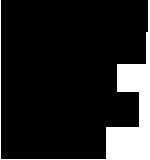




Mr. S Dudman  
Dudman Aggregates Ltd,



24<sup>th</sup> September 2018

Our reference: SV/04/07/2018/SR

Dear Mr. Dudman,

**The Town and Country Planning (Fees for Applications, Deemed Applications, Requests and Site Visits) (England) Regulations 2012.**

**Re: Site Monitoring Report, Minsted Sand Pit  
Planning Permission: SJ/98/1472 and SJ/98/1471**

I refer to the monitoring inspection which was conducted by Sabrina Robinson and Heather Lealan on the 6 August 2018 under the Town and Country Planning (Fees for Applications, Requests and Site Visits) (England) Regulations 2012, at the above site. The visit consisted of an accompanied site visit and an audit of the conditions.



For ease of reference, a “traffic light” system has been adopted in the comments column. Where there is non-compliance with any of the conditions attached to a permission, or other breaches of planning control are noted, these are shown in red. **Items marked in red require immediate attention.** Compliance with conditions is shown in green and any concerns, warnings, works to be undertaken or confirmation as to whether works have been implemented, are indicated in amber.

It is noted that a review of the mineral operating conditions (ROMP) is currently before this authority for consideration and that the further submission of information is currently awaited to allow its determination. In the intervening period since the last inspection the automatic suspension of the mineral development has continued in the absence of the necessary information to support the Environmental Statement to the ROMP.

I report on the compliance of the operations with respect to the planning conditions relating to planning permission **SJ/98/1472** at the time of the visit as follows:

Cond. No.	Scope of Condition	Comments
1	The winning and working of sand from the area edged red on Plan 1B, received by the Mineral Planning Authority on 23 <sup>rd</sup> May 1998, shall cease not later than 21s February 2014.	<i>Compliant – site is in suspension</i>

	<i>Reason: To comply with the Town and Country Planning Act 1990.</i>	
2	<p>The development hereby permitted shall be operated and restored in accordance with Plans M32m/27 ('Working Plan') and M32/28 ('Restoration Plan'), dated 04/98, and sections 5 and 6 of the written statement, dated 29.4.98 subject to the conditions of this permission.</p> <p><i>Reason: To define the area of the site subject to the working programme and restoration scheme.</i></p>	<p>Non-compliant – site is in suspension and under a ROMP review. These two plans conflict against each other. A new working and restoration plan is to be submitted during the ROMP process, this will then be assessed.</p>
3	<p>Sand shall be worked to its full depth to the base of the Folkestone Beds deposit, consistent with par (iii).</p> <p>The working of the sand from the margins of the pit shall be carried out such that:-</p> <p>(i) the pit side slope between the existing ground levels and a level 1.5 metres above the average ground water level does not exceed a gradient of 1 in 3:</p> <p>(ii) at the level of approximately 1.5 metres above the average ground water level a level platform of sand shall be formed with a width of not less than 3.0 metres;</p> <p>(iii) the side slope below the water table shall not exceed an angle of 30 degrees to the horizontal.</p> <p><i>Reason: To define the depth of working at the site and to secure a satisfactory working programme for the site.</i></p>	<p>Non-compliant – site is in suspension and under a ROMP review. The depth of working has yet to reach the base of the Folkestone Beds. However, the slopes, platform and water table are in breach due to previous working. This will be assessed during the ROMP process.</p>
4	<p>Sand from areas outside those identified for extraction on plan M32m/27, dated 04/98, will not be worked without a revised scheme of working, restoration and aftercare being submitted to and approved by the Mineral Planning Authority before the commencement of any such working. Any such approved scheme shall be carried out in full.</p> <p><i>Reason: To enable the Mineral Planning Authority to adequately control the development and to secure a proper restoration of the site.</i></p>	<p>Non-compliant – site is in suspension and under a ROMP review. These two plans conflict against each other. A new working, restoration and aftercare plan is to be submitted during the ROMP process, this will then be assessed.</p>
5	<p>All buildings, plant, machinery and hardstandings erected, constructed or used in pursuance of this permission shall be dismantled or demolished and removed from the Minsted Sandpit site and the area underneath them shall be restored in accordance with the scheme of restoration approved under condition 19 within twelve months of the permanent cessation of sand extraction from the Initial Review application site, as shown on plan 1B, received by the Mineral Planning Authority on 23<sup>rd</sup> May 1998, or by 21<sup>st</sup> February 2042, whichever is the earlier.</p>	<p>Compliant – site is in suspension</p>

