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WHETSTONE BRIDGE FARM WASTE RECOVERY PLAN TO SUPPORT ENVIRONMENTAL PERMIT APPLICATION EPR/GB3002MQ/A001

For

MORETON C CULLIMORE (GRAVELS) LIMITED

July 2021

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Report Title: **Whetstone Bridge Farm Waste Recovery Plan to Support Environmental Permit Application EPR/GB3002MQ/A001**

Client: **Moreton C Cullimore (Gravels) Limited**

Job: WHETEPR
Report Number: 210711
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Prepared by: Edward Betteridge
Issue Date: 9th July 2021

Issue History:

Issue No	Date	Description	Admin Review	Technical Review	Approver
v.01	09.07.21	Final	GM	MP	MP

Approver Signature:

This document is based on GWP report template v.1.09 and Normal template v3.10 17/04/19

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WHETEPR2107-2	Environmental Permit application area	a
WHETEPR2107-3	Extent and thickness of restoration infilling	a
WHETEPR2107-4	Cross sections through restored landform	a

APPENDICES

Appendix 1	Earthworks drawings submitted as part of Planning Permission 16/0083/CWMAJM
Appendix 2	Planning Permission documents (16/0083/CWMAJM)
Appendix 3	Waste Acceptance Criteria and Procedures
Appendix 4	Method specification for the placement and compaction of imported inert fill
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WHETSTONE BRIDGE FARM WASTE RECOVERY PLAN TO SUPPORT ENVIRONMENTAL PERMIT APPLICATION EPR/GB3002MQ/A001

1. INTRODUCTION AND BACKGROUND

This report presents a Waste Recovery Plan (WRP) for the works approved by Planning Permission 16/0083/CWMAJM which provides for, *inter alia*, site restoration using imported inert fill material at Whetstone Bridge Farm, Sheepenbridge Lane, Down Ampney, Gloucestershire (the Whetstone site).

The WRP has been prepared in order to provide the information necessary for the Environment Agency to confirm that the permanent deposit of imported inert fill at the Whetstone site is a waste recovery activity and not a waste disposal activity. The Environment Agency has recently confirmed that this is the case for very similar activities nearby (Land at Manor Farm South and Dairy Farm, Ashton Keynes (Environmental Permit EPR/AB3101LV) and Land East of Spratsgate Lane and Adjacent to Keynes Country Park, Shorncote (Environmental Permit EPR/EB3304HS)).

The WRP has been prepared having regard to Environment Agency guidance (published on 21 April 2021).

It is considered that recovery operations coded R3, R5, R10 and R13 in Annex IIB of the Waste Framework Directive (Directive 2006/12/EC) are applicable to the completion of the approved works at the Whetstone site.

This WRP accompanies an application for a Bespoke Environmental Permit (use of waste in a deposit for recovery operation). The applicant is Moreton C Cullimore (Gravels) Limited.

2. PURPOSE OF THE WORK

Completion of the approved site restoration scheme, involving the restoration of the mineral extraction area requires 416,520m^3 (approximately 728,910t using a standard conversion factor of 1.75t/m^3) of imported inert fill material.

Drawing No. WHETEPR2107-1 presents a site location plan and Drawing No. WHETEPR2107-2 shows the Environmental Permit application area.

The approved restoration scheme provides for the restoration of the site to a mix of planted and naturally regenerating wetland, grassland, hedgerows and areas of farmland. The latter will safeguard the best and most versatile soil resources on site.

All site restoration activities will be carried out in accordance with the Biodiversity Mitigation Scheme prepared in accordance with the requirements of Condition 46 of the extant Planning Permission.

It is important to note that the proposed scheme has been designed by professional specialists.

The overall objectives of the site restoration centre on assimilating the restoration landform into the surrounding landscape and enhancing habitats appropriate to the context of the Down Ampney and Meysey Clay Vale Lowland and Cotswold Water Park BAP objectives.

Specific objectives in relation to landscape, ecology and water management are outlined below.

- ***Landscape objectives:***
    - Introduce structural planting that reflects the best and most characteristic elements of the local landscape.
    - Establish vegetation on the restored landform at the earliest opportunity to reduce the visual presence of development.
    - Manage and where possible strengthen perimeter vegetation during the operational phase of the site.
    - Ensure the restoration scheme reflects the local landscape character.
- ***Ecological objectives:***
    - Reinforce connectivity between existing and restored habitats and the wider landscape.

- Enhance biodiversity within the restoration scheme through the creation and management of areas of wetland, hedgerow, grassland and riparian habitat to encourage invertebrates, reptiles, amphibians, mammals and at to the current bat foraging and commuting habitat along the River Thames.
- Control threats to biodiversity such as spread of invasive and non-native species.

- ***Water management objectives***
  - Ensure self-sustaining and effective water management of rainfall and groundwater.
  - Seek opportunities to benefit wildlife interest in the profiles of the restored water features.

Appendix 1 presents detailed scheme drawings approved by the extant Planning Permission.

Drawing No. WHETEPR2107-3 shows the extent and thickness of site restoration infilling using imported inert fill required to achieve the approved restoration landform. Drawing No. WHETEPR2107-4 shows a series of cross sections through the restored landform.

A further important benefit of the activity is the diversion of non-recyclable inert waste from landfill disposal to a more beneficial end use.

It is considered that there is a clear benefit from the activity.

3. PLANNING PERMISSION

The works, involving the importation and placement of inert fill material, are approved by Planning Permission 16/0083/CWMAJM. The Panning Permission decision documents are provided in Appendix 2.

4. QUANTITY OF WASTE USED

416,520m^3 (approximately 728,910t using a standard conversion factor of 1.75t/m^3) indicated is the volume of fill material required to achieve the approved restoration landform provided for by the Planning Permission. A lesser volume of fill material would not deliver the approved scheme.

The scheme was designed by David Jarvis Associates Ltd having specific regard to the requirements for delivering the intended benefits associated with restoration of the site to a mix of planted and naturally regenerating wetland, grassland, hedgerows and areas of farmland. The latter will safeguard best and most versatile soil resources on site.

Appendix 1 presents detailed scheme drawings approved by the extant Planning Permission. Figure 8 in Appendix 1 shows approved final site restoration contours.

Drawing No. WHETEPR2107-3 shows the extent and thickness of site restoration infilling using imported inert fill required to achieve the approved restoration landform. Drawing No. WHETEPR2107-4 shows a series of cross sections through the restored landform.

The thickness of imported fill to be placed ranges from 0m to *c.* 4.0m (average 2.9m).

The ability of the scheme to successfully deliver the identified important ecological habitats and associated benefits is contingent upon the site being restored in the approved manner and to the approved restored surface levels provided for by the Planning Permission.

Restoration of the site at lower surface levels would not deliver the identified benefits given that the restored surface would then be generally too wet and prone to flooding. Such a hydrological setting would not be compatible with the establishment and maintenance of the specific ecological habitats and the safeguarding of best and most versatile soil resources on site provided for by the approved scheme.

There is no source of on-site fill material available for use in the restoration. Accordingly, there is a requirement to import 416,520m^3 of inert fill material to achieve the approved restoration. This requirement was identified in, and formed part of, the original Planning Application. The scheme has been approved and accordingly the importation of the inert fill material is provided for by the extant Planning Permission.

The application is submitted on the basis that that the minimum amount of waste is being used to achieve the intended benefit and that the permanent deposit of 416,520m^3 imported inert fill at the Whetstone site is a waste deposit for recovery activity and not a waste disposal activity.

5. MEETING QUALITY STANDARDS

5.1 Is the recovered waste material suitable for its intended use?

The recovered waste will be imported inert fill material sourced from construction sites within the general Swindon area. To ensure that the recovered waste material is suitable for its intended use, the works will be managed by staff having the appropriate level of technical competence with relevant qualifications gained from one of the accepted industry schemes. Waste Acceptance Criteria inspection procedures will be in place to ensure that the inert fill material used in the works is as described on Waste Transfer Notes, is permitted by the Environmental Permit and is fit for purpose (Appendix 2).

The following waste types are to be provided for in the Environmental Permit (it should be noted that the waste types provide for the importation of uncontaminated wastes from brownfield developments):

Waste types	
Exclusions Wastes having any of the following characteristics shall not be accepted: - consisting solely or mainly of dusts, powders or loose fibres - hazardous wastes - wastes in liquid form	
Waste code	**Description**
01	**WASTE RESULTING FROM EXPLORATION, MINING, QUARRYING AND PHYSICAL AND CHEMICAL TREATMENT OF MINERALS**
01 01	**wastes from mineral excavation**
01 01 02	wastes from mineral non-metalliferous excavation
01 04	**wastes from physical and chemical processing of non–metalliferous minerals**
01 04 08	waste gravel and crushed rocks other than those mentioned in 01 04 07
01 04 09	waste sand and clays
17	**CONSTRUCTION AND DEMOLITION WASTES (EXCLUDING EXCAVATED SOIL FROM CONTAMINATED SITES)**
17 01	**concrete, bricks, tiles and ceramics**
17 01 01	concrete
17 01 02	bricks
17 01 03	tiles and ceramics
17 01 07	mixtures of concrete, bricks, tiles and ceramics other than those mentioned in 17 01 06
17 05	**soil (excluding excavated soil from contaminated sites), stones and dredging spoil**
17 05 04	soil and stones including chalk other than those mentioned in 17 05 03
17 09	**other construction and demolition wastes**
17 09 04	mixed construction and demolition wastes other than those mentioned in 17 09 01, 17 09 02 and 17 09 03

17 05 04 waste will be sourced from greenfield sites and/or will be waste of 'greenfield quality' sourced from brownfield sites (*i.e.* naturally occurring material for which there is no suspicion of contamination based on specific source specific environmental risk assessment, supported as necessary by laboratory analysis).

5.2 Will the proposal be completed to an appropriate standard?

The works will be undertaken by an experienced earthworks operator (Moreton C Cullimore (Gravels) Limited) and will be managed by staff having the appropriate level of technical competence with relevant qualifications gained from one of the accepted industry schemes. Robust Waste Acceptance Criteria and Procedures will be implemented to ensure that the inert fill material used in the works is as described on Waste Transfer Notes, is permitted by the Environmental Permit and is fit for purpose.

The works will be undertaken in accordance with principles of best practice including British Standard BS 6031:2009 (Code of practice for earthworks).

A method specification for the placement and compaction of imported inert fill is presented in Appendix 3.

Management of the completed restoration scheme will be in accordance with the management plan (Landscape Mitigation and Detailed Aftercare Scheme – Land at Whetstone Bridge Farm, Down Ampney, Gloucestershire. David Jarvis Associates Limited. February 2017.) approved by extant Planning Permission 16/0083/CWMAJM and presented in Appendix 4.

5.3 Engineering and Monitoring

An engineered side slopes Artificial Geological Barrier (AGB) will be constructed to provide protection to soil, groundwater and surface water. A Construction Quality Assurance Plan for the AGB is provided as Appendix N of the Environmental Permit application (GWP Report No. 210220).

The risk assessments provided in Appendix E of the Environmental Permit Application have established that the deposit for recovery activity, approved by the extant Planning Permission will, not cause environmental harm.

The imported fill material will be inert and robust Waste Acceptance Criteria and Procedures will be implemented to ensure that this is the case (see Section 3.5 and Appendix 2).

There will be no significant potential for the imported fill material to impact adversely on groundwater or surface water quality or to generate gas. Accordingly, no groundwater, surface water or gas monitoring is required, and none is proposed.

No aftercare monitoring will be required given that the imported fill material will be strictly inert and will not cause environmental harm.

6. OBLIGATIONS TO DO THE WORK

Planning Permission 16/0083/CWMAJM places a legal obligation on the applicant to complete the approved restoration of the site, whether with waste or non-waste material. This alone demonstrates that the waste is being used as a substitute for a non-waste material.

Construction of the proposed scheme would be technically feasible using imported primary source non-waste material. However, use of such material would be inappropriate and would not be consistent with sustainability principles given that imported inert waste is a suitable substitute for the non-waste material.

The use of recovered inert waste to construct the proposed scheme would reduce the volume of inert waste requiring disposal to landfill and is fully in accordance with the aspirations set out in various HM Government waste management documents including:

- Planning Policy Statement 10: Planning for Sustainable Waste Management;
- Waste Management Plan for England: December 2013; and
- Government Review of Waste Policy in England 2011.

7. SUMMARY

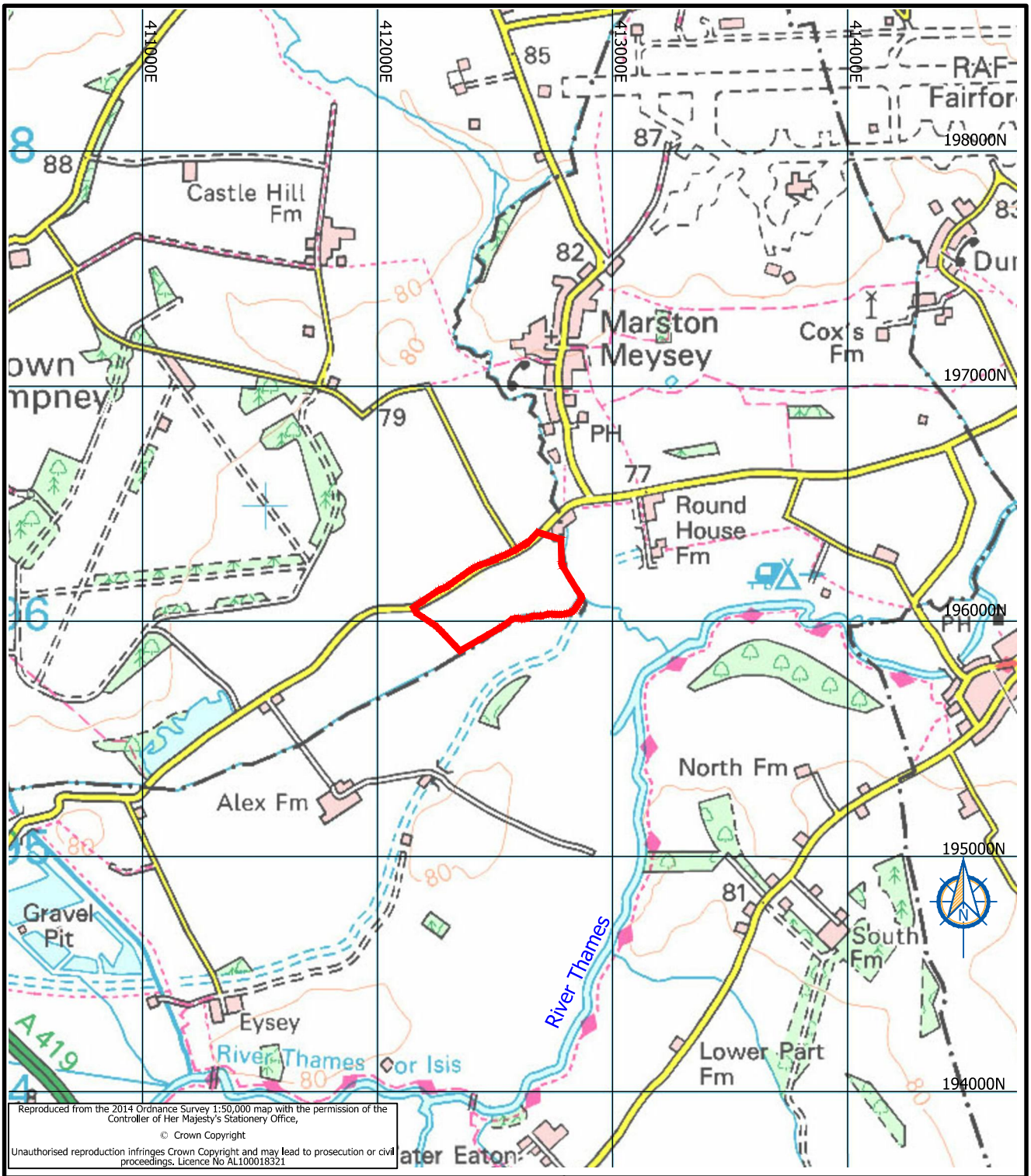
This report presents a Waste Recovery Plan (WRP) for the proposed works (Planning Permission 16/0083/CWMAJM which provides for, *inter alia*, site restoration using imported inert fill material.

Completion of the approved site restoration scheme, involving the restoration of the mineral extraction area requires 416,520m^3 (approximately 728,910t using a standard conversion factor of 1.75t/m^3) of imported inert fill material.

This WRP accompanies an application for an Environmental Permit to allow the approved works to be completed. The application is for a Bespoke Environmental Permit based on SR 2015 No. 39 (use of waste in a deposit for recovery operation). The applicant is Moreton C Cullimore (Gravels) Limited.

It is considered that the approved works satisfy the waste recovery tests and that this WRP confirms that the permanent deposit of imported inert waste on the land at the Whetstone site to achieve the proposed restoration scheme is a waste recovery activity and not a waste disposal activity.

GWP CONSULTANTS
JULY 2021



LEGEND

Site boundary

Version	Revision and compilation notes	Date
a	Final	09.07.2021

Client: Moreton C Cullimore (Gravels) Limited

Project: Whetstone Bridge Farm Permit EPR/GB3002MQ

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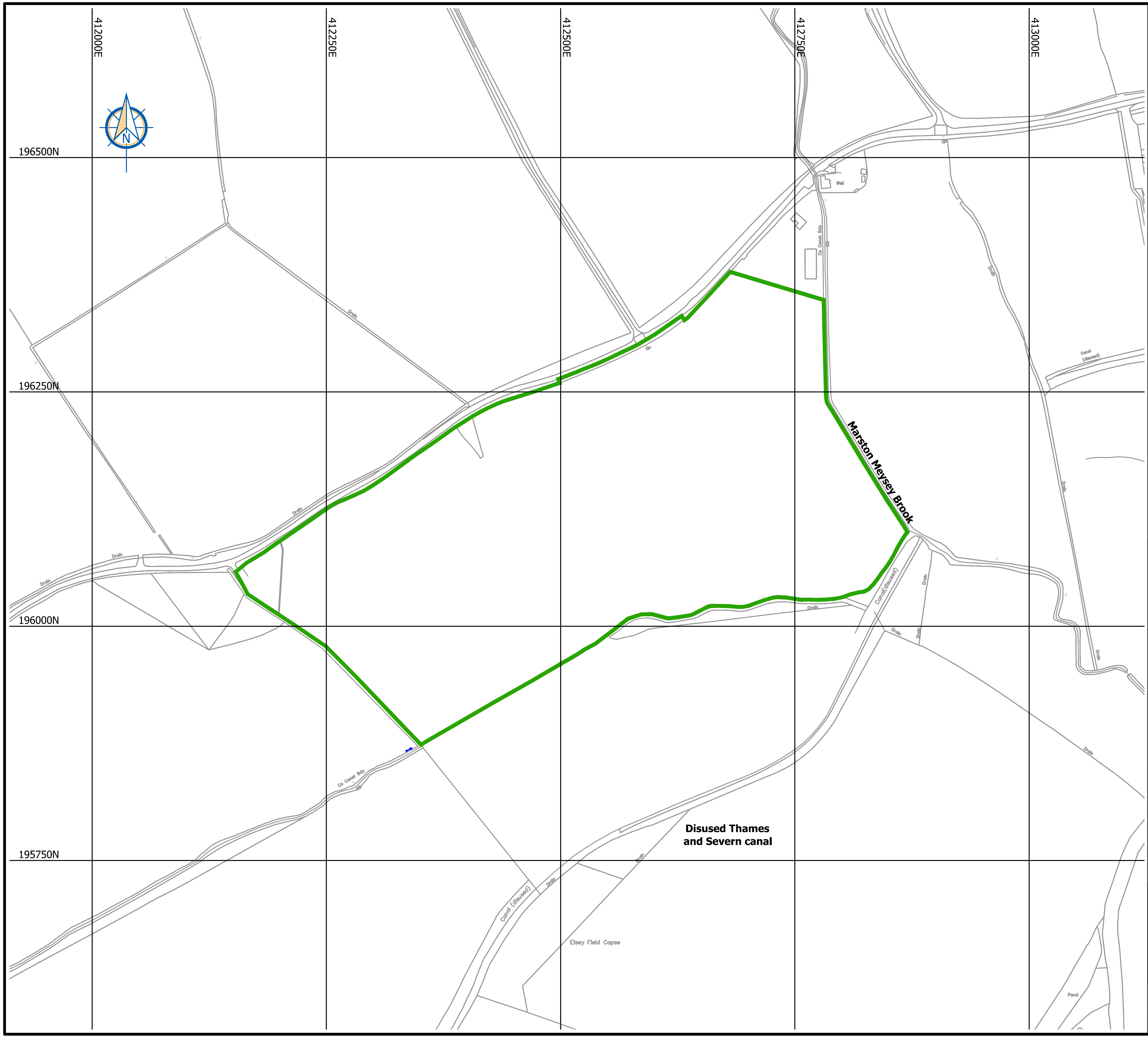
earth & water resources

Site location plan

Date	Drawn	Checked	Scale
09.07.2021	EMB	*MP*	1:25,000 at A4

Drawing Ref	Drawing No	Version
WHETEPR2107	1	a



LEGEND

Environmental Permit application area (EPR/GB3002MQ)

Version	Revision and compilation notes	Date
a	Final	09.07.2021

Client
Moreton C Cullimore (Gravels) Limited

Project
Whetstone Bridge Farm Permit EPR/GB3002MQ

Environmental Permit application area

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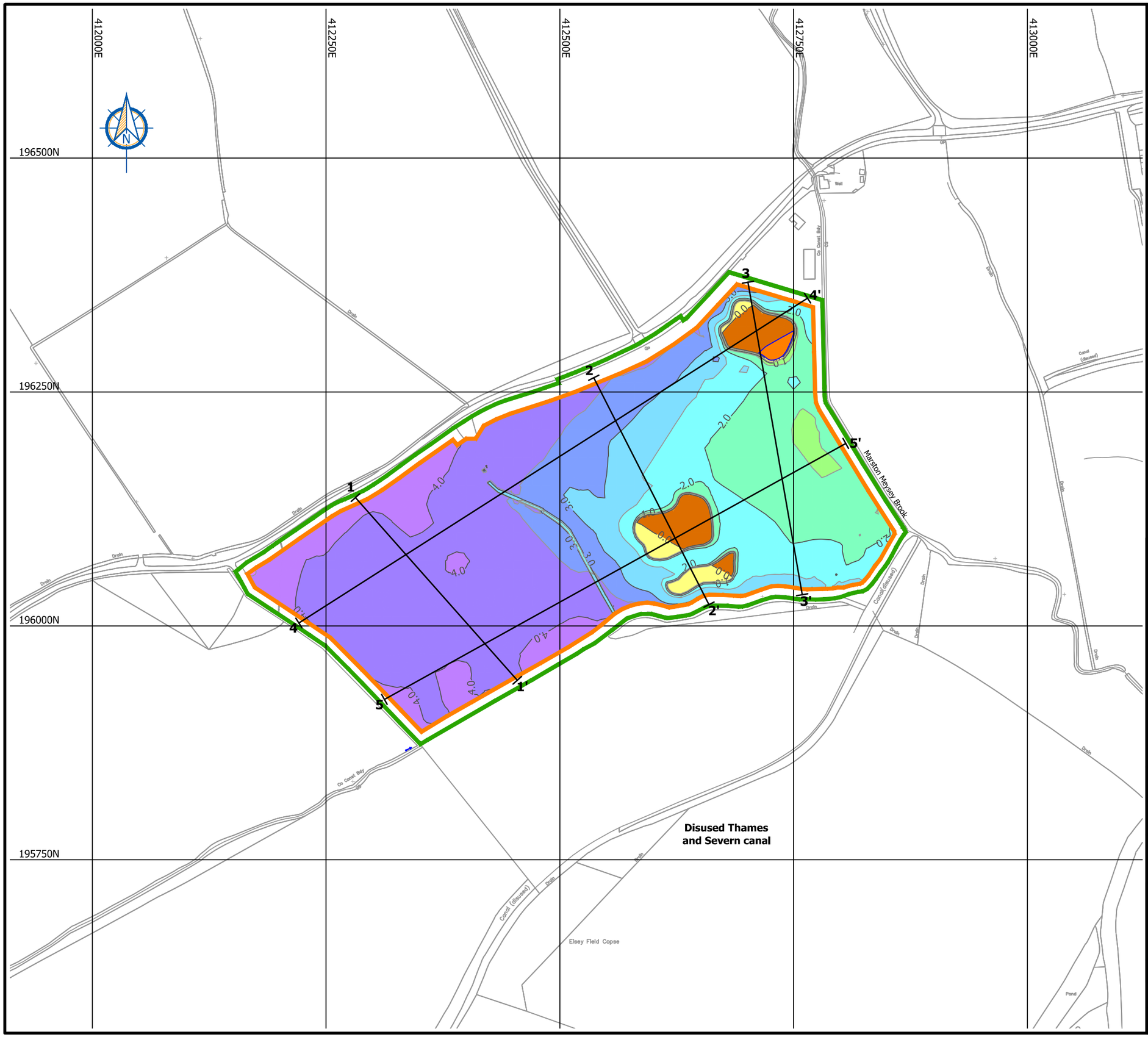
Date	Drawn	Checked	Scale
09.07.2021	EMB	*MP*	1:4000 at A3

Drawing Ref	Drawing No	Version
WHETEPR2107	2	a



LEGEND

Environmental Permit application area (EPR/GB3002MQ)

Consented extent of mineral extraction

1' Line of cross section

Thickness of infilling (m)

- 5.0 to 4.5
- 4.5 to 4.0
- 4.0 to 3.5
- 3.5 to 3.0
- 3.0 to 2.5
- 2.5 to 2.0
- 2.0 to 1.5
- 1.5 to 1.0
- 1.0 to 0.5
- 0.5 to 0.0
- 0.0 to -0.5
- -0.5 to -1.0

Version	Revision and compilation notes	Date
a	Final	09.07.2021

Client
Moreton C Cullimore (Gravels) Limited

Project
Whetstone Bridge Farm Permit EPR/GB3002MQ

Extent and thickness of restoration infilling

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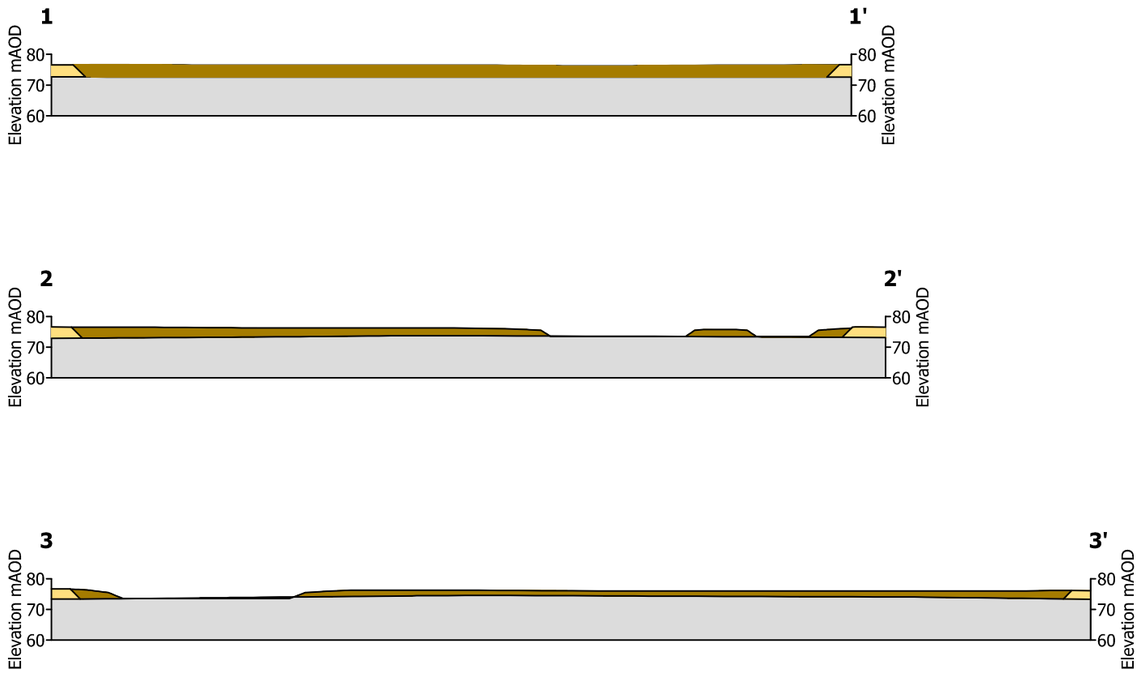
Date	Drawn	Checked	Scale
09.07.2021	EMB	MP	1:4000 at A3

Drawing Ref	Drawing No	Version
WHETEPR2107	3	a



LEGEND

- Imported inert fill
- Sand and gravel
- Oxford Clay

Version	Revision and compilation notes	Date
a	Final	09.07.2021

Client: Moreton C Cullimore (Gravels) Limited

Project: Whetstone Bridge Farm Permit EPR/GB3002MQ

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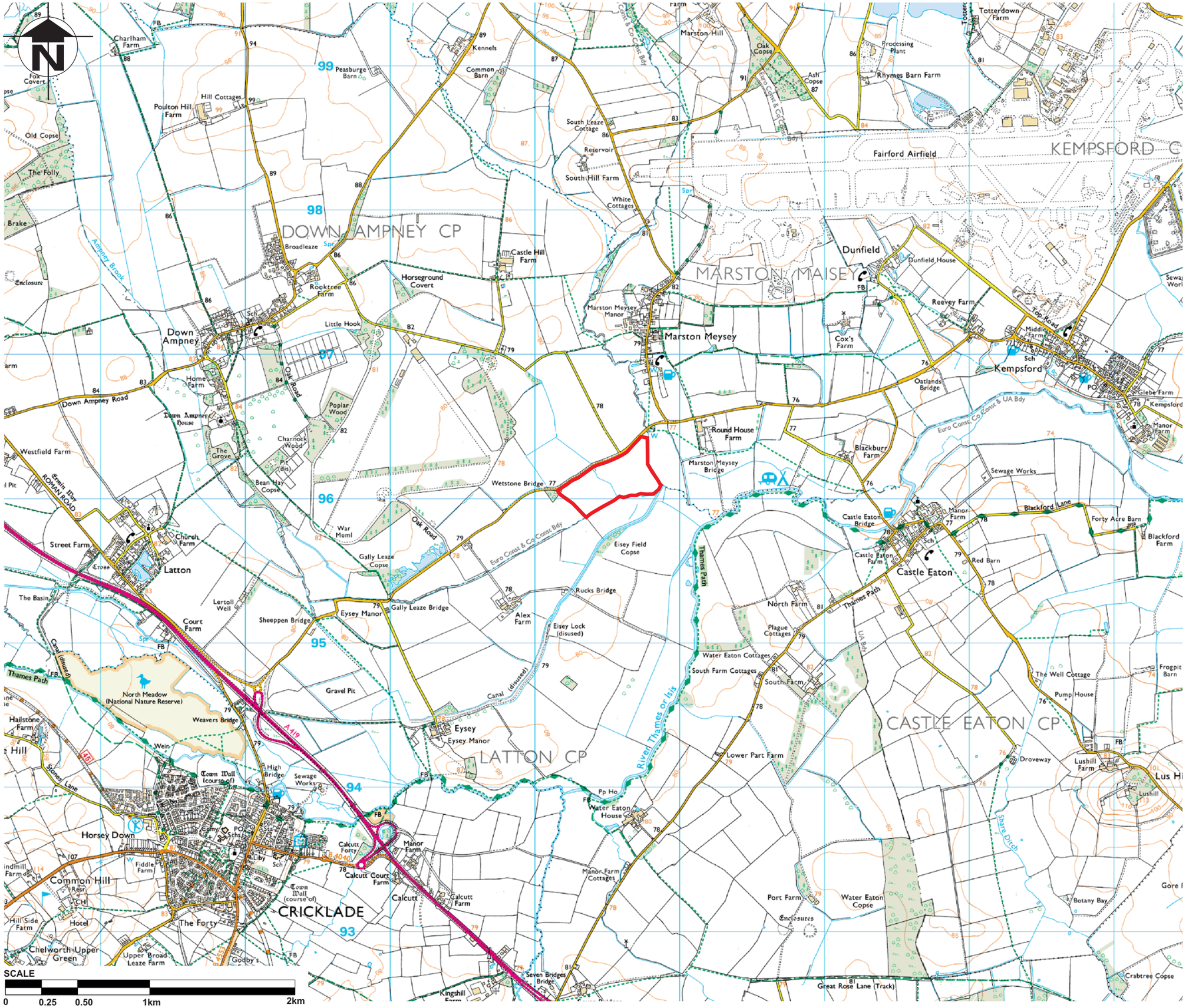
Cross sections through restored landform

Date	Drawn	Checked	Scale
09.07.2021	EMB	*MP*	1:2000 at A3

Drawing Ref	Drawing No	Version
WHETEPR2107	4	a

APPENDIX 1

Earthworks drawings submitted as part of Planning Permission 16/0083/CWMAJM



SCALE

0 0.25 0.50 1km 2km

KEY

BOUNDARY: SITE

Revision:	Date:		Description:
A	06-10-14	-	Site boundary revised.

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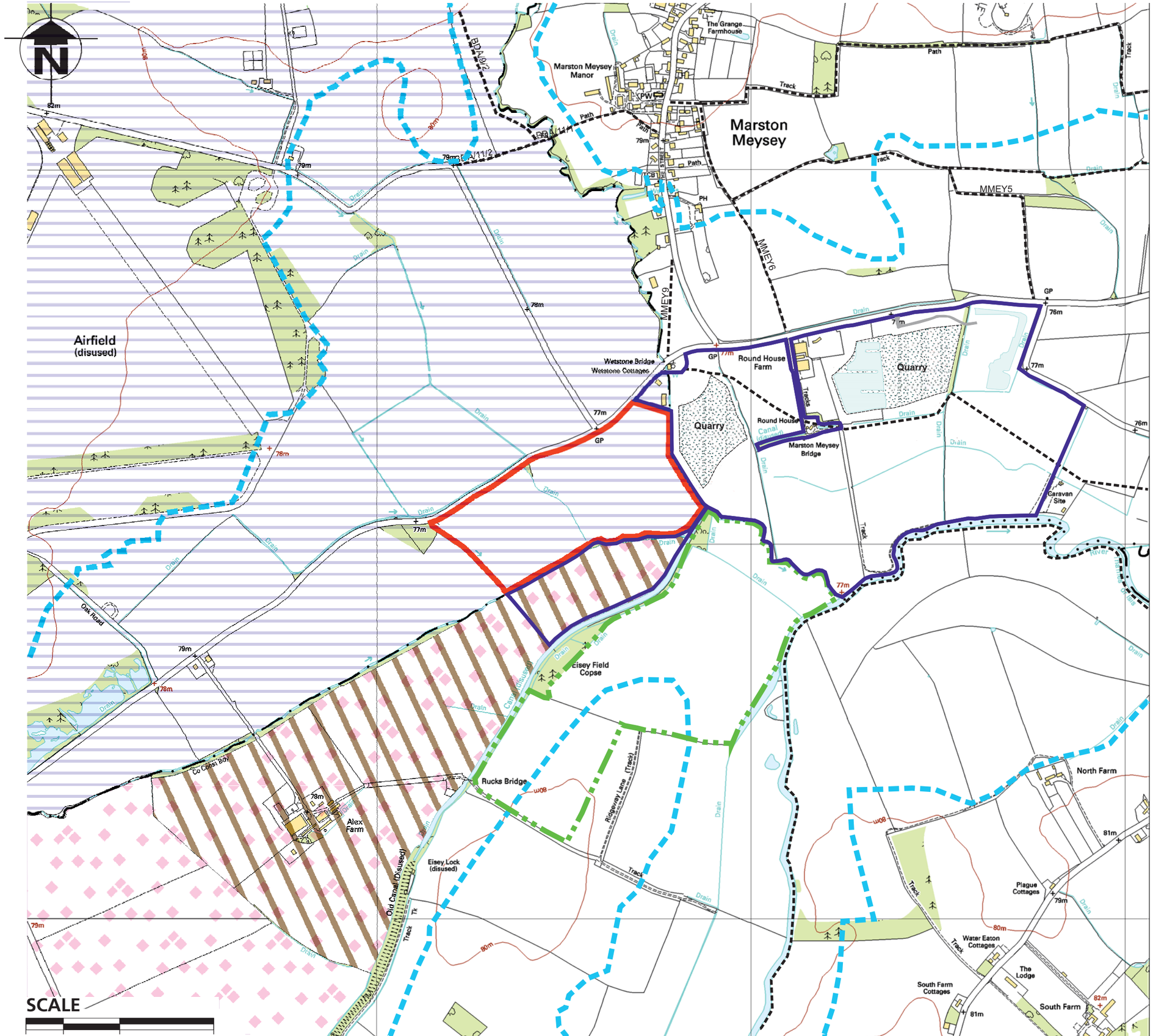
Client
MORETON C CULLIMORE (GRAVELS) LTD

Project
LAND AT WETSTONE BRIDGE FARM PROPOSED SAND & GRAVEL QUARRY

Drawing Title
SITE LOCATION

Scale: 1:25000 AT A3 | Date: JAN 2010

Drawing No.
FIGURE 1A



KEY

- BOUNDARY: APPLICATION SITE
- BOUNDARY: OTHER LAND IN THE APPICANTS CONTROL
- BOUNDARY: FLOOD PLAIN
- PUBLIC RIGHTS OF WAY
- SCHEDULED ANCIENT MONUMENT (S.A.M)
- PREFERRED AREA FOR MINERAL EXTRACTION (WILTSHIRE & SWINDON MINERALS LOCAL PLAN ALEXFARM)
- MINERAL CONSULTATION AREA (GLOUCESTERSHIRE COUNTY COUNCIL)
- MINERAL SAFEGUARDING ZONE (WILTSHIRE & SWINDON MINERALS & WASTE DEVELOPMENT FRAMEWORK PROPOSALS MAP SEPT 2009)

Revision:	Date:	Description:
A	06.10.14	Application boundary revised.

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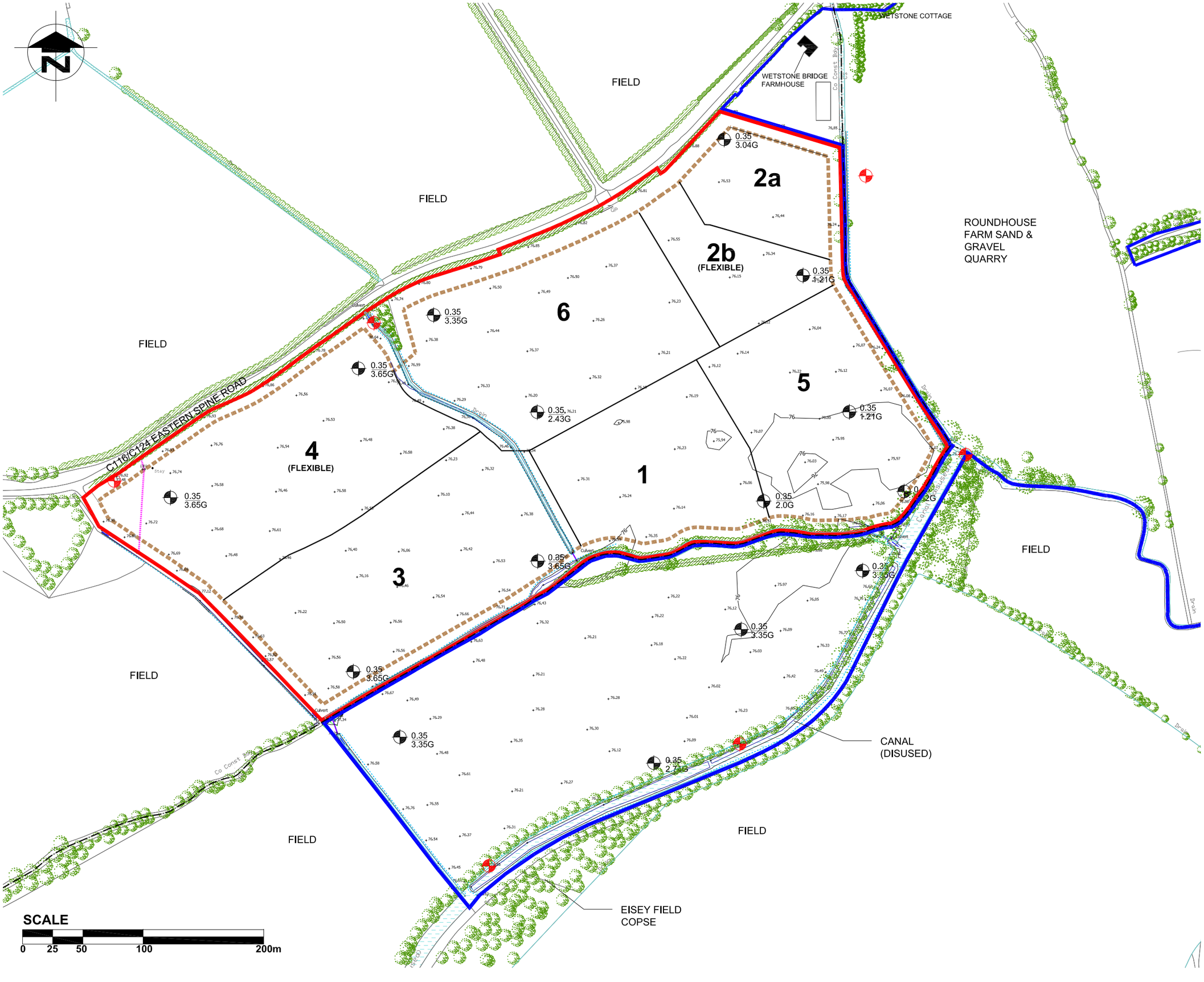
LAND AT WETSTONE BRIDGE FARM PROPOSED SAND & GRAVEL QUARRY

Drawing Title
APPLICATION SITE & CONTEXT

Scale: 1:10000 AT A3
Date: JAN 2010

Drawing No.
FIGURE 2 A



KEY

- BOUNDARY: APPLICATION SITE
- BOUNDARY: OTHER LAND IN THE APPLICANTS CONTROL
- BOREHOLE LOCATIONS
- WATER MONITORING BOREHOLE LOCATIONS
- EXISTING TREES & HEDGES
- COUNTY BOUNDARY
- LV ELECTRICITY LINE
- BOUNDARY: PROPOSED LIMITS OF MINERAL EXTRACTION
- 4 PROPOSED PHASING
- 75.94 / 76 EXISTING LEVELS

REVISION

C 06-10-2014 Application/ extraction boundary revised.

B 08-02-2012 Phasing revised.

A 02-06-2010 Extraction standoff adjusted to acount for badger set.

