

WORCESTERSHIRE COUNTY COUNCIL

Commencement

- 1) The development hereby approved must be begun not later than the expiration of 3 years beginning with the date of this permission.

Reason: Required to be imposed pursuant to Section 91 of the Town and Country Planning Act 1990.

Reason:

- x Drawing numbered: 13A, reference number: KD.LCF.008A, titled: 'Phase 5 – Working & Restoration', dated July 2021;
- x Drawing numbered: 14A, reference number: KD.LCF.009A, titled: 'Final Works', dated July 2021;
- x Drawing numbered: 15B, reference number: KD.LCF.010B, titled: 'Concept Restoration', dated July 2021;
- x Drawing numbered: 16A, reference number: KD.LCF.028A, titled: 'Restoration Sections', dated October 2020;
- x L&R Figure 5A, reference number: KD.LCF.026A, titled: 'Current & Proposed Public Rights of Way', dated July 2021;
- x Reference number: KD.LCF.032, titled: 'Surface Water Management', dated September 2020;
- x Reference number: KD.LCF.033C, titled: 'Public Rights of Way Proposed', dated July 2021;
- x Reference number: KD.LCF.034C, titled: 'The Post Restoration PROW Routes within and adjacent to the Site', dated July 2021;
- x Reference number: KD.LCF.035, titled: 'Bund 2: Tree Root Protection Areas', dated September 2020;
- x Reference number: KD.LCF.036, titled: R-14.4 ()Tj/rCK0K-10.9 (t)-5 (21;)-10.9 ()14.9/TT1 1 -166f0.8

- x Pre-development Tree Condition Survey drawing number: TS71-004, titled: 'Tree Retention & Removal Plan 2', dated May 2019;
- x Pre-development Tree Condition Survey drawing number: TS71-005, titled: 'Tree Retention & Removal Plan 3', dated May 2019;
- x Pre-development Tree Condition Survey drawing number: TS71-006, titled: 'Tree Retention & Removal Plan 4', dated May 2019;
- x Pre-development Tree Condition Survey drawing number: TS71-007, titled: 'Tree Retention & Removal Plan 5', dated May 2019;
- x Transport Statement drawing number: WY TA 18-1, titled: 'Proposed Site Entrance', dated July 2018; and
- x Transport Statement drawing number: Figure 1, titled: 'Proposed Site Access Preliminary Design Layout', dated August 2019.

Reason: For the avoidance of doubt and to assist with the monitoring of the planning permission.

Extraction Boundary

- 5) No mineral extraction shall take place outside the limit of the extraction boundary shown on drawing numbered: 4A, reference number: KD.LCF.013A, titled: 'Proposals Plan', dated July 2021.

Reason: For the avoidance of doubt and to assist with the monitoring of the planning permission.

Waste Acceptance

- 6) No waste materials other than those defined in the application, namely construction, demolition and excavation wastes shall be imported to the site for infilling and restoration purposes.

Reason: To define the permission.

Phasing

- 7) The site shall be progressively worked and restored in accordance with the phased working programme and contiguous restoration scheme as shown on the approved drawings

within 48 hours of an emergency occurrence that would cause working outside the stipulated hours.

Reason: To protect the amenity of adjacent residential properties, in accordance with Policy MLP 28 of the adopted Worcestershire Minerals Local Plan, and Policy WCS 14 of the adopted Worcestershire Waste Core Strategy, and Policy SP.33 of the adopted Wyre Forest District Local Plan.

Design

- 10) Notwithstanding the submitted details, detailed design drawings of all plant, structures, buildings, including the conveyors to be sited at the site shall be submitted to and approved in writing by the Mineral Planning Authority prior to their erection / construction on site. Details shall include dimensions, materials, colour, and finishes. The development shall be carried out in accordance with the approved details, or any subsequent amendments agreed in writing by the Mineral Planning Authority, and the development shall then be retained as such thereafter.

Reason: To maintain the visual and environmental quality of the site, in accordance with Policies MLP 28 and MLP 33 of the adopted Worcestershire Minerals Local Plan, Policies WCS 12 and WCS 14 of the adopted Worcestershire Waste Core Strategy, and Policies SP.20 and DM.24 of the adopted Wyre Forest District Local Plan.

