

APPENDIX i

Copy of Planning permission ref C6/105/6A/PA dated 27 January 1986 &
Postponement of Periodic review letter from NYCC dated 26th July 2000.

Decision No. C6/105/6A/PA

TOWN AND COUNTY PLANNING ACT, 1971

NORTH YORKSHIRE COUNTY COUNCIL

NOTICE OF DECISION OF PLANNING AUTHORITY ON APPLICATION FOR PERMISSION TO CARRY OUT DEVELOPMENT

TO: Blubberhouses Silica Sand Co. Ltd.,
c/o Grout Bicknell and Partners,
30, Church Street,
Wellington, Telford, Shropshire. TF1 1DS

The above-named Council being the Planning Authority for the purposes of your application dated 25th November, 1985, in respect of proposed development for the purposes of extraction of silica sand by surface working and erection of a processing plant, Blubberhouses Silica Sand Quarry, Blubberhouses, have considered your said application and have granted permission for the proposed development subject to the following conditions:-

See attached sheets.

Date 27th January, 1986

A. J. [Signature]

.....
Chief Executive and Clerk
of the County Council

NOTE:-

No consent, permission or approval hereby given absolves the applicant from the necessity of obtaining the approval, under the Building Regulations, of the District Council in whose area the site of the proposed development is situated; or of obtaining approval under any other bye-laws, local acts, orders, regulations and statutory provisions in force; and no part of the proposed development should be commenced until such further approval has been obtained.

FOR RIGHTS OF APPEAL SEE OVERLEAF

TOWN AND COUNTRY PLANNING ACT 1971

Continuation of Decision No. C6/105/6A/PA

Dated 27th January, 1986

1. The development hereby permitted shall be carried out in accordance with the details approved by the Secretary of State for the Environment in his letter dated 11th February 1985 or such other details as may be subsequently approved in writing by the Mineral Planning Authority.
2. All working shall cease and the site shall be restored in accordance with condition 25 by 31st December 2011.
3. No extraction shall take place except in accordance with a scheme of working agreed with the Mineral Planning Authority, and submitted to them by 10th February 1986, which scheme shall amongst other matters include provision for:-
 - a. determining the depth, direction, method and phasing of working; defining the boundaries of the excavation area, and the angles of the slopes of the banks of the excavation;
 - b. the stripping of topsoil, subsoil and overburden, their storage separately from one another, and their subsequent re-use;
 - c. the movement of soil only when it is in a suitably dry and friable condition;
 - d. the provision of berms, fencing and screening as may be appropriate;
 - e. the disposal of water from the site, and the natural, or artificial drainage of the site during operations;
 - f. measures to suppress dust on the site;
 - g. the construction of haul roads within the site;
 - h. The location, types and height of any fixed or transportable plant or machinery to be used;
 - j. the location of any reservoir, or materials and equipment storage area on the site;
 - k. the collection, treatment and disposal of any foul drainage, and of any oil, fuel or lubricant used in connection with any plant, machinery, or vehicles;

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- l. measures to prevent the discharge to any water course of any solid matter, sand, gravel, excess amounts of suspended matter and water containing sand, gravel, oil, grease or any other offensive or injurious substance;
 - m. a waterproof and chemically resistant surface for the base of the process area and the inner faces of the bund surrounding the process area;
 - n. earth bunds with a clay core along the south side of the conveyor run and around the process area;
 - o. the location and construction of all oil pipelines;
 - p. the design, intensity and siting of all permanent outdoor lighting;
 - q. the design and siting of all security fencing;
 - r. the methods of dealing with all shafts, addits, drifts and any other disused mine workings within or beneath the site.
4. All plant, machinery and vehicles used on the site shall be fitted with effective silencers.
 5. Notwithstanding the provisions of any Development Order in force for the time being, no building, plant or machinery or erection of the nature of plant or machinery (other than buildings, plant and machinery located wholly within the process plant area and not extending above a level of 300 metres A.O.D. or such other buildings, plant or machinery as are expressly authorised in writing by the Mineral Planning Authority) shall be placed, erected, altered or extended within the area for which planning permission is hereby granted or on any adjacent land.
 6. The detailed height, design, external appearance, siting, colour and materials of all buildings, plant, machinery and storage tanks or any other structures (other than buildings, plant and machinery located wholly within the process plant area and not extending above 300 metres A.O.D.) shall be as may be approved in writing by the Mineral Planning Authority and no such development shall be commenced in advance of any such approval.