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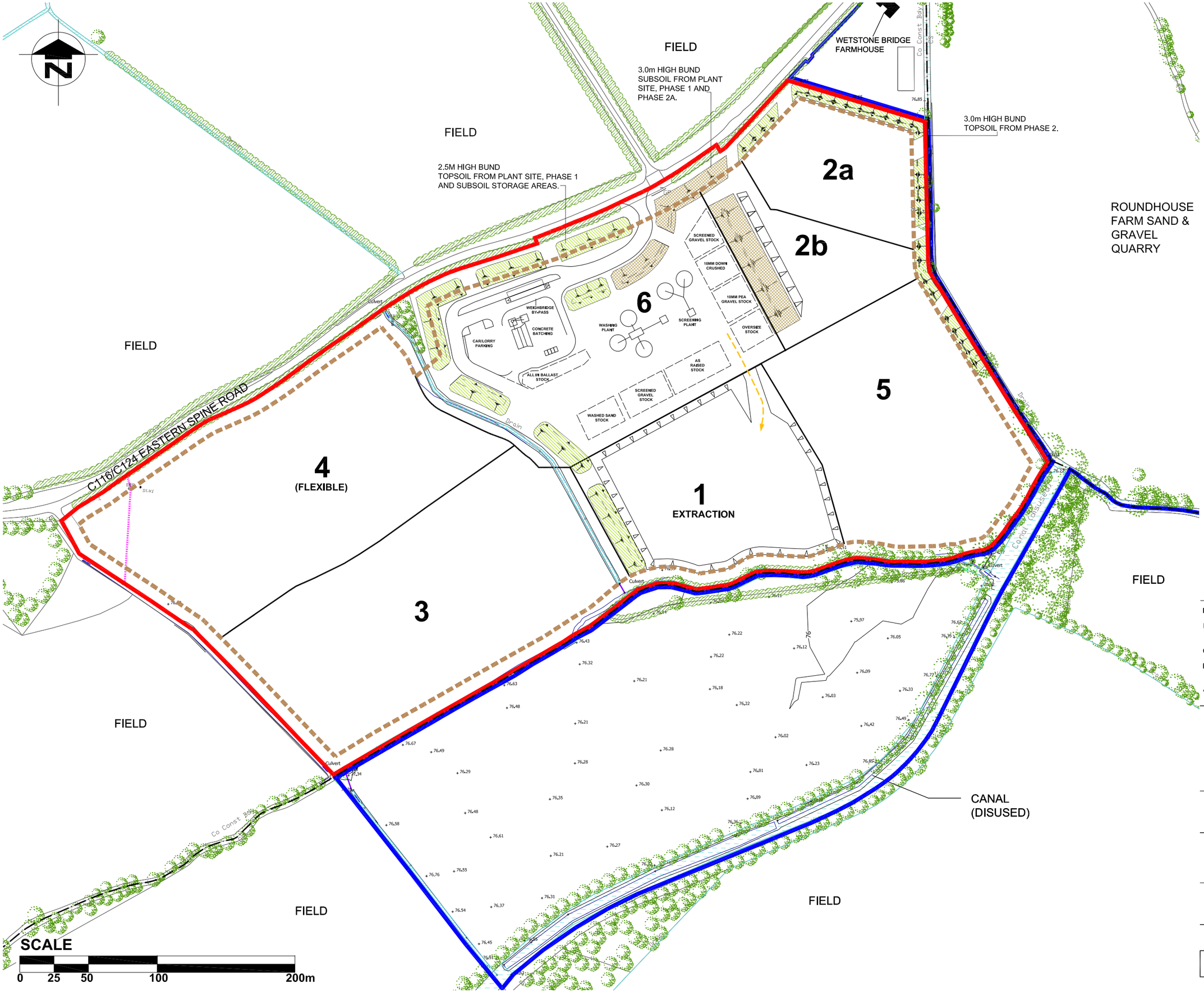
Project
LAND AT WETSTONE BRIDGE FARM PROPOSED SAND & GRAVEL QUARRY

Drawing Title
EXISTING CONDITIONS & PROPOSED PHASING

Scale: **1:2000 AT A2**

Date: **JAN 2010**

Drawing No.: **FIGURE 3C**



KEY

- BOUNDARY: APPLICATION SITE
- BOUNDARY: OTHER LAND IN THE APPLICANTS CONTROL
- BOUNDARY: PROPOSED LIMITS OF MINERAL EXTRACTION
- 4 PROPOSED PHASING
- TOPSOIL STORE
- SUBSOIL STORE
- MINERAL HAUL ROUTE
- EXISTING VEGETATION
- COUNTY BOUNDARY
- LV ELECTRICITY LINE

REVISION

D	06-10-2014	Application/ extraction boundary, all remaining plans revised.
C	08-02-2012	Phasing revised.
B	26-11-2010	Plant site updated and bunds broken to allow flood flow.
A	02-06-2010	Extraction standoff adjusted to account for badger set.

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Client
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Project
LAND AT WETSTONE BRIDGE FARM
PROPOSED SAND & GRAVEL QUARRY

Drawing Title
INITIAL WORKS &
PHASE 1 EXTRACTION

Scale: **1:2500 AT A3**
Date: **JAN 2010**

Drawing No.: **FIGURE 4D**

C:\Users\Daniel Watts\Desktop\1797 Figure 5F (Phase 3 Extraction) - 030717.dwg

Drawn by RW & Checked by KA

KEY

- Boundary - Application Site
- Boundary - Other land in applicants control
- Existing Ground surface contour(mAOD) 0.25m Interval
- Ground surface contour (mAOD) 0.5m Interval
- Boundary - County Boundary
- Haul Route - Mineral
- Haul Route - Imported inert fill
- Existing Vegetation (Outside Management Area)
- Existing Vegetation/ Bankside Trees (To be retained)
- Proposed Scrub Thickets (Natural Regeneration)
- Proposed Waterbody
- Proposed Ephemeral Water body
- Retained Grassland Margin to Marston Meysey Brook (Seeded)
- Existing Hedgerow (To be retained)
- Proposed Hedgerow with Hedgerow Trees (1 per 30 linear metres)
- Proposed Tree Planting
- Proposed Reinstated Farmland
- Proposed Grassland (Seeded)
- Proposed Wet Grassland
- Proposed Reedbed (Natural regeneration)
- Proposed Marginal Vegetation (Natural Regeneration)
- Proposed Location Log Flow Deflectors
- LV Electricity Line

Drawing Revision

Rev	Date	Description
G	01/11/16	Amendment to wetland restoration
F	01/11/16	Title block updated.
E	01/09/16	Proposed channel link removed.
D	06/10/14	Application/extraction boundary, all remaining plans revised.
C	08/02/12	Phasing revised.
B	26/11/10	Plant site updated and bunds broken to allow flood flow.
A	02/06/10	Extraction standoff adjusted to account for badger set.

Drawing Status

PLANNING

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Client

M.C CULLIMORE (GRAVELS) LTD

Project

LAND AT WETSTONE BRIDGE FARM PROPOSED SAND & GRAVEL QUARRY

Drawing Title

PHASE 3 EXTRACTION

Scale	Sheet Size	Date
1:2500	A3	JULY 2017

Drawing No. **FIGURE 5** Revision **G**

KEY

- Boundary - Application Site
- Boundary - Other land in applicants control
- 67.5 Existing Ground surface contour(mAOD) 0.25m Interval
- 67.5 Ground surface contour (mAOD) 0.5m Interval
- Boundary - County Boundary
- Haul Route - Mineral
- Haul Route - Imported inert fill
- Existing Vegetation (Outside Management Area)
- Existing Vegetation/ Bankside Trees (To be retained)
- Proposed Scrub Thickets (Natural Regeneration)
- Proposed Waterbody
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- Proposed Tree Planting
- Proposed Reinstated Farmland
- Proposed Grassland (Seeded)
- Proposed Wet Grassland
- Proposed Reedbed (Natural regeneration)
- Proposed Marginal Vegetation (Natural Regeneration)
- Proposed Location Log Flow Deflectors
- LV Electricity Line

Drawing Revision

Rev	Date	Description
G	03/07/17	Amendment to wetland restoration
F	01/11/16	Title block updated.
E	01/09/16	Proposed channel link removed.
D	06/10/14	Application/extraction boundary, all remaining plans revised.
C	08/02/12	Phasing revised.
B	26/11/10	Plant site updated and bunds broken to allow flood flow.
A	02/06/10	Extraction standoff adjusted to account for badger set.

Drawing Status

PLANNING

DAVID JARVIS ASSOCIATES

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Client

M.C CULLIMORE (GRAVELS) LTD

Project

LAND AT WETSTONE BRIDGE FARM PROPOSED SAND & GRAVEL QUARRY

Drawing Title

PHASE 4 EXTRACTION

Scale	Sheet Size	Date
1:2500	A3	JULY 2017

Drawing No. **FIGURE 6** Revision **G**

KEY

- Boundary - Application Site
- Boundary - Other land in applicants contro
- Existing Ground surface contour(mAOD) 0.25m Interval
- Ground surface contour (mAOD) 0.5m Interval
- Boundary - County Boundary
- Haul Route - Mineral
- Haul Route - Imported inert fill
- Existing Vegetation (Outside Management Area)
- Existing Vegetation/ Bankside Trees (To be retained)
- Proposed Scrub Thickets (Natural Regeneration)
- Proposed Waterbody
- Proposed Ephemeral Water body
- Retained Grassland Margin to Marston Meysey Brook (Seeded)
- Existing Hedgerow (To be retained)
- Proposed Hedgerow with Hedgerow Trees (1 per 30 linear metres)
- Proposed Tree Planting
- Proposed Reinstated Farmland
- Proposed Grassland (Seeded)
- Proposed Wet Grassland
- Proposed Reedbed (Natural regeneration)
- Proposed Marginal Vegetation (Natural Regeneration)
- Proposed Location Log Flow Deflectors
- LV Electricity Line

Drawing Revision

Rev	Date	Description
G	03/07/17	Amendment to wetland restoration
F	01/11/16	Title block updated.
E	01/09/16	Proposed channel link removed.
D	06/10/14	Application/extraction boundary, all remaining plans revised.
C	08/02/12	Phasing revised.
B	26/11/10	Plant site updated and bunds broken to allow flood flow.
A	02/06/10	Extraction standoff adjusted to account for badger set.

Drawing Status

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LAND AT WETSTONE BRIDGE FARM PROPOSED SAND & GRAVEL QUARRY

Drawing Title

PHASE 4 & PHASE 5 INFILLING

Scale	Sheet Size	Date
1:2500	A3	JULY 2017

Drawing No. **FIGURE 7** Revision **G**

Wetstone Bridge Farmhouse

C116/C124 Eastern Spine Road

Marston Meysey Brook

Ampney Brook

Canal (disused)

Water Level 75.0m AOD

Water Level 75.5m AOD

Water Level 75.5m AOD

Site Access Retained for Farm Access

Crossing Point Retained for Farm Access

Drain Reinstated

Crossing Point Retained for Farm Access

Retained Canal Restoration Corridor (40m)

KEY

- Boundary - Permission site
- Existing Ground surface contour(mAOD) 0.25m Interval
- Ground surface contour (mAOD) 0.5m Interval
- Boundary - County Boundary
- Haul Route - Mineral
- Haul Route - Imported inert fill
- Existing Vegetation (Outside Management Area)
- Existing Vegetation/ Bankside Trees (To be retained)
- Proposed Scrub Thickets (Natural Regeneration)
- Proposed Waterbody
- Proposed Ephemeral Water body
- Retained Grassland Margin to Marston Meysey Brook (Seeded)
- Existing Hedgerow (To be retained)
- Proposed Hedgerow with Trees (1 per 30 linear metres)
- Proposed Tree Planting
- Proposed Reinstated Farmland
- Proposed Grassland (Seeded)
- Proposed Wet Grassland
- Proposed Reedbed (Natural regeneration)
- Proposed Marginal Vegetation (Natural Regeneration)
- Proposed Location Log Flow Deflectors
- LV Electricity Line

0 10m 20m 30m 40m 50m

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MORETON C CULLIMORE (GRAVELS) LTD

Project

LAND AT WETSTONE BRIDGE FARM PROPOSED SAND AND GRAVEL QUARRY

Drawing Title

RESTORATION PLAN

Scale	Sheet Size	Date
1:1000	A1	JUNE 2017

Drawing No.	Revision
FIGURE 8	H

APPENDIX 2

Planning Permission documents (16/0083/CWMAJM)

TOWN AND COUNTRY PLANNING ACT, 1990

PERMISSION FOR DEVELOPMENT

In pursuance of powers under the above mentioned Act, the Council as County Planning Authority hereby **PERMITS** the development described hereunder, in accordance with the submitted application and its accompanying plan(s), but subject to the conditions hereunder stated.

Planning Reference No.: 16/0083/CWMAJM **Date Application Valid:** 2nd December 2016

District Authority: Cotswold District Council **District Reference No.:** 20/02622/CPO

Applicant: M C Cullimore (Gravels) Ltd 47 London Road Stroud

Site: Whetstone Bridge Farmhouse Sheepenbridge Lane Down Ampney Gloucestershire

Proposal: Variation of conditions 2, 3, 5, 7, 8, 20, 21, 32, 33, 34, 35, 37, 41 and 45 of planning consent 12/0015/CWMAJM dated 17/09/2015

Site Area: **Grid Ref:** E:412755 N:196433

CONDITIONS ATTACHED TO PERMISSION AND REASONS THEREFOR

Cessation of Use

1 The development hereby permitted shall cease extraction and be fully restored in accordance with the approved restoration scheme by the 31st December 2025.

Reason: In order to define the scope of this consent and to comply with Policy MW06, DM06, DM09 of the Gloucestershire Minerals Local Plan 2018 - 2032.

Simon Excell
Lead Commissioner:
Strategic Infrastructure
Duly authorised in that behalf

Dated: 26/02/2021

CPA/1.
PD P 130 19.11.01

IMPORTANT – SEE NOTES OVERLEAF

NOTES

1. Appeals to the Secretary of State

If you are aggrieved by the decision of the County Planning Authority to refuse permission for the proposed development or to grant it subject to conditions, then you can appeal to the Secretary of the State for Communities and Local Government under Section 78 of the Town and Country Planning Act 1990.

If you want to appeal, then you must do so within six months of the date of this notice, using a form which you can obtain from the Planning Inspectorate at Customer Support Unit, Temple Quay House, 2 The Square, Temple Quay, Bristol BS1 6PN. Alternatively you can submit an appeal electronically by using the online appeal service which is available from www.planningportal.gov.uk/pcs.

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

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

In practice, The Secretary of State does not refuse to consider appeals solely because the County Planning Authority based their decision on a direction given by the Secretary.

2. Purchase Notices

If either the County Planning Authority or the Secretary of State for Communities and Local Government refuses permission to develop land or grants it subject to conditions, the owners may claim that they can neither put the land to a reasonably beneficial use in its existing state nor can they render the land capable of a reasonably beneficial use by the carrying out of any development which has been or would be permitted.

In these circumstances, the owners may serve a purchase notice on the District Council in whose area the land is situated. This notice will require the Council to purchase their interest in the land in accordance with the provisions of Part VI of the Town and Country Planning Act 1990.

3. The proposed development may require a footway/verge crossing and the Applicant/Developer is required to seek the separate authorisation of Gloucestershire Highways (tel. 08000 514514) before commencing the development.

4. If the work authorised by this permission requires the supply of utility or other public services, you are requested to contact the appropriate statutory or other undertaker as soon as possible following the receipt of this decision. Failure to do so may result in a delay in the provision of these services.

5. Attention is drawn to the fact that any failure to adhere to the details of the approved plans or to comply with conditions attached to consents constitutes a contravention of the provisions of the Town and County Planning Act 1990, in respect of which enforcement action may be taken.

6. If your application is for a building which will be open to the public (i.e. shop, restaurant, office premises, a factory, school or college) you attention is drawn to the relevant provisions of Chronically Sick and Disabled Persons Act 1970, and to the Code of Practice “Access for Disabled to Buildings” (BS:5810:1979) or Design Notice 18 “Access for the Physically Handicapped to Educational Buildings” published on behalf of the Secretary of State.

7. Any further information concerning this decision can be obtained from the Planning and Development Unit, Shire Hall, Gloucester, Gloucestershire GL1 2TH. Please quote the Reference Number of this decision in any correspondence.

Scope of Development

2 Unless in compliance with conditions or varied by other condition(s) attached to this permission, the development hereby permitted shall be carried out within the site edged red on the `Site Location' Figure 1A; (hereafter referred to as the Site) together with documentation as follows:

- Supporting Statement' dated Oct 2014',
- Supporting Statement (section 73 application to vary conditions 2, 3, 5, 7, 8, 20, 21, 32, 33, 34, 35, 37, 41 and 45) dated November 2016;
- Non-Technical Summary (section 73 application to vary conditions 2, 3, 5, 7, 8, 20, 21, 32, 33, 34, 35, 37, 41 and 45) dated October 2016;
- Environmental Statement Update' dated October 2014;
- Non-Technical Summary dated October 2014;
- Environmental Statement (section 73 application to vary conditions 2, 3, 5, 7, 8, 20, 21, 32, 33, 34, 35, 37, 41 and 45) dated November 2016',
- Hydrogeological Impact Assessment dated September 2016;
- Agent letter dated 9th April 2020;
- GWP Technical Assessment dated 7th June 2019;
- Technical water response to EA and Atkins' dated 5th June 2017;
- Technical water response to EA and local residents dated 16th October 2017;
- Agents e-mail dated 5th July 2017;
- Design, Specification and Method Statement for the construction of a groundwater interception ditch' dated 13th December 2018;
- Archaeological Assessment' dated May 2016;
- Landscape and Visual Impact Assessment dated 21.03.12;
- Ecology Impact Assessment dated 15th August 2015;
- Ecological Impact Assessment Addendum dated 15th November 2016;
- Transport Assessment dated October 2012;
- Noise Assessment dated March 2008;
- Arboricultural Impact Assessment dated September 2014;
- 1787/P5/3; Plant Site Cross Sections, Dated April 2012;
- CU277/03 Rev D; Proposed Phasing (Phase 1) Dated Dec 07;
- CU277/03 Rev D; Proposed Phasing (Phase 2) Dated Dec 07;
- Drawing Number DR-0010 'Phases 3 Extraction' dated 06/04/20;
- Figure 6 'Phase 4 Extraction' dated Nov 2016;
- Figure 7 'Phase 4 & 5 infilling' dated Nov 2016;
- Drawing Number DR-0011 'Phases 8 Extraction' dated 06/04/20;
- Drawing Number DR-0012 'Phases 7 Extraction dated 06/04/20;
- Drawing Number DR-0013 'Phases 7 & 8 Restoration' dated 06/04/20;
- Drawing Number DR-0014 'Proposed Restoration' dated 06/04/20;
- Drawing No 9765/1; Proposed Alterations (Road Layouts) Dated Jan 07.

and specifications with any scheme, working programme or other details submitted for the prior written approval of and subsequently approved by the Mineral Planning Authority in pursuance of any condition attached to this permission.

Reason: To enable the Minerals Planning Authority to deal promptly with any development not in accordance with the approved plans and details and to define the scope of this consent, in the interests of the amenity of the area and in accordance with Policies DM01, DM05 DM09, MW01, and MR01 the Gloucestershire Minerals Local Plan 2018 - 2032.

Throughput

Permitted Development

3 Notwithstanding the provisions of the Town and Country Planning (General Permitted Development) Order 1995, no buildings or external floodlighting or other illumination or fixed or mobile plant shall be erected on any part of the site without the prior written approval of the Mineral Planning Authority.

Reason: There is a need to secure control over additional plant and machinery in the interests of the amenity of the area and in accordance with Policy DM01 of the Gloucestershire Minerals Local Plan 2018- 2032.

4 **Limit of Production**

The development hereby permitted is subject to an annual production limit of not more than 125,000 tonnes of sand and gravel per annum, and not exceeding a total extraction of 590,000 tonnes of sand and gravel.

Reason: In the interests of highway safety and amenity, and in accordance with Policies DM03 and DM01 of the Gloucestershire Minerals Local Plan 2018- 2032.

Infill

5 The total quantity of inert material imported into the site (as defined on Figure 1A) for the restoration of the site shall not exceed 416,520m3 of inert fill, comprising only wholly inert, uncontaminated freely draining top-soils and sub-soils shall be imported and deposited at the site.

Reason: To facilitate effective surface water drainage and appropriate soil conditions for the native woodland plantation in accordance with Policies DM01, DM03, DM04 and MR01 of the Gloucestershire Minerals Local Plan 2018- 2032 and WCS8 and WCS12 of the Gloucestershire Waste Core Strategy (adopted November 2012).

Reception of Imported material for Infill/Restoration Protocol

6 The approved protocol for the reception of imported Inert Tipping dated 9th June 2017 shall be implemented in full as approved and monitored for the duration of the operations.

Reason: To protect the amenity of the local environment and in accordance with Policies WCS8 and WCS12 of the Gloucestershire Waste Core Strategy (adopted November 2012).

Record Keeping

7 From the date of this permission the operators shall maintain records of the number of vehicles bringing materials to the site, and the quantity and type of material accepted onto the site for restoration and shall make them available to the Minerals and Waste Planning Authority at any time upon request and within seven days of such a request. All records shall be kept for at least 24 months.

Reason: In order that the Mineral Planning Authority can monitor the site in the interests of the amenity of the area in accordance with Policies DM01 and DM03 of the Gloucestershire Minerals Local Plan 2018- 2032 and Policies WCS8 and Policy WCS12 of the Gloucestershire Waste Core Strategy (adopted November 2012).

8 From the date of this permission a record shall be kept by the operator, showing the annual amount of sand and gravel extracted and that record shall be made available for inspection by the Mineral and Waste Planning Authority at all reasonable times.

Reason: In the interests of highway safety and amenity, and in accordance with Policies DM01 and DM03 Gloucestershire Minerals Local Plan 2018- 2032.

Operating Hours

9 Operations authorised by this permission shall only be carried out on site between the following hours:

07:00 to 18:00 Mondays to Fridays
07:30 to 13:00 Saturday

There shall be no working on Sundays or Bank or National Holidays.

Reason: There is a need to safeguard the amenities of the area and in accordance with Policy DM01 of the Gloucestershire Minerals Local Plan 2018 - 2032

10 No maintenance of plant and machinery shall be carried out except between the hours of 07:00 to 18:00 Monday to Friday (inclusive) and the hours of 07:00 to 13:00 on Saturdays and no such working shall take place on Sundays, Public or Bank Holidays.

Reason: To protect the amenity of the local environment and in accordance with Policy DM01 of the Gloucestershire Minerals Local Plan 2018 - 2032

Access, Traffic and Highways

11 The vehicular access hereby permitted shall not be used until the existing roadside frontage boundaries have been set back to provide visibility splays extending from a point 4.5m back along the center of the access (measured from the public road carriageway edge) to a point on the nearer carriageway edge of the public road 160m distant in both directions, and the area between those splays and the carriageway shall be reduced in level and thereafter maintained so as to provide clear visibility between those points at a height of between 1 metre and 2.1m above the adjacent carriageway level.

Reason: To reduce potential highway impact by ensuring that adequate visibility is provided and maintained in the interests of highway safety in accordance with Policies DM01 and DM03 of the Gloucestershire Minerals Local Plan 2018 – 2032

12 Prior to the importation of inert material from Whetstone South for the purposes of restoration only details of the proposed access as detailed in Plan DR-0010 dated 06/04/20 must be submitted to the Mineral Planning Authority for written approval and implemented in full as approved.

Reason: To define the scope of the application and in the interests of Biodiversity, landscape and traffic safety in accordance with Policies DM01, MW06, DM09 and DM03 of the Gloucestershire Minerals Local Plan 2018 - 2032.

13 The developments parking, loading , unloading and maneuvering facilities shall be laid out in accordance with drawing numbered 1787/PS/1C dated Oct 2010 and shall be maintained thereafter for that purpose for the duration of operations at the site.

Reason: To enable vehicles to enter and leave the highway in forward gear in the interests of highway safety in accordance with Policy DM03 of the adopted Gloucestershire Minerals Local Plan 2018 - 2032

14 The surfacing of the site access shown on drawing No 15840-01 dated 13/09/13 and Drawing No MGS2 as shown in Appendix B & C of the Transport Statement shall be maintained in a good state of repair and kept clean and free of mud and other debris at all times until the sites restoration and aftercare is completed in accordance with the approved schemes.

Reason: In the interests of highway safety and safeguarding the local environment in accordance with Policy DM03 of the adopted Gloucestershire Minerals Local Plan 2018 - 2032.

15 The temporary car parking area for site operatives and construction traffic laid out and constructed within the site shall be retained and made available for that purpose for the duration operations.

Reason: To ensure that the access roads in the vicinity of the site are kept free from construction traffic in the interests of highway safety in accordance with Policy DM03 of the adopted Gloucestershire Minerals Local Plan 2018 - 2032.

16 No loaded lorries shall enter or leave the site unsheeted except those only carrying materials in excess of 500mm in any dimension.

Reason: In the interests of highway safety in accordance with Policy DM03 of the adopted Gloucestershire Minerals Local Plan 2018 - 2032.

17 Vehicle wheel cleaning facilities shall be provided on site and thereafter be maintained for the duration of the site works.

Reason: To ensure that mud and earth deposits are not brought onto the public highway in the interests of highway safety in accordance with Policy DM03 of the adopted Gloucestershire Minerals Local Plan 2018 - 2032

18 No commercial vehicles shall enter the public highway unless their wheels and chassis have been cleaned to prevent materials being deposited on the highway.

Reason: In the interests of highway safety and to prevent mud, debris and materials getting on the highway and in accordance with Policies DM01 and DM03 of the adopted Gloucestershire Minerals Local Plan 2018 - 2032

19 No mud, debris or materials shall be deposited on the highway from commercial vehicles entering or leaving the site.

Reason: In the interests of highway safety and to prevent mud, debris and materials getting on the highway, in accordance with Policies DM01 and DM03 of the adopted Gloucestershire Minerals Local Plan 2018 - 2032

20 All reasonable steps shall be taken to minimise noise from vehicles and machinery and, in particular silencers shall be fitted to and used by all vehicles, plant and machinery on the site.

Reason: To protect the amenities of residents and the local environment in accordance with Policies DM01 and DM03 of the Gloucestershire Minerals Local Plan 2018 - 2032

Building and Plant.

21 The approved weighbridge shall be used and maintained for the duration of the development.

Reason: In order that the Mineral and Waste Planning Authority can monitor the site in the interests of the amenity of the area in accordance with Policy DM001 adopted Gloucestershire Minerals Local Plan 2018 - 2032

22 All plant and machinery shall operate only within the permitted hours, except in an emergency (which shall be notified to the Mineral Planning Authority as soon as practicable), and shall be silenced at all times in accordance with the manufacturer's recommendations.

Reason: In the interests of the amenity of the area in accordance with Policy DM01 adopted Gloucestershire Minerals Local Plan 2018 - 2032

23 All plant, machinery, buildings and structures shall be removed from the site within 3 months of the cessation of mineral extraction.

Reason: To ensure the removal of plant machinery on cessation of quarrying, in the interests of the amenity of the area and in accordance with Policy DM05 of the adopted Gloucestershire Minerals Local Plan 2018- 2032.

Archaeology

24 The approved written Scheme of investigation dated May 2016 shall be implemented as approved.

Reason: It is important to agree a programme of archaeological work in advance of the commencement of development, so as to make provision for the investigation and recording of any archaeological remains that may be destroyed by ground works required for the development. The archaeological programme will advance understanding of any heritage assets which will be lost, in accordance with Paragraph 189 of the National Planning Policy Framework - February 2019 and Policy DM08 of the Gloucestershire Minerals Local Plan 2018- 2032.

Environmental Protection

25 No materials shall be burnt on site.

Reason: In the interests of amenity of the area and in accordance with Policy DM01 of the Gloucestershire Minerals Local Plan 2018 - 2032.

Noise

26 The approved Noise mitigation scheme dated 25th February 2016, shall be implemented in full as approved and complied with at all times.

Reason: In the interests of local residential amenity and Policy DM01 and DM03 of the Gloucestershire Minerals Local Plan 2018 - 2032.

27 All HGV vehicles and plant machinery shall be fitted with white noise reversing warning devices.

Reason: In the interests of local residential amenity and Policy DM01 and DM03 of the Gloucestershire Minerals Local Plan 2018 - 2032

Dust

28 The approved Dust mitigation scheme dated February 2016 shall be implemented in full as approved and complied with at all times.

Reason: To protect the amenity of the local environment and in accordance with Policy DM01 of the Gloucestershire Minerals Local Plan 2018 - 2032

Storage Height

29 The height of any stockpiles of inert material shall not exceed the height of 6 metres above existing ground levels. (31)

Reason: To limit the visual impact of stored material and in accordance with Policies DM01 and DM09 Gloucestershire Minerals Local Plan 2018 - 2032

Lighting

30 Prior to the installation of any external lighting to be used on site details shall be submitted to and approved in writing by the Minerals and Waste Planning Authority. Thereafter the approved details shall be implemented and maintained for the duration of this consent.

Reason: To prevent light spillage in a rural area and to protect the local amenity in accordance with Policy DM01of the Gloucestershire Minerals Local Plan 2018 - 2032.

Water Environment

31 **Drainage**

Within 3 months of this consent the applicant shall provide, for written approval by the Mineral Planning Authority, a detailed method statement for the construction of the cut off wall and shall then implement the agreed scheme. The method statement shall include, as a minimum:

- The method for determining a satisfactory depth of excavation (i.e. that the Oxford Clay has been encountered);
- The design permeability required for the compacted clay
- The method of compaction and verification of the same
- The method of working that will be employed to ensure that the excavation remains safe and therefore enables the works to be completed as designed.

Reason: Clay walls are required to mitigate for environmental impacts associated with dewatering activities. These will need to be removed once dewatering is completed to protect groundwater in accordance with Policies DM04 and DM05 of the Gloucestershire Minerals Local Plan 2018 - 2032

Dewatering

32 During dewatering of each phase of mineral extraction, clay walls will be placed along the perimeter of the excavation to the depth of the oxford clay base level. Once extraction is complete these clay walls will be fully removed and each phased filled with materials of equivalent permeability

Reason: Clay walls are required to mitigate for environmental impacts associated with dewatering activities. These will need to be removed once dewatering is completed to protect groundwater in accordance with Policies DM04 and DM05 of the Gloucestershire Minerals Local Plan 2018 - 2032

33 Within 3 months of this consent details of the design of the drainage interception ditches depicted in drawing WHETGW1811 dated 28/11/2018 and a ditch maintenance plan shall be submitted to the Mineral Planning Authority for written approval and implemented in full as approved.

Reason: To prevent increases in flood risk accordance and maintain groundwater flows in accordance with Policy DM04 and DM05 of the Gloucestershire Minerals Local Plan 2018 - 2032.

Monitoring

34 Within 3 months of this consent and prior to importation of inert material a Monitoring Scheme shall be submitted, and approved in writing, by the Mineral Planning Authority. The scheme shall include:

- A programme for the monitoring and reporting of surface water and ground water levels for the duration of works, site restoration and after care period;
- Location of the monitoring wells/points with an emphasis on locating wells next to Marston Meysey Brook to show base flow in the Brook is not being reduced by the development.
- Identification of trigger levels for monitoring sites where contingency measures would be required should those trigger levels be reached;
- Identification of contingency measures needed should the trigger levels be reached.

The monitoring scheme shall be fully implemented as approved and subsequently maintained, in accordance with the scheme, or any changes as may subsequently be approved by the Mineral Planning Authority.

Reason: To ensure a water monitoring scheme is maintained and assess the risk of effects arising from changes in groundwater levels and ensure that appropriate mitigation is carried out as and when required to reduce those effects in accordance with Policy DM05 of the Gloucestershire Minerals Local Plan 2018 - 2032 and Policy WCS12 of the Gloucestershire Waste Core Strategy (adopted November 2012).

35 On completion of the monitoring programme as approved a final report demonstrating that any unacceptable impacts to the aquifer have been mitigated for and documenting the decision to cease monitoring shall be submitted to and approved in writing by the Mineral Planning Authority.

Reason: To ensure that appropriate mitigation has been completed to protect groundwater in accordance with Policy DM05 of the Gloucestershire Minerals Local Plan 2018 - 2032 and WCS12 of the Gloucestershire Waste Core Strategy (adopted November 2012).

Flood Risk Mitigation

Soil mitigation bunds

36 The approved earth bunds detailed in 'Details of the earth bunds by SLR dated 21st December 2016' shall be maintained as approved for the duration of the development.

Reason: To ensure flood flow routes will not be interrupted by earth bunds so as to avoid increasing flood risk in accordance with Policies DM04 and DM05 of the Gloucestershire Minerals Local Plan 2018 - 2032.

Restoration

37 **Bird Hazard Management**
Prior to the commencement of infilling a revision of the approved Bird Hazard Management Plan dated 16/05/17 shall be submitted to the Mineral Planning Authority for written approval and implemented in full as approved.

The revised Bird Hazard Management Plan shall include the following:

- No monitoring schedule has been provided;
- No process for regular review of the management plan in consultation with MOD has been set out, ideally an annual review would ensure that the management plan remains fit for purpose;
- No failure levels have been set out which would provide a trigger for additional habitat management, active control or a review of the management plan;
- The threshold level for starlings is, in the BHMP dated 16/05/17, set at 500. This should be reduced to 200; and
- Rooks (Corvus frugilegus) should be added to the target species.

Reason: To prevent the threat of bird strike to and protect the public accordance with Policy DM11 of the Gloucestershire Minerals Local Plan 2018 - 2032.

38 Prior to the restoration/top soiling of each phase of the site an updated run-off assessment shall be completed taking into account the materials actually deposited in that phase and the permeability thereof. If necessary a revised Runoff Management Plan shall be developed to account for any changes in the expected runoff and interflow. The assessment shall be submitted to the Mineral Planning Authority for written approval and the approved scheme implemented in full.

Reason: to prevent increases in flood risk accordance with accordance with Policies DM04 and DM05 of the Gloucestershire Minerals Local Plan 2018 - 2032 and WCS12 of the Gloucestershire Waste Core Strategy (adopted November 2012).

39 Prior to commencement of infilling a groundwater monitoring scheme and action plan shall be submitted to the Mineral Planning Authority for agreement in writing. Such approved scheme shall then be implemented in full. The scheme shall detail how the response of groundwater levels to the infilling of the site will be monitored, how unacceptable change will be recognised and how the proposed mitigation (i.e. enlarging the cross-site ditch) will be implemented.

Reason: To prevent increases in flood risk in accordance with Policies DM04 and DM05 of the Gloucestershire Minerals Local Plan 2018 - 2032.

40 Within 1 month of completion of the final restoration phase, a topographical survey of the site shall be submitted to the Mineral Planning Authority, along with cross sectional drawings where necessary, to demonstrate that there is no net rise of ground levels as a result of the mineral extraction and restoration. In the event that a net rise in ground levels has occurred, the applicant shall submit a scheme showing additional groundworks to be undertaken to rectify the net rise ground levels along with a timescale for completion. Upon approval by the Mineral Planning Authority the scheme shall thereafter be implemented.

Reason: To ensure flood risk is not increased as a result of the mineral extraction and restoration is in accordance with Policies DM04 and DM05 of the Gloucestershire Minerals Local Plan 2018 - 2032.

41 Prior to the commencement of development the measures of the Arboricultural Method Statement and Tree Protection Plan as described in the Arboricultural Impact Assessment dated July 2017 shall be implemented and all protective structures installed maintained until construction work has been completed. No materials, soils, or equipment shall be stored under the canopy of any retained tree within the application site.

Reason: To prevent loss of amenity and damage to trees to be retained including also conservation of legally protected species that could be present and in accordance is in accordance with Policies DM01 and DM06 of the Gloucestershire Minerals Local Plan 2018 - 2032 and with National Planning Policy Framework paragraphs 109 and 118.

Tree Protection

42 Japanese Knotweed shall be control, contained and removed through the implementation of the approved Biodiversity Mitigation and Enhancement Strategy dated 12th October 2015 for the duration of the development.

Reason: To prevent spread or growth of an invasive non-native species and to protect species and features of recognised biodiversity importance and in accordance Policy DM06 of the Gloucestershire Minerals Local Plan 2018 - 2032 and National Planning Policy Framework paragraphs 109 and 118.

43 A buffer or stand-off zone of at least 5 metres either side of all retained hedgerows and 16 metres of all retained ditches, watercourses and the canal shall be maintained. There shall be no activity ancillary to the extraction of mineral within the buffer or stand-off zones of these boundary features.

Reason: To protect the landscape and biodiversity importance of boundary features in accordance Policies DM01 and DM06 of the Gloucestershire Minerals Local Plan 2018 - 2032

44 Within 3 months of this consent a revised Biodiversity Mitigation and Management Strategy with measures to enhance and maintain the biodiversity of the site, including the site boundaries, hedgerows, buffers zones and the in-stream and riparian habitat of the watercourses through the site, shall be submitted to and approved in writing by the Mineral Planning Authority and implemented in full as approved.

Reason: To ensure that important biodiversity is conserved and improved in accordance with Policies DM05 and DM06 of the Gloucestershire Minerals Local Plan 2018 - 2032.

Landscaping and Restoration

45 Within 3 months of this consent a detailed progressive scheme for the restoration, landscaping of the site and 5 year aftercare schemes shall be submitted for the written approval of the Mineral Planning Authority and implemented in full as approved. The schemes should be based on the following:

- Revised Phase drawings Dr-0011, Dr-0012, Dr-0013 and Dr-0011 dated 06/04/20;
- Figures 5, 6 & 7 dated November 2016;
- 'Biodiversity Mitigation and Management Strategy' dated 12th October 2015;
- 'Landscape Mitigation and Detailed Aftercare Scheme' dated February 2017;
- Proposed Access detailed in DR-0010 dated 06/04/20
- 'Ecological Impact Assessment (2012) - Addendum Report' by Malfor Environmental dated 20th June 2019.

Reason: To ensure that important biodiversity is conserved in accordance with Policies DM06 and DM09 of the Gloucestershire Minerals Local Plan 2018 - 2032 and Policy WCS14 of the Gloucestershire Waste Core Strategy (adopted November 2012).

46 Prior to the restoration of phase 6 as detailed in drawing DR-0013 dated 06/04/20 a final restoration and 5 year aftercare scheme shall be submitted to the Mineral Planning Authority of written approval and implemented in full as approved.

Reason: To conserve, restore and enhance the environmental value and amenity of the land and in accordance with Policies DM06, DM09 and MR01 of the Gloucestershire Minerals Local Plan 2018 - 2032

Landscaping/Visual Amenity

47 Within 3 months of the date of this consent a revised landscape scheme based on the approved Landscape Mitigation & Detailed Aftercare Scheme dated Feb 2017 shall be submitted to the Mineral Planning authority for written approval and implemented in full as approved for the duration of the development.

Reason: To provide additional visual mitigation and to provide for early completion of restoration of the area in accordance with Policies DM01,DM06 and DM09 of the Gloucestershire Minerals Local Plan 2018 - 2032 and Policy . WCS14 of the Gloucestershire Waste Core Strategy (adopted November 2012).

48 No removal of hedgerows, trees or shrubs or soil stripping works to the ground shall take place between 1st March and 31st August inclusive unless a suitably experienced person has undertaken a careful, detailed check of the vicinity concerned for active birds' nests. No such woody vegetation should be cleared or soils stripped unless the suitably experienced person has given confirmation that no birds will be harmed or that there are appropriate measures in place to protect any identified nesting birds on the site. If any such measures are required these should be copied in writing in advance to the County Planning Authority for information and then implemented.

Reason: To ensure that breeding birds are protected as required by law and in accordance with Minerals Local Plan Policy DM06 of the Gloucestershire Minerals Local Plan 2018 - 2032, ODPM Circular 06/2005 plus National Planning Policy Framework paragraphs 170 and 175. This is also in accordance with Section 40 of the Natural Environment and Rural Communities Act 2006, which confers a general biodiversity duty upon Local Authorities.

Contamination/Pollution Control.

49 If, during development, contamination not previously identified is found to be present at the site then no further development shall be carried out until the developer has submitted, and obtained written approval from the Mineral and Waste Planning Authority for, a mitigation and remediation strategy detailing how this unsuspected contamination shall be dealt with and thereafter the scheme shall be implemented as approved.

Reason: To protect controlled waters in accordance with Policy DM05 of the Gloucestershire Minerals Local Plan 2018 - 2032.

50 Any facilities for the storage of oils, fuels or chemicals shall be sited on impervious bases and surrounded by impervious bund walls. The volume of the bunded compound shall be at least equivalent to the capacity of the tank plus 10%. If there is multiple tankage, the compound shall be at least equivalent to the capacity of the largest tank, vessel or the combined capacity of interconnected tanks or vessels plus 10%. All filling points, associated pipe works, vents, gauges and sight glasses must be located within the bund or have separate secondary containment. The drainage system of the bund shall be sealed with no discharge to any watercourse, land or underground strata. Associated pipe work shall be located above ground and protected from accidental damage. All filling points and tank/vessels overflow pipe outlets shall be detailed to discharge downwards into the bund.

Reason: To prevent pollution of the water environment in accordance with Policy DM05 of the Gloucestershire Minerals Local Plan 2018 - 2032.

51 Prior to being discharged into any watercourse, surface water sewer or soak away system, all surface water drainage from parking areas and hard standings shall be passed through an oil interceptor designed and constructed to have a capacity and details compatible with the site being drained. Roof water shall not pass through the interceptor.

Reason: To prevent pollution of the water environment in accordance with Policy DM05 of the Gloucestershire Minerals Local Plan 2018 - 2032.

52 There shall be no discharge of foul or contaminated drainage from the site into either groundwater or any surface waters, whether direct or via soakaways.

Reason: To prevent pollution of the water environment in accordance with Policy DM05 of the Gloucestershire Minerals Local Plan 2018 - 2032.

Notes to applicant

1 It should be noted that the applicant will require Flood Defence Consent for the diversion and reconnection of theses watercourses. It is anticipated that Consent will be required from both the Environment Agency and the Lead Local Flood Authority as the Marston Meysey Brook is a main river here, but the Ampney Brook is an ordinary watercourse at this location. With regards to our role for main rivers, we are satisfied in principle that these alterations to the watercourses can take place, and the necessary protections relating to flood risk can be secured in detail at the Flood Defence Consent stage. (You may wish to seek a view from the LLFA on this matter in relation to their role for ordinary watercourses.) Hence we have not sought the above condition from a flood risk perspective as to do so would duplicate the requirements of the Flood Defence Consent process. However we consider it appropriate to secure the biodiversity provisions via a planning condition as the Consent process does not cover biodiversity considerations in as much depth as flood risk, and the biodiversity proposals may also need to link with the wider restoration proposals which are not controlled through the Flood Defence Consent.

Ecology

2 If a protected species (such as any bat, great crested newt, badger, water vole, otter, white-clawed crayfish, reptile, barn owl or any nesting bird) is discovered using a feature on site that would be affected by the development or construction work all work which might affect the species at the locality should cease. If the discovery can be dealt with satisfactorily by the implementation of biodiversity mitigation measures already approved by the Mineral Planning Authority then these should be implemented. Otherwise a suitably qualified ecological consultant or Natural England should be contacted and the situation assessed before operations can proceed. This action is necessary to avoid possible prosecution and ensure compliance with the Wildlife & Countryside Act 1981 (as amended), the Conservation of Habitats and Species Regulations 2010 and/or the Protection of Badgers Act 1992. This advice note should be passed on to any persons/contractors carrying out the development.

3 In relation to the County Council's Service Level Agreement with the Local Biological Records Centre and to assist in the strategic conservation of countywide biodiversity, all species and habitat records from the ecological work commissioned by the applicant should be copied [preferably in electronic format] to the Gloucestershire Centre for Environmental Records (GCER).

