The Quarry, Highwood Farm, Coventry Road, Brinklow, Rugby, CV23 0NJ.

Application for the installation of fixed plant/machinery for the recycling of inert waste.

**Application No:** RBC/14CM021

**The Proposal:** Application for the installation of fixed plant/machinery for the recycling of inert waste at the existing Inert Waste Recycling Facility (IWRF) within the Brinklow Quarry site.

**Site & Location:** The Quarry, Highwood Farm, Coventry Road, Brinklow, Rugby, CV23 0NJ.

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**APPLICATION DETAILS**

This planning application seeks consent for the continued operation of a facility for the production of soil conditioners and secondary aggregates, through the use of demolition and construction waste, subject to a number of amendments to the original planning permission that approved a similar facility in 2006. These amendments include:

- To allow the importation of a full range of inert materials, as specified within the issued Environment Agency Permit for the site that are suitable for the production of recycled aggregates,
- The provision of fixed plant and machinery to replace the existing mobile plant located on the southern portion of the application site, and
- To regularise the site boundaries for both the northern and southern sections to be used for the treatment and storage of recycled materials.

The proposal seeks to clearly define the site area into two distinct sections, the northern and southern sections. The northern section would retain the existing mobile plant and machinery (mobile trommel) located there and this would continue to be used for the blending of compost (obtained from the adjacent composting facility) with mineral fines from the recycling process located in the southern section to manufacture topsoil which is then sold. Retrospective planning consent for the provision of concrete storage bays to be located on the northern sections eastern boundary is sought that would continue to store the finished product prior to sale.

The concrete bays consist of 5 no. concrete bays measuring 4m x 5m, erected to a height of 5m. The pre-cast concrete bays are utilised for storage of separate materials, including finished soil products, to avoid cross contamination. The bays are sited upon a concrete base.

The southern section of the application seeks consent for the provision of new fixed plant and equipment which would form a recycling plant and would replace the existing mobile plant located on site that has reached the end of its operational life.
The proposed fixed plant comprises of a feed hopper, a primary screening head, an overband magnate mounted above an elevating conveyor, a two deck rinser, a dewatering screen, a second elevating conveyor, a secondary overband magnate and a two deck screen designed to separate materials into 10mm, 20mm and 40mm products. In addition, a thickener tank and centrifuge is proposed so as to enable water used in the process to be subsequently reused in the rinser.

The proposed fixed recycling plant would be located on the western boundary of the southern site section and would be erected in a linear fashion, approximately 104m in length, with the tallest part of the plant, the thickening tank, erected to a maximum height of 14.6m from existing ground level and secured to the ground using concrete foundations. Whilst the tank is the tallest structure of the proposal, the main process line of the recycling plant (that makes up the bulk of the recycling plant) would be erected to a height of 10.3m.

Both the northern and southern areas would continue to use the existing ground surfaces which are formed from a deep layer of compacted hardcore which allows surface drainage to pass through to the sub-base helping to reduce ponding.

The southern section also seeks consent to provide 5 no. concrete bays on the sections eastern boundary to match those in the northern section, i.e. materials used, scale, methods of construction. The applicant has stated that materials in both sets of concrete bays would not be stockpiled above a height of 5m from ground level.

The facility would continue to handle approximately 45,000 tonnes of material per annum that consists of approximately 35,000 tonnes of waste materials and 10,000 tonnes of primary aggregate.

The facility would continue to operate between the hours of 08:00 hours and 18:00 hours and access would be gained to the site via the existing Quarry access off the B4027 Coventry Road. Materials would be transported to and from the site in tipper Lorries with vehicle movements set at up to a maximum of 40 per day.

It is proposed for the facility to be operational for the life of the Quarry after which the site would then be restored in accordance with the approved quarry restoration scheme.

PLANNING HISTORY

Planning permission (R687/1547/1486/P) was granted in May 1991 to allow the extraction of 3.5 million tonnes of sand and gravel from the site (Highwood Farm). The Quarry has been operational since the early 1990’s.

