



Appeal Decision

Site visit made on 24 June 2023

by JP Sargent BA(Hons) MA MRTPI

an Inspector appointed by the Secretary of State

Decision date: 25 July 2023

Appeal Ref: APP/N4205/W/22/3313236

Montcliffe Quarry, Georges Lane, Horwich, Bolton BL6 6RS

- The appeal is made under section 78 of the Town and Country Planning Act 1990 against a refusal to grant planning permission.
- The appeal is made by Mr David Armstrong (Armstrongs Aggregates Limited) against the decision of Bolton Metropolitan Borough Council.
- The application Ref 11067/21, dated 16 April 2021, was refused by notice dated 21 July 2022.
- The development proposed is for a lateral northern extension at Montcliffe Quarry.

Decision

1. The appeal is allowed and planning permission is granted for a lateral northern extension of Montcliffe Quarry at Montcliffe Quarry, Georges Lane, Bolton BL6 6RS in accordance with the terms of the application, Ref 11067/21, dated 16 April 2021, subject to the conditions in the Conditions Schedule below.

Preliminary Matter

2. An application for costs has been made by the appellant against the local planning authority, and that is the subject of a separate decision.

Background

3. Montcliffe Quarry is a 26ha, long-established stone quarry (the existing quarry) set on the south-western slope of Winter Hill, above the town of Horwich. At the time this appeal was lodged, this quarry was due to be worked until 2033, with the removal of buildings and site restoration happening thereafter.
4. The proposal (the current appeal) is to extend into the northern end of the north-eastern face of this quarry, to extract further reserves of building stone. This would be used to restore, repair, and extend historic buildings in local towns such as Bolton, Turton, Farnworth, Horwich and Blackrod, as well as to construct new buildings that respect the heritage of such places. The appeal site, which comprises the extension only, has an area of about 3.2ha. It would be accessed and served solely from the existing quarry.
5. This is the second appeal for this development. Last year, I was the Inspector who considered an appeal arising from the refusal of application Ref 05250/19 (the previous appeal) for a very similar proposal to extract this building stone from the same area subject of the current appeal. That had been refused because, in summary, the Council found it to be inappropriate in the Green Belt, and harmful to ecology and the character and appearance of the area. In my findings I disagreed with the Council on each of those points. The appeal was nonetheless dismissed because it did not respond to revised drainage information, and because the previous appeal sought to be operational for a

much longer period than was authorised at the existing quarry and so, in time, would have had no access or servicing facilities.

6. However, whilst the previous appeal was before the Planning Inspectorate, a second application (ref 11067/21) was being considered by the Council. That was nearly identical to the scheme subject of the previous appeal, other than it responded to the revised ground water situation. This meant that instead of the proposed quarry floor being at 264m AOD it was now proposed to be at 290m AOD. As a result, the amount of material to be extracted was reduced from 2.75 Mega tonnes to 1.93 Mega tonnes, and the restoration profile differed. It has also been confirmed that the reduced extraction can be achieved by 2033, in line with the timescales that were, at that time, in place on the existing quarry. That planning application though was refused before the decision concerning the previous appeal was issued, and the reasons given by the Council for refusal were exactly the same.
7. In assessing this case, although I have visited the site again, I have also taken into account my observations from last November, and, given the many similar issues, I have drawn heavily on the decision concerning the previous appeal.

Main Issues

8. The main issues in this case are
 - a) whether in principle mineral extraction is justified;
 - b) whether it is inappropriate development in the Green Belt;
 - c) its effects on the character and appearance of the area;
 - d) its impacts on ecology and biodiversity and
 - e) its effect on hydrology.

Reasons

The principle of mineral extraction

9. The *National Planning Policy Framework* (the Framework) states that great weight should be given to the benefits of mineral extraction, including to the economy. It specifically adds that consideration should be given as to how to meet demand for building stone needed to repair heritage assets, taking account of the need to protect designated sites.
10. Policy 4 of the *Greater Manchester Joint Minerals Plan* (the Minerals Plan) states that proposals for the working of natural building stone will be supported, provided the stone would assist the conservation and repair of historic buildings or structures built of the same or similar materials, or new construction where the use of building stone is specified. It is of note that, with regard to building stone, there is no reference to showing extraction is needed to meet a required landbank, as is found in relation to the minerals discussed under Minerals Plan Policy 3. Therefore, landbanking targets do not form part of the policy context.
11. Minerals Plan Policy 1 promotes sustainable minerals development. I consider that increased local extraction would support this policy by reducing the need to import such material into the region.

