at grid reference SJ 48010 04720. The consent reference is S/02/21645/T. Informative - Guidelines should be followed should this application be approved. This includes the proposal of a mobile Linatex plant replacing the existing sand processing and the decommissioning and moving of other equipment

on site. Continued vehicle pollution prevention measures should also be followed to protect controlled waters.

iv. Flood risk: All of the quarry site, including the proposed extension lies within Flood Zone 1 (Low Probability) on our Flood Map. We would refer you to our West Area Flood Risk Standing Advice, for development within Flood Zone 1, but make the following strategic comments on the EIA: A Flood Risk Assessment (FRA) undertaken by Hafren Water has been submitted as part of the application but this is from June 2009 and also assesses a part of the site further to the north of the quarry with associated access road partly in the floodplain (Flood Zone 3 and 2) and a crossing over the Cound Brook which is no longer proposed. The proposed development as submitted falls outside of the floodplain i.e. within Flood Zone 1 (low probability) and the key aspect is to ensure that the proposed extension does not result in an increase in flood risk elsewhere either by interrupting existing surface water drainage systems of the surrounding land or by increasing surface water run-off rates into the Cound Brook. The proposed surface water drainage arrangements, for the quarry extension, should consider events up to an including the 1% plus climate change (peak rainfall intensity) event. The FRA appears to address this for the 'main workings' but this approach should also apply to the restoration phase (the FRA currently only assesses the 1% event) so that sufficient capacity/storage is available. We would expect your Floods and Water Management section, as the Lead Local Flood Authority (LLFA), to lead on the detailed surface water management aspects and those issues associated with any ordinary watercourses/ditches; both operational and post restoration, to inform potential risks and mitigation measures.
Flood Defence consent note: Under the terms of the Water Resources Act 1991 and the Land Drainage Byelaws, the prior written consent of the Environment Agency is required for any proposed works or structures in, under, over or within 8 metres of the top of the bank of the Cound Brook, designated a 'Main River'. This would include any new outfall to the watercourse as proposed in the northern part of the site in the Working Sequence drawings.

v. Biodiversity / Ecology The restoration master plan for Gonsal Quarry will ultimately enhance the biodiversity of the area. We support the restoration provided that the following principles are included within the scheme: Site habitat is restored as per the restoration plans to provide acid grassland, scrub, trees, pools for Great Crested Newts and Sand Martin/ bee faces. The restoration and habitat creation should follow the latest available guidance at the time of completion and the statutory authority must be consulted prior to the restoration work commencing. Natural regeneration of the site, rather than seeding is preferable and as well as pools for newts, permanent deep pools could be created with a rocky bed and banks to serve as Ark sites for white clawed crayfish. Adequate maintenance is provided for the benefit of biodiversity. Minimal disturbance to the existing population of newts on the site occurs. This would be in accordance with the proposed newt fencing, the relocation of the quarry settlement lagoon, the retention of the existing settlement lagoon used by newts and the retention of scrub and wooded areas on the site. Surveys for newts, and other amphibians, badgers, nesting birds and bat roots are undertaken by a trained and licensed Ecologist before work begins in each phase of the quarry. This is to ensure that legally protected species which could have moved into different areas of the quarry are considered, not disturbed or harmed. No detrimental effect to the base flow of the Cound Brook occurs. Trout, salmon eels and native white clawed crayfish which are European protected species, as well as coarse fish are present in the Cound brook. These species must not be impacted by low flows and the general good ecological status of the river must be maintained to comply with the WFD. Monitoring of the

groundwater in the area and flows in the Cound Brook are undertaken to ensure that any effects caused by the quarry operations to the hydrology can be detected and rectified by immediate changes to the activities on the site. The clean water settlement lagoons are of sufficient size to settle sediments from the site water before it is discharged to the Cound Brook. A reed bed could be incorporated within the design of the settlement lagoon to help clean the water prior to discharge.

vi. Waste: The Mining Waste Directive brought in changes to the way Mining operations are regulated in England and Wales. If you manage extractive waste then this activity may be a mining waste operation, which is regulated under the Environmental Permitting Regulations (EPR). Extractive waste is defined as waste resulting from the prospecting, extraction, treatment and storage of mineral resources and the workings of quarries. In reality this means heaps / tips and ponds / lagoons used to contain and settle waste fines. Extractive Material Management Statements (EMMS) were developed to enable operators to demonstrate that they don't produce extractive waste. This may be because this waste will be used for agreed restoration purposes, without treatment. The Environment Agency has no record of an Environmental Permit or EMMS for this site. It appears from the proposal documentation that extractive waste may be produced and treated / retained in silt lagoons and used in restoration. The applicant may need to submit an Environmental Permit and / or EMMS to cover these activities. This aspect should be clarified and referenced in the ES. The ES should confirm whether the discharge volume will remain the same, which may be controlled under the MWD if required, or current/amended permit to discharge. The applicant should discuss the proposals relating to extractive waste further with the Environment Agency further to ensure they are compliant with the Mining Waste Directive. Please contact Samantha Turnock on 01562 534106 for further information.

vii. Water Resources: There are a couple of additional abstraction licences which do not appear in the document and therefore may just lie on the 1.5m radius perimeter. For completeness these are:-
18/54/2/567 R & J Cartwright SJ 4914 0356 Borehole at Ryton Farm.
18/54/02/0441 G R & C M Cartwright and Son. Abstraction on the Cound Brook between SJ 4805 0368 and SJ 4782 0404.
Whilst quarry de-watering is currently exempt from water resource licensing; this is likely to change in the near future. DEFRA recently confirmed this amendment to the Water Act is likely to come into force in October 2013 i.e. Mineral operators abstracting more than 20m3 per day of groundwater for dewatering purposes will be required to apply for a transfer licence. If the discharge from dewatering is put to any "intervening use" (e.g. dust suppression/washing etc.) the operator must also apply for full abstraction licence for that proportion of the abstraction. Water is available for licensing but is restricted and would therefore be subject to a Hands off Flow (HoF) condition to protect low flows such that abstraction must stop when the river flow falls below a certain amount. Any abstraction from the Cound Brook is subject to a HoF of 46 Ml/d tied to the Boreton Bridge gauging station and would be time limited to 31 March 2027. Tributaries to the main river may be subject to different restrictions and quantities. Section 12.115, of the ES (p.255), mentions that the applicant may wish to vary an existing groundwater abstraction licence from a clean water lagoon within the site, but no further detail is provided. Depending on the revised location of the abstraction the applicant may need to undertake a survey of sources and test pump to monitor the impact of the revised location on existing licensed abstractions and protected rights. A formal licence variation is likely to be required but this would need to be confirmed once we have received further information on the detail.

4.3 Shropshire Wildlife Trust – While we would agree that there is potential for biodiversity gains in relation to the restoration proposals, we have reservations on the robustness and deliverability of restoration proposals presented so far. As it appears that the existing restoration plan is being re-written there is an additional cause for ensuring a sufficiently robust scheme is in place to guarantee the authority's biodiversity duties and planning guidance are met. An indicative master plan for restoration proposals should be supported by at least the principles of a restoration plan. We would like to see greater clarity on:

- Landownership and the acceptability of the restoration scheme to these owners
- Practicality and deliverability of restoration scheme proposals
- Responsibilities for delivery
- Resources/funds to enable delivery
- Monitoring requirements (during operation and restoration phases)

Clearly there must be a degree of flexibility to allow for future circumstances but it is clear that for many applications long term planning commitments are either not honoured, fail to deliver the hoped for results or are re-negotiated. The apparent lack of clarity on restoration for this development jeopardises the desired nature conservation outcomes. As a final point we note that the application mentions liaison with the Wildlife Trust. There have been no detailed discussions relating to this site for many years.

4.4 Natural England – No comments received.

Internal Comments

4.5 Public Protection - No objection in principle to the proposals subject to recommended noise conditions being attached to any permission granted in order to protect the amenities of occupants of nearby properties (these are included in Appendix 1).

4.6. Highways Development Control – The site is located on the Condover to Ryton road and has been in existence for many years. It has always been a sensitive site locally as HGV traffic is routed through the village of Condover and past the school site to gain access to and from the A49. Historically the site has produced in the order to 200,000 tonnes per year and based upon the current planning consents most of the material has now been removed. The current proposals would result in the extraction of a further some 400,000 Tonnes of material over a period of 8 to 10 years at a rate of around 50,000 tonnes per year. In term of HGV movements at 20 tonne payloads this would result in approximately 9-10 HGV loads or 18-20 HGV movements per day (based upon a 5.5 day week). Notwithstanding the issue surrounding the continued routing of HGV's from the quarry site through Condover, I am minded to consider the principle of maintenance funding towards the route based upon a rate per tonne of material extracted. We have used this methodology elsewhere in the County.

4.7. Natural Environment (Ecology)
A large meta population of Great Crested Newts has colonised the water bodies in the quarry. A European Protected species mitigation licence will be required from Natural England before the development commences and this should be conditioned. Use of amphibian fencing and trapping measures, together with the demarcation of a receptor area in the quarry which provides links to surrounding habitat, should minimise any killing or injury to GCNs. Providing the concept restoration plan is followed, and the ponds retain water levels as predicted, the site should be improved for this species

once restoration is completed and established. Badgers are active on the site and stand-off areas have been proposed to avoid disturbance of setts. Badgers are highly mobile species and a thorough check for new activity should be carried out by a qualified ecologist prior to work commencing in each phase. Provision of bat boxes, retention of sand faces for martins and invertebrates and the increase in standing water and species-rich grassland habitats will all enhance the biodiversity value of the quarry in the long term. Natural regeneration of vegetation on the bare sand surface should be used wherever possible as the greatest biodiversity will be achieved this way. The concept restoration plan provides little detail and conditions should be placed on any permission if granted that a detailed Landscape Restoration Plan and a detailed Habitat Management Plan should be submitted for LPA approval. Otherwise, the recommendations in the Ecology chapter should be followed. I gather some public access via permissive footpaths has been proposed. Providing appropriate ecological safeguards are in place such use should be possible.

4.8 Archaeology (Historic Environment) No objection. The archaeological section (Section 7, Part 2) of the Environmental Statement, which is based on work by Wessex Archaeology, meets the requirements of Paragraph 128 of the NPPF. It demonstrates that the archaeological potential of area of the proposed southern quarry extension is low, and it is therefore recommended that no further assessment of this particular area is required (it is, however, noted that there is an area of moderate archaeological potential to the north-west of the existing quarry site, although this lies outside current application area). I therefore have no further comments to make on this application with respect to archaeological matters.

4.9 SC Conservation – No objection.

4.10 Countryside Access – No objection. There are no legally recorded public rights of way at any status which abut or cross the site identified.

4.11 SC Arboriculture - No objection. Having read the application and environmental statement no areas of existing hedgerow or woodland are to be removed as a consequence. An area of unworked woodland in the NW of the site is now to be retained. Existing hedgerows will be enhanced and standoffs between hedgerows and the edge of working areas to be retained and strengthened. The application does not appear to have a negative impact on the tree scape and areas of adjacent ancient woodland will not be impacted upon.

4.12 SC Drainage – Please provide details how the cv value for the Modified Rational surface water calculations were derived for the restored sites. As a minimum, the greenfield run-off should be restricted a minimum of 5 l/s to prevent blockages. Restricting the flow below this will increase the risk of the outfall pipe becoming blocked. Calculations for the restored south site should be checked as the attenuation volumes for the 1 in 2 year and 1 in 100 year greenfield run-off rates are similar. Please show the route of the Cound Brook and any tributaries through the site for the various phases of the development. Please confirm that the finished water lagoons will have sufficient capacity above the expected normal water levels to retain the 1 in 100 year plus climate change storm event and the effect on the Cound Brook both upstream and downstream. If non permeable surfacing is used on the access road and the access slopes toward the highway, the applicant should submit for approval a drainage system. Please provide drainage details of the widened Grange Lane.

4.13 Councillor Barker (Condover) has been informed of the application and has referred the application to be determined by the Committee.

