

Report of the Assistant Director (Planning, Transportation & Highways) to the meeting of the Regulatory and Appeals Committee to be held on 9 November 2017

V

Subject:

Full planning application 17/01310/MAF for the extension of Rawdon Quarry, Apperley Lane.

Summary statement:

The Regulatory and Appeals Committee are asked to consider the recommendation for the determination of planning application ref. 17/01310/MAF, for the extension of Rawdon Quarry, made by the Assistant Director (Planning, Transportation and Highways) as set out in the Technical Report at Appendix 1. Taking development plan policies and other relevant material considerations into account it is considered that the proposed development represents an opportunity to extend an existing building stone quarry in an environmentally acceptable manner which will allow for the continued supply of natural stone building materials from the site.

Notwithstanding the concerns of objectors it is considered that the applicant has sufficiently demonstrated that the proposed extension should not subject the occupants of surrounding land to exposure to unacceptable levels of noise and dust, subject to mitigation measures which include a reduced proposed extension area, the formation of screening bunds, damping down, and suspension of activities in windy conditions. It is therefore recommended that planning permission is granted, subject to the conditions set out in the Technical Report at Appendix 1.

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Portfolio:

**Regeneration, Planning and Transport
Overview & Scrutiny Area:**

Regeneration and Economy

1. SUMMARY

The proposal is for an extension to an existing sandstone quarry through the excavation of a new void in a field to the north of the existing workings. The existing quarry void is now worked out and without the proposed extension the quarry will close. During the course of considering the application the applicant has significantly reduced the proposed scale of the extension in order to increase separation distances from adjacent residents and reduce tree loss and any potential damage to the adjacent woodland. The development site is within the Green Belt but the development is not inappropriate development within the Green Belt and is supported by adopted Core Strategy Policies EN9 and EN10, which set out a favourable planning policy framework towards the extension of existing building stone quarries, on environmentally acceptable sites.

Strong concerns have been raised by local residents in relation to the potential impacts of the proposed extension. Residents contend that the harmful impacts of the existing quarrying operations upon their residential amenities through noise disturbance and dust have increased to an unacceptable level and that the quarry should close, with the site restored to a beneficial afteruse in accordance with the terms of the current planning permission. However the proposed quarry extension would not bring quarrying activities significantly closer to residential properties than is the case for the existing workings, which were previously deemed to be acceptable.

The applicant has proposed measures to mitigate noise and dust impacts from the site including by reducing the scale of the proposed extension, introducing screening bunds, damping down and suspending activities during windy conditions. Additionally the applicant has submitted a Noise Assessment prepared by an appropriately qualified person which assesses the potential noise impact of the proposed quarry extension and finds that the development would not result in unacceptable noise impacts in terms of the standards set out in relevant government guidance documents.

Taking development plan policies and other relevant material considerations into account it is considered that the proposed development represents an opportunity to extend an existing building stone quarry in an environmentally acceptable manner, which will allow for the continued supply of natural stone building materials from the site. It is therefore recommended that planning permission is granted, subject to the conditions set out in the Technical Report at Appendix 1.

2. BACKGROUND

Attached at Appendix 1 is a copy of the Technical Report of the Assistant Director (Planning, Transportation and Highways). This identifies the material considerations relevant to the application.

3. OTHER CONSIDERATIONS

All considerations material to the determination of this planning application are set out in the Technical Report at Appendix 1.

4. OPTIONS

If the Committee proposes to follow the recommendation to grant planning permission then the Assistant Director (Planning, Transportation and Highways) can be authorised to issue a Decision Notice granting conditional planning permission for the extension of Rawdon Quarry in accordance with the particulars of the application.

Alternatively if the Committee decide that planning permission should be refused, they may refuse the application, in which case reasons for refusal will have to be given based upon development plan policies or other material planning considerations.

The Committee may also opt to grant planning permission subject to conditions which differ from those which are recommended in this report.

5. FINANCIAL & RESOURCE APPRAISAL

None relevant to this application.

6. RISK MANAGEMENT & GOVERNANCE ISSUES

None relevant to this application.

7. LEGAL APPRAISAL

The options set out above are within the Council's powers as the Mineral Planning Authority under the provisions of the Town and Country Planning Act 1990 (as amended).

8. OTHER IMPLICATIONS

8.1 EQUALITY & DIVERSITY

In writing this report due regard has been taken of the need to eliminate unlawful discrimination, harassment and victimisation, advance equality of opportunity between different groups and foster good relations between different groups, in accordance with the duty placed upon Local Authorities by Section 149 of the Equality Act 2010.

The context of the site, the development scheme proposed and the representations which have been made have been reviewed to identify the potential for the determination of this application to disadvantage any individuals or groups of people with characteristics protected under the Equality Act 2010. Several objectors have raised concerns that their status as retired people means that they will be disproportionately affected by the proposed development, being more likely to be at home during quarry operating hours than non-retired people. Consideration has therefore been given to whether the development would have disproportionate impacts on elderly people.

However this report finds that the environmental impacts of the quarry, principally in terms of noise and dust, can be mitigated to an acceptable level and therefore there is not considered to be any sound basis to conclude that the proposal would lead to either significant or disproportionate adverse impacts on the elderly or any other groups of people or individuals who possess protected characteristics.

Likewise, if planning permission were to be refused by the committee, it is not considered that this would unfairly disadvantage any groups or individuals with protected characteristics. Full details of the process of public consultation which has been gone through during the consideration of this application and a summary of the comments which have been made by members of the public are attached at Appendix 1.

8.2 SUSTAINABILITY IMPLICATIONS

The proposal is for an extension to an existing quarry. New minerals development would generally be considered unsustainable where there was no need for a new working, where the proposed working was unacceptably remote from potential markets for its minerals products or where the development would cause unacceptable harm to the natural or historic environment or society. The proposed quarry working is located adjacent to part of the District's Primary Road Network in a location between the major urban centres of Bradford and Leeds, where the majority of the demand for the building stones proposed to be produced from the site is likely to arise.

The applicant has demonstrated that a viable reserve of sandstone exists beneath the proposed quarry extension area, which is likely to be suitable to produce a range of building stone materials. Given the contraction of the Building Stone quarrying industry in recent years and the need for supplies of local natural building stone materials to be sustained to allow for appropriate building materials to be sourced for both the repair and extension of historic buildings and high quality new build development within the District, minerals policies EN9 and EN10 of the adopted Core Strategy set out a favourable policy framework for the extension of new building stone quarries.

Although the development is in proximity to several heritage assets in terms of listed buildings and the adjacent Conservation Area, given the separation distances provided, the relatively small scale of the proposed quarry extension and associated structures and the temporary nature of the proposed extension, it is not considered that the development would either unacceptably harm the character and appearance of the Conservation Area or the significance or setting of the nearby listed buildings. Furthermore this report finds that there is no reasonable basis to conclude that the proposed development would unacceptably harm the amenities enjoyed by the residents of adjacent properties. Likewise it is considered that the application adequately addresses ecological and tree protection issues, subject to an ecologically beneficial restoration scheme being agreed.

Overall it is therefore considered that the proposal represents sustainable minerals development consistent with the sustainability principles set out in the National Planning Policy Framework and the adopted Core Strategy.

8.3 GREENHOUSE GAS EMISSIONS IMPACTS

The proposed development will result in the release of additional greenhouse gases associated with the use of the plant and equipment required to win, work and process the sandstone reserve within the extension area. Greenhouse gasses will also be emitted as a consequence of the transportation of the sandstone building materials to their point of destination and the restoration of the quarry following the completion of operations.

However this report finds that the proposed development is needed to provide for adequate and steady supplies of Building Stone materials and that the development would represent sustainable minerals development. Furthermore, although road haulage of quarry materials will be required, the location of the quarry between the large building materials consumption markets of Bradford and Leeds is such that the need for the lengthy haulage of building materials will be minimised.

It is not considered that the proposed development would lead to unacceptable or disproportionate greenhouse gas emissions or that there is any reason to refuse planning permission upon this basis.