APPLICATION NO: 16/0083/CWMAJM **VALIDATION DATE:** 2nd December 2016

DISTRICT REF: 20/02622/CPO

APPLICANT: M C Cullimore (Gravels) Ltd, 47 London Road, Stroud, Gloucestershire, GL5 2AU C/O: David Jarvis Associates Ltd, 1 Tennyson Street, Swindon, Wiltshire, SN1 5DT (Agent)

SITE: Whetstone Bridge Farm, Sheepenbridge Lane, Down Ampney, Gloucestershire, SN6 6LL

PROPOSAL: Variation of conditions 2, 3, 5, 7, 8, 20, 21, 32, 33, 34, 35, 37, 41 and 45 of planning consent 12/0015/CWMAJM dated 17/09/2015 for the progressive extraction and processing of Sand and Gravel with restoration using inert materials.

PARISH OF: Down Ampney **SITE AREA:** 17.8Ha

GRID REF: E: 412755
N: 196433

RECOMMENDED: That planning permission is granted for the reasons set out in this report and summarised at Paragraphs 7.110 – 7.116 and subject to the conditions detailed in section 8 of this report.

1.0 LOCATION

1.1 Whetstone Bridge Quarry lies approximately 9.8 kilometres to the southwest and 4.7 kilometres to the southeast of Cirencester and the settlement of Fairford respectively, within the Cotswold District Council Boundary and consisting of 2 relatively flat arable fields typical of the upper Thames river basin lowlands.

(N.B. The spelling of the site area differs between Whetstone and Wetstone within the report as contributors have referenced both spellings of the site area, for all intentions and purposes the references are in respect of this application)

1.2 The quarry is accessed via the Eastern Spine Road between the A419 and Kempsford, which delineates the northern boundary of the site in an easterly to westerly direction. There are no public rights of way across, or within close proximity, of the proposed site area.

1.3 The surrounding landscape is predominately rural with several small residential settlements within a 5 kilometre (km) radius of the quarry. The nearest residential properties are Wetstone Bridge Farmhouse and Wetstone Cottage, approximately 70 metres and 115 metres to the north of the proposed site boundary respectively.

1.4 Whetstone Bridge Farmhouse is screened from the site by a earth bund and Whetstone Cottage is screened from the site by the farmhouse and outbuildings, and a hedgerow that follows the line of the small watercourse known as Marston Meysey brook. Beyond the brook and the residential properties to the east is Roundhouse Farm sand and gravel quarry which is located in Wiltshire and has been restored to reed beds and wetlands.

2.0 THE PROPOSAL

2.1 This application seeks consent for the variation of conditions 2, 3, 5, 7, 8, 20, 21, 32, 33, 34, 35, 37, 41 and 45 of planning permission 12/0015/CWMAJM for the progressive extraction and processing of Sand and Gravel with restoration using inert materials.

2.2 To support the application the applicant submitted a Supporting Statement, Environmental Statement (Appendix 3 Ecological Assessment/Biodiversity Mitigation & Enhancement Strategy, Appendix 4 Transport Statement), Non Technical summary, Ecological Impact Assessment Addendum and Bird management plan which can all be viewed in public access with a summary of the supporting statement as follows:

"*The application is principally required to vary the groundwater mitigation scheme approved by the September 2015 consent. The approved mitigation scheme requires the sterilisation of 1metre of sand and gravel reserve to aid groundwater flow across the site. The retention of sand and gravel equates to 217,000 tonnes, or 36% of the proven mineral reserve within the site boundary. An alternative groundwater mitigation scheme has been designed with allows for complete access to the mineral resource and maintains groundwater flow across the site.*

While the application seeks to vary a large number of conditions, this is on account of the fact that many relating to the 1metre retention of sand and gravel would be made redundant if the application were approved.

The proposed variation of the groundwater mitigation scheme would not result in any diversion from the approved working and restoration scheme. The only notable variation would be a need for an additional 12 months of working (five years instead of the permitted four) and an additional 6,520 m3 of inert material to restore the site to approved levels.

The site has a proven sand and gravel mineral reserve of approximately 592,000 tonnes. The reserve varies in thickness between approximately 1.2 - 3.65 metres and is overlain by approximately 0.35m soils. The mineral deposit quality is as follows:
Stone (+ 4mm) = 45%

Sand (-4mm/0.063mm) = 52%
Silt (-0.063mm) = 3%

This deposit will satisfy a range of British Standard requirements for the construction industry, including those for ready-mixed concrete. Oxford clay underlies the reserve. Groundwater flows broadly north-west to east-south-east towards the River Thames.

This application proposes to remove or vary up to 14 conditions attached to planning permission 12/0015/CWMAJM.

The principal requirement for the application is to permit access to an additional 217,000 tonnes of sand and gravel which is known to exist within the permitted limits of extraction. Planning conditions require that 1 metre of sand and gravel is retained in-situ across the site to aid groundwater flow. Set in the context of the improved baseline condition, as previously described, a revised mitigation is now proposed which would enable extraction to full depths, maintains existing groundwater flow levels and, importantly, ensures there is no sterilisation of a valuable mineral resource.

If permitted, the access to the additional mineral resource would extend working at the site from 4 to 5 years. In addition, a negligible increase of inert fill would be required from 410,000m3 to 416,520m3 in order to restore the site to approved levels. If determined that the revised groundwater mitigation scheme is acceptable, the application is, to all intents and purposes, a request to (1) extend the life of the quarry by 12 months and (2) increase inert material requirements by 6,520 m3.

The following provides a description of the conditions to be varied, along with justification for the required amendment. The principle reason for the variation concerns the following five conditions:

Condition 33
The condition limits extraction to 1m above basal clay. The application seeks to remove the condition based upon the mitigation proposed within the accompanying Hydrogeological Assessment.

Condition 34
The condition requires submission of plans/survey data to demonstrate retention of 1m of sand and gravel aquifer. Subject to the approval of this application, this condition would be obsolete.

Condition 35
The condition requires submission of basal elevations. As above, if approved, this condition would no longer be of relevance.

Condition 37
The condition relates to de-watering and would need to be amended to remove reference to the retention of 1m sand and gravel aquifer.

Condition 41
The condition requires a Method Statement relating to the removal of the clay bund before infilling commences. It is considered that the condition would no longer be of relevance if this application were approved.

Secondary to the above conditions if the application were to be approved and extraction to full depths permitted, the following conditions would also need to be varied:

Condition 2
The condition requires cessation of extraction and completion of site restoration within 5 years of the date of notification. If permitted access to all of the site's sand and gravel reserves, the completion of extraction and final restoration would be anticipated after 6 years of the date of notification.

Condition 3
The condition outlines the scope of development and lists approved plans and documents. This condition would need to be varied to include the details submitted with this planning application.

Condition 7
The condition limits annual production to 125,000 tonnes per annum. The condition also limits total extraction to 375,000 tonnes of sand and gravel over a 4 year period. Subject to approval, the total extraction amount would need to increase to 590,000 over a period of 5 years. The application does not seek to increase the annual output.

Condition 8
The condition limits the volume of imported inert fill to 410,000 m3. Only a very marginal increase on the permitted volume is required to 416,520 m3 as a result of the increased depth of working. This is consistent with the details submitted to the MPA within the original planning application forms.

Condition 5
The condition requires the submission of individual working and restoration plans prior to each phase of extraction. On account of the approved working scheme and submission and recent approval of a detailed restoration scheme, the required on-going submissions are considered to be a duplication of approved details and could potentially result in delays to working the site. The removal of this condition is therefore requested.

Conditions 20 and 21 aim to ensure that vehicles do not deposit mud onto the surrounding highway network. It is considered that the conditions could be condensed into one.

Condition 32
The condition requires submission of all external lighting "within 3 months of the date of the consent". The applicant does not intend on installing any fixed external lighting. As such, and to avoid a potential breach of the condition, it is

considered that the wording should be changed to require submission and approval of details prior to the installation of any fixed external lighting.

Condition 45
The condition requires submission of details of the Ampney Brook diversion, which aimed to reconnect the drain to Marston Meysey Brook. As detailed by accompanying Drawing No. Figure 8F, it is no longer proposed to reinstate this channel. The reasoning for this is explained in detail below.

The retention of the 1 metre of sand and gravel aquifer was proposed by the applicant to assist in overcoming the Environment Agency's groundwater concerns. The application for extraction at Whetstone Bridge Farm had been under consideration for a significant period of time (3+ years once determined) and understandably, our client was desperate to reach a timely resolution to the EA's objection to enable access to the much needed reserve. The 1m retention provided such a resolution and gave our client scope to seek alternative groundwater mitigation schemes once planning permission had been achieved.

Off-site groundwater monitoring suggests these linear groundwater discharge zones actually create a local northerly groundwater flow immediately south of the site, thus confirming groundwater flow entering the northern boundary of the site does not leave the down gradient site boundary as groundwater flow.

Using this data, the alternative groundwater mitigation scheme proposes that 2 No. open ground interception ditches are constructed along the northern extent of the site, outside the limits of extraction. The drains will intercept groundwater from the north and direct flow to a new central drain, which itself will connect to Ampney Brook.

While the revised mineral excavation and restoration will remove the lowest 1m of sand and gravel, and replace it with low permeability backfill (thereby truncating groundwater flows that previously entered the site from the north), ingress of groundwater to the proposed interception ditches along the northern boundary will be routed to Ampney Brook, as they did before, from where they will arrive at the River Thames, as they did before.

Therefore, there are no expected residual impacts associated with the removal of the 1m thick basal sand and gravel blanket and replacement with low permeability backfill.

SUMMARY AND CONCLUSIONS
It is demonstrated by the accompanying Hydrogeological Impact Assessment that an alternative groundwater mitigation scheme exists which would not unnecessarily sterilise 217,000 tonnes of sand and gravel and would maintain groundwater flow across the site. The proposed variation of the conditions attached to 12/0015/CWMAJM is, to all intents and purposes, an application to extend the life of the quarry by 12 months and seek an additional 6,520 m3 of inert material.

The extraction of the sand and gravel and restoration of the site would remain as per the approved scheme.

Assessment of the proposal against key environmental issues, as requested by Gloucestershire County Council, has produced the following conclusions:

Hydrology and Hydrogeology
The technical assessment demonstrates that an alternative groundwater mitigation scheme exists which would not result in the unnecessary sterilisation of a valuable mineral resource. The proposed mitigation method has been incorporated into the working scheme and maintains groundwater flow across the site. The scheme is shown to be entirely acceptable and of a clear benefit to the site operator and Mineral Planning Authority.

Ecology
Proposed development would not result in any unacceptable levels of adverse impact on the local nature conservation interest or protected species. Suitable mitigation measures will be employed during the works to reduce residual effects to a low level. Such measures could be required by condition attached to any planning permission.

The proposed restoration will provide a net benefit to the long term nature conservation interest of the site".

2.3 In addition to the submitted initial variation details and the first round of public consultation, the applicant submitted various amendments and additional information at the request of the MPA in response to consultee comments and to address issues raised by objectors. All the submitted information can be viewed in Public Access.

2.4 In addition to the submitted variation details the applicant submitted additional information in April 2017 to extend the time to restore the site and revise the approved working scheme. This was required due to delays in restoring the site as approved via variation of conditions. Furthermore the applicant wishes to import inert material for the use in restoring Whetstone from a proposed sand & gravel quarry located on its southern boundary in Wiltshire. The proposed quarry has been recommended for approval by Wiltshire Council subject to a S106 agreement.

2.5 The submitted information (agents letter, phased extraction plans and proposed restoration plan) can be viewed in full in public access with a summary below:

"Please find enclosed additional information to facilitate an extension of time and a revision to the working and restoration scheme of the consented Whetstone Bridge Quarry. These details are submitted as part of planning application 16/0083/CWMAJM which remains under consideration.

Planning application 16/0083/CWMAJM proposes a range of variations to conditions attached to planning permission 12/0015/CWMAJM. The principal (sic) purpose of the variation of condition application is to enable a revision to

the proposed working and restoration scheme and enable alternative groundwater mitigation at the consented sand and gravel quarry.

This submission proposes to include additional variations under application 16/0083/CWMAJM. These are described below.

Proposed Extension of Time

Condition 2 of planning permission 12/0015/CWMAJM requires that mineral extraction cease five years from the commencement of site operations. Mineral working began on site in June 2017 and is well advanced. Restoration of the site is therefore required by June 2022. Restoration is to be achieved through the importation of approximately 416,520m3 of inert material.

Progress in restoring the site has however been delayed owing to a lack of Environmental Permit to allow the import of inert materials. The justification in support of the volume of inert material required is tethered to the revised proposals set out under application 16/0083/CWMAJM. It is therefore not feasible to submit the Environmental Permit application unless or until application 16/0083/CWMAJM has been positively determined. As a consequence, it will not be possible to restore the site by June 2022.

It is therefore proposed that condition 2 of planning permission 12/0015/CWMAJM is also varied and the restoration date for the site is extended by 2.5 years to 31 December 2025. This would provide sufficient time to complete mineral extraction, secure an Environmental Permit and restore the site using imported inert material.

Revision to Working Scheme

In July 2018, a planning application (ref: 18/06840/WCM) was submitted to Wiltshire Council to enable a southerly extension to the quarry. The application proposes extraction of approximately 300,000 tonnes of sand and gravel across a 2.5 year period with restoration within a further 12 months.

Mineral extracted from the southern extension would be processed within the established plant site and exported via the existing access. Both the plant site and access are positioned within Gloucestershire. Restoration of the southern extension would be achieved using 137,000m3 of imported inert material.

To avoid the placement of additional soil and overburden stores within the flood plain around the perimeter of the southern extension, it is proposed that the material is directly placed into extracted voids to aid restoration of land within the consented site. An equivalent volume of material from existing soil and overburden stores would be placed within the southern extension as mineral working progresses through the extension site. Worked in this fashion, the proposed development would not result in any alteration to the agreed ground and surface water mitigation or available flood storage capacity.

The proposed revised working and restoration scheme is shown by enclosed Drawing Nos. 1787-4-4-DR-0010 to 1787-4-4-DR-0014. To ensure consistency, the revised working scheme has also been submitted to Wiltshire Council. The

proposed working and restoration scheme is clearly dependent upon positive determination of application 18/06840/WCM by Wiltshire Council. The application is nearing determination, carries no statutory objection and is expected to be approved. In the event that application 18/06840/WCM was refused, an application would be made to the Mineral Planning Authority to amend the working and restoration scheme. This would simply redirect the use of soil and overburden stores in restoration. Refusal of 18/06840/WCM would not remove the necessity for the proposed extension of time"

3. PLANNING HISTORY

3.1 The site has the following relevant planning history:

Planning Ref:	Development	Decision & Date
17/0083/NONMAT	Non-material amendment to vary condition 47 relating to planning consent 12/0015/CWMAJA dated 17/9/2015. To amend the approved Arboricultural impact assessment	15th January 2018
17/0058/NONMAT	Non-material amendment to vary the wording of conditions 46 (Landscape/Ecology) & 50 (Restoration) relating to planning consent 12/0015/CWMAJM dated 17/09/2015.	Consent dated June 2017
17/0050/NONMAT	Non-material amendment to vary the requirement of condition 45 (Biodiversity Scheme) relating to planning consent 12/0015/CWMAJM dated 17/09/2015	Consent 17th May 2017
04/0096/CWPAC	Screening and Scoping request and pre-application consultation on the phased extraction of sand and gravel and progressive restoration to agriculture	29/06/2004 / 03/08/2004
12/0015/CWMAJM	Progressive extraction and processing of Sand and Gravel with restoration to Agriculture, Ponds, Nature Conservation including reconstruction of the Thames and Severn Canal using imported inert fill.	Consent 17th September 2015

4. Policy Consideration

National Planning Policy Framework (NPPF)

4.1 The National Planning Policy Framework (NPPF), updated February 2019 constitutes national policy for Planning Authorities and is a material consideration in determining the application. In assessing and determining planning proposals, Planning Authorities should apply the presumption in favour of sustainable development, which is the main focus of the NPPF in relation to both the plan-making and decision making process. However, the presumption in favour of sustainable development does not apply where development requires

an appropriate assessment under the Birds Directive 2009 and the Habitats Directive 1992. The NPPF does not contain specific waste policies since national waste planning policy are included within the National Planning Policy for Waste (NPPW).

NPPF Chapter 9 Promoting sustainable transport Paragraph 109 states that '*development should only be prevented or refused on highways grounds if there would be an unacceptable impact on highway safety, or the residual cumulative impacts on the road network would be severe'.*

NPPF Chapter 14 (meeting the challenge of climate change, flooding and coastal change), *the planning system should support the transition to a low carbon future in a changing climate, taking full account of flood risk and coastal change.*

Planning and flood risk
(Paragraph 155 states that: *Inappropriate development in areas at risk of flooding should be avoided by directing development away from areas at highest risk (whether existing or future). Where development is necessary in such areas, the development should be made safe for its lifetime without increasing flood risk elsewhere.*

Paragraph 163 states that: "When *determining any planning applications, local planning authorities should ensure that flood risk is not increased elsewhere. Where appropriate, applications should be supported by a site-specific flood-risk assessment50. Development should only be allowed in areas at risk of flooding where, in the light of this assessment (and the sequential and exception tests, as applicable) it can be demonstrated that:*

a) Within the site, the most vulnerable development is located in areas of lowest flood risk, unless there are overriding reasons to prefer a different location;

b) The development is appropriately flood resistant and resilient;

c) It incorporates sustainable drainage systems, unless there is clear evidence that this would be inappropriate;

d) Any residual risk can be safely managed; and

e) Safe access and escape routes are included where appropriate, as part of an agreed emergency plan".

NPPF Chapter 17 'Facilitating the sustainable use of minerals' at Paragraph 203 states that "It *is essential that there is a sufficient supply of minerals to provide the infrastructure, buildings, energy and goods that the country needs. Since minerals are a finite natural resource, and can only be worked where they are found, best use needs to be made of them to secure their long-term conservation".*

Paragraph 205 states that *when determining planning applications, great weight should be given to the benefits of mineral extraction, including the*

economy….. Mineral planning authorities should:

b) ensure that there are no unacceptable adverse impacts on the natural and historic environment, human health, and take into account the cumulative effect of multiple impacts from individual sites and/or from a number of sites in a locality;
c) ensure that any unavoidable noise, dust and particle emissions and any blasting vibrations are controlled, mitigated or removed at source, and establish appropriate noise limits for extraction in proximity to noise sensitive properties;……
e) provide for restoration and aftercare at the earliest opportunity, to be carried out to high environmental standards, through the application of appropriate conditions…….

Paragraph 207 Maintaining supply states that mineral planning authorities '*should plan for a steady and adequate supply of aggregates by:*
……
(f) maintaining landbanks of at least 7 years for sand and gravel and at least 10 years for crushed rock, whilst ensuring that the capacity of operations to supply a wide range of materials is not compromised.....

National Planning Policy for Waste

4.2 The National Planning Policy for Waste was issued in October 2014 and sets out national waste planning policies. It should be read in conjunction with the National Planning Policy Framework, the Waste Management Plan for England and National Policy Statements for Waste Water and Hazardous Waste, or any successor documents. All local planning authorities should have regard to its policies when discharging their responsibilities to the extent that they are appropriate to waste management.

4.3 The primary aim is to guard against new or increased hazards caused by development. In testing the suitability of sites in determining planning applications, planning authorities should consider a number of locational factors set out in Appendix B which include:

- *"a. protection of water quality and resources and flood risk management considerations will include the proximity of vulnerable surface and groundwater or aquifers. For landfill or land-raising, geological conditions and the behaviour of surface water and groundwater should be assessed both for the site under consideration and the surrounding area. The suitability of locations subject to flooding, with consequent issues relating to the management of potential risk posed to water quality from waste contamination, will also need particular care."*

- *"birds can provide a hazard to aircraft at locations close to aerodromes or low flying areas. As part of the aerodrome safeguarding procedure (ODPM Circular 1/20035) local planning authorities are required to consult aerodrome operators on proposed developments likely to attract birds. Consultation arrangements apply within safeguarded areas (which should be shown on the policies map in the Local Plan)."*

Planning Practice Guidance (NPPG)

4.4 The Department for Communities and Local Government (DCLG) launched the web-based national Planning Policy Guidance (PPG) on 6 March 2014 to replace previous planning policy guidance documents and Technical Guidance to the National Planning Policy Framework. The PPG provides guidance on assessing the impacts from minerals extraction on a number of categories including, dust and noise emissions. The mineral section of the PPG sets out issues that Mineral Planning Authorities (MPA) should address when considering mineral applications, not all of the issues raised will be relevant to each case and therefore must be applied on a case by case basis as appropriate. There are also a number of other sections in the PPG relating to general planning matters which are relevant in the consideration of this planning application.

4.5 In the mineral planning section, significant environmental impacts are considered to be best addressed through an Environmental Statement to ensure mineral planning authorities have sufficient information on all environmental matters at the time the decision is made.

4.6 Paragraph 040 of the PPG in the minerals section advises that the level of detail required on restoration and aftercare will depend on circumstances of each specific site and the expected duration of operations. A restoration scheme must be sufficient to demonstrate the overall objectives of the scheme are practically achievable. MPA's should secure restoration and aftercare of a site through the imposition of suitable planning conditions which seeks a progressive or rolling restoration to minimise areas of land occupied at any one time by mineral working.

4.7 Paragraph 1 of the Flood Risk and Coastal Change section of the PPG sets out the main steps to be followed in the assessment of flood risk which should accompany planning applications for sites of more than 1 ha. There is a requirement to consult the Environment Agency and a role for the Lead Local Flood Authority in managing local flood risk, including from surface water, ground water and ordinary watercourses.

4.8 Flood risk vulnerability of the proposed development as defined in paragraph 66 is that sand and gravel working and the post restoration agricultural land and amenity area are water compatible development.

Minerals Local Plan (MLP) for Gloucestershire (2018 – 2032)

4.9 Under Section 38 (6) of the Planning and Compulsory Purchase Act 2004, planning applications must be determined in accordance with the Development Plan unless material considerations indicate otherwise. For minerals development an adopted minerals local plan will be the starting point for consideration and determination of any planning planning applications submitted to the Minerals Planning Authority (MPA). The County Council adopted the Minerals Local Plan (MLP) for Gloucestershire (2018 – 2032) on the 20th March 2020. The new plan forms part of the development plan for Gloucestershire and replaces all of the saved policies of the previously adopted Gloucestershire Minerals Local Plan (1997 – 2006). The MLP policies relevant to the current application are set out below:

Policy SR01 | Maximising the use of secondary and recycled aggregates
Part a | Mineral developments Mineral development proposals will be permitted where they adopt best practice in the extraction, processing and transportation of primary minerals in order to minimise the amount of waste generated and make provision for the sustainable production of secondary and recycled aggregates, subject to the requirements of Policy MW06 | Ancillary minerals development

Policy MW01 | Aggregate provision
Mineral development proposals for aggregate working will be permitted, where it can be demonstrated: -

I. *they will make a contribution towards maintaining throughout and at the end of the plan period an aggregate landbank requirement of at least 10 years for crushed rock or at least 7 years for sand and gravel, based on the LAA rate published in the most recent annual Gloucestershire Local Aggregates Assessment; and*
II. *the requirements of policy MA01 (Aggregate working within allocations can be satisfactorily met;*

Policy MW06 | Ancillary minerals development
Ancillary minerals development within mineral sites will be permitted, where it can be demonstrated: -

- *the best use of minerals worked from within the boundary of the site in which they are located will be facilitated; and / or*
- *any importation of minerals and other materials used to produce secondary and / or recycled aggregates from elsewhere will represent an environmentally acceptable and sustainable option; and*
- *all operations will be for a temporary period of time restricted to the life of the mineral site in which they are located and the removal of all built structures will occur at the earliest opportunity once mineral working has ceased; and*
- *the requirements of policy MR01 (Restoration, aftercare and facilitating beneficial after-uses) can be satisfactorily met; and*
- *a positive contribution will be made to sustaining or growing the local economy and / or upholding cultural heritage throughout Gloucestershire.*

Policy DM01 | Amenity
Mineral development proposals will be permitted only where it can be demonstrated adverse impacts on the amenity of local communities within Gloucestershire and those of neighbouring administrative areas will be avoided, strictly controlled or mitigated so as to ensure unacceptable impacts will not arise in respect of noise, vibration, air pollution and visual intrusion.

Policy DM02 | Cumulative impact
Mineral development proposals will only be permitted where it can be demonstrated: -

I. unacceptable cumulative adverse impacts will not be generated from within the mineral site for which the proposal is located and / or from a number of minerals and non-mineral developments in the locality; or
II. the benefits of development will clearly outweigh unacceptable cumulative adverse impacts to justify the grant of planning permission.

Policy DM03 | Transport
Part a | Sustainable transport
Mineral development proposals that minimise the miles travelled by minerals and demonstrate how road-based transport will also be kept to a minimum will be permitted. Wherever possible alternative and more sustainable, modes of non-road transport must be used along with fuel efficient and / or low, ultra-low or zero greenhouse gas emitting haulage vehicles.

Part b Highway Network
Mineral development proposals will only be permitted where public safety is not adversely affected and it can be demonstrated: -

I. unacceptable impacts on the capacity and function of the strategic and local highway networks will be avoided or satisfactorily mitigated; and
II. any unavoidable adverse impacts on the capacity and function of the strategic and local highway networks will not be severe

Policy DM04 Flood Risk
Mineral development proposals will be permitted, where it can be demonstrated: -

I. there will be no increase in the risk of flooding on site and elsewhere from all sources of flooding now and in the future;
II. wherever possible, flood risk reduction initiatives will be incorporated that will achieve a reduction in the risk of flooding overall;
III. appropriate measures will be put in place to manage and wherever possible, reduce surface water run-off including through the use of sustainable drainage systems (SuDS);
IV. wherever possible, a net increase in flood water storage capacity will be achieved;

Policy DM05 | Water resources

Mineral development proposals will be permitted where it can be demonstrated: -

I. there will be no decline in water quality that would lead to a deterioration of EU Water Framework Directive (WFD) water body status and that measures to improve water quality and water body status will be incorporated wherever possible to help achieve good ecological status;
II. measures will be incorporated to enhance and protect water quality, including Gloucestershire's groundwater resources;
III. the actions and objectives set out in the Severn and / or Thames River Basin Management Plan (RBMP) will be supported in striving to protect and improve the quality of water bodies;

IV. unless justifiable and agreeable change is achievable to the physical integrity of watercourses175, they will be preserved and wherever possible enhanced, including riverside habitats. Where necessary, management and mitigation measures will be incorporated to improve and / or enhance water quality and habitats of aquatic environments in or adjoining the development site; and

V. wherever possible, measures to achieve the efficient use of water will be delivered including incorporating appropriate water conservation techniques.

Policy DM06 | Biodiversity and geodiversity

Part a | Biodiversity and geodiversity outside of designated areas

Mineral development proposals that demonstrate the conservation of biodiversity and/or geodiversity, in addition to providing net gains where possible, will normally be permitted. Potential adverse impacts on natural environment assets must be avoided or satisfactorily mitigated in line with Gloucestershire Local Nature Partnership objectives. Exceptionally , where an impact cannot be avoided or mitigated, then compensatory measures including the use of offsets for habitat or geological feature losses will be considered Irreplaceable habitat and geological assets must be retained and protected from deterioration unless this cannot be avoided because there are exceptional overriding reasons of demonstrable public benefit.

Part b | Designated sites and protected species

Mineral development proposals which, alone or in combination with other plans and projects, are likely to have a significant effect on any Internationally Important Site designated as a Special Area of Conservation (SAC), Special Protection Area (SPA) or Ramsar site will only be permitted, where they have been subject to an Appropriate Assessment, which has determined that either:-

I. there will be no adverse affect upon the integrity of such designated sites; or
II. where adverse effects on integrity have been concluded, has satisfactorily addressed the subsequent stages in the Habitats Regulations Assessment (HRA) process as set out in table 3, which present imperative reasons of overriding public interest.

Mineral development proposals will only be permitted within designated Sites of Special Scientific Interest (SSSI), National Nature Reserves (NNR) and in localities that could have an impact upon such designations, where it can be demonstrated: -

I. there will be no conflict with the conservation, management and enhancement of a designation;
II. that any potentially harmful aspects of mineral development can be satisfactorily mitigated; and
III. there would be no wider indirect and/or cumulative impact on the national network of SSSIs; or where the benefits of mineral development clearly outweigh the potential adverse impacts upon the key features of any designation.

Mineral development proposals on local sites that include Local Nature Reserves (LNR), Gloucestershire Local Wildlife Sites (LWS) and Regionally Important Geological Sites (RIGS) and in localities that could have an impact upon such designations will be permitted where it can be demonstrated: -

I. adverse impacts can be avoided and /or satisfactorily mitigated; or
II. where the benefits of minerals development clearly outweigh the potential adverse impacts upon the key features of any designation.

Mineral development proposals that could adversely affect legally protected species will only be permitted where it can be demonstrated that suitable safeguarding measures will be provided.

Policy DM07 | Soil resources
Mineral development proposals will be permitted where they have been informed by and are sympathetic to the protection of soil resources by demonstrating: -
I. unacceptable adverse impacts on the quality of soil including as a result of disturbance and / or from contamination will be avoided or satisfactorily mitigated; and
II. wherever possible, measures to achieve improvements in soil quality will be delivered; and
III. where Best and Most Versatile Agricultural Land (BMVAL) is present, it will be avoided, or where this is not possible, it will be restored to the highest quality grade possible unless in doing so, beneficial restoration that outweighs the importance of protecting soil resources would be compromised; or
IV. the overall benefits of minerals development will clearly outweigh unacceptable adverse impacts on the quality of soil and / or opportunities to achieve soil quality improvements to justify of planning permission being granted.

Policy DM09 | Landscape
Mineral development proposals will be permitted where it can be demonstrated they have been informed by, are sympathetic to, and wherever practicable, will support the enhancement of the character, features and qualities of the landscape character areas or types of the relevant NCAs and LCAs that form the Gloucestershire Landscape Character Assessment.

Part a | Outside of AONB landscape designations (excluding those areas that form part of the setting of an AONB)

Within undesignated valued landscapes or landscape designations other than AONBs unacceptable adverse impacts on the defining character, features and qualities of these areas must be avoided or satisfactorily mitigated.

Policy DM11 | Aerodrome safeguarding and aviation safety
Mineral development proposals will be permitted only where it can be demonstrated that unacceptable adverse impacts on aviation safety can be avoided or satisfactorily mitigated.

Policy MR01 | Restoration, aftercare and facilitating beneficial after-uses
Mineral development proposals will be permitted where it can be demonstrated high quality restoration and aftercare will: -

I. takes place at the earliest opportunity and without generating unacceptable adverse impacts; and
II. be delivered to a high environmental standard; and
III. facilitate beneficial after-uses that will contribute to the delivery of sustainable development.

Gloucestershire Waste Core Strategy (adopted November 2012)

4.10 Gloucestershire's Waste Core Strategy (WCS) was adopted 21st November 2012 and forms part of the Minerals and Waste Development Framework, providing a planning framework for waste management across the county of Gloucestershire for the period 2012 - 2027. It identifies a vision, objectives and strategy relevant to Gloucestershire compliant with the NPPF. As the development involves the importation of inert waste material for infilling, the following policies are considered relevant:

WCS1 – Presumption in Favour of Sustainable Development:
'When considering development proposals the Council will take a positive approach that reflects the presumption in favour of sustainable development contained in the National Planning Policy Framework. It will always work proactively with applicants jointly to find solutions which mean that proposals can be approved wherever possible, and to secure development that improves the economic, social and environmental conditions in the area. Planning applications that accord with the policies in the WCS (and, where relevant, with policies in neighbourhood plans) will be approved without delay, unless material considerations indicate otherwise. Where there are no policies relevant to the application or relevant policies are out of date at the time of making the decision then the Council will grant permission unless material considerations indicate otherwise – taking into account whether:

- *Any adverse impacts of granting permission would significantly and demonstrably outweigh the benefits, when assessed against the policies in the National Planning Policy Framework taken as a whole; or*
- *Specific policies in that Framework indicate that development should be restricted."*

WCS8 – Landfill:
"Proposals for new landfill developments or extensions to existing landfill sites will only be permitted where it can be demonstrated that:

1. *The waste cannot be managed further up the waste hierarchy through reuse, recycling and recovery; and*
2. *The proposed landfill would enable;*

    i. restoration of current or former minerals sites (subject to technical suitability of the site); or

ii. a demonstrable improvement in the quality of the land; or
iii. facilitating an appropriate after use; or
iv. engineering or other operations.

3. *The proposed development would not compromise the permitted restoration of mineral sites or existing landfill sites by the diversion of significant amounts of material;*
4. *The site does not adversely effect the following designations – major aquifers, source protection zones and European Sites; and*
5. *Any proposal for new or extended landfill will need to indicate that it is for Gloucestershire's waste needs unless it can be demonstrated, through a supporting statement, to be the most sustainable option to manage waste arisings from outside of the county at that facility."*

WCS10 – Cumulative Impact:
"In determining proposals for waste related development for new or enhanced waste management facilities the Council will have regard to the cumulative effects of previous and existing waste management facilities on local communities alongside the potential benefits of co-locating complimentary facilities together. Planning permission will be granted where the proposal would not have an unacceptable cumulative impact.

In considering the issue of cumulative impact, particular regard will be given to the following:

1. *Environmental quality;*
2. *Social cohesion and inclusion; and*
3. *Economic potential.*

Within these broad categories this will, subject to the scale and nature of the proposal, include an assessment of the following issues: noise, odour, traffic (including accessibility and sustainable transport considerations), dust, health, ecology and visual impacts."

WCS12 – Flood Risk
In order to reduce the likelihood and impact of flooding both on and off-site there will be a general presumption that all waste-related development will be located in areas of low flood risk, (Flood Zone 1) unless it can be demonstrated that there are no suitable, alternative sites available.

Only if no suitable sites are available in Flood Zone 1 will consideration be given to sites within Flood Zone 2 and only if no suitable sites are available in Zone 2 will consideration be given to sites within Flood Zone 3a. Proposals which are classified as 'less vulnerable' may come forward in Flood Zones 1, 2 and 3a although the sequential approach will still apply.

Proposals for 'more vulnerable' waste development including landfill/landraise and hazardous waste treatment and disposal will only be permitted in Flood Zone 3a where it can be demonstrated through application of the 'exception test' that:

- The development provides wider sustainability benefits to the community that outweigh flood risk having regard to the Gloucestershire Strategic Flood Risk Assessment (SFRA); and
- The site is previously developed or if not, that there are no reasonable and available alternative sites on previously developed land; and
- The development will be safe without increasing flood risk elsewhere and where possible, will reduce flood risk overall.
Proposals for waste-related development within Flood Zone 3b (the functional floodplain) will not be permitted other than 'water compatible' proposals such as sewage transmission infrastructure and pumping stations and, subject to the exception test, development which is classified as 'essential infrastructure'.

A Flood Risk Assessment (FRA) will be required for all development of 1 hectare or more and for any proposal located within Flood Zone 2 and 3a. The FRA should consider all sources of potential flood risk.

The design of all new development will be required to take account of current and potential future flood risk from all sources both on and off-site including in particular the use of Sustainable Drainage Systems (SUDS).

WCS14 - Landscape
Proposals for waste development will be permitted where they do not have a significant adverse effect on the local landscape as identified in the Landscape Character Assessment or unless the impact can be mitigated. Where significant adverse impacts cannot be fully mitigated, the social, environmental and economic benefits of the proposal must outweigh any harm arising from the impacts.

WCS19 - Sustainable Transport
In the interests of sustainable development and minimising the impact of waste management on Gloucestershire's roads and the wider natural and historic environment, proposals for waste-related development that utilise alternative modes of transport such as rail and water will be positively supported. This is subject to compliance with other relevant development plan policies and the contribution to a sustainable waste management system for Gloucestershire.

Any development exceeding the thresholds set out in the Department for Transport publication 'Guidance on Transport Assessment' must be supported by a Transport Assessment (TA) and Travel Plan. Consideration will also be had to the location of the proposed development in determining whether a TA is required.

Development that would have an adverse impact on the highway network which cannot be mitigated will not be permitted.

Gloucestershire Waste Local Plan 2002 – 2012 (Adopted October 2004) (GCC WLP)

4.11 Section 38(6) of the Planning and Compulsory Purchase Act 2004 indicates that the Gloucestershire Waste Local Plan's status as part of the development plan for Gloucestershire will be the starting point for decision making. Gloucestershire Waste Core Strategy adopted 21st November 2013 replaced most of the policies within the Waste Local Plan; however several policies from the adopted Gloucestershire Waste Local Plan have been 'saved' and remain relevant to the determination of planning applications. As the development involves the importation of waste material for infilling, the following saved policies are considered relevant:

Policy 33 – Water Resources – Pollution Control

"Proposals for waste development will only be permitted where there would be no unacceptable risk of contamination to surface watercourses, bodies of water or groundwater resources."

Policy 37 – Proximity to other land uses:

"Proposals for waste development will be determined taking into account such matters as the effect on the environment, occupants' and users' amenity and health, the countryside, the traditional landscape character of Gloucestershire, the local highway network, any hazardous installation or substance and any adverse cumulative effect in combination with other development in the area. Where appropriate, suitable ameliorative measures shall be incorporated in the proposals to mitigate, attenuate and control noise, dust, litter, odour, landfill gas, vermin, leachate and flue emissions."

Policy 38 – Hours of Operation:

"The Waste Planning Authority will where appropriate impose a condition restricting hours of operation on waste management facilities to protect amenity."

Cotswold District Local Plan 2011-2031(Adopted August 2018)

4.12 Section 38 (6) of the Planning and Compulsory Purchase Act 2004 indicates that the Adopted Cotswold District Local Plan's Development Plan status must be considered... The following are relevant to the proposed development:

Policy EC1 - Employment development

- maintains and enhances the vitality of the rural economy;

Policy EN15 - POLLUTION AND CONTAMINATED LAND

1. Development will be permitted that will not result in unacceptable risk to public health or safety, the natural environment or the amenity of existing land uses through:
a. pollution of the air, land, surface water, or ground water sources; and/or
b. generation of noise or light levels, or other disturbance such as spillage, flicker, vibration, dust or smell.
2. Unless proposals would result in no unacceptable risk to future occupiers of the development and/or the surrounding land, development will not be permitted:

Policy INF3 - SUSTAINABLE TRANSPORT

1. Development will be permitted that assists in delivery of the objectives of the Local Transport Plan and in particular:
a. actively supports travel choice through provision, enhancement and promotion of safe and recognisable connections to existing walking, cycling and public transport networks (including, where appropriate, the rail network);
b. gives priority to pedestrians and cyclists and provides access to public transport facilities taking account of the travel and transport needs of all people;
c. does not have a detrimental effect on the environment by reason of unacceptable levels of noise, vibration or atmospheric pollution;
Planning applications will be determined in accordance with relevant policies in this Local Plan, which should be considered together, unless material considerations indicate otherwise.
d. ensures links with green infrastructure including Public Rights of Way and, where feasible, wider cycle networks;
e. makes a positive contribution, where appropriate, to the restoration of former railway lines by retaining existing embankments, cuttings, bridges and related features;
f. incorporates, where feasible, facilities for secure bicycle parking and for charging plug-in and other ultra-low emission vehicles;

Policy INF4: HIGHWAY SAFETY:
Development will be permitted that:
a. is well integrated with the existing transport network within and beyond the development itself, avoiding severance of communities as a result of measures to accommodate increased levels of traffic on the highway network;
b. creates safe and secure layouts which minimise conflicts between traffic and cyclists or pedestrians, avoids street clutter and where appropriate establishes home zones;
c. provides safe and suitable access and includes designs, where appropriate, that incorporate low speeds;
d. avoids locations where the cumulative impact of congestion or other undesirable impact on the transport network is likely to remain severe following mitigation.

5.0 REPRESENTATIONS

5.1 The proposal was first advertised by site notice, listed on the GCC website and by a newspaper advertisement in December 2016. In addition to statutory consultation requirements 3 letters were sent to neighbouring residents or premises near the site (in line with the Statement of Community Involvement). In addition the nearest parish council (Down Ampney) which lies within Gloucestershire and Marston Meysey Parish Meeting (MMPM) who are an adjacent parish located in Wiltshire were also consulted.

5.2 An objection was received from MMPM and three objections from the public, on the following grounds:

MMPM

- *The application does not ensure that there are no unacceptable adverse impacts on the natural environment. (NPPF 144 & 143);*

- *It does not take into account the impact from the conjoined Roundhouse Farm site on the application site (NPPF 144 & 143);*
- *Because it does not take into account* the impact to the conjoined Roundhouse Farm site from the application site (NPPF 144 &143).

Public

- The potential sterilisation of the mineral reserves at Down Ampney which form a significant portion of GCC's future Sand & Gravel Land Bank due to hydrology and water flows being blocked by infill for restoration;
- Hydrology;
- Cross border cumulative impacts;
- Impacts of the Roundhouse Quarry restoration;
- Impact on Groundwater Flows.

5.3 No objections were received from statutory consultees including Down Ampney Parish Council. Submitted consultee comments from the Mineral Planning Authority (MPA) hydrologist advisors (HyA) and the County Ecologist (CE) stated further information was required to be submitted by the applicant on groundwater, water management and mitigation respectively. Furthermore the EA requested clarification on the need to vary additional conditions as a result to the proposed conditions being varied as applied and the requirement of additional information to be submitted.

5.4 MOD Safeguarding advised on the design of the proposed restored ponds and the need for the applicant to agree to a long term bird management scheme prior to the completion of restoration.

5.5 To address issues raised by consultees, and objectors the MPA requested that the applicant submit further information to address these matters.

5.6 The applicant submitted further information which is listed below to address the issues raised and can be viewed in full via Public Access.

- Technical Water Responses to Atkins & Environment Agency dated 5
- June 2017
- Bird Management Plan dated 16 May 2017
- The following plans:- 'FIGURE 5F, FIGURE 6F, FIGURE 7F and FIGURE 8G' have been superseded by 'FIGURE 5G, FIGURE 6G, FIGURE 7G and FIGURE 8H' received 17 July 2017.

5.7 In compliance with Environmental Impact Assessment Regulations (EIA) the MPA carried out a Regulation 25 consultation with consultees and contributors on the submitted information detailed above in July 2017.

5.8 In response to this Regulation 25 consultation a number of objectors including MMPM and statutory consultees and technical advisors raised concerns in relation to hydrology, ground water flows, ground water storage, and flood risk, on site drainage, ecology, restoration phases and transport impacts. All the responses can be viewed in full in Public Access.

5.9 To address the issues raised by consultees, and objections the MPA requested that the applicant submit further information to address these matters.

