Monitoring of Mineral and Landfill Planning Permissions

Report for

Pigsdon Quarry, Launcells, Bude

On 19th October 2016

Report Summary

Development was not considered to be compliant with the condition at the time of the site monitoring visit. Furthermore it is considered that there is an urgent need to remedy this breach due to the potential risk and/or consequences to the environment or amenity. It is therefore concluded that steps should be undertaken without further delay to remedy this breach. Appropriate enforcement action is likely to be expedient should non-compliance with this condition continue.

Development was not considered to be compliant with the condition at the time of the site monitoring visit and/or there are outstanding matters which remain to be resolved at this time by the operator or this Authority. Any continued non-compliance or breach of this condition may result in the instigation of enforcement action.

Development was considered to be compliant with the relevant planning condition at the time of the site monitoring visit although some minor works may be required.
1. Introduction
This report is a document produced by Cornwall Council’s Planning Enforcement Team. It relates to a site visit to monitor compliance with a planning permission and legal agreement for a minerals / waste site under relevant requirements of the Planning and Compulsory Purchase Act 2004. ¹

Disclaimer
It should be noted that apparent compliance with any condition at the time of a site monitoring visit by this Authority does not preclude the Authority from instigating enforcement action where any activity being undertaken is subsequently considered to be in breach of a condition or presents a risk of damage or disturbance to the environment or amenity. Any additional site monitoring visit required as a result of non-compliance with a planning condition may result in an additional site monitoring fee being levied.

Traffic Lights
For ease of reference the Authority has adopted a ‘traffic light’ system to illustrate the level of compliance with each requisite planning condition. The colour coding is based on the following criteria;

Green development was considered to be compliant with the relevant planning condition at the time of the site monitoring visit although some minor works may be required.

Amber development was not considered to be compliant with the condition at the time of the site monitoring visit and/or there are outstanding matters which remain to be resolved at this time by the operator or this Authority. Any continued non-compliance or breach of this condition may result in the instigation of enforcement action.

Red development was not considered to be compliant with the condition at the time of the site monitoring visit. Furthermore it is considered that there is an urgent need to remedy this breach due to the potential risk and/or consequences to the environment or amenity. It is therefore concluded that steps should be undertaken without further delay to remedy this breach. Appropriate enforcement action is likely to be expedient should non-compliance with this condition continue.

¹ The Town and Country Planning (Fees for Applications and Deemed Applications) (Amendment) (England) Regulations 2006 came into force on 6th April 2006. These Regulations are made under Section 303 of the Town and Country Planning Act 1990, as amended by Section 53 of the Planning and Compulsory Purchase Act 2004.
2. Details of Site Monitoring Visit

Site Name and Address: **Pigsdon Quarry** (including the Asphalt Plant), Launcells, Bude, Cornwall, EX23 9LH

Planning Permission(s):

- **PA12/04351** dated 13.06.2013. Proposed extension and deepening of quarry for extraction of minerals for high specification aggregate and other products, and construction of spoil tip.

  - **PA14/12294** dated 13.04.2015. Prior approval under Condition 21 of PA12/04351 dated 13.06.3013 for the installation of a dust separation plant.

  - **PA12/10216** dated 18.12.2014. Non Material Amendment Application to application no. PA12/04351 dated 13/06/2013 for the alteration of phasing of extraction and amendment to location dormouse mitigation planting.

  - **PA13/08370** dated 08.10.2013. Non material Amendment Application to vary condition 20 of PA12/04351.

  - **PA13/08046** dated 17.09.2013. Non material Amendment Application to vary Conditions 4 and 14 of PA12/04351.

- **PA10/08871** dated 19.05.2011. Application to vary Conditions 6 (control of development) and 47 (new bank and planting) of Decision Notice 09/00380/MIN dated 12.01.2010 (only conditions 20, 21 and 25 are still applicable, the others have been superseded by PA12/04351 dated 13.06.13))

  - **PA10/06831** dated 15.08.2013. Non Material Amendment Application to vary Condition 20 of PA10/08871.

- **CC/NC/2004/00433/OCM** [NC72.ENV(1)] dated 31.01.2006. Determination of new planning conditions on existing mineral planning permissions. (only conditions 1, 2, 3, 4, 5, 9, 10, 12, 13, 14, 21, 29, 30, 33, 34 and 35 are still applicable, the others have been superseded by PA12/04351 dated 13.06.2013)


Agreement(s): None known

Operator: E&JW Glendinning Limited (Quarry and Asphalt Plant)

Site Status: Active

Type of Visit: Chargeable Visit - Announced

Visiting Officer/s: Mrs Stephanie Carlyon, Development Officer, Cornwall Council

Date of Visit: 19th October 2016

Time on Site: 10.30

Time off Site: 12.30

Attendees: Mr Neil Gibbs - E&JW Glendinning Limited

Weather: Clear, dry with light winds

Ground Conditions: Damp

Report Author: Mrs Stephanie Carlyon, Development Officer, Cornwall Council
Other Planning History:

Superseded Permissions:  


NC72(15) dated 16.07.2002. Variation of condition 7 of Decision Notice 6/96/1324[NC72(10)] to allow for the working of Pigsdon Quarry extension area of land west of Lamberal Water.


89/0747 dated 25.08.1989. Additional quarry area.


Expired Permissions:

6/85/0874/OOP/LLS [NC72.ENV(1)] Erection of machinery/vehicle store – Approved on 07.06.1985 – Permission never implemented.

6/95/2765/OCW (NC72(9) dated 11.04.1996 Use of land (previously approved for stone extraction) for the tipping of waste – Permission expired on 31/08/1997.
Aerial photograph below showing the permission boundaries

Photograph below showing an aerial photograph from April 2014
3. Compliance with Planning Conditions
PA12/04351 dated 13.06.2013. Proposed extension and deepening of quarry for extraction of minerals for high specification aggregate and other products, and construction of spoil tip.

**Condition Number and Description**

**Condition 1**
The development hereby approved shall be begun not later than the expiration of three years beginning with the date of this notice of permission. Written notification of the date of commencement of the commencement of tipping, the extension of the quarry, or deepening below ground water level shall be sent to the Local Planning Authority (LPA) within 7 days of such commencement.

**Notes Following Visit**
This permission was implemented from the date of issue. The Local Planning Authority was notified in writing of the date of commencement of tipping in email dated 15.01.2014. Tipping is identified to have commenced on 15.01.2014. The quarry has moved into Phase 2 and the Operator has been asked to confirm whether notification was provided to the Local Planning Authority.

**Condition Number and Description**

**Condition 2**
The winning and working of minerals from within the area outlined in red on Drawing No. 5087041/C/PL/_/200 rev 02 (Location Plan) [hereinafter referred to as ‘the site’ in these conditions], as authorised by this permission, shall cease by no later than 30th September 2043. All operations and uses hereby approved shall be discontinued on or before this date, and the land shall then be restored in accordance with the conditions below. The date of completion of mineral extraction shall be made known in writing to the LPA within seven days of cessation.

For the avoidance of doubt, the former quarrying areas east of Lamberal Water shall continue to be restored in accordance with the provisions of the ‘Phased Working and Restoration Scheme’ dated August 2010 prepared by Atkins in regard to Condition No. 10 of Decision Notice 09/00380/MIN - Council Ref PA10/05131 - the Scheme having been approved by the Council on 20/07/2011. Within 3 months from the date of this permission, the operators shall have submitted to and had approved in writing by the Local Planning Authority (LPA) revised timescales for the phasing.

**Notes Following Visit**
This permission will expire on 30.09.2043, unless planning permission has been granted for a continuation of operations beyond this period. The winning and working of minerals continues from within the approved area.

**RESTORATION OF THE FORMER ROMP VOID TO THE EAST OF LAMBERAL WATER**
The backfilling was completed in April 2014 and the surface was grass seeded and tree planted in June 2014*. In email dated 06.03.2015 a final survey of the final levels was submitted to the Local Planning Authority and showed an excess of 24500m³ had been placed on the tip. The final profile and height of the tip was discussed with Planning Officer Tim Warne who found that it was not causing any significant visual harm. Given the final seeding and planting had also been completed it was not considered expedient to pursue any further action.

*Note: The approved restoration scheme referred to in this condition (PA10/05131 approved 20.07.2011), provided for the surface of the tip to be seeded to perennial grassland. However Condition 9 of this decision notice required the Operator to implement the ecological measures set out in Section 6 of the Environmental Statement (as amended / clarified by the details in the document titled ‘Regulation 22 Further Information dated February 2013 and further revised in PA14/10216 dated 18.12.14). These documents identified an area on the eastern flank of the tip was to be planted with hazel trees. The trees were planted in June 2014 and were recently maintained as part of the annual tree/vegetation maintenance programme.
**Condition Number and Description**

**Condition 3**

The site shall not be worked below the 81 metres Above Ordnance Datum level, as indicated on Drawing 5087041/C/PL/_/206 rev 06 without the prior written permission of the LPA.

**Notes Following Visit**

Drawing 5087041/C/PL/_/206 rev 06 has been superseded by Drawing No. 5087041/C/PL/_/206 Rev 07 - Phase 6 as per Non Material Amendment Application PA14/10216 dated 18.12.2014.

The quarry has not been worked below 81mAOD.

**Condition Number and Description**

**Condition 4**

The development hereby permitted shall be carried out in strict accordance with the details in the submitted application and the following drawings and documentation, except as where modified by other conditions below:-

- Drawing 5087041/C/PL/_/200 rev 02 (Location Plan)
- Drawing 5087041/C/PL/_/201 rev 06 (Phase 1) *
- Drawing 5087041/C/PL/_/202 rev 06 (Phase 2) *
- Drawing 5087041/C/PL/_/203 rev 06 (Phase 3) *
- Drawing 5087041/C/PL/_/204 rev 06 (Phase 4) *
- Drawing 5087041/C/PL/_/205 rev 06 (Phase 5) *
- Drawing 5087041/C/PL/_/206 rev 06 (Phase 6) *
- Drawing 5087041/C/PL/_/207 rev 06 (Phase 7) *
- Drawing 5087041/C/PL/_/208 rev 00 (Proposed Interim Access Route)
- Drawing 1 of 7 - Rev 05 - Tip Development Stage 1
- Drawing 2 of 7 - Rev 05 - Tip Development Stage 2
- Drawing 3 of 7 - Rev 05 - Tip Development Stage 3
- Drawing 4 of 7 - Rev 05 - Tip Development Stage 4
- Drawing 5 of 7 - Rev 05 - Tip Development Stage 5
- Drawing 6 of 7 - Rev 05 - Tip Development Stage 6
- Drawing 7 of 7 - Rev 05 - Tip Development Stage 7

Pigsdon Quarry Regulation 22 Appendix C - Revised Hedgerow Relocation Methodology and Appendix E - Dust Management Plan.

From the commencement of development until its completion, a copy of this permission, including all documents hereby approved and any other documents approved in accordance with this permission, shall always be available at the Site Office for inspection during normal working hours.

**Notes Following Visit**

A Non Material Amendment (ref PA14/10216) was approved on 18.12.2014 altering the phases of extraction and dormouse mitigation planting identified in Condition 9. Therefore the drawing numbers above crossed out and denoted with a * have been superseded by the following drawings:

- Drawing No. 5087041/C/PL/_/201 Rev 07 - Phase 1
- Drawing No. 5087041/C/PL/_/202 Rev 07 - Phase 2
- Drawing No. 5087041/C/PL/_/203 Rev 07 - Phase 3
- Drawing No. 5087041/C/PL/_/204 Rev 07 - Phase 4
- Drawing No. 5087041/C/PL/_/205 Rev 07 - Phase 5
- Drawing No. 5087041/C/PL/_/206 Rev 07 - Phase 6
- Drawing No. 5087041/C/PL/_/206a Rev 00 - Phase 6a
- Drawing No. 5087041/C/PL/_/207 Rev 06 - Phase 7
- Figure A Rev 1 Rev 02 - Dormouse Mitigation Plan and Area of Habitat Loss - dated 11/06/14
EXTRACTION
Phase 2 of extraction sees the deepening of the quarry void in part to 115mAOD. In mid July 2016 extraction moved into Phase 2 shown on Drawing No. 202 Rev 07 - Phase 2. Extraction has previously been progressed into the south western corner and deepening has now commenced in the southern area of the void. The ground water protection scheme required by Condition 10 of this decision notice has been approved by the Local Planning Authority. The processing plant largely remains in the central/northern part of the quarry void.