12. The appellant said that the remnants of stone that were not suitable for use for building would be used as aggregate. There is no mechanism before me to ensure the quarry is not used just for aggregate extraction, and indeed the volume of such aggregate may exceed that of building stone. However, I anticipate that the greater value would almost certainly lie in building stone. It is therefore unlikely that the extraction would be primarily for aggregate, but making use of it as a by-product would again be in line with Minerals Plan Policy 1. Whilst it could be said that artificial stone could be used instead, to my mind that is not consistently of sufficient quality to be a replacement for natural stone in a heritage context.
13. Accordingly, I conclude that, in principle, the extraction of building stone would not conflict with Policies 1 or 4 in the Minerals Plan or the Framework.

Green Belt

14. Policy CG7AP in *Bolton's Allocations Plan* states that inappropriate development will not be approved in the Green Belt, with inappropriate development including anything that does not maintain openness of land, or which conflicts with the purposes of including land in the Green Belt. Insofar as it concerns what is before me now, this broadly reflects national policy in the Framework. This says, in paragraph 150, that mineral extraction is not inappropriate in the Green Belt, provided it preserves its openness and does not conflict with the purposes of including land within it.
15. Openness is not defined in the Framework, but is a matter of planning judgement. It has been found to have both a spatial and a visual dimension. In making this assessment, it is not for me to treat any change as having a greater impact on the Green Belt's openness, but rather to consider the impact or harm, if any, wrought by the change.
16. The Framework's qualified confirmation of mineral extraction as being not inappropriate must be made with the acceptance that the relevant land would not remain free from development. It is also reasonable to assume the Framework expects such works would cause some change to the landscape, they would be relatively sizeable, they would be apparent for a relatively long period of time, and they would involve a certain amount of activity from large vehicles, pieces of equipment and the like. If the Framework did not make these assumptions, it would be unrealistic for it to offer a qualified acceptance that mineral extraction was not inappropriate, as such activity could rarely, if ever, be undertaken. Moreover, the Framework also advises the small-scale nature and impact of building stone quarries should be recognised.
17. The only above-ground works proposed as part of this scheme would be the protective fencing and the mounding around the top of the quarry. In longer views these features would not be of a scale or presence to harm openness, when seen in the context of the undulating landscape.
18. On the hillside by the appeal site there is at present a great sense of openness resulting from the extensive views to the west, and the expansive upland landscape around. I consider the details of the fencing could be agreed by condition, and could achieve its aims of offering the necessary protection whilst maintaining a sense of openness when seen by those walking close to the site. In relation to the mounds, these would be of limited height when compared to the rising ground around, while there are variations in the topography of the

hillside, both within the site and in the wider locale. Therefore, if suitably sculpted, the mounding could be perceived as a natural feature, and again would not adversely affect the openness of the area when seen from nearby. It is intended that such mounding would be removed in due course on completion of the extraction. Therefore, the above ground works would preserve openness and not conflict with the purposes of including land in the Green Belt.

19. Turning to the quarry extension itself, the proposal would be seen very much in the context of the larger existing quarry, and would, to a great extent, appear to be pushing a part of the long north-eastern quarry face further back. Therefore, in middle and longer distance views, any perception that the quarry, or any equipment within it, would be encroaching into the countryside, or would be introducing new development into this area, would be slight. When nearby on higher land there would be little appreciation of the quarry extension subject of this appeal, as it would be below ground level, but from where it could be seen, again, the works would be perceived as part of the existing quarry and so would not harm openness.
20. Paragraph 150 in the Framework makes no reference to restoration when considering the inappropriateness or otherwise of mineral extraction. In this case it is not intended to re-create the land profile now present once the extraction ends at this proposed extension. Indeed, such a requirement could well lead to on-going noise and disturbance at the site and on the adjacent road network for an appreciable time. However, such re-creation is not necessarily required to achieve an appropriate or acceptable restoration scheme. Rather, I understand that after the completion of extraction the then-redundant quarry is to be restored in a manner compatible with the restoration of the existing quarry. As a result, the operations would maintain a presence on Winter Hill after the extraction works and associated restoration had finished, as the exposed face would remain. Again though this would be viewed in the context of the larger restoration scheme in the existing quarry. Moreover, such faces need not necessarily be unsuitable in this upland area. Therefore, I have no reason to consider that the proposal is not going to be well-restored, or, once that happens, that thereafter there would be harm to openness or the purposes of including land in the Green Belt.
21. Consequently, I find that the quarrying and the restoration would preserve openness, and would not conflict with the purposes of including land in the Green Belt.
22. Accordingly, mindful of the qualified acceptance in the Framework that mineral extraction is not inappropriate, I conclude this would not be inappropriate development within the Green Belt, and so would not conflict with the Allocations Plan Policy CG7AP, or the Framework.

