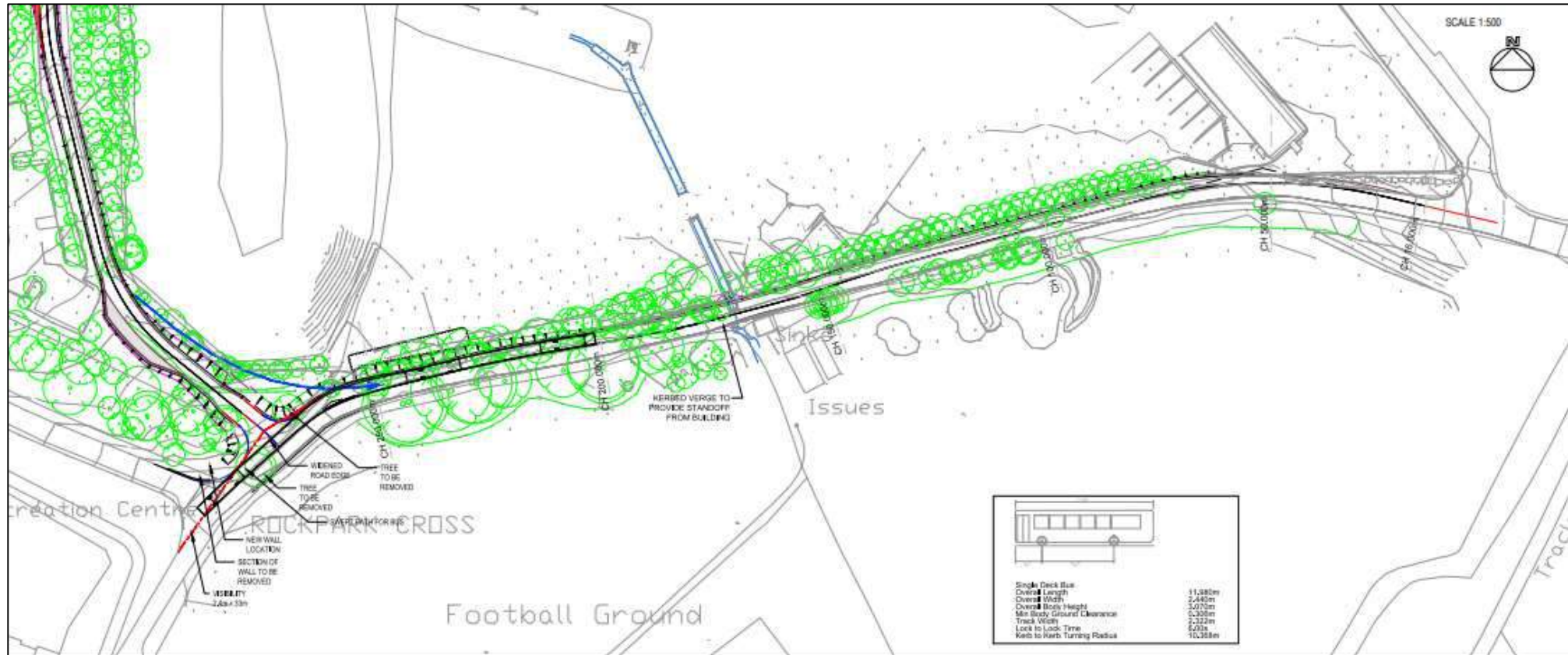


Appendix 6

Proposed improvement of Balland Lane & new Way Lane junction



Carbon reduction initiatives - Linhay Hill Quarry

Steps the Applicant currently takes across all sites:

