

Appendix B

Proposed erection and operation of a sand and gravel processing plant and weighbridge with associated silting facilities.

**Wolston Fields Quarry, Wolston Lane, Wolston,
Warwickshire.**

RBC/20CM010

Planning Conditions.

1. The development to which this permission relates shall cease and the site shall be fully restored on or before the 21st of October 2024.

Reason: - To ensure the proper and expeditious restoration of the site which lies within the West Midlands Green Belt.

GENERAL OPERATIONS

2. The development hereby permitted shall be carried out in accordance with application ref. RBC/20CM010, as amended and updated including the Preliminary Ecological Assessment Report by SLR dated January 2021, the Flood Risk Assessment Reference 2962/FRA/F1 together with the letter and drawings from Hafrenwater dated 11 January 2021 and drawings ref: LD 127-WFQ-002, W179/56, W179/53b, W179/49e, E 1944 GA -001, W179/59 and LD 127-WFQ-003 and any samples or details approved in accordance with the conditions attached to this permission, except to the extent that any modification is required or allowed by or pursuant to these conditions.

Reason: – In order to define the exact details of the planning permission granted and to secure a satisfactory standard of development in the locality.

3. The Site Administration Layout including the offices, car park, wheel wash and weighbridge shall not materially depart from drawing reference LD127-WFQ-002.

Reason: – In order to define the exact details of the planning permission granted and to secure a satisfactory standard of development in the locality.

4. A floor mounted weighbridge, no more than 1 metre in height shall be installed in the location shown on drawing reference LD127-WFQ-002.

Reason: - In order to secure a satisfactory standard of development in the locality.

5. No processing of materials excavated from the site shall be carried out until details of the final as built plant and sound output levels have been submitted to the Mineral Planning Authority,

Reason: - In order to secure a satisfactory standard of development in the locality.

6. All silt produced from on-site processing shall be used in the backfilling and restoration of Phase 5 (a-c).

Reason: - To ensure that the silt produced is used in the backfilling and restoration of the site, to protect the amenities of the area and ensure that the site is restored to a beneficial use consistent with its Green Belt designation

7. No more than 350,000 tonnes of excavated materials shall be processed on site.

Reason: In order to define the exact details of the planning permission granted, to reflect the need to limit the nature, extent and duration of the development in the Green Belt and to ensure vehicle numbers are consistent with those specified within the application.

8. Only those minerals excavated on site shall be processed through the on-site processing plant.

Reason: To protect the amenity of the adjoining area.

9. A log of all vehicles entering and leaving the site of the operations hereby permitted shall be maintained for the duration of the development. This shall be made available for inspection when required.

Reason: In the interests of monitoring levels of processed materials leaving the site, and progression of the development.

HOURS OF OPERATION

10. None of the operations or uses authorised by this permission (including the maintenance of vehicles and plant) shall be carried out other than during the following times:
- 0700 – 1800 hours Mondays to Fridays
 - 0800 – 1200 hours Saturday (Essential maintenance only)

No operations or uses shall be carried out on Sundays or Public Holidays.

Reason: – In order to protect the amenity of residents

ARCHAEOLOGY

11. The development shall be carried out in accordance with the programme of archaeological works dated November 2017 and approved under condition 12 of permission reference: RBC/12CM018.

Reason: - In order to ensure the adequate investigation and recording of known and potential archaeological remains located on the site.

ACCESS AND PROTECTION OF THE PUBLIC HIGHWAY

12. No structure, tree or shrub shall be erected, planted, or retained within the site access visibility splays exceeding a height of 0.9 metres above the level of the public highway carriageway.

Reason: - In the interests of highway safety

13. The previously approved site access details defined on plan ref: A083719-35-12-001 Rev A and agreed under conditions 13 and 14 of permission reference: RBC/12CM018 shall remain available throughout the development unless otherwise agreed in writing with the Mineral Planning Authority.

Reason: - In the interests of highway safety

14. Gates or barriers erected at the entrance to the site for vehicles shall not be hung so as to open to within 15 metres of the near edge of the public highway carriageway.

Reason: – In the interests of highway safety.

15. Any mud or other deleterious material deposited on the highway by vehicles associated with the development within 200 metres of the approved access on Wolston Lane shall be removed from the highway forthwith.

Reason: – In the interests of highway safety.

16. No loaded lorries shall leave the site unless they are sheeted, or the load is otherwise adequately secured.

Reason: – In order to protect the amenities of nearby residents.

17. The details provided in regards to condition 19 of permission reference: RBC/12CM018 relating to the wheel cleaning facilities to be provided on site and as specified in the 'Submission of Schemes' document dated March 2014 and the wheel wash facility currently installed on the site shall be used and maintained for the life of the development hereby permitted. All works and practices shall be implemented in accordance with the agreed details and shall be maintained throughout the development hereby permitted.