Photograph looking northwards across the quarry void

Photograph showing where the quarry floor has been deepened and progressed into Phase 2
TIP DEVELOPMENT
Construction of the spoil tip and lagoon commenced on 23.09.2013 and the tipping of waste commenced on 15.01.2014.

The outer bund has been progressed to the maximum height shown in Phase 5 on Drawing No. 5087041/C/PL/ /205 Rev 07 - Phase 5 and the infilling continues. When the tip is next surveyed a copy should be forwarded to the Local Planning Authority.

Photograph looking north east towards the bund, showing the outer corner

Photograph looking eastwards showing the outer flank of the bund
**Condition Number and Description**

**Condition 5**

Surface water shall be managed at Pigsdon Quarry [i.e. the areas edged red and blue on Drawing No. 5087041/C/PL_200 rev 2 (Location Plan)] in accordance with the approved Surface Water Management Scheme and Flood Risk Assessment dated February 2010, the February 2013 Addendum to that scheme, the Flood Risk Assessment and Drainage Strategy dated May 2012 and the Drawing Referenced P/02/2013 dated March 2013. The scheme shall be fully implemented, managed and maintained in accordance with the approved details unless otherwise agreed in writing by the LPA.

**Notes Following Visit**

The improvement measures identified in the February 2013 Addendum appear to have been implemented although some supplementary works have been undertaken under the direction of the Environment Agency. These have included the installation of additional attenuation lagoons to the south of the bridge and the installation of a flocculent and chemical dosing unit. The Operator has advised that these supplementary works have met the Environment Agency requirements. The Operator should seek approval from the Local Planning Authority for any variations to the approved scheme identified in this condition.

**Condition Number and Description**

**Condition 6**

No development of the proposed quarry spoil tipping area shall take place until a scheme for the drainage of the tipping area has been submitted to and been approved in writing by the LPA, together with a plan for the maintenance and management of the scheme. The scheme shall be fully implemented, managed and maintained in accordance with the approved details unless otherwise agreed in writing by the LPA.

**Notes Following Visit**

The scheme PA13/08383 was approved on 07.11.2013. The installation of land drains, attenuation ponds and associated controls have been overseen by the Environment Agency. The Local Planning Authority was not present during the installation of the drainage scheme but there was no evidence available at this time to indicate non-compliance with this condition.

**Condition Number and Description**

**Condition 7**

The construction of the proposed quarry spoil tip shall not commence until a programme / timetable for the construction of the spoil tip hereby approved has been submitted to and agreed in writing by the LPA. The programme shall include:

- the installation of drainage ditches and settling ponds and associated controls;
- the use of the interim access route;
- the restoration of the outer edge of the screening bund in Stage 1;
- the translocation of hedgerows from within the footprint of the tipping area;
- details and timing of the proposed dormouse compensation planting as indicated in the Regulation 22 response;
- arrangements for the stripping and storage of topsoil;
- date of commencement of any of the above to be notified in writing to the LPA within 7 days.

The construction of the spoil tip shall be undertaken in accordance with the approved details unless otherwise agreed by the LPA.

**Notes Following Visit**

The programme was approved on 07.11.2013 (ref PA13/08383). Construction of the spoil tip commenced on 23.09.2013 and the Local Planning Authority was notified of the following:

The installation of drainage ditches and settling ponds and associated controls

Works notified as commenced from 17.10.2013.
The use of the interim access route
Works notified as commenced from 23.09.2013 and the access road is now in use. The approved scheme PA13/08383 also provides for the retention of the temporary access road for light vehicles for emergency and maintenance purposes after the permanent access road is opened.

The restoration of the outer edge of the screening bund in Stage 1
Ground works for the formation of the bund commenced in November 2013. Restoration of the outer edge of the bund has since been completed and an area of this bund has been fenced so that it can be grazed by sheep.

The translocation of hedgerows from within the footprint of the tipping area
The translocation of hedgerows commenced on 23.09.2013 and is now complete. Additional trees have been planted on the translocated hedgerows to ‘beef up’ patchy areas of vegetation.

Details and timing of the proposed dormouse compensation planting as indicated in the Regulation 22 response
The dormouse compensation planting has been completed. A Non Material Amendment application (ref PA14/10216 dated 18.12.2014) to vary the location of the planting has been approved. Further details outlined in table under Condition 9.

Arrangements for the stripping and storage of topsoil
A temporary topsoil storage area was approved in the scheme and is identified on the drawing titled ‘Tip Development Strategy 1 of 7 Rev 7’. The scheme approved the removal of topsoil in relation to the bund soil strip, settlement lagoons and sub tip drainage from September 2013 through to the end of November 2013. Thereafter topsoil will be removed in stages as per the approved Drawing 1-7 and stored within the tip footprint.

**Condition Number and Description**

Condition 8

Within 3 months of the commencement of construction of the new quarry spoil tip, a scheme for the restoration /aftercare of the spoil tip to agriculture shall be submitted to an be approved by the LPA. The scheme shall include details of :-

- the depth and nature of topsoil and subsoil;
- the location and design of hedgerow planting to be undertaken;
- the species to be planted;
- the size, types and number of each species to be planted;
- the method of planting and the spacing between plants;
- seed mixes to be used;
- the timescale of the planting;
- replacement of losses;
- proposed means of rabbit/stockproofing;
- details of proposed aftercare and preparation the land for cultivation, which shall include sub-soiling, the removal of soil compaction where necessary, preparation of a seed bed and application of fertilisers, and the establishment and maintenance of a satisfactory sward.

**Notes Following Visit**

Construction of the spoil tip commenced on 23.09.2013 and the scheme required by this condition was submitted as email dated 22.01.2014. The scheme PA14/00935 was approved as letter dated 25.03.2014.

The outer flank of the bund has been grass seeded and has recently been fenced so that the area can be grazed by sheep. Tipping continues within and has yet to reach the final levels. The Local Planning Authority will review the requirements of this scheme as the tip progresses.
The operators shall implement in full the ecological mitigation measures set out in Paras 6.52 - 6.92 of Section 6 of the Environmental Statement and as amended / clarified by the details in the Regulation 22 Further Information dated February 2013.

**Notes Following Visit**

Paragraphs 6.52-6.92 of Section 6 of the Environmental Statement (as amended by the details in the ‘Regulation 22 Further Information’ dated February 2013 and PA14/10216 dated 18.12.14), set out a number of ecological mitigation measures to be implemented. These are summarised in the table below:

| Mitigation of potential Impacts on statutory and non-designated sites: |
|--------------------------|---------------------------------------------------------------------------------|
| **Paragraph 6.54:**     | The construction of an attenuation pond to minimise any impacts to the watercourse. |
| **Two attenuation ponds have been constructed to the east of the tip under the guidance of the EA.** |

<table>
<thead>
<tr>
<th>Mitigation of potential Impacts on BAP sites:</th>
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<tbody>
<tr>
<td><strong>Paragraph 6.58:</strong> Hedgerows and Page 7 of Regulation 22 Further Information dated February 2013</td>
</tr>
<tr>
<td><strong>Planting of new hedgerows or relocation of species rich hedgerows:</strong></td>
</tr>
<tr>
<td>From within tip footprint</td>
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<tr>
<td>200m of hedgerow to be relocated along the southern edge of the tip and 540m of defunct hedgerow to be used to infill/supplement the relocation.</td>
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<tr>
<td>From with quarry extension</td>
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<tr>
<td>95m of hedgerow to be relocated parallel with the existing hedgerow along the southern boundary of the quarry in line with what has previously been relocated.</td>
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<tr>
<td><strong>Existing hedgerows have been relocated and additional trees have been planted on patchy areas.</strong></td>
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<tr>
<td><strong>Quarry still in Phase 1. None removed at this time.</strong></td>
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<th>Paragraph 6.60: Woodland</th>
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<tbody>
<tr>
<td><strong>The proposed new access road will be ‘cut’ in to the road to minimise severance to the overhead tree canopy. Compensation tree planting to be undertaken.</strong></td>
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<tr>
<td><strong>Not present during construction. Additional trees have been planted on the former tip and to the south of the new access road.</strong></td>
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<tr>
<th>Paragraph 6.62: Rivers and Streams</th>
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<tbody>
<tr>
<td><strong>Design and construction of a ditch and attenuation pond to minimise impact to the watercourse.</strong></td>
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<tr>
<td><strong>The cut off drain and attenuation ponds have been installed but improvement works have been carried out under the direction of the EA.</strong></td>
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<tr>
<th>Mitigation of potential Impacts on badgers:</th>
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<tr>
<td><strong>Paragraph 6.63:</strong> Each badger sett programmed to be disturbed should be closed under a Natural England badger disturbance licence and only take place between July and November. A badger social territory survey may be required to look at badger activity within the area. <strong>Works completed.</strong></td>
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<tr>
<th>Page 7 of Regulation 22 Further Information dated February 2013:</th>
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<tbody>
<tr>
<td><strong>The surface water cut off drains will be initially located further south away from the badger setts and diverted closer in the final stages of the tip building.</strong></td>
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<tr>
<td><strong>Not present during construction.</strong></td>
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<tr>
<th>Mitigation of potential Impacts on bats:</th>
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<tr>
<td><strong>Paragraph 6.69:</strong> If the three mature trees (TN12-14) need to be removed for the access road then a bat emergence/re-entry survey will be required to determine presence of bat roosts. The level of mitigation required To be confirmed.**</td>
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</table>
would be proportional to the size and importance of the roost.

**Paragraph 6.70:** The species rich hedgerows directly affected by the extension will be translocated adjacent to the existing hedgerows to be retained along the southern boundary of the extension area forming a lane for bat foraging. Other hedgerows within the footprint of the tip will be relocated within the surrounding fields.  

**Page 7 of Regulation 22 Further Information dated February 2013:** 10 bat roosting boxes to be installed within the woodland and alongside the Lamberal Water outside the application area.  

**Mitigation of potential impacts on breading and nesting birds**

**Paragraph 6.74:** Removal of potential bird nesting habitat (hedgerow, scrub, trees and tall vegetation) to take place outside of the bird breeding season (mid February to the 1st September) wherever possible. Where habitat removal outside of the period is not possible then the vegetation will need to be subjected to a detailed inspection by an ecologist at least 36 hours before removal. Any birds nests discovered must be left undamaged with an appropriate buffer zone until the young have fledged.  

**Page 7 of Regulation 22 Further Information dated February 2013:** 10 bird nest boxes to be installed within the woodland and alongside the Lamberal Water outside the application area.  

**Mitigation of potential Impacts on dormice**

**Paragraph 6.80:** A Natural England Development Licence will be needed to undertake any works effecting Dormice.  

**Page 6 and 7 of Regulation 22 Further Information dated February 2013:** Dormouse compensation planting to be provided in three areas:  

- Area 1 - (the nearby grassy area) will be enhanced using translocated hazel strands extracted from the woodland in the formation of the access track.  

- Area 2 - The tip margin area – the higher edge of this area contains a number of active badger setts. For this reason this area will be dormouse enhanced by fencing it off within 3 months from the date of this permission and left for natural regeneration.  

- A Non Material Amendment application (ref PA14/10216 dated 18.12.14) approved a variation to the location of Area 1 to land to the south east of the access track. Hazel strands have been translocated at the revised location.
- Area 3 - The eastern flank of the eastern tip will be planted with hazel plants upon completion of the tipping instead of seeding to grassland.

Trees planted in June 2014.

**Condition Number and Description**

**Condition 10**

No extraction shall take place at the site below the highest winter water table level until such time as a scheme to secure the protection of licensed and unlicensed sources of water and surface water flows has been submitted to and approved in writing by the LPA. Any such scheme shall be supported by detailed information from an agreed area which could potentially be affected by drawdown of groundwater levels resulting from the dewatering of the quarry. All dewatering shall subsequently be undertaken in strict accordance with the approved scheme. This shall include details of the provision of alternative water supplies to the same standard if the works at the quarry adversely affect existing supplies to nearby domestic and agricultural businesses.

**Notes Following Visit**

The scheme was approved by the Local Planning Authority in letter dated the 12.04.16 and subject to the directions as approved in that document the commencement of extraction below the highest winter water table can now take place. Extraction moved into Phase 2 in July 2016 which sees the deepening of the quarry void in part to 115mAOD. It was unclear at the time of this visit whether the levels had progressed below the water table and this will be reviewed during the next visit.