- **Electricity supply** - for non-half hourly consumption units (eg Glentor, Exhibition Way) the power is 100% renewable source; for our half-hourly consumption units (eg LHQ, Pigsdon, Kenton Place, Embankment Rd) it is 46.3% renewable sources
- **Low energy LED lighting** - all lighting at each location is fitted with lower energy consuming LED lights
- **Optimum use of variable speed electric drives (VSD) on motors** - electric motors which power many parts in the processing plant are fitted with VSD meaning that the motor control can vary their speed so that they deliver only the force required (and no more) therefore power consumption is minimised for the mechanical task undertaken by the motor (eg move the conveyor belt, vibrate the screen)
- **Auto power shut down systems when plant not running (ie electric motor powers down when not running a conveyor)** - power is wasted when crushed rock material is not being transported, crushed or screened or mixed, so systems de-energise motors to minimise consumption
- **Motion detection on lighting so lights automatically switch off** - this minimises consumption so an employee does not need to remember to switch on and switch off lighting
- **Rain water harvesting** from roofs for concrete production at Kenton Place and Embankment Rd and in Linhay Hill recirculation of captured rain water for concrete
- **Mains Water consumption** - Grey water use for welfare sanitary use (not drinking water) from rain water
- **Recycled and secondary aggregates processed at Linhay Hill** - import both construction waste and asphalt planings - these waste streams are incorporated into specified products to comply with WRAP in accordance with permitted activities, these are audited by the EA; use secondary sands in pre-cast products. Thus for example, a proportion of asphalt planings removed from Devon's highways are recycled back into asphalt for maintenance of Devon's highways.
- **Low temperature asphalt products** - the asphalt plants at both Linhay Hill and Pigsdon quarries have been adapted to enable low temperature asphalt products to be manufactured for local authority use on highways. The asphalt is manufactured at a temperature about 30 deg C lower than a traditional asphalt thus less fuel is consumed in the process for an equivalent quality product, saving circa 15% carbon per tonne.
- **Remould LGV tyres** - 50% of LGV fleet runs on remould tyres saving rubber and steel production. From Bandvulc website: on average 70% less oil and 20% less steel is consumed in manufacture of a re-tread LGV truck tyre.
- **SAFED** - All LGV drivers trained to Safe & Fuel Efficient Driving standards. SAFED training involves both classroom and practical training with use of driving the vehicles. SAFED was an initiative originally set up by the DSA

(Driving Standards Agency). In conjunction with fleet telematics monitoring, driving efficiency and safety is maintained.

- **Fleet replacement** - The LGV fleet is owned and run to optimise utilisation at 10 year life-cycle (compared to a leased fleet with truck replenishment at 3 or 5 years)
- **Engine efficiency** - LGV fleet at Euro 5 and 6; Same with mobile plant fleet
- **Recycled fuel oils** - at both Linhay Hill and Pigsdon quarries the asphalt plants have been modified to use recycled fuel oils as part of the energy mix in asphalt production.
- **Car fleet** - 1 electric car in car fleet
- **Linhay Hill Quarry engineering van** - Trialled 3 x electric powered quarry ATV-type buggies for engineering team transport in 2019
- Majority of LHQ production plant is electric powered (not diesel)
- **Mobile Plant** - or more correctly **Non-Road Mobile Machinery**. The quarry progressively replaces non-road mobile machinery when retired with lower emission plant at the higher stages/tiers. The majority of plant is now in the higher standards (Stage III or above - see <https://dieselnet.com/standards/eu/nonroad.php>). The Applicants have just purchased a new excavator with the latest technology to reduce emissions and be compliant with stage V (due January 2021).

Plans for the future:

- Solar PV on workshop and Glentor roofs
- Red diesel subsidy is being withdrawn from quarries/construction in April 2022 will accelerate the alternatives to power mobile plant. No credible alternatives exist at the moment - <https://www.volvoce.com/global/en/this-is-volvo-ce/what-we-believe-in/innovation/electric-site/>. Quarry load & haul terrain places challenges for renewable fuels. Same applies to LGV fleet: when an alternative fuel is established for Devon hilly terrain the Applicants will phase in procurement, e.g. Ford to produce electric Transit from 2022.
- Will likely want to install electric land conveyors to transport aggregates from extension area to processing plant
- Will likely install a fixed primary which will be electric powered once extension established