	<i>Reason: to facilitate the restoration of the site and in the interest of the amenities of the locality.</i>	
6	<p>No materials shall be imported to the site and deposited or stored on the site.</p> <p><i>Reason: In the interests of the amenities of the locality and the satisfactory restoration of the site.</i></p>	<i>Technical non-compliance – Material has been imported to the site and has been placed on the boundary between the two permission. The material imported is in relation to the IDO area and is predominately on this side of the boundary. Further information is to be provided during the ROMP process, this will then be assessed.</i>
7	<p>No soils, overburden, clay, rock or other surplus materials associated with the extraction of sand shall be removed from the site.</p> <p><i>Reason: In the interests of the satisfactory restoration of the site.</i></p>	<i>Compliant – site is in suspension</i>
8	<p>Notwithstanding the submitted plans and supporting statement accompanying the application, the extent of mineral extraction shall conform to the area identified on the plan attached to Planning Permission SD/1/57A,d dated 30<sup>th</sup> May 1968, in which no working shall take place on the land hatched black within the bold black line, in accordance with condition 1 of that permission. Any subsequent amendments to the working programme and restoration scheme shall be submitted to the Mineral Planning Authority by 30<sup>th</sup> June 1999, for approval, unless otherwise agreed in writing by the Mineral Planning Authority. The approved amendments shall be carried out in full.</p> <p><i>Reason: To secure the correct planning permission for the extraction of minerals at the site.</i></p>	<p><i>Compliant insofar as conformity to the extent of working under SD/1/57A,d. - Non-compliant – site is in suspension and under a ROMP review. This breach is a result of conflicting plans which allow for working of this area under the working plan. A new working plan is to be submitted during the ROMP process, this will then be assessed.</i></p> <p><i>Should the suspension be lifted and before any operations on site the extraction will be marked out by marker posts.</i></p>
9	<p>Except in emergencies to maintain safe working or unless the Mineral Planning Authority has agreed otherwise in writing:-</p> <p>No operations or maintenance of plant and machinery shall be carried out at the site except between the following times:</p> <ul style="list-style-type: none"> <li>• 07.00 hours and 18.00 hours Monday to Friday and</li> <li>• 07.00 hours and 13.00 hours Saturday</li> </ul>	<i>Compliant – site is in suspension</i>