Character and appearance

23. Winter Hill is a tall, prominent hill, and provides panoramic views from the appeal site over extensive parts of Lancashire, Greater Manchester, and Merseyside. It therefore follows that theoretically the site, and hence the development, could in turn be visible from many places over a large area. However, that does not mean that the development would harm those views, or adversely affect character and appearance when seen from those places. This is because, from many of them, the works would be too distant to be

readily perceived, or would be appreciated very much in the context of the existing quarry and the wider landscape.

24. In assessing the more localised impact, taking my 2 visits together, I viewed the site from at or near the 9 viewpoints in the appellant's *Landscape and Visual Impact Assessment*, as well as from other locations such as from in Horwich, from footpaths to the north of Blackrod, from Makinson Moor, from near Haigh and from various intervening points as I travelled between these places. I could, no doubt, have seen the site from still more locations, but I consider that together these gave me a sufficient impression to assess its visual impact.
25. When on the road and public right of way that run along the northern side of the existing quarry and the appeal site, and when on the nearby upland to the north and east, the mounding would be visible, but if suitably formed it could well look natural and part of the undulating topography. Fencing could also be seen, but this could be of a sensitive design and finished in subdued colours and so would not be intrusive.
26. An awareness of the quarry itself would be limited because it is not particularly extensive and is below the surrounding ground level. From where it is apparent, it would be appreciated in the context of the much larger existing quarry. Over the extraction period, the tranquillity and remoteness of the area could be affected to some extent by the noise of lorries and quarrying, but these are already experienced from the existing operations, and I have no reason to consider any additional harm in this regard would be unacceptable.
27. Looking at the site from Rivington Pike, Two Lads, the points in between or on the upland to the east, the quarry would be substantially concealed, while the contained nature of the works below ground level mean noise and disturbance of the activity would be lessened. The character and appearance would therefore not be harmed. Although the topography would be changed, there is no reason why that, of itself, should have an adverse impact in this regard.
28. In views from the west, whether in the valley around Horwich and the motorway, or rising up the hill on the other side of the M61 towards Haigh, the western slopes of the Pennines form a pleasing backdrop to the settlements. In such views Montcliffe and Pilkington Quarries are already visible as appreciable features on the side of Winter Hill. Against these, the proposal would be seen as a relatively small additional area of working that extended further up the hillside. However, the overall effect of this would be limited as it would primarily appear to be moving part of the quarry face further back, while the removal of some of the hillside above the existing quarry face would still be seen in the context of the varied and uneven form of the existing quarry. As one moves further away, the ability to appreciate the detail of the development would reduce, and the significance of the works in the landscape would diminish. Therefore any harm to the landscape setting of Horwich or the appearance of Winter Hill would be limited.
29. Finally, I accept that the quarry could be operating for nearly 10 years before restoration works are undertaken, but, in the context of mineral extraction, I nonetheless consider its effects would be temporary. I have no reason to assume that the restoration works would not suitably integrate the quarry into the surrounding hillside. Indeed, the volume of the quarry would be appreciably less than was considered under the previous appeal. As stated

above, while faces would remain exposed, that of itself does not mean the character or appearance of the area would be harmed if they are suitably mitigated by the landscaping. These restoration works would therefore address the long-term impact of the quarry. It cannot be assumed that the restoration would not take place once the extraction ceased, but if the restoration did not in fact happen it would be a matter for the local authority to pursue at the time.