Appendix 8

Draft Planning Conditions – Linhay Hill Quarry

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 LINHAY-ATK-GEN-T-PL-0002 P4 SITE PLAN - Proposed LINHAY-ATK-GEN-T-PL-0003 P4 Site Location Plan LINHAY-ATK-S0-Z-PL-0001 P2 Stage 0 LINHAY-ATK-S1-Z-PL-1000 P1 Stage 1 LINHAY-ATK-S2-Z-PL-2000 P2 Stage 2 LINHAY-ATK-S3-Z-PL-3000 P3 Stage 3 LINHAY-ATK-S4-Z-PL-4000 P3 Stage 4 LINHAY-ATK-S5-Z-PL-5000 P3 Stage 5 LINHAY-ATK-R-Z-PL-6000 P3 Stage 6 (Restoration) LINHAY-ATK-GEN-Z-SE-0001 P1 Section Locations LINHAY-ATK-GEN-Z-SE-0002 P2 Sections 1 LINHAY-ATK-GEN-Z-SE-0003 P2 Sections 2 LINHAY-ATK-S0-C-DR-0003 P1 Alston Farm Access (Private) Plan and Profile Interim Route LINHAY-ATK-S0-C-DR-0012 P1 Alston Farm Access (Private) Section Views Interim Route LINHAY-ATK-S0-C-DR-0004 P1 Lower Waye Access Plan and Profile 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 LINHAY-ATK-S0-C-DR-0010 P1 Road markings and signing for safety audit of Waye Lane 1 of 2 LINHAY-ATK-S0-C-DR-0011 P1 Road markings and signing for safety audit of Waye Lane 2 of 2 LINHAY-ATK-S0-C-SE-0001 P1 Upgrading of Waye Lane Route - Road Cross Sections LINHAY-ATK-S0-C-PL-0201 P0 Balland Stream Upper Catchment Attenuation Storage LINHAY-ATK-S1-C-DR-1101 - Alston Junction General Arrangement LINHAY-ATK-S1-C-DR-1102 - Alston Junction Existing Signs and Road Markings LINHAY-ATK-S1-C-DR-1103 - Alston Junction Site Clearance LINHAY-ATK-S4-C-DR-4001 P1 Alston Farm Access (Private) Plan and Profile Permanent Route LINHAY-ATK-S4-C-DR-4002 P1 Alston Farm Access (Private) Section Views Permanent Route 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	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>LINHAY-ATK-S0-Z-PL-0001 P2 Stage 0 LINHAY-ATK-S1-Z-PL-1000 P1 Stage 1 LINHAY-ATK-S2-Z-PL-2000 P2 Stage 2 LINHAY-ATK-S3-Z-PL-3000 P3 Stage 3 LINHAY-ATK-S4-Z-PL-4000 P3 Stage 4 LINHAY-ATK-S5-Z-PL-5000 P3 Stage 5 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: 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 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> <ol 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: LINHAY-ATK-S1-C-DR-1101, LINHAY-ATK-S1-C-DR-1102, and LINHAY-ATK-S1-C-DR-1103</p>
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> <ol style="list-style-type: none"> a) the proposals for the implementation of each of the landscape and ecological mitigation and enhancements proposed in that stage, and

	<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> <p>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).</p> <p>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>

	<p>Trigger levels for the activation of mitigation measures 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, 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 writing by the Mineral Planning Authority from time to time under part b) of this condition. 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 5, 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>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>