TOWN AND COUNTRY PLANNING ACT 1971

Continuation of Decision No. C6/105/6A/PA

Dated 27th January, 1986

7. Any oil storage tanks on the site shall be sited on impervious bases and surrounded by oil tight bund walls; the bunded areas shall be capable of containing 110% of the tanks' volume, and should enclose all fill and draw pipes.
8. Except with the prior agreement of the Mineral Planning Authority no operations authorised or required by this permission with the exception of processing operations carried out wholly within the process plant area, shall be carried out other than during the hours of 7 a.m. to 6 p.m. on Mondays to Saturdays; and no such operations shall take place on Sundays or Bank or Public Holidays. This condition shall not, however, operate so as to prevent the carrying out, outside these working hours, of essential maintenance to plant and machinery used on the site.
9. Except with the prior agreement of the Mineral Planning Authority no mineral shall be transported from the site other than during the hours of 7 a.m. to 6 p.m. on Mondays to Saturdays; and no such operation shall take place on Sundays or Bank Holidays or Public Holidays.
10. Prior to the commencement of the operations hereby permitted a scheme for landscaping, tree and shrub planting (other than heather) shall be submitted to and approved by the Mineral Planning Authority. This scheme shall include the 3 tree plantations X, Y and Z, indicated on the amended plans DGT BSSP/2R and 3R and shall be introduced as may be agreed by the Mineral Planning Authority.
11. Prior to the commencement of the operations hereby permitted, full details of the access road to the A59 shall be approved by the Mineral Planning Authority. The road shall be constructed in accordance with the approved details before any silica sand is transported from the site, and no construction of plant or buildings in the process plant area shall take place prior to the construction of the new road between the process plant area and the A59 up to and including base course level; all vehicular access to the site shall be via the new access to the A59.
12. Prior to the commencement of the operations hereby permitted details of the conveyor tunnel and access points for crossing Kex Gill Moor Road shall be submitted to and approved by the Mineral Planning Authority.

TOWN AND COUNTRY PLANNING ACT 1971

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13. Except with the prior agreement of the Mineral Planning Authority no mineral shall be transported from the crushing plant to the processing plant except by means of the ground conveyor and no waste or any material from the temporary spoil mound shall be transported from the processing plant area for disposal in the quarry excavation area except by means of the ground conveyor.
14. Except with the prior agreement of the Mineral Planning Authority no mineral or other materials except silica sand for the production of colourless glass, ceramics, chemicals, high grade fillers and miscellaneous uses requiring similar specifications shall be extracted, produced or transported from the site.
15. Except with the prior agreement of the Mineral Planning Authority the total quantity of silica sand produced as a saleable product and delivered from the site shall not exceed 250,000 tonnes in any calendar year. The total quantity for the preceding year or part of the year shall be notified in writing to the Mineral Planning Authority in January of each year.
16. No mineral shall be imported into or onto the site for stockpiling or processing without the approval of the Mineral Planning Authority.
17. No refuse, waste or other similar imported materials shall be deposited on any part of the site without the approval of the Mineral Planning Authority.
18. Except with the prior agreement of the Mineral Planning Authority no blasting shall be carried out other than during the hours of 9 a.m. to 4 p.m. on Mondays to Fridays.
19. Ground vibration levels resulting from blasting shall not exceed a peak particle velocity of 8 mm./second at any inhabited building.
20. No blasting shall take place until details of measures to be taken to ensure that vibration from blasting does not exceed a level such that the structure of the dam at Thruscross Reservoir could be adversely affected have been submitted to and agreed by the Mineral Planning Authority in consultation with the Yorkshire Water Authority.
21. Vehicles taking minerals from the site shall be fully enclosed or be sheeted in such manner that no mineral may be spilled onto the public highway.

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Continuation of Decision No. C6/105/6A/PA

Dated 27th January, 1986

22. No excavation shall take place below the water table prevailing at the time.
23. At least 14 days notice shall be given to the Mineral Planning Authority in advance of any site stripping operations and access to the site shall be allowed during this period and during stripping operations for archaeological investigations by officers of or other persons appointed for that purpose by the North Yorkshire County Council.
24. Not later than 12 months from the cessation of all extraction, or within such further period as the Mineral Planning Authority may agree, all plant and machinery, foundations, hardstandings, haul roads and marker posts no longer required in connection with the working, restoration or future use of the site, shall be removed from the site.
25. The site shall be progressively restored in accordance with a scheme to be agreed by the Mineral Planning Authority; such shall be submitted to the Authority by 10th February 1986, and shall among other matters include provision for:
 - a. the sequence of the filling operations, and the date by which each phase of restoration shall be completed;
 - b. the nature of the filling materials to be used;
 - c. the method, staging and timing of the filling operations;
 - d. the even respreading over the fill materials of the overburden, subsoil and topsoil stripped and stored in accordance with condition 3c of this permission, the topsoil forming the uppermost layer;
 - e. soil movement to take place only when the soil is in a suitably dry and friable condition;
 - f. the final levels of the restored land, which shall be such as to allow satisfactory drainage and be compatible with the levels of the adjoining land;
 - g. the fencing of the site, and the planting (as necessary) of trees and shrubs on the site;

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Continuation of Decision No. C6/105/6A/PA

Dated 27th January, 1986

h. the restoration of the quarried area to heather moorland.

