

DARTMOOR NATIONAL PARK AUTHORITY

DEVELOPMENT MANAGEMENT COMMITTEE

Friday 15 January 2021

Present: K Ball, S Barker, A Cooper, W Dracup, G Gribble, P Harper, G Hill, S Morgan, D Moyse, N Oakley, M Renders, P Sanders, P Smerdon, P Vogel, P Woods

Officers: L James, Solicitor (acting on behalf of Devon County Council)
S Whale, Barrister, Landmark Chambers
N Marlborough, Consultant
C Hart, Head of Development Management
J Aven, Deputy Head of Development Management
N White, Monitoring Officer

Apologies: J McInnes, J Nutley, C Pannell

The Chairman advised Members that Mr Webber had given notice that he wished to take a three month leave of absence, for personal reasons, with immediate effect. This has been agreed. He welcomed members of the public, speakers, Catherine Shewan, Independent Person, Mr Stephen Whale, Barrister, Landmark Chambers, Laura James, Legal Representative and Neil Marlborough, Consultant

Members were reminded that when voting consistent language should be used i.e., *For the motion, Against the motion or Abstain*

1441 Declarations of Interest and Contact

Members agreed to declare those interests set out in the matrix of membership of other bodies.

Mr Barker asked that the matrix be amended to show that he is not a District Council.

Following a comment from Mr Barker with regard to his role as a Member of Devon County Council and the Council being a purchaser of stone from the quarry, the Chairman advised all County Council Members that the Case Officer, in his presentation, would be referring Members to paragraph 1.10. on page 3 of the report which indicates that Devon County Council has delegated its application number DCC/3994/2017 to the National Park Authority for determination. This does not need to be declared as an interest.

Mr Dracup and Mr Harper declared a pecuniary interest in the application due to their being members of the Dartmoor Hill Farm Project and having purchased lime products at a discounted rate. They advised that they would take no further part in the debate and would leave the meeting.

Mrs Morgan declared a personal interest, due to having received correspondence regarding the application.

Mr Vogel made a personal declaration that, to the best of his knowledge, as a member of Ashburton Town Council, he had not at any time declared for or against the application, nor had he been present with the Town Council determined their response to the Authority on this application. He added that he had received letter and email correspondence.

Ms Woods declared a personal interest in the application, having received correspondence.

Mr Smerdon declared a pecuniary interest in the application, due to members of his family farming at Caton Farm which is on the edge of the proposed extension of the quarry. He felt that it would, therefore, be inappropriate to take part in the debate and would leave the meeting.

The Chairman addressed the Members advising that, due to the reduced number of Members available to determine the application, should any Member lose connection, the meeting would be paused in order for attempts to be made to re-connect that Member to the meeting, therefore not diminishing numbers any further.

At the invitation of the Chairman, the following attendees introduced themselves:

Ms James advised that she is a Devon County Council solicitor; her role is to provide legal advice to the committee and to the Monitoring Officer, as and when required.

Mr Whale, barrister at Landmark Chambers, advised Members that he was attending the meeting, under the instructions of the Authority, to advise on any legal matters arising from the application.

Mr Marlborough, planning consultant, advised Members that he had been working with the Authority over the course of the application, assisting in the assessment. He advised that two of his colleagues, Shaun Salmon and Derek Grange, technical experts in the fields of hydrogeology and land stability would be available to dial in to the meeting should they be needed to answer any specific questions on those subjects.

The Chairman read out an email which he had received from Mr Nutley which explained the reasons for his apologies. Mr Nutley had to attend a meeting at Teignbridge District Council in his role as District Councillor. He declared a personal interest in the application having had meetings with the applicant and objectors. He felt that it would, therefore, be inappropriate to take part in the meeting as he could be judged as having pre-determined any decision.

Ms James advised that Joanne Young, a member of the Legal Services team at Devon County Council was attending the meeting in a training capacity.

There was a short pause in proceedings in an attempt to improve the Chairman's connection to the meeting, which was successful.

1442 Items for Determination by the Committee

Members received the report of the Head of Development Management (NA/DM/21/002).

Item 1 – 0322/16 – Extension to the existing quarry for extraction of minerals and creation of new permanent landscaping bunds with associated landscaping, surface water management works and other environmental improvements on land adjacent to the quarry - Linhay Hill Quarry, Ashburton.

The Case Officer advised Members that the application included a narrow strip of land which runs alongside the A38 and falls outside of the National Park boundary. The applicants had submitted a duplicate application to Devon County Council as the mineral authority for Teignbridge district; the Council subsequently delegated determination to Dartmoor National Park Authority as the largest part of the application fell within the National Park boundary. Attention was drawn to the two planning applications numbers at the top of his report; Members were to determine the two planning applications.

The applications were submitted in 2016, being substantial in size with several important issues to be considered. Five further submissions of environmental information and two submissions of other information were provided by the applicants. A briefing session and pre-committee site inspection were undertaken in late 2020.

The Authority has been assisted by Woods, Consulting Engineers, throughout the application.

The Case Officer then advised Members of updates and amendments to be noted, within the report, as follows:

- Consultation responses have been received, since the writing of the committee report from the Environment Agency, The Caton Group, objectors and the applicants. However, all of the matters raised were already covered within the report.
- Page 31, para. 11.12 – the second sentence to read “*FE#5 goes on to predict that unmitigated drawdown ...*”. At the request of the Chairman, Mr Marlborough explained that when an Environmental Impact Assessment (EIA) assessment is undertaken, it is normally done in two stages, the first stage looks at the development with no mitigation measures included ie, what would happen if the development just went ahead. Proposals from the applicant to mitigate against certain circumstances would be covered further in the presentation.

- Page 34, para. 11.18.7 – second sentence to be deleted as it could have been misleading – that is no evidence of flood water from the quarry.
- Page 39 para. 12.13.5 – reference to FEI#3 (February 2019) should be replaced with FEI#5 (August 2020)
- Page 61 para. 14.14.8 – the last sentence which related to the travel plan, to be deleted as it was concluded to be outdated. Impractical and unnecessary.
- Page 83 – Health and Safety Executive – the last column (text highlighted in yellow) should read “... has no comment to make ...”

With regard to amendments made to the proposed conditions (Appendix 8), these were highlighted as follows:

Condition 3 – add the following drawings, ref:
 LINHAY-ATK-GEN-Z-SE-0007 Rev S0 Sections
 LINHAY-ATK-GEN-Z-SE-0008 Rev S0 Sections
 LINHAY-ATK-GEN-Z-SE-0009 Rev S0 Sections
 LINHAY-ATK-GEN-Z-SE-0010 Rev S0 Sections

Condition 15 – to read: “*Triggers levels for the activation of mitigation measures identified in Conditions 15 and 16 ...*”

Condition 16 (b) to read: “*a proposed approach for monitoring potential impacts on the Lemonford Stream, the Goodstone Springs, for their respective groundwater catchments, and for drawdown in the deeper part of the CBLF between the quarry and Ashburton*”

Condition 17 (b) to read “*the extraction of limestone in Stage 1 of the extension area, and in each subsequent Stage of the extension up to and including Stage 6 and a post-restoration period to be agreed, shall not be commenced until a revised HIA ...*”

Condition 21 (b) to read “*the extraction of limestone in Stage 1 of the extension area, and in each subsequent Stage of the extension up to and including Stage 6 and a post-restoration period to be agreed, shall not be commenced until a revised Karst Management Plan ...*”

In response to a query from the Chairman, the Case Officer confirmed that, in spite of the amendments detailed above, the principle of the conditions has not changed.