	<p>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;</p> <p>b. proposals for establishing a Karst Liaison Network for the reporting of land stability matters;</p> <p>c. proposals for setting land stability trigger events and mitigation responses, including sinkhole repair where necessary;</p> <p>d. details for a programme of ground surface monitoring, including:</p> <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. <p>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> <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> <ol style="list-style-type: none"> 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 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 5, 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.
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> <ol style="list-style-type: none"> (a) parking for vehicles of site personnel, operatives and visitors (b) loading and unloading of plant and materials (c) storage of plant and materials (d) programme of works (including measures for traffic management) (e) provision of boundary hoarding behind any visibility zones; <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> <ol style="list-style-type: none"> a) Risk assessment of potentially damaging construction activities including vegetation clearance and removal. b) Identification of 'biodiversity protection zones'. c) Dust Management Plan, 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. 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. 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. g) Responsible persons and lines of communication. h) The role and responsibilities on site of an ecological clerk of works (ECoW) or similarly competent person. <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> <ol style="list-style-type: none"> a) The arrangements for handling and storage of topsoil b) proposed haulage routes c) details of the drainage during the construction phase; d) details of the final drainage scheme; e) a timetable for construction; f) proposals for monitoring of noise and dust and reporting during construction of the bunds. <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> <ol style="list-style-type: none"> a) other than between 0800 and 1800 hours on Mondays to Fridays, and between 0800 and 1300 hours on Saturdays; and b) at any time on Sundays, Bank or Public Holidays.
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>

	<ul style="list-style-type: none"> a) other than between 0600 hours and midnight on Mondays to Saturdays; b) other than between 0600 and 1200 hours on Sundays, Bank and Public Holidays.
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> <p>Thereafter, the restoration of the ceased site shall be undertaken in accordance with the approved scheme.</p>
42	<p>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.</p>
43	<p>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.</p>

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.

Appendix 9

Heads of Terms for s106 Legal Agreement

Without Prejudice

1. Arrangements for provision of additional footpaths in stages 0, 1 and 3 –

See the Environmental Statement (ES) para 3.102:

“During Stage 1 a new footpath will be created running from the new access to Alston Farm, to pass north of Alston Farm via a length of old trackway and hence across fields to join Caton Lane. A further new footpath will be provided at the beginning of Stage 3, linking the Stage 1 path to the footpath/cycleway alongside the A38, via the previously mentioned ‘green lane’. This is timed to occur after the bunds are completed, to avoid potential conflict with haulage of overburden. “ The proposed routes are shown in ES Figure 3-11.

Wood restoration delivery document suggests at page 25;

Within 12 months of the date of this Agreement:

Prepare and submit for approval the draft submission document to be sent to the Highway Authority and an implementation plan.

Prepare and submit for approval construction details and implementation plan and a maintenance plan for the proposed permitted paths.

2. Arrangements for Long term maintenance and management of the restored site, including Community Trust and contingency arrangements if Community Trust is not set up.

The Final Restoration condition requires a detailed final restoration scheme incorporating the contents of the Outline Restoration Strategy to be ‘submitted to the Mineral Planning Authority for approval within 56 years of the date of this permission’.

Wood restoration delivery document page 11;

Applicant’s comments

Arrangements for the Trust are described in the Outline Restoration Strategy at para 1.31 onwards, also in the Planning Statement at para 3.153 onwards, and in the original ES at para 3.139. This includes an outline of how funding will be secured for the Trust and for this to be achieved through a S106.

In the Reg 22 Response #1 (June 2017) the Applicants stated;

“**Post-operational Management Plan Production** – it is intended that a Post-operational Management Plan be produced in advance of the completion of the final Stage of quarrying. This Management Plan will include details of funding, management objectives, review processes and monitoring. It is understood from consultation with DNPA that the production of this Post-operational Management Plan can be secured through condition / Section 106 Agreement as appropriate.”

and

“**Ownership and Governance** - after cessation of operation, ownership and overall responsibility of the site will remain with E&JW Glendinning (or successive owners in the event of disposal) together with a Not-for-profit Management Company or Community Trust established for governance of the restored site and the public access. It is understood that the formation and funding of the Management Company / Community Trust can be secured through planning condition or Section 106 agreement as appropriate.”