	<i>Reason: In the interests of the amenities of the locality and the residents of nearby properties.</i>	
10	<p>All vehicles, plant and machinery operated within the site shall be maintained in accordance with the manufacturer's specification at all times, and shall be fitted with and use effective silencers.</p> <p><i>Reason: In the interests of the amenities of the locality and the residents of nearby properties.</i></p>	<i>Compliant – site is in suspension.</i>
11	<p>The surfacing of the site entrance from the public highway and all areas of hardstanding within the site shall be maintained in a good state of repair and kept clean and free of mud and other debris at all times until completion of site restoration and aftercare.</p> <p><i>Reason: In the interest of highway safety and the amenities of the locality including the residents of nearby properties.</i></p>	<i>Compliant</i>
12	<p>No vehicles shall leave the site carrying soil, mud or other materials on their wheels in a quantity which causes a nuisance or hazard on the road system in the locality.</p> <p><i>Reason: In the interests of road safety and to safeguard the amenities of the residents and road users in the locality.</i></p>	<i>Compliant - site is in suspension.</i>
13	<p>By 31<sup>st</sup> June 1999, the operator shall initiate a hydrogeological investigation at the site to establish the effects arising from mineral extraction on the water environment. The investigation shall include measures to determine the groundwater levels, flow directions and quality of the water resources, as well as any seasonal variation. Identification of the effects from any changes to the characteristics of the water environment, including ground and surface waters and wetlands, brought about by the seasonal changes shall be recorded. The methods and extent of this investigation shall be agreed in writing by the Mineral Planning Authority prior to commencement and monitoring should continue for at least one year. Within one month of the completion of the hydrogeological investigation, details of any appropriate mitigation measures or modifications to the working, restoration or aftercare schemes shall be submitted for approval by the Mineral Planning Authority. The operator shall then incorporate these approved measures as part of the investigation, working and restoration scheme for the site.</p> <p><i>Reason: To minimize the risk of pollution to the aquifer.</i></p>	<i>This was submitted in 2016 as additional information for the ROMP and is yet to be determined.</i>
14	<p>All fuels, lubricants, chemicals and other potential pollutants shall be handled on the site in such a manner as to prevent pollution of any watercourse or aquifer. For any liquid other than water, this shall include storage in suitable tanks and containers which shall be housed in an area surrounded by</p>	<i>It was noted on site that this area was very full and the tanks were slightly higher than the wall. Therefore, should the site recommence</i>

	<p>bund walls of sufficient height and construction so as to contain 110% of the total contents of all containers and associated pipework. The floor and walls of the bunded areas shall be impervious to both water and oil. The pipes shall vent downwards into the bund.</p> <p><i>Reason: To minimize the risk of pollution to the aquifer.</i></p>	<p><i>please address this concern to ensure compliance.</i></p>
15	<p>No access to the site for vehicles shall be used except for the identified as the 'site entrance' on plan M32m/27, dated 04/98.</p> <p><i>Reason: To secure a satisfactory vehicular access to the site.</i></p>	<p>Compliant</p>
16	<p>Notwithstanding the provisions of the Town and Country planning (General Permitted Development) Order, 1995, no fixed plant, machinery or buildings, shall be installed or erected on the site without permission first having been obtained under Part 19, Class B, from the Mineral Planning Authority.</p> <p><i>Reason: To enable the Mineral Planning Authority to adequately control development at the site within the Area of Outstanding Natural Beauty.</i></p>	<p>Compliant</p>
17	<p>An archaeological investigation of the working area described as Phase 3 on plan M32m/27, dated 04/98, shall be carried out in accordance with a specification to be submitted to and agreed by the Mineral Planning Authority in writing, prior to the commencement of soil stripping and mineral extraction.</p> <p><i>Reason: To enable the area of archaeological interest to be adequately investigated and recorded.</i></p>	<p><i>This was submitted in 2014 as additional information for the ROMP and is yet to be determined.</i></p>
18	<p>Unless otherwise agreed in writing with the Mineral Planning Authority prior to the implementation of any changes the site shall be restored in accordance with the restoration details provided on the submitted plan M32m/28, as amended by the conditions of this permission, by no later than one year after the permanent cessation of working of sand from the site or by 21<sup>st</sup> February 2042, whichever is the earlier.</p> <p><i>Reason: To secure the satisfactory restoration of the site.</i></p>	<p>Non-compliant – site is in suspension and under a ROMP review. A new restoration and aftercare plan is to be submitted during the ROMP process, this will then be assessed.</p>
19	<p>The site shall be restored in the phases, as set out in plan M32m/27, dated 04/98, such that no part of the site remains unrestored for longer than 2 years following the cessation of the working of sand in any phase and in any case, not later than 21<sup>st</sup> February 2042.</p> <p><i>Reason: To secure the satisfactory restoration of the site.</i></p>	<p>Compliant – in so far as the site is in suspension. A new restoration and aftercare plan is to be submitted during the ROMP process, this will then be assessed.</p>