Public Comments

4.14 The application has been advertised in the press and by site notice and 85 residential properties have been individually notified including those nearest to the site and properties fronting the quarry access route leading to the A49 at Bayston Hill. The application has attracted representations from 4 individuals, including one repeat representation, in response to this publicity. These concerns are summarised below and are listed fully in Appendix 2:

i. Traffic: Road is unsuitable for lorries, HGV's passing residential properties. How will the suggested traffic controls be enforced? HVG's through
ii. Public safety: Condover conservation area has narrow roads and learning establishments for up to 500 young visitors;
iii. Policy: The SAMDEV sates that no further extraction would be allowed unless a relief road to the A49 is constructed;
iv. Dust and noise impact: General concern and effect on a holiday cottage.
v. Restoration: Specific commitments for restoration timescales are needed – not clear exactly how long quarrying would last for;
vi. Excessive working hours: vehicles pass through village at 5.30am and park up in readiness for quarry opening. HGV's should be banned at certain times;
vii. No public access: Why is it OK for machines to destroy habitats and countryside but not OK for walkers to walk the new tracks?

4.15 One resident has written in support of the proposals for a nature conservation afteruse, provided ragwort is controlled and unauthorised access is prevented to avoid shooting and scrambling.

4.16 A local farmer who is a tenant for land adjacent to the proposed extension has expressed concerns that the current proposals should not impact adversely on local water supplies which are required for the farming operations. Hydrology is discussed further in section 6.

5.0 THE MAIN ISSUES

i. The justification for the development;
ii. The timing of the proposals / prematurity;
iii. Effects on residential and general amenities (traffic, noise, dust, working hours);
iv. Other environmental effects (restoration and afteruse, ecology, hydrology, agriculture)
v. Public access;

6.0 OFFICER APPRAISAL

Justification for the development

6.1 Need for mineral: The principle of quarrying at Gonsal was established in 1977 by planning permission SC/MS1977/0755/SY and workings were subsequently extended in 1994 under the current operational consent reference SC/MS1988/1170/SY. Mineral working throughout this time has proceeded at a rate of up to 200,000 tonnes per annum until recently when the main permitted mineral reserves within the site were

exhausted. The current application seeks to extend workings into part of a field to the immediate south of the existing quarry plant site to work 100,000 tonnes of sand. It is also intended to work a further 150,000 tonnes of sand beneath part of the existing quarry plant site. This would yield a total of 250,000 tonnes which would be worked over 5-7 years at a proposed rate of up to 50,000 tonnes per annum.

6.2 Production of aggregates such as sand and gravel is controlled in the UK under the Managed Aggregate Supply System ('MASS') to ensure that sufficient supplies are available to meet national and local needs. Paragraph 145 of the NPPF requires Mineral Planning Authorities (MPA's) such as Shropshire to plan actively for the future supply of sand and gravel by ensuring amongst other matters that sufficient permitted reserves exist for at least 7 years of sand and gravel, regard to relevant national and sub-national advice. MPA's also have a duty to cooperate with neighbouring MPA's to ensure adequate provision within the sub-region.

6.3 Shropshire is a member of the West Midlands Regional Aggregates Working Party (WMRAWP) which comprises a group of all mineral producing authorities in the West Midlands region. The WMRAWP identifies agreed annual production targets ('sub-regional apportionments') for each local authority area. Sufficient sand and gravel must then be made available in each area to meet the sub-regional apportionment target and to provide reserves sufficient to meet the 7 year rolling landbank of permitted reserves required by the NPPF. Shropshire must therefore identify sites in its minerals policy documents with sufficient capacity to meet this production target.

6.4 Mineral policy in Shropshire is currently in a transitional stage. The period for the Shropshire Minerals Local Plan expired in 2006. A number of policies have however been saved pending adoption of the emerging Site Management and Allocation of Development document ("SAMDEV"), which is anticipated in 2014. Strategic mineral policy is provided by Core Strategy Policy CS20, which amongst other matters reaffirms Shropshire's commitment to make continued provision for sand and gravel production at the appropriate apportionment level. It also establishes a preference for extending existing quarries rather than establishing new 'greenfield' sites. Future detailed minerals policy, including identification of new areas of working is being progressed under the SAMDEV which will allocate additional sand and gravel sites to cover the period to 2025.

6.5 The main allocated sand and gravel sites in the Minerals Local Plan have now been developed, with the exception of two greenfield sites. Existing permitted reserves at individual sites are being depleted and have been worked out at Gonsal. Currently production of sand and gravel in Shropshire has fallen below the identified sub-regional apportionment level. The current proposals are included in a larger area which has been have been put forward for inclusion as one of the draft SAMDEV allocations. A range of proposed sites were evaluated by consultants as part of the SAMDEV evidence base and the current site scored highly relative to other potential sites as part of this assessment.

6.6 In terms of mineral resource, the sand and gravel in the proposed extension has been proven by boreholes and would be capable of supplying the quarry's existing established markets focusing mainly on Telford, and Shrewsbury. The required quarrying infrastructure is already in place. In these circumstances it is considered that the current proposals would be capable of contributing to the county's required annual production levels with a high degree of certainty. (Core Strategy Policy CS20, Minerals Local Plan Policy M2)

6.7 Need for revised restoration scheme: The proposals involve a revision to the previously approved restoration scheme for the worked out quarry area which involved a mix of agriculture, woodland, grassland and a lake. This amendment has become necessary due to the presence of a significant population of Great Crested Newts in the worked out area of the quarry. The currently approved scheme is not deliverable due to the statutory requirement to protect this species and its habitat under the Habitat Regulations. Hence, restoration has been deferred pending consideration of the current application. The revised restoration scheme now proposed has been designed specifically to optimise and expand the habitat available to GCN and the overall biodiversity potential of the site. This is taking account of advice from relevant Ecological organisations, including Natural England, who would need to issue a European Protected Species Licence before any restoration works can take place. Ecological and habitat management issues are considered further in succeeding sections. It is considered that the revised restoration proposals represent a practical solution to restoration of the quarry which has appropriate regard in principle to the Habitat Regulations and Core Strategy Policy 17.

6.8 Timing of the proposals: It is not considered that the proposals would be premature in advance of adoption of the SAMDEV. As noted above, Gonsal Quarry has until recently been an important sand and gravel producing site. The proposals would allow a resumption / continuation of production, although at a reduced rate relative to previous levels. The mineral in the proposed extension has been taken account of as part of the assumed future aggregate production figures in the SAMDEV. Policy CS20 of the Core Strategy recognises that quarrying proposals may come forward in advance of formal plan adoption and specifies the criteria for assessing such proposals. This includes a requirement not to prejudice other allocations and to comply with other relevant plan policies. If the proposals were not to progress, sand and gravel production in Shropshire would remain below the required annual production level in conflict with NPPF s145 and Policy CS20.

6.9 It is also not considered that approval of the current proposals would prejudice the ability of other proposed SAMDEV mineral allocations to come forward in a timely way. The current proposals serve an established market and would not be expected to impact materially on the markets of other sites which may potentially be allocated. These are generally also extensions to existing sites which have their own separate established markets. Nor is it considered that releasing the mineral at this stage would lead to an oversupply of sand and gravel locally, given that the proposals would directly replace established production at Gonsal. It is concluded that the timing of the current proposals does not conflict with emerging planning policy and can be supported in principle, provided other relevant policies are also capable of being complied with.

Environment and amenity

6.10 The NPPF advises (s143, 144) that 'Mineral Planning Authorities (MPA's) should ensure, in granting planning permission for mineral development, that there are no unacceptable adverse impacts on the natural and historic environment or human health, and should take into account the cumulative effect of multiple impacts from individual sites and/or from a number of sites in a locality'. MPA's should also ensure amongst other matters that any unavoidable noise, dust and particle emissions are controlled, mitigated or removed at source, and establish appropriate noise limits for extraction in proximity to noise sensitive properties.

6.11 Noise: The NPPF requires Mineral Planning Authorities to have regard to the need to protect local residents living near mineral sites from quarry related noise. The technical guide to the NPPF provides further guidance on the levels of noise which are acceptable (s30). Subject to a maximum of 55dB(A)LAeq, 1h, MPA's should aim to establish a noise limit at the noise-sensitive property that does not exceed the background level by more than 10dB(A). It is recognised, however, that in many circumstances it will be difficult to not exceed the background level by more than 10dB(A) without imposing unreasonable burdens on the mineral operator. In such cases, the limit set should be as near that level as practicable during normal working hours (0700-1900) and should not exceed 55dB(A) LAeq, 1h. Increased daytime limits of up to 70dB(A)Leq 1h are also allowed for short-term operations up to 8 weeks per year where this would generate benefits such as improved screening (NPF Guide s31).

6.12 The Environmental Statement includes a noise report which predicts noise levels at the nearest sensitive properties in accordance with methodology set out in national guidance (BS 8233, BS4142, WHO guidelines and NPPF). The report concludes that calculated noise levels from the proposed development do not exceed relevant criteria and are unlikely to generate noise complaints from any of the locations assessed. Public Protection has not objected to the proposals. There is no history of noise complaints at the site and the proposed workings would be 170m from the nearest residential properties and set down relative to these properties. A condition controlling noise has been recommended in Appendix 1. Subject to this it is considered that noise is capable of being controlled acceptably at the site.

6.13 Dust / Air Quality: The Environmental Statement has considered the potential for different activities to generate dust and methods of controlling dust have been identified in accordance with a Dust Action Plan. A source of water for dust suppression would be retained permanently on site. The nearest privately owned properties are separated by distance and existing topography and workings would be set down relative to these properties. The ES concludes that the proposed measures would ensure that dust continues to be controlled within acceptable levels. These conclusions are generally supported by experience of the existing workings where there has been a general absence of previous dust related complaints. An appropriate condition covering dust control has been recommended.

6.14 Visual Impact: A landscape appraisal notes that operations would have a slight adverse impact during the working phase and slight beneficial impacts following final restoration. Visually the existing site and the proposed extension are well contained, being set down relative to surrounding areas and surrounded by mature vegetation from most potential viewpoints. The assessment concludes that the landscape can accommodate the proposals and would not give rise to any significant adverse impact. The proposed amended restoration scheme is required in order to secure restoration of the site. The originally approved scheme would not be deliverable given the presence of Great Crested Newts within the site. It is considered that the design of the proposals and the well contained nature of the site should ensure acceptability in relation to landscape and visual impacts. (Core Strategy Policy CS6, CS20; Minerals Local Plan Policy M4i.)

6.15 Agriculture: The NPPF advises (para. 112) that Local Planning Authorities should take into account the economic and other benefits of the best and most versatile agricultural land. Where significant development of agricultural land is demonstrated to be necessary, local planning authorities should seek to use areas of poorer quality land in preference to that of a higher quality. The extension area comprises 2.45 hectares of

arable land which is not of best and most versatile quality. The restoration proposals would involve the provision of a small lake surrounded by acid grassland slopes. The lake would link by a stream to a larger lake to the north in the main quarry void. The arable potential of the extension area would be lost but half the area would remain available for grazing use.

6.16 The former Ministry of Agriculture Food and Fisheries did not object to previous mineral working at Gonsal as the land was not of best and most versatile quality. This was provided soils were replaced to facilitate some agricultural use on restoration of the site. In this respect, the restoration proposals for the main quarry void involve provision of 3.3 hectares of agricultural land in a contained area at the northern end of the site. Larger areas of acid grassland would occupy slopes surrounding the proposed water bodies and these would be amenable to a low intensity grazing use. It is not considered that an objection can be sustained on the basis of loss of agricultural land on this basis and given the overriding need in this case to achieve a restoration which complies with the requirements of the Habitats Regulations. Appropriate detailed agricultural conditions have been recommended in Appendix 1. Subject to this it is concluded that the proposals can be accepted in relation to relevant development plan policies and guidance covering agricultural land including NPPF paragraph 113 and Core Strategy Policy CS20.

6.17 Archaeology: An assessment of the Quarry extension area and land to the north concludes that the extension area has a low to moderate potential for significant archaeological remains. Accordingly, no further archaeological evaluation is required. Historic Environment have accepted this conclusion.