30. Any applications for further extraction on the area, if forthcoming, would be considered against the operative development plan in force at that time, and any other material considerations that were then relevant.
31. Overall, as an active quarry for a temporary period on this area of moorland I accept some harm, although slight, would occur to the character and appearance of the area. There would therefore be a conflict with *Bolton's Core Strategy* Policies CG3 and OA1, which require regard be given to local distinctiveness and landscape quality, with development not harming landscape setting around Horwich and Blackrod, and protecting views of the surrounding landscape.
32. In assessing this issue I have had regard to the hierarchy of landscape character assessments relating to the site. None have been cited in the reasons for refusal. They also do not form part of the development plan, and so the weight I can afford them is limited accordingly, but I nonetheless accept they provide an informative background to the landscape at varying scales.
33. Nationally, the site is within the *South Pennines National Character Area*. Although this identifies it as being green infrastructure of strategic importance, to my mind this is a broad overview of an extensive area. I also understand that it accepts mineral extraction forms part of the landscape. At a more local level the *Landscape Character Appraisal for Bolton* identifies the western slopes of the Pennines as forming a backdrop to the settlements, a view with which I agree. It nonetheless accepts that the landscape is pock-marked with quarry faces, and so, mindful of its scale, I consider the scheme would not be alien or incongruous, whether before or after restoration. Therefore neither of these documents, nor indeed the other character assessments or similar to which reference was made, lead me to different findings on this issue.
34. Accordingly I conclude that the development would cause harm, albeit slight, to the character and appearance of the area, in conflict with Core Strategy Policies CG3 and OA1.

Biodiversity

35. Part of the site lies within a Site of Biological Importance (SBI), which is listed for its dry modified bog and for the presence of a range of nesting birds. The SBI is Grade A and therefore of county importance.
36. The surface of the area subject of this appeal is covered mainly with upland grassland and rocky outcrops, with occasional ditches and hollows containing plants better suited to a wetter environment. This is, undoubtedly used for foraging and habitat by some fauna now, and it would be lost, along with the plant life present. Indeed, some level of impact on biodiversity when the works were undertaken would not be unusual with minerals extraction. However, it has not been shown the area of the appeal site has a particularly rich flora or

fauna, or that habitat of significance would be destroyed. Therefore, I have no evidence to show this would be harmful to the SBI in particular or to the ecological value of the wider area in general. Moreover, I accept that there could be benefits in this regard from the restoration works in due course.

37. A Site of Special Scientific Interest bounds the site, but again nothing shows the scheme would harm this area.
38. Accordingly, on the evidence before me I conclude that the development would not cause unacceptable harm to biodiversity and ecology, and so would not conflict with Core Strategy Policy CG1.1, which seeks to safeguard rural areas from development that would adversely affect biodiversity.

Hydrology

39. The ground water would be well below the intended floor level of the quarry, and suitable measures would be in place to ensure it was appropriately drained. This is clearly a material difference to the previous appeal, and means I now have no reason to consider this scheme would have an adverse effect on flooding or drainage.
40. Although the water retention of the soil and peat on the site would be lost, having seen the surfacing of the area of the proposed extension I am not satisfied that the scheme would have any material effect in that regard.
41. Accordingly, I conclude the scheme would not have an unacceptable effect on hydrology, and so would not conflict with Core Strategy Policy CG1.5, which seeks to reduce the risk of flooding.

Other Matters

42. Compared to the existing quarry, the proposal would be further from the nearest residents, and would be of a smaller-scale, and so the effects of noise and dust from the development on living conditions would not be unacceptable, if suitably controlled. Furthermore, given the nature of nearby roads and their current traffic levels, I have no reason to consider the movements associated with this extension would cause harm to highway safety or exacerbate issues of pollution, again, if controlled by condition. Matters such as mud on the road and a failure to conform to traffic regulations can be addressed through other legislation, and do not affect the planning merits of this case.

Planning Balance

43. I have found some slight harm would be caused to the character and appearance of the area. However, Section 38(6) of the *Planning and Compulsory Purchase Act 2004* says development should be in accordance with the development plan unless material considerations indicate otherwise. In this instance the fact that minerals can be extracted only where they are found, the great weight the Framework says should be afforded to their extraction, the benefits of a locally sourced material in line with the cited policies in the Minerals Plan, the temporary nature of the extraction works, and the restoration scheme, when taken together, would outweigh the limited scale of the harm and indicate a decision otherwise than in accordance with any development plan conflict.