8.4 COMMUNITY SAFETY IMPLICATIONS

Adopted Core Strategy Policy DS5 states that development proposals should be designed to ensure a safe and secure environment and reduce the opportunities for crime. The proposal site is an existing quarry which incorporates a gated site access and security arrangements. Subject to appropriate boundary treatments being provided to secure the new extension area, it is not considered that there are grounds to conclude that the proposed development would create an unsafe or insecure environment or increase opportunities for crime, in accordance with adopted Core Strategy Policy DS5.

8.5 HUMAN RIGHTS ACT

The Council must seek to balance the rights of applicants to make beneficial use of land with the rights of nearby residents to quiet enjoyment of their land; together with any overriding need to restrict such rights in the overall public interest. In this case there is no reason to conclude that either granting or refusing planning permission will deprive anyone of their rights under the Human Rights Act.

8.6 TRADE UNION

There are no implications for Trades Unions relevant to this application.

8.7 WARD IMPLICATIONS

The proposal site is within the Idle and Thackley Ward. Ward Councillors and local residents have been made aware of the application and have been given opportunity to submit written representations through two rounds of publicity.

In response to this publicity 28 written representations have been received all of which object to the planning application. The Technical Report at Appendix 1 summarises the material planning issues raised in the representations and the appraisal gives full consideration to the effects of the development upon residents within the Idle and Thackley Ward.

In terms of the community consultation undertaken by the applicant, one of the points of objection raised is a concern that the application initially made inaccurate claims that the proposals had been discussed with affected local residents prior to the application being submitted. The applicant accepted that this claim was inaccurate and has sought to rectify this issue by visiting local residents to explain the proposals to them and allow opportunity to voice concerns directly.

9. NOT FOR PUBLICATION DOCUMENTS

None

10. RECOMMENDATIONS

To grant planning permission for the extension of Rawdon Quarry in accordance with the particulars of the planning application and subject to the conditions set out at the end of the Technical Report at Appendix 1

11. APPENDICES

Appendix 1: Technical Report

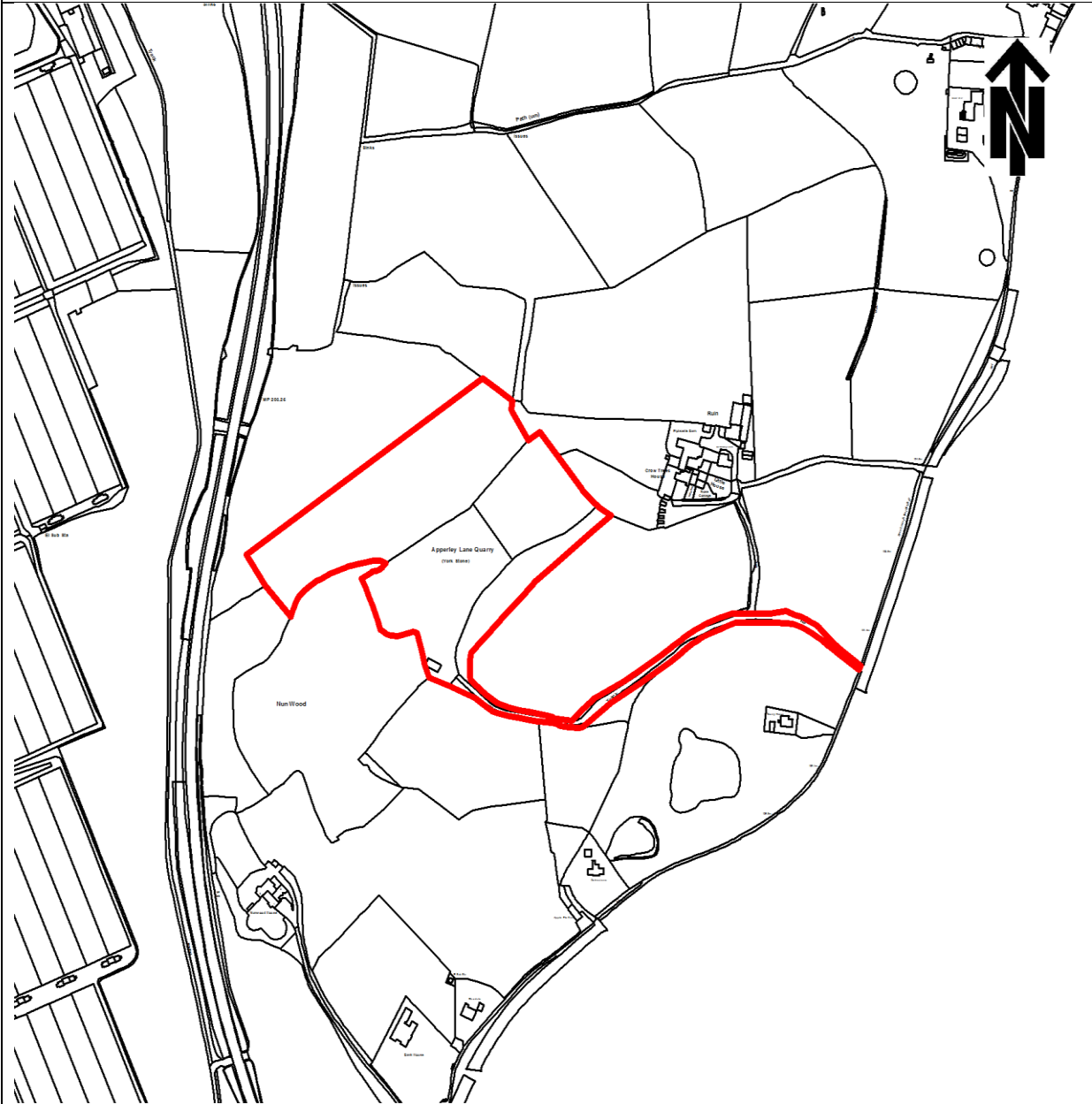
12. BACKGROUND DOCUMENTS

- Adopted Core Strategy
- National Planning Policy Framework
- Application file 17/01310/MAF

17/01310/MAF



City of
BRADFORD
METROPOLITAN DISTRICT COUNCIL



1:5,000

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**Rawdon Quarry
Apperley Lane
Apperley Bridge
Bradford LS19 7EG**

Appendix 1

09 November 2017

Ward: Idle and Thackley (13)

Recommendation:

To grant planning permission for the extension of Rawdon Quarry to the planning conditions recommended at the end of this report.

Application Number:

17/01310/MAF

Type of Application/Proposal and Address:

Full planning application for the extension of Rawdon Quarry, Apperley Lane.

Applicant:

W E Leach (ShIPLEY) Ltd

Agent:

BK Designs

Site Description:

The 3.7 hectare area of land to which this planning application relates comprises 3 distinct areas (a) an open area of land accommodating welfare cabins, a compound and storage and processing areas used for operational purposes associated with the existing extent of Rawdon Quarry; (b) the 400 metre long access track which runs from the A658 to this operational area; and (c) the proposed new extension area within a pasture field to the north of the operational area which slopes down towards the floodplain at the bottom of Aire Valley occupied by Esholt Waste Water Treatment Works. The existing quarry void to the south of the operational area, which has been worked out and is due for restoration, is not included in this application. A screener is currently located in this quarry void.

The location of the site is in the relatively narrow section of Green Belt between Bradford and Leeds, with the A658 providing the road link between the two. A railway line runs along the bottom of the Aire Valley in this location. The site is primarily bounded by stone field walls and post and wire fencing however the boundary between the proposed extension area and the remainder of the pasture field to the north is not currently physically defined. The access track has recently been maintained/ improved with fresh aggregate laid down to fill ruts and potholes. Nun Wood, a 2 hectare woodland, is located adjacent to the operational area and proposed extension area to the south/ west.