5.10 To comply with the issues raised the applicant submitted further information as requested by the MPA which can be seen in full in Public Access and included the following:

- GWP Technical Response to EA, MPA & Residents dated 15th November 2017
- E-mail from applicants agent dated 14th November 2017 addressing the following
  - Phases 7 and 8
  - Off site mitigation measures
  - On site Drainage System
  - Risk of increased groundwater flooding downstream of the site
  - Ampney Brook enhancement
- Omission of the Ampney Brook diversion
- Revised Restoration
- Timescales
- Biodiversity Mitigation and Management Strategy
- Landscape Mitigation and Detailed Aftercare Scheme

5.11 In compliance with EIA Regulations the MPA carried out a further Regulation 25 consultation in December 2017 with consultees and contributors on the submitted information detailed above and additional information that had been submitted by the applicant to support their application that included the following:

- Landscape Mitigation & Aftercare Scheme dated February 2017
- Agents e-mail to EA dated 20th April 2017
- GWP Technical Water Responses to Atkins & Environment Agency dated 5 June 2017
- Bird Management Plan dated 16 May 2017
- The following plans:- 'Figure 5F, Figure 6F, Figure 7F and Figure 8G' have been superseded by 'Figure 5G, Figure 6G, Figure 7G and Figure 8H' received 17 July 2017.
- E-mail from applicants agent dated 5th July 2017 addressing revised working and restoration scheme in response to comments from the County Ecologist

5.12 In response to this Regulation 25 consultation the MPAs HyA raised the issue that they were of the opinion that the proposed groundwater monitoring points were insufficient.

5.13 MMPM submitted several responses in response to the application and the December 2017 Regulation 25 consultation all of which can be viewed in Public Access. A summary is provided as follows:

- Consultation response dated 29/01/18 MMPM maintained their objection on following grounds:

- sufficient details have not been provided to identify and assess the main effects which the proposed development is likely to have on the Roundhouse Farm reed lakes.
- Ground water flows
- The hydraulic conductivity of the infill appears to have been misrepresented

- Consultation response dated 16th July 2018 MMPC reaffirmed their objection to the application and raised issues relating to Roundhouse Quarry and the accuracy of the applicants submitted information and can be viewed in full in Public Access

- Consultation response dated 20th August 2018 which the MMPC reviewed the applicants Technical response produce by GWP (the applicants technical consultants dated 5/06/17 (which can be viewed in Public access) and requested that the MPA reconsult on '*the new information from GWP that dewatering at Roundhouse occurred during the period of 2004 -2008 (the HyA (sic) has explained to you that this may have an effect on groundwater flows)and the new information from MMPM that infilling without any approved mitigation at Roundhouse occurred during the period 2011-2016 (the HyA has explained to you that this will have an effect on groundwater flows)'.*

- In a further response dated 30/08/18 the parish submitted an objection based on new information showing baseline groundwater flowpath across Whetstone Bridge Farm and Roundhouse Farm

- MMPC submitted a further objection dated 10/09/18 maintaining their objection based on the potential impact from the restoration of the adjacent Roundhouse Farm Quarry in Wiltshire and that the applicant fails to identify and assess the main effects which this development is likely to have on the water environment of the surrounding area and changes to baseline hydrogeology.

5.14 Public objectors raised concerns in relation to hydrology, ground water directional flows, flood risk, impacts of the reed beds of Roundhouse Quarry, limited groundwater monitoring data, lack of aftercare and a maintenance regime for the proposed system of drains which would conduct groundwater and surface water to the Thames via Wiltshire, implications of the proposed drainage system on future canal restoration and the non-consideration of the possibility that faster flow rates may increase the likelihood of flooding near the canal and in the Whetstone Bridge South site (Phases 7 and 8, which are in Wiltshire).

5.15 In July 2018 the MPA requested it's HyAs to review the comments, responses and additional information provided by an objector dated 29 January 2018, MMPM dated 16 July 2018 and the historical hydrogeological assessment report on Roundhouse Farm site prepared by Hyder in 2000 concerning hydrogeological issues.

5.16 The HyA hydrological review can be seen in full in Public Access with a summary of their findings as follows:

The HyA (sic)considers that the main points relating to the hydrogeological and hydrological issues raised by Dr Richards and MMPC are consistent with our previous reviews which considers that additional data and assessment are required to verify the current hydrogeological regime across the site and to ensure that no detrimental impacts occurs due to the proposed scheme.

5.17 To address the issues of ground water, groundwater interceptor ditches, protection and enhancement of biodiversity in-stream and along the banks of the watercourses and the management of the buffer zones during extraction and infilling operations at the request of the MPA the applicant submitted a '*Design, Specification and Method Statement for the construction of a groundwater interception ditch at Whetstone Bridge Farm'* dated 13th December 2018.

5.18 In compliance with EIA Regulations the MPA carried out a further Regulation 25 consultation in February 2019 with consultees and contributors on the submitted '*Design, Specification and Method Statement for the construction of a groundwater interception ditch'.*

5.19 In response to the February Regulation 25 consultation the MPA received consultation responses from consultees, MMPM and members of the public which can be viewed in full in Public Access. The following consultees requested clarification and additional information as follows:

- The HyAs required clarification on the design of the groundwater ditches and specifically drain 4, the proposed monitoring regime for groundwater and surface water flows with infancies on flows towards Marston Meysey Brook making sure they were adequate.

- The EA suggested that the applicant submit the following additional information in order to conclude matters in relation to this variation of conditions application:

    - *Revision/additional information to the GWP groundwater interception ditches Report to include:*
        - *responses to our queries above on groundwater*
        - *information on flood risk and stockpiling*
        - *address third party representations relating to the report and ditch dimensions where appropriate*
    - *Demonstration that cumulative impact has been sufficiently considered and 'rebuttal' to third party representations where appropriate*.

5.20 In addition the EA suggested that issues raised by 3rd parties (objectors) concerning groundwater, ditch dimensions and baseline data should be sufficiently considered.

- The CE requested clarity on Phase 5 progression, showing new groundwater interception ditches, and detail when the boundary biodiversity enhancements will be created.

- MMPM and others stakeholders continued to object as detailed in their previous representations concerning groundwater flows, drainage ditches, baseline hydrogeology, Roundhouse Farm Quarry, cumulative impacts, cross boundary cumulative impacts and the non sterilization of mineral within the site.

5.21 To address the matters raised by consultees, objectors and specifically the EA at the request of the MPA the applicant submitted a Technical Response dated 07 June 2019 produced by GWP to address the matters.

5.22 In compliance with EIA Regulations the MPA carried out a further Regulation 25 consultation in July 2019 with consultees and contributors on the submitted 'GWP Technical Response dated 07 June 2019' and a 'Regulation 25 EIA Addendum, submitted 20/06/2019 to Wiltshire Council in respect of planning application 18/06840/WCM' which had been submitted to the MPA.

5.23 In response to this Regulation 25 consultation the MPA received responses from consultees and contributors which can be viewed in full in Public Access.

5.24 MMPM and contributors maintained their objection on cumulative groundwater impacts, ground water flows and impacts of the restoration of Roundhouse Farm Quarry.

5.25 To address issues relating to a planning application for a sand & gravel quarry (Whetstone South) adjacent to the site but located in Wiltshire the applicant informed the MPA that they whished to amend their submitted details for the variation of condition 2 to extend the life of the quarry to 31st December 2025 and revise the working and restoration scheme amending the variation of conditions 3 and 5 of consent 16/0083/CWMAJM.

5.26 To facilitate this matter the MPA requested that the applicant submit the required information for consideration which resulted in the applicant submitting a supporting letter dated 9th April 2020, revised working phases and proposed restoration which can all be viewed in Public Access.

5.27 In compliance with EIA Regulations the MPA carried out a further Regulation 25 consultation in July 2020 with consultees and contributors on the submitted information. All the submitted responses and representations in response to the Reg 25 consultation can be viewed in full in Public Access.

6.0 CONSULTATIONS

(all the consultation responses received can be viewed in full in Public Access with summaries of their submissions as follows):

Cotswold District Council (CDC):

6.1 CDC did not object to the proposal and commented as follows:

'*GCC should be aware of local concerns regarding the potential for flooding occurring from the County Ditch if it is utilised to take surface water run off from the application site'.*

July 17 Reg 25 response dated August 2017
'*In terms of Ecology it is recommended that the comments of the GCC Ecologist are taken into account, as there are implications for the restoration of the Down Ampney Brook (the proposed connection to the Marston Meysey Brook has been removed - both currently connect to the disused canal), which would result in a failure to improve the favorable condition of the watercourses in line with the EC Water Framework Directive and national biodiversity targets.*

Further details about the biodiversity mitigation and enhancement to be varied as a result of this application are therefore required to ensure sufficient information on priority habitats and biodiversity enhancements in accordance with paragraphs 109 and 118 of the NPPF, the public duty under Section 40 of the Natural Environment and Rural Communities Act 2006, and local planning policies.

In terms of drainage, the Council's Riparian Officer is content to leave the EA, Atkins and GWP to arrive at a suitable conclusion.

Reg 25 18th Jan 2018, Reg 25 Feb 2019 and Reg 25 July 2019 consultation
'We have no observations to make'

*July 2020 Reg*ulation *25 response dated September 2020*
'The Council's landscape officer considers what is to be delivered is an improvement on the original restoration plan in terms of landscape provision and biodiversity. Particular improvement is shown in this latest plan relating to aquatic habitats and green SUDs.

Other than the above comment, the Council's officers are content to leave GCC consultants to arrive at a suitable conclusion and have no further comment'.

Environment Agency (EA):

6.2 The EA did not object to the proposals but did consider that further information and clarification was needed to demonstrate that the proposal will be acceptable in terms of impacts on the water environment including impacts on, site drainage, flood risk and ecology.

Response dated 18 April 2017

'GROUNDWATER PROTECTION
Site Boundary - Extraction and Phasing Plans – within the Hydrogeological Impact Assessment for Whetstone Bridge Farm North, by GWP (HIA), in Section 3.3 there is reference to the working of Area 7 and Area 8 within the Whetstone Bridge Farm South site to the south the current application boundary. These

areas are not marked on drawing WHETGW1608-2. There is a conflict between the proposal in the HIA and the currently consented development applied for.

Given that the current planning permission is for the northern development complex then it is important that the mitigation measures needed to allow for the removal of the 1m buffer can be delivered within the red line boundary. We request this situation is clarified by the applicant.

Current Onsite Drainage – *It is proposed that to mitigate for the aquifer truncation that occurs with full infill of the sand and gravel deposit, northern inception ditches will be designed to divert intercepted groundwater into Drain 4 to be then diverted to Drain 2 and Drain 5. It is clear from the HIA that the current onsite drainage system receives groundwater inputs. What remains unclear is whether the current onsite drainage system can cope with the additional load placed upon it by the northern inception ditch during minimum, average and maximum conditions, which will be the proposed mitigation for the loss of the 1m drainage buffer at the base of excavation under the current consented development.*

The above may be more directly a matter for the Lead Local Flood Authority (LLFA) to consider as it relates to groundwater flood risk. Nevertheless we consider further clarification and information is needed to demonstrate that then proposed mitigation will function and will not cause adverse impacts for adjacent land users and for groundwater flow.

Until the above can be provided along with further evidence that the proposal to remove the 1m buffer will not have a detrimental impact on the environmental or other land users we would resist the variation of these conditions.

FLOOD RISK
As a reminder all material removed from the ditches will need to be removed from site as distribution of the material in the fluvial floodplain across the site will raise ground levels and will impact flood risk.

ECOLOGY
There seem to be no significant changes from an ecological point of view, however there is no detail submitted regarding the newly proposed interceptor ditches, in terms of their profile and buffer zone management. Neither are the ramifications on the formerly proposed enhancements to the Ampney Brook clear, in terms of the intention to not divert this now. It would be beneficial to ensure that the ditches are created and managed to maximise the potential for biodiversity, whilst delivering their primary function, and to also ensure that opportunities for enhancements to the now remaining, section of the Ampney Brook are taken.

To this end, we would be minded to suggest that rather than removing Condition 45, it is amended to require the applicant to submit details of the intended cross-sectional profiles of the groundwater interceptor ditches and to clarify enhancement works that will take place along the watercourses. Details of intended management of the buffer zones, during operation and thereafter would

also form part of such a condition. We consider such would be appropriate to ensure opportunities for biodiversity protection and gain are delivered, in accordance with local and national policies.

July 2017 Regulation 25 consultation response dated 15th August 2017
We previously commented on this application in our letter dated 18 April 2017. Please read these two response letters in conjunction with each other.

We are now in receipt of the additional information submitted. We have the following comments:

Groundwater Protection
Based on the information submitted, we have no objections to the removal of conditions 33, 34, 35 and 41. We would recommend that condition 37 is amended from:

During dewatering of each phase of mineral extraction, clay walls will be placed along the perimeter of the excavation to the full depth of the sand and gravel. Once extraction is complete these clay walls will be fully removed and the part within the 1m metre of retained sand and gravel replaced with materials of equivalent permeability. To:

- *During dewatering of each phase of mineral extraction, clay walls will be placed along the perimeter of the excavation to the full depth of the sand and gravel.*

Within the further information, it is stated that "Drain 4 will be re-constructed to the necessary dimensions to allow pre-development surface water-runoff through it plus an allowance for up to 20 l/s of groundwater flow". You may wish to consider attaching a condition to any new permission for development that requests a detailed design of this ditch to be reviewed and approved by the Lead Local Flood Authority / Internal Drainage Boards'

December 2017 Regulation 25 consultation response dated 19th January 2018
'We have looked at the revised/additional information provided. Based on the information submitted, we have no further comments to make and have no objections to the proposed development including the restoration scheme design.

We have provided comments in our previous letters to address matters within our remit and to assist those where there are some overlaps, for example with the Lead Local Flood Authority.

We would refer you to our previous letters, in particular our letter of 15 August 2017 (reference SV/2016/109274/02)'.

February 2019 Regulation 25 response dated 10th May
'Firstly, this letter should be read in conjunction with our previous letters on this application:

So our positon to date is one of no objections. We have made recommendations regarding conditions, and in our first letter (18 April 2017) we made some comments for consideration regarding cumulative impact.

In particular our comments on low flows and any trigger levels and associated mitigation for protecting local features may mean further mitigation proposals need to be supplied by the applicant. If this is the case, we consider these should be considered as part of the current application prior to determination, rather than at a later 'conditions' stage'.

Flood Risk
The report itself does not mention the fact the site is fully within the fluvial floodplain (in Flood Zones 2 and 3). We consider this is relevant with regards to the setting up of the site compound (2nd bullet point in section 3.2). We would advise that the site compound should not be located in any flood flow routes. Also the applicant should take measures to protect plant and equipment stored there should flooding occur during construction. Additionally the applicant should ensure that equipment cannot float away or cause pollution during a flood event.

SUMMARY
We suggest the following additional information is submitted in order to conclude matters in relation to this variation of conditions application:

- *Revision/additional information to the GWP groundwater interception ditches Report to include:*
  - *responses to our queries above on groundwater*
  - *information on flood risk and stockpiling*
  - *address third party representations relating to the report and ditch dimensions where appropriate*
- *Demonstration that cumulative impact has been sufficiently considered and 'rebuttal' to third party representations where appropriate*

<u>July Regulation 25 consultation response dated October 2019</u>
'We have reviewed the document submitted (GWP Report cc060619) in reference to Whetstone North. We are satisfied that the applicant has addressed our concerns relating to groundwater flow truncation during low groundwater levels, duration of maintenance plans and groundwater flooding. The information submitted is sufficient and the applicant has demonstrated they have taken our previous comments on-board'.

<u>July 2020 Regulation 25 consultation response dated 20th September 2020</u>
'We have no concerns on hydrogeological grounds with the proposed changes provided they do not impact the groundwater mitigation plans, as stated in the Agent's Letter dated 09/04/2020.

We have no objections to the proposed development. We would refer you to our previous correspondence (listed below) for advice on necessary planning conditions, and would be willing to comment on any condition wording relevant to our remit to assist your determination if this is desired.
 18 April 2017, our ref SV/2016/109274/01-L01

- *15 August 2017, our ref SV/2016/109274/02-L01*
- *19 January 2018, our ref SV/2016/109274/03-L01*
- *10 May 2019, our ref SV/2016/109274/04-L02*
- *11 October 2019, our ref SV/2016/109274/05-L01'*

Down Ampney Parish Council:

6.3 No comments received

Marston Meysey Parish Meeting (MMPM):

6.4 The MMPM objected to the application through out the consultation process. All their submitted consultations including photos can be viewed in full via Public Access with summaries as follows:.

Consultation response dated 10th February 2017.

- *MMPM objects to the application because it does not ensure that there are no unacceptable adverse impacts on the natural environment. (NPPF 144 & 143);*
- *MMPM objects to the application because it omits alterations whose impact on the natural environment has not been established (NPPF 144 & 143);*
- *MMPM objects to the application because it does not take into account the impact from the conjoined Roundhouse Farm site on the application site (NPPF 144 & 143);*
- *MMPM objects to the application because it does not take into account* the impact to the conjoined Roundhouse Farm site from the application site (NPPF 144 &143).

Summary

Each of the conjoined sites has a consented scheme which is subject to conditions, In order to make Whetstone Bridge Farm mineral extraction acceptable a limited amount of sterilisation of minerals was necessary. The different schemes on each of the conjoined sites maintain their respective and combined natural pre-development groundwater flows. This is achieved on the application site by retaining a layer of in situ aquifer (below infill in the pit voids.) It is achieved on the conjoined site, Roundhouse Farm, by retaining an interconnected series of small groundwater-fed lakes (above infill in the pit voids). As each consented scheme retains its own natural regime and one is conjoined to the other, both sites maintain groundwater flows between themselves and to the River Thames - this is an Environment Agency requirement.

Each conjoined site has a proposed scheme to replace, with inert infill, the element of each scheme which maintains groundwater conductivity, namely the aquifer in the application site and the groundwater fed lakes in the conjoined Roundhouse Farm site. Farmcare/Hills mineral partnership comments highlight the proposed 'inert restoration below the water table.' Its hydrologist maintains that such a restoration could have a negative impact on groundwater flows, perhaps creating a partial plug in the water table across the width of two sites

occupying a strip of land on which the Thames currently relies for a proportion of its groundwater.

In order to meet the requirements of the NPPF (paragraphs 144 & 143) to ensure that there are no unacceptable adverse impacts to the natural environment, an accurate technical audit of the characteristics of the natural pre-development environment is essential. An accurate technical audit of the proposed schemes is then necessary to assess potential negative impacts.

The groundwater information in the application does not appear to provide, in the opinion of the LLFA / Atkins, adequate verifiable evidence relating to conditions that were natural, i.e. ***those*** *relating to conditions that existed prior to development. In view of the ongoing development activities on both conjoined sites it would be logical to assume that it is unlikely to be produced later. We do not consider that the inferences made from the inadequately verified evidence is acceptable, neither would we accept any use of a Condition to permit this application on the basis that such inferences might be unacceptable in the future. MMPM would therefore object to any such conditioned application because verifiable evidence has not been provided and does not appear to exist and cannot be Conditioned to be provided in the future, to ensure there are no unacceptable adverse impacts on the natural groundwater regime'.*

<u>December 2017 Regulation 25 consultation response dated 29th January 2018</u>
'MMPM wishes to inform the Council that it maintains its OBJECTION to this planning proposal because sufficient details have not been provided to identify and assess the main effects which the proposed development is likely to have on Roundhouse Farm reed lakes.

The consented scheme requires that a 1m buffer/blanket of aquifer is retained under almost all of the site. This ensures that groundwater is not obstructed in any direction and will continue to flow in its baseline natural direction into, across and out of the proposal site.

The proposed scheme will remove all of the 1m aquifer of gravel required by the consented scheme. This proposal requires that the baseline natural directions of groundwater flow are established, which does not need to be established for the consented 1m buffer scheme, and that an unobstructed flowpath for that established groundwater flowpath is provided. The proposal claims that all flow paths into the proposal site are intercepted by the existing deep drains which form the south west and south east boundary of the site. The proposal intends to extend the network of existing drains so that the interception takes place along the northwest boundary of the site. The new drain network is claimed to make the 1m blanket of gravel obsolete.

We also wish to OBJECT to the Brook Improvement components of the 'Landscape mitigation and detailed aftercare scheme' for the same reason given above.

(a) Details not provided in the application - identifying the main effects on the water environment of Roundhouse Farm;

(b) Details not provided in the application - assessing the main effects on the water environment of Roundhouse Farm. The applicant has failed to identify the Roundhouse Farm flowpath at all and its significance to onward regional groundwater flow to Blackburr Farm. It also supplies the biodiversity rich lake water for Roundhouse Farm's transformation to a nature reserve at the same time at the same time. Groundwater is the essential medium for the nature reserve to exist as permanent lakes and not be reduced to a seasonal swamp;
(c) Obtaining information in order to assess the main effects which the development is likely to have on the environment;
(d) Adding groundwater monitoring points to ensure that there is no detrimental impact on the Marston Meysey Brook along the eastern edge of the site
(e) All inferred groundwater contours on Roundhouse Farm appear to be non-material planning considerations.'

Response dated 16th July 2018
'*MMPM remains concerned that there is likely to be a negative impact of considerable magnitude to these shallow waterbodies if a 'manufactured' natural baseline groundwater direction is accidentally substituted for the real natural baseline direction'.*

Response dated 20th August 2018
The MMPM maintained their objection based on groundwater levels and flow directions issues and data inaccuracies from the applicant's submissions on baseline groundwater levels and flows.

They also were of the opinion that the GWP technical response had not appeared to have successfully demonstrated that most of the *baseline* regional groundwater flows via the sites' drain network into the River Thames.

Response dated 30th August 2018
The MMPM submitted details of the baseline regional groundwater flow-path between Whetstone Bridge Farm and Roundhouse Farm based on the August 2005 hydrogeological data derived for 11 nearby monitoring points.

Response dated 10th September 2018
MMPM objects to this application because it fails to identify and assess the main effects which this development is likely to have on the water environment.

In summary the MMPM maintains its objection based on groundwater flow regimes baseline hydrology failures by the applicant's submissions and the impacts the restoration of Roundhouse Quarry in Wiltshire has had on the water environment of Whetstone quarry.

Response dated 18th March 2019
MMPM maintained their objection to the proposal on Hydrogeological matters including the following:

- Data misrepresentations
- potential cross-boundary and cumulative impacts

impacts from Whetstone Bridge Farm South (adjacent to the site) but located in Wiltshire.

- Impacts on the water environment from the restoration of Roundhousde quarry in Wiltshire

Response dated 21st August 2020

'we notice that the actual site does not appear to have been physically developed in accordance with the approved drawings of either permission 12/0015/CWMAJM or proposal 16/0083/CWMAJM and multiple details of them appear to be potentially in breach. We have attached two photographs showing the site positions of clay (grey colour), aggregate (light shade of sandy colour), piped silt (darker shade of sandy colour) and ponds (green) which existed in July 2018 and September 2019. We have also attached for comparison the additional drawing "Phase 3 extraction". "Notes" to the drawing requests that: "The information contained in the drawing should be used as a guide to the final forms and finishes of the landscape scheme. Any revisions to be approved by the client and local authority." Even taking the latitude provided by the "Notes" into account, we hope that you will agree that the drawing is a factual misrepresentation of the planning proposal and is consequently a nonmaterial planning consideration.

Thirdly, we notice that the proposed extension of time seems to be a factual misrepresentation of the planning permission 12/0015/CWMAJM. Condition 1 appears to be in breach of permission because it failed to notify you of the date of commencement of development within seven days. The development's proposed method and sequence of working is laid out in the Environmental Statement Update dated October 2014 illustrated in Figure 4 and explained page 14. The first part of the initial work was measuring and marking up the roadside and grubbing out a length of hedging; This occurred just before the attached picture (electronically dated 4th May 2016) was taken and the other initial work followed later. The date of Condition 2 "Cessation of use" explains that "The development...shall cease extraction and be fully restored in accordance with the approved restoration scheme within 5 years of the date of commencement..." which would be in May 2021 and not June 2022 as claimed.

These collectively represent flaws in our opinion which would not be expected to be found in additional information supplied to clarify intended changes to the Environmental Impact Assessment and which would clearly require substantial appropriate correction and resubmission to take place before we were in a position to support it. ***At this stage, we therefore object to this application'.***

Kempsford Parish Council:

6.5 The parish council neither support or object to the planning application. Their comments dated 19/08/20 can be viewed in full in Public Access with a summary of their comments below:

'It appears that Cullimore have several sites which all abut one another however the planning is being divided up into smaller sections!? It seems they are trying to use the fact that they would deal with Glos on some and Wilts on others.

Realistically they should be considered as a whole and what impact this will have on the local area'.

Natural England (NE):

6.6 NE did not object to the proposal and had no comment to make on the variation of conditions.

July 2017 Regulation 25 consultation response dated 16th August 2017
'The proposed amendments to the original application are unlikely to have significantly different impacts on the natural environment than the original proposal'.

December 2017 Reg 25 response dated 9th January 2018
The advice provided in our previous response applies equally to this amendment although we made no objection to the original proposal.

February 2019 Regulation 25 response dated 25th February 2019
Natural England currently has no comment to make on the variations of conditions 2, 3, 5, 7, 8, 20, 21, 32, 33, 34, 35, 37, 41 and 45 of planning consent 12/0015/CWMAJM.

July 2019 Regulation 25 response dated 25th July 2019
Natural England's has been consulted due to the proximity of this proposal to Cotswold Water Park SSSI. Whilst we accept that the principle of this development has been permitted, we would advise that any works taking place do consider the impacts on the designated site in question. This should include the nature and type of infill being used, as well as any hydrological impacts. An Environmental Statement has been submitted and after conversations with the Local Authority, it has been confirmed that there will be no cumulative impacts from flooding or any groundwater impacts. The infill will also allow for natural infiltration. Natural England is content that there should not be impacts on Cotswold Water Park.

Cotswolds Conservation Board dated 31/07/20

6.7 The Board has no comments to make on this consultation.

Trustees of the Cotswold Canal Trust (CCT)

6.8 '*I write on behalf of the CCT whose principle objective is the restoration of the Stroudwater and Thames & Severn Canals between Saul and Inglesham. The route of the canal passes along the southern edge of Whetstone Bridge Farm.*

'Whilst CCT has no objection in principle to the plans within the above application, we absolutely object to any aspects of the remediation plan and associated drainage proposals, especially related to drainage ditch number 5 (on drawing WHETGW1811-1 and others), which will prevent full and unimpeded restoration of the canal channel along the existing route.

This concern has been raised to Wiltshire Council in regard to separate planning applications made by the same applicant related to gravel extraction on the

southern half of the Whetstone Bridge'

6.9 **MoD Safeguarding** made no objection to the proposal with a summary of their comments dated 30th January 2017 below:

'*The proposed application site falls within the statutory birdstrike safeguarding zone surrounding RAF Fairford, it being approximately 3km south west of the airbase.*

The principle concern of the MOD with respect to mineral extraction activities in this area relate to the creation of additional large water bodies and other types of habitat attractive to large and or flocking bird species hazardous to air traffic.

We note in Phase 1 there will be provision for a silt lagoon and clean water lagoon during the extraction process which could be an attractant to hazardous birds. Once working of the site is complete the lagoons will be restored as ponds. To limit the habitat attractants provided the large waterfowl, the pond margins should be developed to support a belt of emergent aquatic vegetation, preferably dominated by phragmites australis, to establish a dense vegetative barrier around the ponds to inhibit the movement of large waterfowl. The use of phragmites australis will ensure that vegetative cover is retained throughout the year.

Taking into account the proximity of the site to RAF Fairford, the MOD considers it necessary that a basic bird management plan is put in place for the duration of the working of the site as well as the restoration phase. This should obligate the operator, whilst the site is being worked and restored, to disperse waterfowl, gulls or other birds considered a hazard to aviation and maintain control measures to prevent such birds from occupying the site when reasonably requested by the MOD.

Once restoration is complete, the MOD requests that a legaly based long term agreement be established with the landowner regarding birdstrike management for as long as the aerodrome at RAF Fairford remains operational. Upon the reasonable request of the MOD, the landowner should provide access to the MOD or its appointed agents to verify bird populations and to undertake the licensed round-up and culling of geese or other bird species for the purpose of maintaining aviation safety. The landowner should disperse any gulls, waterfowl and other bird species considered by the MOD to present a hazard to aviation safety and undertake means to prevent these birds from successfully breeding at the site. The landowner should also prevent the formation of gull roosts considered by the MOD to pose an unacceptable hazard to air traffic.

Subject to the planting and restoration scheme being revised accordingly and a requirement for a legally based bird management plan being included as a condition in any permission granted the MOD maintains no safeguarding objections to the above referenced application'

<u>30th *March 2017 Defence Infrastructure Organisation (DIO)*</u>

This office previously commented on the above referenced planning application in January 2017. Condition 50 relates to the landscaping of the quarry site after restoration is completed. We raised concerns in our response that the landscape scheme did not cover the Ministry of Defences (MOD) birdstrike safeguarding requirements. DIO Safeguarding has been contacted by the planning agent for this scheme in respect of the concerns raised in our response dated January 2017.

DIO Safeguarding requested that the proposed restoration of the site be designed so as to reduce its attractiveness to large and or flocking bird species hazardous to aviation safety.

We have reviewed the further information submitted by the planning agent in relation to planning condition 50 (Landscape) under document 'Landscape Mitigation and Detailed Aftercare Scheme'. This office notes that the DIO recommendation for the ponds to be planted with dense margins of primarily Phragmites Australis has not been included in the landscape scheme.

In order for DIO Safeguarding's requirements to be met the following measures should be included or removed from the landscape design:

- *Planting of dense emergent vegetation, including common reed, in a continuous barrier around all of the ponds, and not a reliance on natural regeneration.*
- *Alternatively the ponds could be fenced with goose proof fencing.*
- *Removal of the wetland aspect and ephemeral ponds from the southern grassland areas.*
- *Butterfly glades in amongst the scrub would be a suitable alternative to maximise biodiversity whilst minimising the attraction for hazardous birds.*
- *The reed bed should be around the edges of the pond only, not right across and there should be a commitment to disperse a Starling roost should one form in the reed beds included in a Bird Hazard Management Plan.*

If the above requirements were to be included into the proposed landscape design and restoration scheme as well as a robust Bird Hazard Management plan being established based on the principles reflected in our response dated 31/01/17 then the MOD would have no safeguarding concerns.

<u>July 2017 Regulation 25 consultation response dated 30th October 2017</u>
On reviewing the Bird Management Plan and proposed restoration plan 8G submitted under Additional Information, I can confirm it adequately meets our requirements. Subject to this being implemented as part of any planning permission granted, the MOD maintains no safeguarding objection to this application.

<u>December 2017 Regulation 25 consultation response dated 8th January 2018</u>

Based on our conversation prior to the Christmas break where you confirmed there had been no changes to the restoration plan or bird management plan, please note our response remains unchanged since October 2017.

February 2019 Regulation 25 consultation response dated 15th April 2019
I can confirm the MOD has no safeguarding concerns with the further information submitted subject to the previously approved BHMP being amended to include the drainage ditches.

July Regulation 25 consultation response dated 31st July 2019
I can confirm the MOD has no safeguarding concerns with the further information submitted relating to the GWP Technical Response dated 07 June 2019 to the Environment Agency (EA) as requested by the Mineral Planning Authority.

July 2020 Regulation 25 response dated 20th November 2020 and 4th December 2020
DIO Safeguarding in previous responses to planning consultations has outlined a conditional requirement for a legally based robust Bird Hazard Management Plan (BHMP) to cover the whole application site to be applied to the consent. In our letter dated 30th October 2017, we advised that the Bird Hazard Management Plan dated 16/05/17 met our birdstrike safeguarding requirements.

However, the BHMP has been reviewed and it has been highlighted that even though it is generally good, it does not set out a monitoring schedule to be followed, or any process for regular review of the management plan in conjunction with the MOD. An annual review would ensure that the management plan remains fit for purpose, and if no hazardous birds are found to be frequenting the site, the monitoring can be reduced accordingly. In addition, failure levels should be set which will trigger an additional habitat management or active control and an earlier review of the management plan.

Rook has historically been the hazardous species logged most frequently and in the highest numbers at RAF Fairford. Although this species is generally present within the area in large concentrations, this species should be added to the monitoring list, especially monitoring of any Rookeries. This site is larger than the southern Wiltshire part of the quarry with larger areas of wetland and reedbed proposed and as such the threshold level of 500 Starlings for this part of the site is too high. This should be reduced to 200.

Therefore from the advice received, we request that a monitoring schedule is set out in the BHMP, along with a schedule for review of the management plan and appropriate failure levels to trigger further control measures and review of the BHMP. In addition, the threshold levels for management of a Starling roost should be reduced to 200, and Rook should be added to the target species.

In this respect, could you please arrange with the Applicant/Agent for the above requirements to be included in a revised BHMP and provide this to us on completion of the relevant action. Once we are in receipt of the revised BHMP,

we can continue with our action regarding this additional information received and respond in due course.

Consultation response dated 04/12/20

DIO Safeguarding has, in previous responses to planning consultation, outlined a conditional requirement for a legally based robust Bird Hazard Management Plan (BHMP) to cover the entire application site to be applied to any consent issued. In our letter dated 30th October 2017, the MOD advised that the BHMP dated 16/05/17 met our birdstrike safeguarding requirements. We have also previously identified a requirement in the BHMP to cover groundwater interception ditches.

In response to the most recent consultation the MOD has again referred the proposal to subject matter experts to ensure that the advice we provide is both up to date and reasonable. The review of the BHMP has identified some required additions or amendments:

- *No monitoring schedule has been provided;*
- *No process for regular review of the management plan in consultation with MOD has been set out, ideally an annual review would ensure that the management plan remains fit for purpose;*
- *No failure levels have been set out which would provide a trigger for additional habitat management, active control or a review of the management plan;*
- *The threshold level for starlings is, in the BHMP dated 16/05/17, set at 500. This should be reduced to 200; and*
- *Rooks (Corvus frugilegus) should be added to the target species*

I would be grateful if you could both confirm receipt of this letter and that a relevant condition is to be applied requiring that prior to infilling/restoration of the site, a revised BHMP including the amendments detailed above, must be submitted to and agreed in writing by the minerals planning authority, in consultation with MOD Safeguarding. The condition should make clear that the development shall be carried out strictly in accordance with the details agreed through discharge of that condition.

It is important that our comments are taken into account when granting planning permission'.

Wiltshire Council

6.10 The comments from Wiltshire Council dated January 2017 can be viewed in full in Public Access.

In their submitted comments they requested a time extension to the 26th January 2017 to provide comments on the application but no comments were received or any formal consultation responses to regulation 25 consultations.

7.0 PLANNING OBSERVATIONS

The County Ecologist (CE)

7.1 The CE made no objection to the application subject to the inclusion of his recommended conditions and consideration of his comments with summaries detailed below:-

Response dated 16th March 2017

- *Condition 2 (Cessation of Use) – I can agree to the variation which is only for an extension of an additional year before working and restoration is completed.*
- *Condition 3 (Scope of the Development) and Condition 5 (Working Programme, Phasing & Direction of Working) – This is to be varied to include references to the new drawings and documents that need submitting (see above).*
- *Condition 32 (Lighting) – No lighting is proposed and so I can agree to the variation being applied for to change the wording of this condition.*
- *Condition 45 (Diversion of Ampney Brook and reconnection to Marston Meysey Brook) – could be deleted if a suitably enhanced final restoration is presented in documents that need submitting (see above).*

However the variation application brings into light changes to other conditions of 12/0015/CWMAJM namely those numbered 46, 48, 50 and 51.

Recommendations

1. *New submissions required are:*
   a) *A new Revision H of the 'Final restoration – Figure 8' drawing showing additional field areas with 'wetland' habitats of either small ponds, and/or low lying wet meadow and/or wet woodland/scrub;*
   b) *A revised version of the 'Biodiversity Mitigation and Management Strategy' to reflect new final restoration details;*
   c) *A revised version of the 'Landscape Mitigation and Detailed Aftercare Scheme' to reflect new final restoration details, this will include an update of drawing 1778/C50/1 and deletion of drawing 1778/C50/2 presented in the scheme;*
2. *Variation of conditions 3, 5 and 8 of 12/0015/CWMAJM is subject to at least the new submissions recommended at item 1 above.*
3. *Subject to no objection from the Environment Agency and that additional land is set aside for 'wetland' habitat creation the MPA could remove condition 45 of 12/0015/CWMAJM as part of a varied or new consent.*
4. *I can agree to variations of conditions 2 and 32 of 12/0015/CWMAJM or new equivalent conditions in a new consent.*
5. *I have no observations on variations to conditions 7, 20, 21, 33, 34, 35, 37 and 41 of 12/0015/CWMAJM or new equivalent conditions in a new consent.*

Conditions 46, 48, 50 and 51 of 12/0015/CWMAJM should be edited, written more concisely or replaced in a varied or new consent. This is because new submissions under recommendation 1 above would facilitate this, i.e. to implement drawings and schemes submitted before or within six months of minerals being extracted.

<u>July 2017 Regulation 25 consultation response *dated 8th August 2017*</u>

'I had expressly asked in March 2017 for a new revision H for Figure 8 which is the Final Restoration drawing. I am therefore pleased that this has been duly submitted. I was looking for 'additional field areas with 'wetland' habitats of either small ponds, and/or low lying wet meadow and/or wet woodland/scrub'. On inspecting new Figure 8H I can now see that scattered scrub will be allowed to colonise naturally around the three largest ponds which will be allowed to have areas of establishing reedswamp. The southern and south-eastern boundaries will also now have a grassland strips with colonising scrub, hedgerows, swamp patches and about three very small linear ponds. Also there will be a few log deflectors related to the southern boundary (Ampney) brook to enhance stream morphology/flow for biodiversity. I am broadly content with the approach now being confirmed for restoration of the varied proposal and drawing Figure 8H can be approved under varied Condition 3 of 12/0015/CWMAJM. However a new scheme will be needed for the changed proposal and this wider scheme should also encompass the relevant biodiversity mitigation and enhancement strategy. This new wider scheme must be in place before Phase 3 commences and operate from thereon.

<u>December 2017 Regulation 25 consultation response dated 18th December 2017</u>
'The existing 'Landscape Mitigation and Detailed Aftercare Scheme' document dated February 2017 includes drawing 1778/C50/1 which now better matches up with revised restoration plan (Figure 8H dated June 2017). However the latter shows small ponds with reed marsh and scrub (willow) and the former a diverted watercourse channel. The restoration plan drawing (Figure 8H) is in line with an option I put forward in my memo dated 16th March 2017. The slight mis-match between the landscape scheme and newly revised restoration plan can easily be reconciled by a condition that I am recommending for more details on restoration, landscaping and aftercare details.

Still unresolved is the depiction of Phase 5 on Figures 5G, 6G and 7G which does not seem to make sense in my mind. A solution is given above but this is made on an assumption on how Phase 5 will be implemented'.

<u>February 2019 Regulation 25 consultation response dated 21st February 2019</u>
'Further Information on the above application has been received covering the 'Design, Specification and Method Statement for the construction of a groundwater interception ditch' (letter from GWP dated 13/12/18). This contains two new drawings covering groundwater interception ditches WHETGW1811 (1 Vers.B) and WHETGW1811 (2 Vers.B). This new information is duly noted and I have one observation to offer plus an update to a previous recommendation (my memo dated 18th December 2017).

Conclusions
1. Any removal of scrub and trees as specified in 3.2 (Preparation and access) must be carried out between September and February only. Outside this period removal is only possible if a survey has assessed no presence and use by nesting birds or a scheme been compiled for implementation that would protect any nesting bird present or suspected. This matter has however already been covered for proposed works on the Whetstone site. The approach in Section 3.5 (page 9) of the Biodiversity Mitigation and Management Strategy' dated 12th

October 2015 for protecting nesting birds is agreed. I previously recommended (numbers 3, 4 & 5 in my 18th December 2017 memo) that the biodiversity strategy should be approved for implementation but up to commencement of Phase 3 only because further submissions are required.

2. In respect of my first recommendation in my previous memo dated 18th December 2017 this needs amending (if the MPA approves the new drawings defining groundwater interception ditches). The recommendation becomes:

Figure 8H 'Final restoration' and the figures 5, 6 & 7 need more work to clarify Phase 5 progression, show the installation of the new groundwater interception ditches, and detail when the boundary biodiversity enhancements will be created.

This matter needs resolving before application 16/0083/CWMAJM could be determined'.

July 2019 Regulation 25 consultation response dated 3rd July 2019

1. Additional Information has been submitted as follows:

a. *- Design and function of the groundwater interception ditch;*
b. *- Information on flood risk and stockpile locations;*
c. *- Third party representations relating to earlier reports; and*
d. *– Cumulative impacts*

I have looked at this information and can confirm I have no further observations to make on item 1 above.

I can accept the changes being introduced in this Regulation 25 submission because for biodiversity in Gloucestershire at least the outcome is neutral to small positive for Gloucestershire compared to what has already been consented. Some anomalies in phase drawings previously submitted can be corrected if the revised restoration drawing is given approval.

July 2020 Regulation 25 consultation response dated 3rd August 2020
I have looked at this information and note revised working, restoration and end date (31/12/2025) is now proposed. The new Phase 3 drawing Phases 7 and 8 are in Wiltshire but important and related in terms of extraction and infill processes. I have no new concerns relating to these new proposals but some matters remain to be addressed. Please see my again updated recommendations which are set out below for you. Some of these may have been superseded by events on the ground but I have tried to take these into account.

Updated recommendations (important changes from my memo dated 03/07/2019)

- *My view is therefore that new 'Proposed Restoration' drawing 1787-4-4-4 DR-0014 Revision S4-P1 dated 06/04/2020 can be approved but the existing Figures 5, 6 & 7 may need more work to clarify Phase 5 progression, show the installation of the groundwater interception ditches,*

and detail when the boundary biodiversity enhancements will be created.

- *Condition – (as a precaution/completeness due to addition of groundwater interception ditches but already generally covered under biodiversity mitigation and management strategy) No removal of hedgerows, trees or shrubs or soil stripping works to the ground shall take place between 1st March and 31st August inclusive unless an suitably experienced person has undertaken a careful, detailed check of the vicinity concerned for active birds' nests. No such woody vegetation should be cleared or soils stripped unless the suitably experienced person has given confirmation that no birds will be harmed or that there are appropriate measures in place to protect any identified nesting birds on the site. If any such measures are required these should be copied in writing in advance to the County Planning Authority for information and then implemented.*

  Reason: To ensure that breeding birds are protected as required by law and in accordance with Minerals Local Plan Policy DM06, ODPM Circular 06/2005 plus National Planning Policy Framework paragraphs 170 and 175. This is also in accordance with Section 40 of the Natural Environment and Rural Communities Act 2006, which confers a general biodiversity duty upon Local Authorities.

- *New Condition - The submitted Bird Management Plan (BMP) dated 16th May 2017 should be made an approved plan under any varied consent granted.*

- *New Condition (to replace but based on existing condition 50) – I will leave you to finalise wording but the replacement condition should include as a minimum text such as – Prior to the completion of the restoration of Phase 3 a progressive scheme of detailed restoration, landscaping and aftercare details based on*
  - *Revised Phase drawings Figures 5, 6 & 7 and 8 [see 1 above] Biodiversity Mitigation and Management Strategy' dated 12th October 2015*
  - *'Landscape Mitigation and Detailed Aftercare Scheme' dated February 2017*
  - *'Ecological Impact Assessment (2012) – Addendum Report' by Malford Environmental dated 20th June 2019,*

  should be submitted for approval in writing to the Minerals Planning Authority. The scheme should be implemented as approved.