Conditions

44. In assessing the conditions I have had regard to the Council's suggested list, as well as those imposed on the most recent permission for the existing quarry.
45. There should be a commencement condition imposed on the scheme [Condition 1], and, in order to ensure the temporary nature a condition should state when extraction should cease. In the Grounds of Appeal it was said the working of the stone in connection with the extension subject of the current appeal was to be until the end of 2036, but the appellant was willing to accept a condition limiting extraction works on the proposal until 2033 (to be brought in line with what was then the period for working the existing quarry) or some other timescale to be agreed. Since the application subject of the current appeal was dismissed, the permitted period for working the existing quarry has been lengthened to 20 February 2037. Neither the timeframe given at application stage nor the shorter one suggested in the current appeal would allow working for as long as is now permitted at the existing quarry. However, I consider that allowing extraction to proceed beyond 20 February 2033 could prejudice the position of local residents, who would no doubt have taken the stated timeframes into account when considering the appeal submissions. Therefore, despite the subsequent amendment to extraction from the existing quarry, I consider that 20 February 2033 should be the period when extraction in connection with the current proposal should cease [2].
46. Having regard to issues of archaeology a written scheme of investigation should be secured [3], and to avoid any adverse effects on hydrology there should be ground water monitoring and an impermeable barrier provided [5 & 6]. Mindful of the living conditions of those around noise [7, 15, 19-22], dust [8 & 9], hours of operation [14], blasting [16-18], lorry movements/sheeting [23 & 24] and the importing of material (other than for restoration works) [25] should all be controlled. To safeguard ecology nest monitoring should be undertaken of the quarry face [4], and in the interests of the character and appearance of the area the mounding and fencing should be provided in accordance with an agreed scheme [10] and, when extraction ceases, equipment removed, and an approved restoration scheme implemented with aftercare [11-13, 26]. For the avoidance of doubt the approved plans should be stipulated [27].
47. A number of the Council's suggested conditions included the tailpiece of '*unless otherwise agreed in writing by the local planning authority*' or similar. To my mind though that introduces an element of uncertainty as to the scope and application of the condition and so has not been included.

Conclusion

48. I conclude that the appeal should be allowed.

JP Sargent

INSPECTOR

CONDITIONS SCHEDULE

- 1) The development hereby permitted shall begin not later than 3 years from the date of this decision.
- 2) The extraction of mineral for which permission is hereby granted, shall cease not later than 20 February 2033 and the site shall then be restored in accordance with the conditions of this permission or within a period of 2 years from the cessation of extractive operations, whichever is the earliest.
- 3) No development shall take place until there has been secured the implementation of a programme of archaeological works to be undertaken in accordance with a Written Scheme of Investigation (WSI) which has first been submitted to and approved in writing by the local planning authority.

The WSI shall cover the following:

- a) A phased programme and methodology of site investigation and recording to include:
 - a detailed topographical survey to locate and record earthworks
 - a geophysical evaluation survey
 - targeted evaluation trenching of earthworks and geophysical anomalies
 - where merited by the evaluation trenching, open area excavation.
 - archaeological watching brief of controlled top-soil strip.
 - where merited by the watching brief, open area excavation.
- b) A programme for post investigation assessment to include:
 - analysis of the site investigation records and finds
 - production of a final report on the significance of the archaeological, historical and architectural interest represented.
- c) Provision for publication and dissemination of the analysis and report on the site investigation.
- d) Provision for archive deposition of the report, finds and records of the site investigation.
- e) The nomination of a competent person/organisation to undertake the works in the WSI.

The work shall then be undertaken in accordance with the WSI.

- 4) Prior to the commencement of any work on the existing quarry face in connection with the development hereby approved or any work on any other rock faces that may be affected by the works and may be or could become suitable for nesting raptors, a bird nest monitoring survey, to ensure that a nest site has not been established on the face subject to the proposed work, shall be submitted to and approved in writing by the local planning authority. No works shall commence until
 - a) it has been confirmed that no nest sites have been established or
 - b) appropriate measures have been put in place to protect the nests/nesting birds in accordance with details that have first been submitted to and approved in writing by the local planning authority.