The surrounding area accommodates a number of residential dwellings, primarily comprising either detached dwellings set in their own grounds, small hamlets or farmhouses. The closest farmstead to the proposed extension area, Crow Trees Farm, has been converted into a small hamlet of residential dwellings. The crow trees farm complex is located approximately 140 metres from the nearest part of the proposed extension area and approximately 130m metres from the nearest part of the proposed operational area. Other residential dwellings are located 50 metres south of the site access, 200 metres south-east of the operational area and 200 metres south-west of the operational area. The land immediately surrounding the site comprises interspersed pasture fields and woodland.

Relevant Site History:

75/5/02143 - Quarry extension - Granted 13/08/1975

76/5/04852 - Quarry extension - Granted 23/09/1976

97/02001/FUL - Quarry extension - Granted 07/04/1998

01/04027/FUL - Quarry extension - Granted 25/07/2002

03/02974/VOC - Increase in size of vehicle parking, turning and storage area - Granted 04/11/2003

04/00843/FUL - Provision of area of site for storing, sorting and dressing of demolition stone - Granted 01/04/2004

10/05231/FUL - Continued quarrying of sandstone, followed by restoration through backfilling of minerals waste and deposit of imported infill material, and also the continued recycling of imported demolition stone, for a further temporary period with restoration by 30 April 2018 - Granted 01/12/2011

12/02598/VOC – Variation of Condition 10 of planning permission 10/05231/FUL to allow screening plant to be operated at the site – Granted 15/08/2012

15/01607/VOC – Variation of condition 2 to allow the development of a fenced site compound, hard standing and additional cabin/ containers – Granted 12/08/2015

Development Plan Proposals Map Allocation:

- The proposal site is within the Green Belt as defined by the Proposals Map.
- The operational area and a small part of the proposed extension area are within the Minerals Area of Search shown on the Proposals Map.

Proposals and Policies

As the site is within the Green Belt saved policy GB1 of the replacement Unitary Development Plan (RUDP) is therefore relevant. The minerals policies set out in the RUDP have now been superseded by those set out in the Core Strategy. The following adopted Core Strategy policies are considered to be particularly relevant to the proposed development:

- EN2 - Biodiversity and Geodiveristy
- EN3 - Historic Environment
- EN4 - Landscape
- EN5 - Trees and woodlands
- EN7 - Flood Risk
- EN8 - Environmental Protection Policy
- EN9 - New Minerals Extraction Sites
- EN10 - Sandstone Supply

The National Planning Policy Framework (NPPF):

The NPPF sets out the government's national planning polices, which are a material consideration for all planning applications submitted in England. Detailed assessment of specific policies within the NPPF relevant to the proposed development is included in the report below; however, in general terms, the NPPF states that development proposals which accord with the development plan should be approved without delay. Where the development plan is absent, silent or relevant policies are out-of-date, permission should be granted unless:

- any adverse impacts of doing so would significantly and demonstrably outweigh the benefits, when assessed against the policies in the NPPF taken as a whole;
- or specific policies in the NPPF indicate development should be restricted.

Parish Council:

None Covering This Area.

Publicity and Number of Representations:

The application was initially advertised as a major planning application through the posting of site notices and neighbour notification letters and the publication of a notice in the Telegraph and Argus newspaper on 07 April 2017. The date specified on these initial notices, by which representations should be submitted, was 28 April 2017.

Following the submission of revised plans and further information by the applicant further neighbour notification letters were sent specifying that comments on the amended proposals and further information should be submitted by 10 October 2017.

In response to this publicity 28 written representations have been received, all of which object to the proposals.

Summary of Representations Received:

Green Belt/ Landscape

- This is greenbelt land which should be protected
- The development will impact on the historical vistas and will be at the detriment of greenbelt.
- It's clear the existing quarrying operation needs closing down and returning to greenbelt grazing land.
- I feel like the beauty of the area will be jeopardised by the planning application in question.

Noise & Dust

- The noise and dust from the access road and existing site are not under control.
- There are very loud noise levels for long periods;
- After residing in this location for decades, the noise we have and are still experiencing is the worst in living memory.
- With the addition of the extension there will be noise and dust from three different directions at once.
- The access road is in a poor state of repair with pot holes and ruts causing lorries and vehicles to rock from side to side creating unnecessary noise and dust.
- For noise purposes the speed limit does not work as skip vehicles and heavy waggons rattle and bang as they bounce up and down over the potholes even at slow speeds.
- At no time have I witnessed wheel washing or any other attempt to control dust which I believe was an original restriction.

- Noise levels from the site are currently so great the double glazing is ineffective at reducing noise to acceptable levels.
- Bunds will be ineffective at screening residents from noise and dust impacts due to the close proximity of residents, the heavy plant used at the site and the nature of the local topography & wind direction.
- The screening machine noise is horrendous and needs to be well away from the residential properties, in a pit with acoustic soundproofing to have any chance of cutting out the noise to an acceptable level, just placing it out of sight in the quarry site area is not enough to eradicate the noise to an acceptable level.
- The residential properties are far too close to the screening machines, excavators and heavy plant currently used by the quarry, because of the excessive noise and dust they generate.
- The noise assessment is not independent as it was commissioned by the applicant.
- The noise assessment underestimates the noise impact of the screener.
- The dust from the quarry workings is potentially fatal.
- The proposal would have a disproportionate impact on the residents within the vicinity of the site who are retired in terms of their ability to enjoy the use of their houses and gardens during the working week without noise and dust disturbance from the quarry.
- The proposed extension will result in levels of dust which will leave deposits on windows, washing lines and cars.
- The development will result in residents not being able to open their windows 6 days per week.
- The dust and road debris around the entrance is alarming.
- How will the noise and dust be monitored and controlled?
- Some of the now retired residents have already endured years of quarrying and landfill on their doorsteps dating back to the 1980s. Others who work from home will also be affected by this daily nuisance. Approximately 5 out of the 7 properties at LS19 7EG are currently occupied during the day, every day.
- I understand that Bradford City Council propose wind turbines in very close proximity to the quarry - and I am alarmed that the quarry dust will be distributed further still across the valley and surrounding neighbourhoods
- No provisions have been made to protect residents from an increase in dust from the extended quarry which will be creeping nearer to residential areas.
- Government guidance indicates that situating a quarry in such close proximity to residential dwellings could cause nuisance and health problems through dust exposure and this has not been properly assessed.
- Several of the residents at Crow Trees, because of the Quarry, have decibel meters and we are getting readings way above any of the reports issued on behalf of the Quarry so far.
- The noise levels have increased of late and we are getting dust drifting across, both from the access road and the existing site.
- Skip waggons seem to put out the most noise when using the access road, because of the potholes the chains holding the bucket rattle from side to side against the supports.

- The quarry today bears no resemblance from the days of a few men with hammers and chisels and the minimum of mechanised machinery to heavy plant, diggers screening machines etc with all the noise and dust associated with such, and the close proximity to residents.
- Dust will lead to a reduction in air quality but more importantly will be a significant health hazard to the residents
- noise levels have now reached an all-time high. I have personally recorded levels of 67db at my property and machinery can still be heard indoors with windows closed. This is without the proposed extension, which would undoubtedly further increase noise pollution in the area, thus compounding the problem.
- We have lived in this listed cottage in Cragg Woods Conservation Area for over 20 years and only experienced quarrying activity as a problem in very recent years.
- Thick black acrid smoke already comes from the site during evening and night as it is will likely get much worse, why does a quarry produce smoke such as this anyway and why should residents breath it?
- We have lived in our current property for 19 years. Over that time the noise of activity has increased considerably.
- The proposal suggests Saturday is an existing working day and that the new proposals would include Saturday working hours. This is not the case and currently means our weekends, at least, are protected from the noise. I would be horrified to think that we would be subjected to constant building site noise on our weekends as well.
- A lot of the cottages near to the site retain original single glazed windows that add character and amenity to the conservation area of Little London. While absolutely serviceable and in excellent condition, single glazed windows are not fit for cancelling out additional noise.