Reasons for Conditions

1. To ensure that the development is carried out in accordance with the application details.
- 2, 24, 25. To ensure restoration of the site in the interests of amenity.
- 3, 17. To reserve the rights of control by the Mineral Planning Authority in the interests of amenity and to avoid pollution.
- 4, 8, 9, 10, 13, 18, 19. In the interests of amenity.
- 5, 6, 16. To reserve the rights of control by the Mineral Planning Authority in the interests of amenity.
- 7, 22. To avoid pollution.
- 11, 12, 21. In the interests of highway safety and amenity.
- 14, 15. In the interests of amenity and to ensure that the material is not used for purposes which could be met from deposits of lower quality.
20. To ensure that no damage occurs to the structure of the dam.
23. To allow archaeological investigation of the site.



North

Yorkshire County Council

RECEIVED
27 JUL 2000

Environmental Services

ENVIRONMENTAL ENHANCEMENT

Traffic Management, Road Safety, Passenger Transport, Rights of Way, Heritage, Minerals and Waste Planning

Your Reference:

My Reference: AS/BAB

When telephoning please ask for: Mr A Shaw
Ext: 2401

Minerals & Waste Planning Unit
County Hall, Northallerton
North Yorkshire DL7 8AH
Tel: 01609 780780
Fax: 01609 779838

26 July 2000

Dear Mr Norminton

POSTPONEMENT OF FIRST REVIEW DATE OF MINERAL PERMISSION NO C6/105/6A/PA – BLUBBERHOUSES QUARRY

I refer to your letter dated 12 April 2000 and application for postponement of the review date in respect of the existing planning permission at Blubberhouses Quarry. This matter was considered by the members of the Planning Sub-Committee at their meeting on 25 July 2000 and I can now confirm that the County Council has granted your application for postponement. Consequently, 31 December 2011 is the date now substituted to replace the date of 26 January 2001 specified in the Notice of Periodic Review dated 17 January 2000. Obviously this date now coincides with the expiry of the existing planning permission at Blubberhouses Quarry.

The members of the Planning Sub-Committee were advised of your agreement to undertake the following works at the site to ensure the appearance of the site does not deteriorate:-

- (i) Repair of dry stone walling as indicated by plan.
- (ii) Maintenance of access gates as indicated on the plan.
- (iii) Remedial works to the screening bund, again identified on plan.
- (iv) Removal of all fly tipping and abandoned quarry machinery located outside the processing plant area.

/Continued.....

Mr D J Norminton
Senior Estates Surveyor
Hanson Aggregates
Lynch Hill
Stanton Harcourt
WITNEY OX8 1BJ

Copy to: Mr S Marriott
c/o Mr I Cox
Dacre Son & Hartley
Estate Office, Station Rd
Otley LS21 3DR

Mike Moore, Director Chris Millns, Head of Environmental Enhancement

- (v) Submission of an ecological report on the progress of previous restoration to heather moorland by the end of 2000.

It is also requested that existing screen planting is subject to on-going maintenance.

Following the cessation of operations at Blubberhouses in 1991, it was agreed that an annual review meeting take place between the Company and the Mineral Planning Authority to review maintenance and management of landscaping at the site. In latter years this provision lapsed on a number of occasions. I would therefore wish to establish with you an annual review procedure and I would suggest a review date as at 1 June each year or nearest convenient date.

I would also be obliged if you could confirm when the proposed maintenance works are completed such that I can undertake a site inspection.

Yours sincerely

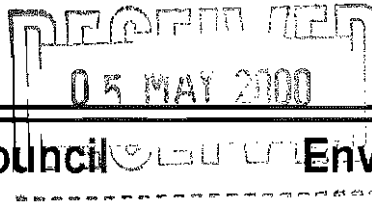


ALWYN SHAW
Minerals Officer



North

Yorkshire County Council Environmental Services



ENVIRONMENTAL ENHANCEMENT

Traffic Management, Road Safety, Passenger Transport, Rights of Way, Heritage, Minerals and Waste Planning

Your Reference:

My Reference: AS/KAA

When telephoning please ask for: Mr A Shaw
Ext: 2401

Minerals & Waste Planning Unit
County Hall, Northallerton
North Yorkshire DL7 8AH
Tel: 01609 780780
Fax: 01609 779838

04 May 2000

Dear Mr Norminton

APPLICATION FOR POSTPONEMENT OF THE MINERAL REVIEW DATE FOR BLUBBERHOUSES QUARRY

Thank you for your letter and enclosures dated 12 April regarding the application to postpone the review of the mineral planning permission at Blubberhouses Quarry. It is proposed to report the application to the Planning Sub-Committee on 25 July 2000. As this extends the period of determination beyond the three months period specified in MPG14 I would be pleased to have your agreement for an extension of the period for determination until 31 August 2000.