**Condition Number and Description**

**Condition 11**

Within 10 years of the commencement of Phase 2 of extraction, [as shown on Drawing 5087041/C/PL/\_202 rev 06 (Phase 2)], a detailed scheme for the restoration of the quarry based upon Drawing 5087041/C/PL/\_207 rev 06 (Phase 7) and details as submitted in the Regulation 22 response dated February 2013, shall be submitted to and be approved in writing by the LPA. The scheme shall specify:-

a) the proposed after use of the quarry;
b) the proposed final slope/bench profiles, landform, water levels and contours for the quarry area, with all parts of the quarry to be restored as soon as practicable following the cessation of mineral extraction and/or spoil disposal;
c) the arrangements for surface water drainage and profile of the water edge in flooded voids;
d) the landscaping details including:-

- the location of planting to be undertaken;
- the species to be planted;
- the size, types and number of each species to be planted;
- the method of planting and the spacing between plants;
- seed mixes to be used;
- the timescale of the planting;
- replacement of losses;
- proposed means of rabbit/stockproofing.

On the cessation of quarrying, as specified by Condition 2 above, the restoration of the site shall be undertaken in full accordance with the approved restoration scheme.

**Notes Following Visit**

Drawing 5087041/C/PL/\_202 rev 06 (Phase 2) has since been superseded by Drawing No. 5087041/C/PL/\_202 Rev 07 - Phase 2 as per Non Material Amendment Application PA14/10216 dated 18.12.2014. Phased 2 commenced in July 2016. The scheme will need to be submitted by July 2026.
**Condition Number and Description**

**Condition 12**

Within 10 years of the commencement of Phase 2 of extraction, [as shown on Drawing 5087041/C/PL_/_/202 rev 06 (Phase 2)], an aftercare scheme for Pigsdon Quarry [i.e. the areas edged red and blue on Drawing No. 5087041/C/PL_200 rev 2 (Location Plan)] shall be submitted to and be approved in writing by the LPA.

The scheme shall include provision for arrangements for reviewing the progress of aftercare with the LPA, including the submission of an Annual Report detailing those works undertaken in the previous twelve months and those works to be undertaken in the following twelve month period.

Following approval, the scheme(s) shall be implemented in full and in accordance with the restoration scheme to be agreed in accordance with Condition No. 11 above. The aftercare of the site shall subsequently be carried out for a period of 5 years following restoration in accordance with the approved aftercare scheme.

**Notes Following Visit**

Drawing 5087041/C/PL_/_/202 rev 06 (Phase 2) has been superseded by Drawing No. 5087041/C/PL_/_/202 Rev 07 - Phase 2 as per Non Material Amendment Application PA14/10216 dated 18.12.2014.

Phased 2 commenced in July 2016. The scheme will need to be submitted by July 2026.

**Condition Number and Description**

**Condition 13**

No excavation, mineral processing, roadstone coating or transport of material within Pigsdon Quarry [i.e. the areas edged red and blue on Drawing No. 5087041/C/PL_200 rev 2 (Location Plan)], authorised or required under this permission shall be carried out except between the following times:

- **0700 - 1900 hours** Monday to Friday
- **0700 - 1300 hours** on Saturdays

Temporary operations, including soil stripping, shall be restricted to the following periods:

- between **0800 - 1800 hours** Monday to Friday
- between **0800 - 1230 hours** on Saturdays

There shall be no operations taking place on the site outside these hours or on Sundays or Bank or Public Holidays.

**Notes Following Visit**

This condition applies to the whole site (including the asphalt plant) as identified in red and blue on Drawing No. 5087041/C/PL_200 rev 2 (Location Plan) and supersedes all conditions attached to any former planning permissions relating to working hours.
The total noise level arising from quarrying, mineral processing or tipping operations at Pigsdon Quarry [i.e. the areas edged red and blue on Drawing No. 5087041/C/PL_200 rev 2 (Location Plan)] shall not exceed a level of 45dB LAeq (1 hour) as measured at the curtilage of any dwelling measured at 2 metres above the ground. The noise level from temporary operations, including soil stripping, shall not exceed a level of 70dB LAeq (1 hour) at the curtilage of any dwelling measured at 2 metres above the ground and these temporary operations shall not occur for more than 8 weeks in any calendar year. The operators shall undertake noise monitoring to show compliance with this condition at the request of the LPA. The operators shall keep contemporaneous records of the days when soil stripping and other temporary operations are undertaken and shall supply copies of these contemporaneous records to the LPA within five working days of such request being made in order to show compliance with this condition.

Notes Following Visit
The Operator submitted a Non Material Amendment application (PA13/08046) to vary the wording in this condition to include the roadstone coating plant. The Non Materials Amendment application was approved on 17.09.2013. For avoidance of the doubt Condition 14 now states (with the additional wording in italics):

Condition 14: The total noise level arising from quarrying, mineral processing, roadstone coating and tipping operations at Pigsdon Quarry [i.e. the areas edged red and blue on Drawing No. 5087041/C/PL_200 rev 2 (Location Plan)] shall not exceed a level of 45dB LAeq (1 hour) as measured at the curtilage of any dwelling measured at 2 metres above the ground. The noise level from temporary operations, including soil stripping, shall not exceed a level of 70dB LAeq (1 hour) at the curtilage of any dwelling measured at 2 metres above the ground and these temporary operations shall not occur for more than 8 weeks in any calendar year. The operators shall undertake noise monitoring to show compliance with this condition at the request of the LPA. The operators shall keep contemporaneous records of the days when soil stripping and other temporary operations are undertaken and shall supply copies of these contemporaneous records to the LPA within five working days of such request being made in order to show compliance with this condition.

This condition applies to the whole site as identified in red and blue on Drawing No. 5087041/C/PL_200 rev 29 (Location Plan) and supersedes the noise conditions attached to any former planning permissions.

Noise Monitoring History

- Following a number of noise complaints in April 2011, the Local Planning Authority asked the Operator to undertake noise monitoring to test compliance with the approved limit. The Operator instructed an independent consultancy, SLR Consulting Ltd to undertake the monitoring.

- On 15.07.2011 and 19.08.2011 the monitoring was undertaken at the curtilage of the closest residential property to the north of the quarry. The noise report (SLR Ref 422.02374.00004 Rev 1 dated August 2011) indicated a noise level of 47dBLAeq (1 hour), and the range of results indicated that at times, levels could be as much as 48.2dB. This was found to be above approved limit of 45dB LAeq (1 hour) and this condition was identified in breach.

- To reduce the noise the Operator implemented a number of mitigation measures:
  - In September 2011, the Operator constructed a screen bund along the northern boundary (details approved under condition 6 of PA10/08871 dated 19.05.2011).
  - As email dated 31.10.2011 the plant was reconfigured by turning the primary jaw crusher and the secondary cone crusher 90 degrees so the engines face towards the quarry face instead of northwards.
  - In January and February 2012 bespoke louvers were fitted over three of the engines to reduce noise emissions.

- To test the success of the mitigation measures the noise was retested on 13.03.2012 at three receptor sites to the north; Langford Farm, the Furlongs and Lymsworthy Old Farmhouse.
On 19.04.2012, SLR Consulting issued the noise monitoring report (SLR ref 422.02374.00004 Rev 3 dated April 2012). Whilst the report indicated there were occasional exceedances of the maximum noise levels at Langford Farm (between 15.00 and 16.00 a level of 49.6dBLAeq (1 hour) was reported with a range at times of up to 52.5dB), SLR attributed the likely cause of the exceedances to bird song and a JCB (unrelated to the quarry) working in a nearby field.

Following the monitoring, the Local Planning Authority received two separate comments from residents alleging the noise nuisance was not present on the day of monitoring. It was concluded that this may have been caused by unforeseen plant breakdowns or wind direction carrying noise away from the receptor sites on the day of monitoring.

The Local Planning Authority consulted with the Council’s Environmental Health Department and Innovate Acoustics about the findings in the monitoring report. They concluded that whilst the statement of extraneous noise interference was considered entirely plausible, it would not be particularly robust for the Council to solely rely on this statement alone as evidential proof that the noise levels from the quarry were within the permitted levels. Therefore without the evidence to identify the background noise level, the Local Planning Authority found the noise retesting had been inclusive in determining whether the noise mitigation measures had been successful in reducing the noise levels to below the approved noise limit.

As email dated 07.08.2012, SLR Consulting confirmed they had been instructed by the Operator to retest the noise and that they would prepare a methodology for the retesting which would be agreed by the Local Planning Authority, in consultation with the Environmental Protection Officer.

On 22.04.2013 the methodology was submitted and was found to be acceptable following consultation with Eloise Travis from the Council’s Environmental Protection Team. The methodology identified the noise retesting would be undertaken over two full week days and would include a separate day of background monitoring to be undertaken on a Sunday whilst the quarry was closed. Wind direction and speed and combinations of plant to be in use during the monitoring period were agreed as part of the methodology.

SLR was instructed to proceed with the monitoring once dry conditions arose with winds at suitable speeds and direction. The Operator reported these opportunities were very infrequent. In the meantime, the Operator indicated they would like to extend the bund in the north eastern corner to provide further screening from noise and dust. The proposal was submitted in full on 24.09.12 and following consultation from the Environment Agency was resubmitted at a reduced scale on 05.04.13. The submission was approved on 13.05.2013 and it was agreed that the noise compliance retesting should be deferred until after the bund had been constructed, so the monitoring could take into account its affects. The northern bund extension was completed on 31.05.2013 and the topsoiling and grass seeding was completed in the second week of June 2013.

On 13.06.2013 the new planning permission for the extension and deepening of the quarry void was approved (ref PA12/04351). The parameters of the noise condition were found to be slightly different to the noise condition in the previous permission PA10/08871 dated 19.05.2011 in that it omitted the asphalt plant. The Operator submitted a Non Material Amendment application to vary the wording of the noise condition so that it included the asphalt plant. It was agreed that the noise compliance retesting should be deferred until after a decision had been made on the application, so that the monitoring could reflect any changes to the noise condition. The NMA was approved on 17.09.2013.

Upon approval of the NMA, the temporary operations were well underway to construct the new spoil tip, permitting the higher noise limit of 70dB LAeq (1 hour). It was agreed that the noise retesting should proceed once the temporary operations had been completed. The temporary operations were completed in mid-December 2013 and SLR Consulting were instructed to with the noise retesting.
During the 2013-2014 winter months the Operator reported that it had not been possible to undertake the noise monitoring due the unfavourable weather conditions (wind and rain). However no noise complaints were received and further noise mitigation measures were put in place and:

- The former hopper feeding the crushing plant was lined with inch thick rubber to reduce the noise from the stone being fed into the machines. In January 2014 this was since replaced by a newer modern crusher.
- The primary crushing plant which used to be sited in the north east corner of the quarry void has been relocated to a more southerly location.

Early in 2014 the quarry announced production at the quarry had been scaled back with staffing levels being reduced by half. Given the reduction in production the Environmental Protection Team advised that the noise monitoring should be deferred as any monitoring at this time may lead to criticism as it may not reflect a true representation of the noise levels.

At the time of this visit, the noise retesting exercise has not been carried out. However it is recognised that there have been considerable changes on site since the first noise testing exercise. The former ROMP tip in the north east has since been restored and waste is now being tipped in the new spoil tip in the south west. The new tip lies further away from the complainant’s properties which may result in less disturbance from vehicle movements and tipping activities. A number of noise mitigation measures have been implemented including changes to plant and the construction of the northern bund and the further extension to the bund in the north eastern corner. The order of the phases for working the new extension area has been amended so the future working of the quarry will see the deepening of the quarry void before expansion into the surface at the north western corner. On this basis, most of the temporary operations such as soil and over burden stripping have been completed for the foreseeable future and as the quarry deepens it is thought the void will provide further screening from the operations in the base of the quarry. At this time the production levels have not returned to the former levels previously seen and the Local Planning Authority has not received any noise complaints since 2013. Based on the above, the Local Planning Authority suggests the requirements for the noise retesting be revisited if further noise concerns arise in the future. It is still recognised that there hasn’t been any measurable evidence to identify the noise level is below the approved limit but given there are no actions required by the Operator at this time, this condition will, for the meantime, be shown in green.