- *Condition 45 can be deleted as it is now covered by the proposed new condition above (see item 4).*

- *Condition 46 can be rewritten as an informative implementation condition for the 'Biodiversity Mitigation and Enhancement Strategy' which is approved for Phase 1 and 2 only but needs resubmitting for approval to*

cover all remaining phases (3 to 6?). [see item 4 above]

- *Condition 48 can be rewritten as an informative implementation condition for sections 3.7 and 4 of the 'Biodiversity Mitigation and Enhancement Strategy' for Japanese Knotweed which is approved.*

- *Condition 51 can be rewritten as an informative implementation condition for the 'Landscape Mitigation and Detailed Aftercare Scheme' which is approved for Phase 1 and 2 only but needs resubmitting for approval to cover all remaining phases (3 to 6?). [see item 4 above]*

- *Variation of conditions 3 and 5 are subject to at least the further revisions of the phase figures and item 1 mentions that.*

- *I can agree to variations of conditions 2 and 32 of 12/0015/CWMAJM or new equivalent conditions in a new consent.*

I have no observations on variations to conditions 7, 20, 21, 33, 34, 35, 37 and 41 of 12/0015/CWMAJM or new equivalent conditions in a new consent.

Minerals and Waste Policy:

7.2 The Minerals and Waste Policy officer did not object to the proposed variations and their comments can be seen in full in Public access with a summary below:

'Based the proposal mineral working at Whetstone Bridge in Gloucestershire was estimated to yield approximately 592,000 tonnes of sand and gravel. At that time this would have resulted in a theoretical contribution to local supplies equal to just less than 1 year of the countywide sand and gravel landbank (0.79 years). From a policy analysis perspective, this circumstance remains unchanged as of December 2020. The methodology and the most recently updated landbank assessment figures (taken from the 7th Local Aggregates Assessment (LAA).) have not led to a change in the calculated theoretical contribution.

Policy officers consider that it would not be unreasonable for the decision maker to attribute some material weight to the level of contribution to local sand and gravel supplies, made by the proposal. Whilst it is not a significant amount, the contribution will certainly assist in maintaining the countywide landbank at the desirable level of at least 7 years. As of the most up-to-date landbank assessment (e.g.31/12/2017, within the 7th LAA) the remaining countywide sand and gravel reserves stood at 9.55 years. Furthermore, policy officers can confirm that since the 7th LAA and until now (Dec 2020), there have been no other major permissions for sand and gravel working in Gloucestershire. The level of sand and gravel working that has taken place, has also been broadly within the 'normal' range observed over the past 10 years. Consequently, there has been an undoubted depletion of the sand and gravel landbank in Gloucestershire since the time of the 7th LAA. This circumstance adds further weight to the proposal in respect of its replenishment potential for the countywide sand and gravel landbank'.

Updated comments dated 11th February 2021

On the 17th December 2020 officers advised that the proposed mineral development would make a positive contribution, albeit small, to the steady and adequate supply of local aggregates. This circumstance could be seen as a material consideration in favour of the proposal. This advice was founded upon evidence contained in the 7th Local Aggregates Assessment (LAA) for Gloucestershire.

Officers can now confirm that in January 2021 an updated LAA (8th) was published on the County Council website. It contains a revised aggregate landbank assessment up to the 31/12/2018. The key message from the updated 8th LAA is that the landbank for sand and gravel in Gloucestershire has experienced a further reduction from 9.55 years at the end of 2017 to 8.84 years at the end of 2018. This circumstance confirms the view expressed back in December 2020 that the availability of local sand and gravel will trend downwards in the absence of new permissions to replenish reserves. This matter adds weight to the case for new mineral workings that make a contribution to the landbank.

Nevertheless, as previously advised the views expressed by officers in respect of the current proposal at Whetstone Bridge are solely related to the considered impact on future steady and adequate supplies of aggregates from Gloucestershire. No account has been given to other highly relevant planning matters such as the acceptability of the specific site and wider locality to accommodate such as proposal. It is important to note that seeking to maintain steady and adequate supplies of sand and gravel is but one of a number of issues, which could be highly influential in determining the acceptability or otherwise of the proposal.

Gloucestershire County Council Lead Local Flood Authority (LLFA):

7.3 July 17 Regulation 25 consultation response dated July 2017

'I understand that this matter relates to an application received prior to the commencement of the LLFA's role as a statutory consultee, the LLFA would not therefore wish to comment in that role. However, as a non statutory consultee, we would advise that this development could have significant implications for the management of ground water and surface water. Due to the complex nature of this development in terms of how it could interact with existing hydrology and hydrogeology we would recommend that you obtain specialist advice. We are aware that the planning authority has arrangements in place to receive advice on flood risk associated with mineral extraction and quarry infilling from an experienced and competent consulting engineer, the LLFA is satisfied that this advice is of a high standard and that the consulting engineer can be relied upon as a proxy acting on behalf of the LLFA for this application'.

December 2017 Regulation 25 consultation response dated 18/12/17 and February 2019 Regulation 25 consultation response dated 12/02/19

Please note the original application ref: 12/0015/CWMAJM precedes the commencing date of our Statutory Responsibilities which was the 6th of April 2015. On this basis the LLFA will not be making any comments on this

application.

MPA Hydrologist Advisor (HyA)

7.4 In their response dated 16/01/17 The MPA HyA did not object to the application but did request further assessment of groundwater and monitoring.

In summary, further assessment is required in order to verify the potential risk of increased groundwater flooding downstream of the site due to the potential faster flows likely to be encouraged by the proposed mitigation measures on the application site. It is also considered that additional groundwater level monitoring points are necessary on the application site in order to verify the current hydrogeological regime across the application area.

July 2017 Regualtion 25 consultation response dated 15th November 2017
As suggested the applicant has now undertaken further review of the groundwater regime using more recent data from 2014 and 2015. However, we still consider the groundwater monitoring points currently present across the site to be limited and insufficient.

It is acknowledged that the groundwater regime across the site is likely controlled by the network of drains around the site. It should be noted that there will probably be localised groundwater flow from the site towards the Marston Meysey Brook which doesn't appear to be recognised by the inferred groundwater contours presented. This is due to lack of groundwater monitoring points in the eastern part of the site.

It is acknowledged that the Oxford Clay outcrop, c. 2km to the south west of the site acts as a groundwater flow barrier with resultant radial groundwater from away from the clay. It is also noted that beyond the southern boundary, the dominant flow will be in an easterly direction towards the River Thames.

While the dominant groundwater flow across the site is likely to be discharging to drain No. 2, there will be localised baseflow from the site towards the Marston Meyey Brook along the eastern boundary. The applicant concludes that there is NO groundwater down hydraulic gradient of the southern boundary of the site since the groundwater leaves the site via drain No.2. The HyA (sic) considers that with the limited number of groundwater monitoring points on the site and the absence of off-site monitoring point, this conclusion cannot be verified.

The applicants reference to the HyA comment regarding the interception drains and ditches is incorrect. The original statement reads "it is considered that provided the proposed new interception drains are of sufficient capacity and are designed to accommodate the peak flows including surface water runoffs, the potential impacts on the groundwater flows downstream of the site is not likely to be significant". Please refer to the HyA letter as our comment is consistent with the EA suggestion that the "Lead Local Flood Authority may wish to consider attaching a condition to any new permission for development" to include a detailed design of ditch No.4 to be reviewed and approved by the Lead Local Flood Authority. The HyA considers that a condition to this effect is appropriate.

The HyA also recommends that the Local Authority include a condition for the applicant to install and monitor additional groundwater monitoring points along the eastern edge of the site boundary to ensure that there is no detrimental impact on the Marston Meysey Brook due to the proposed works. The additional monitoring data should be assessed as part of the proposed monitoring programme to demonstrate that there is no impact on the baseflow for Marston Meysey Brook that could attributable to the site works, otherwise mitigation measures will be required.

In summary, the HyA believe the development should be acceptable subject to two conditions, namely review and acceptance of the detailed design of ditch No. 4 (as per Environment Agency suggestion), and installation and monitoring of wells next to Marston Meysey Brook to show baseflow in the Brook is not being reduced by the development.

<u>December 2017 Regulation 25 consultation response dated January 2018</u>
As suggested in our letter of 15 November 2017, the applicant has addressed the majority of our previous queries, however, we still consider the groundwater monitoring points currently present across the site to be limited and insufficient.

We acknowledge that the groundwater regime across the site is likely to be controlled by the network of drains around the site with the dominant flow likely to be discharging to drain No. 2. However, there will be localised baseflow from the site towards the Marston Meysey Brook along the eastern boundary. This is currently not recognised by the inferred groundwater contours presented and it is likely due to lack of groundwater monitoring points in the eastern part of the site.

As stated in our letter of 15 November 2017, we recommend that the Local Authority include a condition for the applicant to install and monitor additional groundwater monitoring points along the eastern edge of the site boundary to ensure that there is no detrimental impact on the Marston Meysey Brook due to the proposed works.

In summary, the HyA believe the development should be acceptable subject to two conditions, namely review and acceptance of the detailed design of ditch No. 4 (in line with the Environment Agency's suggestion), and installation and monitoring of wells next to Marston Meysey Brook to show baseflow in the Brook is not being reduced by the development.

<u>February 2019 Regulation 25 consultation response dated 26th February 2019</u>
Further to your request on 7 February 2019, we have reviewed the additional information submitted by the applicant in relation to the Environmental Statement of the above site. The document (Ref TJ081118.MGM.let, 13 December 2018) submitted comprised the design, specification and method statement for the construction of a groundwater interception ditch at the site as a form of mitigation measure for groundwater management on the site.

Based on the estimated inflow volumes onto and through flow across the application site as provided in GWP report No. 160817, it is considered that the proposed design, construction and maintenance regime for the new drainage

ditch along the northern boundary is appropriate provided an appropriate gradient is maintained.

From the cross section presented on Drawing WHETGW1811, it is likely that to maintain the groundwater flow in the ditches and minimise potential increase in flood risks at peak flow times, a slightly steeper slope than proposed may be required for both ditches. This needs to be clarified by the applicant.

The cross section also suggests that the base along the entire ditch will be at a level of 76mAOD, except at the outfall where it will be at 75.8mAOD. Will that not limit the flows at the outer reaches of the ditches away from the outfall area? The design should be made clearer to show that the base levels sloping towards the outfall, from a starting level of 76mAOD at the upstream points towards the outfall.

It is also not clear from the document submitted by GWP whether any improvement works will be undertaken on Drain 4 as the applicant indicated that reinstatement of Drain 4 will be excavated within low-permeability material and hence no (groundwater) discharge will occur from the ground beneath the proposed ditches (i.e., below average groundwater level) into Drain 4.

While it is recognised that the restoration material around Drain 4 will be of lower permeability than the current sand and gravel material being excavated, the condition of the drain will need to be improved and maintained if it is to act as the main channel for directing groundwater flow from the northern part and through the site. This will be particularly important during peak flows. Currently, it is not clear if the improvement / maintenance works is proposed on Drain 4.

It is also important for the applicant to ensure that adequate monitoring of the groundwater and surface waters is undertaken during the works especially in the vicinity Marston Meysey Brook to ensure that the proposed cut off wall as part of the works remains effective and there are no significant impacts on the Marston Meysey Brook and the surrounding area during the works.

<u>July 2019 Regulation 25 consulation response dated 1st August 2019</u>

GWP Technical Response (Dated 07 June 2019)
The above technical response was reviewed by the HyA and comments are provided below.

<u>Design and function of the groundwater interception ditch</u>

1) The EA have asked how groundwater flow truncation would be prevented during periods of times of low groundwater level.
   - The HyA agrees with the updated methodology which will excavate a further 0.5m depth to ensure continued interception of groundwater table during times of minimum groundwater level.

2) The EA has requested whether there is a time limit on the maintenance plan for the drainage ditch.

- The statement that the applicant will manage all drains within property boundary for all the time the land is within their ownership and control is considered acceptable.

3) The EA states there could be a risk of groundwater flooding under higher than average groundwater flow conditions (volume of water exceeds ditch capacity).
   - The HyA agrees with the Manning's Equation calculation and the statement that there is no likelihood of the groundwater interception ditch conveyance capacity being exceeded by groundwater inflow during higher than average groundwater level conditions as long as there is a robust justification for input parameters used in the calculation. Working should also be presented for this calculation.

Third Party Representations

- *Additional Groundwater Monitoring Boreholes*
  The comments raised relate to groundwater flow prior to existing development, however the proposed extension needs to consider change from current conditions not those prior to any excavation occurring. The installation of 6 No. new monitoring boreholes and 2 No. surface water gauge board and two rounds of groundwater monitoring are considered effective to address the raised concerns regarding monitoring.

- *Improved Groundwater Flow Baseline Characterisation*
  The water levels presented on the drawing WHETGW1906B-2 indicate groundwater levels are flowing towards Drain 2 in the centre of the site, which in turn flows eastwards to the Mersey Brook and on to the River Thames.

Cumulative Impact Considerations

- The HyA agrees with the responses to the cumulative impact queries presented by GWP consultants.

Marston Meysey Parish Meeting (MMPM) Concerns

- The HyA agrees with the response by GWP consultants over the technical concerns of the MMPM that concerns the alleged misrepresentation of groundwater data and its analysis on the June 2017 GWP Letter Report, and their attempts to introduce this uncertainty into the Whetstone South and Roundhouse site assessments, as being unfounded.

Cumulative Impacts

- The HyA agrees with the GWP responses pertaining to the cumulative impacts from groundwater and the hydrogeological baseline characterisation for Whetstone South regarding groundwater flow and additional flows.

7.5 To address matters raised by MMPM in their submission dated 10th February 2017 the HyA were commissioned to determine if the MMPM submitted comments affected the HyAs' earlier review provided by letter dated 16 January 2017.

7.6 The HyA response dated 19//04/17 can be seen in full in Public Access with a summary below**:**

The following main points were highlighted in Marston Meysey's letter:

- *Lack of sufficient groundwater level data.*
- *The impacts of clearing / scraping of the drains on the groundwater flow regime.*
- *Unrepresentative hydrological data due to impacts of alterations and stripping already undertaken on the site.*
- *Assessment of potential cumulative impacts of Roundhouse Farm on the application site.*

In summary, the HyA considers that the main points above raised in the MMPM letter are consistent with the HyA previous reviews which considers that additional data and assessment are required to verify the current hydrogeological regime across the site.

7.7 To address matters raised by objectors the HyA was requested to review the comments, responses and information provided by a near neighbour (who will be refered to as objector 1 in accordance with GDPR dated 29th January 2018, MMPM dated 16 July 2018 and the historical hydrogeological assessment report on Roundhouse Farm site prepared by Hyder in 2000.

7.8 The HyA review dated 13/-8/18 can be viewed in full in Public Access (comments) with a summary below:

'*We consider that the main points raised in the submissions have previously been considered by the HyA as presented in our letters ref. 5143630-2.1-L-016, 16 January 2017, ref. 5143630-2.1-L-021, 19 April 2017 and ref. 5143630-2.1-L-028, 15 November 2017. However, we have provided the following comments relating to the hydrogeological issues only. No comments in relation to other planning matters mentioned Objector 1 and MMPM are provided by the HyA .*

1. <u>Groundwater level data and flow direction.</u>
Objector 1 comments reiterates the lack of sufficient groundwater level data used to determine the groundwater flow regime on the site in support of the application. This is consistent with the HyAs' previous comments which recommended that additional monitoring points are installed particularly along the eastern part of the site in order to assess the baseline groundwater condition in the vicinity of Marston Mersey Brook.

2. <u>Impact of the proposed scheme on sites down hydraulic gradient of the scheme including Roundhouse Farm to the east</u>.
Objector 1 comments highlights concerns with potential reduction in groundwater recharge to the Roundhouse Farm site due to the proposed scheme at Whetstone Bridge which includes removal of the 1m basal sand and gravel layer across the site, hence a reduction in the groundwater baseflow. The HyA believe that verifying the current groundwater regime particularly along the eastern edge of Whetstone Bridge site with the aid of additional monitoring points is important

to enable appropriate mitigation measures and ensure that no adverse impacts occurs down / side gradient of the site. This was highlighted in our previous comments.

3. Groundwater storage and flood risk down hydraulic gradient of the site. Reference was made by Objector 1 on the potential risk of increased flooding down hydraulic of the scheme due to faster groundwater flows if no mitigation measures are implemented. The HyA previously highlighted this potential risk in the letter dated 16 January 2017. The applicant should refer to our previous comments in this letter.

4. Maintenance details for the site drainage
The HyA concurs that it is necessary for the applicant to ensure that all site drainage system is of sufficient capacity with the appropriate maintenance schedule particularly during the operational period of the scheme.

5. Roundhouse Farm Quarry Hydrological and Hydrogeological Assessment Report, by Hyder, May 2000.
The main reference to this report relates to the groundwater flow direction across the Roundhouse Farm site which was determined by Hyder to be in a north west to south east direction across the site. The HyA s previously commented on the regional groundwater flow for the area based on a review of the Whetstone Bridge site information which indicates an easterly / south easterly direction towards the River Thames. This is consistent with the Environment Agency's comment included in MMPM's recent submission and the data provided in Hyder's report. The Hyder groundwater level data provided in Appendix A of the report indicated that the historical groundwater levels at the Roundhouse Farm house generally varied between 75.6mAOD in the north west corner of Roundhouse Farm by Wetstone Cottage (north east edge of Whetstone Bridge Farmhouse site) and 74.7mAOD at the River Thames to the south / south east of Roundhouse Farm.

In summary, the HyA considers that the main points relating to the hydrogeological and hydrological issues raised by Objector 1 and MMP are consistent with our previous reviews which considers that additional data and assessment are required to verify the current hydrogeological regime across the site and to ensure that no detrimental impacts occurs due to the proposed scheme'.

Planning Considerations

Proposed development

7.9 In September 2015, the MPA granted planning permission for the extraction of sand and gravel at Whetstone Bridge Farm (Whetstone Quarry). The planning permission allowed for the working of 375,000 tonnes of sand & gravel over four years from commencement with restoration to a mix of agriculture, wetland habitat and ponds.

7.10 However the existing consent was only permitted with the imposition of conditions which resulted in the sterilisation of approximately 217,000 tonnes of sand and gravel which was to be left in situ to aid groundwater flow via the retention of 1 metre of sand and gravel reserve above the clay base layer.

7.11 The applicant has designed and submitted an alternative groundwater mitigation scheme to extract this sand and gravel reserve (217,000 tonnes) to the MPA. The proposed scheme aims to maintain groundwater flows across the site during and after restoration.

7.12 The additional extraction as proposed in this application would increase the amount of infill required from the currently consented 410,000m3 to 416,520m3 and would extend the life of the quarry to 31st December 2025.

7.13 The applicant is further proposing to import inert material via a new access bridge located on the southern boundary of the quarry from the proposed southern extension in Wiltshire for use in the restoration of the quarry.

7.14 The proposed southern extension has been recommended for approval by Wiltshire Council subject to a Section 106 agreement.

7.15 The proposed access connecting both quarries is required by the applicant to enable them to access the southern extension as it is land locked and as proposed can only be accessed via Whetstone quarry and the proposed bridge.

7.16 The proposed importation of inert material from the southern extension into Whetstone will contribute to the restoration of the site reducing the need to import material via HGVs using the highway network.

7.17 To enable the amendment of the existing planning permission the applicant has applied to vary the following conditions of consent 12/0015/CWMAJM

- 2, (Cessation of Use);
- 3 (Scope of development;
- 5 (Working Programme, Phasing and Direction of Working);
- 7 (Limit of Production)
- 8 (Infill)
- 20, 21 (Highways),
- 32 (Lighting)
- 33, 34, 35, (drainage)
- 37 (dewatering) ,
- 41 (clay bunding) and
- 45 (Biodiversity)

The conditions can be viewed in full in Public Access with a summary of the conditions and the reasons for their variation detailed in paragraph 2.2 of this report.

7.18 The main considerations in determining this application are as follows:

- Mineral reserve landbank;
- Ecology and biodiversity gains;
- Flood risk/mitigation (groundwater, surface, run off water);
- Proposed drainage scheme;
- Cumulative impact;
- Restoration/agriculture;
- Compliance with National and Local Plan Policy.

7.19 The principle issues relating to permitting the extraction of the currently retained sand and gravel reserve mainly relate to the water environment, Hydrology, groundwater flows, restoration infill and the permitted duration of the quarry.

7.20 Through this application it is proposed that the sand and gravel will be extracted as previously approved with the same amenity safeguards in place such as existing bunding, and approved dust and noise mitigation schemes in place as regulated via conditions.

7.21 To remove the restriction limiting the extraction of sand and gravel to 1m above base clay level the applicant has applied to remove conditions 33, 34 and 35 which read as follows:

Water Environment

Drainage

33. *The level of the base of each phase of mineral extraction shall not be less than 1 metre above the Oxford Clay.*

Reason: A 1 metre buffer of sand and gravel needs to be retained across the site to mitigate for impacts of infilling on groundwater flow in accordance with Minerals Local Plan, NPPF and NPPG.

34. *Prior to the commencement of quarrying in each Phase, plans shall be provided to the Mineral Planning Authority showing the basal elevations (in metres Above Ordnance Datum (mAOD)) of the proposed quarry and the contact elevations (in mAOD) between the River Terrace Gravels and the Oxford Clay below the quarry footprint. The plans will show that 1m of in situ River Terrace Gravels is retained below the quarry footprint.*

Reason: To demonstrate that groundwater flow beneath the quarry footprint will be protected in accordance with Policy E11 of the Minerals Local Plan, guidance within the NPPG and NPPF.

35. *Prior to the commencement of restoration infilling in each extraction Phase a survey shall be provided to the Mineral Planning Authority confirming that the basal elevations (in mAOD) of the quarry extraction area is the same as the pre-commencement plan for that phase provided under the above condition.*

7.22 If conditions 33, 34 and 35 were approved to be varied as applied the applicant, will also require condition 37 to be varied to remove reference to the retention of the 1metre sand and gravel aquifer as it would no longer be required or relevant.

7.23 If condition 37 is varied as applied Condition 41 would also no longer be relevant and therefor the applicant has applied for it to be removed.

Condition 41
Prior to the commencement of infilling a Method Statement for the removal of the clay bund and its replacement with high permeability materials will be provided to the Mineral Planning Authority for written approval. Such an approved method shall then be implemented in full and a validation report provided for written approval for each phase of restoration. The Method Statement shall include as a minimum:

- *The inspection regime implemented to ensure that the compacted clay is removed;*
- *The method of working to ensure that the replacement materials can be adequately emplaced*
- *The specification of the materials to be used to replace excavated clay, taking into account the permeability of the sand and gravel.*

Reason: *To ensure groundwater flow continuity is restored in accordance with Policy E12 of the Minerals Local Plan and NPPF Chapter* 10

Hydrology

7.24 The current site is bounded and crossed by several watercourses of varying size. Marston Meysey Brook passes the eastern boundary of the site and continues for another 400m before flowing into the Thames but is regularly recorded as dry or with low flows during the summer and early autumn months.

7.25 The geological sequence in the locality of the site is characterised by sand and gravel deposits underlain by Oxford Clay. Groundwater flows broadly eastwards in the sand and gravel deposit over the Oxford Clay. Much of the rain falling onto the site percolates into the ground, adding to the groundwater which in turn contributes to flow into the River Thames.

7.26 Taking into consideration the water environment of the site and particularly groundwater flows the EA in their consultation responses to planning application 12/0015/CWMAJM requested that the 1 metre sand and gravel aquifer was a requirement of a planning consent if the MPA was minded to recommend approval and that it should be regulated via planning condition. The 1 metre sand and gravel aquifer was required to address the concerns of the EA in relation to groundwater flows within the site. Without the requirement of the aquifer the EA were minded to object to the original proposal. Subsequently the recommendations submitted by the EA were included in the conditions to consent 12/0015/CWMAJM.

7.27 To support the requirement to remove the 1metre sand and gravel aquifer the applicant commissioned GWP Consultants Ltd to produce a Hydrogeological

Impact Assessment (HIA) (dated September 2016) to provide an alternative groundwater mitigation scheme which can be viewed in full in Public Access shown as Appendix 2 Part 1, 2, 3A, 3B and 4 in accordance with Policies DM04 and DM05 of the adopted MLP.

7.28 The HIA concluded the following:

"The geological investigations have re-confirmed the known geology of the site, consisting of River terrace Sand and Gravels underlain by the Oxford Clay. Hydrogeological monitoring of the strata has confirmed the existence of an unconfined aquifer within the sand and gravels.

Regional groundwater and surface water levels indicates that water associated with Cricklade's Sand and Gravel Resource initially flows from the northern perimeter of the resource southwards to the River Thames, at which point it is routed eastwards along the River Thames.

A re-assessment of on-site groundwater level monitoring and topographic surveying shows parts of the site ditch network (Drain 1 and Drain 2) to be linear groundwater discharge zones, intercepting groundwater year round and removing it from the sand and gravel aquifer via a southern drainage route (Drain 5) to the River Thames.

Off-site groundwater monitoring (Tubewell 6) suggests these linear groundwater discharge zones actually create a local northerly groundwater flow immediately south of the site, thus confirming groundwater flow entering the northern boundary of the site does not leave the down gradient site boundary as groundwater flow.

Removal of the lowest 1m thickness of gravel and replacement with low permeability waste will truncate any groundwater flow across the site to Drain 2.

However the mitigation measures proposed are specifically designed to intercept groundwater flows on the northern boundary of the site, retain the pre-development average groundwater level within these interception trenches, and route the intercepted groundwater into Drain 2 from where it will discharge into Drain 5 and then the River Thames, thus retaining the pre-development groundwater discharge to Drain 2 and its off-site flow to the river Thames.

The subsequent groundwater flows into Drain 2 are not expected to be different to those currently entering Drain 2, as these are controlled by the regional groundwater flow flux, which will remain unchanged and the groundwater levels at the northern boundary of the site, which will be retained at mean groundwater level.

There are therefore no expected residual impacts associated with the removal of the 1m thick basal gravel blanket and replacement with low permeability backfill".

7.29 During the planning application process the EA and HyA requested further information and clarification relating to groundwater flows and associated matters such as drainage ditches and restoration of the site using inert infill.

7.30 To address the matters raised by these statutory consultees/technical advisors the applicant submitted the following information listed below (which can be viewed in full in Public Access). In all this led to the MPA consulting the relevant consultees and contributors via 4 different Regulation 25 consultations in accordance with EIA regulations. This is all outlined in part 5 of this report. This further information has been required in order to satisfy Policies DM04 and DM05 of the adopted MLP. In summary these stages compromised of the following:-

July 2017 Reg 25

- Technical Water Responses to Atkins & Environment Agency dated 5 June 2017 GWP Technical Response to EA, MPA & Residents dated 15th November 2017

December 2017 Reg 25

- E-mail from applicants agent dated 14th November 2017 addressing the following
    - Off site mitigation measures
    - On site Drainage System
    - Risk of increased groundwater flooding downstream of the site
    - Ampney Brook enhancement
- Omission of the Ampney Brook diversion
- Revised Restoration
- Biodiversity Mitigation and Management Strategy
- Landscape Mitigation and Detailed Aftercare Scheme

February 2019 Reg 25

- Design, Specification and Method Statement for the construction of a groundwater interception ditch'.

July 2019 Reg 25

- Technical Response dated 07 June 2019 produced by GWP

7.31 In their consultation response to the July 2019 Reg 25 consultation (dated 11th October 2019) the EA stated that after reviewing the report submitted on behalf of the applicant by GWP (Technical Response dated 07 June 2019) that they were satisfied that the applicant had addressed their concerns relating to groundwater flow truncation during low groundwater levels, the duration of proposed maintenance plans and groundwater flooding mitigation. Furthermore they were off the opinion that the applicant's submitted information was sufficient and demonstrated that they have taken the previous comments from the EA on-board. This was in accordance with Policies DM04 and DM05 of the adopted MLP.

7.32 In relation to conditions 33, 34, 35 and 41 the EA did not object to their removal as proposed as detailed in their consultation response dated 15th August 2017 and recommended that condition 37 should be amended to read as follows:

"During dewatering of each phase of mineral extraction, clay walls will be placed along the perimeter of the excavation to the full depth of the sand and gravel"

7.33 The HyA did not object to the proposed varied conditions. In their consultation response dated 26th February 2019 they considered that the proposed design, construction and maintenance regime for the new drainage ditch along the northern boundary was appropriate provided a suitable gradient was maintained. This is in accordance with Policies DM04 and DM05 of the adopted MLP.

7.34 In their consultation response (dated 01/08/2019 as summarised in paragraph 7.4) the HyA reviewed the applicants Technical Response (from GWP Dated 7th June 2019). They clarified that they found the applicants submitted details acceptable in relation to the proposed drainage and monitoring points for the water management of the site. This is in accordance with Policies DM04 and DM05 of the adopted MLP.

7.35 The HyA summarised that the proposed ditches require an appropriate monitoring and maintenance regime to be in place. They were also of the opinion that it was important for the applicant to ensure that adequate monitoring of groundwater and surface water volumes and flows is undertaken during the works being carried out especially in the vicinity of Marston Meysey Brook. This is to ensure that the proposed cut off wall created as part of the works remains effective to ensure that there are no significant impacts on the Marston Meysey Brook and the surrounding area. These requirements could be addressed via planning condition. This would be in accordance with Policies DM04 and DM05 of the adopted MLP.

7.36 MMPM objected to the proposal submitting responses and comments through out the consultation process. All their submitted responses can be viewed in Public Access and are summarised in paragraph 6.4 of this report.

7.37 In summary MMPM have continued to object to the proposed variations on the grounds that the baseline hydrogeological data is incorrect and the extraction of the proposed sand and gravel and subsequent infilling. This combined with the cumulative impact of Roundhouse Quarry and Whetstone Quarry will affect groundwater flows and the water environment regime detrimentally.

7.38 The grounds for objections and comments made by MMPM in the consultation process were addressed by GWP on behalf of the applicant in their Technical Response dated 07 June 2019 which can be viewed in Public Access.

7.39 To address the comments and views made by MMPM, objectors, respondents and the applicants response (GWP Technical Response Dated 07 June 2019) to issues raised, the MPA invited their HyA to review all these matters and advise accordingly.

7.40 In relation to 3rd party submissions the HyA were satisfied that the GWP Technical Response addressed issues in relation to cumulative impact, the groundwater monitoring regime, monitoring boreholes, ground water flows, groundwater interception ditch capacity and ditch maintenance.

7.41 Taking into account the comments and advice from the EA and the HyA in their detailed consultations responses to the proposed water management and mitigation schemes that subject to their recommended conditions being included in any approved consent, the MPA considers that the proposals will not contribute to an increased flood risk from site operations or be detrimental to the sites and surrounding water environment and are in accordance with Policies DM04 and DM05 of the adopted MLP.

7.42 In relation to hydrology, taking into consideration the applicants submitted information (specifically the GWP Technical Response) and responses from the EA and HyA, including their recommended new and amended conditions the MPA is of the opinion that conditions 33, 34, 35 and 41 can be recommended to be removed and condition 37 varied as suggested by the EA.

Sand and Gravel Landbank

7.43 To maintain the aim of Policy MW01 of the adopted MLP based on data set out within the 8th LAA for Gloucestershire published in January 2021 the MPA is required to make provision for approximately 0.742 million tonnes of sand and gravel per annum through to the end of 2032. While ensuring that a sufficient landbank of reserves is maintained for 7 years. This equates to 17.066 million tonnes of sand and gravel being required.

7.44 The existing permitted reserves of sand and gravel in Gloucestershire (aggregate landbanks are made up of the remaining mineral reserves with valid planning permissions) is 6.561 mt (as at 01/01/2019) are insufficient to meet the requirements of the LAA for Gloucestershire causing a shortfall within the landbank of approximately 10.505 million tonnes.

7.45 The proposed variations would permit the applicant to extract a significant volume of additional sand and gravel in the order of 217,000 tonnes. The proposed extraction will remain within the permitted extraction boundary and will not affect the existing buffer zones currently permitted.

7.46 The extraction of this additional sand and gravel would clearly assist Gloucestershire in meeting its sand and gravel shortfall over the plan period. The proposed development therefore is justified given the significant shortfall in the sand and gravel landbank in the county and is in accordance with policy MW01 of the adopted MLP.

Consideration of the application to vary other conditions

Condition 2

7.47 Condition 2 currently requires the cessation of extraction and completion of the sites restoration within 5 years of the date of notification which equates to November 2021. The operator has not been in a position to start importing

material to restore the site due to the consideration of this application and the Whetstone South application (in Wiltshire) and issues relating to obtaining an Environmental Permit from the EA.

7.48 Therefore the applicant is not is a position to restore the site by November 2021 as approved. Subsequently the operator has applied for condition 2 to be varied to extend the date for the completion of the restoration of the quarry to 31st December 2025 which would provide sufficient time to complete mineral extraction, secure an Environmental Permit and restore the site using imported inert material.

7.49 The MPA has not received any objections from any consultees relating to the extended restoration period and the MPA recognises that Whetstone Quarry needs to be restored as approved with the appropriate permeable inert material and that the time extension will allow the applicant sufficient time to fully restore the site as approved. Therefore the MPA is of the opinion that Condition 2 can be recommended to be varied as applied in order for the quarry to be restored as approved and in accordance with Policies DM04, DM05, DM06, DM09 and MR01 of the adopted MLP.

Condition 7

7.50 Condition 7 currently limits annual extraction of sand and gravel to 125,000 tonnes per annum contributing to a total of 375,000 tonnes over a 4 year period. Subject to approval of condition 33, the applicant is applying to vary condition 7 to permit the extraction of up to 590,000 tonnes in total with the annual production limit per year remaining at 125,000 tones.

7.51 The 590,000 tonnes limit is made up from the existing consent of 375,000 tonnes and the proposed extraction of approximately 217,000 tonnes of sand and gravel.

7.52 The proposed extraction of 217,000 tonnes of sand and gravel was part of the applicants 2012 application but its extraction was prevented by consent 12/0015/CWMAJM to assist natural drainage.

7.53 The MPA considers that the increase in production would contribute to the sand and gravel landbank shortfall for Gloucestershire in accordance with Policy MW01 of the adopted MLP.

7.54 The proposed extraction will not contribute to any additional lorry movements than already approved and the production limit will be maintained as approved. The applicant is proposing that there will be no changes to extraction operations and all the amenity safeguards that are in place currently will be maintained for the duration of the extraction.

7.55 The MPA has not received any statutory objections to the proposed variation and after consideration of the submitted details and technical consultation responses received the MPA considers that condition 7 should be recommended to be varied as proposed. This will be in accordance Policies MW01 and DM03 of the adopted MLP.

Condition 8

7.56 Condition 8 currently limits the amount of inert fill to be imported into the site for the purposes of restoration to 410,000 m3. If condition 33 is to be varied, condition 8 will also need to be varied to permit the importation of 416,520 m3 as a result of the increased depth from the additional sand and gravel extraction.

7.57 The MPA has not received any statutory objections to the proposed increase in imported material for the restoration of the quarry. The increase in imported inert material will not contribute to an increase in HGV movements from the highway as the applicant proposes to import a proportion of the material directly from Whetstone South in Wiltshire via an internal access and haul road.

7.58 If condition 8 is varied as proposed the MPA recommends that an additional condition will be required to regulate the submission of the location, design and construction of the access.

7.59 If Whetstone South is not permitted then the applicant is proposing to import the additional inert material via HGV. The MPA is of the opinion that the small increase in the required inert material of approximately 6500 m3 will not have a detrimental impact on the public highway as currently the site does not have a condition limiting vehicle movements as the County Highways were of the opinion that the highway network had sufficient capacity to cope with the proposed importation for consent 12/0015/CWMAJM and that a vehicle limit was not necessary.

7.60 Taking into consideration the submitted information and the fact that the proposed variation will not increase vehicle movements on to the highway network and as proposed will reduce (subject to the approval of Whetsone South) the number of HGV movements required to import inert material, the MPA considers that condition 8 can be varied as proposed and is in accordance with Policies DM03 and MR01 of the adopted MLP.

Condition 5

7.61 This condition currently requires the submission of individual phased working and restoration schemes prior to each phase of extraction.

7.62 The applicant is of the opinion that this requirement is a duplicate as phasing plans and restoration of the site will be covered by the scope of development condition of the proposed consent and that subsequently this condition should be removed.

7.63 Condition 5 was included in the consent to assist in regulating the extraction and restoration to the 1metre in situ of sand and gravel. The removal of this requirement does in the opinion of the MPA make condition 5 unnecessary.

7.64 Furthermore the CE has recommended that a condition is in included requiring a detailed progressive and phased scheme for the restoration and landscaping of the site which would partly duplicate the requirements of condition 5.

7.65 Taking into consideration the recommendations of the CE and the reasons for condition 5 to be in consent 12/0015/CWMAJM, the MPA considers that condition 5 can be recommended to be removed as applied as the phasing and restoration will be addressed via existing and proposed conditions and is in accordance with Policies MW01 and MR01 of the adopted MLP.

Ecology/Restoration

7.66 In his consultation response dated 3/08/20 the CE did not have any new concerns in relation to the proposed variations subject to his comments and recommended conditions being included in a recommended consent.

7.67 As a result of the proposed variations and schemes that have been submitted and approved by the MPA in compliance with conditions of consent 12/0015/CWMAJM, the CE has recommended that new conditions are required and existing conditions amended in addition to the conditions the applicant has applied to vary. The CE was content for the final wording of the proposed conditions to be at the discretion of the MPA. A summary of the CE recommendations are as follows:

- *That condition 45 can be deleted as proposed as the ecological issues will be covered by a proposed new condition that will also replace existing condition 50 and will include the following requirements:*

- *A progressive scheme of detailed restoration, landscaping and aftercare details based on*
    - *Revised Phase drawings Figures 5, 6 & 7 and 8* [see 1 above]
    - *'Biodiversity Mitigation and Management Strategy'*
    - *Landscape Mitigation and Detailed Aftercare Scheme' dated February 2017;*
    - *Ecological Impact Assessment (2012) – Addendum Report' by Malford Environmental dated 20th June 2019;*

- *Condition 46 which relates to the Biodiversity Mitigation and Enhancement Strategy (BMES) should be amended to require the applicant to submit a revised BMES to cover working phases 3 to 6.*
- *Condition 48 can be rewritten to cover the approved invasive non-native species protocol included in sections 3.7 and 4 of the 'Biodiversity Mitigation and Enhancement Strategy' for Japanese Knotweed.*
- *Condition 51 which relates to the Landscape Mitigation and Detailed Aftercare Scheme (MDAS) should be amended to require the applicant to submit a revised MDAS to cover working phases 3 to 6.*
- *I can agree to variations of conditions 2 and 32 of 12/0015/CWMAJM or new equivalent conditions in a new consent and have no observations on variations to conditions 7, 20, 21, 33, 34, 35, 37 and 41 of 12/0015/CWMAJM or new equivalent conditions in a new consent.*

7.68 In relation to Biodiversity and Ecology the CE had no objections to the proposed variations subject to his recommendations and he considered that the proposed variations provided a positive outcome compared to what is currently approved.

7.69 The MPA considers that condition 46 can be recommended to be removed as requested by the applicant as additional conditions will require the submission of a revised Biodiversity Mitigation and Management Strategy, restoration, landscaping and detailed 5 year aftercare schemes for written approval of the MPA. The CE has recommended that as part of the compliance process the MPA will require the schemes to provide greater biodiversity gains than proposed in line with local and national policy/guidance and in order to be in accordance with Policy DM06 of the adopted MLP and the NPPF.

Highways

7.70 The applicant considers that conditions 20 and 21 could be condensed into one condition as they both have the intention of preventing the deposit of mud onto the surrounding highway network. The applicant has not provided any further supporting information for this variation.

7.71 Condition 20 and 21 currently read as follows:

- *20. No commercial vehicles shall enter the public highway unless their wheels and chassis have been cleaned to prevent materials being deposited on the highway.*

  Reason: *In the interests of highway safety and to prevent mud, debris and materials getting on the highway and in accordance with Policies E20, DC1 and DC2 of the Gloucestershire Minerals Local Plan 1997 - 2006.*

- *21. No mud, debris or materials shall be deposited on the highway from commercial vehicles entering or leaving the site.*

  Reason: *In the interests of highway safety and to prevent mud, debris and materials getting on the highway, in accordance with Policies E20, DC1 and DC2 of the Gloucestershire Minerals Local Plan 1997 - 2006*

7.72 The MPA considers that conditions 20 and 21 are required to ensure that vehicles do not deposit mud on to the highway. Condition 20 ensures that commercial vehicles have their wheels and chassis cleaned prior to entering the highway. Condition 21 is in place to ensure that once the vehicles have been through a cleaning process that they do not deposit mud and debris or materials that still might be on the vehicles wheels and chassis onto the public highway. This is in accordance with Policies DM01 and DM03 and WCS19 of the adopted WCS.

7.73 Therefore the MPA consider that conditions 20 and 21 should not be varied as proposed and should remain as currently written as shown in paragraph 7.71 of this report.

Condition 32 Lighting

7.74 The applicant wishes to vary Condition 32 to remove the requirement of submitting details of any external lighting within 3 months of the date of consent, to the requirement of the submission of details prior to installation.

7.75 The MPA consider this variation as proposed to be appropriate as the applicant does not propose to install any external lighting and any installation of lighting will still be required to be approved by the MPA. This is in accordance with Policy DM01 of the adopted MLP.

Landscaping/visual impact

7.76 The MPA considers that the proposed variations would not affect the existing landscape of the quarry significantly and that existing landscape mitigation for the site is in principle still appropriate, if the variation of conditions are approved.

7.77 However due to the requirement of the installation of an internal site entrance on the southern boundary of the site adjacent to Whetstone South in Wiltshire (as shown in plan DR-0010 dated 06/04/20), if so approved by Wiltshire Council the MPA recommends that a condition should be included to require the operator to submit a revised landscape scheme based on the approved Landscape Mitigation & Detailed Aftercare Scheme (dated Feb 2017). This scheme should take account of the new internal access and the existence of Whetstone South in Wiltshire adjacent to the quarries southern boundary in Gloucestershire.

7.78 The proposed variations will not affect the existing retained hedging and woodland apart from a small area on the southern boundary where the new access is to be located (as shown in plan DR-0010 dated 06/04/20).

7.79 Taking into consideration the submitted details subject to the requirements of the submission of a revised landscape scheme through a revised condition as outlined above the MPA considers that the proposal is in accordance with Policies DM01, DM06 and DM09 of the adopted MLP.

Cumulative Impact

7.80 The issue of cumulative impact (in terms of hydrological impacts) has been raised by several objectors in relation to the fact that the MPA should consider the cumulative impact of the restoration of Roundhouse Quarry and the proposed development to extract sand and gravel at Whetstone South in Wiltshire with the proposed variations detailed in this application for Whetstone Quarry (North).

7.81 GWP hydrological consultants were commissioned by the applicant to address issues raised by objectors and consultees concerning the cumulative impacts of Roundhouse Quarry, Whetstone South (both in Wiltshire), and Whetstone Quarry (north in Gloucestershire) as currently existing and with the proposed variations subject to approval.

7.82 In accordance with the approved restoration schemes (which can be viewed on line at planning.wiltshire.gov.uk) Roundhouse Quarry has been restored to wetlands and reed beds and the restoration land form design enables the capture of groundwater flows into the low level groundwater reed beds in the

north and south of the site, from where overflows allow groundwater to enter the Marston Meysey Brook, as they would have done pre-development of the site.