Heritage

- The existing site is far too close to Grade 2 listed residential properties.
- As I'm sure you're aware, Cliffe Drive is part of the Cragg Wood Conservation area, as is Little London, and it is imperative that we look after these protected areas. Surely by introducing further noise and mess into the equation, we're doing the exact opposite.
- Proximity to grade 2 listed buildings is completely unacceptable.
- Lack of respect for local conservation areas of Little London and Cragg Wood. Views intrinsic to the conservation areas will be affected.

Consultation

- The Quarry representatives visited us AFTER their initial application which stated they had spoken to us and there were no adverse comments, but all seven properties at Crowtrees have objected and there have been numerous objectors from the surrounding area posted on the planning web site.
- There has been a failure to notify or lack of consultation with residents and a lack of details re the 15 year plan and how this will be phased.

- The site manager has not made contact to discuss the revised proposals and therefore I am not surprised that there has been no 'adverse' comments!
- Local residents have not been consulted about this proposed development and notices were not displayed until very late in the process.

Trees/ Ecology

- The Application fails to make this clear, but T25 and T26 which are English Oaks are at threat of removal.
- Incorrect information on bat numbers, which conflicts with previous surveys which have been undertaken, this report needs to be repeated and correct information gathered to ensure adequate protection of bat population.
- The documents regarding wildlife in the area are a complete nonsense. This is a large wildlife area and some of the dates and species numbers of sightings are well out of date.
- There will also be an impact on the water table in relation to the survival of trees on the boundary of Nun Wood and the local wildlife site.
- The quarry will affect a natural spring which is used as a watering hole for the wildlife.

Access/ Highways

- The proposals indicate the current rate of HGV movements are retained, however there is no mention of non HGV traffic i.e. mini skip wagons, 7.5 tonne tippers, etc. which has significantly increased and affected the current poorly maintained access road. This in itself has resulted in the additional noise, dust and mud which the residents are complaining about. These vehicles will not be subject to any of the original restrictions, control, monitoring, proposed wheel washing, etc. but nevertheless are a contributory factor to all the above issues.
- The road has not been maintained as described and still remains heavily potholed, contributing to excessive noise levels, especially empty HGV 8 wheelers & skip wagons.
- Currently, dirt being transferred to the public highway is low but will become a major problem once again in the winter months because of the unmaintained condition of the access road and the lack of a permanent water supply and wheel cleaning equipment.
- I sometimes have problems crossing the road near the quarry as the road is dirty and sandy, this would be made even worse.

Requested Controls

- strict timescales
- robust reporting procedure
- record of Site Inspections, detailing traffic movements, noise reports and general working practices, etc. made available & accessible for any interested parties.

- a further landscaping & visual report with an arboricultural & habitat report mid term, specifically to monitor the impact of these proposed operations to this precious area of Green Belt.
- It needs to be ensured that the Saturday morning working period is for maintenance only.
- It is not clear how the proposed HGV traffic to and from the site will be managed. This needs to be a robust system which would also monitor other vehicles, not just HGV's.

Lack of Information

- The lack of detail surrounding both the phased implementation plan and restoration strategy is frustrating and concerning.
- There is not a plan to show accurately all of the trees on the site to be retained along with their protected root zone area.
- The proposed contour plan needs to be redrawn to show how the proposed contours relate to retained existing contours around root zones.
- There is no phased restoration plan included in the application. Top soil must be left on the site for restoration purposes.
- A restoration plan should show things like retention, replacement and repair of things such as dry stone walls and how the fields will be restored and with what material.
- There has not been a justification of the Need for the development of the quarry within the Greenbelt, given its proximity to residents and valued public rights of way. Could this type of quarrying be done on a different site that is not in the Greenbelt, for the same materials?
- The planning application has been incorrectly completed by the applicant.

Existing Breaches of Planning Control

- The quarry operators are currently unable to manage the existing quarry workings within their existing planning rules which they are breaching on a regular basis, this makes it impossible in my eyes for them to manage an even larger quarrying operation.
- Vehicle movements in and out of the quarry are still occasionally exceeding 12 per day and they still continue to start work before 8 am despite complaints from residents.
- A recent area that has been quarried and filled is now simply unused scruffy scrubland with no visual amenity. This land has been lost. The area has not been re-seeded with grass or turned into wild meadow.
- why are vehicles leaving site with processed top soil?

- planning application 10/05231/FUL explicitly stipulates that the wheels of vehicles leaving the site must be washed before entering on to the highway and also stockpiled soil must be kept damp to avoid dust issues. None of this has ever been carried out, nor do they have an official water supply at the quarry. They do use the Farmer's water supply occasionally but that's only a recent thing.
- There is often activity before 8am

Woodland Trust Comments

- The Trust is deeply concerned about the adverse impacts that the proposed extension of the quarry site would have in relation to Nun Wood. Development resulting in damage or loss to ancient woodland is unacceptable and should not be granted permission.
- The Woodland Trust objects to this planning application. If an adequate buffer, of at least 100m, is not implemented between the extension and ancient woodland then it is clear that the wood will be subject to considerable adverse impacts. This places the application in direct contravention of national planning policy.

Consultations:

Airedale Partnership

No comment. Not in Airedale.

Drainage/ Lead Local Flood Authority

The Drainage Authority (LLFA) has assessed the documentation relating to the surface water disposal on the proposed development, against the requirements of the National Planning Policy Framework and Planning Practice Guidance. An assessment of the submitted documentation has been carried out and if the following details are implemented and secured by way of a planning condition on any planning permission the Drainage Authority have **NO OBJECTION** to the proposed development.

Condition: No development to commence until a Hydrogeological Assessment is carried out on the effects of dewatering the site including the disruption to spring flows and any necessary associated mitigation methods have been submitted and approved by the Local Authority.

Environment Agency

The proposed development presents a risk to groundwater which is particularly sensitive in this location because the proposed development site is located on a secondary A aquifer.

The Geology Report, reference: AQ1/1.1/MIC dated August has been submitted to support the application. The report indicates that the proposed activity will disrupt the spring flow and that groundwater management will be necessary. We accept that further detailed information will be required before any development is undertaken.

Environment Agency position

The proposed development will only meet the requirements of the National Planning Policy Framework if the following measure is secured by way of a planning condition on any planning permission.

Condition: The development hereby permitted may not commence until a Hydrogeological Impact Appraisal on the effects of dewatering and a scheme to secure dewatering of the site have been submitted to, and approved in writing by, the local planning authority.

The scheme shall be fully implemented, in accordance with the scheme, or any changes as may subsequently be agreed, in writing, by the local planning authority.

Reason: To ensure that the proposed development does not harm the water environment in line with paragraph 109 of the National Planning Policy Framework.

Environmental Health (Air Quality)

I have reviewed this application and it would appear that there is no predicted increase in HGV movements from the site as a result of the proposed extension. On this basis the application is unlikely to impact on any of the existing Air Quality Management Areas or other places where traffic emissions are of concern. I therefore have no objection to the proposal in relation to traffic pollution.

There is potential for fugitive emissions of particulate matter to arise from the site which could give rise to nuisance dust if not adequately controlled. These types of emissions are best controlled via nuisance prevention conditions or via any environmental permits relating to the use of plant (particular crushers and screeners) at the site. My colleagues in the pollution team are best placed to advise further on this aspect.

Environmental Health (Nuisance)

I have read the Noise Impact Assessment report prepared by Richard Pennell of Environmental Noise Solutions Limited dated 11th September 2017 and carried out a site visit to discuss the work activities with the operators in light of concerns raised from the nearest noise receptors.

The predicted day time sound levels arising from all the noise sources fall below and meet the criteria recommended in the National Planning Policy Framework (NPPF) and the Noise Policy Statement for England 2010 states that:

- **NOEL – No Observed Effect Level.** The level below which no effect can be detected. In simple terms, no effect on health and quality of life detectable due to noise

The measurements in the report indicate that the noise levels from the works activities are within the noise limit criteria as prescribed.

However, concerns were raised regarding the screener, a piece of equipment that the report identifies will not be required for the future proposed work activities. Should this piece of machinery be used, I would recommend that a condition is placed on the decision notice to limit its use.