**Condition Number and Description**

**Condition 15**

Heavy and light goods vehicles along with plant under the direct control of the operators which operate at Pigsdon Quarry [i.e. the areas edged red and blue on Drawing No. 5087041/C/PL_200 rev 2 (Location Plan)] shall only use non-intrusive broadband and/or vehicle noise alarms and/or reversing camera. On such vehicles there shall be no use of single or multi pitch reversing bleepers.

**Notes Following Visit**
This condition applies to the whole site as identified in red and blue on Drawing No. 5087041/C/PL_200 rev 2 (Location Plan) and supersedes all conditions attached to any other planning permissions relating to the use of reversing bleepers at the site.

All of the single-pitch reversing bleepers on the site based plant controlled by the Operator were replaced with alternative white noise bleepers in May 2011. No single/multi pitch reversing bleepers were heard during the visit.
**Condition Number and Description**

**Condition 16**

The operators shall take all practicable steps to prevent mud, stones or other deleterious material being carried out onto the public highway. The word 'practicable' and the phrase 'practicable' means in this condition shall have the meaning assigned to it in Section 79(9) of the Environmental Protection Act 1990 (as defined under 1. in the Informative).

**Notes Following Visit**

A wheel wash is located before the weighbridge and was operational at the time of the visit. A long internal access road then follows after weighbridge, which further helps to reduce debris from reaching the public highway. The public highway outside the site entrance was in a good clean condition at the time of the visit.

**Condition Number and Description**

**Condition 17**

All loaded lorries leaving Pigsdon Quarry [i.e. the areas edged red and blue on Drawing No. 5087041/C/PL_200 rev 2 (Location Plan)], shall be securely sheeted.

**Notes Following Visit**

This condition applies to the whole site as identified in red and blue on Drawing No. 5087041/C/PL_200 rev 2 (Location Plan) and supersedes all conditions attached to any other planning permissions relating to the sheeting of lorries whilst leaving the site. The Local Planning Authority has not received any complaints in respect of this matter. All loaded lorries seen leaving the site during the visit were sheeted.

**Condition Number and Description**

**Condition 18**

All practicable means shall be employed by the operators for preventing and minimising the emission of dust, fumes, odour or the creation of noise, vibration and air over-pressure during the approved use of Pigsdon Quarry [i.e. the areas edged red and blue on Drawing No. 5087041/C/PL_200 rev 2 (Location Plan)]. Vehicles, plant and machinery operated within the site shall be fitted with silencers in accordance with the manufacturers' specifications and shall be maintained to their specification at all times. The word 'practicable' and the phrase 'practicable' means in this condition shall have the meaning assigned to it in Section 79(9) of the Environmental Protection Act 1990 (as defined under 1. in the informatives). The operators shall adopt in full the dust control measures set out in the Dust Management Plan (Appendix E).

**Notes Following Visit**

**Dust:** In 2011 the Local Planning Authority received a number of dust complaints. Further to the Local Planning Authority liaising with the Operator, a number of mitigations measures were implemented to help reduce the risk of fugitive dust.

- In July 2011 a weather station was installed outside of the main office to enable the Operator to assess the local weather to determine the level of dust suppression required each day.
- Tarpaulin covers were fitted on the conveyor/hoppers on the Sandvik 440 screen/hopper and the Sandvik 450 screen/hopper, confirmed as emails dated 09.05.2011 and 20.07.2011.
- Four dust control hoods were installed on the ends of the conveyors, confirmed as email dated 19.09.2011.
- New spray bars were fitted on the ends of two of the conveyors dealing with the finer grade materials.
- Improvements have been made to the water storage facilities feeding the dust suppression system.
- A water bowser is available on site to dampen down the haul roads.
- In September 2011 a bund was constructed along the northern boundary to provide screening against noise and dust, in accordance with details approved as email dated 19.09.2011.
Further to this, the site is ‘Permitted’ by the Council’s Environmental Protection Team under the Environmental Permitting (England and Wales) Regulations 2010. Dust suppression is comprehensively regulated by means of the Permit, which has a prescriptive programme of preventative measures to reduce dust emissions. Whilst investigating the dust complaints the Local Planning Authority has been in close liaison with the Environmental Protection Officer.

In accordance with Condition 8 of decision notice 09/00380/MIN dated 12.01.2010 (later varied by PA10/08871 dated 19.05.2011), the Local Planning Authority requested the Operator undertake dust monitoring to assess the dust emissions. A methodology for the dust monitoring was approved by Council’s Environmental Protection Officer. Frisbee gauges combined with sticky strips were installed at three separate locations, identified as PQ1 (to the south west of the quarry), PQ2 (to the north east of the quarry) and PQ3 (to the north of the quarry). The dust was monitored for a six month period between July 2011 and December 2012, with samples being collected for analysis every two weeks.

All of the dust monitoring results were forwarded to the Environmental Protection Officer, who concluded that although PQ3 was often elevated in comparison to PQ1 and PQ2, only one sample collected between 28/10 and 11/11 was anywhere near the ‘Custom and Practise’ limit set by the Environment Agency. The soiling levels were often between the ‘Objectionable’ range but the Environmental Protection Officer felt that as PQ3 was located some distance from the nearest dwelling it would not be at an unacceptable level at the nearest property. As per email dated 19.12.2011, the Environmental Protection Officer confirmed the site was compliant with the Permit and the Operator was applying ‘best practicable means’ to reduce dust. Based on the outcome of the monitoring and the assessment of the Environmental Protection Officer, the Local Planning Authority has been unable to identify a breach in the terms of this condition. And the complaints were closed in October 2012.

Noise
In April 2011 the Local Planning Authority received noise complaints referring to the use of single pitch reversing bleepers and the general noise levels coming from the quarry.

BLEEPERS
- In April 2011 the single pitch bleepers on the loaders (x3), the dumpers (x2) and the CAT245 were replaced by auto adjusting white noise bleepers.
- Brigade Electronics carried out a site noise assessment on 26.04.2011 to determine the most effective bleepers for the remaining plant. Following the assessment white noise bleepers were fitted to the artic dumpers, the tracked dozer (x1), the crusher and screeners (x12), the excavators (x2) and the tipper trucks.

GENERAL NOISE
- Following a number of noise complaints in April 2011, the Local Planning Authority asked the Operator to undertake noise monitoring to test compliance with the approved limit. The Operator instructed an independent consultancy, SLR Consulting Ltd to undertake the monitoring.
- On 15.07.2011 and 19.08.2011 the monitoring was undertaken at the curtilage of the closest residential property to the north of the quarry. The noise report (SLR Ref 422.02374.00004 Rev 1 dated August 2011) indicated a noise level of 47dBLAeq (1 hour), and the range of results indicated that at times, levels could be as much as 48.2dB. This was found to be above approved limit of 45dB LAeq (1 hour) and this condition was identified in breach.
- To reduce the noise the Operator implemented a number of mitigation measures:
  - In September 2011, the Operator constructed a screen bund along the northern boundary (details approved under condition 6 of PA10/08871 dated 19.05.2011).
  - As email dated 31.10.2011 the plant was reconfigured by turning the primary jaw crusher and the secondary cone crusher 90 degrees so the engines face towards the quarry face instead of northwards.
  - In January and February 2012 bespoke louvers were fitted over three of the engines to reduce noise emissions.
- To test the success of the mitigation measures the noise was retested on 13.03.2012 at three receptor sites to the north; Langford Farm, the Furlongs and Lymsworthy Old Farmhouse.
On 19.04.2012, SLR Consulting issued the noise monitoring report (SLR ref 422.02374.00004 Rev 3 dated April 2012). Whilst the report indicated there were occasional exceedances of the maximum noise levels at Langford Farm (between 15.00 and 16.00 a level of 49.6dB LAeq (1 hour) was reported with a range at times of up to 52.5dB), SLR attributed the likely cause of the exceedances to bird song and a JCB (unrelated to the quarry) working in a nearby field.

Following the monitoring, the Local Planning Authority received two separate comments from residents alleging the noise nuisance was not present on the day of monitoring. It was concluded that this may have been caused by unforeseen plant breakdowns or wind direction carrying noise away from the receptor sites on the day of monitoring.

The Local Planning Authority consulted with the Council’s Environmental Health Department and Innovate Acoustics about the findings in the monitoring report. They concluded that whilst the statement of extraneous noise interference was considered entirely plausible, it would not be particularly robust for the Council to solely rely on this statement alone as evidential proof that the noise levels from the quarry were within the permitted levels. Therefore without the evidence to identify the background noise level, the Local Planning Authority found the noise retesting had been successful in reducing the noise levels to below the approved noise limit.

As email dated 07.08.2012, SLR Consulting confirmed they had been instructed by the Operator to retest the noise and that they would prepare a methodology for the retesting which would be agreed by the Local Planning Authority, in consultation with the Environmental Protection Officer.

On 22.04.2013 the methodology was submitted and was found to be acceptable following consultation with Eloise Travis from the Council’s Environmental Protection Team. The methodology identified the noise retesting would be undertaken over two full week days and would include a separate day of background monitoring to be undertaken on a Sunday whilst the quarry was closed. Wind direction and speed and combinations of plant to be in use during the monitoring period were agreed as part of the methodology.

SLR was instructed to proceed with the monitoring once dry conditions arose with winds at suitable speeds and direction. The Operator reported these opportunities were very infrequent. In the meantime, the Operator indicated they would like to extend the bund in the north eastern corner to provide further screening from noise and dust. The proposal was submitted in full on 24.09.12 and following consultation from the Environment Agency was resubmitted at a reduced scale on 05.04.13. The submission was approved on 13.05.2013 and it was agreed that the noise compliance retesting should be deferred until after the bund had been constructed, so the monitoring could take into account its affects. The northern bund extension was completed on 31.05.2013 and the topsoiling and grass seeding was completed in the second week of June 2013.

On 13.06.2013 the new planning permission for the extension and deepening of the quarry void was approved (ref PA12/04351). The parameters of the noise condition were found to be slightly different to the noise condition in the previous permission PA10/08871 dated 19.05.2011 in that it omitted the asphalt plant. The Operator submitted a Non Material Amendment application to vary the wording of the noise condition so that it included the asphalt plant. It was agreed that the noise compliance retesting should be deferred until after a decision had been made on the application, so that the monitoring could reflect any changes to the noise condition. The NMA was approved on 17.09.2013.

Upon approval of the NMA, the temporary operations were well underway to construct the new spoil tip, permitting the higher noise limit of 70dB LAeq (1 hour). It was agreed that the noise retesting should proceed once the temporary operations had been completed. The temporary operations were completed in mid-December 2013 and SLR Consulting were instructed to proceed with the noise retesting.

During the 2013-2014 winter months the Operator reported that it had not been possible to undertake the noise monitoring due the unfavourable weather conditions (wind and rain). However no noise complaints were received and further noise mitigation measures were put in place and:

- The former hopper feeding the crushing plant was lined with inch thick rubber to reduce the noise from the stone being feed into the machines. In January 2014 this was since replaced by a newer modern crusher.
- The primary crushing plant which used to be sited in the north east corner of the quarry void has been relocated to a more southerly location.
• Early in 2014 the quarry announced production at the quarry had been scaled back with staffing levels being reduced by half. Given the reduction in production the Environmental Protection Team advised that the noise monitoring should be deferred as any monitoring at this time would not reflect a true representation of the noise levels.

At the time of this visit, the noise retesting exercise has not been carried out. However it is recognised that there have been considerable changes on site since the first noise testing exercise. The former ROMP tip in the north east has since been restored and waste is now being tipped in the new spoil tip in the south west. The new tip lies further away from the complainant’s properties which may result in less disturbance from vehicle movements and tipping activities. A number of noise mitigation measures have been implemented including changes to plant and the construction of the northern bund and the further extension to the bund in the north eastern corner. The order of the phases for working the new extension area has been amended so the future working of the quarry will see the deepening of the quarry void before expansion into the surface at the north western corner. On this basis, most of the temporary operations such as soil and over burden stripping have been completed for the foreseeable future and as the quarry deepens it is thought the void will provide further screening from the operations in the base of the quarry. At this time the production levels have not returned to the former levels previously seen and the Local Planning Authority has not received any noise complaints since 2013. Based on the above, the Local Planning Authority suggests the requirements for the noise retesting be revisited if further noise concerns arise in the future. It is still recognised that there hasn’t been any measurable evidence to identify the noise level is below the approved limit but given there are no actions required by the Operator at this time, this condition will, for the meantime, be shown in green.