7.83 Whetstone Quarry is located immediately north of the proposed Whetstone South site and is separated by the Marston Meysey Brook. GWP demonstrated that the groundwater interception ditches for the existing Whetstone Quarry and proposed Whetstone South would reproduce the directional groundwater flows across both sites that were in existence pre-development.

7.84 The drainage systems and mitigation measures for groundwater flows are all maintained within each site and regulated by separate consents leading to GWP concluding that any cumulative groundwater impacts between these three sites would be prevented.

7.85 In relation the proposed restoration of both Whetstone sites and the management of run-off and surface water, both sites have proposed run-off management systems which restrict storm run-off to pre-development run-off rates. Roundhouse Quarry has low-level restoration and does not allow any surface water run-off from the site preventing any cumulative impact to surface water courses.

7.86 Both the EA and HyA have evaluated the submitted information from GWP in relation to the cumulative impact of ground water/run off water from the restoration of Roundhouse, the proposed variations for Whetstone Quarry and the proposed Whetstone South site.

7.87 Both the EA and HyA were satisfied with the submitted water management systems and subject to their recommendations neither raised and issues in relation to the cumulative impacts of the three sites in regard to hydrology and specifically ground water flows.

7.88 It is therefore considered by the MPA that the cumulative impact of this proposal will be limited and that the proposal is in accordance with Policy WSC10 of the adopted WCS.

Restoration

7.89 The applicant is still proposing to restore the site to agriculture and nature conservation through the construction of three ponds and their associated habitats through a phased restoration scheme as proposed in plan DR-0014 dated 6/04/20. This would be in accordance with Policy MR01 of the adopted MLP.

7.90 The restoration scheme will now involve the importation of an estimated 416,520m3 of inert infill with a small increase of 6,520 m3 from previously approved quantities. It is proposed that the restoration will be carried out over an estimated 4 years.

7.91 To ensure that the infill material being imported into the site is suitable for the purposes of restoration to agriculture the applicant will be required to comply with the approved protocol for the reception of imported inert material dated 9th

June 2017. This will require the operator to check all imported waste material, to ensure it is suitable and does not include any unsuitable material such as tarmac, pretresible waste and asbestos. This is in accordance with Policy WCS8 of the Waste Core Strategy.

Bird strike Ministry of Defence (MOD)

7.92 Whetstone Quarry is located within the statutory birdstrike safeguarding zone surrounding RAF Fairford and therefore the current consent has in place an approved Bird Hazard Management Plan (BHMP) dated 16/05/17.

7.93 However during the consultation process DIO Safeguarding identified some amendments to be made to the BHMP as outlined in paragraph 6.9 of this report. To address the need to amend the existing BHMP, after negotiations with the MPA the DIO agreed that the amendments could be addressed via planning condition.

9.94 Therefore the MPA recommends that a planning condition is included requiring the applicant to submit a revised BHMP in accordance with the requirements of DIO Safeguarding listed in their consultation response dated 4/12/20. This is in accordance with Policy DM11 of the adopted MLP.

Objections

7.95 In the planning considerations and the consultations part of this report the MPA have addressed many of the issues raised concerning, ground water flows, inaccurate data, cumulative impact and the water environment.

7.96 Below is a summary of the remaining issues which are so far not covered within the report with the consideration and response by the MPA..

Impacts of this application on Roundhouse Farm Quarry (in Wiltshire) and other off site issues.

The effects the extraction of the sand and gravel in situ would have on the restoration of Roundhouse Quarry and its hydrological environment

- Roundhouse Quarry is located in Wiltshire and located to the north east and east of the site. The restoration of the Roundhouse Quarry is regulated by Wiltshire Council. Through the consultation process Wiltshire Council or the owner/operator have not raised any concerns about any potential detrimental impacts on the restoration or water environment of Roundhouse Quarry from the further extraction of Whetstone Quarry.

That groundwater flows in the area may have been altered, by Roundhouse Farm gravel extraction, the excess of infill placed in lake voids and by the gravel extraction that has already occurred at the Whetstone Bridge North site.

- In their final consultation responses both the EA and the HyA were satisfied with the applicants existing and proposed and water management regimes and schemes and that they were appropriate to the current water environment of the site.

Has Gloucestershire County Council collaborated in accordance with the National Planning Policy Framework with all the necessary statutory consultees, such as the two Lead Local Flood Authorities, Wiltshire Council and the EA in order to assess groundwater and other areas of overlapping interest with regard to this application and its impacts upon the consented Roundhouse Farm restoration.

- The EA, Gloucestershire Lead Local Flood Authority and Wiltshire Council were fully consulted through out the planning decision process and subject to the recommendations in the case of the EA have not objected to the proposed variations.

Concerns that the canal restoration will not be implemented as the applicant has tried to renege on the condition relating to the diversion and reinstatement of the canal.

- The canal is not located within the red line area of the site and is not part of this application.

Concerns about the impact on the C124 service road in terms of deterioration due to lorry use and road cleaning as wheel washing is not always carried out satisfactorily.

- The site has conditions in place relating to wheel cleaning and these will be enforced by the MPA. The proposed variations will not increase the amount of approved and current vehicle movements.

Cumulative impact of working Down Ampney is appropriately considered during the determination of Planning Application Ref: 16/0083/CWMAJM.

The Down Ampney application has not been submitted to GCC and as such The MPA must treat all applications on their own merits and deal with the application before them. They cannot consider issues outside the scope of any planning application before them and they cannot compel an applicant to submit further information in order satisfy concerns of matters which have yet to come forward.

Climate Change

7.97 On the 15th May 2019, GCC endorsed the UK Parliament's declaration of an environment and climate change emergency by committing the Council to: an 80% reduction in its corporate carbon emissions by no later than 2030 when compared to 2005, with a 100% reduction ambition by the same time inclusive of carbon off-setting; contributing to the delivery of a carbon neutral county by 2050; ensuring major Council plans have clearly identified strategies to reduce carbon emissions; and apply the scientific advice published by 'The Committee on Climate Change (CCC)'.

7.98 On the 20th December 2019, GCC's Cabinet agreed to: approve the Gloucestershire Climate Change Strategy 2019/20 to 2024/25 incorporating an

immediate action plan; and to endorse the Gloucestershire Climate Change manifesto. The 2019/20 to 2024/25 Strategy sets out an immediate action plan for delivery by April 2020 and a suite of medium and long-term measures that are to be implemented as part of a five-year rolling programme, which will be reviewed and updated annually. The immediate action plan is made up of 10 key actions that incorporate commitments to: joint-working to bring about a coordinated response to climate change; dedicated staff and financial resources to tackling climate change; and targeted climate change procurement practices. It also specifically supports the planting of 1 million trees by 2030 and commencement of a review of the local transport plan to reflect the climate change emergency declaration. The medium and long-term measures consist of a further 14 actions that cover such matters as: dedicated local climate change research, assessment and monitoring; targeted climate change communication and campaigning initiatives; carbon reduction transport-related actions; exploration of renewable energy potential on public sector land and the development of at least one District Heating Networks by 2025; offering of support for both future public and private sector developments that are zero carbon and will contribute towards improvements in climate change resilience; and making provision for green infrastructure in line with Building with Nature (BwN) standards.

7.99 The Gloucestershire Climate Change Manifesto which has presently been endorsed by the County Council, seeks a wider pledge from the Council's partners to commit to the headline ambitions outlined in the Council's climate change emergency resolution and Climate Change Strategy 2019/20 to 2024/25. It seeks for a partnership approach to be taken to grow a low carbon economy, help residents, businesses and partners to radically reduce carbon; and to maintain and enhance the quality of our natural environment by protecting and enhancing the county's biodiversity.

7.100 The commitments set out in the climate change emergency resolution, Gloucestershire Climate Change Strategy 2019/20 to 2024/25 and Gloucestershire Climate Change Manifesto that contain a land use planning element is a material consideration in the assessment of planning applications determined by GCC. In particular, weight should be given to measures contained within individual proposals that are likely to make a positive contribution to the implementation of either the resolution, strategy and/or the manifesto.

7.101 The proposal was submitted prior to the adoption of the Gloucestershire Climate Change Strategy 2019/20 by GCC however the operator does implement several measures that contribut towards the ideas of the Gloucestershire Climate Change Strategy 2019/20 to 2024/25.

7.102 Whetstone Quarry uses its own naturally filled ponds for site operations, dust mitigation and wheel washing facilities removing the need for the quarry to use main water supplies.

7.103 To support the move towards greener transport the operator Cullimores fleet of the HGVs conform to Euro 6 standards (European Union directive to reduce

harmful pollutants from vehicle exhausts) to reduce their carbon emission level outputs.

7.104 The applicant is proposing to partially source the inert material required for the restoration of the quarry from Whetstone South if permitted by Wiltshire Council which would mean material will be imported via an internal haul road and will not be imported via the public highway. This will reduce the amount of vehicle movements on the highway from importation of inert material reducing undesirable economic and environmental impacts on the environment through transportation and carbon emissions.

7.105 Whetstone Quarry is run in accordance with the accredited ISO 14001 environmental management system which is an internationally agreed standard that sets out the requirements for an environmental management system. It helps organisations to improve their environmental performance through more efficient use of resources and reduction of waste.

7.106 Overall the applicant is aiming to reduce their carbon emissions, limit HGV movements and operate their plant and operations as environmentally friendly as feasible and have worked towards the strategies outlined in Gloucestershire's Climate Change Strategy through out their operations which are based in Gloucestershire.

Human Rights

7.107 From 2nd October 2000, the Human Rights Act 1998 has the effect of enshrining much of the European Convention on Human Rights in UK law. Article 8 of the Human Rights Act 1998 guarantees a right to respect for private and family life and Article 1 of the First Protocol guarantees the right to peaceful enjoyment of possessions. Article 8 also provides that there shall be no interference by a public authority with the exercise of this right except in the interests of national security, public safety, or the economic well-being of the country, for the prevention of disorder or crime, for the protection of health or morals, or for the protection of the freedom of others.

7.108 Four near neighbours, members of the public and MMPM have objected to the proposed development on the grounds of the impact the proposal will have on the local water environment, groundwater and run off water flows. For the reasons set out in the Planning Considerations above it is not considered that there would be any breach of the Convention rights. Even if there was to be an interference with Convention rights then, in this case, it is considered that the interference would be justified in the interests of economic well-being and be proportionate. Accordingly, it would not be unlawful to grant planning permission for this development.

Positive and Proactive Statement

7.109 In determining this planning application, the Mineral Planning Authority has worked with the applicant in a positive and proactive manner based on seeking solutions to problems arising in relation to dealing with the planning application by liaising with consultees, respondents and the applicant/agent and discussing changes to the proposal where considered appropriate or necessary. This

approach has been taken positively and proactively in accordance with the requirement in the NPPF, as set out in the Town and Country Planning (Development Management Procedure) (England) (Amendment No.2) Order 2012.

Conclusions and summary reasons for grant of planning permission and relevant development plan policies

7.110 This application seeks consent for the variation of conditions 2, 3, 5, 7, 8, 20, 21, 32, 33, 34, 35, 37, 41 and 45 of planning permission 12/0015/CWMAJM for the progressive extraction and processing of sand and gravel sand and gravel with restoration using inert materials at Wetstone Quarry

7.111 The proposed variation of conditions 3, 7, 8, 33, 34, 35, 37 and 41, are considered necessary by the applicant to enable them to extract an additional 217,000 tonnes of sand and gravel by removing the requirement to maintain 1metre sand and gravel aquifer above the base clay level. Subsequently this will slightly increase the amount of infill required to restore the site.

7.112 In addition due to delays in restoring the site as approved the applicant requires the variation of condition 2 to restore the site as proposed to extend cessation until 31st December 2025.

7.113 The MPA has not received any objections from statutory consultees with the EA and the HyA both being satisfied with the applicants proposals in relation to the water management of the site and subject to their recommendations being included in any consent.

7.114 The MPA received objections from MMPM and 4 objectors on issues relating to the local water environment and water management of the quarry with emphasis on ground water flows and monitoring.

7.115 After consideration of all the submitted information from the applicant, consultees and objectors the MPA considers that the extraction of the remaining sand and gravel will contribute towards the reduction of the landbank deficit for Gloucestershire while providing a sustainable supply of sand and gravel to the applicant's, business and local markets. This proposal will have a very limited additional impact on the local road networks while providing an opportunity to provide a biodiversity gain through the restoration of the quarry. Therefore the MPA recommends for the reasons outlined in the report the following:

- That conditions 33, 34, 35 and 41 are removed for the reasons outlined in this report removing the requirement of keeping extraction above the 1metre base clay level;

- That condition 2 can be varied as applied in order for the quarry to be restored as approved by the 31st December 2025;

- That condition 3 is varied to include all the additional plans and documentation;

- That condition 5 and 45 can be removed as applied for;

- That condition 7 can be varied as applied to permit the extraction of up to 590,000 tonnes.

- That condition 8 can be varied as applied to permit 416,520 m3 of inert material to be imported for the restoration of the site.

- That conditions 20 & 21 remain as permitted;

- That condition 32 is varied as applied;

- That a new condition (12) is included in the consent to address the proposed requirement of an access between the proposed Whetstone South site and Whetstone quarry (north) for the purposes of importation of inert material, a new Condition is required to regulate the design, location and construction of the access between Whetstone and Whetstone South in Wiltshire.

- That a new condition (37) is included in the consent to address the requirement of DIO safeguarding for a revised Bird Hazard Management Plan as detailed in paragraphs 7.93 – 7.95 of this report.

7.116 It is considered that with the proposed conditions in place to protect local amenity and the water management of the site that the proposal gives rise to no material harm, is in accordance with the development plan and that there are no other material considerations that indicate that the application should be refused.

8.0 RECOMMENDATION

8.1 It is recommended that permission for the variation of planning conditions is GRANTED for the reasons summarised in paragraphs 7.110 to 7.116 subject to the following conditions (where emboldened text indicates proposed wording of conditions and revised wording recommended by the MPA, strikethrough indicates where wording has been deleted/ or the condition has already been implemented) and underlining and strikethrough indicates where the WPA recommends wording is deleted:

CONDITIONS:

~~**Commencement**~~

~~1. The development shall commence within three years from the date of this permission. Written notification of the date of commencement of development shall be sent to the Minerals Planning Authority within seven days of such commencement.~~

~~**Reason:** In order to comply with section 91 of the Town and Country Planning Act 1990 as amended by section 51 of the Planning and Compulsory Purchase Act 2004.~~

Cessation of Use

~~2~~ **1**. The development hereby permitted shall cease extraction and be fully restored in accordance with the approved restoration scheme ~~within 5 years of the date of commencement as notified in condition 1 of this consent~~ **by the 31st December 2025.**

Reason: In order to define the scope of this consent and to comply with Policy MW06, DM06, DM09 of the Gloucestershire Minerals Local Plan 2018 – 2032.

Scope of Development

~~3~~ **2** Unless in compliance with conditions or varied by other condition(s) attached to this permission, the development hereby permitted shall be carried out within the site edged red on the `Site Location' Figure 1A; (hereafter referred to as the Site) together with accompanying ~~Supporting Statement' dated Oct 2014', 'Environmental Statement Update' dated October 2014, 'Non-Technical Summary' dated October 2014, 'Archaeological Assessment', 'Landscape and Visual Impact Assessment' dated 21.03.12 'Ecology Impact Assessment' dated 15th August 2015, 'Transport Assessment' dated October 2012, 'Noise Assessment' dated March 2008, 'Arboricultural Impact Assessment' dated September 2014, SLR submitted information, specifications with any scheme, working programme or other details and documents and approved plans (drawing numbers)~~ **documentation as follows:**

- Supporting Statement' dated Oct 2014',
- **Supporting Statement (section 73 application to vary conditions 2, 3, 5, 7, 8, 20, 21, 32, 33, 34, 35, 37, 41 and 45) dated November 2016;**
- **Non-Technical Summary (section 73 application to vary conditions 2, 3, 5, 7, 8, 20, 21, 32, 33, 34, 35, 37, 41 and 45) dated October 2016**;
- Environmental Statement Update' dated October 2014;
- Non-Technical Summary dated October 2014;
- **Environmental Statement (section 73 application to vary conditions 2, 3, 5, 7, 8, 20, 21, 32, 33, 34, 35, 37, 41 and 45) dated November 2016',**
- Hydrogeological Impact Assessment dated September 2016;
- **Agent letter dated 9th April 2020;**
- **GWP Technical Assessment dated 7th June 2019;**
- **Technical water response to EA and Atkins' dated 5th June 2017;**
- **Technical water response to EA and local residents dated 16th October 2017;**
- **Agents e-mail dated 5th July 2017;**
- **Design, Specification and Method Statement for the construction of a groundwater interception ditch' dated 13th December 2018;**
- **Archaeological Assessment' dated May 2016;**
- **Landscape and Visual Impact Assessment dated 21.03.12;**
- **Ecology Impact Assessment dated 15th August 2015;**

- **Ecological Impact Assessment Addendum dated 15th November 2016;**
- Transport Assessment dated October 2012;
- Noise Assessment dated March 2008;
- Arboricultural Impact Assessment dated September 2014;
- 1787/P5/3; Plant Site Cross Sections, Dated April 2012;
- CU277/03 Rev D; Proposed Phasing (Phase 1) Dated Dec 07;
- CU277/03 Rev D; Proposed Phasing (Phase 2) Dated Dec 07;
- **Drawing Number DR-0010 'Phases 3 Extraction' dated 06/04/20;**
- **Figure 6 'Phase 4 Extraction' dated Nov 2016;**
- **Figure 7 'Phase 4 & 5 infilling' dated Nov 2016;**
- **Drawing Number DR-0011 'Phases 8 Extraction' dated 06/04/20;**
- **Drawing Number DR-0012 'Phases 7 Extraction dated 06/04/20;**
- **Drawing Number DR-0013 'Phases 7 & 8 Restoration' dated 06/04/20;**
- **Drawing Number DR-0014 'Proposed Restoration' dated 06/04/20;**
- Drawing No 9765/1; Proposed Alterations (Road Layouts) Dated Jan 07.

and specifications with any scheme, working programme or other details submitted for the prior written approval of and subsequently approved by the Mineral Planning Authority in pursuance of any condition attached to this permission.

Reason: To enable the Minerals Planning Authority to deal promptly with any development not in accordance with the approved plans and details and to define the scope of this consent, in the interests of the amenity of the area and in accordance with Policies **DM01, DM05 DM09, MW01, and MR01 the Gloucestershire Minerals Local Plan 2018 – 2032.**

Permitted Development

~~4~~ **3** Notwithstanding the provisions of the Town and Country Planning (General Permitted Development) Order 1995, no buildings or external floodlighting or other illumination or fixed or mobile plant shall be erected on any part of the site without the prior written approval of the Mineral Planning Authority.

Reason: There is a need to secure control over additional plant and machinery in the interests of the amenity of the area and in accordance with **Policy DM01 of the Gloucestershire Minerals Local Plan 2018- 2032**.

~~**Working Programme, Phasing and Direction of Working**~~

~~5 Prior to the commencement of extraction and each subsequent working phase a detailed phasing scheme for each phase of the extraction and restoration shall be submitted to the Minerals Planning Authority for its written approval. No development shall be carried out other than in accordance with the approved schemes and plans.~~

~~**Reason:** In order to define the scope of this consent and in the interests of the amenity of the area in accordance Policy DC1 of the Gloucestershire Minerals Local Plan 1997 - 2006.~~

6. Prior to the commencement of extraction a 3m bund shall be constructed on the north west boundary adjacent to Whetstone Bridge Farmhouse as shown in Figure 4D dated Jan 2010.

Reason: To protect the amenity of the local environment and in accordance with Policy 37 of the Gloucestershire Waste Local Plan

Throughput

Limit of Production

7 **4.** The development hereby permitted is subject to an annual production limit of not more than 125,000 tonnes of sand and gravel per annum, over a 4 year period and not exceeding a total extraction of **590,000**tonnes of sand and gravel.

Reason: In the interests of highway safety and amenity, and in accordance with Policies DM03 and DM01 of the Gloucestershire Minerals Local Plan 2018-2032.

Infill

8 **5** The total quantity of inert material imported into the site (as defined on Figure 1A) for the restoration of the site shall not exceed **416,520m3** of inert fill, comprising only wholly inert, uncontaminated freely draining top-soils and sub-soils shall be imported and deposited at the site.

9. **Reason:** To facilitate effective surface water drainage and appropriate soil conditions for the native woodland plantation in accordance with Policies DM01, DM03, DM04 and MR01 of the Gloucestershire Minerals Local Plan 2018-2032 and WCS8 and WCS12 of the Gloucestershire Waste Core Strategy (adopted November 2012). **Reception of Imported material for Infill/Restoration Protocol**Prior to commencement of extraction a detailed protocol for the reception of imported infill shall be submitted to the Minerals & Waste Planning Authority for its written approval and thereafter the scheme as approved shall be implemented and monitored for the duration of the operations unless otherwise approved in advance and in writing by the Minerals Planning Authority.

Reason: To protect the amenity of the local environment and in accordance with Policy 37 of the Gloucestershire Waste Local Plan.

6 The approved protocol for the reception of imported Inert Tipping dated 9th June 2017 shall be implemented in full as approved and monitored for the duration of the operations.

Reason: To protect the amenity of the local environment and in accordance with Policies WCS8 and WCS12 of the Gloucestershire Waste Core Strategy (adopted November 2012).

Record Keeping

10 **7** From the date of this permission the operators shall maintain records of the

number of vehicles bringing materials to the site, and the quantity and type of material accepted onto the site for restoration and shall make them available to the Minerals and Waste Planning Authority at any time upon request and within seven days of such a request. All records shall be kept for at least 24 months.

Reason: In order that the Mineral Planning Authority can monitor the site in the interests of the amenity of the area in accordance with **Policies DM01 and DM03 of the Gloucestershire Minerals Local Plan 2018- 2032 and Policies WCS8 and Policy WCS12 of the Gloucestershire Waste Core Strategy (adopted November 2012).**

~~11~~ **8** From the date of this permission a record shall be kept by the operator, showing the annual amount of sand and gravel extracted and that record shall be made available for inspection by the Mineral and Waste Planning Authority at all reasonable times.

Reason: In the interests of highway safety and amenity, and in accordance with **Policies DM01 and DM03 Gloucestershire Minerals Local Plan 2018-2032.**

Operating Hours

~~12~~ **9**. Operations authorised by this permission shall only be carried out on site between the following hours:

07:00 to 18:00 Mondays to Fridays
07:30 to 13:00 Saturday

There shall be no working on Sundays or Bank or National Holidays.

Reason: There is a need to safeguard the amenities of the area and in accordance with **Policy DM01 of the Gloucestershire Minerals Local Plan 2018 - 2032**

~~13~~ **10** No maintenance of plant and machinery shall be carried out except between the hours of 07:00 to 18:00 Monday to Friday (inclusive) and the hours of 07:00 to 13:00 on Saturdays and no such working shall take place on Sundays, Public or Bank Holidays.

Reason: To protect the amenity of the local environment and in accordance with **Policy DM01 of the Gloucestershire Minerals Local Plan 2018 - 2032**

Access, Traffic and Highways

~~14~~ **11** ~~Prior to the commencement of the extraction~~ The vehicular access hereby permitted shall not be used ~~brought into use~~ until the existing roadside frontage boundaries have been set back to provide visibility splays extending from a point 4.5m back along the center of the access (measured from the public road carriageway edge) to a point on the nearer carriageway edge of the public road 160m distant in both directions, and the area between those splays and the carriageway shall be reduced in level and thereafter maintained so as to provide

clear visibility between those points at a height of between 1 metre and 2.1m above the adjacent carriageway level.

Reason: To reduce potential highway impact by ensuring that adequate visibility is provided and maintained in the interests of highway safety in accordance with **Policies DM01 and DM03 of the Gloucestershire Minerals Local Plan 2018 – 2032**

12. Prior to the importation of inert material from Whetstone South for the purposes of restoration only details of the proposed access as detailed in Plan DR-0010 dated 06/04/20 must be submitted to the Mineral Planning Authority for written approval and implemented in full.

Reason: To define the scope of the application and in the interests of Biodiversity, landscape and traffic safety in accordance with Policies DM01, MW06, DM09 and DM03 of the Gloucestershire Minerals Local Plan 2018 – 2032.

~~15~~ **13** ~~Prior to the commencement of development~~ **The** developments parking, loading unloading and manoeuvring facilities shall be laid out in accordance with drawing numbered 1787/PS/1C dated Oct 2010 and shall be maintained thereafter for that purpose for the duration of operations at the site.

Reason: To enable vehicles to enter and leave the highway in forward gear in the interests of highway safety in accordance with **Policy DM03 of the adopted Gloucestershire Minerals Local Plan 2018 – 2032.**

~~16~~ **14** The surfacing of the site access shown on drawing No 15840-01 dated 13/09/13 and Drawing No MGS2 as shown in Appendix B & C of the Transport Statement shall be maintained in a good state of repair and kept clean and free of mud and other debris at all times until the sites restoration and aftercare is completed in accordance with the approved schemes.

Reason: In the interests of highway safety and safeguarding the local environment in accordance with Policy **DM03 of the adopted Gloucestershire Minerals Local Plan 2018 – 2032.**

~~17~~ **15** ~~No site works shall commence until such time as a~~ **The** temporary car parking area for site operatives and construction traffic ~~has been~~ laid out and constructed within the site shall be retained and made available for that purpose for the duration operations.

Reason: To ensure that the access roads in the vicinity of the site are kept free from construction traffic in the interests of highway safety in accordance with **Policy DM03 of the adopted Gloucestershire Minerals Local Plan 2018 – 2032**.

~~18~~ **16** No loaded lorries shall enter or leave the site unsheeted except those only carrying materials in excess of 500mm in any dimension.

Reason: In the interests of highway safety in accordance with **Policy DM03 of the adopted Gloucestershire Minerals Local Plan 2018 – 2032.**

~~19~~ **17** ~~Prior to the commencement of any site construction works~~ Vehicle wheel cleaning facilities shall be provided on site and thereafter be maintained for the duration of the site works.

Reason: To ensure that mud and earth deposits are not brought onto the public highway in the interests of highway safety in accordance with **Policy DM03 of the adopted Gloucestershire Minerals Local Plan 2018 – 2032**

~~20~~ **18** No commercial vehicles shall enter the public highway unless their wheels and chassis have been cleaned to prevent materials being deposited on the highway.

Reason: In the interests of highway safety and to prevent mud, debris and materials getting on the highway and in accordance with **Policies DM01 and DM03 of the adopted Gloucestershire Minerals Local Plan 2018 – 2032**

~~21~~ **19**. No mud, debris or materials shall be deposited on the highway from commercial vehicles entering or leaving the site.

Reason: In the interests of highway safety and to prevent mud, debris and materials getting on the highway, in accordance with Policies **DM01 and DM03 of the adopted Gloucestershire Minerals Local Plan 2018 – 2032**

~~21~~ **20** All reasonable steps shall be taken to minimise noise from vehicles and machinery and, in particular silencers shall be fitted to and used by all vehicles, plant and machinery on the site.

Reason: To protect the amenities of residents and the local environment in accordance with **Policies DM01 and DM03 of the Gloucestershire Minerals Local Plan 2018 – 2032**

Building and Plant.

~~23. Prior to the commencement of extraction details of a weighbridge, to be installed at the site, must have been submitted to and approved in writing by the Minerals and Waste Planning Authority. The weighbridge shall then be installed in accordance with those details before the development is brought into operation and shall be used and maintained as such thereafter for the duration if the development.~~

21. **The approved weighbridge shall be used and maintained for the duration of the development.**

Reason: In order that the Mineral and Waste Planning Authority can monitor the site in the interests of the amenity of the area in accordance with **Policy DM001 adopted Gloucestershire Minerals Local Plan 2018 – 2032**

~~24~~ **22** All plant and machinery shall operate only within the permitted hours, except in an emergency (which shall be notified to the Mineral Planning Authority as soon as practicable), and shall be silenced at all times in accordance with the manufacturer's recommendations.

Reason: In the interests of the amenity of the area in accordance with Policy **DM01 adopted Gloucestershire Minerals Local Plan 2018 – 2032**

~~25~~ **23** All plant, machinery, buildings and structures shall be removed from the site within 3 months of the cessation of mineral extraction~~. unless otherwise agreed in advance and in writing with the Minerals and Waste Planning Authority.~~

Reason: To ensure the removal of plant machinery on cessation of quarrying, in the interests of the amenity of the area and in accordance with **Policy DM05 of the adopted Gloucestershire Minerals Local Plan 2018- 2032.**

Archaeology

~~26~~ ~~No development shall take place within the application site until the applicant, or their agents or successors in title, has secured the implementation of a programme of archaeological work in accordance with a written Scheme of investigation which has been submitted by the applicant and approved in writing by the Mineral Planning Authority.~~

~~**Reason:** To make provision for a programme of archaeological mitigation, so as to record and advance understanding of any heritage assets which will be lost, and to make this evidence publicly accessible in accordance with paragraph 141.~~

24 The approved written Scheme of investigation dated May 2016 shall be implemented as approved.

Reason: **It is important to agree a programme of archaeological work in advance of the commencement of development, so as to make provision for the investigation and recording of any archaeological remains that may be destroyed by ground works required for the development. The archaeological programme will advance understanding of any heritage assets which will be lost, in accordance with Paragraph 189 of the National Planning Policy Framework – February 2019 and Policy DM08 of the Gloucestershire Minerals Local Plan 2018- 2032.**

Environmental Protection

~~27~~ **25**. No materials shall be burnt on site.

Reason**:** In the interests of amenity of the area and in accordance with **Policy DM01 of the Gloucestershire Minerals Local Plan 2018 – 2032.**

Noise

~~28.~~ ~~Prior to the commencement of development a scheme shall be submitted to and agreed in writing by the Minerals Planning Authority which specifies the provision to be made for the control of noise emanating from the site during mineral extraction and restoration as a result of the development hereby approved. Such scheme shall provide for noise barriers of a type and specification to be approved by the Minerals Planning Authority and noise mitigation measures. The approved scheme shall be implemented in full prior to commencement of development and complied with at all times.~~

~~**Reason:** In the interests of amenity of the area in accordance NPPF Technical Guidance and Policy 37 of the Gloucestershire Waste Local Plan and DC1 of the Gloucestershire Minerals Local Plan and Cotswold District Council Local Plan Policy 5 and the pollution considerations of the National Planning Policy Framework and NPPG.~~

26. The approved Noise mitigation scheme dated 25th February 2016, shall be implemented in full as approved and complied with at all times.

Reason: In the interests of local residential amenity and Policy DM01 and DM03 of the Gloucestershire Minerals Local Plan 2018 – 2032.

~~29~~ **27.** All HGV vehicles and plant machinery shall be fitted with white noise reversing warning devices.

Reason: In the interests of local residential amenity and Policy **DM01 and DM03 of the Gloucestershire Minerals Local Plan 2018 – 2032**

Dust

~~30.~~ ~~Prior to the commencement of development a dust mitigation scheme shall be submitted to and agreed in writing by the Mineral and Waste Planning Authority in writing which specifies the provision to be made for the control of dust emanating from the site. The approved scheme shall be implemented in full prior to the commencement of development and complied with at all times.~~
~~**Reason:** To protect the amenity of the local environment and in accordance with Policies DC1 and DC2 of the Gloucestershire Minerals Local Plan and The NPPF and NPPG.~~

28. The approved Dust mitigation scheme dated February 2016 shall be implemented in full as approved and complied with at all times.

Reason: To protect the amenity of the local environment and in accordance with Policy DM01 of the Gloucestershire Minerals Local Plan 2018 – 2032

Storage Height

~~31~~ **29**. The height of any stockpiles of inert material shall not exceed the height of 6 metres above existing ground levels. (31)

Reason: To limit the visual impact of stored material and in accordance with Policies **DM01 and DM09 Gloucestershire Minerals Local Plan 2018 – 2032**

Lighting

~~32 Within 3 months of the date of this consent, details of all external lighting to be used on site shall be submitted to and approved in writing by the Minerals Planning Authority. Thereafter the approved details shall be implemented and maintained for the duration of this consent.~~

30. Prior to the installation of any external lighting to be used on site details shall be submitted to and approved in writing by the Minerals Planning Authority. Thereafter the approved details shall be implemented and maintained for the duration of this consent.

Reason: To prevent light spillage in a rural area and to protect the local amenity in accordance with Policy ~~Policy DC1 of the Gloucestershire Minerals Local Plan 1997 – 2006~~ **DM01of the Gloucestershire Minerals Local Plan 2018 – 2032.**

Water Environment

Drainage

~~33. The level of the base of each phase of mineral extraction shall not be less than 1 metre above the Oxford Clay.~~

~~**Reason:** A 1 metre buffer of sand and gravel needs to be retained across the site to mitigate for impacts of infilling on groundwater flow in accordance with Minerals Local Plan, NPPF and NPPG.~~

~~34. Prior to the commencement of quarrying in each Phase, plans shall be provided to the Mineral Planning Authority showing the basal elevations (in metres Above Ordnance Datum (mAOD)) of the proposed quarry and the contact elevations (in mAOD) between the River Terrace Gravels and the Oxford Clay below the quarry footprint. The plans will show that 1m of in situ River Terrace Gravels is retained below the quarry footprint.~~

~~**Reason:** To demonstrate that groundwater flow beneath the quarry footprint will be protected in accordance with Policy E11 of the Minerals Local Plan, guidance within the NPPG and NPPF.~~

~~35. Prior to the commencement of restoration infilling in each extraction Phase a survey shall be provided to the Mineral Planning Authority confirming that the basal elevations (in mAOD) of the quarry extraction area is the same as the pre-commencement plan for that phase provided under the above condition.~~

~~**Reason:** To demonstrate that groundwater flow beneath the quarry footprint has been protected in accordance with Policy WCS12 of the, Waste Core Strategy, Policy E11 of the Minerals Local Plan, guidance within the NPPG and NPPF.~~

~~36~~ **31**. ~~Prior to the commencement of excavation in phase 2~~ **Within 3 months of this consent the** applicant shall provide, for written approval by the Mineral Planning Authority, a detailed method statement for the construction of the cut off wall and shall then implement the agreed scheme. The method statement shall include, as a minimum:

- The method for determining a satisfactory depth of excavation (i.e. that the Oxford Clay has been encountered);
- The design permeability required for the compacted clay
- The method of compaction and verification of the same
- The method of working that will be employed to ensure that the excavation remains safe and therefore enables the works to be completed as designed.

~~**Reason:** For protection of the public, workers and the environment in accordance with Policy WCS12 of the Waste Core Strategy, Policy E11 of the Minerals Local Plan, guidance within the NPPG and NPPF.~~

Reason: Clay walls are required to mitigate for environmental impacts associated with dewatering activities. These will need to be removed once dewatering is completed to protect groundwater in accordance with **Policies DM04 and DM05 of the Gloucestershire Minerals Local Plan 2018 – 2032**

Dewatering

~~37~~ **32.** During dewatering of each phase of mineral extraction, clay walls will be placed along the perimeter of the excavation to the depth of the ~~sand and gravel~~ **oxford clay base level**. Once extraction is complete these clay walls will be fully removed and ~~the part within the 1m metre of retained sand and gravel replaced~~ **each phased filled** with materials of equivalent permeability

Reason: Clay walls are required to mitigate for environmental impacts associated with dewatering activities. These will need to be removed once dewatering is completed to protect groundwater in accordance with Policies DM04 and DM05 of the Gloucestershire Minerals Local Plan 2018 – 2032

33. **Within 3 months of this consent details of the design of the drainage interception ditches depicted in drawing WHETGW1811 dated 28/11/2018 and a ditch maintenance plan shall be submitted to the Mineral Planning Authority for written approval and implemented in full as approved.**

Reason: To prevent increases in flood risk accordance and maintain groundwater flows in accordance with Policy DM04 and DM05 of the Gloucestershire Minerals Local Plan 2018 – 2032.

Monitoring

~~38~~ **34**. ~~Prior to the commencement of extraction from the site a~~ **Within 3 months of this consent and prior to importation of inert material** a Monitoring Scheme shall be submitted, and approved in writing, by the Mineral Planning Authority. The scheme shall include:

- ~~Location and~~ **A** programme for the monitoring and reporting of surface water and ground water levels for the duration of works, site restoration and after care period**;**

- **Location of the monitoring wells/points with an emphasis on locating wells next to Marston Meysey Brook to show base flow in the Brook is not being reduced by the development**.

- Identification of trigger levels for monitoring sites where contingency measures would be required should those trigger levels be reached;

- Identification of contingency measures needed should the trigger levels be reached.

The monitoring scheme shall be fully implemented as approved and subsequently maintained, in accordance with the scheme, or any changes as may subsequently be approved by the Mineral Planning Authority.

Reason: To ensure a water monitoring scheme is maintained and assess the risk of effects arising from changes in groundwater levels and ensure that appropriate mitigation is carried out as and when required to reduce those effects in accordance with Policy DM05 of the Gloucestershire Minerals Local Plan 2018 – 2032 and Policy WCS12 of the Gloucestershire Waste Core Strategy (adopted November 2012).

~~39~~ **35**. On completion of the monitoring programme as approved a final report demonstrating that any unacceptable impacts to the aquifer have been mitigated for and documenting the decision to cease monitoring shall be submitted to and approved in writing by the Mineral Planning Authority.

Reason: To ensure that appropriate mitigation has been completed to protect groundwater in accordance with **Policy DM05 of the Gloucestershire Minerals Local Plan 2018 – 2032** and WCS12 of the Gloucestershire Waste Core Strategy (adopted November 2012).

Flood Risk Mitigation

Soil mitigation bunds

~~40 Prior to the construction of the proposed earth bunds on site, a plan showing the detailed design of the bund, incorporating low level culverts to allow for overland flood flow routes, shall be submitted to and agreed in writing by the Mineral Planning Authority. The bunds shall thereafter be constructed in accordance with the approved plan.~~

36. **The approved earth bunds detailed in 'Details of the earth bunds by SLR dated 21st December 2016' shall be maintained as approved for the duration of the development.**

Reason: To ensure flood flow routes will not be interrupted by earth bunds so as to avoid increasing flood risk in accordance with Policies **DM04 and DM05 of the Gloucestershire Minerals Local Plan 2018 – 2032.**

Restoration

Bird Hazard Management

37. Prior to the commencement of infilling a revision of the approved Bird Hazard Management Plan dated 16/05/17 shall be submitted to the Mineral Planning Authority for written approval and implemented in full as approved.

The revised Bird Hazard Management Plan shall include the following:

- **No monitoring schedule has been provided;**
- **No process for regular review of the management plan in consultation with MOD has been set out, ideally an annual review would ensure that the management plan remains fit for purpose;**
- **No failure levels have been set out which would provide a trigger for additional habitat management, active control or a review of the management plan;**
- **The threshold level for starlings is, in the BHMP dated 16/05/17, set at 500. This should be reduced to 200; and**
- **Rooks (Corvus frugilegus) should be added to the target species.**

Reason: To prevent the threat of bird strike to and protect the public accordance with Policy DM11 of the Gloucestershire Minerals Local Plan 2018 – 2032.

~~41. Prior to the commencement of infilling a Method Statement for the removal of the clay bund and its replacement with high permeability materials will be provided to the Mineral Planning Authority for written approval. Such an approved method shall then be implemented in full and a validation report provided for written approval for each phase of restoration. The Method Statement shall include as a minimum:~~

- ~~The inspection regime implemented to ensure that the compacted clay is removed;~~
- ~~The method of working to ensure that the replacement materials can be adequately emplaced~~
- ~~The specification of the materials to be used to replace excavated clay, taking into account the permeability of the sand and gravel.~~

~~**Reason:** To ensure groundwater flow continuity is restored in accordance with Policy E12 of the Minerals Local Plan and NPPF Chapter 10~~

~~42~~ **38**. Prior to the restoration/top soiling of each phase of the site an updated run-off assessment shall be completed taking into account the materials actually deposited in that phase and the permeability thereof. If necessary a revised Runoff Management Plan shall be developed to account for any changes in the

expected runoff and interflow. The assessment shall be submitted to the Mineral Planning Authority for written approval and the approved scheme implemented in full.

Reason: to prevent increases in flood risk accordance with accordance with **Policies DM04 and DM05 of the Gloucestershire Minerals Local Plan 2018 – 2032 and WCS12 of the Gloucestershire Waste Core Strategy (adopted November 2012).**

~~43~~ **39.** Prior to commencement of infilling a groundwater monitoring scheme and action plan shall be submitted to the Mineral Planning Authority for agreement in writing. Such approved scheme shall then be implemented in full. The scheme shall detail how the response of groundwater levels to the infilling of the site will be monitored, how unacceptable change will be recognised and how the proposed mitigation (i.e. enlarging the cross-site ditch) will be implemented.

Reason: To prevent increases in flood risk in accordance with **Policies DM04 and DM05 of the Gloucestershire Minerals Local Plan 2018 – 2032.**

~~44. Prior to the commencement of development a topographical survey of the site shall be submitted to the Mineral Planning Authority. Within 1 month of completion of the final restoration phase, a further topographical survey of the site shall be submitted to the Mineral Planning Authority, along with cross sectional drawings where necessary, to demonstrate that there is no net rise of ground levels as a result of the mineral extraction and restoration. In the event that a net rise in ground levels has occurred, the applicant shall submit a scheme showing additional groundworks to be undertaken to rectify the net rise ground levels along with a timescale for completion. Upon approval by the Mineral Planning Authority the scheme shall thereafter be implemented.~~

~~**Reason:** To ensure flood risk is not increased as a result of the mineral extraction and restoration is in accordance with Policy E11 of the Minerals Local Plan and NPPF.~~

40. Within 1 month of completion of the final restoration phase, a topographical survey of the site shall be submitted to the Mineral Planning Authority, along with cross sectional drawings where necessary, to demonstrate that there is no net rise of ground levels as a result of the mineral extraction and restoration. In the event that a net rise in ground levels has occurred, the applicant shall submit a scheme showing additional groundworks to be undertaken to rectify the net rise ground levels along with a timescale for completion. Upon approval by the Mineral Planning Authority the scheme shall thereafter be implemented.

Reason: To ensure flood risk is not increased as a result of the mineral extraction and restoration is in accordance with Policies DM04 and DM05 of the Gloucestershire Minerals Local Plan 2018 – 2032.

~~**Biodiversity/Ecology**~~

45. Prior to the commencement of development a topographical survey of the site shall be submitted to the Mineral Planning Authority. Within 1 month of completion of the final restoration phase, a further topographical survey of the site shall be submitted to the Mineral Planning Authority, along with cross sectional drawings where necessary, to demonstrate that there is no net rise of ground levels as a result of the mineral extraction and restoration. In the event that a net rise in ground levels has occurred, the applicant shall submit a scheme showing additional groundworks to be undertaken to rectify the net rise ground levels along with a timescale for completion. Upon approval by the Mineral Planning Authority the scheme shall thereafter be implemented.

Reason: To ensure flood risk is not increased as a result of the mineral extraction and restoration is in accordance with Policy E11 of the Minerals Local Plan and NPPF.

46. Prior to commencement of development a Biodiversity Mitigation Scheme shall be submitted to and approved in writing by the Mineral Planning Authority.