Reason: - To prevent extraneous material being deposited on the highway in the interests of highway safety and the amenities of the area.

ENVIRONMENT

18. The development hereby permitted shall be carried out in accordance with the water management scheme included as Appendix G of the 'Submission of Schemes' document dated March 2014 submitted in respect of condition 21 of permission reference: RBC/12CM018. That scheme (and any modifications approved in writing by the Mineral Planning Authority) shall continue be fully implemented for the life of the development.

Reason: - To ensure that the River Avon and linked groundwater dependent receptors are protected, and that water and site phasing are managed appropriately.

19. The development shall be carried out in accordance with those measures set out in the Flood Risk Assessment Reference 2962/FRA/F1 together with the letter and drawings from Hafrenwater dated 11 January 2021. The measures shall be fully implemented and maintained for the life of the development hereby permitted.

Reason: - To prevent the increased risk of flooding

20. No occupation or subsequent use of the development shall take place until a detailed maintenance plan, written in accordance with CIRIA C753, is implemented and provided to the Mineral Planning Authority giving details on how surface water systems shall be maintained and managed for the lifetime of the development. The name of the party responsible, including contact name and details, shall be provided to the MPA and LLFA within the maintenance plan.

Reason: - To ensure the future maintenance of the sustainable drainage structures

BIODIVERSITY

21. The development hereby permitted shall not commence until a detailed Landscape and Ecological Management Plan has been submitted to and approved in writing by the Mineral Planning Authority. The plan shall include details of planting and maintenance of all new planting including species used and sourcing of plants. The plan shall also include details of habitat enhancement/creation measures and management, such as native species planting, wildflower grassland creation, woodland and hedgerow creation/enhancement, and provision of habitat for protected and notable species (including location, number and type of bat and bird boxes, location of log piles). The plan shall be in accordance with the Biodiversity Impact Assessment submitted by Martyn Macefield, dated 16/12/2020 and shall be designed to achieve a net biodiversity gain of at least 17.84 units. Such approved measures shall thereafter be implemented in full.

Reason: To ensure a net biodiversity gain in accordance with NPPF.

22. The development hereby permitted shall not commence until a Construction and Environmental Management Plan has been submitted to and approved in writing by the Mineral Planning Authority. The Plan shall include details concerning any external lighting to be used, pollution prevention measures, hedgerows and tree and tree root protection, and pre-commencement checks for badger, breeding birds, great crested newts, otter and reptiles, and appropriate working practices and safeguards for wildlife that are to be employed whilst works are taking place on site. The approved Construction and Ecological Management Plan shall thereafter be implemented in full.

Reason: To ensure that protected species are not harmed by the development

23. Prior to the commencement of the processing of excavated materials the post extraction restoration and landscape enhancement plan and tree and hedgerow protection scheme approved under permission ref: RBC/12CM018 shall have been amended so as to incorporate the plan approved under Condition 21 of this permission. The amended plan

(and any modifications) so approved shall be fully implemented in accordance with the timings and sequencing in it.

Reason: - In accordance with NPPF and PPS9 circular 2005/06 and to comply with the requirements of Condition 1.

24. Prior to the commencement of the processing of excavated materials details of the final restoration works to agriculture to be carried out on the plant site shall be submitted to and approved in writing by the Mineral Planning Authority. The details so approved shall be fully implemented before 21st of October 2024.

Reason: - To ensure that restoration of the plant site is carried out to the appropriate standard and in a timely fashion.

- 25 The development hereby permitted shall be carried out in accordance with the Hedgerow Protection Plan dated October 2016, the tree, ditch and hedgerow management proposals set out within plan ref: LD127-WFQ-003 and the hedgerow standoff fencing detailed within the Construction Environmental Management Plan submitted in respect of condition 25 of permission ref: RBC/12CM018. Those measures shall be kept in place until all parts of the development hereby permitted have been completed and all equipment, machinery and surplus materials have been removed.

Reason: - To protect trees and other features on site during construction.

26. Prior to the commencement of the processing of excavated materials the Wolston Fields 25-year Aftercare Plan, as approved under condition 26 of permission ref: RBC/12CM018 shall be updated to include the 17.84 units of biodiversity gain set out in Biodiversity Impact Assessment submitted by Martyn Macefield, dated 16/12/2020 together with a plan for their future long term maintenance and management. The updated plan (and any modifications approved in writing by the Mineral Planning Authority) shall be fully implemented in accordance with the timings and sequencing in it.

Reason: - In accordance with NPPF and PPS9 circular 2005/06.

27. No external lighting shall be installed unless details have first been submitted to and approved in writing by the Mineral Planning Authority. The development shall not be carried out otherwise than in full accordance with such approved details.