- 5) The development hereby permitted shall not be commenced until a groundwater monitoring network scheme together with a maintenance regime and a timetable for its implementation, has been submitted to and approved in writing by the local planning authority. The scheme must then be implemented in accordance with the approved schemes and timetable, with the network of monitoring boreholes maintained in accordance with the approved maintenance regime, and water levels measured monthly throughout the period of development. Any monitoring boreholes lost, damaged, or blocked must be restored or replaced in accordance with the requirements in the approved maintenance regime. All levels should be related to ordnance datum, along with the contemporary water level in each sump or lagoon on site. If any dewatering is to take place, the quantity of water removed shall be recorded. The water level records shall be submitted to the local planning authority at intervals of no more than 12 months.
- 6) The development hereby permitted shall not be commenced until full details of the proposed impermeable barrier to be created along the north eastern boundary of the site, to physically remove any potential connectivity between the soil horizons of the site and the neighbouring SSSI, together with a timetable for its implementation, have been submitted to and approved in writing by the local planning authority. The approved barrier shall be constructed in accordance with the approved details and timetable and shall be retained thereafter.
- 7) The development hereby permitted shall not be commenced until a site-specific noise assessment, taking into account the potential worst case noise levels of the proposed operational noise (including blast induced noise) and noise from traffic movements on the closest sensitive receptors to the application site, has been submitted to and approved in writing by the local planning authority.
- 8) Prior to the commencement of any other element of the development the 2 monitoring pads, shown on drawing 200/20 Rev 1.1 entitled 'Map of Proposed Dust Monitoring Pads and Ephemeral Stream' (dated 21/03/2019), shall be installed in the approved locations and shall remain until the development hereby approved has been completed. The results from the dust monitoring pads for each calendar quarter shall be submitted to the local planning authority on the last working day of each calendar quarter for the duration of the approved site operations.
- 9) The development hereby permitted shall not be commenced until a scheme of measures to ensure that the operations do not give rise to nuisance by virtue of dust or wind-blown material, has been submitted to and approved in writing by the local planning authority. Prior to the commencement of the development the measures in the scheme shall be in place and shall thereafter be retained
- 10) The development hereby permitted shall not be commenced until a timetable for the construction and landscaping of the screen bund around the quarry extension shown on Drawing MC1238-D2v2 entitled 'Details of North-western Screen Bund with Modified (2022) Quarry Design' (dated Jan 2022), together with details of any fencing, have been submitted to and approved in writing by the local planning authority. The screen bund shall be constructed and landscaped in full accordance with Drawing MC1238-D2v2 within the approved

timetable and any fencing shall be erected in accordance with the approved details. The screen bund shall be retained as approved until mineral extraction has ceased.

- 11) Within 6 months of the date of this decision a landscape and restoration scheme, including proposed ecological enhancement measures, shall be submitted to and approved in writing by the local planning authority together with a timetable for its implementation. The approved scheme shall be implemented in full and carried out in accordance with the approved timetable.
- 12) A 5-year aftercare scheme shall be submitted for the approval of the local planning authority not later than one year after the date of this permission and shall specify the steps to be taken and the periods during which they are to be taken. The aftercare plan shall provide for an annual review between the mineral operator and the local planning authority at which time such a scheme may be varied as necessary and thereafter implemented in accordance with the agreed scheme.
- 13) Within a period of 3 months from the cessation of extractive and restoration operations hereby permitted, a scheme for the removal of all plant, machinery and hard surfaced service areas on the site associated with quarrying operations, and subsequent restoration of those areas, shall be submitted to the local planning authority for approval. The approved scheme shall be implemented within a further period of 9 months from the date of its approval in accordance with the restoration and aftercare requirements of this permission unless otherwise agreed in writing by the local planning authority.
- 14) Unless specified elsewhere in this permission, no work on the site (including the repair of plant machinery and the movement of such machinery) shall be carried out on the site outside the following hours:-
 - 0700h to 1800h Mondays to Fridays
 - 0730h to 1300h Saturdays
- 15) No drilling operations shall be carried out on the site outside the following hours:-
 - 0700h to 1730h Mondays to Fridays
 - 0800h to 1200h Saturdays
- 16) No blasting operations shall be carried out on the site outside the following hours:-
 - 1000h to 1200h and 1300h to 1500h hours Mondays to Fridays.
- 17) Blasting operations at the quarry extension hereby approved shall not result in ground vibrations with a peak particle velocity greater than 10mm per second in any plane as measured at the nearest occupied building to such operations and 95% of all blasts throughout the duration of operations shall not exceed a peak particle velocity of 6mm per second.
- 18) Each blasting operation at the quarry extension hereby approved shall be monitored and the results recorded to assess vibration propagation. At 3 monthly intervals the results and regression curves of peak particle velocity against scale distance shall be supplied to the local planning authority. The

regression curves supplied shall be the mean curve and the 95% percentile limit curve.