<p>20</p>	<p>Notwithstanding the information given on plan M32m/28, dated 04/98, no seeding or planting of trees, shrubs or other vegetation shall take place on the site unless and until details of the locations, species to be planted, the density of planting and timing of such planting, including the identification of areas to remain undisturbed, has been submitted to and approved in writing by the Mineral Planning Authority. The approved details shall be carried out in full.</p> <p><i>Reason: To secure the satisfactory restoration and aftercare of the site.</i></p>	<p>Non-compliant – site is in suspension and under a ROMP review. A new restoration and aftercare plan is to be submitted during the ROMP process, this will then be assessed.</p>
<p>21</p>	<p>Notwithstanding the submitted statement and plans in support of the application, the applicant shall submit the following details to the Mineral Planning Authority by 30<sup>th</sup> June 1999, for approval:</p> <ul style="list-style-type: none"> <li>(i) The manner in which the soils will be managed in the phasing of the restoration of the site;</li> <li>(ii) The position and extent of the site access track to be used for vehicles in carrying out restoration work;</li> <li>(iii) The manner in which the areas already disturbed and not included within the areas identified as phases on plan M32m/27, dated 04/098, including application site area SJ/98/1471, will be incorporated into the phased restorations scheme;</li> <li>(iv) The manner in which the areas subject o heathland restoration will be managed in the short term and long term, including the provision of a management plan;</li> <li>(v) Subject to (iv) a timetable for the seeding and planting regime for the site;</li> <li>(vi) Any amendment to the restoration scheme as a result of the change to the working programme, subject of condition 8.</li> </ul> <p>The approved details shall be carried out in full.</p> <p><i>Reason: To secure the satisfactory restoration and aftercare of the site.</i></p>	<p>Non-compliant – site is in suspension and under a ROMP review. This has been requested through the ROMP process upon which this will then be assessed.</p>
<p>22</p>	<p>Any phase which has been worked out in accordance with plan referenced M32m/28, as amended by the conditions of this permission and has been restored shall be subject to the provisions of an aftercare scheme to be submitted to the Mineral Planning Authority by 31<sup>st</sup> December 1999 unless otherwise agreed in writing with the Mineral Planning Authority. The approved scheme shall be carried out in full.</p> <p>The submitted scheme shall specify the steps to be taken and periods during which they are to be taken. Such steps shall be carried out for a period of 5 years following the</p>	<p>Non-compliant – site is in suspension and under a ROMP review. A new restoration and aftercare plan is to be submitted during the ROMP process, this will then be assessed.</p>

	<p>completion of the quarrying operations.</p> <p>Where the Mineral Planning Authority agrees in writing with the person or persons responsible for undertaking the aftercare steps, that there shall be lesser steps, or a different timing between steps, the aftercare shall be carried out in accordance with that agreement.</p> <p><i>Reason: To secure a satisfactory aftercare scheme for the site.</i></p>	
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I report on the compliance of the operations with respect to the planning conditions relating to planning permission **SJ/98/1471** at the time of the visit as follows:

Cond. No.	Scope of Condition	Comments
1	<p>The development hereby permitted shall be operated and restored in accordance with Plans M32m/27 ('Working Plan') and M32m/28 ('Restoration Plan'), dated 04/98, and sections 5 and 6 of the written statement, dated 29.4.98, as modified by the conditions of this permission.</p> <p><i>Reason: To define the area of the site subject to the working programme and restoration scheme.</i></p>	<p>Non-compliant – site is in suspension and under a ROMP review. These two plans conflict against each other. A new working and restoration plan is to be submitted during the ROMP process, this will then be assessed.</p>
2	<p>All buildings, plant, machinery and hardstandings erected, constructed or used in pursuance of this permission shall be dismantled or demolished and removed from the Minsted Sandpit site, and the area underneath them shall be restored in accordance with the scheme of restoration approved under condition 11 within twelve months of the permanent cessation of sand extraction from the adjoining Initial Review application site, as shown on plan 1B received by the Mineral Planning Authority on 23<sup>rd</sup> May 1998, or by 21<sup>st</sup> February 2042, whichever is the earlier.</p> <p><i>Reason: To facilitate the restoration of the site and in the interests of the amenities of the locality.</i></p>	<p>Non-compliant – site is in suspension and under a ROMP review. These two plans conflict against each other. A new working and restoration plan is to be submitted during the ROMP process, this will then be assessed.</p>
3	<p>No working of minerals shall take place within the IDO area as identified on Plan 1C, received on 23<sup>rd</sup> May 1998 by the Mineral Planning Authority, unless and until a scheme of working, restoration and aftercare has been submitted to and approved by the Mineral Planning Authority. The approved scheme shall be carried out in full.</p> <p><i>Reason: To enable the Mineral Planning Authority to secure a satisfactory working programme for the site prior to the recommencement of mineral extraction.</i></p>	<p>Technical non-compliance – No minerals are being worked within the IDO area, however a new working, restoration and aftercare plan is to be submitted during the ROMP process, this will then be assessed.</p>