Reason: - To ensure that protected species are not harmed by the development and in accordance with NPPF and PPS9 circular 2005/06

28. The development hereby permitted shall be carried out in accordance with The Bird Hazard Management Plan produced by PDE Consulting Limited and dated 2 July 2012 (including any amendments approved in accordance with this condition) and shall remain in operation until all associated operations cease unless otherwise agreed in writing with the Mineral Planning Authority.

Reason: - In the interests of Aerodrome Safeguarding and to monitor and mitigate the impact of the Bird Management Plan and the nearby SSSI.

29. Prior to the commencement of the processing of excavated materials details of the additional measures to be used to protect migratory fish species including Atlantic salmon, Sea trout, Allis shad, Twaite shad, Sea lamprey, River lamprey and European eel in the nearby River Avon from contamination shall have been submitted to and approved in writing by the Mineral Planning Authority. The details so approved shall be fully implemented before silt first leaves the processing plant.

Reason:- To help bring into and maintain in favourable condition the conservation objectives of the Severn Estuary Special Area of Conservation, Special Protection Area and RAMSAR site in accordance with the Conservation of Habitats and Species Regulations 2017, paragraph 177 in the NPPF and policy DM1 in the Minerals Plan 2018.

ENVIRONMENTAL HEALTH

30. No processing of any material shall take place until the noise generating parts of the plant are fitted with acoustic housings/shrouding to limit noise being generated from the operation of the plant shown on plan W179/49d. The acoustic housings/shrouding shall be retained and maintained for the life of the development hereby permitted.

Reason: – In order to safeguard the amenities of residents.

31. No processing of any material shall take place until the loading hopper (called “Feeder on plan W179/49e) has been treated with a resilient material to reduce the noise caused by material being loaded into the hopper. The treatment of the loading hopper shall be maintained for the life of the development hereby permitted.

Reason: – In order to safeguard the amenities of residents.

32. Any oil, fuel, lubricant, paint, or solvent within the site shall be so stored as to prevent such material from contaminating topsoil, subsoil or soil forming material or from reaching any watercourse.

Reason: – In order to protect against ground, ground water and surface water contamination.

33. Plant and machinery shall not be used at the site unless it is silenced at all times in accordance with the manufacturer's specification and is fitted with effective silencers.

Reason: – In order to safeguard the amenities of residents.

34. Reversing alarms shall not be used unless they are of a bell tone type or are of the directional type or are capable of adjusting their noise level automatically to 5dB(A) above the ambient noise level or are of a type otherwise approved in writing by the Mineral Planning Authority.

Reason: – In order to safeguard the amenities of residents.

35. With the exception of noise from soil and overburden removal or replacement and the construction or removal of soil bunds, noise from the development shall not exceed a level of 55 dB(A)L_{aeq} (1 hour) at Ryton Organic Gardens or any residential property within 150 metres from the boundary of the application site.

Reason: – In order to protect the amenities of nearby residents.

36. Noise levels from soil and overburden removal or replacement or from the construction or removal of soil mounds shall not exceed 70 dB(A)L_{aeq} (1 hour) at Ryton Organic Gardens or any residential property within 150 metres from the boundary of the application site on any weekend day or on more than 8 weekdays in any 12 month period.

Reason: – In order to protect the amenities of nearby residents

37. The soil storage/screening bund for the plant shall be located and constructed in accordance with plan ref: W179/49e. The development shall be carried out in accordance with that plan, unless otherwise agreed in writing with the Mineral Planning Authority.

Reason: - In the interests of residential and visual amenity.

38. The Ryton Organic Gardens Noise and Dust monitoring scheme included in the 'Submission of Schemes' document dated March 2014 submitted in respect of condition 35 of permission reference: RBC/12CM018 shall be implemented in respect of the development hereby permitted throughout its lifetime. If during the operation of the plant and stockpiles of processed materials and use of the internal haul road monitoring indicates that dust is migrating outside the site which is the subject of permission reference: RBC/12CM018 and that those mitigation measures are not effective then the relevant the operation of the plant and stockpiling and use of the internal haul road shall cease until a scheme of further mitigation measures has been submitted to and approved in writing by the Mineral Planning Authority. The approved further measures shall be implemented in full before

processing and stockpiling and use of the internal haul road recommences.

Reason: - To protect adjacent uses.

39. No development shall take place unless all necessary measures to prevent or minimise the raising of dust have been adopted. These measures shall include:
- (i) the use of water bowsers on haul roads and other operational areas of the site.
 - (ii) the use of water sprays or other methods of controlling dust from mineral extraction and mineral processing.
 - iii) methods for controlling dust during soil and overburden movement, including the suspension of operations during weather conditions likely to give rise to uncontrollable dust generation which would be likely to be carried beyond the boundary of the site.

These measures shall remain in place throughout the development.

Reason: - In order to protect against Air Pollution.