The Scheme should include details of measures for biodiversity conservation and be compiled by a suitably qualified ecologist. The Scheme shall be based on all relevant completed and proposed surveys carried out and on Sections 7 and 8 of Ecological Impact Assessment Final Report 15th August 2012 and the Environmental Statement Figures 3 to 11 inclusive. The Scheme shall include:

(a) pre-extraction and pre-restoration inspections or surveys
(b) appropriate measures for badgers which must include:
    (i) protection of disturbance to setts which may be achieved by specific sett stand offs plus generic hedgerow, ditch and canal stand offs covered by separate condition;
    (ii) creation of sloping escape ramps for badgers which may be achieved by edge profiling of excavations or by using planks placed into them.
(c) appropriate measures for bats including potential tree roosts
(d) appropriate measures for breeding birds as also covered by separate condition
(e) appropriate measures for otter and water vole
(f) appropriate measures for boundary features of hedgerows, field margins, ditches, watercourses and the canal
(g) Remedial/contingency measures should the measures above need to be varied to ensure mitigation and enhancement is successful;
(h) A work plan summary including a timetable of all surveys, assessments, mitigation measures to be carried out for each phase of the development
(i) personnel responsible for implementation and supervision of the scheme.

The scheme shall be carried out as approved by the Mineral Planning Authority.

Reason: To ensure that important biodiversity is conserved in accordance with paragraph 109 of the National Planning Policy Framework and Policy E8 and E10 of the Minerals Local Plan.

Tree Protection

~~47~~ **41**. Prior to the commencement of development the measures of the Arboricultural Method Statement and Tree Protection Plan as described in the Arboricultural Impact Assessment **dated July 2017** shall be implemented and all protective structures installed maintained until construction work has been completed. No materials, soils, or equipment shall be stored under the canopy of any retained tree within the application site.

Reason: To prevent loss of amenity and damage to trees to be retained including also conservation of legally protected species that could be present and in accordance is in accordance **with Policies DM01 and DM06 of the Gloucestershire Minerals Local Plan 2018 – 2032** and with National Planning Policy Framework paragraphs 109 and 118.

~~48~~. ~~Prior to the commencement of development, an invasive non-native species protocol shall be submitted to and approved by the Minerals Planning Authority, detailing the containment, control and removal of Japanese Knotweed on site. The measures shall be carried out strictly in accordance with the approved protocol.~~

~~**Reason:** To prevent spread or growth of an invasive non-native species and to protect species and features of recognised biodiversity importance and in accordance National Planning Policy Framework paragraphs 109 and 118~~

42. **Japanese Knotweed shall be control, contained and removed through the implementation of the approved Biodiversity Mitigation and Enhancement Strategy dated 12th October 2015 for the duration of the development.**

Reason: To prevent spread or growth of an invasive non-native species and to protect species and features of recognised biodiversity importance and in accordance Policy DM06 of the Gloucestershire Minerals Local Plan 2018 – 2032 and National Planning Policy Framework paragraphs 109 and 118.

~~49~~ **43**. A buffer or stand-off zone of at least 5 metres either side of all retained hedgerows and 16 metres of all retained ditches, watercourses and the canal shall be maintained. There shall be no activity ancillary to the extraction of mineral within the buffer or stand-off zones of these boundary features.

Reason: To protect the landscape and biodiversity importance of boundary features in accordance **Policies DM01 and DM06 of the Gloucestershire Minerals Local Plan 2018 – 2032**

44. Within 3 months of this consent a revised Biodiversity Mitigation and Management Strategy with measures to enhance and maintain the biodiversity of the site, including the site boundaries, hedgerows, buffers zones and the in-stream and riparian habitat of the watercourses through the site, shall be submitted to and approved in writing by the Mineral Planning Authority and implemented in full as approved.

Reason: To ensure that important biodiversity is conserved and improved in accordance with Policies DM05 and DM06 of the Gloucestershire Minerals Local Plan 2018 – 2032.

~~*50.* Prior to the commencement of the development a detailed Restoration Aftercare Scheme for the whole site and its aftercare for a period of 5 years shall be submitted to and approved in writing by the Mineral Planning Authority. The detailed scheme shall provide for the following:~~

~~(i) A summary of all restoration and aftercare processes to be implemented~~
~~(ii) The purpose, aims and objectives for the restoration of all quarry phases and areas in relation to the Figure 3C Revision dated 06-10-2014 and Figure 8E Revision dated 06-10-2014 but revised to provide additional and a greater extent of habitats including in-stream and riparian habitat of the Marston Meysey Brook and other watercourses, reedbed and swamp vegetation, wet grassland and standing water;~~
~~(iii) Selection of appropriate strategies for maintaining, enhancing or creating new habitat features including hedgerows, wet grassland and rush pasture, reed and swamp vegetation, ponds, ditches and watercourses~~
~~(iv) Full details of the creation of the new Ampney Brook channel to be designed to maximize its biodiversity value;~~
~~(v) Details for ground forming, soil, substrate, mineral preparation and habitat and vegetation establishment;~~
~~(vi) Sources of soil forming materials, plant stock and other species introductions;~~
~~(vii) Provisions for any Public Access and interpretation;~~
~~(viii) Disposal of wastes arising from the restoration;~~
~~(ix) Extent and location of proposed works shown on appropriate scale plans;~~
~~(x) Prescriptions and programme for initial aftercare and long term management;~~
~~(xi) The personnel responsible for the work;~~
~~(xii) Timing of the restoration operations in relation to phased working of the mineral site overall;~~
~~(xiii) The creation of a continuous band of grassland, scrub and wetland habitats along the southern boundary of the site~~
~~(xiiii) Proposals for monitoring the success of all restoration works and remediation as necessary.~~

~~The scheme shall be carried out as approved by the Mineral Planning Authority.~~

~~**Reason:** To conserve and enhance the landscape and biodiversity of a Strategic Nature Area as recognized by the Gloucestershire Nature Map and in accordance with paragraphs 109, 118 and 120 of the National Planning Policy Framework and Policies E10, R1 and R2 of the Minerals Local Plan.~~

Landscaping and Restoration

45. Within 3 months of this consent a detailed progressive scheme for the restoration, landscaping of the site and 5 year aftercare schemes shall be submitted for the written approval of the Mineral Planning Authority and

implemented in full as approved. The schemes should be based on the following:

- **Revised Phase drawings Dr-0011, Dr-0012, Dr-0013 and Dr-0011 dated 06/04/20;**
- **Figures 5, 6 & 7 dated November 2016;**
- **'Biodiversity Mitigation and Management Strategy' dated 12th October 2015;**
- **'Landscape Mitigation and Detailed Aftercare Scheme' dated February 2017;**
- **Proposed Access detailed in DR-0010 dated 06/04/20**
- **'Ecological Impact Assessment (2012) – Addendum Report' by Malfor Environmental dated 20th June 2019.**

Reason: To ensure that important biodiversity is conserved in accordance with Policies DM06 and DM09 of the Gloucestershire Minerals Local Plan 2018 – 2032 and Policy WCS14 of the Gloucestershire Waste Core Strategy (adopted November 2012).

46. Prior to the restoration of phase 6 as detailed in drawing DR-0013 dated 06/04/20 a final restoration and 5 year aftercare scheme shall be submitted to the Mineral Planning Authority of written approval and implemented in full as approved.

Reason: To conserve, restore and enhance the environmental value and amenity of the land and in accordance with Policies DM06, DM09 and MR01 of the Gloucestershire Minerals Local Plan 2018 – 2032

~~51. Prior to commencement of development a landscape scheme detailing the types and species of native shrubs/trees of local provenance for the enhancement and gapping up of the site's hedgerows shall be submitted for approval of the Minerals Planning Authority and thereafter undertaken and approved.~~

~~**Reason:** To provide additional visual mitigation and to provide for early completion of restoration of the area in accordance with NPPF Technical Guidance and Policies DC1, DC2 , DC8 and E10 of the Gloucestershire Minerals Local Plan 1997 - 2006.~~

Landscaping/Visual Amenity

47. Within 3 months of the date of this consent a revised landscape scheme based on the approved Landscape Mitigation & Detailed Aftercare Scheme dated Feb 2017 shall be submitted to the Mineral Planning authority for written approval and implemented in full as approved for the duration of the development.

Reason: To provide additional visual mitigation and to provide for early completion of restoration of the area in accordance with Policies DM01,DM06 and DM09 of the Gloucestershire Minerals Local Plan 2018

– 2032 and Policy . WCS14 of the Gloucestershire Waste Core Strategy (adopted November 2012).

~~52. No hedgerow, tree or shrub removal or soil stripping works shall take place between 1st March and 31st August inclusive unless a survey to assess the nesting bird activity on the site during this period has been undertaken and a method of working to protect any nesting bird interest found is established and then implemented.~~

~~**Reason:** To ensure that wild birds building or using their nests are protected as required by law~~.

48. No removal of hedgerows, trees or shrubs or soil stripping works to the ground shall take place between 1st March and 31st August inclusive unless a suitably experienced person has undertaken a careful, detailed check of the vicinity concerned for active birds' nests. No such woody vegetation should be cleared or soils stripped unless the suitably experienced person has given confirmation that no birds will be harmed or that there are appropriate measures in place to protect any identified nesting birds on the site. If any such measures are required these should be copied in writing in advance to the County Planning Authority for information and then implemented.

Reason: To ensure that breeding birds are protected as required by law and in accordance with Minerals Local Plan Policy DM06 of the Gloucestershire Minerals Local Plan 2018 – 2032, ODPM Circular 06/2005 plus National Planning Policy Framework paragraphs 170 and 175. This is also in accordance with Section 40 of the Natural Environment and Rural Communities Act 2006, which confers a general biodiversity duty upon Local Authorities.

Contamination/Pollution Control.

~~53~~ **49.** If, during development, contamination not previously identified is found to be present at the site then no further development shall be carried out until the developer has submitted, and obtained written approval from the Mineral and Waste Planning Authority for, a mitigation and remediation strategy detailing how this unsuspected contamination shall be dealt with and thereafter the scheme shall be implemented as approved.

Reason: To protect controlled waters in accordance with **Policy DM05 of the Gloucestershire Minerals Local Plan 2018 – 2032.**

~~54~~ **50**. Any facilities for the storage of oils, fuels or chemicals shall be sited on impervious bases and surrounded by impervious bund walls. The volume of the bunded compound shall be at least equivalent to the capacity of the tank plus 10%. If there is multiple tankage, the compound shall be at least equivalent to the capacity of the largest tank, vessel or the combined capacity of interconnected tanks or vessels plus 10%. All filling points, associated pipe works, vents, gauges and sight glasses must be located within the bund or have

separate secondary containment. The drainage system of the bund shall be sealed with no discharge to any watercourse, land or underground strata. Associated pipe work shall be located above ground and protected from accidental damage. All filling points and tank/vessels overflow pipe outlets shall be detailed to discharge downwards into the bund.

Reason: To prevent pollution of the water environment in accordance with **Policy DM05 of the Gloucestershire Minerals Local Plan 2018 – 2032.**

~~55~~ **51**. Prior to being discharged into any watercourse, surface water sewer or soak away system, all surface water drainage from parking areas and hard standings shall be passed through an oil interceptor designed and constructed to have a capacity and details compatible with the site being drained. Roof water shall not pass through the interceptor.

Reason: To prevent pollution of the water environment in accordance with **Policy DM05 of the Gloucestershire Minerals Local Plan 2018 – 2032**.

~~56~~ **52**. There shall be no discharge of foul or contaminated drainage from the site into either groundwater or any surface waters, whether direct or via soakaways.

Reason: To prevent pollution of the water environment in accordance with **Policy DM05 of the Gloucestershire Minerals Local Plan 2018 – 2032.**

Notes to applicant

1. It should be noted that the applicant will require Flood Defence Consent for the diversion and reconnection of theses watercourses. It is anticipated that Consent will be required from both the Environment Agency and the Lead Local Flood Authority as the Marston Meysey Brook is a main river here, but the Ampney Brook is an ordinary watercourse at this location. With regards to our role for main rivers, we are satisfied in principle that these alterations to the watercourses can take place, and the necessary protections relating to flood risk can be secured in detail at the Flood Defence Consent stage. (You may wish to seek a view from the LLFA on this matter in relation to their role for ordinary watercourses.) Hence we have not sought the above condition from a flood risk perspective as to do so would duplicate the requirements of the Flood Defence Consent process. However we consider it appropriate to secure the biodiversity provisions via a planning condition as the Consent process does not cover biodiversity considerations in as much depth as flood risk, and the biodiversity proposals may also need to link with the wider restoration proposals which are not controlled through the Flood Defence Consent,

<u>Ecology</u>

2. If a protected species (such as any bat, great crested newt, badger, water vole, otter, white-clawed crayfish, reptile, barn owl or any nesting bird) is discovered using a feature on site that would be affected by the development or construction work all work which might affect the species at the locality should cease. If the discovery can be dealt with satisfactorily by the implementation of biodiversity mitigation measures already approved by the Mineral Planning Authority then

these should be implemented. Otherwise a suitably qualified ecological consultant or Natural England should be contacted and the situation assessed before operations can proceed. This action is necessary to avoid possible prosecution and ensure compliance with the Wildlife & Countryside Act 1981 (as amended), the Conservation of Habitats and Species Regulations 2010 and/or the Protection of Badgers Act 1992. This advice note should be passed on to any persons/contractors carrying out the development.

3. In relation to the County Council's Service Level Agreement with the Local Biological Records Centre and to assist in the strategic conservation of countywide biodiversity, all species and habitat records from the ecological work commissioned by the applicant should be copied [preferably in electronic format] to the Gloucestershire Centre for Environmental Records (GCER).

APPENDIX 3

Waste Acceptance Criteria and Procedures

MORETON C CULLIMORE (GRAVELS) LTD

WHETSTONE BRIDGE FARM

ENVIRONMENTAL PERMIT APPLICATION EPR/GB3002MQ/A001

WASTE ACCEPTANCE CRITERIA AND PROCEDURES

1 INTRODUCTION

Moreton C Cullimore (Gravels) Ltd (MCC) operates an Environmental Management System (EMS) (accredited to ISO14001) which describes the management system that has been developed to ensure that MCC sites are operated and maintained by technically competent staff and are managed in such a way that the potential for environmental impact is minimised.

This document presents Waste Acceptance Criteria and Procedures for the operation of the Whetstone Bridge Farm waste recovery site (Whetstone Bridge Farm, Sheepenbridge Lane, Down Ampney, Gloucestershire) under Environmental Permit EPR/GB3002MQ.

2 WASTE ACCEPTANCE CRITERIA (WAC)

The waste types listed below are provided for by Environmental Permit EPR /GB3002MQ (the waste types provide for the importation of uncontaminated wastes from greenfield and brownfield developments):

Waste types

Exclusions
Wastes having any of the following characteristics shall not be accepted:
- consisting solely or mainly of dusts, powders or loose fibres
- hazardous wastes
- wastes in liquid form

Waste code	Description
01	**WASTE RESULTING FROM EXPLORATION, MINING, QUARRYING AND PHYSICAL AND CHEMICAL TREATMENT OF MINERALS**
01 01	**wastes from mineral excavation**
01 01 02	wastes from mineral non-metalliferous excavation
01 04	**wastes from physical and chemical processing of non–metalliferous minerals**
01 04 08	waste gravel and crushed rocks other than those mentioned in 01 04 07
01 04 09	waste sand and clays
17	**CONSTRUCTION AND DEMOLITION WASTES (EXCLUDING EXCAVATED SOIL FROM CONTAMINATED SITES)**
17 01	**concrete, bricks, tiles and ceramics**
17 01 01	concrete
17 01 02	bricks
17 01 03	tiles and ceramics
17 01 07	mixtures of concrete, bricks, tiles and ceramics other than those mentioned in 17 01 06
17 05	**soil (excluding excavated soil from contaminated sites), stones and dredging spoil**
17 05 04	soil and stones including chalk other than those mentioned in 17 05 03
17 09	**other construction and demolition wastes**
17 09 04	mixed construction and demolition wastes other than those mentioned in 17 09 01, 17 09 02 and 17 09 03

17 05 04 waste will be sourced from greenfield sites or will be waste of 'greenfield quality' sourced from brownfield sites (*i.e.* naturally occurring material for which there is no suspicion of contamination based on specific source site environmental risk assessment, supported as necessary by laboratory analysis).

The site will only receive waste which is compliant with inert WAC criteria.

No waste will be imported from any site where previous uses have included activities having a high ground contamination potential without the prior agreement of the Environment Agency. Such sites are listed in Table 2:

Table 2 High risk sites

- Garages and filling stations.
- Dry cleaners.
- Gas works, coke works and other coal carbonization sites.
- Current or former military land – except greenfield areas remote from potential sources of contamination.
- Railway engineering works.
- Former railway land.
- Non inert waste treatment, transfer or disposal sites.
- Timber treatment works.
- Former hospitals.
- Manufacturing works for vehicles, aircraft, coatings (paints and printing inks), cement, asphalt, pesticides, fertilizer, inorganic or organic chemicals, disinfectants or other manufacturing works with significant contamination potential.
- Iron or steel works.
- Mechanical engineering and ordnance works.
- Metal recycling sites.
- Oil or chemical storage sites.
- Textile works and dye works.
- Any other sites with significant contamination potential.
- Any site known to have been subject to contamination remedial works.

Waste producers will be required to verify that, to the best of their knowledge, waste source sites have not been subject to these activities. It may be possible to receive waste from sites which have been subject to these activities, although this will require the prior agreement of the Environment Agency and receipt of such waste may be subject to additional controls and restrictions.

Given that the permitted list of wastes provides for the receipt of inert waste from brownfield sites, independent verification testing (in addition to the waste characterisation and testing undertaken by the waste producer) will be undertaken by MCC. The independent verification testing required is set out in Table 3:

Table 3 Independent verification testing

- 1 No. sample of incoming waste is to be taken each month. The sample is to be labelled with the Waste Transfer Note number, the date of receipt at the site and the coordinates of the location where the waste load is deposited at the site.
- Each sample is to be securely stored and retained for a period of at least 12 months.
- Every 6 months, 3 No. samples taken during the preceding 6 months will be randomly selected and WAC tested in order to provide satisfactory assurance that the waste is compliant with inert WAC criteria.

The results of the independent verification testing will be retained and will be made available for inspection by the Environment Agency at any reasonable time. Any inert WAC non-compliant test

results will be reported to the Environmental Agency as soon as is practicable and discussions will then be held with the Environment Agency *re.* any requirement for additional testing.

3 WASTE ACCEPTANCE PROCEDURES (WAP)

Robust WAP are observed in order to ensure that imported waste deposited at the site complies with the provisions of the Environmental Permit.

The WAP are consistent with Environment Agency guidance document *'Environmental Permitting Regulations: Inert Waste Guidance. Standards and Measures for the Deposit of Inert Waste on Land'*.

The WAP observed require documented confirmation by MCC of the following for each waste consignment before the waste is deposited at the site:

1. The waste has been characterised by the waste producer, such characterisation being supported, as necessary, by source site specific environmental risk assessment and testing analysis and that the characterisation has been completed to MCC's satisfaction.

   All environmental risk assessment and testing analysis documentation will be retained by MCC and will be made available for inspection by the Environment Agency at any reasonable time.

2. Each waste consignment is accompanied by a Waste Transfer Note which correctly describes the waste.

3. The site is permitted to receive the waste under the provisions of the Environmental Permit.

4. The waste has been subject to visual and olfactory inspection upon initial receipt at the site and following unloading and that such inspection confirms that the waste is as described on the Waste Transfer Note and is permitted for deposit at the site under the provisions of the Environmental Permit.

Should any waste be received at the site which is not as described on the Waste Transfer Note and/or is not permitted for deposit at the site under the provisions of the Environmental Permit, full details of the consignment will be noted, the waste will be waste rejected/removed from the site and an incident report will be entered into the site diary.

July 2021

M C CULLIMORE (GRAVELS) LTD

WHETSTONE BRIDGE QUARRY

INERT TIPPING PROTOCOL

- All Inert waste must have a signed copy of our waste acceptance procedure completed by the producer of the waste agreeing to comply with the waste hierarchy. If a WAC test has been carried out this must be supplied before any removal off site.

- Upon entry to Whetstone Bridge Quarry the load will be weighed and the weight, ticket number along with the customer name and origin of the inert material must be recorded.

- A visual inspection of each load of waste will be carried out by M C Cullimore (Gravels) Ltd before (unless this is impractical) and after unloading.

- A sample will be taken monthly, and three random samples will be sent away to an independent consultant for WAC testing every six months.

- Waste returns will be submitted to the EA every quarter.

- Tip inspections will be carried out once per week by a qualified member of staff.

- The blade/machine operator will complete a site diary daily and will enter any non-conformity in the diary and contact the quarry manager.

- A general waste skip will be located in the tipping area in case any plastics or other non-inert materials are present.

- If a load is rejected a rejected load form must be completed and the site/customer will be informed.

The Cullimore Group of Companies

MORETON C. CULLIMORE & SONS LTD

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Gloucestershire
GL2 7PD

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Tippers & Curtain Siders
Warehousing & Distribution
Low Loader & Heavy Haulage
www.cullimoregroup.com

IMPORTANT NOTICE

Dear Customer

RE: Inert Fill

Waste acceptance procedure

Moreton C Cullimore Gravels are governed by strict regulations applied via the Environment Agency. This requires our company to vet the suitability of any inert arising's that we intend to re-cycle or use for restoration of our gravel pits.

As part of our operating procedures we require that you complete the waste acceptance form to identify who and where the waste has been generated. This forms part of the decision making process for suitability.

This form must be completed for each site from which you are removing waste.

Including your company SIC Code and by signing you are agreeing to comply to the waste hierarchy.

Duty of care transfer notes must accompany each load.

Please forward your completed form via email or fax.

If you have any questions please contact our offices on 01452 740326.

Yours sincerely

Andrew Barstow

Group Sales Manager
The Cullimore Group of Companies
Andyb@cullimoregroup.co.uk

THIRD PARTY WASTE ACCEPTANCE FORM

Customer Name		
Customer SIC Number		
Contact	**Tel:** **Fax:** **Mobile:**	**Disposal start date:**
***Project or Site name*:**	***Site Address:***	
Other relevant info:		

Process from which waste arises:	
Waste Description:	***Please tick box***
Mix of concrete, bricks, tiles & ceramics. EWC 17-09-14	
Soil & stone incl. natural sand & clay. EWC 17-05-04	
Soil & stone from gardens and parks. EWC 17-05-04	
Macadams (*recycled only)* *EWC 17-08-02*	

Has a site investigation been completed by the client?	**Yes**	**No**
Is there a full soils analysis available? (WAC test)	**Yes**	**No**
Have you forwarded a copy of the WAC test to MCC	**Yes**	**No**
M.C Cullimore Gravels will ONLY accept INERT waste and by signing you are confirming that you comply to the waste hierarchy.	**Yes**	**No**
Customer name **Signature**		

To be completed by MCC	**Inert fill**	**Re-cycled**
Proposed disposal site		
Date		

APPENDIX 4

Method Specification for the placement and compaction of imported inert fill

APPENDIX 4

Whetstone Bridge Farm - Method specification for the placement and compaction of imported inert fill

1. Fill Selection

The suitability of inert fill to be imported for construction works will be determined by staff having the appropriate level of technical competence with relevant qualifications gained from one of the accepted industry schemes.

Cohesive fill shall have a minimum undrained shear strength of 40kN/m^2 as determined by tactile site inspection based on the criteria set out in Table 13 of British Standard BS 5930:1999 (Code of Practice for Site Investigations).

2. Fill Placement and Compaction

General

2.01 The works will be undertaken by an experienced earthworks operator (Moreton C Cullimore (Gravels) Limited) in accordance with principles of best practice including British Standard BS 6031:2009 (Code of Practice for Earthworks).

2.02 Phased dewatering of earthworks construction areas will be undertake to ensure that the fill placement and compaction is undertaken in dry conditions.

2.03 Fill shall be tipped short of the position of its eventual placement. Following inspection and confirmation of suitability, the fill shall be dozed and graded into place by a tracked bulldozer (CAT D6 or equivalent).

2.04 Within each phase of filling, fill shall be placed and compacted in uniform layers and shall, as far as is practicable, be brought up at a constant rate to site formation level.

2.05 Cobbles, boulders, rock or waste fragments whose largest dimension is greater than two-thirds of the loose layer thickness shall not be incorporated into the fill.

2.06 No fill shall be placed and left uncompacted at the end of the working day.

2.07 Compacted fill shall be graded to falls to ensure free runoff of rainwater without ponding during construction.

2.08 Where fill material containing a large proportion of fine grained cohesive material (for example, clay) is used, filling during wet weather shall be avoided.

2.09 If there is only a limited amount of relatively free draining granular material available, it will be best to place it in layers interspersed between layers of more cohesive fill; this will assist drainage and thus reduce the time required for the more cohesive materials to consolidate.

2.10 Fill placement and compaction activities shall be routinely monitored by the technically competent person.

Layer thickness

2.11 Loose layer thickness shall be no greater than 500mm (no greater than 250mm in the uppermost 1.5m).

Compaction plant

2.12 A tracked bulldozer (CAT D6 or equivalent) will be used to spread the deposited fill into layers and to compact the fill.

2.13 The number of passes N is the number of times that each point on the surface of the fill layer being compacted is traversed by the track of the bulldozer. The minimum value of N to be adopted is 6.

APPENDIX 5

Landscape Mitigation and Detailed Aftercare Scheme – David Jarvis Associates (February 2017)

DAVID JARVIS ASSOCIATES

M C CULLIMORE (GRAVELS) LIMITED

LAND AT WETSTONE BRIDGE FARM, DOWN AMPNEY, GLOUCESTERSHIRE

PERMISSION REFERENCE 12/0015/CWMAJM

CONDITION Nº 45, 50 and 51

LANDSCAPE MITIGATION AND DETAILED AFTERCARE SCHEME

David Jarvis Associates Limited
1 Tennyson Street
Swindon
Wiltshire SN1 5DT
Tel: 01793 612173
Email: mail@davidjarvis.biz
February 2017

CONTENTS:

Figures

1787/C50/1 Landscape Proposals Management Areas
1787/C50/2 Marston Meysey and Ampney Brook Enhancement

APPENDICES:

1. Scheme of Progressive Restoration and Timescales
2. Template Monitoring Sheets
3. Tree Protection Plan
4. Indicative Tree and Shrub Pit Details

1. INTRODUCTION

1.1 This detailed Restoration Aftercare Scheme has been prepared for land at Wetstone Bridge, Down Ampney, Gloucestershire to meet the requirement of Condition 50 attached to Gloucestershire County Council Planning Permission reference 12/0015/CWMAJM which states:

Condition 50:

"Prior to the commencement of the development a detailed Restoration Aftercare Scheme for the whole site and its aftercare for a period of 5 years shall be submitted to and approved in writing by the Mineral Planning Authority. The detailed scheme shall provide for the following:

(i) A summary of all restoration and aftercare processes to be implemented.
(ii) The purpose, aims and objectives for the restoration of all quarry phases and areas in relation to the Figure 3C Revision dated 06-10-2014 and Figure 8E Revision dated 06-10-2014 but revised to provide additional and a greater extent of habitats including in-stream and riparian habitat of the Marston Meysey Brook and other watercourses, reedbed and swamp vegetation, wet grassland and standing water;
(iii) Selection of appropriate strategies for maintaining, enhancing or creating new habitat features including hedgerows, wet grassland and rush pasture, reed and swamp vegetation, ponds, ditches and watercourses
(iv) Full details of the creation of the new Ampney Brook channel to be designed to maximise its biodiversity value;
(v) Details for ground forming, soil, substrate, mineral preparation and habitat and vegetation establishment;
(vi) Sources of soil forming materials, plant stock and other species introductions;
(vii) Provisions for any Public Access and interpretation;
(viii) Disposal of wastes arising from the restoration;
(ix) Extent and location of proposed works shown on appropriate scale plans;
(x) Prescriptions and programme for initial aftercare and long term management;
(xi) The personnel responsible for the work;
(xii) Timing of the restoration operations in relation to phased working of the mineral site overall;
(xiii) The creation of a continuous band of grassland, scrub and wetland habitats along the southern boundary of the site
(xiv) Proposals for monitoring the success of all restoration works and remediation as necessary.

1.2 The detail presented in this scheme is also consistent with the requirements of Conditions 51 (Landscape/ Visual amenity) of the consent. The scheme also has interaction with other conditions including Condition 45, Marston Meysey and Ampney Brook Enhancement, Condition 46 (Biodiversity Mitigation Scheme), Condition 47 (tree protection) and Condition 48 (control of invasive weeds).

1.3 All operations for the aftercare of this site will be undertaken by the operator using suitably qualified personnel in accordance with the Biodiversity Mitigation Scheme prepared in accordance with the requirements of Condition 46 of the permission.

2. AIMS AND OBJECTIVES

General

2.1 This landscape management plan and aftercare scheme will:

I. Set out the overall objectives for the site restoration.
II. Describe how the proposed restoration and aftercare will be achieved.
III. Identify and set out for each management area:
   a. Specific restoration objectives;
   b. The current land use and present conditions within each compartment; and
   c. A programme of restoration and aftercare operations required in order to achieve the restoration objectives.

2.2 The overall objectives of the site restoration centre on assimilating the restoration landform into the surrounding landscape and enhancing habitats appropriate to the context of the Down Ampney and Meysey Clay Vale Lowland and Cotswold Water Park BAP objectives.

2.3 Specific objectives in relation to landscape, ecology and water management are outlined below.

Landscape Objectives:

- Introduce structural planting that reflects the best and most characteristic elements of the local landscape; and
- Establish vegetation on the restored landform at the earliest opportunity to reduce the visual presence of development
- Manage and where possible strengthen perimeter vegetation during the operational phase of the site: and
- Ensure the restoration scheme reflects the local landscape character.

Ecological Objectives:

- Reinforce connectivity between existing and restored habitats and the wider landscape.
- Enhance biodiversity within the restoration scheme through the creation and management of areas of wetland, hedgerow, grassland and riparian habitat to encourage invertebrates, reptiles, amphibians, mammals and at to the current bat foraging and commuting habitat along the River Thames; and
- Control threats to biodiversity such as spread of invasive and non-native species.

Water Management Objectives:

- Ensure self-sustaining and effective water management of rainfall and groundwater: and
- Seek opportunities to benefit wildlife interest in the profiles of the restored water features.

3. DETAILED RESTORATION PROPOSALS

General

3.1 The detailed restoration proposals for the site are shown on plan reference 1778/C50/1A. This is based on Figure 8E, dated 06102014 which forms part of the approved restoration documents for the site. The plan includes additional information in relation to the proposed enhancement of the Ampney Brook.

3.2 The proposals seek to restore the site to a mix of planted and naturally regenerating wetland, grassland, hedgerows and areas of farmland. The latter will safeguard the best and most versatile soil resources on site.

3.3 All operations within the extension site will be carried out in accordance with the Biodiversity Mitigation Scheme prepared in accordance with the requirements of Condition 46 of the permission.

3.4 A copy of the Biodiversity Mitigation and Enhancement Strategy has been submitted to the authority parallel to this scheme. It will be implemented at the outset of development and will be adhered to until the completion of the all construction and restoration work.

Scheme of Progressive Restoration

3.5 The restoration of the quarry would be carried out on a progressive basis in six phases. The inferred restoration timescales are provided at Appendix 1. A summary description of the operations is provided below.

Preliminary Operations and Phase 1 Extraction

3.6 The preliminary works would comprise the formation of the permitted site access to the C116/C124 Eastern Spine Road. This will require the removal of a section of hedgerow from the northern site boundary. The timing of operations will be carried out in accordance with the prescriptions of the Biodiversity mitigation scheme (i.e. ideally outside the bird nesting season).

3.7 To assess the presence of protected species (particularly badger, water vole, otter or breeding birds) an ecological walkover survey will be undertaken prior to any soil stripping or vegetation removal. The findings will determine the need for any further mitigation.

3.8 Prior to the stripping of soils within Phase 1 and the Plant Site area (Phase 6) marker posts will be installed to demark a 5m undisturbed standoff margin to all retained hedgerows and 16m undisturbed standoff margin to retained ditches. In-situ topsoil and subsoil resources will be stripped and stored in amenity bunds around the perimeter of Phases 1 to 5.

3.9 Once preliminary works have been completed extraction from the mineral reserve from Phase 1 will commence. The mineral reserve within Phase 1 will take approximately 2-3 months to extract with mineral being taken to an as raised stockpile within the plant site.

Phases 2 and 3 Extraction

3.10 Prior to the stripping of soils within Phase 2A marker posts will be installed to demark the undisturbed margins to retained hedgerows, Marston Meysey Brook and mature bankside trees. An ecological walkover survey will be undertaken prior to any soil stripping operations in accordance with the prescriptions of the Biodiversity mitigation scheme.

3.11 Topsoil would be stripped from Phase 2A and stored around the perimeter of the Phase. Subsoil would be stripped and used to assist in the construction of the silt ponds within Phase 1. Once the extraction face within Phase 2A has advanced sufficiently stored subsoils will be used to form the small permitted water body. It is anticipated that the extraction and restoration operations within Phase 2A would be carried out within an eight week period.

3.12 Topsoil would then be stripped from Phases 2B and 3 and stored temporarily within perimeter soil stores around the site. Subsoils and excavated clays will be used in the construction of silt lagoons and clean water ponds within Phase 1.

3.13 Phase 2b and 4 (in part) are located on slightly higher ground and are less prone to flooding events than the remainder of the site. It is intended that the mineral reserve within these Phases are worked when flooding prevents the working of Phase 3 and 5.

Phases 4 and 5 Extraction

3.14 Phase 4 and 5 would be worked simultaneously according to flood incidents. Prior to the stripping of soils an ecological walkover survey would be undertaken. Marker posts would define the standoff margins to retained water features, bankside trees and hedgerows.

3.15 Towards the end of the Phase 4 extraction operations it is anticipated that Phase 3 will have reached the formation level for final restoration and replacement of subsoil and topsoil. Soils stripped from Phase 4 will be progressively used in the restoration of the Phase 3 farmland.

3.16 Following the stripping of soils, extraction of the mineral reserve from Phase 4 and 5 will commence in the south of the phase working in a northerly direction. Residual mineral at the eastern end of Phase 3 would then be worked at this time. This section of reserve contains a minor field ditch. This area would be worked relatively rapidly under suitable weather conditions in order that the resulting void can be backfilled and a replacement drain reconnected as soon as practicable.

3.17 Soils progressively stripped from Phase 4 will be used to restore Phase 3. The enhancement to the channel of the Ampney Brook and Marston Meysey Brook will be established during the working of Phase 5 in accordance with the details prepared in relation with Condition 45 of the permission.

Phase 6 Extraction and Final Restoration Operations

3.18 The extraction of the mineral reserve within Phase 6 will commence following the removal of the plant site. The mineral would be extracted to an as raised stockpile and transported to another processing facility owned by the company. Works would coincide with the infilling works in Phase 4 and 5.

3.19 The silt and clean water lagoons will be subject to minor restoration operations to provide shallow edge profiles suitable for the development of areas of varied marginal wetland vegetation.

3.20 Following the completion of infilling within Phase 6 the remaining temporary soil stores around the perimeter of the site will be used to complete the agricultural restoration of Phase 6. In accordance with the sites Biodiversity Mitigation Strategy a pre-restoration survey will be carried prior to the removal of soils from temporary storage. In the event protected species are not found to be present within the temporary soil stores it is envisaged that the plant site and lagoon area will be restored to areas of farmland and wetland habitat within 18 months following the completion of infilling operations within the site.

Handling of Materials

3.21 All soil handling operations will be carried out in accordance with the guidance set out within the 'Good Practice Guide for Handling Soils' produced by MAFF (now DEFRA).

3.22 Soil stripping operations will preferably be undertaken during the autumn. This period is outside the main bird breeding season, and avoids the need for a pre-works inspection to determine the presence of nesting birds.

3.23 In the event soil stripping takes place during the bird nesting season (March to September inclusive) then a nesting bird inspection immediately prior to the commencement of works will be undertaken by a qualified ecologist, ornithologist or other suitably qualified individual. If nesting birds are present work in that area must cease until the nest is clear. This will involve the setting up of exclusion zones and holding a watching brief on the area to establish when the nest is clear. Work in other areas can continue as agreed with the ecologist.

3.24 Ideally, soils will be placed directly in order to avoid double handling. There may however be occasions when it is necessary to temporarily store soils in order to facilitate operational requirements.

3.25 Plant and vehicles will not cross any area of the replaced and loosened ground or replaced topsoil except where essential and unavoidable for purposes of spreading soils or beneficially treating such areas. Wherever practicable, soils will be lifted into position and levelled by equipment standing on the surface of the prepared ground.

4. MANAGEMENT AREAS AND AFTERCARE PROPOSALS

General

4.1 This management and aftercare scheme has divided the quarry into a number of management areas. These represent the restoration work areas and intended management prescriptions. These, along with the approved detailed restoration proposals and planting specification, are shown on plan reference 1787/C50/1A.

4.2 The management and aftercare prescriptions will be implemented by a suitably qualified Landscape or Arboriculture Association approved contractor as required. All materials, operations, workmanship and quality should be carried out in accordance with relevant industry regulations, British standards, HSE standards or appropriate code of practice.

Commencement of Aftercare

4.3 Immediately following the placement of restoration soils within any management area, the company will inform the Mineral Planning Authority of the completion of the restoration landform in that specific area and give prior notice of the commencement of soil cultivation/ planting and/or seeding operations. The programme of aftercare would operate for a period of 5 years following the completion of the planting and seeding works within that area.

Annual Monitoring

4.4 During the five year aftercare period an annual site inspection will be carried out by a landscape professional in association with an ecologist and arboriculturist (if required). The purpose of the inspection is to monitor the effectiveness of the current management and aftercare operations in achieving the objectives for each of the management categories. The inspection will include representatives of the landowner(s), the site operator and the Mineral Planning Authority. If considered necessary the aftercare plan would be revised and operations for the following year adjusted, as a practical means of dealing with the management of the site.

4.5 Five years after the commencement of the development and every five years thereafter until the cessation of the development an aftercare report shall be submitted to the Mineral Planning Authority. The report for the preceding five year period shall:

- Confirm the progress of restoration works against the agreed restoration scheme; and
- Record the aftercare and other operations carried out on the restored land.

Remedial Works

4.6 The requirement for any remedial works and/or contingency measures would be reviewed on an annual basis as described above.

Management Areas Associated with the Wetstone Quarry Site

4.7 Four management areas have been identified for the application site. These are listed below:

- AREA A: Wetstone Farmland
- AREA B: Wetstone Bridge Pond
- AREA C: Marston Meysey and Ampney Brook Corridors
- AREA D: Ampney Brook Wetlands

General Management Advice

Tree Works

4.8 Where tree surgery is planned as part of this management plan or in the event that remedial works for health and safety reasons are required, the potential for bats to be present must be assessed prior to the works being carried out. Identification of features such as rot holes, split limbs or loose bark could be undertaken by an arboriculturalist in the first instance with subsequent assessment and survey works by a suitably qualified ecologist as appropriate.

4.9 Any tree surgery works or removal of vegetation shall be undertaken in accordance with the requirements of BS 3998:2010 'Tree Work Recommendations' and BS 5837: 2012: Trees in Relation to Design Demolition and Construction. Any necessary tree works will be carried out between November and February to avoid the bird nesting season.

Weed Control

4.10 Measures to control and potentially eradicate a small stand of Japanese Knotweed which lies outside the extraction areas south of the site (shown on Drawing No 1778/C50/1 will be carried out in accordance with the sites 'invasive non-native species protocol' as outlined within the Biodiversity and Mitigation and enhancement strategy.

4.11 All undisturbed areas of the site and all temporary soil and overburden mounds used in the restoration of the site shall be kept free from agricultural weeds. Cutting or spraying will be undertaken to control plant growth, prevent the production of seed and the subsequent spread of weeds into adjoining agricultural land.

4.12 Weeds will either be cut prior to seeding to prevent further spread, or alternatively spot treated with a chemical spray approved by Natural England and the Environment Agency as suitable for use on weeds in or near waterbodies and as recommended by a BASIS qualified advisor.

4.13 Application of chemical spray will be carried out by a suitably qualified operative, under appropriate weather conditions as a suitable means of control for persistent weeds.

Replacement Planting

4.14 Prior to undertaking replacement planting, the likely cause of loss will be assessed to allow for an adjustment of species or specification. Replacement planting will be undertaken in the first available growing season and unless otherwise agreed with the Mineral Planning Authority, will be of local provenance and match the species and specification lost in order to achieve 90% establishment at year 5.

Management Areas

4.15 The detailed objectives, restoration operations and aftercare prescriptions for each of the above management areas are described below.

AREA A: WETSTONE FARMLANDS

Intended Purpose/ Function:

Landscape Enhancement/ Agricultural Land Reinstatement

Current Conditions:

Area A comprises two arable fields. The eastern and western boundaries of which are delineated by the route of the Marston Meysey Brook and a field ditch respectively.

The northern boundary is defined by a mature species rich hedgerow comprising hawthorn, blackthorn, English elm, field maple, ash, crack willow, dog rose, elder eared - willow, spindle, dogwood, wild privet, wayfaring tree and guilder rose.

The northern part of the eastern boundary comprises a hedgerow which includes hawthorn, dog rose, spindle, elder, pendunculate oak and ash.

The arable land is divided into two fields by a central field ditch. The northern extents of the ditch adjoin a small triangle of scrub woodland comprising in the main ash and crack willow. A Mature Crack willow is located along the west bank of the ditch which drains broadly north to south into the Ampney Brook which forms the southern boundary of the management area.

All ditches within the area are steep-sided, trapezoidal channels approximately 2-4m wide at the bank top and approximately 1.5m to 2m deep.

The ditches were cleared of vegetation during 2008 but have since revegetated to support common instream and marginal plants including; common water stagwort, fools watercress, yellow flag iris, common reed mace, red canary-grass, reed sweet grass, water mint and water plantain.

Restoration Proposals:

Blend the restored land into the wider local countryside through the reinstatement of best and most versatile farmland and enhancement of the hedgerow network.

Restoration Operations:

Prior to operations within Phases 1 to 6 a minimum 5m retained grassland standoff margins to existing hedgerows and 16m standoff to watercourses and 5-16m standoff buffer to retained bankside trees will be demarked and observed throughout the permitted extraction and infilling operations.

At the outset of operations the new hedgerow along the western site boundary will be established during the first available planting season. The two fields of farmland would be progressively extracted and restored to farmland utilizing site won and imported inert restoration materials.

After the placement of restoration fill materials the surface of the lower restoration soils will be ripped to a depth of approximately 300mm to relieve compaction. Stockpiled topsoil around the perimeter of the site or directly placed soils will be spread across the restoration area to a depth no less than 250mm.

In order to bind the restoration surface and prevent erosion of the restored

farmland the restored landform will be initially seeded with a grass ley. The grass seed mix will either be broadcast or drilled at the required rate and would preferably be sown in two passes (i.e. sow the entire area at half the rate twice).

Where practical in the event of dry weather and loose soil at the time of seeding the seeded areas will be rolled. Preferably rolling should be undertaken using a ribbed roller to leave small cleats in the surface to provide a degree of wind protection for emerging seeds. Rolling will not be carried out in wet conditions so as not to damage and/or compact the soil surface.

