

1042  
BC 52105 P/NAL/GH  
26th March 1999  
Mr N.A. Long  
01922 652452

Dear Sir,

Application BC 52105 P. Conditions To Be Applied To Mineral Working Permissions EA3966 And EAB2352 At Branton Hill Quarry, Aldridge. Pursuant To The Requirements Of Schedule 13 Of The Environment Act 1995.

On 25th March 1999 the Council's Main Planning Committee determined a schedule of conditions for mineral working permissions EA3966 and EAB2352 at Branton Hill Quarry, Aldridge pursuant to Schedule 13 of the Environment Act 1995.

The schedule of approved conditions is set out in the document with this letter. This letter with the conditions are the Councils formal decision notice.

I expect that you are aware that applicants may exercise the right of appeal to the Secretary of State on these conditions. Further details on the rights of appeal and the manner in which this should be done can be obtained from :

Mr K.C. Embrey  
DETR Minerals Division  
Eland House  
Zone 4/B1  
Bressenden Place  
LONDON  
SW1 5DU.

Yours faithfully,



M.J. Single - Manager

**FAO P. Vincent**

Henry Butcher, Smith, Vincent,  
112, Edleston Road,  
Crewe,  
CHESHIRE.  
CW2 7HD.



## **CONDITIONS TO BE APPLIED TO EXISTING MINERAL WORKING PERMISSIONS EA3966 AND EAB2352 AT BRANTON HILL QUARRY ALDRIDGE PURSUANT TO SCHEDULE 13 OF THE ENVIRONMENT ACT 1995**

Note for applicants: These conditions are divided into three sections. Conditions prefixed by A are applicable to both the permissions and also to any other land in the ownership and control of the operator that forms any part of Branton Hill Quarry. Conditions prefixed by B are applicable only to the area of permission EA3966. Conditions prefixed by C are applicable only to the area of permission EAB2352.

### **Section A. Conditions applicable to all of the site.**

#### Terms of permissions

A1. The permissions are for the extraction of minerals and deposit of mining waste, and for restoration to a beneficial after-use.

#### Cessation Of Working

A2. All mineral extraction and deposit of mining waste shall cease not later than 22nd February 2042.

#### Ancillary Mining Development

A3. Notwithstanding the provisions of Part 19 of Schedule 2 of the Town And Country Planning General (Permitted) Development Order 1995 or successor orders or legislation, no development shall be carried out except in accordance with a planning permission granted by the mineral planning authority.

#### Temporary Suspension Of Operations

A4. If the mineral extraction operations permitted are for any reason suspended for a period exceeding twelve months, the mineral planning authority shall be notified of the suspension not later than 14 days from the expiry of the twelve month period of suspension. Within 28 days of such notification pursuant to this condition a scheme specifying the steps that have been or are proposed to be, taken for the protection of the environment in order to preserve the amenities of the area, to protect the area from damage and to prevent the deterioration in the condition of the land during the suspension period and including any necessary revised programme and timetable for completion of the development shall be submitted for the approval of the mineral planning authority and the approved scheme thereafter implemented.

### Ground Water Monitoring

A5. Not later than three months from the 25<sup>th</sup> March 1999, details of a groundwater monitoring scheme shall be submitted to, for approval by the mineral planning authority. The details submitted shall include the number and location and depth of the proposed boreholes with a monitoring programme. The scheme shall only be implemented in accordance with the approved details not later than six months from approval being given.

A6. No excavation shall take place within 3 metres of the natural water table established through the monitoring carried out pursuant to Condition A5.

### Access, Traffic And Protection Of The Public Highway

A7. No vehicles other than employees and visitors private motor vehicles shall be permitted to leave the site without having first passed through the wheelwash installed on the site adjacent to the site support area or any subsequent replacement wheelwash, and this wheelwash or any replacement shall be maintained in an effective operational condition throughout the lifetime of the quarry including during restoration, unless an exception to this has been previously approved in writing by the Mineral Planning Authority.

### Environmental Protection

A8. No operations involving the use of any plant, machinery and vehicles shall take place on the site outside the hours of 07.30 to 17.30 Mondays to Fridays and 07.30 to 12.30 Saturdays, and not at all on Sundays, Bank or other Public Holidays, unless otherwise previously approved in writing by the mineral planning authority.