Linhay Quarry is a limestone quarry situated to the north east of Ashburton. It is immediately adjacent to the A38 which runs along the quarry’s south east border. The quarry currently operates under two main planning conditions which were consolidated in the 1990s under a legal agreement. The

permission is due to expire in 2048. However, it is understood that the reserves within the quarry would only last for the next 5-10 years at the current rate of extraction. A range of aggregates is produced at the quarry including ready-made concrete, asphalt, concrete blocks and paving, as well as sand and lime.

The proposed extension forms part of Alston Farm. The narrow strip of land alongside the A38 includes the Alston Lane junction which would be closed a part of the scheme. Some minor engineering works would be required.

Most of the proposed extension area is currently grazed by livestock; the western fields are used for growing turf.

The nearest dwellings to the proposed extension are Alston Farmhouse and Alston Cottage, situated 100m and 25m respectively, not the 320m stated in paragraph 13.11.2 on page 51 of the report. These properties are in the ownership of the applicant but are privately occupied. To the north east is the small hamlet of Caton; there are eight private residences within the hamlet. Linhay Business Park lies to the south of the quarry as well as South Dartmoor Community College. The Case Officer showed a short sequence of drone footage of the area for orientation purposes. At the request of the Chairman the Case Officer clarified the relationship of the proposals to the hamlet of Caton and outlined the fields that lie outside of the application.

The proposed extension would provide extraction for a further 60 years at the quarry's current rate. Extraction would be made in a progressive north easterly direction to a maximum depth of 100m. Screening bunds would be created to the south eastern boundary to a maximum height of 14m.

In response to a query from the Chairman the Case Officer confirmed that the 'Balancing Pond' detailed on slide 8 of his presentation would be part of the mitigation measures to deal with flood waters but may require an additional planning application as its position is outside of the current planning application site boundary.

The application also seeks to deepen the existing quarry by 28m which would take it down to mean sea level – zero metres above ordnance datum. This would yield a further three years of reserves from within the existing footprint.

The existing accesses from Balland Lane would continue; working hours would remain unchanged. Upon the cessation of the site being a working quarry, the site would become a lake (maximum depth to be approx. 96m), with recreation and nature conservation areas around it.

The Case Officer explained the planned development of the site and the works to be undertaken in six different phases, as detailed in the report, page 9 para 6.10.1 to page 12 para. 6.10.24. He advised amendments to para.

6.10.10 – Flood Risk Mitigation – should read ‘*Additional permanent flood water storage measures ...*’ and para. 6.10.9 – underground electricity cables are now proposed rather than overhead lines. The proposed screening bunds near Caton were explained and clarified.

The planning requirement for works to Balland Lane is for two passing places. However, the applicant is proposing to widen the whole section of the lane by removing the hedgerow to the northern edge of the lane.

Mr Barker commented that there would be huge benefit for all if the sharp bend at the junction of Balland Lane/New Waye Lane were to be widened. The bend cannot currently be easily negotiated by coaches that need to drop children at South Dartmoor Community College. It has been a long-term ambition for the coaches to be able to drop off and continue onto the sliproad to the A38. The Case Officer confirmed that this is part of the proposed scheme. He emphasised that the applicant has offered to undertake these works but that the current requirement by the Highways Authority is only for two passing places to be created. Any additional works proposed by the applicant would be of additional benefit but outside the remit of this application.

The Case Officer presented drone footage of the area of the proposed extension.

Mr Marlborough advised Members that the Linhay Quarry is located within the Chercombe Bridge limestone formation. Within Devon, there are a number of different limestone formations; these have different characteristics which are important to the type of products that each quarry supplies. The Chercombe Bridge formation is a relatively small outcrop in terms of the geology of the area. The Chercombe Bridge formation is a Karst formation, the characteristics of which are that within the underground geology there can be a wide range of caves and caverns, created by water, over long periods of time. This is important with regard to quarry proposals; as extraction progresses downwards, beyond the natural ground water levels, ground water will drain into a void (known as drawdown); which can have a ‘knock-on’ effect to water behaviour downstream. Within the application before Members there would be a need for monitoring and mitigation to take place over the life of the quarry, should permission be granted.

The meeting adjourned for a 15 minute break. The Chairman reminded Members that they should not discuss the application with anyone during the break.

The meeting re-commenced at 12.00 noon. The Chairman took a roll call to confirm Member presence. It was confirmed that all Members had returned to the meeting.

The Chairman clarified that the aforementioned diversion of the footpath has to be determined by the Public Rights of Way Committee, Devon County Council. He asked for it to be recorded within the Minutes that he is currently Chair of that Committee.

The Case Officer reiterated to Members that their decision should be based on the requirement of the creation of two passing places on Balland Lane. Anything further that the applicant has proposed should not have any bearing on their decision.

Before reaching a decision on this application, it is important to determine whether the proposed scheme constitutes 'Major Development' and, if so, whether there are exceptional circumstances which justify the need for the development and whether it would be within the public interest to grant permission. There are strong local and national policies that require permission to be refused unless exceptional circumstances are clear. Whether or not the application constitutes Major Development is a planning consideration for Members to take. It is not a matter determined by officers; there is no single test or definition to determine Major Development. Footnote 55 of the National Planning Policy Framework 2019 (NPPF) refers Members to taking into account major scale and setting and whether the application could have a significant adverse impact on the purposes of the National Park. Officers are of the view that the proposed scheme does constitute Major Development.

Section 19 of the report sets out how officers have considered the tests for exceptional circumstances and public interest. Linhay quarry is situated midway between the three main markets in Devon for its aggregates – Exeter, Plymouth and Torbay and has strategic access onto the highway network by way of the A38. It is the only working quarry within the Chercombe Bridge formation and is, therefore, the only quarry that can provide specific products from this limestone formation. There are no other quarries in Devon that can provide agricultural lime in the same volumes as Linhay. The meeting of the local demand for supply of the minerals contributes to the national provision. 141 jobs would be maintained at the quarry itself, as well as another 99 jobs at the other Glendinning sites. An additional 10 jobs would be created by this development. Approximately £6m enters the economy each year from this enterprise. It is considered that there is no alternative solution to meet current and future need. One possible site within the limestone formation was considered but found to be uneconomical to develop.

Other limestone quarries in the area could potentially increase their extraction levels but this would not reach the quantities required. Imported products of possibly sub-standard quality are not considered to be an option.

Officers do consider that the proposed development would lead to significant visual impact and effects on the historic landscape which cannot be fully mitigated. However, the effects would be localised and the applicant has proposed mitigation measures to reduce any negative impact.

Having taken these issues, officers are of the opinion that there are exceptional circumstances in respect of this development and that it would be in the public interest for permission to be granted. Officers consider that the scheme is compliant with the Development Plan and conforms with government advice set out in the National Planning Policy Framework 2019. There is a need for the development and there is strong public support for the scheme. The benefits would override any adverse impacts on the landscape.

The Chair invited the registered speakers to address Members.

Councillor Baker (Ashburton Town Council) advised Members that Ashburton Town Council responded to the Authority in September 2016, following receipt of the application, supporting the application in principle and providing that four conditions were met, these being:

- 1) Highways England was satisfied with the engineering solution to the closure of Alston Lane and with the Hydrogeological Report that was to be supplied.
- 2) The Environment Agency was content with the information requested prior to determination of the application.
- 3) Borehole supplies to Caton residents would be maintained and repaired when necessary by the applicant; and
- 4) That there would be minimal noise pollution produced by the quarry.

