SUPPORTING STATEMENT

Mancetter Quarry
Warwickshire

Planning Application

Proposed Lateral Extension to the existing quarry, creation of permanent landform features, consolidation and regularisation of existing operations and associated ancillary development.
PROPOSED LATERAL EXTENSION TO THE EXISTING QUARRY, CREATION OF PERMANENT LANDFORM FEATURES, CONSOLIDATION AND REGULARISATION OF EXISTING OPERATIONS AND ASSOCIATED ANCILLARY DEVELOPMENT

PLANNING APPLICATION SUPPORTING STATEMENT

SEPTEMBER 2014
REPORT TITLE: Proposed Lateral Extension to the Existing Quarry, Creation of Permanent Landform Features, Consolidation and Regularisation of Existing Operations and Associated Ancillary Development. Planning Application Supporting Statement

CLIENT: Lafarge Tarmac Trading Limited

JOB No: 2081

ISSUE STATUS: Final

ISSUE DATE: 05/09/2014

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<th>Status</th>
<th>Issue Date</th>
<th>Author/s</th>
<th>Checked</th>
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<td>Draft to Client</td>
<td>07/07/2014</td>
<td>DP/JW</td>
<td>DP</td>
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<td>Draft for Exhibition</td>
<td>14/07/2014</td>
<td>DP/JW</td>
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<td>Final for Planning</td>
<td>05/09/2014</td>
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Appendices:

1. Planning Permission reference NW20/00CM001 and appeal reference APP/H3700/A/11/2147480
1. INTRODUCTION

1.1 The following statement has been prepared on behalf of Lafarge Tarmac Trading Limited (‘Lafarge Tarmac’) in support of an application seeking planning permission for a lateral extension to the existing quarry, creation of permanent landform features, consolidation and regularisation of existing operations and associated ancillary development, at Mancetter Quarry. The application is made in accordance with section 58(1)(b) of the Town and Country Planning Act 1990, as amended (TCPA1990), which relates to the granting of planning permission on application to the planning authority.

1.2 The location of the site is shown on plan M095/00044.

1.3 This statement provides background information, including a description of the site; a review of the relevant planning history; a description of the proposed development; a review of environmental considerations; and an overview and assessment of the proposal in accordance with key national and local planning policy.

1.4 As required by the Town and Country Planning (Environmental Impact Assessment) Regulations 2011 (EIA regulations), an Environmental Impact Assessment (EIA) has been carried out. An Environmental Statement (ES) and Non-Technical Summary (NTS), outlining the findings of the EIA, accompany this application.

Background to the Planning Application

1.5 Quarrying at Mancetter has been undertaken for in excess of 100 years. The first Ordnance Survey map in 1887 shows that quarrying took place at Mancetter at that time. There is also some evidence that small quarry pits were dug in the area at several earlier points in the past.

1.6 The current Mancetter Quarry is a source of diorite, which is a rare hard stone, with high anti-skid properties. The stone has a high polished stone value (PSV) and is used in specialist surfacing materials, including on roads near school crossings, roundabouts and motorway junctions.

1.7 There is only one other quarry in the West Midlands that produces such aggregate, and owing to its particular properties and rarity, the mineral at Mancetter Quarry is recognised as being a resource of national importance.

1.8 The quarry currently provides employment opportunities for around 46 people, with 26 being directly employed, and a further 20 jobs supported through its fleet of vehicles operated by contracted hauliers.

1.9 Resources at the quarry are now nearing completion. It is estimated that within the currently consented area, the quarry now has a remaining life of between 1 and 3 years at the current output levels (between 300,000 and 400,000tpa).

1.10 The diorite sill dips towards the south west and investigations undertaken have identified an economically exploitable reserve of approximately 2 million tonnes of diorite stone, lying within an area extending to approximately 10 hectares adjacent to the existing western quarry face.
1.11 Overlying this reserve is approximately 2 million m$^3$ of insitu overburdens and shales which are required to be removed in order to gain access to the stone.

1.12 The site has a combined area of approximately 96 hectares, with 73 hectares constituting the existing quarry area, and approximately 23 hectares constituting the proposed extension.

1.13 It should be noted that not all of the area covered by the proposed extension would be subject to mineral extraction operations, with a significant area being utilised to create an attractive permanent screening landform feature.

1.14 The proposed extension would provide reserves sufficient to extend the life of the site by a further 7 to 8 years at these output levels. The extraction operations would however remain within the overall lifetime of the existing planning consent (i.e. 01 January 2025).

1.15 The currently consented restoration scheme for the Oldbury Quarry is based on partial backfilling with overburden and quarry waste to form a low-lying gorge with a stream, reedbeds, boggy areas and other wetland and ephemeral habitats including willow and alder carr woodland. This is unachievable owing to the lack of necessary space required to temporarily store sufficient material to backfill the void to water table level following completion of extraction. Based on the current landform within Purley Quarry and the requirement to treat water that passes through the site the consented restoration is also unachievable.

1.16 The proposed extension will therefore enable the consideration of a revised and enhanced, landscape scale restoration proposal for the site.

1.17 Should the extension not take place at this time, it is likely that it would not be economically viable to return to the site in the future, and the mineral resource identified in the proposed extension area would effectively become sterilised. A significant rural employment provider would also be lost.

**Pre-Application Consultation**

1.18 Pre-Application meetings have been held with officers of Warwickshire County Council, the Environment Agency, Natural England, alongside liaison with English Heritage, the Council’s Environmental Health Officers, the local community, Severn Trent Water, public right of way users and other relevant stakeholders.

1.19 Details of the proposals were presented to the Mancetter Quarry Liaison Committee at their meetings of 17$^{th}$ February and 19$^{th}$ May 2014.

1.20 A Public Exhibition was held on 29$^{th}$ April 2014, between the hours of 10:00 and 19:00 at the Purley Chase Centre, at which draft plans of the proposed development were presented and representatives from Lafarge Tarmac and the consultant team were available to outline the proposals and address any queries raised.

1.21 The exhibition was advertised by way of a notice in the local newspaper, copies of which were also sent to the local parish council. Fliers with summary information of the proposal and event were also distributed to properties in the locality.
An attendance sheet was maintained at the exhibition and feedback forms were provided to all attendees. The feedback forms sought responses to 5 questions:

- How did you find the consultation?
- Do you have any comments or concerns regarding the existing operations at Mancetter Quarry?
- Do you have suggestions on an afteruse for the quarry or what would you like to see included in the restoration plans for the quarry?
- How supportive are you for the proposals for Mancetter Quarry?
- Do you have any further comments or suggestions on how the proposed scheme can be altered?

The exhibition was attended by approximately 50 persons. Most attendants were positive about the benefits of the proposal, particularly in relation to the continued employment the quarry would provide, although a number of concerns were raised. These were principally in relation to:

- The timing of the operations in relation to overburden movements;
- The diversion and routes of Public Rights of Way;
- The drivers of HGVs on the highway;
- Visual Impacts of the Landform;
- Noise during the creation of the Landform;

In total, 18 people completed the Feedback Forms. All but two found the consultation very informative, with one finding it quite informative and the other not knowing.

Thirteen of the 18 respondents were either strongly supportive (4) or supportive (9) of the proposals, with the remaining 5 respondents neutral.

Suggestions for after-use or inclusions as part of the restoration of the site included:

- Some sort of wildlife park;
- Use by the Woodland Trust;
- An exhibition centre relating to the quarry industry and specific geology;
- A footpath on top of the Western Landform going to the ‘summit’;
- Butterfly friendly planting, particularly for Dingy Skipper;
- Not landfill;
- Footpaths and public use;
- Not jet ski or anything connected with motorcycles or cars;
- A boating lake.

A further public exhibition was held over two days, 15th and 16th July 2014 to present the final proposals. The exhibition was held between the hours of 12:00 and 19:00 on both days, at the Purley Chase Centre. Representatives from Lafarge Tarmac and the consultant team were again available to outline the final proposals and answer any queries raised.

The exhibition was also advertised by way of a notice in the local newspaper, copies of which were also sent to the local parish council. Fliers with summary information of the proposal and event were also distributed to properties in the locality and erected on notice boards and posts in the vicinity of the quarry.
1.29 An attendance sheet was maintained at the exhibition and the same feedback forms were provided to all attendees as were provided at the first exhibition.

1.30 Over the two days, approximately 30no. persons attended the exhibition. The majority of attendants had not visited the first exhibition, and were again found to be largely positive about the proposals.

1.31 Only four feedback forms were completed. All four respondents found the exhibition very informative. Two were strongly supportive of the proposals, one was supportive and the final was neutral.

1.32 With regards to concerns with the existing quarry, only one respondent had concerns, which was over the speed of lorries up and down the lanes.

1.33 Suggestions for after-use or inclusions as part of the restoration of the site included:

- Additional concessionary route at Jubilee Quarry;
- Permissive concessionary route to west of Oldbury Quarry;
- Link through to Atherstone Golf Club;
- Leisure Walks and Bridleways.
2. **THE APPLICANT**

**Lafarge Tarmac Trading Limited**

2.1 Lafarge Tarmac Trading Limited (‘Lafarge Tarmac’) is one of the leading producers of concrete, cement, aggregates and asphalt in the UK. The company is a joint venture formed following the merger of Lafarge UK and Tarmac. It began trading on the 7th January 2013.

2.2 Lafarge Tarmac is the UK’s leading supplier of aggregates and asphalt producing 40 million tonnes of aggregate and 7 million tonnes of asphalt a year. With more than 70 production plants and over 100 quarries nationwide Lafarge Tarmac can supply customers across the UK quickly, cost effectively and sustainably.

2.3 Lafarge Tarmac is also the UK’s leading supplier of innovative concrete solutions with a product range that includes over 500 different formulations, ranging from self-levelling and early strength mixes, to underwater and heat resistant products.

2.4 Additional information can be found on the company website:

3. SITE AND SURROUNDINGS

Overview

3.1 Mancetter Quarry is located near Atherstone in North Warwickshire. The Mancetter Quarry complex includes the operational quarry known as Oldbury Quarry, the restored Jubilee Quarry and the partially restored Purley Quarry, which is located across the road (Purley Chase Lane) from Oldbury Quarry and Jubilee Quarry.

