

SCHEDULE I

07/06/0395/96 Hayes Farm Draft Planning Conditions 15 July 1997

Time Limits

1. The development to which this permission relates must be begun not later than the expiration of five years beginning with the date on which this permission is granted.

REASON: To comply with Section 91 of the Town and Country Planning Act 1990.

2. No minerals shall be exported from the site nor waste imported into the site until such a time as the new A.30 trunk road between the M5 and Honiton is constructed and open to vehicular traffic.

REASON: For the reasons of highway safety and to maintain the free flow of traffic on a busy trunk road.

3. All working shall cease and the site shall be restored to agricultural use in accordance with the requirements of Conditions 35 to 38 below by the expiration of nine years beginning with the date on which the first mineral is exported from the site, or such longer period as may subsequently be agreed in writing by the Mineral Planning Authority.

REASON: To comply with Section 94 of the Town and Country Planning Act 1990.

4. Unless otherwise agreed in writing by the Mineral Planning Authority, the developer shall notify the Mineral Planning Authority in writing within one month of the date of commencement/completion of the following:-

- (i) the implementation of this planning permission;
- (ii) entering a new phase of quarrying;
- (iii) completion of each phase of quarrying;
- (iv) completion of landscaping/planting scheme;
- (v) completion of final restoration under this planning permission;
- (vi) estimate date of completion of aftercare.

REASON: To enable the Mineral Planning Authority to control the development and to monitor the site to ensure compliance with the planning permission.

Access and Road Safety

5. Before the commencement of the development hereby approved, the existing access shall be improved in accordance with the details shown on approved plan H49, and thereafter the visibility splay identified on approved plan H49 shall be maintained clear of any obstruction to visibility between 600mm and 2000mm above the level of the existing carriageway.

REASON: In the interests of highway safety.

6. No mineral shall be exported from the site until a notice is placed at the site exit advising drivers not to use Station Road to Broadclyst nor the B.3184 Clyst Honiton road except for local access only.

REASON: In the interests of highway safety.

7. Prior to the commencement of operations hereby granted permission effective measures to ensure no dust or mud is carried onto the public highway shall be provided in accordance with a scheme to be agreed by the Mineral Planning Authority.

REASON: In the interests of highway safety.

Archaeology

8. No development shall take place within the site until the developer has secured the implementation of a programme of archaeological work in accordance with a written scheme of investigation which has been submitted by the applicant and approved by the Mineral Planning Authority.

REASON: To ensure that adequate archaeological investigation and recording is undertaken prior to the development taking place.

9. The developer shall afford access at all reasonable times to any archaeologist nominated by the Mineral Planning Authority and shall allow him to observe the excavations and record archaeological finds and items of interest.

REASON: To allow for archaeological investigation and recording while the development is taking place.

Working Programme

10. No blasting shall be carried out unless previously agreed in writing by the Mineral Planning Authority.

REASON: In the interests of the amenities of the locality.

11. Unless otherwise agreed in writing by the Mineral Planning Authority the development shall be carried out in accordance with the phasing shown on plan number H44b. The developer shall notify the Mineral Planning Authority within two months of the date of commencement of entering into a new phase of working, as identified on plan number H44b.

REASON: To enable the Mineral Planning Authority adequately to control and monitor the development.

12. Unless otherwise agreed in writing by the Mineral Planning Authority, no operations hereby permitted shall be carried out on the site other than between 0700 and 1800 hours on Mondays to Fridays inclusive; 0700 to 1300 hours on Saturdays and no such operations shall take place on Sundays nor Bank or Public Holidays. This condition shall not, however, operate so as to prevent the carrying out, outside these working hours, of essential maintenance to plant and machinery on the site, or the operation of pumps and ancillary machinery for water management purposes.

REASON: To enable the Mineral Planning Authority adequately to control the development and to protect the amenities of local residents.

13. No winning and working of minerals shall take place below 0 metres AOD unless otherwise agreed in writing by the Mineral Planning Authority.

REASON: To enable the Mineral Planning Authority adequately to control the development and to minimise the effect on the local groundwater resources.

14. Unless otherwise agreed in writing by the Mineral Planning Authority, the stripping of topsoil at the site shall be carried out using Backactors and dump trucks.

REASON: In order to reduce the damage to the soil structure.

15. Unless otherwise agreed in writing by the Mineral Planning Authority, no topsoil or subsoil shall be stripped between the months of September and May and all soil stripping, regrading, subsoiling operations and the spreading of soils and their cultivation shall be carried out only during periods when there is sufficient soil moisture deficit so as to prevent any degradation of soil structure.