She stated that, with the number of documents relating to the application (759 as at 10 January 2020), together with the fact that neither she, nor Cllr Irens (ATC) were Geologists, Ecologists nor Hydrologists, they determined that they could agree to support the application in principle but would defer to the Authority's officers and their external experts to expand on the details of the application. However, she had made every effort to read as many of the documents as possible in order to inform her decision.

Cllr Baker advised that in response to condition No1 Highways England was concerned about the potential increase in traffic using Caton Lane when Alston junction was closed. However, the applicant's proposed mitigation work at the Caton junction is now considered sufficient to address this possibility. The Town Council has also come to this conclusion.

With regard to condition 2, she added that both the Environment Agency and Devon County Council's Flood and Coastal Risk management Team are now

content that the level of information supplied is appropriate for the assessment of this application.

The concerns surrounding the borehole supplies to Caton residents will be remedied by the monitoring and mitigation processes mentioned in section 11.19.1. Noise pollution concerns; (Condition No 4) noise levels will be reduced, when extension extraction happens, from 12mm/sec to 8.5mm/sec in peak particle velocity (PPV) and subsequent noise reduction.

She advised Members that the applicant has been meticulous in responding to any objectors concerns and evidence produced by experts hired by a group of objectors.

Concerns have been raised about ownership of the quarry passing from a family firm to another firm which may not undertake the mitigation measures and/or restoration work proposed in the application. Cllr Baker's opinion was that as the application is for an extension of the quarry in stages over the next 60 years no-one can predict what may or may not happen in the future.

The Town Council has concluded that the proposed quarry extension will have little visual impact outside of its immediate surroundings and is likely, overall, to contribute positively to the health and wellbeing of the residents of Ashburton. This application is a major development within the National Park, however, the benefits to the economy of Ashburton and surrounding area are exceptional; it is vital to sustaining not only Ashburton but other areas within the National Park and, therefore, Ashburton Town Council supports the application.

The Chairman advised Members that two statements had been received – from Ms Suzanne Jones and from the Caton Group, in objection to the application. He added that Mr White, Monitoring Officer, would read these statements. The objectors had advised that they were unable to do so due to technological issues; this is acceptable within the rules of public speaking.

Statement from Suzanne Jones:

“I assume that the Planning Committee will have seen my map and most recent research documents relating to the Transhumance route from Cockington to Cockingford.

Your policy test for a major development says that “Great weight should be given to conserving and enhancing landscape and scenic beauty in National Parks etc.”

As the proposal is not considered to conserve or enhance the landscape or scenic beauty of the National Park and does not sustain local distinctiveness, I believe it is considered to be contrary to NPPF Paragraph 172, to which great weight can be given in the decision-making

process. I notice that the National Park Archaeologist and the Landscape Officer have both objected to this planning application.

This proposed development and the nature of the proposals will, in my opinion, have a significant adverse effect on the landscape, history and special quality of this part of OUR National Park and have serious life-changing effects on the lives of many people who presently live here. The removal of a major part of Alston Lane, together with the “Stopping Up” of Alston Cross, will break the continuity of the Transhumance drove way and destroy the knowledge of the route and its history for ever. The destruction of the way and the removal of its hedgerows will result in a permanent and irretrievable loss which will have an irreversible adverse effect on the historical value of the whole route.

The suggested alternative “way” is not a ‘like for like’ or “commodious” route – neither is it a dry route. It was originally a way to the Stannary and market town of Ashburton. The main route was chosen because it was a dry route. Walk along the ancient Transhumance route from the sea at Cockington to the High Moor at Cockingford and you step not only into the history of Dartmoor but the history of England itself. To remove a part of this route will have a detrimental effect on the environment, the landscape and recreational opportunities that in 2021, in the middle of a world-wide pandemic, our young people (children and young adults) need more than ever! Take this away and you leave them with no past – no roots, no ‘sense of place’! The people of Devon have a right to their history, night skies, timelessness, space and knowledge. Our droveway is for everyone for ever – the quarry is not!”

Statement from the Caton Group:

“The Caton Group are local residents some of which are 5th Generations, who have funded reviews on 3 of Glendinnings reports on Hydrological impact assessments.

These reviews and assessments were reviewed by acknowledged experts in hydrology of limestone terrain, Professors Gunn and Smart. Specifically Professor Smart authored the Environment Agency’s guidelines for assessment of dewatering impacts of Limestone Quarries.

In the previous HIA reviews Dartmoor National Park and the Environment Agency have agreed further work be undertaken resulting in the current HIA (2020).

We would like to point out that much of this reassessment has resulted from critical Commentary funded by the Caton Group.

Because of the likely impacts on ground water flow, Atkins have suggested recharging water direct to the Caton stream sink behind Caton Farm.

Atkins also propose the development of a balancing pond adjacent to Caton, now to be the subject of another future planning application. We raise concerns with instability issues and sinkholes.

A critical point in EA schemes for assessments of dewatering impacts of Limestone quarries is that for quarry development to proceed, mitigation

has to be proven! This is both in respect to its hydrological effects and also property ownership, control or permissions. Should this not be the case then the development should not proceed.

With respect to restoration and aftercare, we ask what provision there is to ensure ongoing monitoring and management after the closure of the quarry? At this time these questions do not seem to have been answered. Atkins have suggested, in previous documents, that the quarry could take many years to fill - probably 20.

This water will be approximately 300 feet deep. Quarry lakes are cold and swimming is ill advised.

The amenity will attract visitors. Atkins estimate is some 300,000 a year (similar to Stover Park) but the Caton Group consider that is a huge exaggeration.

The amenity of the residents due to this extension is of great concern and one of the biggest concerns are the working hours.

We object to the very extended operating hours included in conditions 28, 29 and 30. This will affect properties in Caton and above and also on the other side of the A38.

We ask for a ban on Saturday working - now generally taken as a rest day. Extraction and tipping should not extend beyond 17.30 rather than being permitted to midnight, as now suggested in the new conditions.

The Dartmoor National Park is a treasure chest full of precious jewels like the medieval fields which will be stripped of their very history and soil and be replaced with a rock face and a lake.

These treasures must be protected as they cannot be replaced. The cost to the environment with this extension is significant, but the cost which has and will occur to the residents is unmeasurable.

We urge the Committee to conserve this land for the future food and health of all of our generations to come. Application 0322/16 should be rejected."

In response to a Member's question, the Case Officer advised that the Transhumance drove way was an ancient route used for the movement of livestock and people from the coast to the high moor; it runs along the line of Alston Lane. It is a non-designated heritage asset and has no statutory protection.

Mr Wilson (representing the applicants) advised Members that there has been a limestone quarry at Linhay Hill for centuries. Glendinning has owned and operated the quarry since 1958. Products from the quarry have, since that time, been used for construction, highway maintenance and farming. The

central role of mineral extraction has been recognised by the planning process, being described as 'essential'. Currently, the replenishment of mineral reserves is falling behind the rate of consumption. Minerals can only be extracted where they naturally occur; many of these areas are within the National Parks of the UK. Devon County Council is of the opinion that Linhay Hill Quarry is strategic in its position next to the A38, which gives easy access to Exeter, Plymouth, Torbay and other important areas. The quarry currently supplies approximately one quarter of all crushed rock supplied in Devon.

The National Planning Policy Framework instructs planning departments not to restrict mineral extraction to one operator. Without Linhay quarry there would be only one other provider in Devon of the minerals currently extracted.