3.2 The site has a combined area of approximately 96 hectares, with 73 hectares constituting the existing quarry area, and approximately 23 hectares constituting the proposed extension. Most of the site, including the operational area of Oldbury Quarry and the restored Jubilee Quarry, is located south of Purley Chase Lane. Part of the site, Purley Quarry, is located north of Purley Chase Lane. The site is accessed by Quarry Lane, which leads from the B4111/ Nuneaton Road. Heavy goods vehicles (HGVs) egress the site via Purley Chase Lane.

3.3 Atherstone is approximately 2km to the north of the site, Hartshill is approximately 1.6km to the south-east of the site, the village of Ridge Lane is approximately 1.3km to the west of the site and Mancetter, which is contiguous with Atherstone, is c.1.5km to the north-east.

3.4 Nearby properties include farm dwellings on Purley Chase Lane to the west, which are approximately 440m and 610m from the site, The Purley Chase Centre, which is approximately 220m to the north of the site, a farm dwelling on Quarry Lane which is approximately 330m east of the processing area of the quarry, a dwelling on Purley Lane, which is c.280m north east of the processing area and a cluster of dwellings, including a nursing home, which is c.240m to the south at Oldbury.

3.5 The surrounding area largely comprises agricultural/open land. There are also some commercial enterprises in the area, including a golf course, small fishery and a self-storage business.

3.6 Mancetter Quarry is a source of diorite, which is a rare hard stone, with high anti-skid properties. The stone has a high polished stone value (PSV) and is used in specialist surfacing materials, including on roads near school crossings, roundabouts and motorway junctions.

3.7 There is only one other quarry in the West Midlands that produces such aggregate, and owing to its particular properties and rarity, the mineral at Mancetter Quarry is recognised as being a resource of national importance.

National and Local Designations

3.8 This information is derived from mapping facilities on the English Heritage¹ website, the Natural England² website, the Warwickshire Local Geological Sites website³, the North Warwickshire Borough Council online mapping⁴ and the online National Monuments Records⁵.

¹ http://list.english-heritage.org.uk/
² http://www.natureonthemap.naturalengland.org.uk/map.aspx
³ http://wgcg.freehostia.com/LoGS/LoGS-home.html
⁵ http://www.pastscape.org.uk/MapSearch.aspx
3.9 Mancetter Quarry is not the subject of any built heritage designations. The nearest heritage designations include:

- A grade II listed milestone between bridges 34 and 35 of the Coventry Canal;
- A grade II listed bridge (bridge 33) on the Coventry Canal;
- Several listed buildings at the settlement of Mancetter;
- Roman camps, a villa and settlement, which are scheduled ancient monuments, at Mancetter;
- The site of an iron age hillfort on the site of the current Oldbury Reservoir\(^6\), which adjoins the site;
- The site of the Oldbury Priory on the site of the current Oldbury Reservoir\(^7\), which adjoins the site;
- A find of Mesolithic flint implements at Outwoods Farm\(^8\).

3.10 Both Purley Quarry and Oldbury Quarry are designated as Local Geological Sites\(^9\). Other nearby designations include:

- A country park and ancient woodland at Hartshill Hayes;
- A footpath that skirts the western boundary of the operational quarry (AE108) and within the proposed site;
- A bridlepath that is located west of the operational quarry (AE109X) and within the proposed site;
- An ancient woodland that is a Site of Special Scientific Interest (SSSI), at Bentley Park Wood to the north-west of the site;
- An ancient woodland flanking Purley Quarry\(^10\);
- Three SSSI's, two of which are in old quarries, around Hartshill.

3.11 There are three Biodiversity Action Plan Priority Habitats in the area, although these are not within the site. The sites listed include an area of undetermined grassland adjoining Purley Quarry, an area of grazing marsh east of the Coventry Canal and an area of lowland meadow to the west of the site.

3.12 The site and the adjoining area are not the subject of an Area of Outstanding Natural Beauty designation and are not in a Special Landscape Area. The site and the adjoining area are not the subject of any ecological designation such as a Special Area of Conservation. Although some of the site is included in the National Inventory of Woodland and Trees, these areas are not listed as ancient woodland\(^11\).

Other Matters

3.13 Water supply pipes that are operated by Severn Trent Water (STW) runs along the boundary between the existing quarry and the extension area, following the alignment of public right of way AE108 through the application site. This apparatus will require to be diverted and relaid within the application site, in advance of the quarry faces being developed in the


\(^9\) [http://wgcg.freehostia.com/LoGS/LoGS-map.html](http://wgcg.freehostia.com/LoGS/LoGS-map.html)


extension area. The acceptability of the route and configuration of the diversion has been discussed with STW.

3.14 The routes of various public rights of way in the local area are shown on plan reference M095/00045. The development will directly affect public rights of way AE108 and AE109 where they run through the extension area between Purley Chase Lane in the north and Oldbury Road in the south. Both of these routes will be affected from commencement of the extended operations until restoration of the western landform is complete. A strategy for managing those routes and maintaining appropriate levels of access throughout the development is outlined in this document and will be secured through a combination of legal orders to be promoted by Lafarge Tarmac.
4. **PLANNING HISTORY**

4.1 Mancetter Quarry has been in existence for in excess of 100 years. The first Ordnance Survey map in 1887 shows that quarrying took place at Mancetter at that time. There is also some evidence that small quarry pits were dug in the area at several earlier points in the past. The 1887 Ordnance Survey map also shows a tramway running from the quarry to a wharf on the Coventry Canal. Beyond the canal is the railway (now the West Coast Mainline), built in 1848, running from London to Glasgow with a spur off which subsequently allowed for the loading and transportation of quarried rock. Unusually, the quarry was used for motor racing speed trials in the 1940s and 1950s12.

4.2 Details in relation to the site’s more recent planning history associated with the quarrying operations at the site are outlined below. The most significant planning permissions are ref. NW20/00CM001, which governs the general operation of the quarry and appeal ref. APP/H3700/A/11/2147480, which amended the operating hours of the site.

NW/83/0857

4.3 On the 26th July 1983, Warwickshire County Council granted permission for the retention of a stone coating plant.

NW/87/1278

4.4 The applicant withdrew an application made in relation to the erection of a roadstone coating plant.

NW/95/CM020

4.5 On the 28th November 1995, Warwickshire County Council refused permission to extend the diorite workings at Purley Quarry.

NW/99/CM012


NW/00/CM001

4.7 On the 13th February 2002, Warwickshire County Council granted permission for the extension and consolidation of Mancetter Quarry.

4.8 The grant of permission included various conditions:

- requiring the submission of a scheme for the retention of trees, hedges and habitat areas;
- requiring the submission of a scheme for the identification and protection of protected species on the site;
- relating to the restoration of the site;
- restricting operating hours;

limiting output to 400,000 tonnes per year;
relating to the stripping and storage of soils;
relating to access;
relating to noise limits;
relating to dust control;
restricting blasting operations.

NW/03/CM017

4.9 On the 13th October 2003, Warwickshire County Council refused permission to vary condition 17 of NW20/00CM001, to permit the operation of the secondary crusher until 10pm for 18 months.

NW/04/CM032

4.10 On the 27th October 2004, Warwickshire County Council refused permission to vary condition 17 of NW20/00CM001, to permit the supply of high PSV asphalt on 25 occasions per year, between the hours of 5.30pm and 4am. The reason for refusal was that the proposal would cause unacceptable harm to the amenities of local residents.

NW/04/CM033

4.11 On the 27th October 2004, Warwickshire County Council refused permission to vary condition 17 of NW20/00CM001, to permit the supply of high PSV asphalt on 25 occasions per year, between the hours of 6am and 5pm, with the coating plant starting at 5am. The reason for refusal was that the proposal would cause unacceptable harm to the amenities of local residents.

NW/04/CM034

4.12 On the 27th October 2004, Warwickshire County Council refused permission to vary conditions 17, 25 and 26 of NW20/00CM001, to permit the supply of high PSV asphalt on 25 occasions per year, between the hours of 5.30pm and 4am and the supply of high PSV asphalt on 25 weekends per year between 6am and 5pm, with the coating plant starting at 5am. The reason for refusal was that the proposal would cause unacceptable harm to the amenities of local residents.

APP/H3700/A/05/1178973 & APP/H3700/A/05/1178976 & APP/H3700/A/05/1178978

4.13 The applicant appealed the refusal of applications NW/04/CM032, NW/04/CM033 and NW/04/CM034. On the 28th September 2005, the inspector dismissed the appeals in relation to NW/04/CM032 and NW/04/CM034 and permitted the appeal in relation to NW/04/CM033, for a period of two years.

NW/07/CM005

4.14 On the 27th July 2005, Warwickshire County Council granted permission to vary condition 17 of NW20/00CM001, to permit the supply of asphalt on 25 weekends per year for the remaining life of the planning consent, between the hours of 6am and 5pm with the coating plant starting at 5am.
4.15 On the 14th October 2010, Warwickshire County Council refused permission to vary permission NW20/07CM005, to remove the restriction on asphalt production at the weekend. The applicant appealed this decision (appeal ref. APP/H3700/A/11/2147480) and on the 15th June 2011, the Planning Inspectorate determined that the operation of the asphalt plant at the weekend would not result in any demonstrable harm to the environment or local amenity. A new condition relating to the operation hours of the site was imposed.

4.16 A copy of Planning Permission reference NW20/00CM001 and appeal reference APP/H3700/A/11/2147480 is provided at Appendix 1.
5. THE PROPOSED DEVELOPMENT

5.1 At present, the site has a remaining life of approximately three years at an output of approximately 300,000 – 400,000 tonnes per annum. The applicant proposes to extend the quarry to the west of the site, as per the enclosed drawings, referenced M095/000044 – M095/00050. It is anticipated that this would extend the life of the existing quarry by seven to eight years. This will ensure that the quarry can operate until 2025, as per the current permission.

5.2 The extension to the site requires the removal of soils and overburden shales, which are proposed to be utilised to create an attractive permanent landform feature to the west of the extension area.

5.3 The application also seeks to consolidate the current permissions governing this site (which would establish a new parent permission and negate the requirement for a ROMP application in 2017) and regularise ancillary operations at the site.