4	<p>Except in emergencies to maintain safe working or unless the Mineral Planning Authority has agreed otherwise in writing:- No operations for restoration and aftercare shall be carried out at the site except between the following times:</p> <ul style="list-style-type: none"> <li>• 07.00 hours and 18.00 hours Monday to Friday and</li> <li>• 07.00 hours and 13.00 hours Saturday and</li> </ul> <p>No operations shall take place on Sunday or public holidays.</p> <p><i>Reason: In the interests of the amenities of the locality and the residents of nearby properties.</i></p>	<p><i>Compliant – site is in suspension.</i></p>
5	<p>All vehicles, plant and machinery operated within the site shall be maintained in accordance with the manufacturer’s specification at all times, and shall be fitted with and use effective silencers.</p> <p><i>Reason: In the interests of the amenities of the locality and the residents of nearby properties.</i></p>	<p><i>Compliant – site is in suspension.</i></p>
6	<p>The surfacing of the site entrance and all areas of hardstanding within the site shall be maintained in a good state of repair and kept clean and free of mud and other debris at all times until completion of site restoration and aftercare.</p> <p><i>Reason: In the interest of highway safety and the amenities of the locality, including the residents of nearby properties.</i></p>	<p><i>Compliant</i></p>
7	<p>No vehicles shall leave the site carrying soil, mud or other materials on their wheels in a quantity which causes a nuisance or hazard on the road system in the locality.</p> <p><i>Reason: In the interests of road safety and to safeguard the amenities of the residents and road users in the locality.</i></p>	<p><i>Compliant – site is in suspension.</i></p>
8	<p>All fuels, lubricants, chemicals and other potential pollutants shall be handled on the site in such a manner as to prevent pollution of any watercourse or aquifer. For any liquid other than water, this shall include storage in suitable tanks and containers which shall be housed in an area surrounded by bund walls of sufficient height and construction so as to contain 110% of the total contents of all containers and associated pipework. The floor and walls of the bunded areas shall be impervious to both water and oil. The pipes shall vent downwards into the bund.</p> <p><i>Reason: To minimize the risk of pollution to the aquifer.</i></p>	<p><i>It was noted on site that this area was very full and the tanks were slightly higher than the wall. Therefore, should the site recommence please address this concern to ensure compliance.</i></p>
9	<p>No access to the site for vehicles shall be used except for that identified as the ‘site entrance’ on plan M32m/27,</p>	<p><i>Compliant</i></p>