Subsequent to the original grant of planning permission consent has been granted on two occasions (R687/95CM023 & R687/05CM005) to allow the extraction and export of clay from the site. These permissions relate to specific areas of the site and define the quantities of material to be extracted. Clay reserves permitted under these permissions are now exhausted although some clay remains stockpiled for export off site.

Planning permission (R687/05CM018) was granted in 2005 to allow the installation of a mortar plant on-site. The mortar plant has been developed on site and is erected to a height of 15m and is operated by Premier Mortars under a tenancy arrangement with the landowner (current applicant).
In 2009 details of an aggregates bagging facility were agreed as Permitted Development. This facility is partially developed and is not currently operating at full capacity, further details to be submitted by the operator.

Operations at Brinklow Quarry also incorporate a number of recycling activities which have been granted planning permission since mineral extraction commenced on site. These comprise of:

- Planning permission (R687/00CM023) was granted in 2000 to allow the development of a green waste composting facility within the quarry. The composting pad was subsequently extended (R687/04CM006) in 2004. The facility remains in operation;

- In 2006 planning permission (R687/06CM011) was granted to allow the development of a facility within the quarry to allow for the production of loams, soil conditioners and secondary aggregates (construction and demolition waste recycling facility). This facility forms part of the current planning application and currently remains operational; and

- In 2007 planning permission (R687/07CM033) was granted to allow the change of use of an existing farm building at Highwood Farm to allow the development of an in-vessel composting facility. The development includes provision of an external concrete pad to be used as a compost maturation area. Planning permission (RBC/13CM006) was granted in April 2013 to create screen bunds around the maturation pad. To date the concrete pad has been developed although the facility has not yet become operational.

Vehicle movements/numbers at the site are restricted to 100 vehicles entering and leaving the site in any one day. This applies across all activities/planning permissions and is linked by either planning condition or by Section 106 Agreement.

All activities, except for those related to the in-vessel composting facility, are required to cease upon the completion of mineral extraction which is to occur by 7th May 2016.

**CONSULTATIONS**

Rugby Borough Council (Planning) – No objection.

Rugby Borough Council (Environmental Health) – No objection.

Brinklow Parish Council – No comments received.

Councillor Mrs Heather Timms – Advises that she is happy for the development to be determined under delegated powers

Environment Agency – No comments received.

Warwickshire County Council Highway Control – No objection.

Warwickshire Fire & Rescue Service – No comments received.

Coventry Airport Airfield Operations Directors – No aviation safety implication.
REPRESENTATIONS

One letter of objection received from a local resident outlining the following points;

- How will the provision of the proposal impact upon the restoration of the site given that the planning permission for the quarry expires in 2016?
- Concerns related to the amount of noise and dust affecting nearby residential properties from the plant and machinery.

OBSERVATIONS

Location and Surroundings

Brinklow Quarry is located in open countryside 0.7km to the west of the village of Brinklow, 8km to the west of Rugby town and 4km to the east of the built conurbation of Coventry.

The quarry lies immediately off the B4027 (Coventry Road) on its southern side with access to the application site from this access off Coventry Road and then internal access roads within the main quarry running in a north/south direction. The application site is located centrally within the site, approximately 1.2km south from the main vehicular access with the Coventry Road.

Visual Impact

The proposed fixed recycling plant would be located within the existing quarry adjacent to the existing quarry processing plant, the composting facility and the mortar plant which itself is 15m in height and is the most prominent structure within the site.

The proposal would be located approximately 800m away from the nearest residential receptor, Cottage Farm, which is located to the east of the application site. Beyond this property lies Brinklow village approximately 1.1km in north easterly direction that contains further residential properties.

The operations proposed as part of this planning application are considered to be similar in nature to existing activities undertaken within the application site and within the wider quarry site. The existing plant and machinery located within the northern section would remain and would see no visual change other than the concrete bays which are considered to be small in nature when compared to the scale of the overall site activities.