5.4 The applicant proposes to operate the quarry at the same rate of output, using the same access arrangements and environmental mitigation measures and complying with the same conditions governing the current operations. The applicant does not seek to amend the current operations in any way, other than to extend the life of the quarry, by enlarging the lateral extent of the quarry.

Volumes of Materials

5.5 The proposed extension area is anticipated will release in the region of 2 million tonnes of additional mineral reserves (diorite stone).

5.6 In order to reach these mineral reserves, approximately 2 million m$^3$ of insitu overburdens and shales are required to be removed$^{13}$. 

5.7 The majority of these materials will be utilised to create the proposed western landform feature, which requires approximately 1.5 million m$^3$ of materials for its creation.

5.8 The remaining materials will be used for the restoration of the southern area of the existing quarry, adjacent to Oldbury Reservoir or deposited within the existing quarry void.

Operations

Mineral Extraction and Processing

5.9 Mineral extraction at Mancetter is undertaken by drilling, blasting, crushing and screening rock into graded aggregate sizes. Historically, rock blasted from the face has been transported by dump truck to a processing plant located within the quarry curtilage at the northern end of the quarry void, where it is tipped onto a covered surge pile and is then crushed and screened into graded aggregates. The processing plant is contained within a series of clad structures. It is proposed that the extension area would be worked using the same extraction method currently employed.

$^{13}$ Excludes bulking up factor
Soils and Overburden Removal

5.10 Soils and overburden would be stripped sequentially and used either in the construction of the western landform feature, the restoration of the southern end of Oldbury Quarry adjacent to Oldbury reservoir or placed in the existing void, for final restoration purposes.

5.11 The shales would be broken using a ripper and dozer and loaded into articulated dump trucks, by an excavator, to be transported to their intended destination. A dozer would be used in the placement of the materials for the creation of the final restoration landforms.

Roadstone Coating Plants and Ancillary Development

5.12 Existing value added plant at the site includes two roadstone coating plants which are located within the plant area adjacent to the processing facilities. These would continue to operate as at present and in accordance with the existing conditions and associated environmental permits. Associated weighbridge and administrative facilities are also located within this area and are proposed to remain (as currently permitted) as part of the development proposals.

5.13 The coated roadstone plants also utilise Recycled Asphalt Product (RAP), which is introduced into asphalt to replace virgin stone and bitumen. This has significant financial and sustainability benefits.

5.14 RAP is generated from processing either road planings from worn out carriageways or waste asphalt arising from coating plants, and Mancetter has a demand for up to 30,000 tonnes of RAP per year.

5.15 RAP processing is currently carried out in a small area within Purley Quarry, on a campaign basis, using mobile plant brought in by outside contractors. Some RAP processing is undertaken on an ad hoc basis within a small area to the west of the plant site using mobile plant operated by the applicant.

5.16 A crushing campaign typically lasts for two weeks with the maximum stock holding of raw RAP around 8000 tonnes. Typically between two and four processing campaigns are undertaken per year.

5.17 In order to be used on the plant, the raw RAP (plant waste or planings) need to be crushed to -25mm and screened into -10mm and 10/25mm products. An excavator loads the mobile crusher which in turn feeds the screen to make three products, -10mm, 10/25mm and +25mm. The +25mm is re-introduced back through the crusher as 25mm is the largest size needed.

5.18 The site currently operates under an exemption from the Environmental Permitting (England & Wales) Regulations 2010 in relation to the RAP processing operations.

Export of Materials

5.19 All materials from the site are exported via road. The current permission is subject to a legal agreement containing a vehicle routing clause. This requires all unladen HGVs to enter the site via Quarry Lane (from the B4111) and all HGVs to exit the quarry via Purley Chase Lane (to Pipers Lane and the B4114 Coleshill Road).
5.20 Whilst there is no current restriction on the number of vehicles utilising the site, there are restrictions on the volumes of materials permitted to be exported from the site. These restrictions limit the quarry to an annual output of 400,000 tonnes, and a monthly limit of 40,000 tonnes.

5.21 It is not proposed to alter either the vehicle routing agreement or the annual or monthly output limits of the quarry as part of this application.

Phasing of Development

5.22 The proposed development provides for the extraction of mineral and the progressive restoration of the site. In order to provide an outline of the progression of the proposed development, the scheme has been presented over a number of phases as detailed on plan numbers M095/0045 to M095/0049.

Preparation Works - Plan Reference M095/00046

5.23 It would be necessary to undertake site preparation works in advance of the proposed extraction operations. Plan reference M095/00046 incorporates the extent of these operations in the Phase 1 scheme. The preparation works would take 6 to 9 months to complete and would include the following key tasks:

- diversion of the STW pipeline apparatus diversion corridor south and west of the extraction area and east of the western landform;
- diversion of right of way AE108 to same diversion corridor of STW pipeline, followed by closure of current route;
- diversion of right of way AE109 around periphery of western landform, followed by closure of current route; and
- establishment of internal haul routes and ramps from existing workings to the Phase 1 extraction area.

Phase 1 – Plan Reference M095/00046

5.24 Phase 1, as detailed on plan reference M095/00046, provides for the initial development of the extension area to the west, the commencement of works to the proposed western landform and restoration of the southern area of the existing quarry adjacent to Oldbury Reservoir (indicated as Phase 1 restoration on the plan). This includes:

- the stripping of overburden and shales to expose the diorite deposit in Phase 1;
- the stripping of soils and deposition of overburden to commence creation of the southern section of the new landform to the west of the extraction area, with works progressing from north to south;
- the deposit of mineral wastes in the existing extraction void;
- the deposit of materials and restoration of the southern portion of the existing quarry adjacent to Oldbury reservoir;
- Ongoing extraction of mineral from the existing quarry and from the proposed extension area in a westerly and northern direction;
- The processing and transportation of mineral extracted on the site;
- The restoration of Purley Quarry;
• The permanent diversion of Public Bridleway AE108 and the creation of a temporary crossing point for material movements;
• The temporary diversion of the existing bridleway AE109 to the west of the site around the new landform feature being created;
• Soft landscape planting;
• Ongoing landscape management and aftercare.

5.25 Phase 1 releases approximately 1.5-2 years’ supply at current output rates. These continue to be extracted over phase 2.

5.26 It involves the removal of approximately 553,000m$^3$ of in situ overburden and shale materials$^{14}$. Of these approximately 323,000m$^3$ will be utilised in the western landform, with the remainder distributed between the Phase 1 restoration area (adjacent to Oldbury Reservoir) and the existing quarry void. This will be undertaken over a time period of approximately 9 months.

**Phase 2 – Plan Reference M096/00047**

5.27 Phase 2, as detailed on plan reference M095/00047, is contiguous with Phase 1, and provides for the continued development of the extension area moving northwards with the continuation of works to the proposed western landform. This includes:

• the continued stripping of overburden and shales to expose the diorite deposit in Phase 2;
• the stripping of soils and deposition of overburden to commence creation of the northern section of the new landform with works progressing north to south;
• the final restoration of the southern section of the new landform;
• the deposit of mineral wastes in the existing extraction void;
• Ongoing extraction of mineral from the existing quarry and from the proposed extension area continuing in a northerly direction;
• The processing and transportation of mineral extracted on the site;
• The creation of a second temporary crossing point for material movements across Public Bridleway AE108;
• The continuation of the temporary diversion of the existing bridleway AE109 to the west of the site around the new landform feature being created;
• Soft landscape planting;
• Ongoing landscape management and aftercare.

5.28 Phase 2 releases approximately 2-3 years’ supply at current output rates$^{16}$. These continue to be extracted over phase 3.

5.29 It involves the removal of approximately 718,000m$^3$ of in situ overburden and shale materials$^{17}$ with all of these materials being utilised in the western landform. This will be undertaken over a time period of approximately 11 months.

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$^{14}$ Excluding bulking up factor
$^{15}$ Including bulking up factor of 10%
$^{16}$ This is a theoretical volume as operations are contiguous and the full release of mineral in phase 2 will not be fully realised without operations being undertaken in phase 3.
$^{17}$ Excluding bulking up factor
Phase 3 – Plan Reference M095/00048

5.30 Phase 3, as detailed on plan reference M095/00048, is contiguous with Phase 2, and provides for the continued development of the extension area moving northwards with the continuation of works to the proposed western landform. This includes:

- the continued stripping of overburden and shales to expose the diorite deposit in Phase 3;
- the stripping of soils and deposition of overburden to finalise the central section of the new landform with works progressing north to south;
- the final restoration of the northern and western section of the new landform;
- the deposit of mineral wastes in the existing extraction void;
- Ongoing extraction of mineral from the existing quarry and from the proposed extension area continuing in a northerly direction;
- The processing and transportation of mineral extracted on the site;
- The creation of a third temporary crossing point for material movements across Public Bridleway AE108 and removal of the first temporary crossing point;
- The continuation of the temporary diversion of the existing bridleway AE109 to the west of the site around the new landform feature being created;
- Soft landscape planting;
- Ongoing landscape management and aftercare.

5.31 Phase 3 releases approximately 2.5-3 years’ supply at current output rates. These continue to be extracted over phase 4.

5.32 It involves the removal of approximately 656,000m³ of insitu overburden and shale materials. Of these approximately 370,000m³ will be utilised in the western landform, with the remainder deposited within the existing quarry void. This will be undertaken over a time period of approximately 10 months.

Phase 4 – Plan Reference M095/00049

5.33 Phase 4, as detailed on plan reference M095/00049, is contiguous with Phase 3, and provides for the continued extraction of the mineral reserves released through Phase 3, with the finalisation of works to the proposed western landform. This includes:

- the final restoration of the central and eastern section of the new landform;
- the continued deposit of mineral wastes in the existing extraction void;
- Ongoing extraction of mineral from the existing quarry and from the proposed extension area continuing in a northerly direction;
- The processing and transportation of mineral extracted on the site;
- The continued use of the two temporary crossing points for material movements across Public Bridleway AE108;
- The ending of the temporary diversion of the existing bridleway AE109 and reinstatement along a route over the western landform;
- The creation of additional public access across the western landform, including a viewpoint location;
- Soft landscape planting;

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18 Excluding bulking up factor
19 Including bulking up factor of 10%
• Ongoing landscape management and aftercare

**Restoration – Plan Reference M095/00050**

5.34 The proposed development enables the consideration of a revised and enhanced, landscape scale restoration proposal for the site.