Condition Number and Description
Condition 19

Pigsdon Quarry [i.e. the areas edged red and blue on Drawing No. 5087041/C/PL_200 rev 2 (Location Plan)] shall not be artificially illuminated except during the permitted hours of working and all lights and floodlights shall be positioned or screened so the source of light is not directly visible from the public highway or residential properties.

Notes Following Visit
This condition applies to the whole site as identified in red and blue on Drawing No. 5087041/C/PL_200 rev 2 (Location Plan) and supersedes all conditions attached to any former planning permissions relating to external lighting. The Local Planning Authority has not received any complaints about lighting at this quarry.

Condition Number and Description
Condition 20

There shall be no burning of any material at Pigsdon Quarry [i.e. the areas edged red and blue on Drawing No. 5087041/C/PL_200 rev 2 (Location Plan)] at any time.

Notes Following Visit
A Non Material Amendment (NMA) was submitted to vary the wording of Condition 20. The NMA was subsequently approved on 08.10.2013 (ref PA13/08370). For the avoidance of doubt Condition 20 now states (changes in italics):

There shall be no burning of any material at Pigsdon Quarry [i.e. the areas edged red and blue on Drawing No. 5087041/C/PL_200 rev 2 (Location Plan)] at any time except as may be authorised by an Environment Agency exemption in respect of burning pulled noxious weeds or for the disposal of packaging of explosives.

This condition applies to the whole site as identified in red and blue on Drawing No. 5087041/C/PL_200 rev 2 (Location Plan) and supersedes all conditions attached to any former planning permissions relating to the burning of materials.

There was no evidence of burning on site.
Condition Number and Description

Condition 21

Notwithstanding the provisions of Part 19 of Schedule 2 of the Town and Country Planning (General Permitted Development) Order 1995 or any Order amending, replacing or enacting that order, no fixed plant or machinery, building or structures or erections shall be erected, extended, installed or replaced at Pigsdon Quarry [i.e. the areas edged red and blue on Drawing No. 5087041/C/PL_200 rev 2 (Location Plan)] without the prior approval in writing of the LPA. Details shall include the design, siting, dimensions, cladding, noise and dust suppression measures.

Notes Following Visit

This condition applies to the whole site as identified in red and blue on Drawing No. 5087041/C/PL_200 rev 2 (Location Plan) and supersedes all conditions attached to any former planning permissions relating to permitted developments rights under Part 19.

- The specifications for the wheel wash were approved in a letter dated 14.09.2009.
- Improvements to the office and welfare facilities were approved in letter dated 28.06.2011. The improvements are listed below:
  - Installation of a new portable office adjacent to the weighbridge. Works completed.
  - Removal of the two buildings south of the existing office block. Works completed.
  - Conversion and refurbishment of the existing office portakabin into welfare facilities. Instead of converting the existing portakabin, it was replaced by a newer portakabin with a similar design and dimensions. As this was a 'like for like' replacement, the Local Planning Authority did not identify any impacts with the replacement portakabin. The original office portakabin was repositioned on land opposite the new office. This was on land within the former ROMP void and could not be seen off site. Given there was no prior approval or permission for the additional building, the Local Planning Authority asked the Operator to identify their intentions for it. In email dated 09.10.2012 the Operator confirmed they would still be removing the redundant portakabin but requested it be retained for a temporary period to delay the cost of its removal and disposal at this time. The Local Planning Authority agreed it could be retained on site until 06.05.2013. In email dated 13.05.2013, the Operator requested a further 6 months extension to the retention of the old office portakabin building so they could either sell it or determine an in house use. The Local Planning Authority approved the retention of the old office portakabin building until 13.12.2013. In letter dated 15.05.2014 the Operator requested permanent retention of the portakabin opposite the new office. In an internal email dated 12.07.2016, the planning officer Tim Warne advised that as no prior approval was obtained for the portakabin Condition 21 did not provide a mechanism to approve such a request. However in view of its scale, the nature of the portakabin and its likely temporary duration, he did not consider it to be causing any detrimental impact. Although the portakabin remains unregularised, in light of absence of any harm to amenity the Local Planning Authority does not consider it expedient to pursue this any further. However, as the building will continue to remain unlawful, the Operator could submit a regularising application if they wished to make the building lawful.
  - The installation of a Dust Separator Plant was approved in letter dated 13.04.2015 (PA14/12294). The plant has since been commissioned. The building itself is wider than approved and has a different roof profile but overall is lower than the approved heights. The Local Planning Authority has considered that these deviations do not cause any adverse impacts on the surrounding amenity and will not pursue this any further. However the operator could regularise the variations from the approved plans via the submission of a Non Material Amendment application.
**Condition Number and Description**

**Condition 22**

There shall be no stockpiling of any material on any undisturbed portions of the site. Stockpiling shall be confined to areas of the extension site or within the excavated area to the east of Lamberal Water and the height of stockpiles shall not exceed the height of the original natural ground in accordance with details to be agreed in writing with the LPA.

**Notes Following Visit**

Soils stripped from the south western area of Phase 1 were stored in a nearby bund which exceeded the natural ground level. The Operator indicated the soils would be used for restoration but may remain in place until they are required to dress the outer profile on the second rise on the spoil tip. Advice was sought from a planning officer and whilst this was technically in breach of this condition, given the soils were stored in a low level bund which had naturally revegetated and were stored on a temporary basis for use in restoration, the Local Planning Authority did not consider it to be causing any significant visual harm.

**Condition Number and Description**

**Condition 23**

Ground vibration from blasting at the site shall not exceed a peak particle velocity of 8.5mm per second at or near the foundations of any vibration sensitive building or residential premises in the vicinity of the site. The measurement to be the maximum of three mutually perpendicular directions taken at the ground surface. No blasting shall be carried out except between:-

-1000 and 1700 hours on Mondays to Fridays and between 1000 and 1300 hours on Saturdays.

**Notes Following Visit**

A blasting complaint was received on 20.09.2012 (ref EN12/02520). The complaint was investigated and no breach was identified. The Local Planning Authority has not received any further blast complaints since this time.

**Condition Number and Description**

**Condition 24**

Blasting shall be monitored strictly in accordance with the Scheme of Monitoring agreed by the LPA as of letter dated 8th November 2010 under the terms of condition 22 of planning permission 09/00380/MIN dated 12th January 2010.

**Notes Following Visit**

The Operator is aware of the approved scheme and there is no evidence to indicate blasts are not monitored in accordance with the scheme. There are no active preparations being undertaken at this time for any proposed blasts at this quarry.

**Condition Number and Description**

**Condition 25**

There shall be no secondary blasting or the use of non-explosive gas expanding rock breaking equipment at the site.

**Notes Following Visit**

No secondary blasting or non-explosive gas expanding rock breaking techniques are known to take place at the quarry.
**Condition Number and Description**

**Condition 26**

All quarry washings and run-off from stripped or disturbed areas and quarry tracks at Pigsdon Quarry [i.e. the areas edged red and blue on Drawing No. 5087041/C/PL_200 rev 2 (Location Plan)] shall be contained in settlement lagoons as necessary to remove solids before discharge to any watercourses. The design and location of any such lagoons shall be in accordance with details to be agreed in writing with the LPA.

**Notes Following Visit**

This condition applies to the whole site as identified in red and blue on Drawing No. 5087041/C/PL_200 rev 2 (Location Plan) and supersedes all conditions attached to any former planning permissions relating to the containment of quarry washings and run-off from stripped and disturbed areas. Please see the comments attached to condition No.5 regarding surface water management.

**Condition Number and Description**

**Condition 27**

Any fuel, oil, lubricant or other potential pollutants shall be stored and/or handled at Pigsdon Quarry [i.e. the areas edged red and blue on Drawing No. 5087041/C/PL_200 rev 2 (Location Plan)], in such a manner as to prevent pollution of any watercourse. For any liquid other than water this shall include storage in suitable tanks and containers which shall be housed in an area surrounded by bund walls of sufficient height and construction so as to contain 110% of the total contents of all containers and associated pipe work.

**Notes Following Visit**

This condition applies to the whole site as identified in red and blue on Drawing No. 5087041/C/PL_200 rev 2 (Location Plan) and supersedes all conditions attached to any former planning permissions relating to the storage of fuel, oils, lubricants and other potential pollutants. There was no evidence to indicate fuels are not stored within suitably bunded facilities.

**Condition Number and Description**

**Condition 28**

There shall be no discharge of foul or contaminated drainage or trade effluent from the Pigsdon Quarry [i.e. the areas edged red and blue on Drawing No. 5087041/C/PL_200 rev 2 (Location Plan)] into either groundwater or any surface waters, whether direct or via soakaways.

**Notes Following Visit**

This condition applies to the whole site as identified in red and blue on Drawing No. 5087041/C/PL_200 rev 2 (Location Plan) and supersedes all conditions attached to any former planning permissions relating to the discharge of foul or contaminated drainage or trade effluent. There was no evidence to indicate a breach of this condition.

**Condition Number and Description**

**Condition 29**

No materials from sources outside the site shall be imported to Pigsdon Quarry [i.e. the areas edged red and blue on Drawing No. 5087041/C/PL_200 rev 2 (Location Plan)] for restoration or disposal purposes at any time.

**Notes Following Visit**

This condition applies to the whole site as identified in red and blue on Drawing No. 5087041/C/PL_200 rev 2 (Location Plan) and supersedes all conditions attached to any former planning permissions relating to the importation of materials for the purposes of restoration or disposal. There was no evidence to indicate any materials had been imported for use in restoration or for disposal purposes.
Condition 30

Before any part of the site is excavated or traversed by heavy machinery (except for the purpose of stripping that part or stacking topsoil on that part), or is used for the stationing of plant or machinery, stacking of subsoil or crossed by a haul road, all available topsoil (on average 0.30m depth) shall be stripped from that part and either stored or directly transferred for restoration purposes. Topsoil or subsoil shall not be removed from the site.

Notes Following Visit
Condition 31 now applies. No soils can be removed or replaced until mid April 2017.

Condition 31

No operations involving soil removal, replacement or cultivation shall take place during the period mid September - mid April (inclusive) without prior written consent of the LPA.

Notes Following Visit
This condition is now applicable until next April. No soils can be removed or replaced during this period.

Condition 32

The stripping and movement of topsoil and subsoil shall only be carried out when the full depth of soil to be stripped is in a suitably dry soil moisture condition, by using low ground pressure equipment and when weather conditions are dry in order to minimise structural damage.

Notes Following Visit
Condition 31 now applies. No soils can be removed or replaced until mid April 2017.

Condition 33

Topsoil and subsoil shall be stored separately. There shall be no contamination of the two types of soil and they shall be separated by an approved medium to the satisfaction of the LPA.

Notes Following Visit
Condition 31 now applies. No soils can be removed or replaced until mid April 2017.

Condition 34

No soil storage store shall be constructed within 4 metres of any boundary hedge or beneath the crown spread of any tree, whichever is greater. Soil stores shall be constructed with only the minimum amount of compaction necessary in order to ensure stability.

Notes Following Visit
There is no evidence to indicate non-compliance with this condition. Condition now 31 applies. No soils can be removed or replaced until mid April 2017.
**Condition Number and Description**

**Condition 35**

At no time shall any topsoil or subsoils storage mounds exceed 4 metres and 5 metres in height respectively as measured from its base. Stores of topsoil and subsoil shall not be traversed by heavy vehicles or machinery except during construction or removal of these mounds.

**Notes Following Visit**

Soil storage mounds do not exceed the approved heights and do not appear to have been traversed by heavy vehicles. Condition 31 applies. No soils can be removed or replaced until mid April 2017.

**Condition Number and Description**

**Condition 36**

Within three months from the construction of any topsoil or subsoil store or any temporary screening bunds, they shall be grass seeded using a low maintenance grass seed mix to be agreed in writing with the LPA. The grass sward established shall be managed throughout the period of soil storage or the life of the temporary screening bund.

**Notes Following Visit**

There are no new soil storage bunds. Condition 31 now applies. No soils can be removed or replaced until mid April 2017.

**Condition Number and Description**

**Condition 37**

Throughout the operational life of Pigsdon Quarry [i.e. the areas edged red and blue on Drawing No. 5087041/C/PL_200 rev 2 (Location Plan)], all soil mounds, disturbed and restored areas shall be maintained and kept free of noxious weeds. All necessary steps shall be taken to destroy weeds at an early stage of growth in order to prevent seeding.