A9. No blasting shall be carried out at the site.

A10. Free field noise levels attributable to any site operations as measured on, or at the curtilage of, any residential property shall not exceed 55dB LAeq 1hr unless an exception to this has been previously approved in writing by the mineral planning authority.

A11. Noise monitoring shall be carried out by the developer for the duration of the period of mineral extraction in accordance with a scheme previously approved in writing by the mineral planning authority. Such scheme to be submitted no later than three months from the 25<sup>th</sup> March 1999. The noise monitoring scheme shall thereafter be carried out at frequencies not exceeding two calendar months ( or such other time period as may be required by the mineral planning authority).

A12. All plant and machinery operating on the site shall be fitted with silencers which shall be maintained in good working order. No plant or machinery shall be operated with any of its covers or panels open or removed, except for the purpose of maintenance.

A13. The level of vibration attributable to site operations and activities, transmitted to occupied buildings shall not exceed the magnitudes of building vibrations defined in British Standard BS6472:1992 Evaluation Of Human Exposure To Vibration In Buildings (1hz to 80hz), or any successor British European or International standard above which adverse comments or annoyance may begin to arise.

A14. Dust monitoring shall be carried out by the site operator for the duration of the period of mineral extraction and restoration, in accordance with a scheme previously submitted to and approved in writing by the mineral planning authority. Such scheme to be submitted for approval not later than six months from the date of approval of these conditions.

A15. Haul roads within the site shall be evenly graded and consolidated and kept free of any material likely to give rise to dust generation from the passage of plant equipment and vehicles. No vehicles entering, leaving or operated within the site shall be equipped with downwards pointing exhausts.

A16. The use of draglines shall not be permitted.

A17. No more than 30 Heavy Commercial Vehicles related to any activities carried out shall enter and leave the site during any weekday and 15 on any Saturday, during permitted working hours under the provisions of condition A8. Thereby the total number of HCV movements shall not exceed 60 on weekdays and 30 on Saturdays.

A18. No laden HCV's shall be permitted to enter or leave the site unless they are closed or sheeted.

A19. At no time during the conduct of any of the permitted operations shall any operation take place which, despite the use of dust suppression techniques, including the use of sprinklers adjacent to the access and water bowsers on site roads and operational areas, would give rise to dust levels sufficient to cause nuisance to residential properties around the site. If in the opinion of the Mineral Planning authority the suppression of dust cannot be satisfactorily achieved the operations which cause dust to arise shall temporarily cease until such times as weather conditions change and dust suppression becomes effective.

A20. Any soil and overburden storage mounds shall be seeded to reduce the likelihood of dust generation, using a seed mix previously approved in writing by the mineral planning authority.

#### Surface Water Drainage And Pollution Control

A21. Throughout the period of mineral extraction, restoration and aftercare the site operator shall take all necessary steps to ensure that drainage to and from areas adjoining the site is not impaired or rendered less efficient by any of the permitted operations. The operator shall implement all works required by the mineral, planning authority to prevent damage by erosion, silting or flooding and to provide for the management and discharge of all water entering, arising within or leaving the site.

A22. No oil fuel lubricants, paint or solvents or any other liquid with the potential to pollute shall be stored within the site except in tanks within a bund with a capacity of not less than 110% of the combined tank volume. Any fill and draw valves and sight glasses shall be located within the bund.

A23. Any waste materials arising from permitted operations with the potential to cause pollution shall only be stored in suitably sealed containers at a location within the site previously approved in writing by the mineral planning authority.

A24. The site shall at all times be securely fenced in accordance with details previously approved in writing by the mineral planning authority. Such details to be submitted for approval no later than twelve months from 25<sup>th</sup> March 1999, and the approved scheme implemented within six months of approval being given.