I should also point out that the methodology of the report uses the LAeq parameter which is used to monitor an equivalent continuous sound level occurring over a set period of time which is accurate; however consideration should also be given to miscellaneous noise

described commonly as impact/ impulse noise and measured using the L_{Amax}. However, it should be noted that there are no guidance notes with a prescribed criterion for comparison of limits.

This being the case, I have no objections to this application.

It should be noted that if this Department receives any noise related complaints, an investigation will commence into the allegations to determine whether a statutory nuisance from noise exists as defined by the Environmental Protection Act 1990. Should this be the case, appropriate action will be taken in line with the Department's Enforcement Policy.

Highways Development Control

- The supporting document to this application states that there will be no increase in the number of HGV movements to and from the site (currently limited to twelve HGV movements in and out of the site per day).
- Therefore if this restriction is to be retained, and given that there is no established pattern of accidents on the A658 Apperley Lane in connection with the existing use of the site, then I would have no highway objections to raise.

Trees Team

There are a number of trees within the site, many of which are high quality. The information submitted shows that the proposals have been designed around the trees to have the least impact. Therefore I have no objections to the proposals.

West Yorkshire Police

I have viewed the plans and information on the system. From a crime perspective there are no comments to add. I have checked crime statistics at the address and no crimes have been reported within the past 18 months, so any security measures that are currently in place will continue to suffice.

Yorkshire Water

- There is no public infrastructure (sewers or water mains) recorded crossing the proposed extension site. Based on the information submitted, no comments are required from Yorkshire Water.

Summary of Main Issues:

- 1) Principle
- 2) Residential Amenity
- 3) Access and Highways
- 4) Landscape/ Heritage
- 5) Flood Risk and Drainage
- 6) Ecology/ Biodiversity
- 7) Community Safety Implications
- 8) Equality Act 2010, Section 149

Appraisal:

1) Principle

At paragraph 90 the NPPF confirms that minerals extraction is not inappropriate in the Green Belt, provided the development preserves the openness of the Green Belt and does not conflict with the purposes of including land within the Green Belt. The proposed development will essentially involve maintaining the current quarry operational area for a further 15 years and also excavating a new quarry void with associated screening bunds. Following the expiration of the 15 year period the site would be restored to grass and woodland, providing that further planning permission has not been granted.

The magnitude of the impact of this development on the openness of the Green Belt is limited, the effect is reversible and the duration is temporary. It is therefore considered that the proposed minerals extraction operation would not be inappropriate development in the green belt.

At paragraph 144 the NPPF advises Planning Authorities to give great weight to the benefits of the mineral extraction, including to the economy, subject to certain caveats. Furthermore the NPPF advises that Planning Authorities should recognise the small-scale nature and impact of building and roofing stone quarries, and the need for a flexible approach to the potentially long duration of planning permissions reflecting the intermittent or low rate of working at many sites.

Policy EN9(B) of the adopted Local Plan Core Strategy states that proposals to open up a new minerals extraction site on previously developed land, re-open a disused minerals extraction site, or extend an existing minerals extraction site, will be supported in principle provided that all of the following criteria are met:

1. For the protection of the South Pennine Moors SPA, avoid and/or mitigate loss or deterioration of important foraging land within the SPA's zone of influence.
2. The proposal accords with the policy for the specific mineral proposed to be extracted, as set out in policies EN10 and EN11, and;
3. The development would not result in unacceptable adverse impacts on people or the environment in terms of pollution, flooding or land stability risks, or harm to amenity, heritage assets or their setting, or harm the character of the landscape, taking into account the cumulative effects associated with all existing or approved developments affecting the area and the environmental criteria set out in other Local Development Plan Policies, and;
4. The development would not lead to a long-term net loss of biodiversity, to the loss or significant deterioration of any irreplaceable habitats, or to the permanent disruption of a significant ecological network, and;
5. If the proposal is to extend an existing minerals extraction site: existing permitted reserves are close to exhaustion and those parts of the existing site which it is practicable to restore, without unreasonably constraining future minerals extraction activity, have been restored.

It is considered that all of these criteria are met as:

- a. the site is not within the South Pennine Moors SPA or its zone of influence;
- b. the proposal accords with policy EN10, as assessed below;

- c. the development would not result in unacceptable adverse impacts on people or the environment, as assessed further in subsequent sections of this report;
- d. subject to appropriate restoration details being agreed in terms of the seed mixes to be used and the provision of replacement/ additional planting, the development would not lead to a long-term net loss of biodiversity, to the loss or significant deterioration of any irreplaceable habitats, or to the permanent disruption of a significant ecological network, and;
- e. Reserves have been exhausted within the existing quarry void and, although this void has not yet been restored, the applicant argues that the most appropriate way of restoring this void would be to backfill overburden from the proposed extension area, a condition is recommended at the end of this report which would require this backfilling of the existing void to occur prior to extracting stone from the extension area.

Adopted Core Strategy policy EN10 confirms that, within the area of search identified in the Allocations DPD, proposals for the extraction of sandstone where the proposed reserves will primarily be used for the production of high quality building, roofing or paving stones will be supported in principle. Although the Allocations Development Plan Document has not yet been produced, the proposal site is consistent with the Area of Search Criteria set out at EN10(E) and is therefore likely to be within the area of search in that:

- i. the applicant has provided a geological report which demonstrates that a viable sandstone resource exists beneath the proposal site;
- ii. the site is not within a designated nature conservation site (SPA, SAC, SSSI, etc);
- iii. the habitats on the proposed extension area, pasture with trees and woodland, are not irreplaceable and the development would not permanently disrupt a significant ecological network, and
- iv. the site is not within an urban area (albeit residential dwellings do exist in proximity to the site).

The Core Strategy sets out favourable policies to attempt to arrest the decline of the building stone quarrying industry within the District. Building stone products produced in the district are valued both for their use in new build development projects, public realm paving schemes, and for the repair and extension of traditional buildings. Maintaining adequate and steady supplies of local building stones is necessary to ensure that appropriate building materials can be source to maintain and enhance the historic character of the District's urban fabric. Building Stones have been supplied from quarries in and around the current quarry location for over a century; without the proposed quarry extension the quarry would close and this source of building stone supply would cease.

This proposed extension to an existing Building Stone quarry is supported in principle by the NPPF and the adopted Development Plan Core Strategy. However quarry extensions should only be permitted where it is environmental acceptable to do so in terms of the effect of quarrying on the natural and historic environment and the occupants of surrounding land. The remainder of the report below explains why it is considered that in this instance the proposed quarry extension would not result in unacceptable adverse impacts.

2) Residential Amenity

Core strategy policy EN8 indicates that in order to protect public health and the environment the Council will require that proposals which are likely to cause pollution or are likely to result in exposure to sources of pollution (including noise, odour and light pollution) or risks to safety, will only be permitted if measures can be implemented to minimise pollution and risk to a level that provides a high standard of protection for health, environmental quality and amenity. Policy EN9 states the minerals development should not be allowed where it would have unacceptable adverse impacts on people.

The principle concern raised in objections to the proposed development is the contention that noise and dust impacts will unacceptably harm the amenities enjoyed by the residents of nearby homes. In this regard it should be noted that quarrying has been on-going in the locality of the site for over a century. It should also be noted that the most recent quarry excavation, which is now due for restoration, was located considerably closer to the nearest residential dwelling, approximately 60 metres, than the separation distance afforded by the proposed new extension, which is located approximately 130 to 140 metres from the dwellings at Crow Trees Farm.

In terms of dust impacts the Council does not have a significant record of dust complaints about the site and significant dust problems have not been observed during site visits. Dust may arise when conditions are dry; however the site is subject to planning conditions which require damping down during dry and dust conditions and suspension of activities if dust is generated. As separation distances to adjacent residential dwellings are not being substantially reduced by the proposed extension it is not considered that there is any basis to conclude that these mitigation measures are no longer sufficient to control dust generation at the site.

In relation to noise impacts the Council's Environment Health Service initially objected to the proposal as they did not consider that noise impacts had been appropriately assessed by the applicant. To address this concern the applicant commissioned and submitted a noise assessment. The noise assessment includes an assessment of the noise baseline, an assessment of the potential noise generation associated with the proposed development and a noise impact assessment.