Yours sincerely

MR A SHAW
Minerals Officer

Mr D J Norminton
Senior Estates Surveyor
Hanson Aggregates
Linch Hill, Stanton Harcourt
Whitney
Oxon OX8 1BJ

Mike Moore, Director Chris Millns, Head of Environmental Enhancement

Our Ref: DJN/PAS/B168/P

12 April 2000

Minerals and Waste Planning Unit
North Yorkshire County Council
County Hall
Northallerton
North Yorkshire
DL7 8AH

Hanson Aggregates

Linch Hill
Stanton Harcourt
Witney
Oxon OX8 1BJ
Tel 01865 882211
Fax 01865 882445
www.hanson-aggregates.com

For the attention of Mr A. Shaw

Dear Sir

APPLICATION FOR POSTPONEMENT OF FIRST REVIEW DATE IN ACCORDANCE WITH PARAGRAPH 5 OF SCHEDULE 14 TO THE ENVIRONMENT ACT 1995.

We are in receipt of a notice dated 17th January 2000 identifying Blubberhouses Quarry as being subject to periodic review in accordance with paragraph 4 of Schedule 14 to the Environment Act 1995.

In accordance with paragraph 5 of that Act, we hereby apply for postponement of that review to the 31st December 2011.

Blubberhouses Quarry is subject to only one Planning Permission, reference C6/105/6A/PA dated 27th January 1986. It was granted following a decision by the Secretary of State for the Environment on the 11th February 1985 in accordance with the recommendations of the Inspector Mr J. H. Barratt, Msc., BSc., (Civil Eng), Dip TP (Manc), FRTPI., who held a local inquiry into an application made in April 1983.

Sub paragraph (2) of paragraph 5 of the aforementioned Schedule states that an application under this paragraph shall be in writing and shall set out :-

- (a) The Conditions to which each mineral permission relating to the site is subject;
- (b) The applicants reasons for considering those Conditions to be satisfactory; and
- (c) The date which the applicant wishes to have substituted for the first review date.

In accordance with (a) above, the conditions to which Permission C6/105/6A/PA are subject are as follows ;

CONDITIONS

1. **The development hereby permitted shall be carried out in accordance with the details approved by the Secretary of State for the Environment in his**

letter dated 11th February 1985 or such other details as may be subsequently approved in writing by the Mineral Planning Authority.

2. All working shall cease and the site shall be restored in accordance with Condition 25 by 31st December 2011.
3. No extraction shall take place except in accordance with a scheme of working agreed with the Mineral Planning Authority, and submitted to them by 10th February 1986, which scheme shall amongst others include provision for :-
 - a. determining the depth, direction, method and phasing of working; defining the boundaries of the excavation area, and the angles of the slopes of the banks of the excavation;
 - b. the stripping of topsoil, subsoil and overburden, their storage separately from one another, and their subsequent re-use;
 - c. the movement of soil only when it is in a suitably dry and friable condition;
 - d. the provision of berms, fencing and screening as may be appropriate;
 - e. the disposal of water from the site, and the natural, or artificial drainage of the site during operations;
 - f. measures to suppress dust on the site;
 - g. the construction of haul roads within the site;
 - h. the location, types and height of any fixed or transportable plant or machinery to be used;
 - j. the location of any reservoir, or materials and equipment storage area on the site;
 - k. the collection, treatment and disposal of any foul drainage, and of any oil, fuel or lubricant used in connection with any plant, machinery, or vehicles;
 - l. measures to prevent the discharge to any water course of any solid matter, sand, gravel, excess amounts of suspended matter and water containing sand, gravel, oil, grease or any other offensive or injurious substance;
 - m. a waterproof and chemically resistant surface for the base of the process area and the inner faces of the bund surrounding the process area;