Mr Wilson stated that Glendinning understands its responsibilities to the National Park purposes as an enterprise within the National Park. The detailed planning application has taken almost five years to reach the stage of determination, at a cost of around £2m. There has been much consultation with all parties and the company has made strenuous efforts to address all objections raised. With regarding biodiversity, ecology, archaeology and tree planting of native species will be undertaken at the early stages of the scheme, as well as highway/public access improvements. All mitigation measures would be undertaken in a controlled manner.

Additional studies have been undertaken in respect of the water environment and land stability. The evidence gathered confirms that the extension and deepening of the quarry would have minimal impact. Following discussions with officers, additional monitoring is proposed in order to give peace of mind to all stakeholders. The monitoring will follow the Environment Agency regulations regarding the extraction of limestone. There will be regular review of the accruing evidence with staged approvals in order that the extension may be carefully controlled by the National Park and other regulators.

During the application process, 33 monitoring boreholes have been drilled, most other limestone quarries in Devon have a maximum of 10, proving that the application has been subject to rigorous inspection by the Authority, thus providing reassurance.

Construction forms a major part of the economy; the industry could not operate without the stone provided by the quarries throughout the UK. The outcome of the application is existential to Glendinning and its employees and the impact on Devon's construction industry would be severe. Glendinning believes that the proposed extension is the best way to serve its markets, far better than importing products from outside of Devon.

In response to Member queries, Mr Wilson responded and advised as follows:

- With regard to the reduction in extraction in 2016 the amount of limestone within the deposit is finite within the current planning conditions. The annual amount of extraction varies from year to year depending on demand. Since 2016 the remaining reserve diminishes each year; currently the company has a five-year reserve.
- Production of tin - overburden contains a mineral called cassiterite – it is possible to extract tin from this however, the quantities of cassiterite within the screening bunds would be extremely small and therefore economically not viable.
- Sunday working – this is not a regular practice and there is never any extraction that takes place on a Sunday. DCC sometimes required asphalt in order to undertake highway maintenance out of hours in order to minimise disruption to the public.
- Mitigation measures – translocation of hedgerows – this has been undertaken in previous planning applications, including onto the existing overburden landscaping bunds as well as the sister quarry in Cornwall. Works would be supervised by a chartered ecologist. So far, the company has had 100% success in the translocation of hedgerows.

As a point of order Mr Renders advised that he very briefly dropped out of the meeting, whilst Mr Wilson was answering a Member's question. Having checked the situation with the Monitoring Officer, the Chairman advised Mr Renders that he would continue and would be able to vote.

In response to the Chairman's request for clarification, the Case Officer confirmed that there were no other amendments to be made.

The Case Officer was congratulated on his report and presentation.

In response to Member queries, Mr Marlborough advised that there are three boreholes that provide a private water supply; one at Little Barton, one at the Larches and the other close to Caton Cross. The only one that could possibly be affected by the application works would be the one at Caton Cross. However, monitoring and mitigation measures proposed would deal with this should any action be required.

The Case Officer confirmed that the hydrological queries, raised by the Caton Group, have been significantly addressed by the proposed mitigation measures.

With regard to the Balland Lane issue, a Member commented that, at the beginning of the presentation it was made clear that the applicant had made an offer which would be of huge benefit to the local community. Proposed condition 6 states that Waye Lane would not be brought into use until the changes to Balland Lane had been carried out – the applicant's proposals to widen Balland Lane had been shown to Members in the Case Officer's presentation. He, therefore, considered that Members were in receipt of the details of the proposed changes to Balland Lane. He expressed concern that

the applicant's proposal to widen the lane could be lost, although he was aware that Members should not take this into account when determining the application.

At the invitation of the Chairman Mr Whale advised Members that all the applicant is required to do, as per advice from Devon County Council Highways, is to provide two passing places; anything else offered cannot be considered. The widening of the lane is more a "nice to have" rather than "needs to have".

In the event of future maintenance of the area should the quarry cease to operate as a going concern, the Case Officer advised that within the conditions there is a proposal to set up a local environmental group to help manage the site. With regard to restoration, the applicants are members of the British Aggregates Association; with this they have access to the Member Guarantee Bond – should anything happen to the company in the future there would be insurance which would provide funding to ensure restoration of the site. In addition, within the draft S106 Heads of Terms, there is a requirement that the operators either maintain their membership or obtain cover from a similar organisation. With regard to ongoing maintenance following the end of the life of the quarry there is a requirement to continue with the maintenance of the site.

At the invitation of the Chairman, Mr Whale advised Members that the first issue to determine was whether the application constituted Major Development. Exceptional circumstances and public interest do not form a part of recommendation no. 1. The applicant considers the application to be major development, as do officers of the Authority. It is, ultimately, a decision for Members. He drew their attention to footnote 55 of the NPPF – the nature of the proposal, the scale, the setting and whether it could have a significant adverse impact on National Park purposes.

Following the advice of Mr Whale, Legal Counsel, the Chairman asked all Members whether they were all satisfied that they had been provided with sufficient information in order to make a decision regarding this application. All Members confirmed that they had.

The Chairman clarified that each recommendation would be taken and voted upon separately.

Mr Sanders proposed **recommendation (i) – that the proposed scheme constitutes Major Development**, which was seconded by Ms Woods.

RESOLVED: Members AGREED that the proposed scheme constitutes Major Development.

Mr Sanders proposed **recommendation (ii) – that there are exceptional circumstances and the development would be in the public interest**, which was seconded by Ms Woods.

Some Members commented that they believed that there are exceptional circumstances and that the public interest would be best served by the application. The alternative sources which would come from far outside the local area and would not serve the public interest in terms of fuel costs and miles in and out of the county. In addition, the quarry provides products for the DCC Highways – this is in the public interest in relation to carbon footprint etc. With the current situation of the country a significant number of jobs would also be retained as well as a small number created.

A Member commented that it is very tempting to build our way out of economic difficulties in what we call ‘exceptional circumstances’ but it is also very easy to build our way into environmental and ecological disasters.

RESOLVED: Members AGREED that there are exceptional circumstances and the development would be in the public interest.

Mr Sanders proposed **recommendation (iii) – that permission be GRANTED subject to the amended conditions and the completion of a s.106 Planning Obligation Agreement**, which was seconded by Ms Woods.

A Member stated that it was easy and tempting to dig our way out of economic difficulties and unwittingly build our way into ecological disasters. No amount of mitigation would compensate for the fact that there will be a huge void in the landscape and there will be the loss of established ecosystems and environment. The Member was in agreement with the views of the Council for the Protection of Rural England (CPRE) and the Authority’s Ecologist in the middle of an ecological emergency.

Another Member advised that whilst they understood the issues regarding the ecology, the excavation within the quarry would be maintained, not increased. There are wide ranging benefits to providing products locally and those products contribute to the way in which Devon exists. Mitigation measures will be put into place at the very early stages of the extension. The company has been very careful to ensure that it includes mitigation measures to ensure the protection of the environment. A Member, as an environmentalist, stated that they ‘work on the long term’; some of the most important habitats on Dartmoor are actually disused quarries. They provide an entirely separate environment for wildlife. The benefits of the application before Members is that the owners are willing to take huge measures to actively restore the site and this will actually speed up recovery. Future generations will benefit from the application, they will also benefit from the ability to work on the scheme.

RESOLVED: That, permission be GRANTED subject to the amended conditions as detailed below and the completion of a s.106 Planning Obligation Agreement.