The agricultural aftercare programme would operate for a period of 5 years following the sowing of the first aftercare crop. It will focus on bringing the land to the required standard over the management period.

At the end of the 5 year aftercare period the company will supply details of the aftercare operations including:

- The procedure whereby the first and subsequent seedbed was prepared (except if the crop was a continuation of a grass ley).
- The results of any soil analysis carried out.
- Amount and kinds of fertilizer and top dressing applied.
- Amounts and kinds of herbicides used.
- Details of any other treatments used (e.g. growth regulators)
- Yields achieved.

Area A: Retained Grassland Margin Management Objectives:

- Maintain the current grassland habitat and manage to enhance its quality and associated plant and invertebrate communities in the longer term.

Area A: Retained Grassland Margins Management Actions:

1.	Cut a 50% length of grassland habitat in different months twice annually for the first two years to encourage varied species seeding and draw out nutrients, collect and remove arisings.	Annually *(June and September)*
2.	Cut all areas annually once thereafter, alternating between August and September to allow differential wildflower seeding, collect and remove arisings.	Once Annually Year 3 onwards *(alternating August and September)*

Area A: Existing Scrub Woodland Management Objectives:

- Retain and protect existing native scrub woodland.
- Retain dead wood habitat where safety allows.

Area A: Existing Scrub Woodland Management Actions:

1.	Monitor existing woodland and for signs of defects or poor health to determine whether any works are necessary to ensure general good health.	Annually *(between October to November)*
2.	Fallen and standing deadwood robustly attached to the tree or located in where it does not pose a health and safety risk should be preserved in situ for the benefit of saprophytic organisms, invertebrates and refuge opportunities for small mammals.	Annually *(October/November)*

	Dead wood requiring removal can be partially buried in areas of scrub woodland within the site where it will not impede the rooting systems of retained trees, ideally within areas with limited or no ground cover. The deadwood should be buried so approximately 50 % is below ground.	

Area A: Field Ditches Management Objectives:

- Maintain the function of existing and reinstated field ditches.

Area A: Field Ditches Management Actions:

1.	Inspect surface water drain function, vegetation establishment and bank stability. Review requirement for the removal of silt debris and/or vegetation. • Bankside vegetation would be trimmed only if it is significantly impeding flow. Vegetation would be removed from one side of ditch in any one year. • Silt debris would only be removed if drainage function is impeded. A maximum of 50% of the dich would be cleared in any one year.	Reviewed Annually *(As required between November to February)*
2.	Reed encroachment to be managed by rotational cutting. i) Reeds will be cut as required on a rotational cutting programme ii) Reed cutting to take place in the winter and will be completed before the bird nesting season (end of February). Reeds to be cut with appropriate machinery. iii) The cut reed will be removed from site.	Annually on a five year cycle *(December – January if ground conditions permit)*

Area A: Hedgerow Management Objectives:

- Maintain and enhance hedgerow habitat to reinforce local landscape characteristics and improve potential for foraging and wildlife movement across the site.

Area A: Hedgerow Management Actions:

1.	Monitor existing hedgerow for any signs of defects or poor health to determine whether and works are necessary to ensure general good health.	Annually *(October/ November)*
2.	Any new sections or gapped up section of hedgerow will be inspected in order to check mulch matting and protective measures. Any dead or dying species will be replaced as outlined in Section 4.14. Following establishment all new and infill planting will be managed in accordance with the regime for existing hedgerows.	Annually *(October/ November)*
3.	Existing hedges will be maintained at a height of approximately 2.5m – 3m.	Annually on a 3 year cycle *(January to February,*

- Hedges will be cut to an 'A' Shape;
- Cuts done in alternate sides, in alternate years;
- Cutting to be carried out ideally in January or early February; and
- Prior to hedge cutting any young hedgerow trees will be clearly tagged to avoid damage from cutters during hedge cutting operations.

if ground conditions permit)

Area A: Farmland Management Objectives:

- Reinforce local landscape characteristics and bring land back to the required standard.
- Establish and maintain vegetation cover of sufficient quantity and extent on the restored landform so as to prevent physical damage and/or erosion to the restored surface.

Area A: Farmland Management Actions:

	Year 1	Year 2	Year 3	Year 4	Year 5
Jan		**Grazing** (*Subject to suitable ground conditions)*	**Proposed crop details recorded**	**Proposed crop details recorded**	**Proposed crop details recorded**
Feb	**Cultivate seed bed** **Fertiliser Applied** *(Subject to seasonal conditions and soil analysis results)*		**Fertiliser Applied** *(subject to seasonal conditions and soil analysis results)*	**Fertiliser Applied** *(subject to seasonal conditions and soil analysis results)*	**Fertiliser Applied** *(subject to seasonal conditions and soil analysis results)*
Mar	**Grass Crop seeded** *(e.g. Italian Ryegrass)*	**Soil test** *(If soil nutrient index has been identified as very low)*			
Apr		**Secondary cultivation** *(e.g. Grass harrowing and flat rolling)*	**Fertiliser and spray applications** *(tailored to suit the chosen arable crop, and carried out at appropriate times during the growing season)*	**Fertiliser and spray applications** *(tailored to suit the chosen arable crop, and carried out at appropriate times during the growing season)*	**Fertiliser and spray applications** *(tailored to suit the chosen arable crop, and carried out at appropriate times during the growing season)*
May	**Fertiliser Application** *(Subject to soil analysis results)*	**1st cut** *(in case of Silage)*			
Jun		**1st cut** *(in case of Hay)*			
Jul	**1st cut Silage**				
Aug/Sep	**Land Drainage Works** *(If required)* **Localised reseeding and secondary cultivation** *(e.g. Grass harrowing and flat rolling)*	**2nd cut** *(in case of Silage*) **Spray of grass sward and/or plough.** **Cultivate seed bed for winter cereal crop**	**Cultivate seed bed for winter cereal crop**	**Cultivate seed bed for winter cereal crop**	**Cultivate seed bed for winter cereal crop**
Oct					
Nov	**Grazing**	**Soil test**	**Soil test**	**Soil test**	**Soil test**

	(*Subject to re-growth and suitable ground conditions)*	*(If soil nutrient index has been identified as very low)*	*(If soil nutrient index has been identified as very low)*	*(If soil nutrient index has been identified as very low)*	*(If soil nutrient index has been identified as very low)*
Dec	**Grazing** (*Subject to suitable ground conditions)*				**5 year Aftercare report submitted.**

AREA B: WETSTONE BRIDGE FARM POND

Intended Purpose/ Function: Biodiversity Enhancement/ Landscape Enhancement

Current Conditions: The small waterbody is yet to be formed.

Restoration Proposals: Improve local scenic quality and enhance the diversity of marginal habitat through the creation of a water feature which provides differing habitats for a diverse range of naturally regenerating marginal vegetation.

Restoration Operations: The pond will be constructed during Phase 2A of the restoration operations which are anticipated to be carried out within an eight week period.

Stored overburden and subsoil materials will be placed within the extraction void once the extraction face within Phase 2A has advanced sufficiently. The profile of the pond has been designed to incorporate a varied edge profile to increase the structural diversity of habitat and encourage a wider colonisation of marginal plant species.

Where practical, the graded restoration slopes will be prepared using a bull-dozer to track in the direction of the slopes. This will create "cleat" marks (along the contour) in the surface suitable for the retention of soils on the slope profiles.

Following the formation of the final restoration layer low nutrient soils shall be spread to a maximum depth of approximately 150mm. The lake margins will then be seeded to prevent erosion and planted with native tree species to enhance visual interest.

Area B: Wildflower Grassland Vegetation Management Objectives:

- To establish and maintain areas of wildflower grassland at the earliest opportunity to reduce the visual presence of development.

Area B: Wildflower Grassland Management Actions:		Timings
1.	Control encroachment of invasive weeds and non-native species by spot treating with selective herbicides or physical removal.	Annually *(between May to August)*
2.	Where areas of vegetation have failed to establish, reseed with appropriate grass seed mix in spring or autumn	As required
3.	Undertake First Cut, leave arisings in situ for 1 week to encourage seeding, remove arisings after one week and dipose of off-site.	When grass sward has reached c.50mm or weed cover is 300mm high.

4.	Undertake second cut , leave arisings in-situ for 1 week to encourage seeding, remove arisings after one week and dipose of off-site.	Spring sown: Second cut 16 weeks after sowing or in September. Autumn Sown: Cut in April.
3.	The grassland area will be cut twice in different months for the first two years to remove excess grass growth, arising should be left for one week to encourage seeding by a variety of species, before removal to draw out nutrients.	Years 1 and 2 *(twice annually June and September)*
4.	Once established the grassland will be cut once annually (alternating between August and September) to allow differential seeding.	Once Annually from Year 3 onwards *(Alternating August and September)*

Area B: Tree Planting Management Objectives:

- Develop and maintain areas of waterside tree planting to benefit visual interest.

Area B: Tree Management Actions:		**Timings**
1.	Monitor tree planting for any signs of defects or poor health. If trees show signs of poor growth with no observable pests or diseases, aerate the root area and apply a general fertilizer as appropriate and in accordance with manufactures specification.	Annually *(October/ November)*
2.	Crown prune young trees by removing any dead branches and reducing selected side branches.	As required *(Between November to February)*
3.	Remove ties and stakes once tree has established.	N/A

Area B: Aquatic Margins Management Objectives

- To establish and maintain areas of marginal vegetation with the intention of creating a dense, vegetative barrier around the ponds throughout the year, to inhibit the movement of large waterfowl. Phragmites australis should be allowed to dominate to create these conditions.

Area B: Aquatic Margins Management Actions		**Timings**
1.	Control native naturally regenerating vegetation only where this becomes invasive and hinders the development of varied marginal vegetation.	Annually *(between November to February)*
2.	In order to maintain a varied range of habitat the pond should be the subject to differing levels of shade by bankside scrub/trees ranging between 5-20% of the margins. Excess scrub growth will be removed during the winter period.	Annually *(between November to February)*

AREA C: MARSTON MEYSEY AND AMPNEY BROOK CORRIDORS

Intended Purpose/ Function:

Water Management/ Biodiversity Enhancement.

Current Conditions:

The Ampney Brook flows broadly west to east along the southern boundary of the application site draining into the Marston Meysey Brook which in turn drains into the River Thames, approximately 0.4km to the south east of the application site.

The existing trapezoidal channel of the Ampney Brook is over-deep with steep bank sides which leads to a uniform channel with a limited diversity of common and widespread instream and marginal vegetation. The western extent of the brook includes three mature trees. These trees have dead wood within their canopy, are ivy clad and or contain holes/ crevices and provide potential bat roost habitat.

Towards the centre of the southern boundary the watercourse passes through a narrow strip of scrub woodland. The woodland includes a mix of native species including: guelder rose, wayfaring tree, spindle, silver birch, wild cherry, hazel, crack willow as well as non-native/introduced species including sycamore, Italian alder, cherry laurel, scots pine and Lawson cypress.

The Marston Meysey Brook forms the eastern site boundary. The brook is defined by a number of mature bankside ash, oak and crack willow trees which in combination with dense bankside vegetation heavily shade the existing channel of the brook.

Restoration Proposals:

Retain, protect and where possible enhance existing woodland scrub habitat adjoining the Brook. Enhance the current diversity of marginal habitat of the water channel and surrounding grassland habitat to benefit invertebrates, reptiles and small mammals. Enhance the current foraging habitat for bats and birds adjacent to the River Thames.

Restoration Operations:

The existing west bank of the Marton Meysey brook will be lowered at locations between the retained bankside trees to form a series of low level berms up to 5m wide and approximately 0.5m above the river bed.

An approximate 230m length of new channel will be constructed as part of the Ampney Brook enhancement operations. The channel enhancement works will undertaken as part of the Phase 5 restoration operations. All works will be in accordance with the details submitted under Condition 45 of the permission contained within the sites Biodiversity Mitigation and Enhancement Strategy.

The profile of the new Ampney Brook has been designed to vary the width and profile of the channel to increase the structural diversity of habitat and encourage a wider colonization of marginal plant species and encourage a range of in-channel processes such as deposition and scour. Cross sections of the proposed enhancement works are are shown on plan reference 1787/C50/2A.

The design concept allows for a high flow corridor (approximately 20m wide) within which is set a low flow channel. The low flow channel will be on average 1m wide and 0.5m deep with a +/- 20% variation on the average width and depth to encourage the formation of in channel geomorphic features such as riffles, bars and pools.

The existing low flow channel of the brook will be narrowed by either reducing the width with a narrow berm along the north bank or by forming a narrow berm on the opposite side at the base of the retained south bank taking into account bankside constraints such are retained mature trees.

It is not intended to undertake any planting within the new brook corridor other than the hedgerow which provides a buffer to the adjoining arable land. The rear edges of the wider high-flow channel will be seeded as shown on plan 1787/C50/1A.

Area C: Retained Bankside woodland/ Trees Management Objectives:

- Retain, protect and enhance the age structure of existing native trees.
- Retain dead wood habitat where safety allows.

Area C: Retained Bankside woodland/ Trees Management Actions:		Timings
1.	Monitor existing bankside trees and woodland and for signs of defects or poor health to determine whether any works are necessary to ensure general good health.	Annually *(between October to November)*
2.	Fallen and standing deadwood robustly attached to the tree or located in where it does not pose a health and safety risk should be preserved in situ for the benefit of saprophytic organisms, invertebrates and refuge opportunities for small mammals. Dead wood requiring removal can be partially buried in areas where it will not impede the rooting systems of retained trees, ideally within areas with limited or no ground cover. The deadwood should be buried so approximately 50 % is below ground.	Annually *(October/November)*
3.	Remove (on a phased basis) non-native species where these are no longer required for screening purposes. Kill stumps. Use Brash, logs and grass cuttings from habitat management of the area to create vegetation piles in areas of surrounding woodland. Dead and decaying wood should be retained in situ, where safety allows.	Annually *(between November to February)*

Area C: Grassland Management Objectives:

- Facilitate the establishment and successional development of species rich grassland to enhance foraging areas for bats, grass snake as well as common and widespread bird species.

Area C: Grassland Management Actions:		Timings
1.	Control vigorous invasive species or notifiable weeds by spot treating with selective herbicides or physical removal.	Annually *(between May to August)*
2.	Where areas of vegetation have failed to establish, re-seed with appropriate grass seed mix in spring or autumn.	As required
3.	Once grassland has established sufficiently cut grass sward to a height of 40-70cm to remove excessive grass growth.	Undertake first cut when sward has reached 50mm or weed cover is 300mm high.
4.	The grassland area will be cut twice in different months for the first two years to remove excess grass growth, encourage seeding by varied species and draw out nutrients.	Annually *(June and September)*
5.	Once established the grassland will be cut once annually (alternating August and September) to allow differential seeding. Arisings will be left in situ to dry and shed seed for 1 – 7 days (depending on prevailing weather conditions) before being collected and deposited into habitat piles within areas of adjoining woodland where there is little or no ground flora.	Once Annually from Year 3 onwards *(Alternating August and September)*

A margin approximately 1-2m wide around the edge of the grassland should be left uncut (this can move location year by year) to provide refuges for small mammals and reptiles.

Area C: Scrub Thickets Management Objectives:

- Establish and maintain areas of dense native scrub thicket a minimum 2m high to provide refuges and nesting habitat for bird small mammals within adjoining grassland habitat.

Area C: Scrub Thickets Management Actions:		Timings
1.	Control encroachment of invasive weeds and native species which hinder the development of scrub thicket.	Annually *(between May and August)*
2.	Following the initial establishment of scrub cut back scrub within thicket to half its height to promote bushy growth.	Once following initial establishment
3.	In order to maintain diversity in age structure of scrub habitat thickets will be managed by a programme of rotational cutting of thickets throughout management area. All cuttings will be collected and deposited into habitat piles within areas of adjoining woodland where there is little or no ground flora.	Annually On a rotational cycle *(Between – November to February)*

Area C: Brook Management Objectives:

- Maintain the free passage of water.
- Create and maintain suitable bank profiles and gradients to facilitate the natural colonization and establishment of a diverse range of instream and marginal vegetation.

Area C: Brook Management Actions:		Timings
1	Inspect surface water function, vegetation establishment and bank stability. Review the requirement for the removal of silt debris and/or vegetation	Annual inspection
	• Naturally regenerating bankside vegetation will be trimmed only if it is significantly impeding water flow. Vegetation will be removed from one side of the channel in any one year. • Silt/debris will only be removed if drainage function is impeded. A maximum of 50 % of the ditch length will be cleared in any one year.	As required *(between November to February)*
2	In order to maintain a varied range of habitat the water channel should be subject to differing levels of shade by bankside scrub and trees ranging between 5% - 20% of the margins. Excess scrub growth will be removed during the winter period.	Annually *(between November to February)*
3.	Control native naturally regenerating vegetation (self seeding willow) only where this becomes invasive and hinders the development of varied instream and marginal vegetation.	Annually *(between November to February)*
4.	If by year 3 the intended diversity of naturally regenerating instream and marginal vegetation within the low flow channel is failing to establish appropriate remedial action will be undertaken as outlined in section 3.11 of the Sites Biodiversity Mitigation Strategy.	Review Year 3

AREA D: AMPNEY BROOK WETLANDS

Intended Purpose/ Function: Biodiversity Enhancement

Current Conditions: The Lagoons within Area D are yet to be constructed. They will form part of the quarries water management and treatment facilities during the operational period. Based on the companies adjoining operations at Roundhouse Farm it is likely that the margins will naturally regenerate vegetation during the operational period.

Restoration Proposals: Enhance the diversity of marginal habitat of the waterbodies and surrounding grassland habitat to benefit invertebrates, reptiles and small mammals. Enhance the current foraging habitat for bats and birds adjacent to the Ampney Brook.

Restoration Operations: The water treatment and management function of the waterbodies will be retained throughout the extraction and processing operation.

Restoration works will form part of the plant site restoration operations and will focus on enhancing diversity of habitat within the retained waterbodies.

The southern and western margins of the retained waterbodies will be cleared to allow a mosaic of habitats to develop from open water, through marginal aquatic vegetation to wet grassland habitat. Management operations thereafter will focus on maintaining diversity of habitat.

A series of small ponds and scrapes will be created within the proposed area of grassland. These will be shallow and form ephemeral pools at the margins of the waterbody to increase the extent of shallow water habitat within the management area. The exact location and design of these waterbodies will be decided on site to ensure the waterbodies are located to best suit the varied micro topography which has formed on the site of former silt lagoons.

No topsoil will be used in the restoration of the proposed aquatic margins to maintain low nutrient levels. Following the formation of the final restoration layer low nutrient soils shall be spread to a maximum depth of 150mm and cultivated prior to the placement of seed.

The southern and eastern bank margins will be seeded to prevent erosion and provide a complementary habitat to the areas of naturally regenerating reeds and wetland vegetation around the retained ponds. The grass seed mix will be either broadcast od drilled at the required rate. Preferably this would be undertaken in two passes (i.e. sow the entire area at half the rate twice)

To increase biodiversity value, up to 15% of the restored grassland will be allowed to succeed to dense scrub thickets to enhance habitat suitable for invertebrates and reptiles as well as foraging value for birds and bats.

Area D: Species-Rich Grassland Management Objectives:

- Manage to establish and maintain an area of species rich grassland (with up to a level of 15% naturally regenerated native scrub) to enhance habitat suitable for invertebrates and reptiles as well as foraging value for birds and bats.

Area D: Species-Rich Grassland Management Actions:	Timings
1. Control vigorous invasive species or notifiable weeds by spot treating with selective herbicides or physical removal.	Annually *(May to August)*

2.	Where areas of vegetation have failed to establish, reseed with appropriate grass seed mix in spring or autumn.	As required
3.	Undertake first cut once grassland has established sufficiently. Cut grass sward to a height of 40-70mm to remove excessive grass growth. leave arisings in-situ for 1 week to encourage seeding, remove arisings after one week and dipose of off-site.	When grass sward has reached c.50mm or weed cover is 300mm high.
4.	Undertake second cut. leave arisings in-situ for 1 week to encourage seeding, remove arisings after one week and dipose of off-site.	Spring sown: Second cut 16 weeks after sowing or in September. Autumn sown: Cut in April
5.	Cut grass area twice in different months for the first two years to remove excess grass growth, leave arisings in-situ for 1 week to encourage seeding, remove arisings after one week and dipose of off-site to encourage varied seeding by a variety of species and draw out nutrients.	Annually *(June and September)*
6.	Once established the grassland will be cut once annually (alternating August and September) to allow differential seeding. A margin of approximately 3-5m at the edge of the grassland will be left uncut (this can move location year by year) to provide refuges for small mammals and reptiles.	Once annually *(Alternating August and September)*

Area D: Scrub Thickets Management Objectives:

- Establish and maintain areas of continuous dense scrub thicket (up to 15% within grassland habitat) minimum 2m high to provide refuges and nesting habitat for bird small mammals within adjoin grassland habitat.

Area D: Scrub Thickets Management Actions:		Timings
1.	Control encroachment of invasive weeds and native species which hinder the development of scrub thicket.	Annually *(between May and August)*
2.	Following the initial establishment of scrub cut back scrub within thicket to half its height to promote bushy growth.	Once following initial establishment
3.	In order to maintain diversity in age structure of scrub habitat thickets will be managed by a programme of rotational cutting of thickets throughout management area. All cuttings will be collected and deposited into habitat piles within areas of adjoining woodland where there is little or no ground flora.	Annually On a rotational cycle (*Between-November to February)*

Area D: Aquatic Margins Management Objectives:

- To establish and maintain areas of marginal vegetation with the intention of creating a dense, vegetative barrier around the ponds throughout the year, to inhibit the movement of large waterfowl, whilst maintaining the primary function of a water management facility during the operational period. Phragmites australis should be allowed to dominate to create these conditions,

Area D: Aquatic Margins Management Actions:		Timings
1.	Establish and maintain suitable bank profiles and gradients to allow for natural colonisation of marginal vegetation.	As required
2.	Self-seeded willow will be controlled, as necessary to allow the growth of other marginal vegetation	As required

3.	Reed bed growth to be managed by rotational cutting. i) Reeds will be cut as required on a rotational cutting programme cutting blocks of reed throughout the lake margins. ii) Reed cutting to take place in the winter and will be completed before the bird nesting season (end February). Reeds to be cut with appropriate machinery. iii) The cut reed will be removed from site.	Annually on a five year cycle *(December – January if ground conditions permit)*

4.16 The maintenance of standing open water beyond the shallow margins is anticipated to be minimal during the aftercare period. The overall objective will be to maintain at least 30% clear water. Management operations will include the removal of debris, litter and any other unsuitable material likely to adversely affect the developing aquatic and semi aquatic fauna and flora.

PLANT SCHEDULE

HEDGEROW PLANTING

Species	Common Name	Size at planting	Age/Pot volume/ Supply	%
Acer campestre	Field Maple	40-60cm	1+1 bare root	10
Cornus sanguinea	Dogwood	40-60cm	1+1 bare root	5
Corylus avellana	Hazel	40-60cm	1+1 bare root	5
Crataegus monogyna	Hawthorn	40-60cm	1+1 bare root	40
Prunus spinosa	Blackthorn	40-60cm	1+1 bare root	30
Rhamnus frangula	Buckthorn	40-60cm	1+1 bare root	10
				100%

To be planted in two staggered rows at 300mm centres with 500mm between rows. Plants species to be randomly selected at planting to provide a good overall mix. Plants to be provided with mulch matting. All plants to be provided with mulch matting and a tubular shelter . E.g. 'tubex' or acorn planting products: 900mm x 80-120mm Ø for trees and 750mm x 172-200mm for shrubs.

HEDGEROW TREES

Species	Common Name	Size at planting	Age/Pot volume/ Supply	%
Acer campestre	Field Maple	90-120cm	1+1 bare root	40
Populus nigra	Black Poplar	90 -120cm	1+1 bare root	15
Quercus robar	Common Oak	100-150cm 2 x tr)	2+0 bare root	45

To be planted at random groups within the hedgerow at an average spacing of 1 tree per 30 linear metres. Each tree to be securely staked and provided with a good quality mulch mat unless covered by hedgerow mulch matting. Trees to be provided with a 1.2m 'tubex' or similar tree shelter secured with wooded stakes. Where possible Populus nigra to be sourced from the Cotswold Water Park Society (CWPS) which has propogated and established cuttings from local native trees.

WETSTONE BRIDGE FARMHOUSE POND TREE PLANTING

Species	Common Name	Size at planting	Number
Populus nigra	Black Poplar	10-12cm girth	4
Prunus padus	Bird Cherry	90-120cm	8
Salix fragilis	Crack Willow	100-150cm 2 x tr)	7
			19

To be planted as shown on the plan. Each tree to be securely staked and provided with a good quality much mat 1.0m².

AQUATIC MARGINS

It is proposed to allow the margins of the retained waterbodies to colonise and develop emergant and marginal aquatic vegetation naturally. To allow a varied marginal habitat to develop the southern and eastern margins will be initially cleared of vegetation and seeded with a suitable wetland seed mix such as Emorgate EP1 at 40 Kg/ha.

REEDBED PLANTING

It is proposed to allow the retained waterbodies to continue to colonise and develop reedbed vegetation naturally.

If necessary, to assist in the natural regeneration of the waterbodies selected areas of the lake margins identified for reedbed development would be overlaid with turves taken from a donor site within the companies ownership.

Works will ideally be carried out in early March and will avoid the bird nesting season. Turves will be approximately 1 cubic meter and will be placed in groups at locations around the lake margin.

GRASS SEED MIXES

Proposed Wildflower Grassland

Grassland will be established on low nutrient subsoil. No topsoil of artificial fertiliser would be used within the proposed area of wetland grassland. A shallow seedbed approximately 100mm in depth, suitable for sowing of the grass seed will then be prepared. The grass seed mix will be either broadcast or drilled at the required rate, harrowed and/ or rolled in.

A suitable seed mix such as Emorsgate Mix (EM3) or similar will be sown at the rate of 40Kg/ha.

Proposed Agricultural Grassland Margin to Marston Meysey Brook

Grassland will be established on low nutrient subsoil. No topsoil of artificial fertiliser would be used within the proposed buffer. A shallow seedbed approximately 100mm in depth, suitable for sowing of the grass seed will then be prepared. The grass seed mix will be either broadcast or drilled at the required rate, harrowed and/ or rolled in.

A suitable seed mix such as Emorsgate wildflower seed Mix (ESF2) incorporated into a native species grassland seed mix (ESG2) at a rate of 1 part to 4. Grass mixtures to be sown at the rate of 20Kg/ ha and wildflowers at a rate of 2Kg/ ha.

Proposed Wet Grassland

It is intended no to undertake any planting at the lake margins or within the river channel or marginal berms. Vegetation will be allowed to establish naturally from upstream and adjacent plant stock. It is anticipated that this approach will yield the greatest diversity of natural assemblages of instream and marginal plants as a result of the micro-variations in surface providing variation in wetter or dryer conditions.

Proposed Agricultural Grassland

Example of Grass Seed Mixture (long term ley, graze or conservation)

Tetraploid Italian Ryegrass	(Fabio)	15
Perennial Ryegrass	(Abersilo)	22
Tetraploid Perenial Ryegrass	(Fetione)	14
Perennial Ryegrass	(Hercues)	14
Perennial Ryegrass	(Gilford)	14
Timothy	(Erecta)	7.5
Strong Creeping Red Fescue	(Jasper)	7.5
White Clover	(Aberherald)	5
White Clover	(Abercrest)	2

Sown at 34 kg/ha

KEY

- Boundary: Permission Site
- Boundary: Management Area and Reference (Area A)
- Existing Ground surface contour(mAOD) 0.25m Interval (67.5)
- Ground surface contour (mAOD) 0.5m Interval (67.5)
- Existing Vegetation (Outside Management Area)
- Existing Vegetation/ Bankside Trees (To be retained)
- Proposed Scrub Thickets (Natural Regeneration)
- Proposed Waterbody
- Proposed Grassland Margin to Marston Meysey Brook (Seeded)
- Existing Hedgerow (To be retained)
- Proposed Hedgerow with Hedgerow Trees (1 per 30 linear metres)
- Proposed Tree Planting
- Proposed Agricultural Grassland
- Proposed Grassland (Seeded)
- Proposed Wet Grassland
- Proposed Reedbed (Natural regeneration)
- Proposed Marginal Vegetation (Natural Regeneration)
- Proposed Location Log Flow Deflectors
- Cross Section (Refer to 1778/C50/2)

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Project

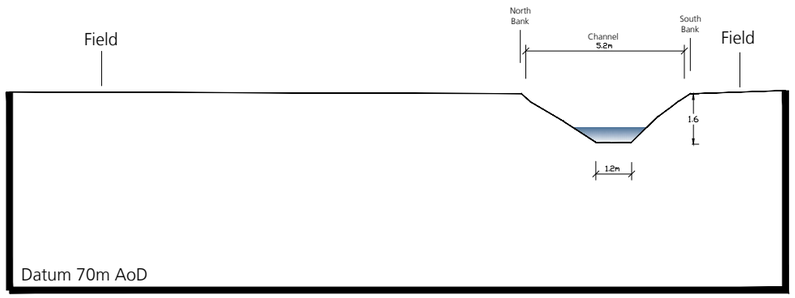
LAND AT WETSTONE BRIDGE FARM PROPOSED SAND AND GRAVEL QUARRY

Drawing Title

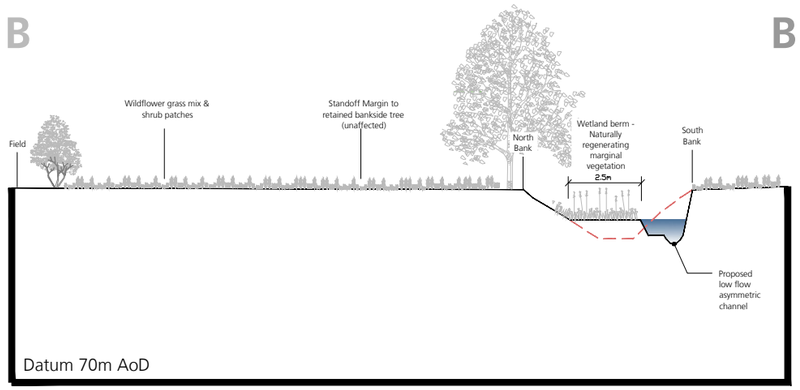
LANDSCAPE PROPOSALS MANAGEMENT AREAS

Scale	Sheet Size	Date
1:1000	A1	March 2016

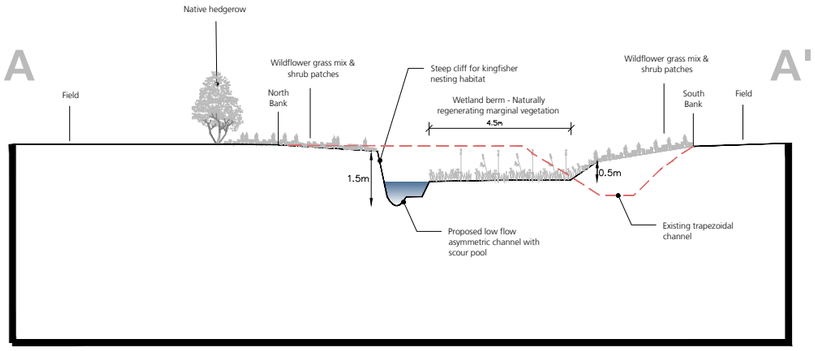
Drawing No.	Revision
1778/C50/1	-



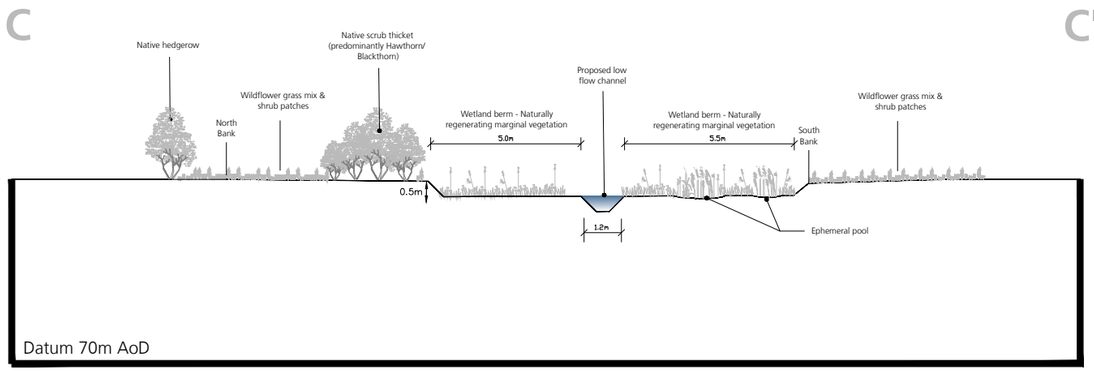
Ampney Brook - Existing Cross



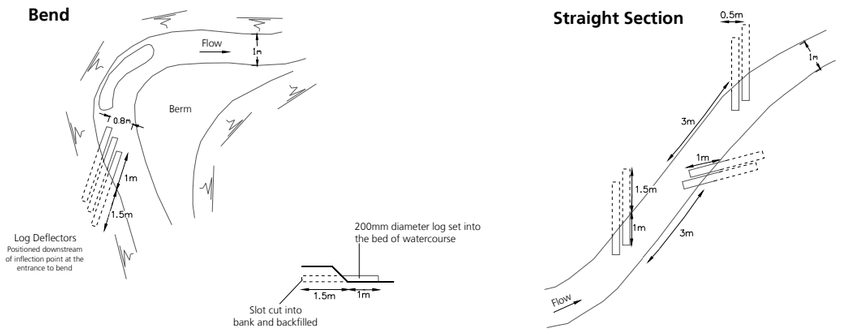
Ampney Brook - Existing Channel Retained Bankside Trees



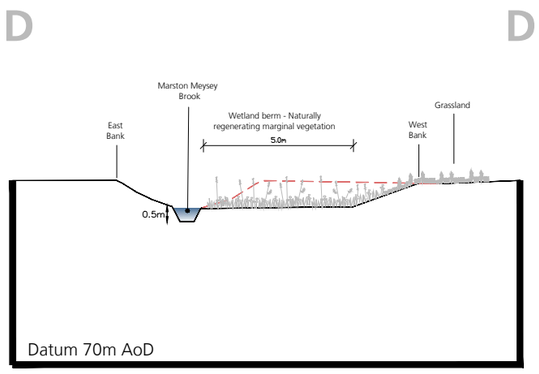
Ampney Brook - Existing Channel Enhancement



Ampney Brook - Realignment



Proposed low flow channel Flow Deflectors



Marston Meysey Brook - West Bank Enhancement

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LAND AT WETSTONE BRIDGE FARM PROPOSED SAND AND GRAVEL QUAR

Drawing Title

MARSTON MEYSEY AND AMPNEY BROOK ENHANCEMENT

Scale	Sheet Size	Date
1:200	A3	March 2

Drawing No.: **1778/C50/2**

APPENDIX 1

SCHEME OF PROGRESSIVE RESTORATION AND TIMESCALES

Wetstone Quarry

The proposed phasing of working and restoration operations at Wetstone Quarry are illustrated on approved plan reference 1787/4D to 1787/8E. The extraction operations are anticipated to be completed by 2022. The following timescales for working, restoration and aftercare operations would apply:

Inferred Restoration and Aftercare Timescales

PHASE	DESCRIPTION	RESTORATION COMPLETION DATE	AFTERCARE COMPLETION DATE
1	Extraction due to commence Spring 2017 and be completed within 4 months. Sites operational water treatment facilities to be constructed within the quarry void following the completion of extraction of mineral. The lagoons will be fully restored following the cessation of mineral extraction and processing during 2022	2022	2027
2a	Extraction due to commence late summer and be completed within 8 weeks.	2018	2023
2b	Extracted as flood incidents inhibit the working of Phase 3. Extraction Complete by summer 2018.	Restoration completed by 2019.	2024
5	Extraction due to commence early 2018 and complete late 2018. Ampney Brook reconnection to Marston Meysey Brook will be established during working this phase.	Progressed as areas become available to finally complete by 2019.	2024
3	Extracted as flood incidents inhibit the working of Phase 5. Extraction due to be complete by the end of 2019. Improvements to Ampney Brook, south of the phase, to be carried out while working in this area.	Progressed as areas become available to finally complete by 2020.	2025
4	Extraction due to commence summer 2019 and complete by the end of 2020.	Progressed as areas become available to finally complete by 2021.	2026
6	Extraction due to commence at the start of 2020 and complete by end of the year 2020. It is anticipated it will take a further 12 -18 months to infill the Phase.	Restoration finally complete by 2022.	2027

APPENDIX 2

TEMPLATE MONITORING SHEETS

Hedgerow

Hedge No.	Species Composition	Height (m)	Width (m)	Age/ Class	Physiological Condition	Structural Condition	Comments**

Trees

Tree No	Species	Height (m)	Width (m)	Age	Stem Diameter	Physiological Condition	Structural Condition	Comments**

Species Rich Grassland/Agricultural grassland

Area	Habitat description	Season	Physiological Condition	Structural Condition	Comments**

Aquatic margins/Field ditches/Riparian corridor

Area	Habitat description	Season	Physiological Condition	Structural Condition	Species composition	Clear water %	Comments**

APPENDIX 3

TREE PROTECTION PLAN

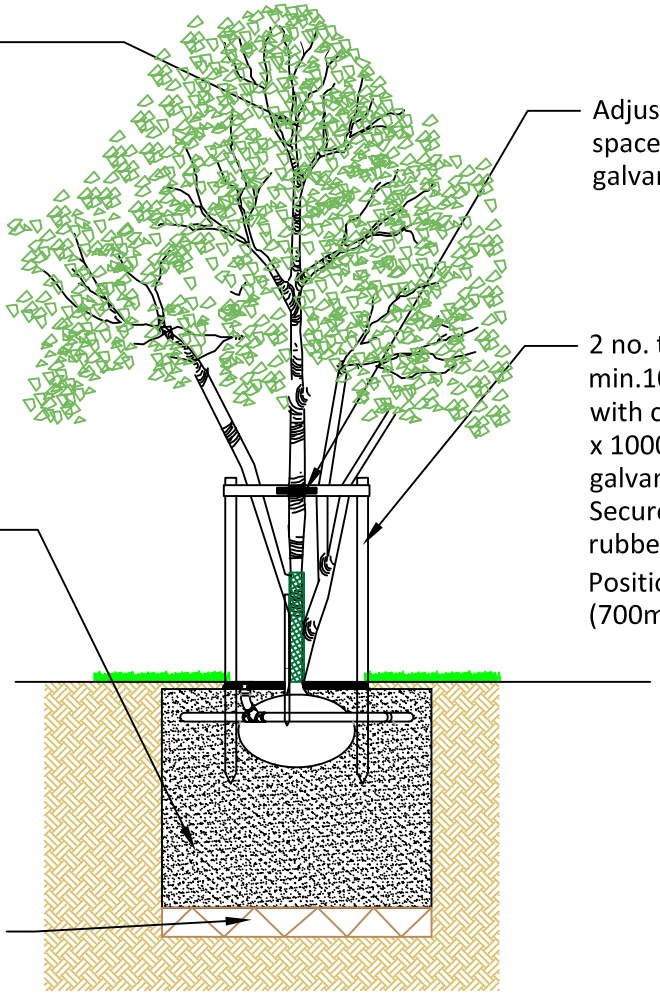
APPENDIX A


WHETSTONE BRIDGE
FARMHOUSE
Access
point
Limit of mineral
extraction
AT TOP OF BOARD
Drain
Canal (disused)
450 mm(?)
diameter
culvert
Limit of mineral
extraction
Limit of mineral
extraction
Tree Protection Fencing
not required where canal
forms a natural barrier
Co Const Bdy
Stay
N
W
E
S
SCALE
0
25
50
100
200m
Key
Category U
Category A
Category B
Category C
Crown spread:
retained trees
Trees For Removal
Root Protection Area
Tree Protection Fence
SJ Stephens Associates
Savernake Barn, Stokke Common
Great Bedwyn
Marlborough
Wiltshire SN8 3LL
01672 871862
www.sjstephens.co.uk
JOB TITLE
WETSTONE BRIDGE
DRAWING TITLE
TREE PROTECTION PLAN
DRAWING NUMBER
681-01
REV
REVISIONS
SCALE
1:1,250 at A1
DATE
SEP 14
DRAWN BY
S Stephens

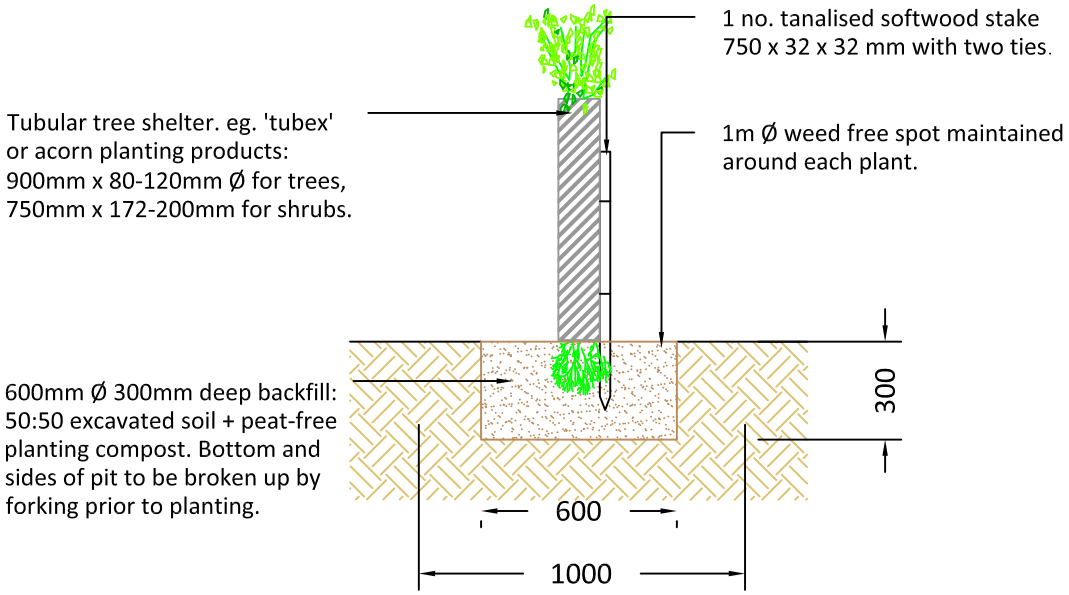
APPENDIX 4

INDICATIVE TREE AND SHRUB PIT DETAILS

INDICATIVE LARGE TREE PIT DETAIL



INDICATIVE SMALL TREE AND SHRUB PIT DETAILS



Drawing Revision

Client
MORETON C CULLIMORE (GRAVELS) LTD

Project
LAND AT WETSTONE BRIDGE FARM
PROPOSED SAND AND GRAVEL QUARRY

Drawing Title
INDICATIVE TREE AND SHRUB PIT DETAILS

Scale	Sheet Size	Date
NOT TO SCALE	A4	8/2/2017

Client Ref.	Drawing Ref.	Drawing No.	Status
	1787/C50/2		

Status

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