	<p>dated 04/98.</p> <p><i>Reason: To secure a satisfactory vehicular access to the site.</i></p>	
10	<p>Notwithstanding the provisions of the Town and Country Planning (General Permitted Development) Order, 1995, no fixed plant, machinery or buildings, shall be installed or erected on the site without permission first having been obtained under Part 19, Class B, from the Mineral Planning Authority.</p> <p><i>Reason: To enable the Mineral Planning Authority to adequately control development at the site within the Area of Outstanding Natural Beauty.</i></p>	<p><i>Technical non-compliant – site is in suspension. – A concrete batching plant has been erected in the IDO area which allows the importation of material. However is considered to be ancillary to the operations of the site and therefore further information is to be submitted during the ROMP process. This will then be assessed.</i></p>
11	<p>Unless otherwise agreed in writing with the Mineral planning Authority prior to the implantation of any changes, the site shall be restored in accordance with the restoration details provided on the submitted plan M32m/28 and described in section 6.0 of the statement submitted in support of the application, as amended by the conditions of this permission, by no later than one year after the permanent cessation of working of sand from the adjacent Initial Review site, as shown on plan 1B, received by the Mineral planning Authority on 23<sup>rd</sup> May 1998, or by 21<sup>st</sup> February 2042, whichever is the earlier.</p> <p><i>Reason: To secure a satisfactory restoration of the site.</i></p>	<p><i>Technical non-compliance. Site is not compliant with M32m/28 and section 6.0 of the written statement. However, a new working and restoration plan is to be submitted during the ROMP process, this will then be assessed.</i></p>
12	<p>Notwithstanding the information given on plan M32m/28, dated 04/98, no seeding or planting of trees and shrubs shall be commenced on the site unless and until the details of locations, species to be planted, density of planting and timing of such planting, including the identification of areas to remain undisturbed. Has been submitted to and approved in writing by the Mineral Planning Authority. The approved details shall be carried out in full.</p> <p><i>Reason: To secure a satisfactory restoration of the site.</i></p>	<p><i>Non-compliant – site is in suspension and under a ROMP review. This is to be submitted during the ROMP process, this will then be assessed.</i></p>
13	<p>Notwithstanding the submitted statement and plans in support of this application, the applicant shall submit the following details to the Mineral Planning Authority by 30<sup>th</sup> June 1999, for approval:</p> <ul style="list-style-type: none"> <li>(i) The manner in which the soils will be managed in the phasing of the restoration of the site;</li> <li>(ii) The position and extent of the site access track to be</li> </ul>	<p><i>Non-compliant – site is in suspension and under a ROMP review. A new restoration and aftercare plan is to be submitted during the ROMP process, this will then be assessed.</i></p>

	<p>used for vehicles in carrying out restoration work;</p> <p>(iii) The manner in which the site will be incorporated into the phased restoration of application site area SJ/98/1472;</p> <p>(iv) The manner in which the areas subject to heathland restoration will be managed in the short term and long term, including the provision of a management plan;</p> <p>(v) Subject to (iv), a timetable for the seeding and planting regime for the site;</p> <p>(vi) Any amendment to the restoration scheme as a result of the change to the working programme, subject of condition 8 of Planning Permission SJ/98/1472.</p> <p>The approved details shall be carried out in full.</p> <p><i>Reason: To secure the satisfactory restoration and aftercare of the site.</i></p>	
14	<p>The IDO area shall be restored in accordance with plan M32m/28, as amended by the conditions of this permission, and shall be subject to the provisions of an aftercare scheme to be submitted to the Mineral Planning Authority by 31<sup>st</sup> December 1999, unless otherwise agreed in writing by the Mineral Planning Authority. The approved scheme shall be carried out in full.</p> <p>The submitted scheme shall specify the steps to be taken and periods during which they are to be taken. Such steps shall be carried out for a period of 5 years following the completion of the quarrying operations.</p> <p>Where the Mineral Planning Authority agrees in writing with the person or persons responsible for undertaking the aftercare steps, that there shall be lesser step, or a different timing between steps, the aftercare shall be carried out in accordance with that agreement.</p> <p><i>Reason: To secure a satisfactory aftercare scheme for the site.</i></p>	<p>Non-compliant – site is in suspension and under a ROMP review. A new restoration and aftercare plan is to be submitted during the ROMP process, this will then be assessed.</p>

An invoice for the visit will follow. Thank you for your cooperation in this matter.

Yours Sincerely,

Sabrina Robinson  
 Minerals & Waste Monitoring and Compliance Officer  
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