6.18 Traffic: The Environmental Statement includes a traffic assessment which notes that the proposals would result in a decrease of up to 75%in the historic rate of extraction. Consequently there would be a positive effect on the centre of Condover where a school is located, relative to when the quarry was in full production. The report notes that traffic speeds are limited by the narrow geometry of the existing roads. The Parish Council and a local resident have pointed out that the emerging SAMDEV states that there should be no further extension to Gonsal Quarry unless a separate access directly to the A49 has been constructed. It should be noted however that the SAMDEV is not yet adopted policy and the current proposals relate to a much smaller mineral resource and output rate than that envisaged in the proposed SAMDEV allocation (which involves larger extensions to the north and south of the quarry).

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6.19 Highway officers have not objected to the proposals in view of the significantly reduced level of traffic proposed relative to historic norms and the ability to impose additional measures to control the despatch of HGV's fro the site. This includes controlling despatch times to avoid school opening and closing times. It is noted however noted that the proposals would result in a continuation of HGV traffic, albeit at a reduced level, for up to 7 more years. Conversely, if the proposals did not proceed then the level and duration of mineral traffic would be significantly reduced due to the limited amount of permitted mineral remaining within the site.

6.20 The proposed quarry traffic would result in additional wear and tear on the approach route from the quarry through Condover to the A49. It is likely that this would be greatest at a number of areas of informal widening along the route where larger vehicles need to move towards the verge in order to pass other traffic. Additional maintenance is likely to be required on these areas to ensure that the access route remains at an acceptable standard for the anticipated duration of the proposed

operations. Officers have quantified the estimated cost of undertaking this additional maintenance work and the applicant has agreed to pay 9 pence for every tonne of mineral extracted throughout the duration of the current proposals. This will ensure that sufficient funding is in place to carry out the required highway maintenance works. This matter is capable of being addressed as part of a legal obligation.

6.21 An existing routing agreement directs quarry traffic to turn left out of the site access and approach the site from the direction of Condover, except where local access is required. It is recommended that this requirement is also re-applied if the current application is approved. Highways (Development Control) have not objected to the proposals on this basis and it is considered that the proposals can be accepted in relation to relevant policies covering traffic and highway matters (NPPF para. 32; Minerals Local Plan M11; Core Strategy CS7, CS20).

6.22 Ecology: An ecological assessment accompanying the EIA advises that the application does not directly affect any designated Site of Special Scientific Interest or Site of Nature Conservation Importance. Two populations of Great Crested Newts within the existing site are of national significance. Other habitats of local value adjacent to or within the site include semi-natural broadleaved woodland adjacent to the Cound Brook, unimproved acid grassland, open standing water, open running water, species-rich hedgerow along the southern side of Grange Lane, invertebrate assemblages associated with acid grassland, wetland, bare ground and ephemeral/short perennial habitats, breeding dunnock, bat foraging and badger - setts and foraging. There are, or may be, legal obligations with regard to white-clawed crayfish, great crested newt, nesting wild birds (active nests) and badger (active setts).

6.23 The proposed works and restoration scheme have been specifically designed to avoid or minimise adverse impacts on wildlife habitats and to retain them in-situ where feasible. The ecology report predicts no adverse residual impacts on features of nature conservation value, provided hedgerow translocation is successful. Positive impacts are predicted for most habitats which may increase in value as they mature. Works affecting Great Crested Newts would be undertaken in accordance with a European Protected Species Mitigation License issued by Natural England which has been consulted on the design of the current proposals.

6.24 The main quarry void has been worked out and is spatially separated from the proposed areas for the extension and retained quarry plant. The restoration works within the existing void are therefore capable of being managed separately to ensure that they are not affected by ongoing quarrying and mineral processing activity elsewhere within the site.

6.25 Ecology – Habitats Regulations: The 2010 Habitats Regulations implement EU Directive 92/43/EEC (the Habitats Directive). Article 12 of the Directive contains a range of prohibitions seeking to protect certain species (European Protected Species). Article 16 provides for a number of circumstances in which a Member State may derogate from the obligations in Article 12. The Habitats Regulations (Regulation 41) make a breach of the Article 12 provisions a criminal offence. This is implemented by way of a licensing regime (Regulation 53). Regulation 9(5) provides that “a competent authority, in exercising any of their functions, must have regard to the requirements of the Habitats Directive so far as they may be affected by the exercise of those functions”. A Planning Authority is a competent authority for the purposes of these Regulations and must consider the likelihood of a license being granted, in deciding whether to grant planning permission. The licencing authority is Natural England. In this

particular case a large meta population of Great Crested Newts, a European Protected Species, are present in the worked out area of the quarry.

6.26 Natural England advises that three tests should be applied by Planning Authorities in assessing the potential impact on protected species. These are assessed as follows with respect to the Great Crested Newt population at Gonsal Quarry:

1. Is the proposed activity 'not detrimental to the maintenance of the populations of the species concerned at a favourable conservation status in their natural range'?

   Officer response: Implementing the originally approved restoration scheme would not have been possible as it would have resulted in adverse impact on GCN and their habitat. The amended restoration proposals have been designed specifically to protect and enhance the habitat of GCN within the site and have been formulated with the input from ecological stakeholders including Natural England. With respect to the proposed southern extension area, this is spatially separate from the identified GCN habitat area in the worked out quarry void and is capable of being isolated and managed separately during the on-going quarrying operations. As existing intensively farmed agricultural land located some distance from the main water bodies containing GCN the extension area would reasonably be expected to have limited value as a GCN terrestrial foraging habitat. Much better foraging habitats exist nearer to the GCN water bodies, including to the west of the site adjacent to the Cound Brook. The intended working area beneath part of the plant site already has the benefit of planning permission for mineral working. Planning officers are satisfied in principle therefore that the further mineral extraction proposals should not impact adversely on GCN habitats elsewhere within the site and that the restoration proposals have the potential to significantly enhance the GCN habitat. Additional detailed safeguards with respect to GCN would be agreed as part of a Protected Species Licence issued by Natural England. The first test is therefore met.

2. Is the development 'in the interests of public health and public safety, or for other imperative reasons of overriding public interest, including those of a social or economic nature and beneficial consequences of primary importance for the environment'?

   Officer response: The currently approved restoration scheme is incapable of being implemented due to the presence of GCN within the restored area. The amended restoration proposals would prevent further delay in restoring the worked out areas of the mineral site to a productive afteruse as a wildlife reserve. This justification is of primary importance to the environment. Further mineral working is capable of being undertaken in principle without impacting adversely on ecological interests within the area of restoration, given that the proposed areas for continued operation and restoration are spatially separate within the site. The second test is therefore met.

3. Is there 'no satisfactory alternative'?
   Officer response: The proposed amended restoration scheme represents the only solution which would allow satisfactory restoration of the site whilst safeguarding and enhancing protected species interests. The alternative of leaving the worked out areas of the site unrestored would not be acceptable from an amenity perspective and would be likely to result in a lesser overall ecological benefit to GCN. The applicant's ecological report supports the conclusion that the proposal

to work additional mineral in a separate area of the site would impact adversely on GCN interests. Therefore, there is no requirement to consider alternative proposals for mineral working. The third test is therefore met.

6.27 It is concluded that the proposals are capable of being accepted in relation to relevant policies and guidance covering ecology, including Core Strategy Policy CS17. This is provided robust mechanisms are put in place to ensure that the potential habitat benefits referred to in the ecology report are delivered in practice. Appropriate ecological conditions are recommended in Appendix 1 with this objective in mind. Aftercare management of the site is considered in the succeeding section.

6.28 Aftercare Management: The NPPF (s144) requires Mineral Planning Authorities such as Shropshire to put in place policies to ensure worked land is reclaimed at the earliest opportunity. High quality restoration and aftercare of mineral sites should take place, 'including for agriculture, geodiversity, biodiversity, native woodland, the historic environment and recreation'. Policies M27 of the Minerals Local Plan and CS20 of the Core Strategy support this requirement. In commenting on the current application, as submitted, the Shropshire Wildlife Trust has advised of the need for an integrated strategy for managing restored areas. In response to this, the applicant has agreed to prepare a habitat management plan setting out detailed measures for future management of restored areas within the site. The following management measures which would form part of a legal obligation have also been agreed by the applicant:

1) Extended aftercare period of 10 years for all habitat areas within the quarry site.
2) To convene and support an aftercare management steering group which shall meet no less than annually to review aftercare management actions from the preceding year and will agree the detailed actions for the forthcoming year;
3) To provide sufficient resources each year to facilitate the reasonable objectives of the aftercare management plan as agreed with the Steering Group;
4) To use all reasonable endeavours to maintain control of the necessary land in order to facilitate the objectives of the aftercare management plan;
5) To facilitate provision of a permissive footpath within the restored site (see 'public access' below);
6) To use appropriate endeavours to protect the longer-term habitat and amenity value within the quarry site.

(Note: highway routing and maintenance payment provisions are also proposed)

6.29 The applicants' willingness to apply a significantly longer aftercare period than the standard 5 years is to be welcomed as a way of ensuring stated habitat objectives are delivered. A key task within the extended aftercare period would be to increase levels of overall biodiversity to a level of habitat value equivalent to that of a designated Wildlife Site. The formation of a management steering group to oversee management actions and agree future works adds additional confidence that this objective can be met. It is considered that the applicants' aftercare management proposals for the wider quarry site meet and exceed the requirements of the section 144 of the NPPF, Policy 27 of the Minerals Local Plan and CS20 of the Core Strategy. They also have the potential to deliver significant interconnected habitat areas within the restored site in accordance Core Strategy Policy CS17.

6.30 Hydrology and water resources: A hydrological assessment concludes that any potential risks to groundwater and flows within the Cound Brook can be adequately controlled using established good practice measures. There have been no incidences of silt pollution or flooding attributed to quarrying operations previously and the

proposed extension would occupy a limited area within the overall quarry site. The proposed extension area is located outside of the flood plain, although parts of the proposed SAMDEV allocation are within the floodplain. The restoration proposals involve provision of a series of ponds where levels will be controlled by natural soakaway effect. A one in 100 year flood event would equate to an average increase in the depth of water across the restored area of 60 mm. Sufficient storm water storage would also be provided within the operational site to deal with a 1 in 100-year event, with provision for temporary discharges to the Cound Brook under an existing Environment Agency discharge consent.

6.31 A local farmer has objected to the proposals on the basis that further quarrying could adversely affect a local water supply which has previously been used for agriculture. The applicant advises that this is not currently a reliable supply, and has provided a supplementary consultant's report assessing this matter. The report confirms that water levels at boreholes in the vicinity of the proposed extension have not been affected by drawdown as a result of the existing workings and that the water supply in question is beyond the zone of influence of any likely drawdown effect associated with the proposed extension. The Environment Agency has sought further detailed clarification to justify the above conclusion. In response to this the applicant's agent has emphasised that the hydrological modelling undertaken is based on a 'worst case' scenario and relates to a much larger area of mineral extraction than is currently proposed, having been prepared initially in support of work on the proposed SAMDEV allocation. As such, the agent advises that the risk of the current proposals affecting any water supply is further reduced. An updated statement from the consultants confirming this and providing additional reassurance in relation to hydrological matters has been received.

6.32 The Environment Agency has also advised that some of the baseline hydrological data should be updated. The applicant has agreed to provide updated data, but has requested that this is done by imposing a planning condition on any permission. The applicant's consultants advise that groundwater data shows a relatively stable situation with limited variation seasonally and from year to year. It is considered in these circumstances that it is reasonable for the additional hydrological data to be required by condition, rather than prior to determination, in order to avoid further significant delay in determining the current application. The Council's Land Drainage section has also requested additional information to confirm amongst other matters that site surface water can be attenuated to greenfield run-off rates and that the finished water lagoons will have sufficient capacity above the expected normal water levels to retain the 1 in 100 year plus climate change storm event. The applicant's consultant has confirmed that the drainage attenuation options available are fully sufficient to ensure that this requirement can be achieved throughout the life of the proposed site.

6.33 The hydrological information submitted in support of the application supports the conclusion that there are no fundamental issues which would prevent the proposed development from proceeding. This conclusion is further strengthened by the recent supplementary information on hydrology submitted by the applicant's consultants. It is considered that the detailed drainage / design issues referred to above are capable of being fully addressed by suitably worded planning conditions. It is not considered that further delay in determination to obtain additional data at this stage could be justified. Amongst other matters the conditions would require the following:

- Further groundwater monitoring around the extraction area at specified intervals during the extraction phase, with identification of a trigger level for action in the

event, contrary to the submitted information, any unexpected significant change in groundwater is encountered.