**Notes Following Visit**

This condition applies to the whole site as identified in red and blue on Drawing No. 5087041/C/PL_200 rev 2 (Location Plan) and supersedes all conditions attached to any former planning permissions relating to noxious weeds on soils mounds at the site. There was no evidence of any noxious weeds present on any soil mounds.

**Condition Number and Description**

**Condition 38**

Following the satisfactory replacement and treatment of the subsoil, topsoil shall be re-spread evenly to a minimum depth of 300mm. The topsoil shall then be cultivated to relieve compaction. Stones larger than 100mm in size or other material capable of preventing or impeding normal agricultural or land drainage operations shall be removed from the site for suitable elsewhere or shall be buried on site not less than 1.5 metres below the finished topsoil level.

**Notes Following Visit**

Condition 31 now applies. No soils can be removed or replaced until mid April 2017.
Condition Number and Description
Condition 39

Prior to the commencement of mineral extraction within the proposed lateral extension as shown on Drawing 5087041_206 Rev 6 Phase 6 the existing hedgerow shall be translocated to the areas labelled 'Proposed Relocated Hedge on Drawing No. 5087041_206 Rev 6 Phase 6. Such translocation shall be undertaken and thereafter maintained in full accordance with the Hedgerow Translocation Methodology Guidance in Appendix C of the Regulation 22 Response.

Notes Following Visit
This condition refers to Drawing 5087041_206 Rev 6 Phase 6, but in light of the recent Non Material Amendment application (ref PA14/10216 dated 18.12.14) this drawing no longer exists. This condition does not identify which section of the existing hedgerow needs to be relocated.

Condition Number and Description
Condition 40

During the operation of Pigsdon Quarry [i.e. the areas edged red and blue on Drawing No. 5087041/C/PL_200 rev 2 (Location Plan)] and the stated aftercare period, noxious weeds in particular ragwort, broad leafed dock, curled leaf dock, spear thistle, creeping thistle, Japanese knotweed and hogweed shall not be allowed on the site. Recognised control methods shall be implemented as soon as is practicable following initial infestation until clearance has been achieved.

Notes Following Visit
This condition applies to the whole site as identified in red and blue on Drawing No. 5087041/C/PL_200 rev 2 (Location Plan) and supersedes all conditions attached to any former planning permissions relating to the treatment of noxious weeds at the site. There was no evidence of noxious weeds in the areas inspected during the visit.

Condition Number and Description
Condition 41

On completion of the quarrying / mineral spoil tipping operations hereby approved, Pigsdon Quarry [i.e. the areas edged red and blue on Drawing No. 5087041/C/PL_200 rev 2 (Location Plan)] shall be treated and restored for amenity or other purposes in accordance with a scheme to be submitted by the operator and agreed in writing by the LPA to include details of measures to rehabilitate the quarry floor, or flooded margins, backfilled areas, quarry faces, former plant areas and access roads and a programme for implementation. All plant, machinery buildings and stockpiles shall be removed. The restored areas shall be subject to a programme of aftercare in accordance with the details to be agreed in writing with the LPA.

Notes Following Visit
The site is still in use and this condition is not applicable at this time.

Condition Number and Description
Condition 42

In the event of a cessation of the winning and working of minerals prior to the completion of extraction as shown on Drawing no 5087041_206 Rev 6 Phase 6, which, in the opinion of the LPA constitutes a permanent cessation within the terms of paragraph 3 of schedule 9 of the Town and Country Planning Act 1990, a revised scheme to include details of restoration and aftercare, as detailed in condition number 41 above, shall be submitted in writing for approval by the LPA within 12 months of the above cessation or longer period as may be agreed with the LPA. The scheme shall subsequently be fully implemented in accordance with the approved details.

Notes Following Visit
The site is still in use and this condition is not applicable at this time.
Compliance with Planning Conditions
PA10/08871 dated 19.05.2011. Application to vary Conditions 6 (control of development) and 47 (new bank and planting) of Decision Notice 09/00380/MIN dated 12.01.2010.

Please note that all of the conditions attached to this decision notice except conditions 20, 21 and 25 have been superseded by Decision Notice PA12/04351 dated 13th June 2013,

Condition 1: This condition is no longer applicable as the phasings identified in this condition have been superseded by the 7 phases identified in the new permission, namely decision notice PA12/04351 dated 13.06.2013.

Condition 2: The time limit identified in this condition has been superseded by the time limit identified in Condition 2 of decision notice PA12/04351 dated 13.06.2013.

Condition 3: The requirements of this condition are superseded by Condition 2 of decision notice PA12/04351 dated 13.06.2013.

Condition 4: The requirements of this condition have been superseded by the restoration requirements identified in decision notice PA12/04351 dated 13.06.2013.

Condition 5: This condition is superseded by condition 3 of decision notice PA12/04351 dated 13.06.2013, which permit the depth of extraction to 81mAOD.

Condition 6: The approved plans have been superseded by the approved plans and documents identified in condition 4 of the limit to the depth of decision notice PA12/04351 dated 13.06.2013.

Condition 7: This condition has been superseded by condition 4 of decision notice PA12/04351 dated 13.06.2013.

Condition 8: The requirements of this condition have been superseded by decision notice PA12/04351 dated 13.06.2013. Dust suppression is identified in the Dust management Plan (Appendix E) approved as identified in condition 4 of decision notice PA12/04351 dated 13.06.2013.

Condition 9: The requirements of this condition have been superseded by condition 5 of decision notice PA12/04351 dated 13.06.2013.

Condition 10: The restoration scheme was approved as letter dated 20.07.2011. The scheme identified phased extraction of the land to the west of Lamboral Water, in conjunction with the phased restoration of the former ROMP quarry void to the east of Lamberal Water. However the phasing’s of extraction identified in the scheme have been superseded by the 7 phasing’s identified in condition 4 of decision notice PA12/04351 dated 13.06.2013. The restoration requirements of the scheme still apply but as required in condition 2 of decision notice PA12/04351 dated 13.06.2013 the operator submitted revised timescales for the restoration.

The revised timescales for the phasing’s were approved in letter dated 07.11.2013 (ref PA13/08383) and identified the tipping would be completed by the end of November 2013, with the surface planting to be completed by the end of May 2014. Over the winter months in 2013, unfavourable weather conditions slowed progress with the backfilling of the tip and the Local Planning Authority agreed the deadline to complete the tipping could be extended until the April 2014 with the soiling and planting to be completed by the end of May 2014. The backfilling has since been completed and the surface was grass seeded in June 2014. See Condition 2 of PA12/04351 dated 13.06.2013 for further comments.

*Note: The approved restoration scheme referred to in this condition (PA10/05131 approved 20.07.2011), provides for the surface of the tip to be seeded to perennial grassland. However Condition 9 of this decision notice requires the Operator to implement the ecological measures set out in Section 6 of the Environmental Statement (as amended / clarified by the details in the document titled ‘Regulation 22 Further Information dated February 2013 and further revised in PA14/10216 dated 18.12.14). These documents identify that an area on the eastern flank of the tip is to be planted with hazel trees. The trees were planted in June 2014.
Condition 11: This condition has been superseded by Condition 12 of decision notice PA12/04351 dated 13th June 2013.

Condition 12: This condition has been superseded by working hours identified in condition 13 identified in of decision notice PA12/04351 dated 13.06.2013.

Condition 13: This condition has been superseded by condition 14 of decision notice PA12/04351 dated 13.06.2013.

Condition 14: This condition has been superseded by Condition 16 of decision notice PA12/04351 dated 13.06.2013.

Condition 15: This condition has been superseded by condition 17 of decision notice PA12/04351 dated 13.06.2013.

Condition 16: This condition has been superseded by condition 18 of decision notice PA12/04351 dated 13.06.2013.

Condition 17: This condition has been superseded by condition 19 of decision notice PA12/04351 dated 13.06.2013.

Condition 18: This condition has been superseded by condition 20 of decision notice PA12/04351 dated 13.06.2013.

Condition 19: This condition has been superseded by condition 21 of decision notice PA12/04351 dated 13.06.2013.

**Condition Number and Description**

Condition 20

There shall be no stockpiling of any material on any undisturbed portions of the site. Stockpiling shall be confined to areas of the extension site or within the excavated area to the east of Lamberal Water and the height of stockpiles shall not exceed the height of the original natural ground.

NB: For the purposes of this condition, ‘the site’ relates to the areas outlined in blue and red on Drawing No. SP15-2009 Rev 2.

**Notes Following Visit**
The stockpiling requirements of this condition apply to any land at Pigsdon Quarry, except in relation to land within the boundary of decision notice PA12/04351 dated 13.06.2013, which is now covered by condition 22 of that permission. No materials are stockpiled on land outside of the boundary of decision notice PA12/04351 dated 13.06.2013.

**Condition Number and Description**

Condition 21

Ground vibration from blasting shall not exceed a peak particle velocity of 8.5mm per second at or near the foundations of any vibration sensitive building or residential premises in the vicinity of the site. The measurement to be the maximum of three mutually perpendicular directions taken at the ground surface. Unless otherwise agreed in writing with the MPA, no blasting shall be carried out other than between 10:00 and 17:00 hours on Mondays to Fridays and between 10:00 and 13:00 on Saturdays.

NB: For the purposes of this condition, ‘the site’ relates to the areas outlined in blue and red on Drawing No. SP15-2009 Rev 2.

**Notes Following Visit**
The blasting requirements of this condition apply to any land at Pigsdon Quarry, except in relation to blasting on land within the boundary of decision notice PA12/04351 dated 13.06.2013, which is now covered by condition 23 of that permission. All blasts at this time are undertaken on land within the boundary of decision notice PA12/04351 dated 13.06.2013.
**Condition 22:** This condition is superseded by condition 24 of decision notice PA12/04351 dated 13th June 2013.

**Condition 23:** This condition is superseded by condition 25 of decision notice PA12/04351 dated 13.06.2013.

**Condition 24:** A surface water management scheme has been approved in decision notice PA12/04351 dated 13.06.2013.

**Condition Number and Description**

**Condition 25**

No de-watering shall take place and the base of the quarry shall not extend below the highest winter water table until the operators have previously submitted a scheme to secure de-watering of the site to the MPA. Any such scheme shall be supported by detailed information and all dewatering shall subsequently be undertaken in strict accordance with the approved scheme. Any works installed in association with the scheme shall be managed and maintained in accordance with the approved details unless otherwise previously approved in writing by the MPA.

NB: For the purposes of this condition, 'the site' relates to the areas outlined in blue and red on Drawing No. SP15-2009 Rev 2.

**Notes Following Visit**

The requirements of this condition apply to any land at Pigsdon Quarry, except in relation to dewatering on land within the boundary of decision notice PA12/04351 dated 13th June 2013, which is now covered by condition 10 of that permission. There is no dewatering being undertaken on the land to the east of Lamberal Water.

**Condition 26:** This condition has been superseded by condition 27 of decision notice PA12/04351 dated 13.06.2013.

**Condition 27:** This condition has been superseded by condition 28 of decision notice PA12/04351 dated 13.06.2013.

**Condition 28:** This condition has been superseded by condition 26 of decision notice PA12/04351 dated 13.06.2013.

**Condition 29:** This condition has been superseded by condition 29 of decision notice PA12/04351 dated 13.06.2013.

**Condition 30:** This condition has been superseded by condition 30 of decision notice PA12/04351 dated 13.06.2013.

**Condition 31:** This condition is no longer applicable and has been superseded by decision notice PA12/04351 dated 13.06.2013.

**Condition 32:** This condition has been superseded by condition 31 of decision notice PA12/04351 dated 13.06.2013.

**Condition 33:** This condition has been superseded by condition 32 of decision notice PA12/04351 dated 13.06.2013.
Condition 34: This condition is no longer applicable and has been superseded by decision notice PA12/04351 dated 13.06.2013.

Condition 35: This condition has been superseded by condition 33 of decision notice PA12/04351 dated 13.06.2013.

Condition 36: This condition has been superseded by condition 34 of decision notice PA12/04351 dated 13.06.2013.

Condition 37: This condition has been superseded by condition 34 of decision notice PA12/04351 dated 13.06.2013.

Condition 38: This condition has been superseded by condition 35 of decision notice PA12/04351 dated 13.06.2013.