- n. earth bunds with a clay core along the south side of the conveyor run and around the process area;
 - o. the location and construction of all oil pipelines;
 - p. the design, intensity and siting of all permanent outdoor lighting;
 - q. the design and siting of all security fencing;
 - r. the methods of dealing with all shafts, adits, drifts and any other disused mine workings within or beneath the site.
4. All plant, machinery and vehicles used on the site shall be fitted with effective silencers.
 5. Notwithstanding the provisions of any Development Order in force for the time being, no building, plant or machinery or erection of the nature of plant or machinery (other than buildings, plant and machinery located wholly within the process plant area and not extending above a level of 300 metres A.O.D. or such other buildings, plant or machinery as are expressly authorised in writing by the Mineral Planning Authority) shall be placed, erected, altered or extended within the area for which planning permission is hereby granted or on any adjacent land.
 6. The detailed height, design, external appearance, siting, colour and materials of all buildings, plant, machinery and storage tanks or any other structures (other than buildings, plant and machinery located wholly within the process plant area and not extending above 300 metres A.O.D.) shall be as may be approved in writing by the Mineral Planning Authority and no such development shall be commenced in advance of any such approval.
 7. Any oil storage tanks on the site shall be sited on impervious bases and surrounded by oil tight bund walls; the bunded areas shall be capable of containing 110% of the tanks' volume, and should enclose all fill and draw pipes.
 8. Except with the prior agreement of the Mineral Planning Authority no operations authorised or required by this permission with the exception of processing operations carried out wholly within the process plant area, shall be carried out other than during the hours of 7 a.m. to 6 p.m. on Mondays to Saturdays; and no such operations shall take place on Sundays or Bank or Public Holidays. This Condition shall not, however, operate so as to prevent the carrying out, outside these working hours, of essential maintenance, to plant and machinery used on the site.
 9. Except with the prior agreement of the Mineral Planning Authority no mineral shall be transported from the site other than during the hours of 7 a.m. to 6 p.m. on Mondays to Saturdays; and no such operation shall take place on Sundays or Bank Holidays or Public Holidays.
 10. Prior to the commencement of the operations hereby permitted a scheme for landscaping, tree and shrub planting (other than heather) shall be

submitted to and approved by the Mineral Planning Authority. This scheme shall include the 3 tree plantations X, Y and Z, indicated on the amended plans DGT BSSP/2R and 3R and shall be introduced as may be agreed by the Mineral Planning Authority.

11. Prior to the commencement of the operations hereby permitted, full details of the access road to the A59 shall be approved by the Mineral Planning Authority. The road shall be constructed in accordance with the approved details before any silica sand is transported from the site, and no construction of plant or buildings in the process plant area shall take place prior to the construction of the new road between the process plant area and the A59 up to and including base course level; all vehicular access to the site shall be via the new access to the A59.
12. Prior to the commencement of the operations hereby permitted details of the conveyor tunnel and access points for crossing Kex Gill Moor Road shall be submitted to and approved by the Mineral Planning Authority.
13. Except with the prior agreement of the Mineral Planning Authority no mineral shall be transported from the crushing plant to the processing plant except by means of the ground conveyor and no waste or any material from the temporary spoil mound shall be transported from the processing plant area for disposal in the quarry excavation area except by means of the ground conveyor.
14. Except with the prior agreement of the Mineral Planning Authority no mineral or other materials except silica sand for the production of colourless glass, ceramics, chemicals, high grade fillers and miscellaneous uses requiring similar specifications shall be extracted, produced or transported from the site.
15. Except with the prior agreement of the Mineral Planning Authority the total quantity of silica sand produced as a saleable product and delivered from the site shall not exceed 250,000 tonnes in any calendar year. The total quantity for the preceding year or part of the year shall be notified in writing to the Mineral Planning Authority in January of each year.
16. No mineral shall be imported into or onto the site for stockpiling or processing without the approval of the Mineral Planning Authority.
17. No refuse, waste or other similar imported materials shall be deposited on any part of the site without the approval of the Mineral Planning Authority.
18. Except with the prior agreement of the Mineral Planning Authority no blasting shall be carried out other than during the hours of 9 a.m. to 4 p.m. on Mondays to Fridays.
19. Ground vibration levels resulting from blasting shall not exceed a peak particle velocity of 8mm./second at any inhabited building.

20. No blasting shall take place until details of measures to be taken to ensure that vibration from blasting does not exceed a level such that the structure of the dam at Thruscross Reservoir could be adversely affected have been submitted too and agreed by the Mineral Planning Authority in consultation with the Yorkshire Water Authority.
21. Vehicles taking minerals from the site shall be fully enclosed or be sheeted in such a manner that no mineral may be spilled onto the public highway.
22. No excavation shall take place below the water table prevailing at the time.
23. At least 14 days notice shall be given to the Mineral Planning Authority in advance of any site stripping operations and access to the site shall be allowed during this period and during stripping operations for archaeological investigations by officers of or other persons appointed for that purpose by the North Yorkshire County Council.
24. Not later than 12 months from the cessation of all extraction, or within such further period as the Mineral Planning Authority may agree, all plant and machinery, foundations, hardstandings, haul roads and marker posts no longer required in connection with the working, restoration or future use of the site, shall be removed from the site.
25. The site shall be progressively restored in accordance with a scheme to be agreed by the Mineral Planning Authority; such shall be submitted to the Authority by 10th February 1986, and shall among other matters include provision for :
 - a. the sequence of the filling operations, and the date by which each phase of restoration shall be completed;
 - b. the nature of the filling materials to be used;
 - c. the method, staging and timing of the filling operations;
 - d. the even respreading over the fill materials of the overburden, subsoil and topsoil stripped and stored in accordance with Condition 3c of this permission, the topsoil forming the uppermost layer;
 - e. soil movement to take place only when the soil is in a suitably dry and friable condition;
 - f. the final levels of the restored land, which shall be such as to allow satisfactory drainage and be compatible with the levels of the adjoining land;
 - g. the fencing of the site, and the planting (as necessary) of trees and shrubs on the site;
 - h. the restoration of the quarried area to heather moorland.