- Submission of a detailed site drainage scheme for operational and afteruse phases supported by appropriate balancing calculations.

Appropriate conditions have been recommended in Appendix 1. Subject to this it is concluded that the proposals can be accepted in relation to development plan policies and guidance covering hydrology. This includes Core Strategy policy CS18, paragraphs 99-103 of the NPPF and the flooding section of the NPPF technical guide.

Other issues

6.34 Socio-economic: The existing Quarry contributes, in financial terms, to the economy, much of which is spent locally on goods and services, including salaries, business rates, service contracting, hire of equipment and capital expenditure. The Quarry supports a total of approximately 5 jobs on site and further indirect employment, including for owner-drivers of quarry vehicles. Much of the employment generated is of a skilled and semi-skilled manual nature under-represented in the local economy. These effects would be maintained.

6.35 Public access: Condover Parish Council objected that the proposals as submitted did not include any provision for public access to the restored site. Relevant mineral policies and guidance do not require public access to be provided as a precondition of permission. Core Strategy policy CS20 (Strategic planning for Minerals) states amongst other matters that priority will be given to environmentally acceptable proposals which can deliver targeted environmental or community benefits consistent with Policies CS8 and CS17. Nor is this a requirement of relevant national policy as set out for example in NPPF paragraph 144. Saved Minerals Local Plan Policy M27 also requires restoration to be to a 'beneficial afteruse' but does not explicitly require local community benefits to be delivered. In this particular case the applicant is justifying the restoration proposals primarily on the basis of ecological benefits. The presence of Great Crested Newts has necessitated an amendment to the originally approved restoration scheme (which itself did not make provision for public access). For the site to be restored it is essential to take appropriate account of this protected species interest.

6.36 Notwithstanding this officers have discussed potential public access options with the applicant who has agreed to establish some permissive access in the restored site and this is to be welcomed. A proposed permissive footpath would be created on the eastern side of the site, passing north from the site access through a woodland corridor adjacent to the Ryton road and forming a loop in a fenced grassland area overlooking the wetlands and other habitat areas. A parking area would be established to the south of the access road, with a safe crossing point over the quarry access road. It is anticipated that this would be delivered within 3 years of any permission being granted. The applicant is willing to consider extending the area to provide a larger circular route in the future. This would however be subject to confirmation from ecological stakeholders that such proposals would be compatible with wildlife interests. There is a concern for example about potential disturbance to ground-nesting birds caused by domestic dogs. It is also confirmed that the SAMDEV proposals which relate to a larger area would offer the potential for introduction of some formalised public access, given that the extension areas are capable of linking with the existing right of way network.

6.37 The applicants footpath proposals do not fully meet the request of Condover Parish Council that full formalised public access should be established to a large part of the site. The applicant has however emphasised that parts of the quarry would remain operational and that there is a need to ensure that health and safety and security interests are appropriately safeguarded. There is also a concern that introducing public access nearer to the plant site would bring members of the public closer to potentially dangerous structures such as the quarry silt lagoons. This would have significant insurance implications for the applicant. Countryside Access officers have verbally indicated their support for the current proposals during initial discussions and an appropriate clause has been included in the proposed Legal Obligation (Unilateral Undertaking). It is considered that the public access proposals strike an appropriate balance between amenity, ecology, safety and security considerations in the circumstances of the current application, and that they meet and exceed relevant policy expectations for restored mineral sites. (Minerals Local Plan Policy M27, Core Strategy Policy CS20).

6.38 Infrastructure Contribution: Condover Parish Council has referred to Core Strategy Policy CS9 which requires developers to pay an infrastructure contribution. This relates primarily to housing schemes and there is currently no requirement for applicants to make a CIL payment in relation to mineral operations in Shropshire. Nor are officers aware of this being required for mineral operations elsewhere in the country. Working of aggregates is already subject to a tax by the Government (the Aggregates Levy). Notwithstanding this, the applicant has agreed to pay a sum towards maintenance of the public highway for the duration of any mineral extraction operation under the current application, based on a pence-per-tonne figure which has been agreed with the applicant.

6.39 Slope stability: The proposed restored gradient, stand-offs and tree planting measures will protect the integrity of the reinstated landform. The sand and gravel strata which would remain in-situ adjacent to excavation area are freely draining and there is no history of stability issues on steeper excavated banks associated with the existing workings. Notwithstanding this, it is considered that a condition should be imposed requiring submission of a scheme to ensure slope stability. This should include appropriate slope drainage measures, visual inspection and planting / seeding measures. Subject to this it is concluded that the proposals can be accepted in relation to relevant guidance covering slope stability including paragraph 143 of the NPPF.

6.40 Interactions and cumulative effects: The Environmental Statement contains an assessment of interactions between different types of impact. It concludes that the restoration proposals would not involve any negative interactions as agricultural and ecological uses and landscape continuity would be maintained. The proposed management measures for the restored site should assist in ensuring positive interactions between different aftercare land uses.

7. CONCLUSION

7.1 In conclusion, the proposals would secure production at Gonsal Quarry for up to 7 further years at the anticipated production rate. The mineral is a proven resource with an established local market and would contribute towards the county's agreed proportion of sand and gravel production in the West Midlands region. This is in accordance with paragraph 145 of the NPPF and Core Strategy Policy CS20. The proposals would also facilitate a revised and comprehensive restoration and management for the whole quarry. This takes account of protected species interests

and would achieve significant habitat creation benefits in accordance with Core Strategy Policy CS17.

7.2 The applicant has provided further information and commitments in response to the planning consultation process on issues including restoration management, hydrology, traffic and public access. The information now available is sufficient to properly define the identified impacts and allow appropriate mitigation measures to be identified. No issues have been identified which would be likely to give rise to unacceptable impacts on the local environment or amenities which would justify refusal. This is having regard to the inbuilt safeguards in the design of the scheme and the recommended planning conditions. The proposals also have the potential to significantly enhance the habitat potential of the restored site. It is concluded that proposals are sustainable and can be accepted in relation to relevant development plan policies and guidance and other material planning considerations.

8.0 RISK ASSESSMENT AND OPPORTUNITIES APPRAISAL

8.1 Risk Management

There are two principal risks associated with this recommendation as follows:

- As with any planning decision the applicant has a right of appeal if they disagree with the decision and/or the imposition of conditions. Costs can be awarded irrespective of the mechanism for hearing the appeal, i.e. written representations, hearing or inquiry.
- The decision may be challenged by way of a Judicial Review by a third party. The courts become involved when there is a misinterpretation or misapplication of policy or some breach of the rules of procedure or the principles of natural justice. However their role is to review the way the authorities reach decisions, rather than to make a decision on the planning issues themselves, although they will interfere where the decision is so unreasonable as to be irrational or perverse. Therefore they are concerned with the legality of the decision, not its planning merits. A challenge by way of Judicial Review must be made a) promptly and b) in any event not later than three months after the grounds to make the claim first arose.

Both of these risks need to be balanced against the risk of not proceeding to determine the application. In this scenario there is also a right of appeal against non-determination for application for which costs can also be awarded.

8.2 Human Rights: Article 8 give the right to respect for private and family life and First Protocol Article 1 allows for the peaceful enjoyment of possessions. These have to be balanced against the rights and freedoms of others and the orderly development of the County in the interests of the Community. First Protocol Article 1 requires that the desires of landowners must be balanced against the impact on residents. This legislation has been taken into account in arriving at the above recommendation.

8.3 Equalities: The concern of planning law is to regulate the use of land in the interests of the public at large, rather than those of any particular group. Equality will be one of a number of 'relevant considerations' that need to be weighed in Planning Committee members' minds under section 70(2) of the Town and Country Planning Act 1970.

8.4 Financial Implications: There are likely financial implications of the decision and/or imposition of conditions if challenged by a planning appeal or judicial review. The costs

of defending any decision will be met by the authority and will vary dependant on the scale and nature of the proposal. Local financial considerations are capable of being taken into account when determining this planning application – in so far as they are material to the application. The weight given to this issue is a matter for the decision maker.

9. BACKGROUND

Relevant Guidance and Planning Policies

9.1 National Planning Policy Framework: Summary of relevant minerals guidance:

9.1.1. 142: Minerals are essential to support sustainable economic growth and our quality of life. It is therefore important that there is a sufficient supply of material to provide the infrastructure, buildings, energy and goods that the country needs. However, since minerals are a finite natural resource, and can only be worked where they are found, it is important to make best use of them to secure their long-term conservation.

143: Local planning authorities should undertake a range of policy measures to safeguard mineral supply and avoid sterilisation whilst minimising environmental impacts and facilitation restoration of worked sites.

144. When determining planning applications, local planning authorities should amongst other matters:

- give great weight to the benefits of the mineral extraction, including to the economy;
- ensure, in granting planning permission for mineral development, that there are no unacceptable adverse impacts on the natural and historic environment, human health or aviation safety, and take into account the cumulative effect of multiple impacts from individual sites and/or from a number of sites in a locality;
- ensure that any unavoidable noise, dust and particle emissions and any blasting vibrations are controlled, mitigated or removed at source,31 and establish appropriate noise limits for extraction in proximity to noise sensitive properties;
- provide for restoration and aftercare at the earliest opportunity to be carried out to high environmental standards, through the application of appropriate conditions, where necessary. Bonds or other financial guarantees to underpin planning conditions should only be sought in exceptional circumstances;

145. Minerals planning authorities should plan for a steady and adequate supply of aggregates by:

- preparing an annual Local Aggregate Assessment, participating in the operation of an Aggregate Working Party,
- making provision for the land-won and other elements of their Local Aggregate Assessment in their mineral plans,
- taking account of published National and Sub National Guidelines on future provision,
- using landbanks of aggregate minerals reserves principally as an indicator of the security of aggregate minerals supply,
- making provision for the maintenance of landbanks of at least 7 years for sand and gravel, ensuring that large landbanks bound up in very few sites do not stifle competition; and
- calculating and maintaining separate landbanks for any aggregate materials of a specific type or quality which have a distinct and separate market.

9.1.2 Other relevant sections of the NPPF include:

- Achieving sustainable development
- Building a strong, competitive economy
- Supporting a prosperous rural economy
- Promoting sustainable transport
- Meeting the challenge of climate change, flooding and coastal change
- Conserving and enhancing the natural environment
- Conserving and enhancing the historic environment.

9.1.3 A technical companion guide to the NPPF includes minerals guidance on dust / air quality and noise and general guidance on drainage. This has been taken into account in assessing the application.

The Development Plan

9.2 Section 38 (6) of the Planning and Compensation Act 2004 Act states that "if regard is to be had to the development plan for the purpose of any determination to be made under the Planning Acts the determination must be made in accordance with the plan unless material considerations indicate otherwise". The NPPF confirms that 'there is a presumption in favour of sustainable development at the heart of the planning system, which should be central to the approach taken to both plan-making and decision-taking. Local planning authorities should plan positively for new development, and approve all individual proposals wherever possible. Local planning authorities should:

- Prepare local plans on the basis that objectively assessed development needs should be met, and with sufficient flexibility to respond to rapid shifts in demand or other economic changes;
- Approve development proposals that accord with statutory plans without delay and Grant permission where the plan is absent, silent, indeterminate or where relevant policies are out of date
- All of these policies should apply unless the adverse impacts of allowing development would significantly and demonstrably outweigh the benefits, when assessed against the policy objectives in the National Planning Policy Framework taken as a whole.