This noise impact assessment found that the calculated specific noise level for the extension area of the quarry at NSR1 (Crow Trees Farm), of 46 dB LAeq,1 hour, is 5 dB over the residual background noise level. The guideline level set out in Planning Practice guidance is no more than 10 dB above background and below the absolute criterion of 55 dB(A) LAeq, 1h (freefield) for normal operations. The report concludes that the noise associated with the current and proposed extension to mineral extraction works has been calculated to comply with the guidance criteria. In addition to the assessment provided by the applicant the Council's Environmental Health Officer has visited the site and assessed the potential impacts of the proposed development. Upon this basis the Environmental Health Service have confirmed that they do not object to the proposed development in terms of potential nuisance impacts.

Although the concerns of residents are recognised, it is necessary to objectively assess whether the potential impacts of the proposed quarry extension are unacceptable in terms of the standards set out in planning policies and guidance. In this instance it is considered that, subject to the conditions recommended at the end of this report limiting hours of operation and HGV movements, requiring bunding and exerting dust controls, there is no valid basis to conclude that the proposed quarry extension would be likely to unacceptably harm the amenities enjoyed by the occupants of surrounding land. The proposal is therefore considered to accord with Core Strategy Policies EN8 and EN9.

3) Access and Highways

Adopted Core Strategy policy TR1 indicates that through planning decisions the Council will aim to reduce the demand for travel, encourage and facilitate the use of sustainable travel modes, limit traffic growth, reduce congestion and improve journey time reliability through (amongst other things) ensuring that development is appropriately located to ensure that the need to travel is reduced, the use of sustainable travel is maximised, and the impact of development on the existing transport networks is minimal. Paragraph 32 of the NPPF confirms that development should only be prevented or refused on transport grounds where the residual cumulative impacts of development are severe.

The proposal would allow quarrying operations to continue for a further 15 year period but would not increase the intensity of HGV traffic associated with the quarry. The site has for a number of years been subject to a 12 in/ 12 out HGV movement restriction. A HGV means any commercial vehicle having a permitted gross vehicle weight (GVW) in excess of 7500kg. The site has the benefit of a good standard access onto an A road which forms part of the District's Primary Road Network. Internal parking and vehicle manoeuvring facilities would remain as at present with a new haul road ramping down to the proposed northern extension.

Upon the basis that HGV movements would not increase as a consequence of the proposed development and the lack of accident record associated with the existing traffic levels the Council's Highways Development Control team have confirmed that they do not object to the proposed development. Subject to the conditions set out at the end of this report, which include a HGV movement restriction and highway mud prevention requirement, it is considered that the proposed development will not result in unacceptable highway impacts and that therefore there is no reason to refuse planning permission upon this basis.

4) Landscape/ Heritage

Core Strategy Policy EN4 states that Development Decisions should make a positive contribution towards the conservation, management and enhancement of the diversity of landscapes within the District. Policy EN3 states that the Council, through planning and development decisions, will work with partners to proactively preserve, protect and enhance the character, appearance, archaeological and historic value and significance of the District's designated and undesignated heritage assets and their settings.

In order to assess the potential impact of the development upon the character of the landscape the applicant submitted a Landscape and Visual Impact Appraisal to support the application. This report assesses that the site area and surrounding environment

reveals a landscape that has been heavily influenced by the effects of existing mineral workings, for example within Dawson Wood, where restored areas are providing valuable elements within the landscape.

The report goes on to advise that development within the application site will directly alter the fabric of the physical components within the site and introduce features into an area which was previously a grazed field. However the scale of the proposed quarry extension is considered to be accordant with the receiving landscape. The topography of the receiving landscape and heavily wooded features on the valley sides affords significant screening and it is considered that the development can be accommodated with limited visual effects during the operational phase.

The report further advises that the majority of potential receptors within the study area are users of Public Rights of Way. Many of the Rights of Way are afforded significant screening in the form of tree belts, topography or other obscuring elements within the landscape. Where visibility does occur, this is often for a small sections of wider routes and which will have a nominal impacts upon transient receptors. The study area is

sparsely populated and residential dwellings are generally set within gardens containing boundary features and vegetation. Where residents could experience visibility towards the site, their distance from the site and extent to which the development would be seen within a much wider context, or afforded screening, reduces potential overall effects.

In addition to the above assessment, independent consideration has been given to the landscape impact of the proposed development and the Council's Landscape Architect provided pre-application advice which indicated that he considered that the proposed extension would not result in unacceptable harm to the character of the landscape. It is considered that the harm the development would have on the character of the landscape would be limited to a relatively small affected area and that this limited harm would be temporary and reversible, subject to acceptable site restoration being implemented.

In terms of quarry restoration the applicant's landscape and visual impact appraisal recommends that features are considered which would further strengthen and enhance the existing positive features and elements as set out within the local landscape character. It is considered that restoration to either pasture with peripheral woodland or 100% woodland would be appropriate and offer benefit in terms of the current condition of the site, subject to appropriate seed mixes and planting being specified. The application does not include any proposal for landfilling, with the applicant indicating that he believes that acceptable levels could be provided through backfilling using stockpiled overburden and soils.

The application has also been carefully and fully assessed in relation to the positive requirements to protect the setting of nearby listed buildings in accordance with Section 66 Planning (Listed Buildings and Conservation Areas) Act 1990 and paragraph 132 of the NPPF. In the case of Barnwell Manor the Court of Appeal held that in enacting section 66(1) of the Listed Buildings Act 1990 Parliament intended that the desirability of

preserving the settings of listed buildings should not simply be given careful consideration by the decision-maker for the purpose of deciding whether there would be some harm, but should be given “considerable importance and weight” when the decision-maker carries out the balancing exercise.

The site is not within a Conservation Area and does not immediately abut any listed buildings; however Crow Trees Farm, 130 to 140 metres from the proposal site, is a Grade 2 Listed Building and the site is within the vicinity of Rawdon Cragg Wood and Rawdon Littlemoor Conservation Areas. Nonetheless, as discussed above, the proposed extension area will have very limited inter-visibility with either the listed building or Conservation Area. It is therefore concluded that the development would not have significant adverse heritage impact either in terms of the significance of the relevant listed buildings or the character and appearance of the Conservation Area.

5) Flood Risk and Drainage

Core Strategy policy EN7 states that the Council will manage flood risk pro-actively and in assessing proposals for development will:

- 1) Integrate sequential testing into all levels of plan-making
- 2) Require space for the storage of flood water within Zones 2 and 3a
- 3) Ensure that any new development in areas of flood risk is appropriately resilient and resistant
- 4) Safeguard potential to increase flood storage provision and improve defences within the Rivers Aire and Wharfe corridors
- 5) Manage and reduce the impacts of flooding within the beck corridors, in a manner that enhances their value for wildlife
- 6) Adopt a holistic approach to flood risk in the Bradford Beck corridor in order to deliver sustainable regeneration in LDDs and in master planning work
- 7) Require that all sources of flooding are addressed, that development proposals will only be acceptable where they do not increase flood risk elsewhere and that any need for improvements in drainage infrastructure is taken into account
- 8) Seek to minimise run-off from new development; for Greenfield sites run off should be no greater than the existing Greenfield overall rates
- 9) Require developers to assess the feasibility of implementing and maintaining SUDS in a manner that is integral to site design, achieves high water quality standards and maximises habitat value
- 10) Use flood risk data to inform decisions made about Green Infrastructure. Only support the use of culverting for ordinary water courses, and additional flood defence works that could have adverse impacts on the environment, in exceptional circumstances.

The proposal would result in the excavation of an existing sloping field into the hillside. This hillside currently drains to watercourse via a channel running down the slope. The applicant has indicated that they are proposing to manage run-off from the quarry by using bunds and channels to impound water which will allow it to be balanced and settled prior

to discharge to the existing field drain. A proportion of water is likely to simply infiltrate through the base of the quarry, depending upon the permeability of the strata at the quarry base. Both the Environment Agency and the Council's Drainage Unit have been consulted on the application and have raised no objections to the proposal. However this is subject to the applicant undertaking a Hydrogeological Impact Appraisal and confirming their dewatering proposals.