Highways and Public Rights of Way

- 11) Access to and from the site shall only be gained via the haul road and access onto Wolverley Road (B4189), as shown on drawing numbered: 8A, reference number: KD.LCF.003A, titled:

12) No soil stripping operations shall take place within Phase 1, as shown on drawing numbered: 4A, reference: KD.LCF.013A, titled: 'Proposals Plan', dated July 2021, until the parking and turning facilities within the plant site, as shown on drawing numbered: 6, reference number: KD.LCF.021, titled: 'Plant Site Layout – Plan & Elevations', dated October 2019, have been provided.

Reason: In the interests of highway safety, and to ensure conformity with submitted details, in accordance with Policy MLP 39 of the adopted Worcestershire Minerals Local Plan, Policy WCS 8 of the adopted Worcestershire Waste Core Strategy, and Policy SP.27 of the adopted Wyre Forest District Local Plan.

13) No operations shall take place within the permitted working areas, as shown on drawing numbered: 4A, reference number: KD.LCF.013A, titled: 'Proposals Plan', dated July 2021, until a scheme to construct the vehicular access and haul road has been submitted to and approved in writing by the Mineral Planning Authority, and thereafter implemented in full in accordance with the approved details. The scheme shall include:

- i. The design and specification of the haul road and vehicular access, which shall include as a minimum

subsequent amendments agreed in writing by the Mineral Planning Authority, and the development shall then be retained as such thereafter.

Reason: To protect users of the Public Rights of Way, in accordance with Policy MLP 30 of the adopted Worcestershire Minerals Local Plan.

- 15) All sand and gravel worked in Phases 1 to 3 as shown on drawing numbered: 4A, reference number: KD.LCF.013A, titled: 'Proposals Plan', dated July 2021, and all imported inert materials to restore Phases 1 to 3, shall only be transported across Bridleway WC-626 to and from the plant site by the approved below ground conveyor, as required by Condition 14) of this permission.

Reason: To define the permission and to protect users of the Public Rights of Way, in accordance with Policy MLP 30 of the adopted Worcestershire Minerals Local Plan.

- 16) Within 3 months of the commencement of the development hereby approved, the specification, location and timetable for the provision of at least 1 electric vehicle charging space to be provided within the plant site, as shown on drawing numbered: 6, reference number: KD.LCF.021, titled: 'Plant Site Layout – Plan & Elevations', dated October 2019, shall be submitted to the Mineral Planning Authority for approval in writing. Thereafter, the development shall be carried out in accordance with the approved details and the space(s) and power point(s) shall be kept available and maintained for the use of electric vehicles only, and shall not be used thereafter for the parking of any other vehicles.

Reason: To encourage sustainable travel and healthy communities, in accordance with Policy MLP 39 of the adopted Worcestershire Minerals Local Plan, Policy WCS 8 of the adopted Worcestershire Waste Core Strategy, and Policies SP.27 and DM.24 of the adopted Wyre Forest District Local Plan.

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accordance with the approved details and the spaces shall be kept available and maintained for use by disabled users only.

Reason: To provide safe and suitable access for all, in accordance with Policy MLP 39 of the adopted Worcestershire Minerals Local Plan, Policy WCS 8 of the adopted Worcestershire Waste Core Strategy, and Policies SP.27 and DM.24 of the adopted Wyre Forest District Local Plan.

- 18) Within 3 months of the commencement of the development hereby approved, details, location and a timetable for the provision of sheltered and secure cycle parking to be provided within the plant site, as shown on drawing numbered: 6, reference number: KD.LCF.021, titled: 'Plant Site Layout – Plan & Elevations', dated October 2019, to comply with Worcestershire County Council's Streetscape Design Guide shall be submitted to the Mineral Planning Authority for approval in writing. Thereafter, the development shall be carried out in accordance with the approved details and the cycle parking shall be kept available and maintained for use by bicycles only.

Reason: To comply with the Council's parking standards, in accordance with Policy MLP 39 of the adopted Worcestershire Minerals Local Plan, Policy WCS 8 of the adopted Worcestershire Waste Core Strategy, and Policies SP.27 and DM.24 of the adopted Wyre Forest District Local Plan.