9.3.i. The Shropshire Core Strategy

- Policy CS5 (Countryside and Green Belt) – allowing for development on appropriate sites within the countryside that maintain and enhance countryside vitality and character where they improve the sustainability of rural communities by bringing local economic and community benefits, particularly where they relate to specified proposals including: required community uses and infrastructure which cannot be accommodated within settlements;
- Policy CS6 (Sustainable Design and Development Principles) – requiring designs of a high quality to respect and enhance local distinctiveness, mitigating and adapting to climate change
- Policy CS8 (Facilities, Services and Infrastructure Provision) – seeking the development of sustainable places by preserving and improving facilities and services; facilitating the timely provision of additional facilities, services and infrastructure to meet identified needs in locations that are appropriate and accessible; positively encouraging infrastructure where this has no significant adverse impact on recognised environmental assets
- Policy CS9 (Infrastructure Contribution);

- Policy CS16 (Tourism, Culture and Leisure);
- Policy CS17 (Environmental Networks) – to identify, protect, enhance, expand and connect Shropshire's environmental assets;
- Policy CS18 (Sustainable Water Management) – to reduce flood risk; to avoid an
- adverse impact on water quality and quantity

ii. Policy CS20 (Strategic planning for Minerals) Shropshire's important and finite mineral resources will be safeguarded to avoid unnecessary sterilisation and there will be a sustainable approach to mineral working which balances environmental considerations against the need to maintain an adequate and steady supply of minerals to meet the justifiable needs of the economy and society. This will be achieved by:

- Protecting the Mineral Safeguarding Areas (MSA's) and rail freight facilities which could contribute to the sustainable transport of minerals. Non-mineral development in these areas or near protected railfreight sites will be expected to avoid sterilising or unduly restricting the working of proven mineral resources, or the operation of mineral transport facilities, consistent with the requirements of national and regional policy.
- Encouraging greater resource efficiency by supporting the development and retention of waste recycling facilities which will improve the availability and quality of secondary and recycled aggregates in appropriate locations as set out in CS 19;
- Maintaining landbanks of permitted reserves for aggregates consistent with the requirements of national and regional policy guidance. 'Broad locations' for the future working of sand and gravel are identified. Sites capable of helping to deliver the sub-regional target for sand and gravel will be allocated within these areas in the Site Allocations and Management of Development DPD;
- Only supporting proposals for sand and gravel working outside these broad locations and existing permitted reserves, where this would prevent the sterilisation of resources, or where significant environmental benefits would be obtained, or where the proposed site would be significantly more acceptable overall than the allocated sites;
- Supporting environmentally acceptable development which facilitates the production of other mineral resources such as crushed rock, clay and building stone to meet both local needs, including locally distinctive materials, and to help meet cross boundary requirements.
- Environmentally acceptable proposals for the exploration, appraisal and production of hydrocarbon resources, including coalbed methane, will be supported as a contribution to meeting the requirements of national energy policy;
- Requiring development applications for mineral working to include proposals for the restoration and aftercare of the site.
- Priority will be given to environmentally acceptable proposals which can deliver targeted environmental or community benefits consistent with Policies CS8 and CS17. More detailed policies against which applications for mineral development can be assessed will be provided in the Site Allocations and Management of Development DPD.

Note: Gonsal Quarry is within an area identified as a broad location for future mineral working in the plan accompanying policy CS20.

9.4 The Shropshire and Telford & Wrekin Joint Structure Plan 1996-2011 was adopted in November 2002. Many of the policies in this Plan have now been superseded by the Shropshire Core Strategy. Saved Policy 16 safeguarding air quality remains relevant.

9.5 The Shrewsbury & Atcham Borough Local Plan The site is not affected by any specific designations in this plan. Previously relevant policies have now been superseded by policies in the Core Strategy.

9.6.i. The Shropshire, Telford and Wrekin Minerals Local Plan seeks to promote sustainable mineral operations which minimise the impact on people and the environment. The following saved policies are relevant:

- Policy M2 (The Need for Minerals). In the context of a sustainable approach to mineral development (Policy M1), where proposals for mineral working give rise to material planning objections which are not outweighed by other planning benefits, or when an Environmental Statement is necessary, the applicant will be required to demonstrate that there is a need for the mineral.
- Policy M4 (Operational Considerations). In determining applications relating to mineral development, regard will be paid to the following operational considerations:

  i. the measures to protect people and the environment from any unacceptably adverse effects, including visual, noise, dust, or traffic impacts; effects on surface waters or groundwaters and from the risk of flooding;
  ii. the method, phasing and management of the working proposals;
  iii. ancillary development (expanded in Policy M10);
  iv. site access and traffic movements (Policy M11); and,
  v. the method, phasing and management of the reclamation and afteruse proposals (Policy M27).

ii. Applicants will need to demonstrate that they have had regard to the detailed guidance contained in the 'Development Control Guidelines' (Appendix 4).

- Policy M27 (Reclamation and Afteruse). Planning permission for mineral development will only be granted where the application incorporates a satisfactory scheme for the reclamation of the site, progressively wherever possible, to an agreed after-use or to a state capable of beneficial after-use. Where the proposed after-use includes agriculture, woodland, amenity (including nature conservation) or other uses, a satisfactory scheme will need to include the following:

  i. provision for a 5 year period of aftercare;
  ii. a Reclamation Plan;
  iii. a Management Plan which should address the management requirements during each phase of the proposed development and where appropriate a planning obligation will be sought in order to secure the after-use, long term management and maintenance of the site;
  iv. proposals which take account of the site, its surroundings, and any development plan policies relevant to the area; and,
  v. evidence to show that the scheme incorporates best practice advice and is practical and achievable.

- Policy M30 (Comprehensive Working of Resources). Planning permission will only be granted where an applicant can demonstrate that the proposed development has taken account of the opportunity to work or to safeguard any economic minerals present within the site, provided that such working is consistent with the policies in the Minerals Local Plan.

Emerging policy guidance:

9.7 Site Allocations and Management of Development Document (SAMDEV) This document currently under preparation will include specific site allocations, including for future mineral working. A study undertaken by independent consultants (Amec) to inform the identification of future mineral allocations identified a larger area incorporating the current application site as potentially suitable for mineral working.

Other relevant guidance:

9.8 National and regional guidelines for aggregates provision in England 2005-2020
The government has prepared guidelines for use in the preparation and revision of minerals local development frameworks. The objective of the guidelines was to inform the provision of aggregates through the planning system in the English regions and for individual mineral planning authorities. A new system for forecasting aggregate demand and apportioning production targets will be progressed linked to the Localism Bill.

10. RELEVANT PLANNING HISTORY:

10.1 SC/MS1977/0755/SY extraction of sand and gravel at Gonsal Quarry, Condover. Granted 1977.
SC/MS1988/1170/SY extension of sand and gravel workings at Gonsal Quarry. Granted 1994.

11. ADDITIONAL INFORMATION

List of Background Papers: Planning application reference 12/04824/EIA and the related Environmental Impact Assessment, plans and supplementary reports as listed fully in condition 3 of Appendix 1 attached.
Cabinet Member (Portfolio Holder) Cllr M. Price
Local Member Cllr. T Barker
Appendices: APPENDIX 1 - Legal obligation heads of terms and recommended conditions

APPENDIX 1

Legal Agreement Clauses

1) To agree to an extended period of aftercare for all habitat areas within the total quarry site (including areas worked and restored under previous permissions) which will apply to all identified habitat areas within the Site for a period of 10 years from completion of restoration in each habitat area.
2) To agree to manage the aftercare habitat areas within the total quarry site in accordance with the principles set out in the habitat management plan required under Condition 51 below.
3) To convene and support an aftercare management steering group throughout the extended aftercare period which shall meet no less than annually and shall comprise representatives from the company, Shropshire Council, the Company and other relevant stakeholders where appropriate. The Steering Group shall review aftercare management actions from the preceding year and will agree the detailed actions for the forthcoming year;
4) To provide sufficient resources each year to facilitate the reasonable objectives of the aftercare management plan as agreed with the Steering Group;
5) To agree to use all reasonable endeavours to maintain appropriate control of the necessary land in order to facilitate the objectives of clauses 1 and 2 above;
6) To use appropriate endeavours to protect the longer-term habitat value within the total quarry site prior to the expiry of the extended restoration period specified in Clause 1. This shall include consideration in association with the Steering Group of the potential to apply for designated wildlife site status for relevant habitat areas.
8) To maintain the existing heavy vehicle routing agreement to ensure quarry lorries turn left towards Condover and approach the site from the north, except in case of emergencies or where local access is required.
9) To make an agreed payment to the Council per tonne of mineral exported from the site for the duration of mineral working under the terms of this permission, for use in maintaining the quarry access route on the public highway through Condover to the A49.

Conditions

COMMENCEMENT OF DEVELOPMENT

1. The development to which this permission relates must be begun not later than the expiration of three years from the date of this permission. For the avoidance of doubt development is defined as the commencement of soil stripping within the extension area to the south of the quarry plant site. The commencement of development within the Site is hereafter referred to as the "Commencement Date".

   Reason: To comply with Section 91(1) of the Town and Country Planning Act 1990.

   DEFINITION OF THE SITE AND PERMISSION

2. This permission shall relate to the land edged red on Drawing No. M05108(d)_08 hereinafter referred to as "the Site" and comprising the “existing quarry” and the “extension area” to the south of the existing quarry plant site

Reason: To define the Permission.

DEFINITION OF THE PERMISSION

3. Except as otherwise provided by the conditions attached to this permission the development hereby permitted shall be carried out strictly in accordance with:-

i. The submitted details as contained in the application form dated 20th November 2012.

ii. The following documents supporting the application:

- The planning statement dated December 2012;
- The Environmental Statement dated November 2012 comprising the following sections:

Section 1 - Introduction
Section 2 - Site Description
Section 3 - Proposed Development
Section 4 - Assessment of Environmental Effects and Alternatives
Section 5 - Agriculture
Section 6 - Air Quality (Dust and Noise)
Section 7 - Archaeology
Section 8 - Ecology
Section 9 - Socio Economic
Section 10 - Transport
Section 11- Visual
Section 12- Water
Section 13 - Conclusions and Residual Impacts
Section 14 - Non Technical Summary

APPENDICES
Appendix 5.1 - Published Agricultural Information;
Appendix 5.2 - Soils Report (1994);
Appendix 6.1 - Annual Windrose for Shawbury;
Appendix 6.2 - Noise Monitoring Points;
Appendix 6.3 - Ambient Noise Levels;
Appendix 6.4 - Table of Noise Estimates;
Appendix 6.5 - Noise Contour Plan;
Appendix 6.6 – Glossary;
Appendix 7.1 - Gazetteer of sites and findspots within the study area;
Appendix 8.1 - Protected Species Surveys, Thomson Ecology, 09/2008;
Appendix 8.2 - Great Crested Newt and Reptile Surveys - Thomson Ecology, June 2008;
Appendix 8.3 - Additional Protected Species Survey - Eco Tech, June 2010;
Appendix 8.4 - Great Crested Newt Survey - Eco Tech, April-June 2010;
Appendix 8.5 - Species lists - Eco Tech, April-June 2010;
Appendix 11.1 - Landscape And Visual Assessment Methodology;
Appendix 11.2 - Landscape And Visual Assessment Plans;
Appendix 11.3 - Photographs;
Appendix 12.1 - Environment Agency correspondence;
Appendix 12.2 - Hydrographs

Appendix 12.3 - WHS flow calculations
Appendix 12.4 - Geological data (Figure El — Estimated base of deposit)
Appendix 12.5 - Groundwater level data
Appendix 12.6 - Licensed abstraction data
Appendix 12.7 - Consent to discharge
Appendix 12.8 - Groundwater ingress calculation and assumptions
Appendix 12.9 - Flood Risk Assessment

iii. The submitted drawings accompanying the Environmental Statement, namely:

M05108(d)_01 - Current situation and block phasing (Rev A);
M05108(d)_02A - Working Sequence 1 (Rev C1);
M05108(d)_03C - Working Sequence 2 (Rev C1);
M05108(d)_04C - Working Sequence 3 (Rev C1);
M05108(d)_05C - Working Sequence 4 (Rev C1);
M05108(d)_06C – Final Restoration (Rev C1);
M05108(d)_07 – Restoration Sections A-F;
M05108(d)_08 – Planning Boundary.

iv. The supplementary information submitted in support of the application, namely:

- Letter and attachments from Hafren Water to Mr R.Parton dated 5th March 2013.

Reason: To define the permission.

TIME LIMITS

4a. The extraction of sand and gravel from the Site under the terms of this permission shall cease within 8 years of the Commencement Date as defined in Condition 1 above.

b. The date when extraction of sand and gravel has been completed within the Site under the terms of this permission shall be notified in writing to the Local Planning Authority.

Reason: To define the completion date for mineral extraction operations under the terms of the permission in accordance with the approved details.