1	The development to which this permission relates must be begun not later than 6 years from the date of this permission.
2	The extraction of minerals shall cease not later than 66 years from the date of this decision notice, and restoration of the site shall be completed thereafter in accordance with a restoration and aftercare scheme to be approved under Condition 40.
3	<p>No development shall be carried out other than in strict accordance with the approved drawings numbered:</p> <p>LINHAY-ATK-GEN-T-PL-0001 P4 SITE PLAN - Existing</p> <p>LINHAY-ATK-GEN-T-PL-0002 P4 SITE PLAN - Proposed</p> <p>LINHAY-ATK-GEN-T-PL-0003 P4 Site Location Plan</p> <p>LINHAY-ATK-S0-Z-PL-0001 P2 Stage 0</p> <p>LINHAY-ATK-S1-Z-PL-1000 P1 Stage 1</p> <p>LINHAY-ATK-S2-Z-PL-2000 P2 Stage 2</p> <p>LINHAY-ATK-S3-Z-PL-3000 P3 Stage 3</p> <p>LINHAY-ATK-S4-Z-PL-4000 P3 Stage 4</p> <p>LINHAY-ATK-S5-Z-PL-5000 P3 Stage 5</p> <p>LINHAY-ATK-R-Z-PL-6000 P3 Stage 6 (Restoration)</p> <p>LINHAY-ATK-GEN-Z-SE-0001 P1 Section Locations</p> <p>LINHAY-ATK-GEN-Z-SE-0002 P2 Sections 1</p> <p>LINHAY-ATK-GEN-Z-SE-0003 P2 Sections 2</p> <p>LINHAY-ATK-GEN-Z-SE-0007 Rev S0 – Sections</p> <p>LINHAY-ATK-GEN-Z-SE-0008 Rev S0 – Sections</p> <p>LINHAY-ATK-GEN-Z-SE-0009 Rev S0 – Sections</p> <p>LINHAY-ATK-GEN-Z-SE-0010 Rev S0 – Sections</p> <p>LINHAY-ATK-S0-C-DR-0003 P1 Alston Farm Access (Private) Plan and Profile Interim Route</p> <p>LINHAY-ATK-S0-C-DR-0012 P1 Alston Farm Access (Private) Section Views Interim Route</p> <p>LINHAY-ATK-S0-C-DR-0004 P1 Lower Waye Access Plan and Profile</p> <p>LINHAY-ATK-S0-C-DR-0005 P7 Upgrading of Waye Lane Route Plan and Profile 1 of 5</p> <p>LINHAY-ATK-S0-C-DR-0006 P7 Upgrading of Waye Lane Route Plan and Profile 2 of 5</p> <p>LINHAY-ATK-S0-C-DR-0007 P7 Upgrading of Waye Lane Route Plan and Profile 3 of 5</p> <p>LINHAY-ATK-S0-C-DR-0008 P7 Upgrading of Waye Lane Route Plan and Profile 4 of 5</p> <p>LINHAY-ATK-S0-C-DR-0009 P7 Upgrading of Waye Lane Route Plan and Profile 5 of 5</p>

	<p>LINHAY-ATK-S0-C-DR-0010 P1 Road markings and signing for safety audit of Waye Lane 1 of 2</p> <p>LINHAY-ATK-S0-C-DR-0011 P1 Road markings and signing for safety audit of Waye Lane 2 of 2</p> <p>LINHAY-ATK-S0-C-SE-0001 P1 Upgrading of Waye Lane Route - Road Cross Sections</p> <p>LINHAY-ATK-S0-C-PL-0201 P0 Balland Stream Upper Catchment Attenuation Storage</p> <p>LINHAY-ATK-S1-C-DR-1101 - Alston Junction General Arrangement</p> <p>LINHAY-ATK-S1-C-DR-1102 - Alston Junction Existing Signs and Road Markings</p> <p>LINHAY-ATK-S1-C-DR-1103 - Alston Junction Site Clearance</p> <p>LINHAY-ATK-S4-C-DR-4001 P1 Alston Farm Access (Private) Plan and Profile Permanent Route</p> <p>LINHAY-ATK-S4-C-DR-4002 P1 Alston Farm Access (Private) Section Views Permanent Route</p> <p>Enq 3476829 Cable diversion, 34ED line, Linhay Hill Quarry.</p> <p>Hedgerow Translocation Methodology Guidance in Appendix B of the EMES, and with any scheme, working programme or other details submitted to and approved in writing by the Minerals Planning Authority in pursuance of any condition attached to this permission.</p> <p>From the commencement of development until its completion, a copy of this permission, including all drawings hereby approved and any other documents approved in accordance with this permission, shall always be available at the Quarry Manager's office, Linhay Hill Quarry during normal working hours, to all persons with the responsibility for the site's operations, restoration and aftercare.</p>
4	<p>The development hereby approved shall be carried out in the order of stages 0-6 as described in Table 3-1 'Linhay Hill Quarry – Stage progression' on page 3-6 of chapter 3 of the ES dated June 2016 and as shown on the drawings numbered:</p> <p>LINHAY-ATK-S0-Z-PL-0001 P2 Stage 0</p> <p>LINHAY-ATK-S1-Z-PL-1000 P1 Stage 1</p> <p>LINHAY-ATK-S2-Z-PL-2000 P2 Stage 2</p> <p>LINHAY-ATK-S3-Z-PL-3000 P3 Stage 3</p> <p>LINHAY-ATK-S4-Z-PL-4000 P3 Stage 4</p> <p>LINHAY-ATK-S5-Z-PL-5000 P3 Stage 5</p> <p>LINHAY-ATK-R-Z-PL-6000 P3 Stage 6 (Restoration)</p>
5	<p>Works on the construction of Waye Lane shall not be commenced until the public footpath Ashburton 16 has been diverted in accordance with the drawings numbered:</p>

	<p>LINHAY-ATK-S0-C-DR-0005 P7 Upgrading of Waye Lane Route Plan and Profile 1 of 5</p> <p>LINHAY-ATK-S0-C-DR-0006 P7 Upgrading of Waye Lane Route Plan and Profile 2 of 5</p> <p>LINHAY-ATK-S0-C-DR-0007 P7 Upgrading of Waye Lane Route Plan and Profile 3 of 5</p> <p>LINHAY-ATK-S0-C-DR-0008 P7 Upgrading of Waye Lane Route Plan and Profile 4 of 5</p> <p>LINHAY-ATK-S0-C-DR-0009 P7 Upgrading of Waye Lane Route Plan and Profile 5 of 5</p> <p>or any such non-material amendments to this route, which result from an application under Section 257 of the Town and Country Planning Act 1990 for the diverted Footpath 16 and have been previously been submitted to and approved in writing by the Mineral Planning Authority.</p> <p>The diverted footpath shall be provided in accordance with a specification to be submitted and agreed with the Minerals Planning Authority.</p>
6	<p>The proposed new road, Waye Lane, shall not be brought into use as a highway until Balland Lane has been improved in accordance with details which shall previously have been submitted to and approved in writing by the Mineral Planning Authority.</p>
7	<p>The proposed new road, Waye Lane, shall not be brought into use as a highway until the flood attenuation storage areas shown on drawing numbered LINHAY-ATK-GEN-C-PL-0201 P0 have been implemented in accordance with the approved drawings.</p>
8	<p>Alston Lane shall not be closed to through traffic until the following have been completed and brought into use:</p> <ul style="list-style-type: none"> a) Construction of Waye Lane, including the junctions with Alston Lane and Balland Lane, and the Waye Farm Link Road as shown on drawings numbered: LINHAY-ATK-S0-C-DR-0005 P7 Upgrading of Waye Lane Route Plan and Profile 1 of 5 LINHAY-ATK-S0-C-DR-0006 P7 Upgrading of Waye Lane Route Plan and Profile 2 of 5 LINHAY-ATK-S0-C-DR-0007 P7 Upgrading of Waye Lane Route Plan and Profile 3 of 5 LINHAY-ATK-S0-C-DR-0008 P7 Upgrading of Waye Lane Route Plan and Profile 4 of 5 LINHAY-ATK-S0-C-DR-0009 P7 Upgrading of Waye Lane Route Plan and Profile 5 of 5 b) Construction of the interim route of the new access to Alston Farm and Alston Cottage as shown on drawings numbered LINHAY-ATK-S4-C-DR-4001 P1 and LINHAY-ATK-S4-C-DR-4002 P1 c) Formation of the Lower Waye Access as shown on drawing numbered LINHAY-ATK-S0-C-DR-0004 P1 d) the improvement of Caton Junction in accordance with planning permission 18/00542/FUL approved by Teignbridge District Council on 23 August 2019
9	<p>Within 12 months of the closure of Alston Lane, the junction with the A38 shall be restored and landscaped in accordance with drawings numbered:</p> <p>LINHAY-ATK-S1-C-DR-1101,</p>