- 19) The development hereby approved shall not commence until a Heavy Goods Vehicles (HGV) Management Plan has been submitted to and approved in writing by the Mineral Planning Authority. The Management Plan shall include but not be limited to the following:

- i. Measures and facilities to ensure that vehicles leaving the site do not deposit mud or other detritus on the public highway, including provision for revision in the event of the scheme being ineffective and any remedial measures to be put in place to clear the public highway of such material;
- ii. Details of a wheel washing facility, including its location, water supply, water storage, recycling and disposal, maintenance arrangements; and when HGVs will use the wheel washing facility;
- iii. All loaded vehicles entering and leaving the site shall be sheeted;

rights of way intended to be adopted and proposed new bridleways intended to be permissive, to be constructed to bridleway adoptable standards and shall include details of:

- i. the alignment and width of the proposed and upgraded public rights of way intended to be adopted and proposed new bridleways intended to be permissive;
- ii. surfacing materials;
- iii. drainage provision;
- iv. details of any gates, fences or barriers;
- v. maintenance arrangements;
- vi. timetable for their implementation.

Thereafter, the routes shall be provided and maintained in accordance with the approved details. All proposed new public rights of way intended to be adopted or proposed new bridleways intended to be permissive shall be provided as permissive routes and shall remain in situ and available for public use until such a time that a Certificate of Completion under Section 25 Agreement has been issued and the Definitive Map routes have been dedicated. mn deTJ-0.012 Tc 0.003 Tw

Reason: To protect users of the Public Rights of Way, in accordance with Policy MLP 30 of the adopted Worcestershire Minerals Local Plan.

Reason for the pre-commencement condition: The provision of new public rights of way and permissive bridleways are one of the first operations to take place on site, together with the construction of the site's access, so it is important that a detailed scheme for the safe crossing by the public over the haul road of any rights of way or permissive bridleways has been submitted and approved prior to the commencement of the development, for the reasons stated above.

Boundary Treatment

- 22) Notwithstanding the submitted details, prior to their erection / construction on site, details of any new fences, walls and other means of enclosure shall be submitted to the Mineral Planning Authority for approval in writing. Details shall include their design including dimensions, materials, location and extent shown on a plan, timetable for their installation and when they will be removed, and maintenance arrangements. The development shall be carried out in accordance with the approved details, or any subsequent amendments agreed in writing by the Mineral Planning Authority, and the development shall then be retained as such thereafter.

Reason: To protect the visual amenity of the site, and the environmental quality of the surrounding area, in accordance with Policies MLP 28 and MLP 33 of the adopted Worcestershire Minerals Local Plan, Policies Mine subnd MLPr20.005 Twneain5 (b)13 (10.3 -69a)-3.2 P (P)5 (n)

- iii. Spread of light in metres (Lux plan);
- iv. Any measure proposed to minimise the impact of the lighting or disturbance through glare;
- v. Times when the lighting would be illuminated, and no lighting shall be illuminated outside of the working hours (which are prescribed by Condition 9) of this permission), other than for security of the plant site area, as shown on drawing numbered: 6, reference number: KD.LCF.021, titled: 'Plant Site Layout – Plan & Elevations', dated October 2019; and
- vi. Measures to minimise the impact of lighting upon protected species and habitats, including:
 - x Identifying those areas / features on site that are particularly sensitive for bats and invertebrates and that are likely to cause disturbance in or around their breeding sites and resting places or along important routes used to access key areas of their territory, such as for foraging; and
 - x Show how and where external lighting will be installed, through provision of appropriate technical specifications including optic photometric data and contour plans (in both horizontal and vertical planes), and glare rating, so that it can be clearly demonstrated that areas to be lit will not disturb or prevent the above species using their territory or having access to their breeding sites and resting places.

Thereafter, the development shall be carried out and maintained in accordance with the approved details. Under no circumstances shall any other external lighting be installed without prior consent from the Mineral Planning Authority.

Reason: To maintain the visual and environmental quality of the site, in accordance with Policies MLP 28 and MLP 33 of the adopted Worcestershire Minerals Local Plan, Policies WCS 12 and WCS 14 of the adopted Worcestershire Waste Core Strategy, and Policies SP.23 and SP.33 of the adopted Wyre Forest District Local Plan.

Reason for the pre-commencement condition:

Topographical Survey

- 24) A topographical survey of the site shall be carried out during the 12th month of extraction operations and shall be provided to the Mineral Planning Authority within 2 weeks of the survey date. Thereafter, the survey shall be carried out annually and supplied to the Mineral Planning Authority within 2 weeks of the survey date. Supplementary topographical surveys shall be undertaken upon the written request of the Mineral Planning Authority and supplied to the Mineral Planning Authority within 2 weeks of a written request. The survey shall be at a scale of 1:1250, with all levels related to Ordnance Datum. The surveys shall include the extent of land open for quarrying or undergoing restoration and quarry floor levels.