The southern section, whilst undertaking similar activities would also encompass the most visible change. The main recycling plant linear process would be visually different upon close inspection, but would be similar in scale and height when viewed from the public realm given the distances involved (800m or more). However, the addition of the thickener tank, erected to a height of 14.6m would be visually prominent in the landscape.

However, the provision of this plant would not be higher than existing plant located within the wider quarry site and would also be located near to the plant of a similar scale, i.e. the Mortar Plant, which lessens, but not removes its visual impact upon the surrounding landscape. Also, it is considered that the provision of a suitable external finish colour would help to further lessen the proposals visual impact and a planning condition ensuring such provision is attached to the permission granted.
It is therefore considered that whilst elements of the proposal have a greater visual impact than existing levels, the proposal overall would not have significantly adverse impacts in relation to the existing and surrounding land uses.

**Noise and Dust**

The materials handling and processing operations associated with the proposed development would be similar in nature to the existing activities undertaken on site utilising mobile plant and machinery and to those activities associated with existing quarrying and composting operations undertaken elsewhere within the quarry site.

Existing operations undertaken on site do not give rise to significant levels of noise or dust related complaints and with good management of operations it is considered that the proposal would have no greater impact than existing activities undertaken on site. Also, the Environmental Health Officer at Rugby Borough Council who has been consulted on the proposal has raised no concerns.

**Implementation and Restoration**

The application site is located within the wider Brinklow Quarry site. The main quarry site was granted planning permission for mineral extraction (R687/1547/1486/P) in May 1991 to allow the extraction of 3.5 million tonnes of sand and gravel from the site and the Quarry has been operational since the early 1990’s.

The 1991 mineral extraction permission was approved subject to an end date of 7th May 2016 which requires the cessation of mineral extraction and the restoration of the overall site. The end date of 7th May 2016 has also been applied to each planning permission granted for various other activities, such as green waste composting and construction waste recycling, across the site.

The application site and its current use is limited to the life of the quarry after which the use should cease and the land restored and it is proposed that the current proposal has the same condition attached so that when mineral extraction ceases, the ancillary development, i.e. the current proposal also ceases and is removed and the land restored. Also, should the proposed use cease prior to the cessation of mineral extraction then the attached planning condition would ensure that suitable restoration scheme is submitted and then implemented.

The granting of consent for this proposal would at present be for a period of less than two years (up until May 2016) after which the restoration of the whole quarry site should be undertaken. The applicant has been made aware of the condition which effectively restricts operations to less than two years and has submitted the application on that basis.

It is the applicant’s intention to seek an extension to the main mineral extraction planning permission as they believe that there is at least 1.2 million tonnes of further mineral to be extracted (out of the 3.5 million tonnes previously approved). If this application were submitted and successful then the current proposal could remain in operation on site on the basis that it is an ancillary operation to the main quarry.

**Access and Vehicles**

Access to the application site would be gained by utilising the existing quarry access from the Coventry Road. The applicant has previously stated (within the previously
submitted planning application for the application site approved in 2006) that vehicle movements associated with the proposal would be to a maximum of 20 vehicles (40 movements) a day and that this would remain unchanged as part of the current planning application.

The overall quarry site is subject to a legal agreement that restricts the number of vehicles permitted to enter and leave the site per day to 100 vehicles (200 vehicle movements) and also controls the routing of such vehicles. The agreement also requires the site operator to keep a record of daily vehicle movements at the site.

Figures submitted by the applicant covering the previous 18 months prior to submission of the current planning application show that maximum vehicle movements accessing the overall site on any one day was 100 movements. However, on average 54 vehicle movements were made for the overall site on a daily basis which also includes the existing waste recycling operation (the subject of this application) that uses the mobile plant and machinery to be replaced.

Therefore, the average of 20 vehicles (40 movements) per day generated by the current application would not result in non-compliance with the legal agreement. A condition limiting the number of vehicle movements associated with the application site is attached to the permission granted.

Planning Policy

The application site and the wider Brinklow Quarry is located within the Green Belt as defined within the Rugby Borough Adopted Local Plan. The National Planning Policy Framework (NPPF) sets out the purposes of the Green Belt that includes preventing urban sprawl and safeguarding the countryside from encroachment and maintaining openness.