	LINHAY-ATK-S1-C-DR-1102, and LINHAY-ATK-S1-C-DR-1103
10	<p>Prior to the commencement of each of Stages 0, 1, 2a, 2b, 3 and 4 of the development, a detailed Landscape and Ecological Mitigation and Enhancement Scheme shall be submitted to and approved in writing by the Mineral Planning Authority, incorporating the relevant measures for that stage of the EMES in ES Appendix 10.3 and in the Landscape Mitigation and Restoration Strategy in ES Appendix 8A.5. The Scheme shall set out in detail:</p> <p>a) the proposals for the implementation of each of the landscape and ecological mitigation and enhancements proposed in that stage, and</p> <p>b) arrangements for updating the Scheme in advance of each successive stage of the development.</p> <p>The development in each stage shall be carried out in accordance with the approved Landscape and Ecological Mitigation and Enhancement Scheme for that stage.</p>
11	<p>Prior to the commencement of Stages 0, 1, 2a, 2b, 3, 4, and 5, a detailed Land Management Plan shall be submitted to and approved in writing by the Mineral Planning Authority, incorporating the relevant terms for that stage of the development from the supporting document 'Linhay Hill Quarry: Outline Operational Land Management Strategy' and including management of Little Barton Fields UWS for bats. The Outline Land Management Plan shall set out in detail;</p> <p>a) the status of the natural resources to be managed in that stage.</p> <p>b) the desired future conditions, and the management practices to achieve those conditions and the time horizons for actions and achievement of objectives.</p> <p>c) the aftercare steps to be taken for grassland, wetlands, trees and shrubs planted in accordance with the approved detailed Landscape and Ecological Mitigation and Enhancement Scheme, and the periods during which they are to be taken</p> <p>d) The aftercare steps for hedgerows planted in accordance with the approved detailed Landscape and Ecological Mitigation and Enhancement Scheme, and the periods during which they are to be taken</p> <p>e) arrangements for reporting of land management actions and monitoring outcomes.</p> <p>f) arrangements for updating the Land Management Plan in advance of each successive stage of the development.</p> <p>The development in each stage shall be carried out in accordance with the approved Land Management Plan for that stage.</p>
12	<p>Prior to the commencement of Stage 0, details of an Environmental Steering Group, which will oversee the delivery of the landscape and ecological mitigation, restoration works and the Land Management Plan (approved under Condition 11), shall be submitted to the Mineral Planning Authority for approval. The details to be submitted shall include the constitution of the Group and frequency of meetings. Unless otherwise agreed in writing with the Mineral Planning Authority, the first Environmental Steering Group meeting shall be convened within 6 months from the date of approval of the submitted Environmental Steering Group details.</p>

13	<p>Prior to the commencement of each Stage and sub stage up to and including Stage 5, ecological surveys shall be undertaken in accordance with Table C1 in Appendix C of the EMES (Atkins May 2016) and the Summary Bat Report in Appendix 6.1 of the Regulation 22 Response #4 (Woodfield Ecology December 2018). Following completion of each survey, the report of the surveys shall be submitted to the Mineral Planning Authority.</p>
14	<p>Prior to the commencement of Stage 0, and to the commencement of each successive stage of the development up to and including Stage 5, an Arboricultural Method Statement produced in accordance with Appendix C of the Arboricultural Report (Evans + Associates Ltd, May 2016) shall be submitted to and approved in writing by the Mineral Planning Authority.</p> <p>The arboricultural works approved for each stage shall be undertaken in accordance with the approved Arboricultural Method Statement for that stage.</p>
15	<p>Monitoring shall be undertaken in accordance with the monitoring and mitigation measures outlined in the Revised ES Appendix 12 C, Hydrogeological Impact Assessment 2020, Atkins July 2020 (the HIA) from a date to be advised to the Mineral Planning Authority within 3 months of the date of this Decision Notice.</p> <ul style="list-style-type: none"> a) The monitoring will additionally include monitoring of existing observation boreholes Q1, Q2, SW1S/D, SE2S/D, and Q10S/D (as identified in the HIA). b) Monitoring must be carried out for a minimum of three years prior to the commencement of Stage 1 of the development hereby approved. <p>Trigger levels for the activation of mitigation measures identified in Conditions 15 and 16 shall be presented to the Mineral Planning Authority at the end of the monitoring period described in condition 15b), accompanied by details of those mitigation responses and the time required to implement them following an identified breach of trigger levels.</p> <p>Approval of these trigger levels shall be obtained from the Mineral Planning Authority in writing before the commencement of the extraction of limestone below the level of 110mAOD to the east of Alston Lane.</p> <p>Within three months of a breach of the trigger levels, the Mineral Planning Authority must be notified of the breach, of mitigation actions taken in response to such a breach, and of impacts that are beyond the capability of the existing mitigation measures to address.</p>
16	<p>Within three months of the date of this Decision Notice, further proposals shall be submitted to the Mineral Planning Authority for the following:</p> <ul style="list-style-type: none"> a) monitoring of BH11 (as identified in the HIA), or equivalent alternative location, subject to landowner consent; b) a proposed approach for monitoring potential impacts on the Lemonford Stream, the Goodstone Springs, for their respective groundwater catchments, and for drawdown in the deeper part of the CBLF between the quarry and Ashburton; c) a process of resolution in the event of a dispute regarding hydrogeological and hydrological matters. <p>Approval of the further proposals shall be obtained from the Mineral Planning Authority in writing prior to the commencement of Stage 1.</p>
17	<p>Following approval of the further proposals in condition 16,</p> <ul style="list-style-type: none"> a) monitoring shall be undertaken, and mitigation implemented, in accordance with conditions 15 and 16 or such revised monitoring scheme as may be approved in