#### Hedgerows

A25. All existing trees shrubs and hedgerows adjacent to the boundary the site, including any naturally regenerated trees and shrubs within the area of permissions EA3966 and EAB 2352 and those adjacent the boundary with, and within IDO1144, as well as those bordering Branton Hill Lane, shall be identified on

a plan to be deposited with the mineral planning authority not later than six months from 25th March 1999. These hedgerows trees and shrubs shall thereafter be retained and maintained with the reinstatement within a specified timescale, of hedgerow plants in gaps and protection of naturally regenerated areas, in accordance with a planting protection and maintenance regime previously approved in writing by the mineral planning authority. Such scheme to be submitted no later than six months from 25th March 1999.

#### Soil Management And Storage

A26. All existing soils shall be retained within the site and the height of any stockpiles of soils, sand, and overburden shall not exceed 5 metres above the base level of the quarry set (at the time of approval of these conditions) as 133m AOD.

A27. No movement of topsoil or subsoil shall take place outside the months of April to October inclusive. At all other times no topsoil or subsoil movements shall take place during wet weather or when there is standing water on the soil.

A28. No movement of any soil types shall take place except when the full depth of soils to be stripped or transported is in a suitably dry and friable soil moisture condition, and sufficiently dry to enable topsoil to be separated from subsoil without difficulty.

#### **Section B. Conditions applicable to the area of permission EA3966.**

B29. No waste material brought onto or deposited within the area of permission EA3966 shall be re-excavated, treated, processed, sorted or stored within, or removed from the area of this permission.

B30. No use operations or activities shall be carried out on the area of permission EA3966 so as to adversely affect in any way the geological exposures and wetland features that comprise the area of the Branton Hill Quarry SINC, as defined by English Nature as WM SINC/00.12 in 1996 (or in any successor definitions as may be adopted subsequent to the date of approval of these conditions).

B31. The type and quantity of waste deposited in the area of permission EA3966 shall not exceed 200 tonnes per day of solid inert waste from the construction industry and quarrying.

B32. Not later than six months from 25<sup>th</sup> March 1999 the site operator shall submit for the approval of the mineral planning authority a restoration and aftercare scheme for the area of permission EA3966. The restoration and aftercare shall then only be carried out in accordance with the approved scheme.

B33. The details submitted to the mineral planning authority pursuant to condition B32 shall (amongst other matters which may be required by the mineral planning authority) include:

- a) Provision for restoration to a condition fit for a defined beneficial after use appropriate to the status of the land as green belt;
- b) A timescale for the progressive restoration commencing not later than six months from approval of the scheme, firstly at the western end of the area covered by permission EA3966 and proceeding in phases in an easterly direction. The details shall also include a Visual Impact Assessment of the restoration works and finished landform;
- c) The means of the continued safeguarding protection and enhancement of the Branton Hill Quarry SINC in accordance with the provisions of Condition B31, and the maintenance of safe stable slopes and faces, and protection of vegetation retained under the requirements of Condition A25.;
- d) The final levels and contours of the infilled area;
- e) The continued protection of the aquifer;
- f) The ongoing monitoring of groundwater levels and drainage for the site;
- g) The programme of aftercare for a period not less than five years, and the annual review of the after care scheme;
- h) The reinstatement of closed sections of public highway for Branton Hill Lane.

### **Section C. Conditions applicable to the area of permission EAB2352**

C34. No waste materials shall be imported onto, deposited on, treated processed, sorted, or stored within, the area of permission EAB2352.

C35. Not later than the expiry of twelve months from 25<sup>th</sup> March 1999, mineral extraction shall only be permitted to continue in accordance with a working programme or succeeding programmes, that have previously submitted to and approved in writing by the mineral planning authority.

C36. The first working programme submitted to the mineral planning authority pursuant to Condition C35 shall be submitted not later than six months from 25<sup>th</sup> March 1999, and shall make provision for amongst other matters:

- a) The identification of areas within the permission where mineral extraction and deposit of mining waste has ceased, with the levels and contours of the finished landform.
- b) The proposed treatment of these areas prior to the commencement of restoration.



- c) The provision for maintaining safe stable slopes around the perimeter of the quarry including those areas adjacent to Branton Hill Lane.
- d) The anticipated rate of extraction until exhaustion of reserves permitted by EAB2352.
- e) The areas set aside for the screening and storage of sand quarried from within the site.
- f) The protection and enhancement of those features of the Branton Hill Quarry SINC as defined according to the provisions of Condition B30, which are within the area of permission EAB2352 and the maintenance and protection of vegetation retained under the requirements of Condition A25.
- g) Where appropriate the restoration and aftercare of the site pursuant to condition C38.