Subject to the conditions recommended at the end of this report, which include a condition requiring a Hydrogeological Impact Appraisal, together with the approval of dewatering/mitigation proposals, it is considered that there are no grounds to conclude that the development is unacceptable on drainage or flood risk grounds in accordance with Core Strategy Policy EN7.

6) Ecology/ Biodiversity

Core Strategy policy EN2 states that proposals should contribute positively towards the overall enhancement of the District's biodiversity resource. They should seek to protect and enhance species of local, national and international importance and to reverse the decline in these species. The Council will seek to promote the creation, expansion and improved management of important habitats within the district and more ecologically connected patchworks of grasslands, woodlands and wetlands. Core Strategy policy EN5 confirms that, in making decisions on planning applications, trees and areas of woodland that contribute towards the character of a settlement or its setting or the amenity of the built-up area, valued landscapes or wildlife habitats will be protected.

Opportunities for specific habitat creation within development proposals will be sought, including provision for future management. Development which would cause serious fragmentation of habitats, wildlife corridors or have a significantly adverse impact on biodiversity networks or connectivity will be resisted. Paragraph 109 of the NPPF confirms that one of the government's objectives for the planning system is to minimise impacts on biodiversity and provide net gains in biodiversity where possible.

The proposed extension area comprises a pasture field with peripheral woodland and several individual field trees. Since its submission the application has been significantly amended to provide a greater stand-off to the adjacent woodland in order to address the concerns of the Woodlands Trust regarding the impact on Nun Wood. The significantly reduced extent of the extension towards the east will also allow for the preservation of the two individual field trees (mature oak trees). The application is supported by both an Arboricultural Report and Habitat Assessment.

The Arboricultural Report has been used to inform the separation distances from adjacent woodland and should allow robust tree protection to be implemented. The report identified that the two individual field trees, which are now proposed to be retained are Category A and Category B mature English oaks. Subject to the planning conditions recommended at the end of this report, which require tree protection measures to be implemented prior to commencing work on the extension, it is considered that the application is acceptable in terms of Tree Impact and accords with Core Strategy Policy EN5.

The habitat assessment submitted to support the application concludes that, after conducting a thorough site investigation and a detailed Desktop Study, the site is considered to contain habitats of low ecological value. Subject to an ecologically beneficial restoration scheme being devised including additional planting, as required by condition 16 recommended at the end of this report, it is considered that the proposed development is therefore also acceptable on general ecology grounds in accordance with Core Strategy Policy EN2 and EN9.

7) Community Safety Implications:

Adopted Core Strategy Policy DS5 states that development proposals should be designed to ensure a safe and secure environment and reduce the opportunities for crime. The proposal site is an existing quarry which incorporates a gated site access and security arrangements. Subject to appropriate boundary treatments being provided to secure the new extension area, it is not considered that there are grounds to conclude that the

proposed development would create an unsafe or insecure environment or increase opportunities for crime, in accordance with adopted Core Strategy Policy DS5.

8) Equality Act 2010, Section 149:

In writing this report due regard has been taken of the need to eliminate unlawful discrimination, harassment and victimisation, advance equality of opportunity between different groups and foster good relations between different groups, in accordance with the duty placed upon Local Authorities by Section 149 of the Equality Act 2010.

The context of the site, the development scheme proposed and the representations which have been made have been reviewed to identify the potential for the determination of this application to disadvantage any individuals or groups of people with characteristics protected under the Equality Act 2010. Several objectors have raised concerns that their status as retired people means that they will be disproportionately affected by the proposed development, being more likely to be at home during quarry operating hours than non-retired people. Consideration has therefore been given to whether the development would have disproportionate impacts on elderly people.

However this report finds that the environmental impacts of the quarry, principally in terms of noise and dust, can be mitigated to an acceptable level and therefore there is not considered to be any sound basis to conclude that the proposal would lead to either significant or disproportionate adverse impacts on the elderly or any other groups of people or individuals who possess protected characteristics. Likewise, if planning permission were to be refused by the committee, it is not considered that this would unfairly disadvantage any groups or individuals with protected characteristics.

Reason for Granting Planning Permission:

Taking development plan policies and other relevant material considerations into account it is considered that the proposed development represents an opportunity to extend an existing building stone quarry in an environmentally acceptable manner, which will allow for the continued supply of natural stone building materials from the site. The proposal is considered to accord with the relevant national planning policies set out in the NPPF and the policies of the adopted Core Strategy, in particular policies EN2, EN3, EN4, EN5, EN7, EN8, EN9 and EN10.

Conditions of Approval:

1. The development to which this notice relates must be begun not later than the expiration of three years beginning with the date of this notice.

Reason: To accord with the requirements of Section 91 of the Town and Country Planning Act, 1990 (as amended).

2. Unless otherwise agreed in writing by the Mineral Planning Authority the development hereby approved shall only be carried out in accordance with the following documents:-

- I. Drawing - 09 Mar 2017 - 9385/EX.SP1 - SITE LOCATION PLAN
- II. Drawing - 02 Jun 2017 - 9385/EX.2 REV. B - REVISED SITE PLAN
- III. Drawing - 02 Jun 2017 - 9385/EX.4 REV. A - REVISED PROPOSED SECTIONS

Reason: In the interests of amenity and for the avoidance of doubt as to the terms under which this planning permission has been granted, in accordance with Policies EN9 and EN10 of the adopted Core Strategy.

3. Extraction operations shall cease and all screening plant shall be removed from the site not later than 31 December 2032. All plant, machinery, containers, roads, hard surfaces and structures shall have been removed from site and the land shall have been restored, in accordance with details approved under condition 16 below, not later than 31 December 2032. The restoration scheme approved under condition 17 below shall be implemented for at least 5 years following the completion of site restoration.

Reason: To provide for the completion of operations and restoration of the site at the earliest opportunity within the project timescale, in the interests of amenity and the protection of the Green Belt, in accordance with Policies EN9 and EN10 of the adopted Core Strategy.

4. Extraction operations shall only be undertaken in the extension area hereby approved, as shaded in red on drawing on drawing ref. 9385/EX.2 Rev.B. No further excavations shall be undertaken in any other part of the site.

Reason: To minimise the extent of the workings, in the interests of amenity sustainable minerals development and tree protection, in accordance with Policies EN9 and EN10 of the adopted Core Strategy.

5. No waste shall be deposited anywhere on the site to which this decision notice relates, as outlined in red on drawing 9385/EX.SP1.

Reason: This planning permission does not convey any approval to deposit waste at the site for the purposes of restoration or any other purposes and the policies and risks associated with depositing waste at the site have therefore not been assessed, in accordance with Policies EN9 and EN10 of the adopted Core Strategy.

6. No stone, other than any unsalable stone contained within material which is excavated as overburden, shall be removed from the quarry extension hereby approved, as shaded in red on drawing on drawing ref. 9385/EX.2 Rev. B, until the existing quarry, as identified on drawing 9385/EX.SP1, has been fully restored to the satisfaction of the Local Planning Authority.

Reason: In the interests of ensuring that phased restoration takes place and minimising the extent of the unrestored workings, in accordance with Policies EN9 and EN10 of the adopted Core Strategy.

7. No HGVs shall enter or leave the site and no working shall take place within the site to which this notice relates except between the hours of 08:00 hours to 17:00 hours, Monday to Friday. No working shall take place on Weekends or Bank or Public Holidays, other than the essential maintenance of plant and machinery, which shall only be carried out on Saturdays between the hours of 08:00 hours and 12:00 hours.

Reason: In the interests of amenity in accordance with Policies EN9 and EN10 of the adopted Core Strategy.

8. No blasting shall be carried out on the site.

Reason: In the interests of amenity of the locality in accordance with Policies EN9 and EN10 of the adopted Core Strategy.