5. The Site shall be fully restored within 18 months of the completion of mineral extraction under the terms of this permission and in accordance with scheme required to be approved under Condition 50 below.

Reason: To ensure the full and proper restoration of the Site within acceptable timescales.

6. The Local Planning Authority shall be notified in writing of the following events:-

i. the commencement of topsoil stripping and mineral extraction in the extension area;

ii. the commencement and anticipated completion of restoration in each successive phase within the Site.

Reason: To ensure satisfactory monitoring following the Commencement Date for the various specified operations with the Site.

GPDO RIGHTS

7. Notwithstanding the provisions of Part 19 of the Second Schedule of the Town and Country Planning (General Permitted Development) Order 1995 or any Order revoking or re-enacting that Order, the erection of any additional plant or machinery or structures or erections of the nature of plant or machinery shall not take place within the Site without the prior written approval of the Local Planning Authority. The only exception to this shall be for structures not exceeding 6 metres in height which are located within the existing Processing Plant area identified on the approved plans.

Reason: To enable the control of any further development within the Site, given its location in the corridor of the Mor Brook.

PLANTING AND SCREENING OPERATIONS AND OTHER PRELIMINARY OR ASSOCIATED WORKS

8a. All trees, hedgerows and bushes within the Site but outside the limits of extraction shall be retained and managed and, where appropriate, protected during excavation and restoration works by fencing or other means.

b. A scheme detailing measures to ensure continued protection of the existing mature hedgerows and woodland within the margins of the Site shall be submitted to and approved in writing by the Local Planning Authority within 3 months of the date of this permission.

Reason: To preserve and protect existing vegetation within the Site.

9. No soil storage shall take place other than in accordance with the details shown on the approved working plans as referred to in condition 3 above.

Reason: To ensure that satisfactory preservation of soils for restoration of the Site.

HOURS OF WORKING AND GENERAL CONTROL OVER OPERATIONS

10a. Unless otherwise approved in writing by the Local Planning Authority, or except in the case of emergency, records of which shall be retained for inspection by the Local Planning Authority, the quarrying and associated processing operations and uses hereby permitted shall not take place outside the following hours:-

Mondays to Fridays 07.30 - 17.00 hours
Saturdays 07.30 - 16.30 hours (Maintenance Work only)

No operations shall take place on Sundays, Bank Holidays or other National Holidays.

b. Access gates located at the entrance to the Site shall be locked or managed to ensure that no heavy goods vehicles enter the Site before 07.15 hours.

Reason: To safeguard the amenities of the area.

11. Measures shall be implemented to avoid the possibility of vehicles waiting outside the site prior to the permitted opening hours as specified in condition 10a above.

Reason: In the interests of highway safety.

12a. The total amount of mineral processed and dispatched from the Site under the terms of this permission shall not exceed 50,000 tonnes per year. For the purposes of this condition a year shall comprise a calendar year commencing on 1st January and ending on 31st December of that year.

b. Written records of the tonnage of mineral produced from the Site shall be provided to the Local Planning Authority within one month of the end of each calendar year.

Reason: To ensure that the production and dispatch of minerals is controlled at a level which is designed to protect the amenities of the local area.

13a. The total amount of minerals processed and dispatched from the Site as restricted under the provisions of Condition 12a above shall include no more than 15,000 tonnes per year of other aggregates for use in the processing plant or for blending.

b. Any minerals imported to the Site shall only use the access to Telegraph Lane as shown on the approved plans. Written records of the tonnage of minerals imported to the Site shall be provided to the Local Planning Authority within one month of the end of each calendar year.

Reason: To ensure that the import and export of materials is controlled at a level which is designed to protect the amenities of the local area.

14. There shall be no vehicular access or egress for vehicles engaged in the supply of sand and gravel extracted from the Site or the associated processing plant area other than by way of the existing quarry entrance onto the Class 3 Condover road.

Reason: To ensure that mineral vehicles travelling to and from the Site only use the approved Accesses to the Site.

15a. No quarry waste or other bulk or waste materials shall be imported to the Site under the terms of this permission.

b. No soils or soil making materials shall be brought on to the Site unless the prior written approval of the Local Planning Authority has been obtained.

Reason: To ensure that satisfactory control is maintained over the operations at the Site.

SITE DRAINAGE, POLLUTION CONTROL AND HYDROGEOLOGY

16a. A scheme providing for additional groundwater monitoring within the Site adjacent to the extension area at an agreed frequency shall be submitted to the Local Planning Authority for approval within 3 months of the Commencement Date. The scheme shall specify the proposed monitoring provisions throughout the period of mineral working hereby approved. Results of groundwater monitoring shall be provided to the Local Planning Authority upon prior request. The scheme shall be implemented in accordance with the approved details.

b. The scheme required by condition 16a shall identify an appropriate trigger level at which further investigation shall be undertaken by the applicant in the event that any fall in groundwater levels is encountered which may be attributable to the quarrying operations hereby approved and which could have the potential to affect local water supplies. In the event that the approved trigger level is exceeded the Local Planning Authority shall be notified within one working week of the company becoming aware of this situation.

c. A consultants report investigating the reason why the trigger level referred to in condition 16b above was exceeded and making appropriate recommendations for mitigation measures shall be submitted for the approval in writing of the Local Planning Authority within one month of the Authority receiving notification of the exceedance. The agreed mitigation measures shall be implemented in accordance with the approved scheme.

Reason: To allow groundwater levels to be monitored throughout the duration of the permitted development in order to provide appropriate notice of any changes to groundwater levels which may be attributable to the permitted development and allow appropriate remedial action to be taken if necessary.

17. Within 2 months of the Commencement Date a scheme providing supplementary information on hydrology within the Site shall be submitted for the approval in writing of the Local Planning Authority. The submitted scheme shall provide the following information:

i. A scheme detailing drainage works prior to discharge from the site to confirm there will be no increase in flood risk and no deterioration in water quality, including calculations for the proposed extraction area to confirm the attenuation volumes for the 1 in 2 year and 1 in 100 year greenfield run-off rates.

ii. Confirmation that the finished water lagoons will have sufficient capacity above the expected normal water levels to retain the 1 in 100 year plus climate change storm event and the effect on the Cound Brook both upstream and downstream.

iii. A scheme confirming measures to intercept and deal with run-off from working areas including measures to manage drainage from any non-permeable surfaces.

Reason: In the interests of flood prevention and to protect local surface and protection of ground and surface water resources.

18. There shall be no siting of structures or storage of materials and existing ground levels shall not be raised within 8 metres of top of the bank of all watercourses within or fringing the Site.

Reason: To ensure that flood water storage capacity is maintained and access to watercourses is maintained.

19. Throughout the period of working, restoration and aftercare the operator shall take steps to ensure that drainage from areas adjoining the Site is not impaired or rendered less efficient by the permitted operations.

Reason: To ensure the continuing satisfactory drainage of the Site.

20. No domestic sewage disposal shall take place unless the means of such domestic sewage disposal has first been approved in writing by the Local Planning Authority.

Reason: To minimise the risk of pollution.

21. No oil, fuel or chemicals shall be stored within the Site without the prior written approval of the Local Planning Authority. Any storage within bunded areas shall take place in properly constructed facilities consisting of an impervious base and impervious bund walls. The size of the bunded compound shall be equivalent to 110% of the capacity of the stored liquids

and all filling points, vents and sight glasses shall be located within the compound.

Reason: To prevent pollution of groundwater and surface water resources.

22. Prior to cessation of mineral extraction under the terms of this permission a scheme detailing measures for the final drainage of the Site shall be submitted to and approved in writing by the Local Planning Authority. The scheme shall be implemented in accordance with the approved details.

Reason: To ensure an acceptable standard of final drainage for the Site.

NOISE, DUST AND LIGHTING

23a. Noise attributable to the development hereby approved shall not exceed the following levels at the nearby noise sensitive locations during normal operations:

i. Grove Farm and Ryton Lodge - 48dB(A) LAeq 1h (free field).
ii. Grange Cottage and Radmore Cottage - 51dB(A) LAeq 1h (free field).

b. Noise levels shall not exceed 70dB(A) LAeq 1h (free field) at the nearby noise sensitive locations of Grove Farm, Ryton Lodge, Grange Cottage and Radmore Cottage during temporary operations (no more than a total of 8 weeks in any one year) such as bund formation soil stripping.

c. A noise monitoring scheme in respect of on-going compliance with the set noise limits shall be submitted to the Local Planning Authority for written approval within 3 months of the date of this planning permission, and shall thereafter be implemented in accordance with the approved details.

Reason: To protect the amenities of occupants of nearby properties from the adverse impact of noise emissions

24a. Before any extraction of minerals takes place within the Site a scheme incorporating details of the type of reversing alarms to be fitted to vehicles operating within the Site shall be submitted for the approval in writing of the Local Planning Authority.

b. All plant and machinery used within the Site shall incorporate silencers fitted in accordance with the manufacturers' specifications and those silencers shall be maintained in full working order.

Reason: To protect any noise sensitive properties from noise disturbances.

25a. With the exception of the temporary period of the construction of screening mounds and soil storage areas around the edges of the Site, operations shall be controlled so that there shall be no fugitive dust from the Site when viewed at the Site boundaries. In particular internal haul routes within the Site shall be graded and whenever necessary sprayed with water so as to minimise dust emissions from the Site.

b. A scheme setting out measures for the monitoring, control and mitigation of dust in the Site shall be submitted to the Local Planning Authority within 2 months of the date of this permission. The submitted scheme shall incorporate details of availability of water for dust suppression, provision for minimising drop heights and a procedure for dealing with any dust related complaints which may be received. Following its approval the scheme

required by this condition shall be implemented in accordance with the approved details.

Reason: To protect the amenities of the area from any dust generated by operations within the Site.

26. A water bowser of a type and size appropriate to control dust generated from the haul roads and other working areas within the Site shall be employed on the Site when weather conditions require the suppression of dust.

Reason: To ensure suitable dust suppression measures are employed on the Site particularly during dry and/or windy weather conditions.

27. The processing plant within the Site shall incorporate dust suppression measures including water sprays and such measures shall be maintained in effective working order throughout the duration of the mineral processing operations under the terms of this permission.

Reason: To protect the amenities of the area from dust generated by mineral processing operations at the Site.

28. No new fixed lighting shall be installed at the Site unless the details of such lighting have first been submitted to and approved in writing by the Local Planning Authority. All fixed lighting employed at the Site shall be designed so as to minimize the potential for light spillage and associated visual impact.

Reason: To protect the visual amenities of the area and to reduce the potential for disturbance to local wildlife.

INTERNAL SITE ROADS AND WHEEL CLEANING MEASURES

29. The haul road serving the processing plant shall be regularly maintained and swept to provide a clean and even running surface, free from potholes.

Reason: To protect the amenities of the area to minimise the risk of silt pollution and to ensure a satisfactory access to the Site over the period of mineral extraction.

30. A wheel cleaning system shall be deployed at the site for the duration of the mineral extraction operations hereby approved. All heavy goods vehicles exporting mineral from the Site shall be directed through the wheel wash system before joining the public highway.

Reason: To ensure that wheel cleaning measures are satisfactory over the life of the Site.

CONTROLS OVER METHOD OF OPERATIONS

31a. A scheme providing exact details of new fencing and / or boundary treatments for the Site during each phase of the minerals development shall be submitted to and approved in writing by the Local Planning Authority prior to the commencement of mineral extraction under the terms of this permission. The proposed fencing and / or boundary treatments shall be implemented in accordance with the details of the approved scheme.

b. All the existing perimeter hedges and fences shall be maintained, made stockproof where necessary and protected from damage by the operator until the restoration is completed. Where the Site boundary does not coincide with an existing hedge or fence, the operator shall provide and maintain appropriate fencing until the restoration of the Site is completed.

Undisturbed hedgerows within or bounding the Site shall be properly maintained, throughout the period of working and restoration.

Reason: To ensure the Site is enclosed to an acceptable standard and that hedgerows are maintained.

32. The extraction of sand shall not take place other than in accordance with the approved scheme of phased working shown on drawings listed in Condition 3 above. In particular, operations shall be carried out so as to minimize the amount of operational area which is subject to disturbance at any one time.

Reason: To ensure that working of the Site takes place in accordance with the Permitted Scheme.