C37. The working, restoration and aftercare of the area of permission EAB2352 shall thereafter only be carried out in accordance with the approved working programme(s) and restoration scheme.

C38. Not later than twelve months from 25<sup>th</sup> March 1999 the site operator shall submit for the approval of the mineral planning authority a progressive phased restoration and aftercare scheme for permission EAB2352 which shall thereafter be implemented in accordance with the approved timescale.

C39. The details submitted to the mineral planning authority pursuant to Condition C38 shall include:

- a) Provision for restoration to a condition fit for a defined beneficial after-use appropriate to the status of the site as green belt.
- b) A timescale for the phased progressive restoration for those parts of the permission area where mineral extraction has ceased.
- c) The means of the continued protection and enhancement of the Branton Hill Quarry SINC under the provisions of Condition B30 and any vegetation retained under the requirements of Condition A25.
- d) The final levels and contours of the restored areas.
- e) The programme of aftercare, for a period of not less than five years, and the annual review of the aftercare scheme.
- f) The continued protection of the aquifer.
- g) The ongoing monitoring of groundwater levels and drainage of the site.
- h) The restoration and/or after-use for any built development on the wider site used in connection with mineral extraction, to a use appropriate to its status as land in the green belt.
- i) A Visual Impact Assessment of the restoration works and finished landform.
- j) The reinstatement of closed sections of the public highway for Branton Hill Lane.

C40. No materials shall be brought onto or deposited within the area of this permission unless these are uncontaminated soils, previously approved in writing by the Mineral Planning Authority which are required for restoration purposes in

accordance with the approved scheme and the nature, specification, source and quantity of the materials has been approved in writing by the mineral planning authority prior to any such material being brought onto the area of permission EAB2352.

### **Reasons for Conditions.**

A1. To define the terms of the permission.

A2. Pursuant to the requirements of the Environment Act 1995.

A3. To enable the mineral planning authority to maintain full control over the ongoing working and restoration of the site.

A4. To safeguard the environment and amenity of the surrounding area in the event of temporary supervision of operators.

A5,A6. To safeguard the aquifer from any risk of pollution.

A7. To prevent the carriage of mud and other material onto the highway.

A8, A17. To minimise the adverse impact on nearby residential properties on Branton Hill Lane from HCV's from the quarry using this public highway.

A9, A13. To prevent any potential for adverse impact on sensitive uses from quarry operations.

A10,A11,A12 To minimise the potential for any adverse impact on sensitive uses from noise arising from quarry operations.

A14,A15,A16,A18,A19,A20. To minimise the potential for any adverse impact on sensitive uses from dust arising from quarry operations, the transport of minerals and the import of waste for infill.

A21. To ensure the site is satisfactorily drained to prevent any adverse impact on adjoining properties.

A22,A23. To prevent any incident of ground or water pollution.

A24. To maintain site security.

A25. To protect and enhance areas of hedges trees and shrubs.

A26, A27, A28. To ensure that soils are retained and stored correctly prior to use in restoration.

B29. To secure the continuation of restoration infill in an environmentally acceptable manner that would secure the earliest practicable restoration of the site.

B30. To protect the Branton Hill Quarry SINC from any adverse impact.

B31. To protect the amenity of occupiers of residential property on Branton Hill Lane and to protect the aquifer.

B32, B33. To secure the earliest practicable restoration of the area of this permission and to protect the aquifer and to specify the details required to secure the restoration.

C34. To define the terms of the permission and to protect the aquifer.

C35,C36. To secure the orderly working of the remaining mineral reserves in accordance with a programme that will secure the earliest practicable restoration of the quarry.

C37,C38,C39,C40. To secure the earliest practicable restoration of the site and to specify the details required to secure restoration.

**Informative For Applicants/Operators.**

These conditions do not bestow any rights to operate any recycling, and ancillary uses. Such matters are at the time of approval of these conditions, the subject of an extant Enforcement Notice.