REASON: To maintain the structure of soils on the site for the maximum benefit of final restoration works.

16. No topsoil or subsoil shall be removed from the site unless previously agreed in writing by the Mineral Planning Authority.

REASON: To ensure maximum availability of soil materials for restoration work.

17. No soil shall be stored other than in the areas shown on approved plan H44b unless otherwise previously agreed in writing by the Mineral Planning Authority.

REASON: In the interests of visual amenity and to ensure maximum availability of soil materials for restoration work.

18. Topsoil heaps shall not exceed 2.5 metres in height unless otherwise agreed in writing by the Mineral Planning Authority, and shall be graded, seeded

with grass and mown or grazed and fertiliser applied, where necessary, to the satisfaction of the Mineral Planning Authority.

REASON: To ensure that stored topsoil and subsoil is maintained in a condition which will enable maximum benefit to the satisfactory restoration works.

19. The topsoil, subsoil and overburden heaps and those parts of the site where stripping of soils and overburden has not yet been undertaken, shall be kept free from weeds to the satisfaction of the Mineral Planning Authority, and all necessary steps shall be taken to control weeds at an early stage of growth to prevent their seeding.

REASON: To ensure that stored material is kept free of weeds and their seeds in the interests of agriculture and amenity.

Environmental Protection

20. No operation shall commence until a scheme detailing the methods of bird and rabbit control has been submitted to and approved in writing by the Mineral Planning Authority.

REASON: In order to safeguard the operations of Exeter Airport.

21. Dust caused by the moving of soil, overburden, stone, minerals and other materials within the site shall be suppressed by water sprays or more practical means, if they become available, to the satisfaction of the Mineral Planning Authority.

REASON: To protect the amenities of the locality from the effects of dust.

22. No plant, machinery or vehicles shall be used on the site unless fitted with silencers maintained in accordance with the manufacturer's recommendations and specifications.

REASON: To protect the amenities of the locality.

23. No development shall take place until a detailed scheme has been submitted to and approved in writing by the Mineral Planning Authority specifying:-

- (a) the maximum permissible noise levels at the site boundaries or such locations as may be approved by the Mineral Planning Authority (including separate limits and maximum periods of operation in relation to soil stripping, formation of perimeter bunds/mounds and other temporary operations);
- (b) noise monitoring and recording procedures;
- (c) noise suppression measures;

- (d) procedures to be adopted in the event of the maximum permitted noise levels being exceeded.

Such scheme shall provide that, except for temporary operations (which shall include site preparation works, soil stripping and pumping operations and such other temporary operations as may be agreed in writing by the Mineral Planning Authority), the equivalent continuous noise level LAEQ(1 hour) at the noise sensitive properties joining the site and attributable to the operations subject to this permission shall not exceed an absolute limit of 55db(A) LAEQ (1 hour). The developer shall implement the approved noise scheme.

REASON: To safeguard the amenity of the area and of local residents.

24. No development shall commence until base date and schemes of monitoring and analysis of the noise arising from the site have been submitted to and approved by the Mineral Planning Authority.

REASON: To enable the effects of the development to be adequately monitored during the quarrying and restoration operations.

25. The developer shall carry out the noise monitoring scheme approved under conditions 23 and 24 above and keep comprehensive records of the required monitoring and analysis. The operator shall, within 14 days of being requested by the Mineral Planning Authority, supply to it copies of the monitoring records and permit access to all monitoring equipment at all times at the request of the Mineral Planning Authority.

REASON: To enable the effect of the development to be adequately monitored during the course of operations.

26. Stockpiling of minerals shall only take place within the extraction boundary of the quarry as defined on approved plan H44b and the height of the stockpiles shall not exceed 11 metres in height from the base of the stockpile nor exceed 27 metres AOD.

REASON: In the interests of the amenities of the area and in order to safeguard the operations of Exeter Airport.

Buildings, Fixed Plant and Machinery

27. Notwithstanding the provisions of Part 19 (which relates to development ancillary to mining operations) of the Second Schedule of the Town and Country Planning (General Permitted Development) Order 1995, the height of any building, plant or machinery within the site boundary shall not exceed a height of 27 metres AOD.

REASON: In the interests of the safe operation of Exeter Airport and in the interests of visual amenity.

28. Unless otherwise agreed in writing by the Mineral Planning Authority, all plant, machinery and buildings used in connection with the quarrying activities shall be removed within six months of the completion of development and restored in accordance with the agreed scheme.