The statutory definition of development includes engineering and other operations, and the making of any material change in use of land which are considered to be inappropriate development within the Green Belt unless they maintain openness and do not conflict with the purposes for including land within it.

Planning Policy Statement (PPS) 10 – Planning for Sustainable Waste Management acknowledges the need to protect the Green Belt but also recognises the particular locational needs of some types of waste management facilities when determining planning applications. These locational needs, together with the wider environmental and economic benefits of sustainable waste management, are material planning considerations that would be given significant weight in determining whether proposals should be given planning permission.

The proposal is located within an existing quarry and would continue to be operated adjacent to an active green waste composting facility. In addition, an element of the source of waste materials processed within the application site are obtained from within the wider quarry site and the market for processed materials is likely to be from nearby urban conurbations (i.e. Coventry, Rugby, Nuneaton). Also, the nature of the operations proposed at the facility, including the crushing and screening of waste materials, are unlikely to be suitable in an urban area but are appropriate adjacent to land uses of a similar nature.

The proposed scale of the fixed plant to be installed, primarily the thickener tank would impact upon the openness of the Green Belt given its proposed height in relation to the surrounding landform. However, it is considered that the surrounding
land uses, the mitigation measures related to the structures (i.e. location adjacent to plant of similar scale and provision of suitable external finish colour) and the locational argument for the facility to be sited within an existing quarry are considered to be sufficient very special circumstances that outweigh the limited harm upon the openness of the green belt caused by the proposal.

Policy CS5 contained within the adopted Waste Core Strategy for Warwickshire encourages proposals for recycling, reuse, waste transfer and storage and composting whilst policies CS2 and CS4 set out requirements for the location of waste facilities, which includes the broad location areas as specified within the strategy and specific land uses, including active mineral sites.

The proposed development relates primarily to the recycling of waste materials and is located both within the broad locations as specified within the Waste Core Strategy and is located within an existing active mineral site where the primary mineral would be sourced to blend with the processed waste materials. In addition, the proposal would adjoin the existing green waste recycling facility.

Policy DM2 contained within the adopted Waste Core Strategy for Warwickshire states that waste management proposals which have an unacceptable adverse impact upon the local environment, economy or communities in relation to noise, visual intrusion, dust, emissions, road traffic, contamination and lighting whether individually or cumulatively with other developments would only be permitted if these adverse impacts were either avoided or satisfactorily mitigated against.

The proposal is located away from sensitive receptors that may be susceptible to noise and dust issues associated with this type of development whilst vehicle movements would not increase as a result of this proposal and vehicle routing which covers the entire quarry site (including the application site) satisfactorily deals with the potential issue impacting upon the surrounding community.

The provision of the fixed recycling plant would be visually prominent in the landscape but the provision of this plant would not be higher than existing plant located within the wider quarry site and would also be located near to the plant of a similar scale, i.e. the Mortar Plant, which when combined with the distances from public vantage points, lessens the visual impact upon the surrounding landscape and it is therefore considered that the proposal accords with the specified policies with the Adopted Waste Core Strategy.

Policy M7 of the Minerals Local Plan for Warwickshire states that proposals for operations ancillary or secondary to mineral extraction will normally be expected to be sited adjacent to primary plant. The use of plant, machinery and buildings will be restricted to processes principally using minerals produced from the site.

The application site is located adjacent to the processing plant of the wider quarry site. The proposal includes the storage and distribution of minerals sourced from other quarries. However, 10,000 tonnes of mineral is proposed to imported and processed from Brinklow Quarry and is therefore ancillary to the primary quarrying operations of the site and would not conflict with policy M7.

Policy M9 of the Minerals Local Plan for Warwickshire requires mineral workings to be restored to a high standard and beneficial after use in accordance with the development plan in force at the time whilst policy DM8 of the Warwickshire Waste Core Strategy seeks to ensure that high quality restoration is provided. The overall quarry site is subject to the implementation of a restoration scheme. However, should
the application site cease to operate prior to the restoration of the wider quarry site
then a planning condition ensuring the site's restoration shall be attached to the
permission granted.