	<p>writing by the Mineral Planning Authority from time to time under part b) of this condition.</p> <p>b) the extraction of limestone in Stage 1 of the extension area, and in each subsequent Stage of the extension up to and including Stage 6 and a post-restoration period to be agreed, shall not be commenced until a revised HIA for that stage, including updated monitoring and mitigation measures, has been submitted to and approved in writing by the Mineral Planning Authority. The monitoring and mitigation measures included may decrease or increase in each revision, in accordance with the available data.</p> <p>The Minerals Planning Authority shall consult the Environment Agency on all submissions made under conditions 15 to 17.</p>
18	<p>Prior to the commencement of Stage 0, a scheme detailing the design and method of operation of the flood diversion system for the Balland Stream shall be submitted to and approved in writing by the Mineral Planning Authority. The flood diversion system shall be provided and maintained in accordance with the approved details for the duration of the development.</p>
19	<p>Prior to the commencement of Stage 0, full details of the adoption and maintenance arrangements for the proposed permanent surface water management system for the proposed new highways shall be submitted to and approved in writing by the Mineral Planning Authority.</p>
20	<p>Within 3 months of the date of this Decision Notice a Karst Management Plan shall be submitted for the approval of the Mineral Planning Authority in accordance with the principles set out in the Land Stability Risk Assessment 2020, Atkins July 2020, but with the area of investigation also being informed by the hydrological and hydrogeological monitoring identified in Conditions 15 ,16 and 17b). The Karst Management Plan shall include:</p> <ol style="list-style-type: none"> a. proposals for undertaking a baseline building survey. Subject to landowner permission, this shall include non-intrusive external structural surveys of Lower Waye, Alston Farmhouse, Alston Cottage and properties within the hamlet of Caton; b. proposals for establishing a Karst Liaison Network for the reporting of land stability matters; c. proposals for setting land stability trigger events and mitigation responses, including sinkhole repair where necessary; d. details for a programme of ground surface monitoring, including: <ol style="list-style-type: none"> i. an initial planned frequency of twice yearly: once in March to April once in September to November ii. an additional monitoring walkover is made between the walkovers in item d, i to inspect the areas around those receptors that are denoted as 'medium' risk in Table 6-5 of the Land Stability Risk Assessment 2020, Atkins July 2020 iii. additional monitoring visits are proposed after high rainfall events with a return period of 1 in 2 year (or more severe); and iv. monitoring requirements connected with any water related mitigation measures introduced under conditions 15 to 17. e. arrangements for reporting of data and findings from items d, i to iv, incorporating data from the hydrogeological and hydrological monitoring addressed in conditions 15 to 17.

	<p>f. proposals for a process of resolution in the event of a dispute regarding land stability matters.</p> <p>Approval of the Karst Management Plan shall be obtained from the Mineral Planning Authority in writing before the commencement of Stage 1.</p>
21	<p>Following approval of the Karst Management Plan in Condition 20:</p> <p>a) monitoring shall be undertaken, and mitigation implemented, in accordance with the approved Karst Management Plan or such revised plan as may be approved in writing by the Mineral Planning Authority from time to time under part b) of this condition; and</p> <p>b) the extraction of limestone in Stage 1 of the extension area, and in each subsequent Stage of the extension up to and including Stage 6 and a post-restoration period to be agreed, shall not be commenced until a revised Karst Management Plan (including updated monitoring and mitigation measures) for that stage has been submitted to and approved in writing by the Mineral Planning Authority.</p>
22	<p>Prior to the commencement of Stage 0, a Method of Construction Statement shall be submitted to, and approved in writing by, the Mineral Planning Authority.</p> <p>The Statement shall include details of:</p> <p>(a) parking for vehicles of site personnel, operatives and visitors</p> <p>(b) loading and unloading of plant and materials</p> <p>(c) storage of plant and materials</p> <p>(d) programme of works (including measures for traffic management)</p> <p>(e) provision of boundary hoarding behind any visibility zones;</p> <p>for all of the following items:</p> <ul style="list-style-type: none"> • Balland Lane works • Ashburton 16 public footpath diversion • Construction of Waye Lane and • Construction of flood attenuation storage areas • Construction of new access to Alston • Formation of Lower Waye access • Diversion of overhead lines. <p>These works shall be implemented in accordance with the approved Method of Construction Statement.</p>
23	<p>Prior to the commencement of each stage of the development up to and including Stage 4, a Construction Environmental Management Plan (CEMP) shall be submitted to, and approved in writing by, the Mineral Planning Authority.</p> <p>The CEMP shall cover all of the items identified in Condition 22 and shall include:</p> <p>a) Risk assessment of potentially damaging construction activities including vegetation clearance and removal.</p> <p>b) Identification of 'biodiversity protection zones'.</p> <p>c) Dust Management Plan,</p> <p>d) Practical measures (both physical measures and sensitive working practices) to avoid or reduce impacts during construction (may be provided as a set of method statements) to include details of lighting, drainage and no dig methods of construction.</p>

	<p>e) The location and timing of sensitive works to avoid harm to biodiversity features (including timing of vegetation removal). This includes the use of protective fences, exclusion barriers and warning signs.</p> <p>f) The times during construction when specialist ecologists need to be present on site to monitor works to ensure compliance with the CEMP, and the actions that will be undertaken.</p> <p>g) Responsible persons and lines of communication.</p> <p>h) The role and responsibilities on site of an ecological clerk of works (ECoW) or similarly competent person.</p> <p>All works shall be implemented in accordance with the approved Construction Environmental Management Plan.</p>
24	<p>Prior to the commencement of Stage 1, geotechnical submissions relevant to the construction of the Stage 1a and Stage 1b bunds shall be submitted to and approved in writing by the Minerals Planning Authority.</p> <p>The submissions shall be in accordance with 'Design Manual for Roads and Bridges CD622 Managing Geotechnical Risk'.</p> <p>The bunds shall be developed in accordance with the approved details.</p>
25	<p>Prior to the commencement of Stage 1 and Stage 2 respectively details of the proposed soil and overburden stripping and the construction of the bunds in that stage shall be submitted to and approved in writing by the Mineral Planning Authority. The scheme shall include:</p> <p>a) The arrangements for handling and storage of topsoil</p> <p>b) proposed haulage routes</p> <p>c) details of the drainage during the construction phase;</p> <p>d) details of the final drainage scheme;</p> <p>e) a timetable for construction;</p> <p>f) proposals for monitoring of noise and dust and reporting during construction of the bunds.</p> <p>The bunds shall be constructed in accordance with the approved details.</p>
26	<p>Prior to the commencement of Stage 4, the route of the access lane to Alston Farm and Cottage shall be realigned in accordance with drawings numbered LINHAY-ATK-S4-C-DR-4001 P1 and LINHAY-ATK-S4-C-DR-4002 P1.</p>
27	<p>Stage 2 shall not be commenced until a balancing pond identified on drawing numbered LINHAY-ATK-S2-Z-PL-2000 P2 Stage 2, or such other equivalent mitigation mechanism as may be identified by any revised hydrogeological impact assessment approved in writing by the Mineral Planning Authority in accordance with condition 17b), has been implemented.</p>
28	<p>No soil or overburden stripping or construction of the bunds or spreading of topsoil on the bunds shall be carried out:</p> <p>a) other than between 0800 and 1800 hours on Mondays to Fridays, and between 0800 and 1300 hours on Saturdays; and</p> <p>b) at any time on Sundays, Bank or Public Holidays.</p>
29	<p>No winning and working of minerals (that part of the recovery of the deposit up to and including primary crushing) shall be carried out:</p> <p>a) other than between 0600 hours and midnight on Mondays to Saturdays;</p> <p>b) other than between 0600 and 1200 hours on Sundays, Bank and Public Holidays.</p>