9. No crushing plant shall be operated at the site to which this notice relates. No screening plant shall be operated at the site to which this notice relates except within the extension area hereby approved, as shaded in red on drawing on drawing ref. 9385/EX.2 Rev. B, between the hours of 09:00 hours to 17:00 hours, Monday to Friday.

Reason: In the interests of amenity in accordance Policies EN9 and EN10 of the adopted Core Strategy.

10. All vehicles, plant and machinery operated within the site shall be maintained in accordance with the manufacturers specification at all times, and shall be fitted with and use effective silencers.

Reason: To ensure the minimum disturbance from operations and avoidance of nuisance to the local community in accordance Policies EN9 and EN10 of the adopted Core Strategy.

11. Operations at the site shall not be conducted in a manner which leads to dust being generated and being carried beyond the boundaries of the site. Dust prevention methods to be employed at the site shall include the following:

- a) roads and storage mounds shall be kept sufficiently damp to prevent dust emissions being blown from the site onto surrounding land;
- b) vehicles travelling within the site shall not exceed a speed of 10 mph;

- c) the movement or screening/ sorting of soils, overburden or minerals shall cease when the strength of the wind is such that these operations result in dust being blown off the site.

Reason: In order to mitigate adverse impacts associated with the development in the interests of amenity, in accordance with Policies EN9 and EN10 of the adopted Core Strategy.

12. The number of vehicle movements to and from the site shall be restricted to 12 HGV movements to and 12 HGV movements from the site each day. No HGVs shall enter the site on Sundays, Bank or Public Holidays.

Reason: In the interests of highways safety and the protection of highways infrastructure and to protect the amenities of nearby local residents in accordance with Policies EN9 and EN10 of the adopted Core Strategy.

13. No vehicles leaving the site shall enter onto the public highway unless their wheels and chassis have been cleaned sufficiently to prevent any mud, dirt or debris from being deposited on the public highway.

Reason: In the interests of highway safety in accordance with Policies EN9 and EN10 of the adopted Core Strategy.

14. The quarry Access Road from Apperley Lane, as shown on drawing 9385 EX.SP1, shall be maintained in a condition free of ruts and potholes whilst ever the use subsists. At least 2 signs shall be erected and maintained on the Access Road which effectively communicate a 10 miles per hour speed limit to drivers using the Access Road.

Reason: In the interests of highway safety and amenity in accordance with Policies EN9 and EN10 of the adopted Core Strategy.

15. No plant, machinery equipment or vehicles shall be stored or parked overnight on the Access Road between the quarry and Apperley lane, as shown on drawing 9385 EX.SP1.

Reason: In the interests of residential amenity, visual amenity and highways safety, in accordance with Policies EN9 and EN10 of the adopted Core Strategy.

16. Not later than 31 December 2025, or within 12 months of the date upon which minerals extraction permanently ceases at the site, whichever date is the earlier, a scheme for the restoration of the site shall be submitted to the Minerals Planning Authority for approval in writing. Restoration details shall include details of restoration levels, surface soil characteristics and depth, cultivation, seeding and tree planting. The restoration details shall provide for enhanced biodiversity, relative to the condition of the site prior to development commencing, and shall provide for the replacement of any trees damaged or destroyed as a consequence of the development on a 3 for 1 basis. The restoration scheme shall be implemented in accordance with the timeframe set out in condition 3.

Reason: To ensure the restored site is cared for in an appropriate manner in the interests of ecology, woodland creation and landscape character, in accordance with Policies EN9 and EN10 of the adopted Core Strategy.

17. Not later than 31 December 2025 a scheme for the aftercare of the restored site shall be submitted to the Minerals Planning Authority for approval in writing. Aftercare details shall include details of protective fencing and the monitoring and management of restored areas. An aftercare schedule shall be provided which sets out the aftercare activities which will be carried out in each of the 5 years following site restoration.

Reason: To ensure the restored site is cared for in an appropriate manner in the interests of ecology, woodland creation and landscape character, in accordance with Policies EN9 and EN10 of the adopted Core Strategy.

18. There shall be no discharge of foul or contaminated drainage from the site into either groundwater or any surface water, whether direct or via soakaways.

Reason: In the interests of the local amenity in accordance with Policies EN9 and EN10 of the adopted Core Strategy.

19. Any facilities for the storage of oils, fuels or chemicals shall be sited on impervious bases and surrounded by impervious bund walls. The volume of the bunded compound should be at least equivalent to the capacity of the tank plus 10%. If there is multiple tankage, the compound should be at least equivalent to the capacity of the largest tank, or

the combined capacity of interconnected tanks, plus 10%. All filling points, vents, gauges and sight glasses must be located within the bund. The drainage system of the bund shall be sealed with no discharge to any watercourse, land or underground strata. Associated pipework should be located above ground and protected from accidental damage. All filling points and tank overflow pipe outlets should be detailed to discharge downwards into the bund.

Reason: In the interests of pollution prevention and to accord with Policies EN9 and EN10 of the adopted Core Strategy.

20. Notwithstanding the provisions of the Town and Country Planning (General Permitted Development) Order 2015 (or any subsequent order revoking or re-enacting that Order), no buildings or other structures shall be erected on the site except with the prior written approval of the Mineral Planning Authority.

Reason: In the interests of visual amenity, landscape character and the openness of the Green Belt, in accordance with policy GB1 of the replacement Unitary Development Plan and Policies EN9 and EN10 of the adopted Core Strategy.

21. The development hereby permitted may not commence until a Hydrogeological Impact Appraisal on the effects of dewatering, including the disruption to spring flows and any necessary associated mitigation methods, and a scheme to secure dewatering of the site have been submitted to, and approved in writing by, the mineral planning authority. The

scheme shall be fully implemented, in accordance with the scheme, or any changes as may subsequently be agreed, in writing, by the mineral planning authority.

Reason: To ensure that the proposed development does not harm the water environment in line with paragraph 109 of the National Planning Policy Framework.

22. The development shall not begin, nor shall there be any demolition, site preparation, groundwork, materials or machinery brought on to the site, nor shall there be any work to any trees to be retained until tree protection measures are installed in accordance with the details shown on drawing ref. 9385/EX.2 Rev. B, and the Minerals Planning Authority has inspected and given its written approval to confirm that the tree protection measures are in place in accordance with the submitted details.

Reason: To ensure that trees are adequately protected prior to development activity on the site which would otherwise unacceptably harm trees to the detriment of public visual amenity and to accord with EN5 of the Core Strategy.

23. The approved tree protection measures shall remain in place, shall not be moved, removed or altered for the duration of the development without the written consent of the Local Planning Authority. There shall also be no excavations, engineering or landscaping work, service runs, or installations, and no materials will be stored within any construction exclusion zones or tree protection areas without the written consent of the Minerals Planning Authority.

Reason: To ensure that trees are adequately protected prior to development activity on the site which would otherwise unacceptably harm trees to the detriment of public visual amenity and to accord with EN5 of the Core Strategy.

24. No stone, other than any unsalable stone contained within material which is excavated as overburden, shall be removed from the quarry extension hereby approved, as shaded in red on drawing on drawing ref. 9385/EX.2 Rev. B, until the boundary features shown on that drawing have been implemented in full, including the formation of bunds and laying down of boulders. Thereafter the bunds and boulders shall be maintained until the cessation of quarrying.

Reason: In the interests of screening adjacent residents from the quarry, in accordance with Policies EN9 and EN10 of the adopted Core Strategy.

Footnote: For the purposes of interpreting this decision notice the term HGV shall be taken to mean any commercial vehicle having a permitted gross vehicle weight (GVW) in excess of 7500kg.

Footnote: For the purposes of interpreting this decision notice a permanent cessation of minerals extraction operations shall be taken to have occurred where:

- (a) no extraction or depositing operations authorised by this permission have taken place, to any substantial extent, for a period of at least two years; and
- (b) it appears on the balance of evidence that resumption of the extraction or depositing operations authorised by this permission, to any substantial extent, is unlikely.