Restoration Guarantee

The applicants shall maintain membership of the British Aggregate Association (BAA) and ensure that sufficient funding through that organisation is available throughout the lifetime of the development to undertake final restoration of the quarry in the event that such funding is required. If the applicant's membership of the BAA ceases, they shall obtain access to a similar restoration guarantee fund, or if neither of these is in place, they shall provide a financial bond/guarantee to ensure the necessary restoration.

3. Traffic Regulation Order (TRO) on Caton Lane and Signing Strategy.

DCC Highways asked for a "contribution of £5,000 to investigate and, if approved, install a Traffic Regulation Order prohibiting all motor vehicles from Caton Lane (excepting for access) together with the installation of all associated signage, all as generally detailed in the application documentation"

The TRO will be required before the start of Stage 1.

The TRO and Signage Strategy are described in ES para 11.156 and illustrated in Figure 8-1 of the TA (ES Appendix 11).

Note: DCC also asked for the following – (details and sequencing to be dealt with by conditions);

"(a) The completion of an appropriate Order at the expense of the applicant formally stopping-up the highway known as Alston Lane in accordance with appropriate legal procedures to enable the development to proceed.

(b)The applicant entering into an appropriate agreement with the highway authority to provide, before the commencement of any development, an alternative adopted highway route from Alston Lane to Balland Lane (referred to as Waye Lane in the documentation supporting the application) and the improvement to Balland Lane."

Presumably these will be covered in the 'Commitment to seek permissions and consents' item 6 below.

4. Mitigation for private water supplies impacted by future dewatering.

EA response Sept 2016;

"We also recommended that an agreement is reached which would obligate the applicant to 'make good' any derogation (realised post determination) to an agreed list of water supplies:"

Hydrological Impact Assessment (HIA) 2020 states at para 7.2.6 re. Identified potential receptor: Private Water Supply to The Glen -:

"For a private water supply shown to be impacted in the future by quarry dewatering, the following mitigation measures may be implemented as part of a Section 106 agreement: • compensation for increased pumping costs, should borehole water levels be shown to have declined; • provision of additional pumping infrastructure, should a decline in water levels preclude the use of existing equipment; • provision of additional storage facilities, to mitigate against a seasonal water shortage from these supplies; • deepening of abstraction boreholes, to increase the available drawdown and hence, potential yields from these sources; • drilling and installation of a new borehole; • provision of a temporary suitable water supply; or • connection to mains supply. These options would be discussed with the owner of private water supplies on a case by case basis, to ensure the most suitable mitigation measures are implemented." Baseline monitoring of The Glen's PWS is proposed as part of the Water

environment Monitoring and Mitigation Scheme included in the conditions. This will inform the most appropriate mitigation.

5. Funding of research into British cave shrimp (*Niphargus glennii*).

From Reg 22 Response #1:

“In compensation for the habitat losses, the proposed approach is to fund and undertake (with consultation and agreement of scope and methodologies with DNPA and potentially other relevant organisations such as the Hypogean Crustacea Recording Scheme):

- studies to further the understanding of the regional distribution of *N. glennii*, (contributing to the 2007 BAP Action: further research into the distribution of the species)
- a long-term study of subterranean fauna throughout the quarry extension process (contributing to the 2007 BAP Action: further research into its ecology and habitat requirements) “

Suggested amount of contribution = £6,000

Suggested timing = before commencement of extraction of limestone in the extension area.

6. Commitment to seek permissions and consents listed in table 3-1 (see below) in orderly and timely manner.

7. Arrangements for revocation of planning permissions to be consolidated into new planning permission: - SA/35, SA/233, SA/676, 87/0683/31/3D, 5/31/286/97/03, 5/31/064/94/03 and 5/31/285/94/03. To take effect on implementation of the extension planning permission.