- 19) Monitoring of noise from site operations at the quarry extension hereby approved shall be undertaken once a quarter for a one hour period on any working day, or at a time interval to be agreed with the local planning authority, at noise control points to be first agreed in writing with the local planning authority at or near Hill Top, Hill Crest, Rocky Mount & Montcliffe House, Georges Lane, the properties at Montcliffe Cottages, Georges Lane and 1 & 2 Grundy Cottages, Makinson Lane. The results of the monitoring for each calendar quarter shall be recorded and submitted to the local planning authority on the last working day of each calendar quarter for the duration of the operations and shall include:-
- a) the measured one hour LAeq in dB;
 - b) the date and time of measurement;
 - c) the description of site activities;
 - d) details of measuring equipment; and
 - e) weather conditions including wind speed and direction.
- 20) Noise from any activity (with the exception of those relating to top soil and stripping and other works in connection with landscaping and restoration) at the quarry extension hereby approved shall not exceed the equivalent continuous sound level (LAeq, 1 hour) measured over a one hour period of 55dB as measured at the closest boundary to the noise source of each of the noise sensitive properties located at Hill Top, Hill Crest, Rocky Mount & Montcliffe House, Georges Lane, the properties at Montcliffe Cottages, Georges Lane and 1 & 2 Grundy Cottages, Makinson Lane.
- 21) Operations relating to top soil and stripping and other works in connection with landscaping and restoration at the quarry extension hereby approved shall not exceed an equivalent continuous sound level (LAeq, 1 hour) measured over a one hour period of 70dB as measured at the closest boundary to the noise source of each of the noise sensitive properties located at Hill Top, Hill Crest, Rocky Mount & Montcliffe House, Georges Lane, the properties at Montcliffe Cottages, Georges Lane and 1 & 2 Grundy Cottages, Makinson Lane.
- 22) All plant, equipment and other machinery used in connection with the development, operation, maintenance and restoration of the quarry extension hereby approved shall be equipped with effective silencing equipment or sound proofing equipment to the standard of design set out in the manufacturers original specification and maintained in such conditions at all times.
- 23) Not more than 100 heavy goods vehicle (HGV) movements to and 100 HGV movements from Montcliffe Quarry (including those to enable the full restoration of the whole areas of the site subject to quarrying) shall take place during any single day on Monday to Friday (excluding Bank Holidays) and no more than 50 HGV movements to and 50 from Montcliffe Quarry shall take place on Saturdays. There shall be no HGV vehicle movements on Sundays and Bank Holidays.

- 24) All vehicles carrying waste or recycled materials leaving the site shall be netted or sheeted to ensure materials are secure and are not deposited on the highway.
- 25) No material shall be imported onto the site other than to fulfil the final restoration contours.
- 26) Within 3 months of a cessation of mineral extraction prior to the achievement of the final levels under the approved scheme, which in the opinion of the local planning authority constitutes a permanent cessation, a revised restoration scheme, together with a timetable for its implementation, shall be submitted to and approved in writing by the Local planning authority. The approved scheme shall be fully implemented in accordance with the approved timetable.
- 27) Unless otherwise amended under the conditions above, the development hereby permitted shall be carried out in complete accordance with the following approved plans:
- Drawing No 200/20-2 Rev 3.0 entitled 'Site Plan' (dated 03/01/2019)
 - Drawing No 200/20-5 Rev 2.2 entitled 'Working Area' (dated 17/12/2018)
 - Drawing MC1238-D2v2 entitled 'Details of North-western Screen Bund with Modified (2022) Quarry Design' (dated Jan 2022)
 - Drawing Figure L16 (Rev A) CAD Ref MC1238-D1v2 entitled 'Restoration Masterplan for Modified (2022) Quarry Development' (dated Jan 2022)
 - Drawing No 200/20-6 Rev 2.2 entitled 'Phased Scheme of Soil Stripping' (dated 17/12/2018)
 - Drawing No 200/20 Rev 1.1 entitled 'Map of Proposed Dust Monitoring Pads & Ephemeral Stream' (dated 21/03/2019)