5.35 The proposed concept for the final restoration of the site is detailed on plan reference M095/00050.

5.36 The aims of the proposed restoration are:

• To establish a landform together with land use features and elements capable of integration and enhancement of the local landscape character and its wider setting;
• To increase local amenity use and value of the site and make connections into the local footpath/bridleway network;
• To create new wildlife habitats throughout the site that can be sustainably managed and maintained to promote and increase the potential for biodiversity; and
• To return land back to productive agricultural use.

**Purley Quarry Restoration**

5.37 The proposals see Purley Quarry restored largely to areas of agricultural land/neutral grassland areas (approximately 7ha) and acidic grassland/heathland (approximately 8ha with 50% anticipated to represent heathland). The scheme includes a strong element of woodland planting (approx. 6.4ha) to tie in with surrounding woodland areas. An element of this planting has already been undertaken. Around 646 linear metres of hedgerows are also provided.

5.38 The Rawn Brook will be reinstated to surface level, with the inclusion of water management storm balancing and treatment lagoons, with aquatic margins, extending to approximately 0.4ha.

5.39 Public rights of way are restored across the site, which connect to the existing network.

**Jubilee Quarry Restoration**

5.40 Jubilee Quarry has already been restored largely to areas of acidic grassland/heathland (approximately 2ha) with blocks of woodland planting extending to approximately 2.4ha.

5.41 The existing public right of way is retained through the site, with the gradient of the path having been slightly amended.

**Oldbury Quarry Restoration**

5.42 The extraction void at Oldbury is proposed to be reinstated to open water as a lake feature, extending to around 15 hectares with the water level controlled at 122m aOD. Areas of extensive shallows suitable for reedbed terrace or other aquatic/semi-aquatic habitats will be allowed to form on the south eastern periphery of the lake (extending to approximately 1.2ha).
Areas of exposed rock and shale faces will be retained around the southern and western perimeter of the former void, extending to approximately 1ha with the faces left to naturally regenerate.

The existing water management lagoons will be reinstated to wildlife habitat ponds, surrounded by areas of acidic grassland and an element of woodland planting.

The southern landform and eastern ridge will be returned to woodland to form a strong ridge woodland to reflect local landscape characteristics. An area of acid grassland/heathland will be retained around Oldbury Camp Reservoir to maintain the setting of the Scheduled Monument.

The existing quarry plant will be removed and a series of bentonite or similar lagoons will be created in the former plant area, with reedbed and acid water management. A minor water control channel from the lake will be cut from 122m to 121m aOD. This will control the water level in the lake, and connect the lake feature to the water management lagoons. The channel will pass through the site to the existing outfall channel which formed part of the existing permitted scheme.

The remainder of the plant and stocking areas of the site, following regrading, will be left to naturally regenerate.

In total these areas will provide for approximately 5ha of grassland/heathland (with 50% anticipated to represent heathland), 11ha of woodland (with 1.5ha already existing), 65 linear metres of hedgerows and 14ha left to naturally regenerate.

An access track will be retained onto Quarry Lane for the purposes of site management and maintenance.

A network of paths will be created around the void, connecting to the existing public rights of way network which is associated with Hartshill Hayes Country Park, the panoramic viewpoint associated with Oldbury Camp and the site of Hartshill Castle. They will also facilitate circular walks around the lake feature as well as provide a new network of paths and circular routes linking Atherstone, Mancetter, Oldbury and Hartshill Green together as well as linking to the long distance footpath of Centenary Way.

The proposals see the restoration of the western landform feature created as part of the development restored largely to areas of acidic grassland/heathland (approximately 9ha with 50% anticipated to represent heathland) with a significant woodland block extending to approximately 5ha, across the ridge of the landform and flanking the sides in some areas.

On the western flank of the landform feature, across the shallower gradients, two areas will be reinstated to agriculture. The northern area adjacent to Oldbury Farm will also be reinstated to agriculture, in total providing approximately 4.5ha of agricultural land. Approximately 759 linear metres of hedgerows will also be provided.

A drainage ditch will be retained around the perimeter of the landform, which will outfall into the lake in the Oldbury Quarry, and a number of small wildlife ponds will be created providing in total approximately 0.1ha of aquatic habitat.
5.54 The landform has been designed to recreate the rolling landform and sloping ground currently present within this area and to blend in with the new landform within Oldbury Quarry.

**Hours of Operation**

5.55 The current hours of operation are governed by condition 1 of appeal ref. APP/H3700/A/11/2147480. This condition states:

“None of the operations hereby permitted shall take place except:

a) During the following hours on days other than Sunday Bank Holidays or Public Holidays (with the exception of the operation of the coating plant and deliveries of coated stone as referred to below):

Mineral extraction, processing, servicing, maintenance or testing of plant and restoration works:

0700 – 1730 Mondays to Fridays
0700 – 1200 Sundays

Tip removal, soil stripping and overburden removal:
0800 - 1730 Mondays to Fridays
0800 – 1200 Saturdays

Blasting operations
1000 – 1600 Mondays to Fridays
1000 – 1200 Saturdays

Operation of the coating plant
0400 – 1730 Mondays to Fridays
0400 – 1700 Saturdays
0500 – 1700 Sundays

Vehicle movements
0600 – 1730 Mondays to Fridays
0600 – 1200 Saturdays
1200 – 1700 Saturdays (coated stone deliveries only)
0600 – 1700 Sundays (coated stone deliveries only)

b) As otherwise agreed in writing by the Minerals Planning Authority;

c) In emergencies to maintain safe quarry working (which shall be notified to the Minerals Planning Authority as soon as practicable); or

d) Subject to an average of no more than 5 loads of coated stone per hour leaving the quarry between 1200 and 1700 on Saturdays and 0600 and 1700 on Sundays.

5.56 The applicant proposes to retain these hours of operation, which were determined by the Planning Inspectorate in June 2011 as being appropriate.
Public Rights of Way

5.57 The configuration of the existing footpath network surrounding the application site is shown on plan reference M095/00052 with the alignment and numbering of each route being taken from the Worcestershire County Council Definitive Map. Footpaths in the area have been subject to previous alterations resulting from the existing working scheme, which includes commitments to restore and create additional routes following the cessation of quarrying operations. The effects on the network during phases 1 to 3 of the development, covering a period of around 3 years are shown on plan reference M095/00053 and the final restored situation is shown on plan reference M095/00054.

5.58 In so far as the proposals will affect the footpath network the applicant has engaged in consultation with Worcestershire County Council and other stakeholders. It is envisaged that diversion requirements can be achievable through a combination of legal procedures that would be progressed at appropriate stages through the planning process. The necessary orders will be secured and development works put in place ahead of the closure of any routes. Pre-application consultation has identified the necessity for diversions, the appropriateness of the proposed diverted routes and the legal process to securing diversions. The planning application strategy takes cognisance of the consultation advice received.

5.59 In addition to consultation with Worcestershire County Council, the proposals have benefited from being subject to two consultation events where members of the public and other interested parties were given the opportunity to comment on the proposals. In addition to the public, the events were also advertised locally and members of user groups were invited to attend. The outcomes of that consultation are described in the Planning Statement which accompanies the planning application submission.

5.60 The proposals will directly affect:

- AE108 that skirts the western boundary of the operational quarry and within the proposed site; and
- AE109 that is located west of the operational quarry and within the proposed site.

5.61 In designing the development proposals the applicant has treated both routes as bridleways due to the previous Section 106 agreement obliging these routes to be upgraded as such. This is despite no formal process or dedication being made by Worcestershire County Council.

Interim Position – Plan Reference M095/00053

5.62 As part of the preparation works AE108 would be permanently diverted between points A and B on plan reference M095/00053, around the western limit of the proposed extraction. The diversion would increase this section of AE108 in from 645m to approximately 755m. Upon having the diversion confirmed, the original route will be excavated as part of the extension operations.

5.63 The diversion would be formed within a fenced corridor beyond the extended quarry face, at the toe of the western landform. During the initial 3 phases of development (approximately 3 to 4 years) it would be necessary to establish up to 3 crossing points to allow heavy vehicle movements between the extraction area and the western landform for placement of
overburden on the western landform. Locations of these crossing points are shown indicatively on plan reference M095/00053. Such crossings are not an uncommon feature within quarries and are manageable. The crossing points would be hard surfaced and will have gates for pedestrians and horse riders at either end complying with BS5709:2006. It is envisaged that the gates will be constructed will be secured with a hook and chain at the top of the gate or if a mid-height latch is used then the latch will have a handle extending above the top rail of the gate. The catch or hook and chain will be accessible by not only by horse riders but also pedestrians and wheel chair users. The detailed specification, precise location and specification of the crossing points would be specified during the order making period. Traffic management would be arranged to ensure clear visibility for both crossing vehicles and bridleway users. Signage will warn users of crossing vehicles, where vehicles will give way to users of the right of way.

5.64 The stretch of AE109 between points C and D on plan reference M095/00053 is proposed to be temporarily diverted for the duration of activities on the western landform (approximately 3 to 4 years). The diverted route would be temporarily diverted around the western perimeter through points ‘C’ to ‘E’ to ‘F’ to ‘D’, increasing length along this route from approximately 470m to approximately 780m.

Restored Position – Plan Reference M095/00054

5.65 Plan reference M095/00054 shows the configuration of rights of way after full restoration of the quarry.

5.66 AE108 is retained in its diverted position beyond restoration of the quarry

5.67 Upon restoration of the western landform (after 3 to 4 years) AE109 is to be restored from its diverted route to a suitable route and as far as practical to its original route between points ‘C’ and ‘D’. The route shown on plan reference M095/00054 has been designed to accommodate the rise in the western landform from along its route.

5.68 The final restoration plan for the quarry incorporates new permissive routes including a linkage between AE108 and AE109 and the creation of a steeper trail to a ridge viewpoint on the western landform. A network of paths and trails are also proposed within the restored quarry. These proposals incorporate all of the improvements that are currently committed within the existing Section 106 agreement.