SOILS

40. All topsoil and subsoil shall be retained on the site.

Reason: – To protect soil structure for the long-term restoration of the site.

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

Reason: – To protect soil structure for the long-term restoration of the site.

42. All soil types shall be stripped and stored separately and within these soil types the topsoils and subsoils shall be stripped and stored separately. Any overlap of soil types in the bund shall be the minimum necessary to form that bund and the interface shall be clearly recorded on a plan.

Reason: – To protect soil structure for the long-term restoration of the site.

43. Topsoil and subsoil storage bunds shall be constructed with the minimum amount of compaction necessary to ensure stability and shall not be traversed by heavy vehicles or machinery whilst in storage.

Reason: – To protect soil structure for the long-term restoration of the site.

44. All reasonable steps shall be taken to ensure that drainage from areas adjoining the site is not impaired or rendered less effective by permitted operations.

Reason: – To protect soil structure for the long-term restoration of the site.

45. All storage bunds intended to remain in situ for more than 12 months are to be grassed over and kept free of weeds.

Reason: – To protect soil structure for the long-term restoration of the site.

RESTORATION

46. All operations involving soil replacement and treatments shall be carried out when the full volume of soil involved is in a suitable dry and friable condition to minimise soil damage.

Reason: – To protect soil structure for the long-term restoration of the site.

47. All reasonable precautions shall be taken to prevent the mixture of topsoil and sub soils.

Reason: – To protect soil structure for the long-term restoration of the site.

48. Hedges and trees forming part of the restoration and landscaping scheme shall be planted within the first available season over restored areas. Should any hedge or tree planted as part of the scheme die, be removed or become damaged or seriously diseased within five years of the initial planting they shall be replaced in the next planting season with others of a similar size and species.

Reason: –To ensure satisfactory restoration of the site.

AFTERCARE

49. Prior to the commencement of the processing of excavated materials a detailed aftercare scheme for the plant area shall be submitted to the Mineral Planning Authority for approval. The scheme shall specify the steps to be taken and when in the aftercare period they are to be taken.

Following approval in writing by the Mineral Planning Authority the scheme shall be implemented in full accordingly.

Reason: – To ensure satisfactory restoration and aftercare of the site.

50. The aftercare period shall extend for a period of 5 years from the date of final topsoil replacement for the area concerned.

Reason: -To ensure satisfactory restoration and aftercare of the site.

Rights of Way

51. No site security fencing shall be erected on or within 1m of any public right of way.

Reason: - To protect the integrity of any public right of way.

52. Prior to commencement of any works involving disturbance of any public right of way the Rights of Way Team must be contacted to obtain any necessary consents and make any necessary arrangements for the protection of any public footpath and its users.

Reason: - To protect the integrity of any public right of way.

53. Any damage to the surface of any public rights of way caused by the permitted operations shall be made good to the satisfaction of the Mineral Planning Authority within three months of a written notification from the Mineral Planning Authority that the surface of a public right of way has been damaged.

Reason: - To protect the integrity of any public right of way.

REMOVAL OF PERMITTED DEVELOPMENT RIGHTS

54. Notwithstanding the provisions of Part 17 of Schedule 2 of the Town and Country Planning General Permitted Development Order 2015 (or any order revoking or re-enacting that Order), no plant, machinery, buildings or structures other than those authorised by this permission shall be placed or erected on the site.

Reason: – To protect the amenity of the locality and avoid harm to the Green Belt.

NOTES

1. All public rights of way must remain open and available for public use at all times unless closed by legal order, so must not be obstructed by parked vehicles or by materials during works.
2. If it is proposed to temporarily close any public right of way during works then an application for a Traffic Regulation Order must be made to Warwickshire County Council Rights of Way Team well in advance
3. Any disturbance or alteration to the surface of any public right of way requires the prior authorisation of Warwickshire County Council Rights of Way Team, as does the installation of any new gate or other structure on the public right of way.

Development Plan Policies Relevant to the Decision.

Warwickshire Mineral Plan 1995

Policy M1
Policy M6
Policy M7
Policy M9

Adopted Rugby Borough Council Local Plan 2011 -2031 (June 2019)

Policy GP1	Policy SDC2
Policy GP2	Policy SDC3
Policy HS 5	Policy SDC5
Policy NE1	Policy SDC7
Policy NE3	Policy D1
Policy SDC1	Policy D5.

Emerging Plan – Warwickshire Minerals Plan 2018

Policy MCS 1	Policy DM6
Policy MCS 2	Policy DM7
Policy DM1	Policy DM8
Policy DM2	Policy DM9
Policy DM4	Policy DM11
Policy DM5	Policy DM12

Reasons for the Grant of Planning Permission

Compliance with the Town and Country Planning (Development Management Procedure) (England) Order 2015.

In considering this application the County Council has complied with paragraph 38 contained in the National Planning Policy Framework.