ES Table 3-1 Permissions and Consents required for the proposals

Element of the proposals	Permissions/consents required	Comments
All proposals, except diversion of overhead lines	Planning permission	
Diversion of overhead lines	Under s37 of Electricity Act 1989 or planning permission depending on the scale of the diversion	Permitted development rights under Part 15 Class B of GPDO 2015 do not apply as diversion is part of EIA development proposals.
Closure of Alston Lane and junction	Order under S247 of Town and Country Planning Act 1990	<i>Application cannot be determined until after planning permission is granted.</i>
Construction and adoption of replacement route(upgraded Waye Lane)	Under S38 of highways Act 1980	Agreement is made before construction starts. Adoption follows construction and completion of provisional maintenance period (usually one year from opening for public use).
Diversion of public footpath	Order under S257 Town and Country Planning Act 1990	<i>Application cannot be determined until after planning permission is granted.</i>

Element of the proposals	Permissions/consents required	Comments
Surface water management works to ordinary watercourses i.e. the Kestor Brook and upper reaches of the Balland Stream.	Land Drainage consent under Land Drainage Act 1991	Application to be made and obtained before the works commence, and after the planning permission is granted for those works which require planning permission.
Surface water management works over, under or near the 'main river' section of Balland Stream	Flood Drainage consent under Water Resources Act 1991 Flood Defence (Land Drainage) Byelaws/Sea Defence Byelaws Environment Act 1995 Flood and Water Management Act 2010	Application to be made and obtained before the works commence, and after the planning permission is granted for those works which require planning permission.
Works affecting protected species	Protected Species Licence	Application cannot be considered until after planning permission is granted and the exact start date is known. Mitigation measures are detailed within Chapter 10 which includes sufficient evidence to enable the Authority to determine whether licence requirements would be met with regards the three derogation tests under The Conservation of Habitats and Species Regulations 2010, as amended.
Overburden bund construction and backfilling which falls under the definition of 'mining waste facility'.	Mining Waste Permit under Environmental Permitting (England and Wales) Regulations 2010	<i>Application cannot be determined until after planning permission is granted.</i>
Signage strategy for Caton Lane	Traffic Regulation Order under Road Traffic Regulation Act 1984	Application to be made after planning permission granted.

Example of Quarry Liaison Group

CEMEX UK Materials Ltd

Wickwar Quarry Liaison Group

1. Commencing September 2006, the Operator (CEMEX) shall convene a group of local stakeholders to form the Liaison Group. The Liaison Group shall act as a forum for:-

(a) The Operator to report on the progress of activities on the Site and any proposed future developments. In addition, the Operator will provide a record of complaints received and action taken.

(b) Stakeholder representatives to raise any matters of concern or complaint in respect of:- i) current operations and future plans relating to the Site and its associated activities ii) any alleged breaches of any statutory or other legal requirements and any codes of practice.

2. The Liaison Group shall comprise at least two representatives of the Operator, elected councillors for South Gloucestershire Council (the ward members for Ladden Brook and Charfield), an officer from the Planning Department, two representatives from each of the following Parish Councils - Wickwar, Charfield, Cromhall and Tortworth Meeting and any other groups or individuals as agreed by the Liaison Group.

Representatives from other South Gloucestershire Council departments or any other relevant organisation may be invited to attend meetings at the discretion of the Group.

Kingswood Parish Council would be invited to attend all meetings and the Liaison Group would ensure that its activities are communicated to that Council.

3. The Liaison Group shall meet on not less than four occasions per annum. Meetings shall take place alternately at Wickwar Town Hall and the Quarry offices. The Operator shall be responsible for administering the meetings of the Liaison Group and circulating minutes of the Group's meetings. Draft minutes for comment are to be circulated within ten working days of the meeting. Comments are to be made within five working days. The minutes may then be made public.

4. The Liaison Group shall elect a chairperson from the representatives of the Councils participating and the position of chair shall be subject to annual election.

5. On the occasion of the fourth meeting and annually thereafter, the Group shall conduct a review of its activities, terms of reference, composition and any other relevant issues with a view to amending any such aspect if and when appropriate.

6. Voting on any issues shall exclude company personnel and officers of any organisation represented.

Amended 10.11.2009.