30	<p>No tipping or spreading of waste or topsoil shall be carried out on the existing tip:</p> <ul style="list-style-type: none"> a) other than between 0730 and 1830 hours on Mondays to Fridays; and 0800 and 1300 hours on Saturdays. b) at any time on Sundays, Bank and Public Holidays.
31	<p>Except as may be essential for reasons of safety, no blasting shall be carried out</p> <ul style="list-style-type: none"> a) other than between 0900 and 1730 hours on Mondays to Saturdays. b) No blasting shall take place on Sundays, Bank or Public Holidays. <p>The developer shall inform the Mineral Planning Authority within 48 hours of any occurrence outside these times, together with an explanation.</p>
32	<p>Noise levels emanating from the Quarry operations shall not exceed the limits set out below, at locations to be approved by the Minerals Planning Authority prior to the commencement of Stage 1:</p> <ul style="list-style-type: none"> a) 55dB(A) during the times of 0700 to 1900 hours on Mondays to Saturdays inclusive; b) 45dB(A) during the times of 1900 to 2200 hours, and 0600 to 0700 hours on Mondays to Saturdays inclusive, excluding Bank and Public Holidays when 40dB(A) shall not be exceeded; and c) 40dB(A) at any other time d) 70 dB(A) between 08.00 and 18.00 during soil stripping and bund building campaigns and these sound levels shall not occur for more than 8 weeks in any calendar year. <p>The noise limits specified above shall not apply to the blasting warning siren.</p>
33	<p>Blasting operations shall be carried out so that no component of the peak particle velocity (PPV) attributable to any blast (measured at locations to be agreed in writing by the Mineral Planning Authority) exceeds a peak particle velocity of 8.5mm per second for 95% of the blasts in any calendar year and no blast shall exceed 12mm per second.</p>
34	<p>Blasting operations shall be carried out so that the vibration in terms of the measurable air over-pressure (measured at locations to be agreed in writing with the Minerals planning Authority) does not exceed 128dB (decibels).</p>
35	<p>Prior to the commencement of Stage 1 and to the commencement of each successive stage up to and including stage 5, proposals for the schemes of monitoring and mitigating noise levels and ground and air borne vibration shall be submitted to and approved in writing by the Mineral Planning Authority.</p> <p>The developer shall carry out the monitoring and mitigation schemes in accordance with the approved details. All records and results, and access to all monitoring equipment, shall be made available to the Mineral Planning Authority upon request.</p>
36	<p>Prior to the commencement of Stage 1 and to the commencement of each successive stage up to and including Stage 5, a detailed Operational Dust Management Plan shall be submitted to and approved in writing by the Mineral Planning Authority for that stage. The scheme should include all works to be undertaken during that stage, the proposed mitigation objectives and criteria, an explicit appraisal of mitigation options, a proposal of the preferred option(s), and a timetable of works and site management procedures.</p> <p>The scheme should also include proposed dust monitoring measures in accordance with ES paragraph 14.78 and the EHO consultation response dated 19/76/16.</p>

	<p>The developer shall carry out the monitoring and mitigation schemes in accordance with the approved details. All records and results, and access to all monitoring equipment, shall be made available to the Mineral Planning Authority upon request.</p>
37	<p>Prior to the commencement of Stage 0, a written scheme providing for an appropriately qualified archaeologist to carry out a full archaeological watching brief during the construction of the new access to Alston Farm shall be submitted to and approved in writing by the Mineral Planning Authority. The scheme shall provide for the observation, recording and recovery of artefacts and post-excavation analysis. A full report detailing the findings shall be submitted to the Mineral Planning Authority on completion of this part of the development.</p>
38	<p>Prior to the commencement of Stage 1 a written scheme providing for an appropriately qualified archaeologist to carry out a full archaeological watching brief during the removal of Alston Lane, and of topsoil and of hedgebanks in Stages 1 to 4 inclusive shall be submitted to and approved in writing by the Mineral Planning Authority.</p> <p>The schemes shall provide for the observation, recording and recovery of artefacts and post-excavation analysis, including of karst features with the potential to contain archaeological deposits. A full report detailing the findings for each stage and sub-stage (i.e. sub-stages 1a, 1b, 2a and 2b) shall be submitted to the Local Planning Authority on the completion of topsoil and hedgebank removal in each stage and sub-stage.</p> <p>The removal of Alston Lane, and of topsoil and hedgebanks in each stage, shall be implemented in accordance with the approved scheme for that stage.</p>
39	<p>Prior to the commencement of Stage 1, a written scheme providing for an appropriately qualified archaeologist to carry out evaluation sections and recording through those hedgebanks within the footprint of the bunds in stages 1 and 2 of the bund construction shall be submitted to and approved in writing by the Mineral Planning Authority. The scheme shall provide for the observation and recording of the hedgerow sections prior to their removal for relocation and for post-excavation analysis. A full report detailing the findings for each stage and sub-stage (i.e. sub-stages 1a, 1b, 2a and 2b) shall be submitted to the Mineral Planning Authority on the substantial completion of hedgebank removal in each stage and sub-stage.</p>
40	<p>A final restoration and aftercare scheme for the site shall be submitted to, and approved in writing by, the Mineral Planning Authority within 56 years of the date of this permission.</p> <p>The restoration scheme shall be in general accordance with the proposals shown on drawing numbered LINHAY-ATK-R-Z-PL-6000 P3 Stage 6 (Restoration), incorporate the provisions of the Outline Restoration Strategy, include details of the water discharge measures from the proposed lake and should specify the aftercare steps to be taken and the time periods during which they are to be taken.</p> <p>The restoration and aftercare of the site shall be carried out in accordance with the approved scheme.</p>
41	<p>In the event of a cessation of winning and working prior to the expiration of this permission which, in the opinion of the Mineral Planning Authority constitutes a permanent cessation within the terms of Paragraph 3 of Schedule 9 of the Town and Country Planning Act 1990, a modified restoration scheme, to include details of the aftercare, shall be submitted to, and approved in writing by, the Mineral Planning Authority within a timeframe to be notified by the Mineral Planning Authority.</p>

	Thereafter, the restoration of the ceased site shall be undertaken in accordance with the approved scheme.
42	Within 3 months of the date of this decision notice details for the holding of regular Local Liaison Group meetings shall be submitted to the Mineral Planning Authority for approval. The details shall include the constitution of the Group and frequency of meetings. Unless otherwise agreed in writing with the Mineral Planning Authority, the first Liaison Group shall be convened within 6 months from the date of approval of the submitted Local Liaison Group details.
43	No lighting for night-time operations shall be installed in the extraction area (that part of the site to the northeast of the current line of Alston Lane) except in accordance with details that have previously been submitted to and approved in writing by the Mineral Planning Authority.
44	Notwithstanding the provisions of Part B of Class 17 of the Town and Country Planning (General Permitted Development) (England) Order 2015 (as amended), no buildings, structures or fixed plant shall be erected, installed or extended except as expressly authorised or required by this permission.
45	All vehicles, plant and machinery operated within the site shall be maintained in accordance with the manufacturers' specification at all times, and shall be fitted with and use effective silencers.
46	Any facilities for storage of oils, fuel or chemicals shall be sited on impervious bases and surrounded by impervious bund walls. The size of the bunded compounds shall be at least equivalent to 110% of the capacity of the tank. If there are multiple tankages, the compounds shall be at least equivalent to 110% of the capacity of the largest tank. All filling points, vents and sight glasses must be located within the bund. The drainage system of the bund shall be sealed with no outlet to any watercourse, land or underground strata.
47	All loaded lorries leaving Linhay Hill Quarry shall be securely sheeted in accordance with the applicable requirements of the Road Traffic Act 1991 and Environmental Permitting (England & Wales) Regulations 2010, or any Act or Regulation revoking and re-enacting either of these with or without modification, and HSE guidance as published.
48	Measures shall be taken to ensure that no mud, stone, gravel or other debris is deposited on the public highway by any vehicles leaving the site. Such measures shall include the provision and use of a wheel wash and vehicle body washing equipment if required by the Mineral Planning Authority.