33. No new buildings or mineral stockpiles shall be constructed at the Site unless further details of any such structures have first been submitted to and approved in writing by the Local Planning Authority.

Reason: To ensure that any proposals to construct new temporary buildings or mineral stockpiles at the Site are subject to appropriate planning controls in the interest of visual and general amenity.

34. Unless otherwise first approved in writing by the Local Planning Authority mineral shall not be stockpiled other than in the approved stocking area adjacent to the quarry plant site as shown on the approved block phasing plan accompanying the application (Drawing No. M05108(d)_01).

b. At no time throughout the duration of the operations hereby permitted shall the height of stockpiles exceed 10 metres.

Reason: In the interests of general and visual amenity.

SLOPE STABILITY

35. A scheme setting out measures for reviewing and ensuring slope stability shall be submitted for the approval of the Local Planning Authority within 6 months of the Commencement Date. The scheme shall incorporate the following measures:

i. Confirmation of measures for draining areas above excavated slopes throughout the operational and aftercare phases of the Site;
ii. A regular visual inspection regime to assess slope stability with a mechanism to report any identified problems to the Local Planning Authority, including investigation / recording of any water seepages, evidence of surface movement or surface erosion features encountered in excavated slopes which could impact on slope stability;
iii. A commitment to obtain specialist geotechnical advice on slope stability if necessary where a slope stability issue has been identified;
iv. Confirmation of detailed gradients for excavation and final restoration batters within the Site;
v. Confirmation of appropriate stand-offs to site boundaries with measures for physical demarcation of these stand-offs;
vi. Confirmation of detailed planting seeding measures and timescales to assist in stabilizing excavated slopes as soon as practicable after mineral extraction has ceased in a given phase.

Reason: To preserve slope stability within the Site having regard to the proximity of Telegraph Lane and Bridgwalton House to the excavations.

SOIL STRIPPING, MOVEMENT AND STORAGE

36. A scheme setting out detailed provisions for construction of new soil bunds within the Site shall be submitted for the written approval of the Local Planning Authority within 2 months of the date of this permission. The submitted scheme shall include details of locations, heights, gradients, seeding timescales and the timetable for bund formation. Following approval of the scheme required by this condition the construction and management of soil bunds shall take place in accordance with the details of the approved scheme.

Reason: To ensure the satisfactory handling and storage of soil resources within the Site.

37. A detailed soil handling strategy shall be submitted for the written approval of the Local Planning Authority within 2 months of the date of this permission. The submitted scheme shall include confirmation of controls on soil handling and storage and confirmation of measures to maximise the use of soil seedbanks.

Reason: To ensure the satisfactory handling and storage of soil resources within the Site.

38. No movement of soil shall take place except when the full depth of soil to be stripped or otherwise transported is in a suitable dry soil moisture condition. Conditions shall be sufficiently dry for the topsoil to be stripped and separated from the subsoil without difficulty. Soils should be drier than field capacity in the case of coarse textured soils and drier than lower plastic limit for fine textured soils.

Reason: To ensure the satisfactory handling of soil resources within the Extension Site.

39. Before any part of the Site is excavated or traversed by heavy vehicles or machinery (except for the purpose of stripping that part or stacking topsoil on that part), or is built upon or used for the stacking of subsoil, soil making material or overburden, or for the construction of a road, all available topsoil shall be stripped from that part using dump trunks, front end loading shovels and/or conveyors.

Reason: To ensure that soils are stored in a satisfactory condition for future restoration uses.

40. All soil types within the Site as approved by the Local Planning Authority shall be stripped and stored separately and within those soil types, the top and subsoils shall be stripped and stored separately. Any overlap of soil types in a storage mound shall be kept to the minimum necessary for the effective formation of that mound and the interface shall be suitably defined on site and on a record plan provided to the Local Planning Authority so that soil types can be easily located at mound removal stage.

Reason: To ensure that soils are stored in a satisfactory condition for future restoration uses.

41. Subsoils shall be stripped from the extraction area to a minimum 75cm in depth and shall be stored for the subsequent restoration of this part of the Site.

Reason: To ensure that sufficient subsoils are reserved for future restoration uses.

42. Within the Site, deeper pockets of soil making material shall be recovered wherever practicable for use in the restoration of the Site.

Reason: To ensure that materials within the Site which will be suitable for restoration works are saved for this use.

43. Mounds of topsoil, subsoil and soil making materials shall be constructed with only the minimum of compaction necessary to ensure stability. They shall be graded and seeded with a suitable grass seeds mixture, and the sward shall be managed throughout the period of storage including the removal of any weeds at an early stage of growth.

Reason: To ensure the satisfactory preservation of soils for restoration of the Site.

44. Following topsoil and subsoil stripping in each stage or part of the defined stage of the Site, no mineral extraction shall commence until a written statement has been received from the Local Planning Authority confirming that the relevant stage or the relevant part of it has been inspected and that all soils or soil-making materials have been stripped to the satisfaction of the Local Planning Authority, for use in the restoration of the Site.

Reason: To ensure that sufficient soils are reserved for restoration purposes.

45. Whenever possible, in accordance with the progressive working and restoration of the Site, soils stripped from a stage or sub-stage of extraction shall be immediately used for the restoration of a previously worked stage or sub-stage of the Site. Soils shall be replaced in the correct order with sub-soils and soil making materials placed in advance of topsoil.

Reason: To ensure that sufficient soils are reserved for restoration purposes.

46a. Stripping, movement, storage and subsequent replacement of soils shall only be undertaken using a back-actor, front end loading shovels, dump trucks and/or conveyors.

Reason: To minimise possible damage to soils for use in future restoration.

b. Stocking of soils in mounds shall be to a maximum height of 5 metres and such mounds shall be constructed with only the minimum amount of compaction necessary to ensure stability.

c. Run-off from soil storage areas shall be contained within the Site or intercepted via peripheral drains and settled out through on-site treatment facilities prior to any discharge from the Site.

Reason: To ensure the satisfactory conservation of soils, the proper construction of soil storage areas and to prevent the pollution of the Mor Brook or other surface waters.

47. No turf, topsoil or subsoil shall be removed from the Site.

Reason: To ensure that sufficient soils are retained for the comprehensive restoration of the Site.

48. Within 3 months of the formation of any soil storage mound in accordance with the approved plans the quantities shall be measured and supplied on an appropriate plan to the Local Planning Authority.

Reason**:** To ensure that sufficient soils are retained for the comprehensive restoration of the Site.

ECOLOGY, LANDSCAPING AND RESTORATION

49. No development, demolition or site clearance procedures shall commence until a European Protected Species (EPS) Mitigation Licence with respect to Great Crested Newts has been obtained and submitted to the local planning authority for the proposed work prior to the commencement of works on the site. Work shall be carried out strictly in accordance with the granted EPS Mitigation Licence.

Reason: To ensure the protection of Great Crested Newts, a European Protected Species.

Note:
Badgers, the setts and the access to the sett are expressly protected from killing, injury, taking, disturbance of the sett, obstruction of the sett etc by the Protection of Badgers Act 1992. No works should occur within 30m of a badger sett without a Badger Disturbance Licence from Natural England in order to ensure the protection of badgers which are legally protected under the Protection of Badgers Act (1992). All known Badger setts must be subject to an inspection by an experienced ecologist immediately prior to the commencement of works on the site.

50a. The Site shall be restored progressively in accordance with the general principles of restoration as shown on the Concept Restoration Plan (Drawing No. M05108(d)_06C).

b. Within 2 months of the date of this permission a detailed scheme of restoration and landscaping shall be submitted to the Local Planning Authority for approval in writing and these works shall be carried out as approved. The submitted scheme shall include:

i. Planting plans, including wildlife habitat and features (e.g. sand banks, hibernacula, bat and bird boxes, species-rich grasslands) showing location and number of each;
   - Tree and shrub species lists for mixed native hedgerow and woodland creation; (Woodland to be of NVC community types appropriate to the area and specific site conditions);
   - Numbers and planting patterns / mixes of trees and shrubs for hedge and woodland creation;
   - Means of ground preparation and planting pit specification where relevant;
   - Measures for tree protection and support (eg rabbit spirals and bamboo canes, or stakes and ties, or tree guards / shrub shelters);
   - Early years maintenance schedule (eg mulching and / or weeding, straightening and eventual removal of stakes and ties);
   - Replacement of losses as appropriate to achieve 90% survival rates after 5 years;
   - Timing of commencement and completion of the various phases of the scheme;
   - scale plans of the proposed planting sites;

ii. Written specifications (including cultivation and other operations associated with plant, grass and wildlife habitat establishment);
iii. Schedules of plants, noting species (including scientific names), planting sizes and proposed numbers/densities where appropriate;
iv. Native species used to be of local provenance (Shropshire or surrounding counties);
v. Details of trees and hedgerows to be retained and measures to protect these from damage during and after construction works;
vi. A scheme for the formation and treatment of all lakes to be established as part of the

restoration of the Site including depths of the lakes, gradient of banks, provision of safe and shallow shorelines, treatment of lake margins to promote the growth of appropriate vegetation and establishment of habitats and a timetable for the implementation of these works;

vii. A scheme for the restoration of the plant and stocks area and silt lagoons area;
viii. Implementation timetables.

Reason: To ensure the provision of amenity and biodiversity afforded by appropriate

51. A detailed habitat management plan shall be submitted to and approved by the Local Planning Authority within 3 months of the Commencement Date and shall include:

i. Description and evaluation of the features to be managed;
ii. Ecological trends and constraints on site that may influence management;
iii. Aims and objectives of management;
iv. Appropriate management options for achieving aims and objectives;
v. Prescriptions for management actions;
vi. Preparation of a works schedule (including a 5 year project register, an annual work plan and the means by which the plan will be rolled forward annually);
vii. Personnel responsible for implementation of the plan.
viii. Monitoring and remedial/contingencies measures triggered by monitoring.

The plan shall be implemented in accordance with the approved details.

Reason: To protect features of recognised nature conservation importance and maintain created habitat.

52a. All trees, hedgerows and shrubs within the Site boundary but outside the limits of extraction shall be retained and managed and, where appropriate, protected during excavation and restoration works to the reasonable satisfaction of the Local Planning Authority.

b. No disturbance shall take place to any established trees or shrubs within or surrounding the Site until after the end of the bird nesting season (March - June inclusive), unless a supplementary ecological survey has been submitted to and approved in writing by the Local Planning Authority which shows that the affected vegetation is not being used by any nesting birds.

Reason: To preserve and protect existing vegetation within the Site which is not allocated for removal and to safeguard any nesting bird species.

53a. All buildings, plant and machinery within the Site which have been installed in connection with the operations authorised under this permission or any previous permission relating to the Site, shall be demolished, and removed from the Site within twelve months of completion of mineral extraction and the sites of such buildings, plant and machinery shall be restored in accordance with the provisions of the scheme referred to in Condition 50 above.

b. All access and haul roads which have not previously been approved for retention by the Local Planning Authority in connection with the approved restoration and aftercare schemes shall be removed in accordance with the provisions of the scheme required by condition 50 above.

Reason: To assist in securing the full and proper restoration of the Site within an

acceptable timescale.

RESTORATION OF AGRICULTURAL AREAS

54a. Restoration of the Site involving soil replacement shall be carried out in dry ground and weather conditions. Soil shall be drier than field capacity in the case of coarse textured soils and drier than lower plastic limit for fine textured soils. All subsequent cultivation treatments shall only be carried out when the full volume of soil involved is in a suitably dry soil moisture condition to minimise soil damage and to maximise the effects of the subsoiling and rooting operations.

b. Movement of soils shall be carried out using low ground pressure equipment and in particular earth scrapers shall not be used for restoring best and most versatile agricultural land. Soils from areas scheduled for restoration to best and most versatile agricultural land shall be restored using the dump truck/loose tipping method in narrow strips of approximately 10 metres width. In particular dump trucks shall not travel on the replaced soils and any machinery travelling over the soils shall be kept to the minimum necessary to spread the soil and achieve a satisfactory restoration.

c. During the replacement of soils and other materials the restoration of the Site shall be carried out in a sequence which shall prevent the mixing of topsoil, subsoil making material and overburden.