PROPOSE:

Approve, subject to conditions.

CONDITIONS:

1. The development hereby approved shall be commenced no later than
3 years from the date of this permission.

Reason: To comply with the provisions of section 51 of the Planning and

2. The development hereby permitted shall be carried out in accordance
with approved plans reference numbers IWRF/2/R Date: 07/07/2014,
IWRF/1/R, IWRF/1, SA11-010 and SA14-011 submitted to the local
planning authority and any samples or details approved in accordance
with the conditions attached to this permission, except to the extent
that any modification is required or allowed by or pursuant to these
conditions.

Reason: In order to define the exact details of the planning permission granted
and to secure satisfactory standard of development in the locality.

3. Unless otherwise agreed in writing by the County Planning Authority
the operations and uses hereby permitted shall not be carried out
except between the following hours:

   Monday – Friday  08:00 – 18:00 hours
   Saturdays        08:00 – 13:00 hours

No operations shall take place on Sunday, Bank or Public Holidays.

Reason: In order to protect the amenity of local residents.

4. Only those waste types specified in Table 2.3 of the Environment
Agency Permit attached to the submitted planning application as
Appendix 2 shall be processed at the site, with the exception of the
waste types specified in Table 2.3 as numbers 10 01 01, 10 01 02, 10
01 05, 10 01 07 and 10 01 15 (wastes from power stations and other
combustion plants) and 19 12 12 (treated bottom ash) which shall not
be processed at the site.

Reason: In order to define the exact details of the planning permission granted
and to secure satisfactory standard of development in the locality.

5. No waste shall be delivered to the site or accepted from members of
the public.

Reason: In order to define the exact details of the planning permission granted
and to secure satisfactory standard of development in the locality.
6. No goods shall be offered, sold or delivered to retail customers at the site.

Reason: In order to define the exact details of the planning permission granted and to secure satisfactory standard of development in the locality.

7. No material within the site shall be stockpiled or deposited to a height exceeding 5 metres.

Reason: In order to define the exact details of the planning permission granted and to secure satisfactory standard of development in the locality and to limit visual impact.

8. The facility hereby approved shall run concurrently with the existing mineral operation at Highwood Farm. Should the mineral extraction cease on site, the facility shall also cease operation.

Reason: To ensure the adequate restoration of the site within Green Belt.

9. Access to the site shall not be made other than via the existing access road from the Coventry Road (B4027).

Reason: In the interest of securing and retaining highway safety.

10. There shall be no deposit of mud or other deleterious material upon the public highway as a result of the development.

Reason: In the interest of securing and retaining highway safety.

11. No external lighting shall be provided on site unless a detailed lighting scheme has been submitted to and approved in writing by the County Planning Authority. Once approved, the scheme shall be implemented in full in accordance with the approved scheme.

Reason: In order to define the exact details of the planning permission granted and to secure satisfactory standard of development in the locality and to limit visual impact.

12. There shall be no unauthorised discharge of foul or contaminated drainage from the site in to either ground water or any surface water whether direct or via soakways. If necessary, excess water or run off from the site shall be disposed of at a suitably licensed facility off site.

Reason: To protect the environment from the risk of pollution.

13. All vehicles, plant and machinery used on site shall at all times be fitted with silencers in accordance with the manufacturer’s recommendations and shall be operated and maintained in a manner to minimise noise emissions.

Reason: To protect the amenity of local residents.

14. No loaded lorries shall enter or leave the site unless the loads are sheeted, netted or otherwise adequately covered.
Reason: In order to define the exact details of the planning permission granted, to secure a satisfactory standard of development and to protect the amenity of nearby land uses.

15. In order to minimise the raising of dust the following steps shall be taken;
   a) All roadways and operational areas within the site shall be laid out and maintained in good condition. They shall be damped down as necessary using a water bowser or other suitable plant.
   b) All relevant stockpiles shall be maintained in a moist condition by spraying with water as necessary to reduce the potential for dust movements.