Reason: For the avoidance of doubt and to assist with the monitoring of the planning permission.

Water Environment

- 25) No mineral extraction shall take place until a groundwater, surface water level and quality, monitoring scheme has been submitted to and approved in writing by the Mineral Planning Authority. Thereafter the scheme shall be implemented in accordance with the approved details. The Scheme shall include, but may not be limited to:
- i. Pre-commencement, operational (extraction phase) and post extraction monitoring, of the existing onsite monitoring boreholes identified in Environmental Statement Volume 2 – Technical Appendices – Appendix I: Water Resources. Additional monitoring points will be required to monitor the soakaway ponds post restoration;
 - ii. Method and nature of sampling / measurement of groundwater, surface water and quality;
 - iii. A programme detailing frequency and duration of monitoring along with details of how and when the monitoring data and the Scheme itself shall be reviewed to assess if impacts (if any) are occurring;
 - iv. Trigger levels when action is required to protect a water feature;
 - v. Details of any contingency and mitigation proposals should a trigger level be breached and an impact be apparent at a water feature;
 - vi. In the event that an adverse impact / risk of deterioration attributable to the mineral extraction is noted in the groundwater / surface water monitoring data, all

mineral extraction shall cease whilst investigation into the apparent deterioration is undertaken and shall not recommence until the details required under part vii) of

27) Prior to the commencement of the development hereby approved, a scheme containing details

- iii. A programme detailing frequency and duration of noise monitoring;
- iv. Noise level monitoring shall be carried out for at least 2 separate durations during the working day with the main items of plant and machinery in operation;
- v. The results of the noise level monitoring shall include LA90 (as presented in the Noise Assessment Report, dated 12 September 2019)

Management Plan shall be based upon Section 3.0 and Appendix 3 of the Dust Impact Assessment, dated 18 September 2019, Ref: R19.10059/3/AG, and shall follow the Institute of Air Quality Management (IAQM) 'Guidance on the Assessment of Mineral Dust Impacts for Planning' (2016), set out and require compliance with the good practice mitigation measures set out in Tables 4 and 5 of the IAQM Guidance for both site design and planning and operational control. The Dust Management Plan shall include:

- i. Details

Reason for the pre-commencement condition: To ensure appropriate dust management mitigation measures, best practice measures and a dust monitoring scheme are in place from the outset of the development, as the works have the potential to generate dust emissions.

33) Notwithstanding the submitted details, prior to the commencement of the development hereby approved, a scheme for the recording, part removal to create the vehicular access, storage and reinstatement of the historic boundary wall shall be submitted to and approved in writing by the Mineral Planning Authority. Thereafter, the development shall be carried out in accordance with the approved details. The scheme shall include:

Reason: To ensure soils are managed and conserved for beneficial purposes to ensure the satisfactory restoration of the site, in accordance with Policies MLP 34 and MLP 35 of the adopted Worcestershire Minerals Local Plan.

- 38) No plant or vehicles shall cross any area of unstripped soil or subsoil, except where such trafficking is essential for the purposes of undertaking permitted operations. Essential traffic routes shall be marked in such a manner as to give effect to this condition. No part of the site shall be excavated, traversed or used as a road for the stationing of plant or buildings or for the storage of subsoil, overburden, waste or mineral deposits, until all available topsoil has been stripped from that part. The exceptions are that topsoil may be stored on like topsoil and subsoil may be stored on like subsoil.

Reason: To ensure soils are managed and conserved for beneficial purposes to ensure the satisfactory restoration of the site, in accordance with Policies MLP 34 and MLP 35 of the adopted Worcestershire Minerals Local Plan.