Construction Details

5.69 Routes AE108 and AE109X have been designed to a nominal width in the order of 4m to 5m, with 2m to 3m of which shall be stoned). The routes have been designed to a maximum gradient of circa 1:12 as per The British Horse Society’s Advice on Specifications and Standards recommended for equestrian routes in England and Wales. More precise details of the construction of these routes are to be specified in the necessary order making process, however, the design requirements have been built into the design model for the proposed development. Additionally, the design of crossing points shall be specified in the order process and will be informed by The British Horse Society Advice on Gaps, Gates and Vehicle Barriers, January 2013.

5.70 Advice received from WCC to date has confirmed that route AE108 can be secured through a Diversion Order under the provisions of Section 257 of the Town and Country Planning Act
1990. For the temporary diversion of route AE109X the necessary orders could be progressed through a combination of a Temporary Diversion Order under the provisions of Section 261 of the Town and Country Planning Act 1990, or/with under a Temporary Traffic Regulation Order (TTRO). The necessary orders will be secured through further consultation with WCC in advance of all necessary applications.

**Employment**

5.71 The quarry currently provides employment opportunities for 46 people, providing direct employment for 26 people and supporting a further 20 jobs through its fleet of vehicles operated by contracted hauliers.

5.72 The majority of the staff currently employed at the site live within the local area.

5.73 These positions will be safeguarded through the continued operation of the quarry.
6. **THE NEED FOR AN ENVIRONMENTAL IMPACT ASSESSMENT**


6.2 The entire site area is 96 hectares, with 73 hectares constituting the existing quarry area, and approximately 23 hectares constituting the proposed extension. As a result, an EIA is automatically required under section 19 of Schedule 1 of the EIA regulations, which states that an EIA is required for proposed quarry developments of more than 25ha.

6.3 Schedule 4 of the EIA regulations outlines the information to be included in an ES, including:

- a description of the development;
- an outline of the main alternatives;
- a description of the aspects of the environment likely to be significantly affected by the development, including, population, fauna, flora, soil, water, air, climatic factors, architectural and archaeological heritage, landscape and the inter-relationship between these factors;
- a description of the likely significant effects of the development on the environment, including the direct effects and any indirect, secondary, cumulative, short, medium and long-term, permanent and temporary, positive and negative effects of the development;
- a description of the measures envisaged to prevent, reduce and where possible offset any significant adverse effects on the environment;
- a non-technical summary;
- an indication of any difficulties encountered in compiling the required information.

6.4 Although the EIA regulations require all of the above environmental considerations to be addressed, different developments result in different impacts. As a result, not all of the various environmental aspects require detailed consideration.

6.5 On 05 October 2011, a request for a scoping opinion was submitted to Warwickshire County Council. The Council issued its scoping opinion on 21st November 2011. This states that the following environmental considerations should be addressed within an Environmental Statement:

- Traffic and Transport
- Public Rights of Way
- Visual Impacts
- Archaeology
- Flood Risk Assessment
- Noise
- Air
- Vibrations

6.6 The scoping opinion also suggests that the application should consider the current Section 106 agreement and Council policy in relation to minerals development in the area.
7. ENVIRONMENTAL CONSIDERATIONS

General

7.1 The proposed development has been considered against its potential to cause significant environmental effects in relation to:

- Highways and Traffic
- Landscape and Visual Impact
- Ecology
- Noise
- Blast Vibration
- Air Quality and Dust
- Water Environment
- Archaeology and Cultural Heritage
- Soils and Agricultural Land Quality
- Public Rights of Way

Highways and Traffic

7.2 The proposed development provides for the continued extraction of mineral at the current rate of output. As a result, the proposed development will not result in any change to the current number of Heavy Goods Vehicles (HGV) accessing and egressing the site.

7.3 The impact of HGV movements on residential amenity, highway safety and highway capacity, at the permitted and therefore proposed rate, was considered by the Planning Inspectorate (planning application ref. NWB/10CM009 and appeal ref. APP/H3700/A/11/2147480), as recently as the 15th June 2011. The Highway Authority did not raise any highway safety issues. The Council accepted that the proposed HGV movements would not result in any significant highway safety or capacity impacts. As stated in a report to the Regulatory Committee dated 12th October 2010:

“In highway safety terms the development has been carefully assessed and whilst it is fair to say that the highway network is inadequate it must also be stressed that this is a relatively lightly used road network and there is not a record of accidents or other transportation problems which would justify an objection to this development on highway safety grounds.”

7.4 In addition to highway safety and capacity, this application (ref. NWB/10CM009) also addressed the impact of HGV movements on residential amenity. A noise assessment was submitted with the application, which indicated that the proposed development would not have unacceptable impacts on residential amenity. The Environmental Health Officer was consulted and advised that he/she concurred with the noise assessment. The Council refused the application on the basis that it would negatively impact residential amenity. The inspector found that there was no evidence to support the assertion that the proposed HGV movements would result in any significant impacts on residential amenity and determined that the appeal should be allowed. In addition, the inspector noted that the site has operated for many years and is a fundamental part of the character of the locality. It is evident, therefore, that HGV movements at the permitted, and therefore proposed, rate will not have any significant, negative impacts on residential amenity.
7.5 The movement of HGVs is the subject of a section 106 agreement, in accordance with reference NW20/00CM001. The routing agreement requires all empty HGVs to enter the site via Quarry Lane and all HGVs to exit the site via Purley Chase Lane. As noted by the Inspector in the Appeal Decision: “The routing agreement ensures that the noise and disturbance of the HGV traffic is shared between the adjacent roads and a concentration of vehicle noise and disturbance avoided. This is necessary because a number of houses and bungalows along the route lie very close to the roadside, particularly in the built-up part of Mancetter, where the gradient is also likely to cause gear changes and acceleration”.

7.6 The section 106 agreement also requires the applicant to pay an annual highway maintenance contribution of £11,000.

7.7 The District Council in responding to the scoping opinion request considers that the proposed development will increase the operational life of the quarry and will therefore extend the duration of HGV movements associated with the site. There are, however, no proposals to extend the life of the current permission, this being until 2025. The baseline for the assessment is therefore the currently permitted level of vehicle movements. In the absence of the extension being approved, the site is still permitted to operate within this level of vehicle movements up to 2025. Under such a scenario, the operations at the site could legitimately be tailored in order to conserve the remaining reserve and obtain the maximum economic benefit from it. This could involve maintaining the output through the export of the mineral from the site in smaller loads, through the utilisation of value added plant at the site, for example through provision of a higher proportion of asphalt.

7.8 There may also be a perception that the quarry is the main source of HGV traffic in the area and that the extension of the site would in some way be an unreasonable burden on the community. As noted in the inspector’s report, the site is in a rural area and many of the local businesses, including farms, produce HGV traffic. These HGV movements are not the subject of any restrictions, Section 106 agreements or conditions. As a result, HGV traffic that does not originate in the quarry is free to travel through the area at any time, generating similar impacts to those generated by the quarry traffic.

7.9 Notwithstanding this, The Hurlstone Partnership Limited has undertaken a review of the proposed development in terms of its potential highway impact and produced a transport statement. A copy of the technical report is contained at Appendix 2 of the Environmental Statement.

7.10 Having considered the circumstances of the case, it became apparent that the proposed development effectively represents a continuation of existing activities at current output levels throughout the consented period of the existing planning permission.

7.11 Whilst there would be an overall increase in total traffic movements between now and 1st January 2025 as a result of the proposed development, there would be no increase over and above what may already take place during any given hour, day, week, month or year.

7.12 Therefore, other than the potential increase in wear and tear on the highway owing to the cumulative increase in vehicle numbers over the permitted life of Mancetter Quarry, in terms of impact on a day to day basis, there would be no change from the currently permitted situation.
7.13 Following consultation with the Local Highway Authority (LHA) a review of the local road network and its safety record was undertaken. It was also requested that the condition of the local road network be reviewed with the Highway Authority in order to establish whether the existing annual contribution towards maintenance payable under the existing planning permission was adequate for ongoing, future maintenance.

7.14 The applicant is content to review the condition of the highway network with the LHA to establish whether the existing contribution is sufficient. It is suggested that this appraisal could be undertaken during either the consultation period or following a resolution to grant planning permission subject to the signing of the S106 agreement, which is a common way forward in such cases.

7.15 The review of the road network and accident data revealed that the existing highways safely accommodate the existing HGV activity in the area. There was only one recorded collision involving a HGV in the area when it was hit by a car whose driver had lost control on Pipers Lane in 2006.

7.16 Having considered the local highway network, its excellent safety record in terms of HGV activity, the long history of activities at Mancetter Quarry and the existing planning permission, it is concluded that the proposed development would be acceptable in terms of highway impact.

**Landscape and Visual Impact**

7.17 A Landscape and Visual Impact Assessment (LVIA) of the effects of the proposed development has been carried out by Playdell Smithyman Limited, and a copy of the technical report is included at Appendix 3 of the Environmental Statement.

7.18 The methodology for the assessment is based on the *Guidance for Landscape and Visual Assessment- 3rd Edition*. The assessment process utilises the collection and analysis of baseline information including desktop studies corroborated by fieldwork. From this, potential landscape and visual effects have been identified and assessed and measures then designed to either avoid or mitigate any significant adverse effects including landscape enhancement which forms an integral part of the overall development scheme.

7.19 The report concludes that the proposed development was found likely to only cause significant levels of landscape and visual effects to receptors in close proximity to the western landform during the initial construction period. However, the phasing of the development will help minimise the extent and length of these effects, which is not expected to last for more than 2.5 years. The completed landform will also help to link and unify the site into the local landscape character. Following completion of this landform, effects during the remaining operational life of the quarry would reduce to either minor or neutral levels of effect.

7.20 Following final restoration, the revised proposals were assessed as likely to give rise to higher levels of beneficial effects than the currently permitted scheme owing to the increased levels of landscape enhancement and integration of the whole site within the locality. This is also achieved by an increase in visual quality, an increase in public amenity as greater public access is provided and enhanced wildlife potential and biodiversity as new habitats are created and managed.
Ecology

7.21 The proposed extension area is not the subject of any statutory ecological site designations (i.e. as SSSI or Local Nature Reserve). Part of the application site falls within the Oldbury Reservoir/Mancetter/Purley Quarries Complex Ecosite 49/39 (part Local Wildlife Site or potential site), which is a non-statutory designation of sites of local value.