The applicant considers that the above conditions are satisfactory, are modern in effect and as a consequence, do not need reviewing.

These Conditions cover the working and restoration of the Site – details of which were approved by the County Council in July 1990 (Conditions 3 and 25), and reserve full control over the siting, height, design, external appearance and operating hours of all buildings, plant, machinery and all other structures (Conditions 5, 6, 7 and 8).

Other conditions relating to environmental control are no different to those that would reasonably be imposed today. These include conditions relating to hours of operation for quarrying and mineral traffic (Conditions 8 and 9), and blasting (Conditions 18, 19 and 20). They also include Conditions relating to the sheeting of vehicles (Condition 21), restrictions on output in the interests of amenity and to ensure that the material is not used for purposes which could be met from deposits of lower quality (Conditions 14 and 15), a Condition relating to the fixing of silencers on all quarry machinery, plant and vehicles (Condition 4), the provision of ground conveyors where appropriate (Condition 13) and a ban on the importation of minerals and/or waste materials without the prior written approval of the MPA (Conditions 16 and 17).

Notwithstanding the above, it is conceded that there are no Conditions relating to noise other than the previously mentioned Condition 4 concerning the fitting of silencers. However, the Inspector at the Public Inquiry took evidence relating to noise (paragraph 11.9 of the Inspector's report refers) and evidently considered that no conditions relating specifically to noise levels were required. This was no doubt due to the isolation of the quarry in terms of its location away from residential properties coupled with the proximity of the A59. Since the imposition of these Conditions in 1987, there has been no material change that would justify any change to this position.

With regard to the requested postponement date of 31st December 2011 referred to in the second paragraph of this application, this has been chosen to coincide with the end date referred to in Condition 2 of the Planning Permission. As the MPA will no doubt be aware, Blubberhouses Quarry has been mothballed for economic reasons for some considerable time now and the applicant has no plans to re-open the quarry in the foreseeable future. Given that there are approximately 23 years of reserves remaining in the quarry, the applicant will, in any case, have to submit a fresh planning application to retain the option of working the quarry beyond 2011. The MPA is therefore guaranteed another opportunity to effectively review the quarry's working conditions at a more appropriate time.

Whilst it is not a statutory requirement, MPG14 suggests that modified notices under Article 6 of the Town and Country Planning (General Development Procedure) Order 1995 are completed for all applications to postpone a periodic review. Accordingly, I attach copies of notices completed in respect of this application including a notice served on the Quarry owners Sibelco, a Site notice which I confirm has been posted at the gates of the Quarry, Certificate B and the appropriate Agricultural Holdings Certificate. You will note that I have taken the liberty of inserting North Yorkshire County Council's address in the section of the Site Notice directing members of the public to the councils offices to view the application.


Finally, I refer to a meeting on site between myself and Andrew Woolley of Hanson and Mr A. Shaw and Mr M. Barnett of the MPA., It was agreed at this meeting that the applicant would undertake the following works :

1. Repair of the dry stone walling at the points indicated on the attached plan.
2. Maintain the access gates indicated on the plan.
3. Increase the height of the screening bund at the point marked on the plan to the same level as that on either side and relocate/repair barbed wire fence to below the skyline on the quarry side of the bund.
4. Remove all fly tipping in the area of 3 above and all abandoned quarry machinery located outside the Processing Plant area.
5. Submit an ecological report on the progress of previous restoration to heather moorland by the end of 2000. This submission date will allow the inclusion of the results of further monitoring work to be undertaken in August this year. In this respect, I have asked Dr. Stephanie Greshon who is compiling the report to liaise with Malcolm Barnett of the MPA to ensure the report addresses the required issues.