Condition 39: This condition has been superseded by condition 35 of decision notice PA12/04351 dated 13.06.2013.

Condition 40: This condition has been superseded by condition 35 of decision notice PA12/04351 dated 13.06.2013.

Condition 41: This condition has been superseded by condition 36 of decision notice PA12/04351 dated 13.06.2013.

Condition 42: This condition has been superseded by condition 37 of decision notice PA12/04351 dated 13.06.2013.

Condition 43: This condition has been superseded by condition 33 of decision notice PA12/04351 dated 13.06.2013.

Condition 44: This condition has been superseded by condition 30 of decision notice PA12/04351 dated 13.06.2013.

Condition 45: This condition has been superseded by condition 38 of decision notice PA12/04351 dated 13.06.2013.

Condition 46: This condition is no longer applicable. Note: The hedgerow was relocated to the correct location on the southern boundary of the new extension area. This was undertaken in January 2010 outside the growing season and bird nesting season.

Condition 47: This condition was removed as part of the Section 73 application PA10/08871 dated 19.05.2011.

Condition 48: This condition has been superseded by condition 40 of decision notice PA12/04351 dated 13.06.2013.

Condition 49: This condition has been superseded by condition 42 of decision notice PA12/04351 dated 13.06.2013.
3. Compliance with Planning Conditions  

Determination of new planning conditions on existing mineral planning permissions.  

Please note that conditions 6, 7, 8, 11, 15, 16, 17, 18, 19, 20, 24, 25, 26, 27, 31 and 32 have been superseded by Decision Notice PA12/04351 dated 13.06.2013 and condition 22, 23 and 28 have been superseded by Decision Notice PA10/08871 dated 19.05.2011.  

Further to the above, the land to the west of Lamberal Water originally contained within the ROMP planning boundary is now covered by permission area PA12/004351 dated 13.06.2013. Therefore the conditions listed below, only apply to land within the ROMP permission area to the east of Lamberal Water.  

<table>
<thead>
<tr>
<th>Condition Number and Description</th>
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<tbody>
<tr>
<td><strong>Condition 1. Time Limit</strong></td>
</tr>
<tr>
<td>These permissions shall not be valid after 30 September 2023. Unless a further planning permission (or permissions) has been granted for a continuation of operations beyond this period, all operations and uses approved by these permissions shall be discontinued on or before this date, and all plant, machinery and buildings no longer required shall be removed from the site and the land shall be restored in accordance with further conditions below.</td>
</tr>
<tr>
<td>Notes Following Visit</td>
</tr>
<tr>
<td>This condition identifies that the permission will expire on 30.09.2023 unless planning permission has been granted for a continuation of operations beyond this period. This expiry date only applies to land within this permission area to the east of Lamberal Water.</td>
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<tr>
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<tbody>
<tr>
<td><strong>Condition 2. Extent of the Permissions and Nature of the Development</strong></td>
</tr>
<tr>
<td>These conditions relate to the planning permissions identified on Drawing No. P/04-1 and P/04-4 Rev A for stone quarrying and associated operations, including the deposit of quarry waste and ancillary development, and to the asphalt coating plant identified on P113/5.</td>
</tr>
<tr>
<td>Notes Following Visit</td>
</tr>
<tr>
<td>Developments identified for information purposes.</td>
</tr>
</tbody>
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<tr>
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<tbody>
<tr>
<td><strong>Condition 3. Development in accordance with the approved plans (and phasing)</strong></td>
</tr>
<tr>
<td>Unless otherwise agreed in writing with the Mineral Planning Authority (MPA), or required by the conditions attached to this Decision Notice, the development shall be carried out in strict accordance with the following drawings: P/04-1, PI13/5, PQ/00-1 Rev D, P/04-4 Rev A, PQH/95-1 Rev H, and PQH/95-2 Rev C.</td>
</tr>
<tr>
<td>Notes Following Visit</td>
</tr>
<tr>
<td>- P/04-1 - highlights the relevant planning permissions included in the ROMP.</td>
</tr>
<tr>
<td>- PI13/5 - details the approved layout of the coating plant now owned by EJW Glendinning.</td>
</tr>
<tr>
<td>- PQ/00-1 Rev D - the restoration requirements identified on this plan has been superseded by the restoration scheme under condition 10 of PA10/00871 dated 19.05.2011.</td>
</tr>
<tr>
<td>- P/04-4 Rev A - identifies the method of working i.e. direction of working and areas proposed for restoration.</td>
</tr>
<tr>
<td>- PQH/95-1 Rev H - Showing levels of proposed restoration now superseded by the restoration scheme under condition 10 of PA10/00871 dated 19.05.2011.</td>
</tr>
</tbody>
</table>

The former worked out area of the quarry void to the east of Lamberal Water is being backfilled. In this respect the progressive restoration phasing’s identified in Drawing PQ/001 and PQH/95-1 Rev H have been superseded by the restoration as now identified in Condition 2 of decision notice PA12/04351 dated 13.06.2013. Any developments identified on the drawings for land to the west of Lamberal Water have been superseded by the developments approved by decision notice PA12/04351 dated 13.06.2013.
**Condition Number and Description**
Condition 4. Development in accordance with the approved plans (and phasing)

The daily proportion of feed material for the asphalt coating plant sourced from Pigsdon Quarry shall not fall below 60% of the total daily aggregate used in the production of asphalt.

**Notes Following Visit**
There is no evidence to indicate the feed rate is below the approved limit.

**Condition Number and Description**
Condition 5. Development in accordance with the approved plans (and phasing)

All stone extraction shown on Drawing PQ/00-1 Rev D shall not be worked below the 121 metres Above Ordnance Datum level without the prior written permission of the MPA.

**Notes Following Visit**
This condition now only applies to the land to the east of Lamberal Water and there is no extraction from within this area.

**Condition 6**: This condition is no longer applicable. The land identified in this condition is now covered by Decision Notice PA12/04351 dated 13.06.2013.

**Condition 7**: The restoration requirements for this area are now identified in Condition 2 of Decision Notice PA12/04351 dated 13.06.2013.

**Condition 8**: The restoration requirements for this area are now identified in Condition 2 of Decision Notice PA12/04351 dated 13.06.2013.
Condition Number and Description
Condition 9. Restoration Details (Specific)

Within six months of this date of the determination of new conditions (or within such other period as may be agreed in writing with the MPA), a scheme detailing the method of traffic control at the site shall have been submitted and approved in writing by the MPA. The submitted scheme shall include the following provisions:

a) the requirement for drivers of lorries serving the site to be notified of specified approach and departure routes;

b) arrangements to secure compliance with the specified routes;

c) provision of appropriate signage within the site, to provide information of the specified approach and departure routes (the sign shall be maintained as approved for the duration of the operations hereby permitted);

Notes Following Visit
Details were submitted on the 09.10.2006, 09.07.2007 and the 12.11.2007 and approved in letter dated the 19.11.2007. The scheme identifies heavy vehicles should enter the site from the Hersham Cross junction on the B3254 and exit the site via the Rhude Cross junction on the B3254. Following the approval of the scheme, two signs were located along the access road so that all vehicles entering and leaving the site are informed of the specified routes. One of these signs is in replacement of the sign proposed near the weighbridge.

In June 2010 the Local Planning Authority received a complaint from a Parish Councillor relating to the route of the lorries accessing the site. The Operator made direct contact with the Parish Councillor and resolved the issue and the case was closed.

On 06.03.12 the Local Planning Authority received a complaint relating to the number and size of heavy vehicles accessing the quarry (ref EN12/00690). This condition does not provide any restrictions on the number and size of vehicles accessing the quarry. However the application documents for this decision notices and the recent extensions indicate the vehicles movements would continue at what was identified in the 2006 ROMP permission (i.e. an average of 35 HGV movements per day (70 two-way movements), which could peak up to 50 movements per day (100 two-way movements), with the asphalt coating plant generating approximately 24 two way movements per day). The Operators reviewed their weighbridge records from December 2011 to February 2012 and identified that the average number of vehicle movements over the three months was 73 per day. No breach of planning was identified and the complaint was closed.

In August 2016, the Local Planning Authority received a complaint relating to the routing of the lorry movements and alleging that some lorries were not following the approved lorry routes. The Operator was reminded of the approved traffic scheme. The directional signs remain in place and were photographed during this visit. A map showing the lorry routes is placed in the weighbridge window and all drivers have been asked to sign an agreement as they pass through the weighbridge to follow the approved route. The Operator appears to be doing everything reasonable to adhere to the scheme and the case was closed.
Photographs showing the map of the approved routes stuck to the weighbridge office window and the names and signatures collected from the drivers (the signatures are blanked out for the purposes of this report)

Photograph showing the directional signs on the access road for drivers leaving and arriving at the site
Condition Number and Description
Condition 10. Restoration Details (Specific)

The operators of both the quarry and the asphalt coating plant shall be responsible for maintaining accurate contemporaneous daily records of all imports and exports of material won from the quarry and feed materials to the coating plant. These records shall be retained for a period of at least 3 years and shall be made available to the MPA within 3 days of a written request.

Notes Following Visit
The Operator has confirmed that records of the daily imports and exports are retained.

Condition 11: Restoration Details (Specific): This condition has been superseded by condition 5 of the decision notice Decision Notice PA12/04351 dated 13.06.2013.

Condition Number and Description
Condition 12. Restoration Details (Specific)

Within six months of the date of the determination of new conditions (or within such other period as may be agreed in writing with the MPA), a scheme detailing the provision of an emergency flood warning and evacuation procedure from the site shall have been submitted and had approved in writing by the MPA. The submitted scheme shall include the provision of appropriate signage detailing the procedure. The approved scheme shall be implemented and maintained as approved for the duration of the operations hereby permitted.

Notes Following Visit
Details were submitted on the 09.10.2006 and the 05.07.2007 and the scheme was approved as letter dated the 05.12.2007.

Whilst implementing the proposed changes to the office and welfare facilities the Operator should ensure the provisions of approved emergency flood warning and evacuation procedures remain in place. For clarification, a flood warning siren should be located close to the office building as shown on Dwg. No P113SV04A and evacuation procedures should remain placed on notices in the site workshop and near the bridge as shown on Dwg. No P113SV04A. If these areas are unlikely to be suitable following the proposed changes to the office and welfare facilities then the Operator should make a written request to vary the scheme.

Condition Number and Description
Condition 13. Access and Highway Matters

The sole access to the site for vehicles in relation to the development hereby permitted shall be that identified in pink on Drawing Number PQH/95-1 Rev H.

Notes Following Visit
The sole access to the site remains as identified on the approved plan.

Condition Number and Description
Condition 14. Access and Highway Matters

The site access and associated drainage shall be maintained in a good state of repair and kept clean and free of mud and other deleterious material at all times until the completion of restoration and aftercare, using, as necessary, wheel cleaning facilities.

Notes Following Visit
The site benefits from a long internal access road which helps prevent debris from reaching the public highway. The public highway outside the site entrance was in good condition at the time of the visit and the Local Planning Authority has not received any complaints regarding the condition of the road. The wheel wash remains operational and was in use during the visit.
Condition 15: (Loaded Vehicles) has been superseded by condition 15 in Decision Notice PA12/04351 dated 13.06.2013.

Condition 16: (Hours of Operation) has been superseded by condition 13 in Decision Notice PA12/04351 dated 13.06.2013.

Condition 17: Noise, Blast Vibration & Dust: General has been superseded by condition 18 in Decision Notice PA12/04351 dated 13.06.2013.

Condition 18: (Noise) has been superseded by condition 14 in Decision Notice PA12/04351 dated 13.06.2013.

Condition 19: (Noise) has been superseded by condition 14 in Decision Notice PA12/04351 dated 13.06.2013.

Condition 20: Noise has been superseded by condition 15 in Decision Notice PA12/04351 dated 13.06.2013.

**Condition Number and Description**

**Condition 21. Dust**

The following dust suppression measures shall apply to the site identified in blue on Drawing P/04 - 1 and in red P113/5, in order to minimise the escape of dust from the site:-

a) In periods of dry and/or windy conditions or when such conditions as may be forecasted by the Meteorological Office, exposed haul road surfaces, stockpiles and other exposures of material shall be maintained in a damp condition;

b) All unutilised exposed ground capable of generating wind blown dust shall be seeded at the first available opportunity, in order to establish permanent vegetation on exposed surfaces.