7.22 An Ecological Impact Assessment has been undertaken by SLR Consulting Ltd and a copy of the technical report is included at Appendix 4 of the Environmental Statement.

7.23 During 2011, surveys were undertaken to record the presence of protected species and wildlife habitats by experienced and licensed ecologists. The surveys have been updated during 2014 and following initial habitat appraisals (i.e. update Phase 1) and consultation, have focused on recording great crested newts, reptiles, breeding birds, badger and bats.

7.24 The surveys have indicated that the site supports protected animal species including badger; bats; great crested newt; reptiles and breeding birds.

7.25 The proposed extension would result in the loss or disturbance (followed by restoration to a western landform) of approximately 12 ha of arable farmland, 7.5 ha of improved grassland with semi-improved banks, 1.1 ha of golf course (semi-improved grassland with scattered trees) and 0.5 ha of woodland and approximately 850 m of native hedgerow. A small number of trees associated with hedgerows, of which most are semi-mature, would also need to be removed.

7.26 Impacts on habitats valued about those of a local level have not been predicted and would be more than compensated for by the scale of habitat creation (c.14ha) proposed for the western landform, which includes significant areas of new woodland, ponds and heathland/acidic grassland mosaic. The proposed western landform would be one element of the final restoration scheme for the whole quarry whereby further gains to habitats and wider ecological continuity (e.g. links between Purley/Jubilee Quarry and Hartshill Hayes Country Park) would be achieved and substantial progress and encouragement of wildlife recording has already been made in this respect.

7.27 Mitigation schemes in respect of protected species (great crested newt, badger and reptiles) will be required, where necessary under licence, and the removal of vegetation timed appropriately to avoid impacts on nesting birds. A dedicated area to the south of the quarry away from quarrying impacts has been identified as an Ecological Mitigation Area for use prior to the establishment of replacement habitats on the western landform.

7.28 The reports have concluded that there are no overriding reasons why the proposed development should not proceed subject to a number of recommendations suggested by the ecological specialists and to any other conditions which may be reasonably imposed by the planning authority to ensure the continued protection and enhancement of wildlife.

Noise

7.29 The current planning permission for Mancetter Quarry contains conditions which restrict operations to certain hours and sets noise limits for daytime and night-time operations for noise sensitive locations and a separate limit for private gardens and public open spaces.
7.30 With regard to noise the National Planning Policy Framework (NPPF) contains various aims including that noise from a new development should avoid giving rise to significant adverse impacts on health and quality of life, and that other adverse impacts should be mitigated and reduced to a minimum including through the use of conditions.

7.31 Technical guidance on noise was provided in more detail in the accompanying document “Technical Guidance to the National Planning Policy Framework”, dated March 2012, which was superseded in March 2014 by the Planning Practice Guidance.

7.32 The proposed development will bring extraction operations and overburden placement closer than currently permitted operations to Delamere Fisheries, and a few dwellings on Purley Chase Lane, Ridge Lane and Oldbury Road. The proposed extraction operations will be slightly further away than currently permitted extraction areas from dwellings in Mancetter about 2 km to the north and from Oldbury village to the south east of the quarry. The overburden material from the extension area will be placed in landforms to the west of the extension area or within previously worked areas of the quarry, with the stone transported by dump truck to the existing processing plant site.

7.33 Mineral site noise does not appear to have any significant impact on fauna in the vicinity of working sites. Mineral sites are well recognised as breeding sites for species such as badgers and even shy species of birds.

7.34 A noise assessment has been undertaken by Walker Beak Mason and a copy of the technical report is included at Appendix 5 to the Environmental Statement.

7.35 Baseline noise surveys were originally undertaken in October and November 2011. Further baseline noise surveys were undertaken in May and June 2014 to supplement the baseline noise survey data obtained in 2011.

7.36 The report does not address the noise arising from HGV movements on the local road network owing to the fact that the output of the quarry will be similar to the current output with no significant change in quarry related HGV traffic. Neither does the report provide a detailed assessment for the use of the asphalt plants in extended hours of operation and at weekends, since that has been the subject of a planning appeal by Tarmac in 2011 which was upheld.

7.37 The overall potential impacts from the extension area that have been considered relate to noise from the excavation, processing and overburden activities and the movement of material within the site, affecting the nearest noise sensitive locations to the proposed extension area.

7.38 Noise limits at dwellings and for Delamere Fisheries for quarry site noise associated with the extension area and proposed landform are suggested in the report, based on the guidance contained within the Planning Practice Guidance and having regard to the existing planning permission and measured background noise levels at locations representative of the nearest noise sensitive locations to the site.

7.39 In this situation, where the occupant of one of the nearest dwellings to the extension boundary is the landowner, it would not be appropriate to suggest site noise limits at that dwelling, Oldbury Farm, which would impose an unreasonable burden on the mineral operator. At the same time, in preparing a noise report covering a planning application or
carrying out work for an environmental assessment on noise, it is usual to suggest conditions which would ensure that the operations comply with environmentally acceptable noise limits at all times.

7.40 The report’s author considers that it would not normally be appropriate to require a daytime limit below 45 dB LAeq, 1 hour, free field at dwellings when background noise levels are below 35 dB LA90, 1 hour, free field as such a limit should prove tolerable to most people in rural areas. The following noise conditions are therefore proposed as a basis for discussion:

“For routine extraction and processing operations, the free-field Equivalent Continuous Noise Level, dB LAeq, 1 hour, free field, due to daytime operations on the site, shall not exceed a site noise limit of between 45 and 50 dB LAeq, 1 hour, free field at the dwellings, as set out in the table below. Measurements taken to verify compliance shall have regard to the effects of extraneous noise and shall be corrected for any such effects.”

<table>
<thead>
<tr>
<th>Position</th>
<th>Location Description</th>
<th>Site Noise Limit dB</th>
</tr>
</thead>
<tbody>
<tr>
<td>1</td>
<td>Westwood Road</td>
<td>49</td>
</tr>
<tr>
<td>2</td>
<td>Outwoods Farm</td>
<td>45</td>
</tr>
<tr>
<td>3</td>
<td>Quarry Farm</td>
<td>50</td>
</tr>
<tr>
<td>4</td>
<td>Oldbury Farm</td>
<td>45</td>
</tr>
<tr>
<td>5</td>
<td>Oldbury Village</td>
<td>45</td>
</tr>
<tr>
<td>6</td>
<td>Ridge Lane</td>
<td>45</td>
</tr>
<tr>
<td>7</td>
<td>Delamere (Fisheries)</td>
<td>45</td>
</tr>
</tbody>
</table>

“Except for temporary operations, the free-field Equivalent Continuous Noise Level, dB LAeq, 1 hour, free field, due to daytime operations on the site associated with the formation of the Proposed Tip, shall not exceed a site noise limit of 60 dB LAeq, 1 hour, free field at Oldbury Farm or 55 dB LAeq, 1 hour, free field at all other dwellings. Measurements taken to verify compliance shall have regard to the effects of extraneous noise and shall be corrected for any such effects.”

“For temporary operations such as site preparation, soil and overburden stripping, bund formation and final restoration, the free-field noise level due to work shall not exceed 70 dB LAeq, 1 hour, free field at the dwellings. Temporary operations shall not exceed a total of eight weeks in any calendar year for work close to any individual noise sensitive property where the suggested noise limit for routine operations is likely to be exceeded.”

7.41 Site noise calculations have been undertaken for selected receiver locations for a variety of combinations of activity in the extension area. The calculated site noise levels are presented for inspection and comparison with the suggested site noise limits for the noise sensitive locations.

7.42 Mitigation measures are identified in order to reduce the potential noise impact of the proposed operations in the extension area on the dwellings and Delamere Fisheries principally restriction on the hours of operation for some of the activity.

7.43 The assessment concludes that the suggested daytime, night-time and temporary operation site noise limits, based on recommendations in the Planning Practice Guidance, are met for most of the proposed operations in the extension area at the selected locations.
7.44 For some of the time a lower daytime noise limit, based on not exceeding background noise levels by more than 10 dB(A), would be met. However, it is considered that attempting to demonstrate compliance with the lower daytime limit would impose unreasonable burdens on the mineral operator and would not be appropriate in these circumstances.

7.45 On the basis of calculated site noise levels at acceptably low level for quarrying in the extension area and sensible restrictions on the hours of operation associated with the western landform, the report concludes that noise from the proposed site operations should be rated as satisfactory at the dwellings.

**Blast Vibration**

7.46 Blasting is currently controlled at the site by conditions 38 and 39 of the parent permission ref NW20/00CM001. Condition 38 states that no blasting shall take place unless an audible warning has been sounded. Condition 39 states that blasting operations shall be carried out in such a manner to minimize vibration, noise and over air pressure and peak particle velocity attributable to any blast shall not exceed 6mm per second in 95% of all blasts.

7.47 The blasting regime in the proposed extension area will be similar to that used in the existing quarry. The optimum blast design may vary from blast to blast and will necessarily be decided by the quarry operator with reference to the site specific conditions and in order to comply with the recommended vibration criteria. It is important to realise that for any given blast it is very much in the operator’s interest to always reduce vibration, both ground and airborne to the minimum possible in that this substantially increases the efficiency and hence economy of blasting operations.

7.48 The fact that the human body is very sensitive to vibration can result in subjective concern being expressed at energy levels well below the threshold of damage.

7.49 A person will generally become aware of blast induced vibration at levels of around 1.5mms$^{-1}$, although under some circumstances this can be as low as 0.5 mms$^{-1}$. Even though such vibration is routinely generated within any property and is also entirely safe, when it is induced by blasting activities it is not unusual for such a level to give rise to subjective concern. Such concern is also frequently the result of the recent discovery of cracked plaster or brickwork that in fact has either been present for some time or has occurred due to natural processes.

7.50 Virtually all complaints regarding blasting arise because of the concern over the possibility of damage to owner-occupied properties. Such complaints are largely independent of the vibration level. In fact, once an individual’s perception threshold is attained, complaints can result from 3% to 4% of the total number of blasts, irrespective of their magnitude.