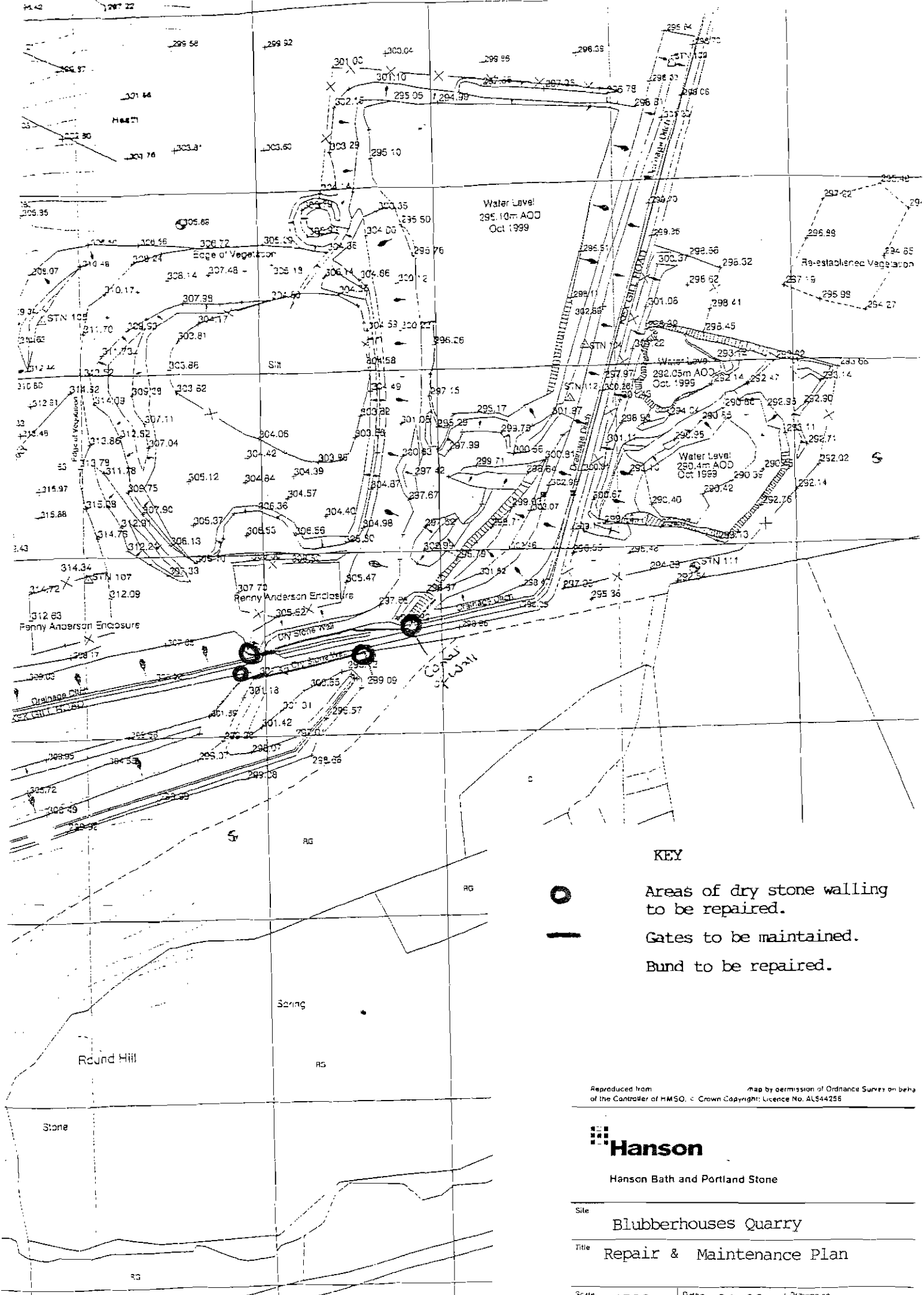
Items 1 to 4 above will be completed, where practicable, this year.

I hope the above is in order and look forward to the decision of your Committee in due course.

Yours sincerely



D. J. NORMINTON
SENIOR ESTATES SURVEYOR
FOR AND ON BEHALF OF THE APPLICANT – HANSON AGGREGATES



KEY



Areas of dry stone walling to be repaired.



Gates to be maintained.

Bund to be repaired.

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Hanson Bath and Portland Stone

Site
Blubberhouses Quarry

Title
Repair & Maintenance Plan

Scale
1 : 2500

Date
12.04.00

Drawing no
B168/p1

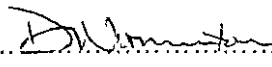
CERTIFICATES UNDER ARTICLE 7 OF THE TOWN AND COUNTRY PLANNING (GENERAL DEVELOPMENT PROCEDURE) ORDER 1995 AND PARAGRAPHS 7, 9, 13 AND 16 OF SCHEDULE 13 AND PARAGRAPHS 6, 8 AND 9 OF SCHEDULE 14 TO THE ENVIRONMENT ACT 1995

Certificate B (a)

I certify that :

The applicant has given the requisite notice to everyone else who, on the day 21 days before the date of the accompanying application was the owner (b) of any part of the land to which the application relates, as listed below.