**Notes Following Visit**

(a) Most surfaces in this permission area were damp at the time at the visit and no dust blow was witnessed. A water bowser is available for dust suppression.

(b) There are no unutilised areas of exposed ground. Completed areas of the tip have been grass seeded.

Condition 22: (Blasting) has been superseded by condition 21 in decision notice PA10/08871 dated 19.05.2011.

Condition 23: (Blasting) has been superseded by condition 21 in decision notice PA10/08871 dated 19.05.2011.

Condition 24: (Blasting) has been superseded by condition 24 in decision notice PA12/04351 dated 13.06.2013.

Condition 25: (Plant and Machinery) has been superseded by condition 21 in Decision Notice PA12/04351 dated 13.06.2013.

Condition 26: (Plant and Machinery) has been superseded by condition 19 in Decision Notice PA12/04351 dated 13.06.2013.

Condition 27: (Plant and Machinery) has been superseded by condition 27 in Decision Notice PA12/04351 dated 13.06.2013.

Condition 28: (Stockpiling) has been superseded by condition 20 in Decision Notice PA10/08871 dated 19.05.2011.
**Condition 29. Landscaping**

Until such time as they are directly affected by quarrying operations and associated activities, all existing trees, shrubs and hedgerows (within the control of the operator(s)) shall be retained, managed and protected from quarrying and associated activities during the period of development, unless otherwise agreed in writing with the MPA.

**Notes Following Visit**
Vegetation has only been removed when it has been directly affected by quarrying operations and associated activities.

**Condition 30. Landscaping**

Any vegetation shall be planted in accordance with approved landscaping schemes at the earliest practicable opportunity. All shrubs and trees shall be maintained free of weed growth within 0.5 metres of the base and any such plants which die within 5 years of planting, or which become seriously damaged or diseased shall be replaced in the next planting season unless otherwise agreed in writing with the MPA.

**Notes Following Visit**
Trees have formerly been planted within two areas of the ROMPs permission, namely on the raised area to the right of the access road and behind the coating plant. A Tree and Shrub Survey was undertaken on 06.06.2010 and was included in the restoration scheme approved under condition of decision notice PA10/08871 dated 19.05.2011. The survey made two recommendations in relation to tree planting:
- A targeted vegetation clearance should be undertaken around the smaller trees and shrubs planted in Area B (behind the asphalt plant) and Area C (planting in the south on the western side of the river).
- The majority of the trees are now well established and the tree guards should be removed within 18-24 months i.e. between January 2012 and July 2012.

The recommendations were completed in July 2012.

Further maintenance works were also undertaken in the summer 2015.

**Condition 31:** (Control of Noxious Weeds) has been superseded by condition 40 in Decision Notice PA12/04351 dated 13.06.2013.

**Condition 32:** (Restoration and Aftercare) has been superseded by condition 29 in Decision Notice PA12/04351 dated 13.06.2013.

**Condition 33. Restoration and Aftercare**

In advance of operations in any approved area all available topsoil and subsoil shall be stripped and handled separately whilst in a dry condition and either:
- stockpiled in accordance with details to be agreed in writing with the MPA, for later use in restoration, or;
- transferred directly to areas prepared for surface treatment.

**Notes Following Visit**
No topsoil or subsoils have been removed from within the ROMPs area.
**Condition Number and Description**
**Condition 34. Restoration and Aftercare**

All plant, machinery and buildings shall be removed from the site on completion of quarrying or when it is no longer needed for the purposes which they were installed unless otherwise agreed in writing with the MPA. All scrap metal, vehicle and machinery parts shall be removed from the site, unless retained in accordance with details and a purpose to be agreed in writing with the MPA.

**Notes Following Visit**
The Operator submitted a written request to allow provisions for a small accumulation of scrap near to the weighbridge as letters dated 03.06.2009 and 11.09.2009. These details were approved as letter dated 18.10.2010.

**Condition Number and Description**
**Condition 35. Restoration and Aftercare**

In the event of a cessation of winning and working of minerals prior to the completion of the approved working scheme, which in the opinion of the MPA constitutes a permanent cessation within the terms of Paragraph 3 of Schedule 9 of the Town and Country Planning Act 1990, a revised scheme, to include details of reclamation and aftercare, shall be submitted in writing for approval to the MPA within one year of the cessation of winning and working. The approved revised scheme shall be fully implemented within two years of the written approval unless otherwise agreed in writing with the MPA.

**Notes Following Visit**
This condition is not applicable at this time as the site remains in operation at the time of the visit.
3. Compliance with Planning Conditions
6/96/2293/OCM [NC72(11)] dated 09.05.1997.
Construction of new internal haul road to serve Pigsdon Quarry.

**Condition Number and Description**
Condition 1.

The approved road—shown coloured pink on Drawing No. PQR/96-1 shall be constructed in accordance with the details indicated on the abovementioned plan. The operators shall notify the Mineral Planning Authority (MPA) in writing of the commencement date of haul road construction.

**Notes Following Visit**
The haul road was identified as substantially complete as letter dated 27th February 1998.

**Condition Number and Description**
Condition 2.

Except as may otherwise be agreed with the MPA, within 3 months from the commencement date (to be specified under the provisions of Condition No. 1), the existing gateway opposite Pigsdon Lodge (coloured yellow on Drawing No. PQR/96-1) shall have been stopped up in the manner specified below:
(i) a Cornish hedge shall be constructed across the gateway to match the alignment, height and construction detail of the hedge existing on either side;
(ii) a bund shall be constructed on the north-west side of the hedge produced for a 2(i) above, to match the height, slope angle, alignment and construction detail of that existing on either side; and
(iii) both the new hedge and the new bund shall be planted in accordance with a scheme to be agreed with the MPA and such planting shall be undertaken during the first tree planting season following construction.

**Notes Following Visit**
The existing gateway opposite Pigsdon Lodge was stopped up several years ago. The area has naturally revegetated and some trees had been planted along the bund.

**Condition Number and Description**
Condition 3.

Surplus overburden arising during the construction of the approved new haul road shall be disposed of in accordance with details to be agreed with the MPA.

**Notes Following Visit**
The construction phase finished in 1999 and this condition is therefore considered no longer relevant for monitoring purposes.

**Condition Number and Description**
Condition 4.

The operators shall ensure that all run-off from the new haul road, both during construction when in use, is channelled to an appropriate settlement lagoon to intercept gross solid prior to discharge to a watercourse. Such lagoons as may be necessary are to be constructed in accordance with details to be agreed with the MPA, in consultation with the Environment Agency.

**Notes Following Visit**
Use of the haul road is very limited so the surface has naturally revegetated. This has resulted in little, if any, surface runoff.
**Condition Number and Description**

**Condition 5.**

All practicable means shall be employed by the operators for preventing and minimising the emission of dust and fumes, smoke, smell or the creation of noise during the approved use of the site. The word practicable and the phrase practicable means in these conditions shall have the meaning assigned to them in Section 79(9) of the Environmental Protection Act 1990 as defined below. The provisions of this condition include the installation and maintenance of silencers on all plant and machinery to the manufacturers recommended specification.

**Notes Following Visit**

The Local Planning Authority has not received any complaints in relation to the use of the haul road and no issues were identified during the site visit.

**Condition Number and Description**

**Condition 6.**

At such time, as the haul road is no longer used for the purposes hereby approved, the affected land shall be restored in accordance with details to be agreed with the MPA.

**Notes Following Visit**

The haul road remains in use at this time. When the haul road is no longer used for the purposes approved then it will need to be restored in accordance with details to be agreed with the Local Planning Authority.
4. Legal Agreements
None

5. General Comments
PA12/04351 dated 13.06.2013.
Condition 4: Approved Drawings
A copy of the recent tip survey should be forwarded to the Local Planning Authority to demonstrate compliance with the approved levels and formation of the tip.

Condition 5: Surface Water Management
The improvement measures identified in the February 2013 Addendum appear to have been implemented although some supplementary works have been undertaken under the direction of the Environment Agency. These have included the installation of additional attenuation lagoons to the south of the bridge and the installation of a flocculent and chemical dosing unit. The Operator has advised that these supplementary works have met the Environment Agency requirements. The Operator should seek approval from the Local Planning Authority for any variations to the approved scheme identified in this condition.

Condition 1 Time Limit
The last Review of Mineral Permissions (ROMP) was approved on 31.01.2006. The deadline for the submission of the next mineral review application is recognised as being 21.01 2021, fifteen years after the first review. Please also note that this permission will expire on 30.09.2023.

6. Noise Monitoring Results
Reports available:
SLR Ref 422.02374.00004 Rev 1 dated August 2011
SLR Ref 422.02374.00004 Rev 3 dated April 2012

7. Blast Monitoring Results
None

8. Dust Monitoring Results
Reports available:
SLR Ref 422.02374.00004 dated 10th August 2011
SLR Ref 422.02374.00004 dated 30th August 2011
SLR Ref 422.02374.00004 dated 12th September 2011
SLR Ref 422.02374.00004 dated 19th September 2011
SLR Ref 422.02374.00004 dated 7th November 2011
SLR Ref 422.02374.00004 dated 6th December 2011
SLR Ref 422.02374.00004 dated 13th December 2011
None

10. Issues to be Addressed
There are no outstanding matters at the time of this visit, although the Operator should refer to the ‘comments’ above for matters which may require their attention.
11. Summary

Pigsdon Quarry is situated about 1km east of the B3254 which runs south off the A39 between Kilkhampton and Red Post. The quarry extracts stone from the Upper Carboniferous (westphalian) fine sandstone and provides a supply of aggregate for use in road surfacing, building stone for decorative and hedging purposes and construction aggregates and fills. The quarry is in three parts, the former backfilled quarry void to the east, the current extraction area to the west and the spoil tip to the south west. The quarry is separated by the Lamberal Water and is linked by a bridge spanning the river.

The first review of old mineral permissions (ROMP) was approved on 31.01.2006 (ref CC/NC/2004/00433/ OCM [NC72.Env (1)] dated 31.01.2006). The deadline for the submission of the next mineral review application is recognised as being 21.01 2021. This permission will expire on 30.09.2023 unless planning permission has been granted for a continuation of operations beyond this period. Extraction on this side of the river ceased some time ago and the void has been progressively backfilled with quarry waste. The restoration scheme for this area was approved under condition 10 of decision notice 09/00380/MIN dated 12.01.2010, and is now identified in Condition 2 of PA12/04351 dated 13.06.2013. The backfilling was completed in May 2014 and the Operator has provided a full survey of the final levels. Most of the area has now been restored with the exception of the lower level which is still occupied by the offices, workshop, wheel wash and asphalt plant.

An extension on the western side of the river was permitted by on CC/NC/2004/00696/OCW [NC72 (16)] 02.08.2005. A further extension ref 09/00380/MIN was approved on 12.01.2010. This permission was later varied by a Section 73 application PA10/08871 dated 19.05.2011, which sought to remove the requirements to build the bund required by condition 47 and permitted minor changes to the northern boundary arrangements. All but three of the conditions on permission PA10/08871 dated 19.05.2011 have been superseded.

More recently a new permission PA12/04351 was approved on 13.06.2013 providing for a new extension to the west, deepening of the void to 81mAOD and for the construction of spoil tip to the south west. This permission supersedes all of the conditions in CC/NC/2004/00696/OCW [NC72 (16)] dated 25.08.2005 and all but three of the conditions on PA10/08871 dated 19.05.2011.

Since this time, four Non Material Amendments have been approved to vary the original terms of conditions on PA12/04351. Specifically PA13/08046 dated 17.09.2013 varied changes to Conditions 4 and 14, PA13/08370 dated 08.10.2013 varied changes to condition 20, PA14/10216 dated 18.12.2014 varied conditions 4 and 9 and PA14/12294 dated 13.04.2015 approved the installation of a dust separator plant. In addition to this PA10/06831 dated 15.08.2013 varied changes to Condition 20 of PA10/08871.

The Non Material Amendment PA14/10216 dated 18.12.2014 varied the phases of extraction and the new drawings are identified in Condition 4. Extraction has progressed into Phase 2. The outer formation of the tip has been developed to the final extent and tipping continues within. The tip development is thought to be at Phase 5. The dust separator plant has been constructed and commissioned.

No outstanding issues were apparent as a result of this monitoring visit but the Operator should be mindful of the comments raised in Section 5.