7.51 An assessment of the environmental impact of blasting has been undertaken by Vibrock Limited and a copy of the technical report is included at Appendix 6 of the Environmental Statement.

7.52 The assessment commenced with an inspection of the site and monitoring of a production blast in November 2011. The blast design employed on that day is typical of production blasting at Mancetter Quarry. The blast was monitored using twelve instruments which were sited in a field adjacent and to the south west of the current extraction area. The
instrumentation was located at varying distances from the blast. The data obtained was used to generate a regression curve plot for blasting at Mancetter Quarry.

7.53 The report recommends a criterion for restricting vibration levels from production blasting in order to address the need to minimise annoyance to nearby residents. The recommended criterion is 6 mms-1 for 95% of events, from the current planning conditions, which represents a satisfactory magnitude for vibration from blasting at Mancetter Quarry.

7.54 All blasts at Mancetter Quarry, both those within the proposed extension area and those within the present quarry shall be carried out in such a manner so as to comply with a vibration criterion of 6 mms-1 peak particle velocity at a 95% confidence level as measured in any of the three planes of measurement.

7.55 All vibration will be of a relatively low order of magnitude and would be entirely safe with respect to the possibility of the most cosmetic of plaster cracks. All vibration will also be well below those levels recommended for blast induced vibration as being satisfactory within the previously discussed British Standard Guide BS 6472-2: 2008.

7.56 With such low ground vibration levels, accompanying air overpressure would also be of a very low and hence safe level, although possibly perceptible on occasions at the closest of properties.

7.57 With regards to the pipelines, these are to be rerouted to the south west such that there will be a minimum 75 metre standoff zone from blasting operations. Given that the overburden depth is 65 metres, the actual closest distance of blasting operations to the pipelines is a minimum of approximately 100 metres. Vibrock recommend a vibration limit of 75 mms⁻¹ as recorded on the pipeline.

7.58 In relation to Air Overpressure, Vibrock’s considerable past experience of air overpressure measurement and control leads them to the firm conclusion that it is totally impracticable to set a maximum air overpressure limit, with or without an appropriate percentile of exceedances being allowed, simply because of the significant and unpredictable effect of variable weather conditions. However, with a sensible ground vibration limitation the economics of safe and efficient blasting will automatically ensure that air overpressures are kept to reasonable levels. Vibrock therefore recommends that in line with the current best accepted modern practice in the extraction industries that safe and practical measures are adopted that ensure the minimisation of air overpressure generated by blasting at source, considering such factors as initiation technique.

7.59 The report concludes that if Lafarge Tarmac follows the recommendations given in the report, there is no reason why blasting operations within the future extraction area at Mancetter Quarry will give rise to adverse comment due to induced vibration at any of the dwellings or structures in the vicinity.

**Air Quality and Dust**

7.60 Dust is controlled at the site through conditions attached to the substantive permission, specifically condition number 15 which required the submission of a scheme for the suppression of dust arising from quarrying activities including from vehicle movements, and provision of a method of dealing with any complaints. The scheme was submitted to and approved in writing by the Mineral Planning Authority.
7.61 The Air Quality Regulations (AQR) prescribe National Air Quality Strategy (NAQS) objectives to be achieved for a range of pollutants. These include nitrogen dioxide (NO$_2$), which is usually associated with exhaust emissions from traffic, and fine particulate matter (PM$_{10}$), which can arise from many sources including traffic but also from industrial activities such as quarrying.

7.62 Dust is generally regarded as particulate matter up to 75 µm (micron) diameter and can be considered in two categories. Fine dust, essentially particles up to 10 µm, is commonly referred to as PM$_{10}$ and is measured to agreed standards and forms part of Air Quality Objectives (AQO). Coarser dust (essentially particles greater than 10 µm) is generally regarded as ‘nuisance dust’ and can be associated with annoyance, although there are no official standards (such as AQO) for dust annoyance. Nuisance dust is more readily described than defined as it relates to the visual impact of short-lived dust clouds and the long-term soiling of surfaces.

7.63 Although it is a widespread environmental phenomenon, dust is also generated through many human activities. This includes at minerals sites and surface mines, also by heavy industry, waste management, construction and demolition, agriculture (especially arable farming) and road transport.

7.64 For a hard rock quarry, experience indicates that nuisance effects of dust arising from hard rock quarries may extend up to 500 m from the source although, as noted in various guidance documents, residents’ concerns are most likely to be experienced within 100 m of the dust source, or sources.

7.65 An Air Quality and Dust Assessment has been undertaken by Dustscan and a copy of the technical report is included at Appendix 7 of the Environmental Statement.

7.66 The report was prepared with reference to current minerals industry best practice guidance, including the National Planning Policy Framework and associated Planning Practice Guidance relating to Air Quality and recent guidance regarding dust assessment produced by the Institute of Air Quality Management (IAQM).

7.67 As set out in the request for a scoping opinion, the proposed extension to Mancetter Quarry would not result in any increase in total output from the quarry. Importantly, it is not proposed to alter the operation of the two existing roadstone coating plants, which lie within the quarry, and there would be no change to the scale of operations on site or to the number or type of vehicles exporting materials from the site.

7.68 Consequently, the assessment concentrates on potential air quality and dust impacts arising from mineral extraction and restoration associated with the proposed quarry extension, including the RAP operation, which takes place largely on a campaign basis within the Purley Quarry section of Mancetter Quarry.

7.69 Some quarry processes are regulated under environmental legislation. PGN 3/08(12)$^{20}$ states that some mineral processing activities, such as crushing, grinding, screening and grading are prescribed under LAPC/LAPPC (Local Air Pollution Control/Local Air Pollution Prevention and Control) in relation to emissions of particulate matter (dust) but, as stated in PGN 3/08(12),

$^{20}$ Process Guidance Note (PGN) 3/08(12) Statutory guidance for quarry processes
are “...not normally likely to result in the release into air of particulate matter except in a quantity which is trivial...”.

7.70 Also the roadstone coating plants are separately controlled by Environment Agency Permit and the RAP facility currently operates under a separate exemption from the Environmental Permitting (England and Wales) Regulations 2010. Emissions relating to the roadstone coating operations were therefore not considered further in the report.

7.71 The assessment notes that there is a potential for dust emissions to occur at various stages of the operation, but these can generally be controlled by good practice. Potential sources or site activities likely to give rise to dust at Mancetter Quarry are:

- Soil stripping, storage and reinstatement;
- Overburden removal, storage and reinstatement;
- Drilling and blasting;
- Mineral extraction;
- Mineral processing;
- RAP processing;
- Mobile plant (both on-site and off-site vehicle movements); and
- Wind scouring of exposed surfaces and stockpiles.

7.72 The assessment considered the potential impacts on the Air Quality Objectives (AQO) and ‘nuisance’ dust arising from the proposed quarry extension, and from Recycled Asphalt Product (RAP) processing, which also takes place at Mancetter Quarry. The assessment also considered the impacts of exhaust emissions from Heavy Goods Vehicles (HGV) and other vehicles associated with the quarry extension.

7.73 The assessment concludes that there would be essentially no adverse impacts on AQO arising from the proposed extension.

7.74 With regard to dust impacts on nearby receptors, the assessment notes that the quarry is generally well screened by woodland and most receptors are unlikely to be affected by dust arising from the proposed operations, although without mitigation, impacts are possible at Quarry Farm due to traffic using the site access road and at Oldbury Farm due to materials’ handling during Phase 3 of site restoration.

7.75 The proposed extension would be operated in accordance with Lafarge Tarmac’s Environmental Management System (EMS) for the existing quarry, which is accredited to ISO 14001. The control of dust emissions, including the current dust management scheme, forms an integral part of the EMS. Mitigation measures have also been set out in the report for specific activities likely to be associated with dust emissions arising as a result of the proposed extension. These include:

- Minimising working of soil in very dry, windy conditions, by reducing drop heights at material transfer points and controlling vehicle speeds;
- Wetting down exposed surfaces with the existing water bowser (retained at the site) if necessary, especially in periods of dry, windy weather;
- Ensuring that existing dust control measures on the plant are properly operational;
- Using only mobile plant with upward or sideways exhausts;
- Ensuring all site haulage keeps to designated haul routes;
- Sheeting vehicles leaving the site and checking them for loose deposits that could fall onto the public highway;
- Ensuring any spillages from vehicles are cleared as quickly as possible by appropriate means to prevent unnecessary track-out onto the public highway;
- Keeping unmade access roads in good repair with vehicle speed limits being determined by the Quarry Manager according to the site and weather conditions pertaining at the time;
- Where practicable, managing stockpiles to maintain a smooth profile to minimise the spreading of loose materials and disturbing them as little as possible to encourage the formation and stabilisation of a surface crust;
- Where possible, adjusting conveyor discharge heights to minimise drop heights. It might be necessary to wet down stockpiled mineral to reduce the risk of wind-blow from exposed surfaces;
- reducing or suspending site operations causing visible dust emissions across the site boundary towards a sensitive receptor until the emissions can be controlled; and
- Empowering site personnel to take appropriate action whenever visible dust emissions are observed, or appear likely to occur, as a result of any operation or process on the site.

7.76 With mitigation, impacts are unlikely at Oldbury Farm but there remains, as with current operations, a moderate level of risk for nuisance impacts at Quarry Farm. The report notes that particular care should be taken in very dry and dusty conditions to minimise the risk of adverse dust impacts at Quarry Farm by ensuring that the site access road is kept as clean as possible and that vehicle speeds are kept within the 15 mph site speed limit.

**Water Environment**

7.77 An assessment of the water environment at Mancetter Quarry has been undertaken by BCL Consultant Hydrogeologists Limited via a hydrogeological and hydrological assessment and a flood risk assessment. BCL has also produced a technical note concerning the content of heavy metals in the discharge waters at the quarry (entitled Biotic Ligand Modelling of Heavy Metals (Cadmium, Nickel and Zinc) in the Discharge Waters). Copies of all three technical reports are included at Appendix 8 to the Environmental Statement.