Reason: In order to define the exact details of the planning permission granted, to secure a satisfactory standard of development and to protect the amenity of nearby land uses.

16. Unless otherwise agreed in writing by the County Planning Authority, should the facility cease to operate for a period longer than twelve months then all plant, machinery, structures and hardstanding erected under this permission shall be removed from the site. The site shall be restored in accordance with a scheme previously submitted to and agreed in writing by the County Planning Authority no later than the expiration of 6 months from the removal of the plant, machinery, structures and hardstanding.

Reason: To ensure the satisfactory restoration of the site.

DEVELOPMENT PLAN POLICIES RELEVANT TO THIS DECISION

Warwickshire Adopted Waste Core Strategy.
Policy CS2 – The Spatial Waste Planning Strategy for Warwickshire
Policy CS4 – Strategy for locating small scale waste sites
Policy CS5 – Proposals for reuse, recycling, waste transfer/storage and composting
Policy DM2 – Managing Health, Economic and Amenity Impacts of Waste Development

Warwickshire Adopted Minerals Local Plan.
Policy M7 – Protection of the Environment
Policy M9 – Restoration of Workings to a High Standard and a Beneficial After Use

In considering this application the County Council has complied with paragraphs 186 and 187 contained in the National Planning Policy Framework.
Planning Team Leaders Assessment

Highwood Farm, Coventry Road, Brinklow (Brinklow Quarry).

Retention and Expansion of the inert waste recycling facility.

Planning application No. RBC/14CM021

This application seeks consent to retain, consolidate and expand the secondary aggregate recycling facility located at the quarry. The proposal involves the construction of large, permanent structures which will allow the more efficient processing of a wider range of waste materials.

I do not agree with the applicants conclusions that this development forms appropriate development in the Green Belt as defined by the NPPF and nor do I conclude that the development meets the five purposes for including land in Green Belts specified in paragraph 80 of the NPPF.

The plant is in part 15 metres tall and thus must impact upon the openness of the Green Belt. Furthermore it will further urbanise this part of the Green Belt and further damage its rural character. Thus the application must show very special circumstances to justify approval of this application.

The development does however have some advantages to it. They are:

1. The activity is already established on the site as is the plant and equipment associated with it. The proposed plant is bigger and taller than existing so there is extra impact but seen over longer distances the impact will be more limited than might appear on a plan.
2. The plant and equipment is very similar in character and appearance to mineral extraction equipment which is accepted as appropriate development.
3. There are advantages of co-location for these activities allowing waste and mineral to be blended to provide aggregates for specific uses.
4. These activities have operated on the site without serious amenity complaints from local residents so we can conclude that they have an acceptable impact.
5. These uses are all temporary. However although “temporary” these uses are likely to last for some considerable time. About 50% of the mineral reserves at Brinklow Quarry remain to be excavated. We are unlikely to “call time” on mineral extraction here, particularly as this is the only Warwickshire quarry producing any sand and gravel at the moment. Thus the rather industrial / disturbed landscape is likely to continue for a while yet. Once mineral extraction ceases there is justification to discontinue these uses but whilst
mineral extraction and processing continues there is a justification to allow these uses to continue.

In my view the five points listed above constitute the very special circumstances which justify approval of this application, even though the development constitutes inappropriate development in the Green Belt, although only for as long as mineral extraction continues on the wider site. Conditions should be imposed to ensure that happens. Conditions 8 and 16 as recommended will achieve that.

This application also seeks to widen the range of wastes which can be processed at the site. In principle this is acceptable however the range specified in the permit includes waste types which we have already resisted on this site and thus should do so again rather than approve a range of waste processing by default.

Thus on the basis of this assessment I support the case officer’s recommendation of approval provided a specific condition restricts the waste types which can be processed on site to that group of wastes which the County Planning Authority consider to be acceptable. Condition 4 as recommended will achieve that.

Ian Grace
Planning Team Leader
9/10/2014