Reason: To ensure the satisfactory handling and spreading of soils for restoration.

55a. Following the cessation of mineral extraction and before the replacement of subsoil, the upper layers of the sandpit base shall be subsoiled (rooted) with a heavy duty subsoiler. Such treatment shall ensure that there is:-

i. no material injurious to plant life

ii. no rock, stone, boulder or other material capable of preventing or impeding normal agricultural or land drainage operations including subsoiling.

iii. no wire rope, cable or other foreign objects.

iv. a reasonably level, but uncompacted, surface to receive subsoil.

b. Stones with a diameter in excess of 10 cm and other deleterious materials shall be removed from the Site or buried on the Site in a location and depth notified to the Local Planning Authority.

Reason: To ensure the satisfactory restoration of the Site.

56a. A minimum of 90 cm of subsoil shall be re-spread evenly over those areas approved to receive such subsoil. The subsoil shall be treated in accordance with the general requirements of Condition 54 above. Except where soils are being loose tipped no layer of replaced soil shall exceed 300mm thickness before it is subsoiled (rooted) and the subsoiling operation must penetrate at least 150mm into the underlying layer to relieve compaction at the interface. Subsoil upon which other soils have been stored shall also be subsoiled (rooted) in the same manner.

b. Stones with a diameter in excess of 10cm or other deleterious materials shall be removed

from Site or buried on the Site in a location and depth notified to the Local Planning Authority.

Reason: To ensure the satisfactory restoration of the Site.

57a. After satisfactory replacement and treatment of the subsoil, a 30 cm layer of topsoil shall be re-spread evenly over those areas approved to receive such topsoil. The topsoil shall be subsoiled (rooted) and cultivated and topsoil upon which other topsoil has been stored shall be subsoiled (rooted) and cultivated in the same manner.

b. All operations involving soil replacement and cultivation treatments shall only be carried out when the full volume of soils involved is in a suitable dry soil moisture condition.

Reason: To ensure the satisfactory restoration of the Site.

58. Stones with a diameter in excess of 10cm and any other material in the restored soil profile which is deleterious to the establishment of the proposed afteruses shall be removed from the Site or buried at considerable depth in a manner to be the subject of the prior approval of the Local Planning Authority.

Reason: To ensure the satisfactory restoration of the Site.

59. Prior to cultivation of the replaced soils in each stage of restoration a formal inspection shall take place with the Local Planning Authority to ensure that the restoration levels are in general accordance with the levels set out in the approved Restoration Plan and that the contours are suitable for future reinstated agricultural operations.

Reason: To ensure this satisfactory restoration of the Site.

60a. On the completion of restoration all fixed equipment, machinery and buildings shall and areas of the site haul roads which are not required in association with the approved afteruse shall be removed from the Site.

b. Field water supplies shall be provided in those parts of the Site which are returned to agricultural uses.

Reason: To ensure the satisfactory restoration of the Site.

61. Where each progressive stage of restoration within the Site incorporates the planting of hedgerows and trees, such planting shall be implemented in accordance with a detailed specification supplied to and approved in writing by the Local Planning Authority and the work shall be carried out within the first planting season following restoration.

Reason: To ensure the satisfactory restoration of the Extension Site.

AFTERCARE

62a. All agricultural areas shall undergo aftercare management for a 5 year period, commencing on the date at which the restoration is completed to the satisfaction of the Local Planning Authority.

b. All areas of habitat based restoration incorporating lakes, grassland and woodland shall undergo aftercare management in accordance with the provisions of the legal obligation

accompanying this permission from the date when restoration has been completed under the terms of this permission until the expiry of 5 years following the completion of mineral working under the terms of this permission.

Reason: To bring the land to the required standard for agricultural use and wildlife habitats.

63. Detailed aftercare schemes for agricultural areas shall be submitted for each restored section of the Site as soon as restoration has been completed to the satisfaction of the Local Planning Authority. The submitted schemes shall provide for the taking of such steps as may be necessary to bring the land to the required standard for agriculture, including as appropriate:

i. minor regrading works as necessary to alleviate the effects of settlement and surface ponding;
ii. measures to reduce the effects of compaction;
iii. fertiliser and lime application;
iv. cultivation works;
v. reseeding where necessary of any parts of the area sown which do not provide a satisfactory plant growth in the first year;
vi. grass cutting or grazing;
vii. replacement of hedge and tree failures;
viii. weed and pest control;
ix. drainage including the construction/maintenance of ditches and soakaways;
x. field water supplies
xi. under drainage
xii. vegetation management proposals including as necessary firming, re-staking, fertiliser application, thinning and replacement of failures within the aftercare period;
xiii. habitat management proposals within the aftercare period;
xv. track maintenance within the Site;
xvi. repair to erosion damage;

Reason: To ensure the establishment of a productive afteruse for the non-agricultural areas of the Site in accordance with the details of the approved scheme.

REVIEW OF SITE OPERATIONS

64. The Site shall be subject to a formal annual review of operations throughout the period of working, restoration and aftercare hereby approved. The annual review shall cover issues including:

i. noise and dust mitigation;
ii. extraction and processing;
iii. progressive restoration;
iv. aftercare, including to agriculture and nature conservation;
v. a review of any complaints received and action taken.

Reason: To provide a suitable mechanism for the ongoing review of Site operations.

RETENTION OF DOCUMENTS AND PLANS AT THE SITE

65. A copy of all documents and plans comprising the permitted scheme as referred to in Condition 3 above shall be held at the Site for inspection and reference for the duration of

the permitted development.

Reason: To ensure the availability of the details of the permitted development to on-site personnel.

APPENDIX 2

FULL TEXT OF REPRESENTATIONS FROM INDIVIDUAL RESIDENTS

i. Hackett (Objects) We live close to this existing quarry and experience large numbers of lorries and other vehicles that pass our house on a road that is single track and unsuitable for lorries. We have lost large parts of our garden as this traffic is eroding our garden and we have lost a large section of our boundary hedge which can only get worse. Lorries use our drive as a passing place as there are limited places for vehicles to pass. As part of the existing planning permission lorries should not be passing our house but they do in large numbers. By expanding the quarry south of the existing site we will experience large amounts of dust and noise which is unacceptable. We also have a holiday cottage close to the boundary of the land owned by the quarry and this will make this business unworkable due to noise and dust. This is a business that we have built up over a number of years, supporting tourism to Shropshire and for which we pay council tax for. In the application the timescale of the proposed work is more than a little vague. The applicant needs to be specific in detailing what will happen and when. If permission were to be granted I would want to know when the restoration work would be completed. Another local quarry (Dorrington Sand and Gravel) is required to carry out restoration work as part of its planning permissions and this work has not been carried out. The working hours of the quarry are I believe excessive and the volume of traffic quoted for the existing quarry does not appear realistic based on my experience of traffic past our house. As part of the restoration work there is no public access - why not? This is a large site and although wildlife should be encouraged so should public access.

ii. Lean-Williams: (Objects) - My objections to this proposal come initially from the wording of the summary of the planning application. We are directly affected by the "Access/Traffic" created by the quarry and in particular I raise objection to the statement that working hours start at 0700 every day of the week, I can assure you that HGV vehicles start passing through the village at 0530 daily as they wake me up at that time in the morning daily...I have a five month old who doesn't wake me up as often as these lorries do!! I would like to know why on earth they need to begin arriving at the

quarry at this time if it doesn't open til 0700!!? By speaking to various people it seems that the lorries come and park up in readiness at this time...I believe this to be an unnecessary disruption to the village and would suggest that maybe a ban on HGVs through the village between certain times would be a good concession for the quarry traffic to uphold. Most other towns and villages implement this so why not here where it is a real issue, Bayston Hill is a good example of this practice. My second objection is to the somewhat vague notion of time-scale for which we are allowing the quarry to remain in operation...is it 8 or is it 10 years? Two years is quite a long period of time to be vague about! Might it be more sensible to impose maybe a 5 year allowance to continue quarrying for it to then be reviewed for an additional period, many things can change in 5 years. I believe when continuation of quarrying first was proposed, the time period was much shorter and there was also an alternative route for the traffic being discussed, as these things have since changed, I think some concessions would be a small price to pay.

iv. Hargreaves: (Support) Being very close neighbours to the proposed development, we support the proposed extension to the quarry and restoration for nature conservation benefits. We would however like to ensure that Ragwort is professionally controlled across the entire existing and proposed development, and in addition that security preventing unauthorised access for shooting or scrambling is strengthened.

v.(a) Betton: (Objection): Within this planning application to expand the working face of Gonsal open-cast pit mine there is no confirmation that the general public will be allowed to walk through the re-landscaped old workings of Gonsal open-cast pit mine, I also read about the of Conservation of protected species. So, this item really does need to clarified, for decade upon decade the general public, local and traveling though have had to deal with noise, noise and pollution, HGV's traveling through the local villages, et cetera, but it would appear that the public will not be allowed to walk the new landscaped area when the restoration is completed. This means that for decade after decade, a heavy industrial open-cast pit mining operation that was allowed to destroy wildlife habitats with massive items of polluting machinery and when they have removed all the material that they can and sell it for profit, we the general public are not allowed to WALK through the newly landscaped area because it will be a conservation area, how strange and very odd, all of a sudden the planners now are of the opinion that the land must not be walked on but it appears that they support this next expansion plan that will start the cycle of wildlife habitat destruction again, and again by allowing very heavy machines to roam the site. I would like someone from the planning department to explain to everyone, why is it okay to destroy wildlife habitat and countryside with heavy machines weighing many, many tonnes, but not okay for walkers to walk the new tracks? I have seen a reference to one house that the expansion will cause problems for but this is not a true statement as HGV's traveling through two villages, on of which is a conservation area encompasses very many more homes.

(b) Apparently the planning applicant has proposed a range of traffic controls to avoid the school opening and closing times, as described below, “The applicant is proposing a range of traffic control measures, including a commitment not to receive or despatch quarry traffic during school opening and closing times”. As already mentioned, in Condover we have three very different types of learning establishments that probably use different times for opening and closing and daily excursions. How will the suggested traffic controls be enforced? Reading the comments attached to planning application 13/00336/EIA, it would appear that mineral HGV’s are and have been travelling though Condover outside of the current agreed times that was agreed from

previous planning applications. The proposals made to suggest a way of controlling mineral HGV's would be extremely difficult to control, if not impossible.

(c) With reference to the statements within the SAMDev document, which states no further mineral extraction would be allowed unless a relief road is constructed taking Mineral HGV's directly to the A49 via a new relief road and the fact that the main reason for this can only be because of the health and safety risks associated with HGV's travelling through narrow roads of a Village in a conservation area, which has two existing learning establishments and one new adventure holiday complex, which was not there when the above statement was made and can now cater for an additional 500 young visitors passing along the same road as mineral HGV's. Very recently, it appears that the front garden wall of a house on one of the very same routes that mineral HGV's use (Between the entrance of Gonsal open-cast pit mine and the A49 via Condover Village) has been demolished by a vehicle of some kind. I do not know what type of vehicle caused the damage or who was the driver, the house is just on the edge of Condover village at the bottom of a downhill stretch of the route on the right just before the Cound Bridge. This very recent event, about three weeks ago, together with other incidents including vehicles leaving the road, turning upside down and partly destroying another front entrance wall in Condover village over the years should be considered. My message to all those members of the Shropshire Planning Committee who will decide on the fate of planning application 13/00336/EIA that does not include the new relief road is, we must all sincerely hope that the final decision will not have an impact on residents lives especially in the area of road traffic accidents and the safety of local residents and the general public.

vi. Daley: (Objection): Here we go again! Gonsal Quarry applying for yet more while its lorries trundle endlessly through what used to be a quiet village, causing holdups, kerbside damage, noise and diesel. At the same time we have the same old mantra about the Great Crested Newts, bats, water voles etc. only those working at Gonsal ever see (if indeed they exist) and if they do, they're no reason for spoiling the village. I don't believe there will be any benefit from this proposal other than to the owners of Gonsal who, yet again will indulge in promises never fulfilled, to a Council who are clearly an easy "prey". Had to get that across, with no confidence it'll have any effect. My house is still being shaken by lorries, my peace disturbed and my outside needing re-pointing due to fallen cement caused by heavy traffic.