Owner's (b) name	Address at which notice was served	Date on which notice was served
SIBELCO (UK)LTD	c/o Dacre, Son & Hartley The Estate Office Station Road Otley West Yorkshire LS21 3DR	13th April 2000

Signed..... 

*On behalf of ... *Hewson Quarry Products Europe Ltd.*

Date..... *13th April 2000*

*delete where inappropriate

- (a) This Certificate is to be used with postponement applications, and with conditions applications and appeals. One of the Certificates A, B, C or D (or the appropriate certificate in the case of underground mining operations) must be completed, together with the Agricultural Holdings Certificate.
- (b) "owner" means a person having a freehold interest or a leasehold interest the unexpired term of which is not less than 7 years, or a person entitled to an interest in a mineral in the land (other than oil, gas, coal, gold or silver).

**NOTICE UNDER ARTICLE 6 OF TOWN AND COUNTRY PLANNING
(GENERAL DEVELOPMENT PROCEDURE) ORDER 1995 AND
PARAGRAPH 5 OF SCHEDULE 14 – Periodic review postponement
application - TO THE ENVIRONMENT ACT 1995**

(to be posted in the case of a site where the planning permissions are for development consisting of the winning and working of minerals by underground operations (in addition to the service or publication of any other requisite notice))

Development at Blubberhouses Quarry, Blubberhouse, Otley, North Yorkshire.

I give notice that Hanson Quarry Products Europe Limited

is applying to the North Yorkshire County Council

for [postponement of the periodic review date of 26th January 2001.]

~~[determination of new planning conditions]~~

Members of the public may inspect copies of :

- the application
- the supporting documents

at County Hall, Northallerton, North Yorkshire, DL7 8AH during all reasonable hours until 4th May 2000.

Any owner* of the land or tenant** who wishes to make representations about this application should write to the Council at the above address by 4th May 2000.

- * "owner" means a person having a freehold interest or a leasehold interest the unexpired term of which is not less than seven years, or, a person entitled to an interest in a mineral in the land (other than oil, gas, coal, gold or silver).
- * "tenant" means a tenant of an agricultural holding any part of which is comprised in the land.

Signed.....

On behalf of Hanson Quarry Products Europe Ltd

Date 13th April 2000

Agricultural Holdings Certificate B (a)

Whichever is appropriate of the following alternatives must form part of Certificates A, B, C, or D. If the applicant is the sole agricultural tenant he or she must delete the first alternative and insert "not applicable" as the information required by the second alternative.

* None of the land to which the application/appeal* relates is, or is part of, an agricultural holding.

or

~~I have/The applicant has/The appellant has* given the requisite notice to every person other than my/him/her*self who, on the day 21 days before the date of the application/appeal*, was a tenant of an agricultural holding on all or part of the land to which the application/appeal* relates, as follows :~~

Tenant's name	Address at which notice was served	Date on which notice was served
N/A	N/A	N/A

Signed..... D. Nominata

*On behalf of Hanson Quarry Products Europe Ltd

Date..... 13th April 2000

*delete where inappropriate

(a) This Certificate is to be used with postponement applications, and with conditions applications and appeals. One of Certificates A, B, C or D (or the appropriate certificate in the case of underground mining operations) must be completed, together with the Agricultural Holdings Certificate.

NOTICE UNDER ARTICLE 6 OF TOWN AND COUNTRY PLANNING (GENERAL DEVELOPMENT PROCEDURE) ORDER 1995 AND PARAGRAPH 5 OF SCHEDULE 14 – Periodic review postponement application - TO THE ENVIRONMENT ACT 1995

(to be published in a newspaper or to be served on an owner* or tenant**)

Development at Blubberhouses Quarry, Blubberhouses, Otley, North Yorkshire.

I give notice that Hanson Quarry Products Europe Ltd

is applying to the North Yorkshire County Council

for postponement of the periodic review date of 26th January 2001.

Any owner* of the land or tenant** who wishes to make representations about this application should write to the Council at County Hall, Northallerton, North Yorkshire, DL7 8AH by 4th May 2000.

* "owner" means a person having a freehold interest or a leasehold interest the unexpired term of which is not less than seven years, or, a person entitled to an interest in a mineral in the land (other than oil, gas, coal, gold or silver).

** "tenant" means a tenant of an agricultural holding any part of which is comprised in the land.

Signed..........

On behalf of Hanson Quarry Products Europe Ltd.

Date: 13th April 2000