- 39) Prior to

- i. Risk assessment of potentially damaging quarrying activities to habitat and wildlife;
- ii. Identification of "biodiversity protection zones", including tree root protection zones to be protected by suitable fencing in accordance with BS5837:2012;
- iii. Practical measures (both physical measures and sensitive working practices) to avoid or reduce impacts to habitat and wildlife during quarrying (may be provided as a set of method statements);
- iv. The location a

period of no less than 30 years. The BEMMP shall deliver a minimum of 161.51 Habitat Biodiversity Units and 5.68 Hedgerow Biodiversity Units, as set out in the Biodiversity Net Gain Assessment Report, dated 20/01/2023, and include all measures as shown on the approved restoration scheme as required by Condition 45) of this permission, and in Section 8 and 11 of the Environmental Statement Volume 2 'Technical Appendix B – Nature Conservation and Ecology' (Ecological Impact Assessment document reference M16.176(a).R.006, dated April 2019, and the following:

- iii. Measures (including establishment, enhancement and aftercare) for achieving the aims and objectives of management, with time-specific criteria denoting success or a need to implement contingency measures;
- iv. A work and maintenance schedule for 30 years and arrangements for beyond this time;
- v. The LEMP shall require the collection and removal of any plastic tree guards on completion of aftercare, or specify use of bio-degradable tree guards, and that the application of insecticide or fungicides shall be avoided as shall the use of peat anywhere within the restoration scheme. No fertilisers shall be required or are desirable within the acid grassland habitat.
- vi. Monitoring and remedial or contingency measures covering habitats, vegetation, breeding birds, bats, great crested newts, reptiles, notable invertebrates and

hereby approved shall be submitted to and approved in writing by the Mineral Planning

Restoration

45) Notwithstanding the submitted details, prior to the commencement of the development

Aftercare

- 47) The land within the application site shall undergo aftercare management for a 30-year period. Prior to any area being entered into aftercare, the extent of the area to be shown on a plan and its date of entry into aftercare shall be agreed in writing with the Mineral Planning Authority.

Reason: To provide for aftercare of the restored site, in accordance with Policies MLP 7, MLP 11, MLP 31, and MLP 33 of the adopted Worcestershire Minerals Local Plan, Policies WCS 5, WCS 9, and WCS 12 of the adopted Worcestershire Waste Core Strategy, and Policies SP.20, SP.22, SP.23, SP.28, DM.24, and DM.26 of the adopted Wyre Forest District Local Plan.

- 48) A scheme for aftercare shall be submitted to the Mineral Planning Authority for approval in writing at least 9 months prior to the anticipated completion date for each Phase identified in Condition 7) of this permission. The approved scheme shall specify the steps which are to be taken to bring the land up to the required standard for the land uses shown on the approved restoration scheme, as required by Condition 45) of this permission. The approved scheme shall also include a programme of aftercare operations and management to be carried out in the forthcoming year; a review of the previous years' aftercare operations and management, and make provision for site meetings on at least an annual basis with officers of the Mineral Planning Authority in order to assess the progress to date, any remedial action required, and the management

Reason: To ensure appropriate provision of interpretation facilities, in the interests of cultural heritage, landscape, biodiversity and geodiversity, in accordance with Policies MLP 7, MLP 31, MLP 32, MLP 33, and MLP 36 of the adopted Worcestershire Minerals Local Plan, Policies WCS 9

Other Matters

52) There shall be no crushing, screening, sorting or processing of any waste materials or other minerals that are brought on to the site.

Reason: To define the permission and to protect the amenity of adjacent residential properties, in accordance with Policy MLP 28 of the adopted Worcestershire Minerals Local Plan, Policy WCS 14 of the adopted Worcestershire Waste Core Strategy, ^{in ay} ~~and~~ PoliWd5.34 (M)6 (L)5.P7.6 (i)136 Tc -0.013 P.e.3

- v. Recording of meetings; and
- vi. Access to the record of meetings.

Once approved the CLG scheme shall be implemented in accordance with the approved terms of reference throughout the construction, operation, restoration and aftercare period of the development hereby approved.

Reason: To protect the amenity of neighbouring residents and to ensure satisfactory restoration of the site.

Reason for the pre-commencement condition: To enable the local community to be informed of each stage of the development.

Planning Permission

- 56) A copy of this decision notice, together with all approved plans and documents required under the conditions of this permission shall be maintained at the site office at all times throughout the duration of the development and shall be made known to any person(s) given responsibility for management or control of activities/operations on the site.

Reason: To define the permission and to enable the monitoring of the consent in the interests of the amenity of the surrounding area, in accordance with Policy MLP 28 of the adopted Worcestershire Minerals Local Plan, Policy WCS 14 of the adopted Worcestershire Waste Core Strategy, and Policy SP.33 of the adopted Wyre Forest District Local Plan.