

UPDATE TO DCC 11th April 2013

Application Number: 12/01284/MIN

Minerals

Construction of site access, extraction of sand and gravel, temporary siting of plant and machinery and restoration to agriculture using imported material (inert fill) and in situ overburden and soils (Resubmission of 11/01477/MIN)

AT Land South of Caldecote Farm, Willen Road, Newport Pagnell

FOR Specialist Groundwork Services Construction Ltd

Target: 19th September 2012

Ward: Sherington

Parish: Moulsoe Parish Council

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1.0 RESPONSE TO MEMBERS' QUESTIONS

1.1 The following questions have been received from Cllr Jenni Ferrans.

1.2 **Question 1:** Are there different degrees of wheel washing that can be specified? This site leads out onto a very busy road network and if wheel washing is not to a high standard then the resultant mud will cause a lot of accidents. Can we specify a high standard here?

Response: Please see the Highway Engineer's comments at paragraph 2.3 of this Update and the amended wheel cleaning condition (condition 13) at paragraph 4.1 of this Update, but the short answer is yes.

1.3 **Question 2:** What is "de-watering" and is it of the site or of the material extracted. It sounds as though there might be some incompatibility with this and the use of the site as flood plain? Households downstream have suffered a lot of flooding in the past. Can we have some explanation of it and of its effects on the flow of water and storage of flood water?

Response: The majority of the site is within flood risk zone 1 (low probability of flooding) and a flood risk assessment was submitted in support of the application. During extraction additional water may derive from ground water pumping; this additional water may need attenuation – this is what is meant by "de-watering". The Environment Agency has requested a condition (condition 22) be imposed regarding the de-watering of the site with the information submitted supported by a detailed hydro-geological risk assessment. Therefore, whilst the level of detail submitted with the application is poor it is

not considered to warrant a refusal of the application subject to the imposition of the condition.

- 1.4 **Question 3:** I can only find a “back of the envelope” diagram of the access. This is minus essential details such as the dimensions of the bell mouth and the position of the access on such a busy road! Can we see the details in advance please? There needs to be a safe exit area given the load on this road at times and the fast speeds at other times.

Response: The location of the proposed access is shown on drawing number JD/MSE/3108-5 (included on page 71 of the Committee Report. Also, please see the Highway Engineer’s comments at paragraphs 2.1 – 2.2 of this Update and the amended access condition (condition 12) at paragraph 4.1 of this Update.

- 1.5 **Question 4:** Can officers comment on the impact of the combination of both sites please.

Response: The site on the opposite side of Willen Road is currently undergoing restoration and this is included as part of the assessment of the current application contained within the Committee Report.

2.0 ADDITIONAL CONSULTATIONS AND REPRESENTATIONS

2.1 Highways Development Control

Gravel extraction has been on-going from the west side of Caldecotte Lane for a number of years and is now coming to a close. Extraction will now be from the east side of the same road with equivalent traffic numbers that don't make a significant difference to the existing capacity of Caldecotte Lane or to its junctions.

- 2.2 Condition 12 (access) should be amended to include “as shown on Plan no. JD/MSE/3108-5”.

- 2.3 Condition 13 (wheel cleaning) should be amended to include “Details of the arrangements and method of operation of the wheel cleaning system to ensure all vehicles exiting the development use the wheel cleaning facility shall be submitted for approval by the LPA before works commence”.

- 2.4 An additional condition should be added regarding site access visibility.

- 2.5 **Response:** The amendments to conditions 12 and 13 and the additional condition regarding site access visibility are proposed as an amendment to the Officers’ recommendation (please see sections 3 and 4 below).

2.6 Public Representations

An additional representation has been received objecting to the application.

Many of the comments made regarding the impact on the amenity of neighbouring residential occupiers have already been included at paragraph A3.27 of the Committee Report. The additional points raised can be summarised as follows:

- Not convinced that during the soil and overburden stripping and storage process there will be adequate protection from nuisances. Cannot be regarded as minor because the site is temporary.
- Caldecote Farm House is directly adjacent to the proposed site and separated by a 4ft fence. The visual impact of the development has an adverse impact.
- The nature of the proposed development does not afford adequate rights for the quiet enjoyment of garden amenities for adjacent residential occupiers. Contrary to the Human Rights Act: right to peaceful enjoyment of home and other land.

2.7 **Response:** The impact on residential amenity is considered at paragraphs 5.15 to 5.17 of the Committee Report. The proposal would have a detrimental impact on the amenity of adjacent residential properties and this impact would be greatest during soil stripping and storage activities including the construction of the bunds. "All mineral operations will have some particularly noisy short-term activities that cannot meet the limits [regarding noise] set for normal operations... However, these activities can bring longer-term environmental benefits" (paragraph 31 of Technical Guidance to the NPPF). The proposal will also have a detrimental visual impact on the amenity of occupiers of the adjacent residential properties; however, the impact would be mitigated by the construction of a bund and would be temporary. The impact on residential amenity needs to be weighed against the need to maintain a landbank of 7 years worth of permitted reserves and the need to avoid undue sterilisation of mineral areas. Therefore, whilst the proposed development would have a detrimental impact on the amenity of neighbouring residential occupiers, these impacts would not be significant enough to outweigh the benefits of the proposal.

3.0 RECOMMENDATION

3.1 The recommendation of Officers remains to grant permission subject to the conditions set out at section 6 of the Committee Report as amended at section 4 of this Update.

4.0 UPDATED AND ADDITIONAL CONDITIONS

4.1 Updated Conditions

12. No part of the development shall commence until such time as the new means of access to Willen Road (**as shown on drawing number JD/MSE/3108-5 received 15 November 2012**) has been laid out and constructed in accordance with details to be submitted to and approved in writing by the Local Planning Authority. Throughout the operation and

restoration of the quarry vehicular access and egress to the site shall be via the new means of access to Willen Road only.

Reason: In order to ensure a satisfactory standard of access to the proposed development in the interest of road safety and convenience.

13. Prior to the commencement of the operations hereby permitted, **details of the arrangements and method of operation of the wheel cleaning system to ensure all vehicles exiting the development use the wheel cleaning facility shall be submitted to and approved in writing by the Mineral Planning Authority.** The approved wheel cleaning facilities shall be provided on site with appropriate drainage prior to commencement and thereafter maintained to the satisfaction of the Mineral Planning Authority. No commercial vehicles shall enter the public highway unless their wheels and chassis have been cleansed of mud and other debris by the use of such facilities to the fullest extent reasonably practicable to prevent mud being carried onto the highway.

Reason: In the interests of highway safety and to prevent mud and dust falling on the highway.

4.2 **Additional Condition**

No other part of the development shall commence until visibility splays have been provided on both sides of the access between a point 9m along the centre line of the access measured from the edge of the carriageway to a point 215m along the edge of the carriageway measured from the intersection of the centre line of the access. The area contained within the splays shall be kept free of any obstruction exceeding 0.6m in height above the nearside channel level of the carriageway.

Reason. To provide adequate intervisibility between the access and the existing public highway for the safety and convenience of users of the highway and of the access.