REASON: In the interests of visual amenity and in order to allow for the adequate restoration of the site.

Landscaping

29. Before the completion of the Phase 1 workings identified on approved plan No. H44b, the hedgerow running in a north east to south west direction identified on the said approved plan shall be repositioned to the north western boundary of the site in accordance with a scheme which shall have previously been submitted to and approved in writing by the Mineral Planning Authority. Such a scheme shall include methods of repositioning, timing of repositioning and maintenance and aftercare of the hedgerow following repositioning.

REASON: In the interests of visual amenity and nature conservation and in order to safeguard the rural character of the locality.

30. Any part of the hedgerow which, as a result of the repositioning provided for by virtue of Condition 29, dies, becomes diseased or seriously damaged during the duration of this planning permission and subsequent aftercare period shall be replaced in the next planting season. Such a replacement shall be with another of similar size and species unless the Mineral Planning Authority gives written consent to any variation.

REASON: In the interests of visual amenity and nature conservation and to enable maximum benefit to the final restoration work.

31. Any seeding carried out by virtue of Condition 18 of this permission which dies, becomes diseased or seriously damaged during the duration of this planning permission shall be replaced in the next planting season.

REASON: In the interests of visual amenity.

Fencing, site security, lighting

32. No winning and working of minerals shall be carried out until details of fencing have been submitted to and approved in writing by the Mineral Planning Authority.

REASON: In the interests of visual amenity and rabbit control.

33. No external floodlighting shall be used on any part of the site unless previously agreed in writing by the Mineral planning Authority.

REASON: In the interests of the amenity of the local environment and in the interests of airport safety.

Restoration and aftercare

34. The land hereby permitted to be worked for minerals shall be progressively restored to the finished levels shown on approved Plans H46a and H47a, or such other levels as may otherwise be agreed in writing by the Mineral Planning Authority.

REASON: To ensure that the land is restored to a condition capable of beneficial after use.

35. Unless otherwise agreed in writing with the Mineral Planning Authority the restored soil profile shall be in strict accordance with the details shown on approved Plan H48a.

REASON: To ensure that the land is restored to a condition capable of beneficial after use.

36. Pursuant to conditions 34 and 35 above during the restoration of the soil profile the following measures, or such alternative measures as may be subsequently agreed in writing by the Mineral Planning Authority, shall be carried out:
- i. the topsoil shall be replaced using Dumptrucks and Backactors;
 - ii. prior to the spreading of the subsoil horizon the surface shall be scarified in order to relieve compaction;
 - iii. following the placement of the topsoil layer additional soil improvement measures shall be carried out if deemed to be necessary by the Mineral Planning Authority, and;
 - iv. no operations to replace topsoil or subsoil shall be carried out in between the months of September and May and neither shall soils be replaced when wet or when there is standing water on the site.

REASON: To ensure that the land is restored to a condition capable of beneficial after use.

37. Where necessary, following the replacement of the soil profile a scheme detailing the required field drainage shall be submitted for the prior written approval of the Mineral Planning Authority.

REASON: To ensure that the land is restored to a condition capable of beneficial after use.

38. Unless otherwise agreed in writing with the Mineral Planning Authority, following the completion of the restoration of the site the following aftercare steps shall be taken for a period of five years:

- i. the area shall be cultivated to establish a seed bed suitable for sowing of grass seed;
- ii. the area shall be fertilised in accordance with the requirements of the land as determined by soil analysis;
- iii. the area shall be sown with grass seed of a suitable mix and adequate quantity to establish permanent grass and inhibit weed growth;
- iv. stock proof fencing shall be provided in order to protect the hedgerows at the site boundary;
- v. fertilisers and nutrients shall be applied as necessary to promote normal plant growth.
- vi. the area shall not be grazed by livestock during the months of November to March inclusive during the aftercare period.

REASON: To ensure that the land is restored to a condition capable of beneficial after use.

Prior cessation

39. In the event of a cessation of winning and working of minerals prior to the achievement of the completion of the approved scheme 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 restoration scheme to include details of aftercare, shall be submitted for approval to the Mineral Planning Authority within two years of the cessation of winning and working, or within such other period as may be otherwise agreed in writing by the Mineral Planning Authority. Such approved scheme shall be carried out within one year of the written approval unless otherwise agreed in writing by the Mineral Planning Authority.

REASON: To enable the Mineral planning Authority adequately to control the development and to ensure that the site is restored to a condition capable of beneficial use.