7.78 The hydrogeological and hydrological report notes that the site falls within the catchment area of the River Anker but that there is no risk of fluvial flooding. Oldbury Stream receives all ingress waters pumped via treatment lagoons from the Purley and Oldbury workings and also takes rainfall runoff from the plant site in a process which has been ongoing for many years. The estimated rate of pumping is to remain at current levels, namely 300m$^3$ per day. Rainfall runoff and seepage from the western landform will be intercepted by a perimeter ditch which has capacity for the 100-year storm and which will be detailed to discharge into the Oldbury void.

7.79 An increase of 20m will be required to the depth of dewatering drawdown required to maintain dry workings in the Oldbury void (with an associated radius of influence of circa 165m). This will not impinge on local water supplies. The average daily rate of pumping will increase in the deepened and extended void, particularly during winter months, but the increased rate will comply with the existing consented volumetric constraint.

7.80 During a 100-year storm, a rise of circa 1.75m is predicted in the water level in the vicinity of the Oldbury sump as a result of water runoff. However, as the development is classed as
‘less vulnerable’ in terms of flood risk, any backing up of water around the sump during storm conditions is deemed acceptable. Following abatement of the storm, water would be pumped from the quarry at the designated rate based upon the requirement to maintain dry workings under average conditions. The water from the sump would continue to be directed into the two existing two-stage treatment lagoons situated at the northern end of the Oldbury void. Calculations show that these lagoons will provide effective silt settlement.

7.81 The flood risk assessment notes that the application area falls within flood risk zone 1 but that the various elements of the proposed development are considered to be appropriate activities for this zone (even when accounting for the assumed changes of climate change). The assessment considers there to be negligible potential for significant flooding of the site from rainfall runoff from adjacent lands; similarly, the risk posed by flooding from groundwater is deemed manageable. The assessment also considers the risk of flooding that may be posed elsewhere within the catchment by implementation of the development and concludes that the proposals are acceptable in this regard as the rates of discharge from the proposed development will not increase.

7.82 The technical note regarding the content of heavy metals in the discharge waters comments that whilst the concentration of cadmium, zinc, nickel and aluminium in the groundwater up-gradient of the quarry is shown to exceed the relevant environmental standards, the issue with regards to Oldbury Stream is considerably diminished when viewed in the context of various key factors, namely: the natural background metal loading that would have been apparent in the pre-quarry setting; the long history of quarrying (in excess of 100 years) such that the ecosystem of the stream will have adjusted to the heavy metal content; the difference between total metal content and bioavailable fraction; and the dilution capacity afforded by the River Anker.

7.83 Nonetheless, various measures are suggested (such as limestone drains and cover materials for the western landform) to be undertaken by the quarry operator to adjust water quality in order to move away from what has prevailed over the last 100 years towards generic environmental quality standards. This will have the added benefit of providing a timely trial of various methods which may be appropriate for water management in the final restoration.

7.84 Overall, the reports conclude that there are considered to be no overriding hydrological or hydrogeological related reasons why the proposed development should not proceed in the manner described in the application subject to the recommendations advanced and any other conditions which may be reasonably imposed by the planning authority.

**Archaeology and Cultural Heritage**

7.85 Cultural heritage is represented by a wide range of features that result from past human use of the landscape. These include historic structures, many still in use; above ground and buried archaeological monuments and remains of all periods; artefacts of anthropological origin; and evidence that can help reconstruct past human environments. In its broadest form, cultural heritage is represented by the landscape and townscape itself.

7.86 A Cultural Heritage Assessment has been undertaken by Andrew Josephs Associates and a copy of the technical report is included at Appendix 9 of the Environmental Statement.
7.87 The scope of work was discussed and agreed with Anna Stocks of the County Archaeological Service and discussions have continued throughout the project. A site walkover was carried out with Ms Stocks on 19th May 2014. Consultations were also held with English Heritage. It was agreed that there was no archaeological potential within the working and worked quarry areas and that this assessment should concentrate on the proposed extension area and the setting of designated features in the vicinity.

7.88 The Warwickshire Historic Environment Record (WHER) and online databases maintained by the National Monuments Record were searched for documented sites and monuments within the Proposed Extension Area and a 3km radius surrounding it. This was considered an appropriate distance to place the extension area within its archaeological context and allow an assessment of potential effects upon designated assets to be undertaken.

7.89 The Warwickshire County Record Office (WCRO) was visited in order to check historic maps of the area, as well as any other pertinent documents and local history books.

7.90 No designated features of cultural heritage importance lie within the proposed extension area.

7.91 There are three scheduled monuments within 3km of the extension area. These comprise:

- Oldbury Camp - located approximately 410m southeast of the extension area at an elevation of c.178m OD;
- Round Barrow - situated near the entrance to Hartshill Hayes Country Park approximately 1.50km to the southeast of the extension area; and
- Hartshill Castle - located approximately 1.92km southeast of the extension area.

7.92 There are six listed structures within 3km of the extension area. These comprise:

- Ansley Hall
- Ansley Barn
- Hartshill Castle Ruins
- Bridge 33, Coventry Canal
- Milestone between Bridges 34 and 35 Coventry Canal
- Crossing Keepers Cottage

7.93 There are no Conservation Areas within the 3km area surrounding the extension area.

7.94 There are no World Heritage Sites, Registered Parks and Gardens or Registered Battlefields within 3km of the extension area.

7.95 In total, some 108 archaeological sites, findspots, buildings and other landscape features are recorded for the 3km area surrounding the extension area. These include evidence for Upper Palaeolithic and Mesolithic activity, Neolithic and Bronze Age findspots and flint scatters, Romano-British and medieval settlement around Mancetter and Hartshill, and numerous quarries, mines and other industrial features reflecting the area’s rich industrial heritage. Evidence for Iron Age and Anglo-Saxon settlement within the area is limited to a small number of archaeological sites and findspots. Only two locations occur within the immediate vicinity of the extension area.
7.96 No sites, finds or features are recorded within the extension area, and the map regression has indicated that ploughing and the removal of field boundaries from the late 18th century onwards would have disturbed much of the area and severely damaged or destroyed the upper levels of any archaeological features or deposits occurring within it.

7.97 A walkover survey was carried out in March 2012. The walkover covered the whole of the extension area and was designed to assist in defining the presence/absence of archaeological remains within the area and the potential impacts of existing and proposed land use on their survival and condition.

7.98 The walkover survey found no artefacts, features or other archaeological evidence predating the late 20th century and the pasture fields show evidence of improvement.

7.99 The evidence would suggest that the extension area has only a low potential for archaeology. However, this may reflect a lack of systematic field-based examination and it may be more accurate to conclude that the overall potential is moderate.

7.100 The topography of parts of the extension area would have been potentially desirable to settlement in pre-modern times with far-reaching views to the north-east and it has been agreed with Warwickshire County Council that some pre-determination archaeological evaluation should take place in part of the area. The archaeological evaluation will comprise detailed geophysical survey and trial-trenching carried out on approximately 8ha, within an arable field.

7.101 The results of the geophysical survey would inform the location of trenches. In the absence of geophysical anomalies being identified, a random but stratified trench layout would be employed. The results would be provided to Warwickshire County Council before the determination of the planning application in order to allow an informed decision to be made in relation to the significance of any archaeology identified.

7.102 The field-based evaluation will assist in identifying whether sub-surface archaeology survives, its condition and significance. It is considered unlikely that archaeology of such importance as to require preservation in situ will be identified.

7.103 The scope of any mitigation will be directly related to the results of the evaluation but it is likely that, as national planning policy recognises, should archaeology of less than national importance be identified, an acceptable alternative is preservation by record through targeted archaeological excavation, recording, analysis and publication appropriate to the significance of the archaeological resource.

7.104 In the event that no archaeology is identified by the evaluation, it may not be necessary for a watching brief to be carried out.

7.105 Oldbury Camp Scheduled Monument lies at its nearest point approximately 410m southeast of the extension area. Both Warwickshire County Council and English Heritage in their scoping responses requested that the setting of the Camp be assessed against the potential impacts of the proposed extension.

7.106 A visit took place in March 2012 before the trees were in leaf and this may be considered an optimal time to assess effects. A further visit was carried out in December 2013.
7.107 The Oldbury Camp Scheduled Monument is an example of an Iron Age Hillfort. The integrity of the monument has been compromised by the construction of a reservoir within it and it is unlikely that any significant archaeological deposits survive within the interior. The rampart and ditch surviving on three sides appear relatively intact. It is overgrown with trees and undergrowth. The current quarry, which at its closest point lies immediately adjacent to the scheduled boundary, has affected its setting.

7.108 There is no intervisibility with the extension area from the earthworks of the monument due to the woodland within the monument and a buffer of trees, shrubs and brambles between the monument and the current quarry. At one point on the scheduled boundary, but beyond the extent of earthworks, a view is possible across the current quarry. However, should the woodland ever be removed, views towards the extension area would be clear within the middle distance.

7.109 The monument is not discernible from the extension area, although its location can be seen as a wooded hill. It is considered that the effects of working the extension area upon the setting of Oldbury Camp is slightly adverse.

7.110 However, the extension area would produce overburden that would partly be placed within the south-eastern extent of the current workings adjacent to the scheduled monument to restore the ground-levels to pre-quarry contours. A buffer of at least 100m of heathland will be maintained near the monument under the proposed restoration scheme and an opportunity exists to place an interpretation panel on the restored bridleway close to the monument’s boundary. This would be a positive impact of slight magnitude upon the setting of the monument.

7.111 The assessment concludes that the slightly adverse effects upon the setting of Oldbury Fort scheduled monument created by extraction within the extension area will be offset by the early restoration of the quarried area nearest the monument. The overall effect could therefore be considered to be neutral.

7.112 There is no evidence of any significant archaeological sites within the extension area.

7.113 The proposed development will have no significant effects upon known archaeology or cultural heritage assets and therefore fully accords with both local and national cultural heritage policy.

Soils and Agricultural Land Quality

7.114 An assessment of the soil resources and agricultural quality and use of the area associated with the proposed extension and western landform feature has been undertaken by Land Research Associates. A copy of the technical report is included at Appendix 10 to the Environmental Statement.

7.115 The report is based on a soil and agricultural desk study, and a survey of the land in June 2014.

7.116 In terms of existing use, the land in the north is a grass field used for fattening cattle. The southern fields are in arable use, one ploughed and bare ground, and the other growing winter barley. The land is not subject to any agri-environment scheme.
The field survey was based on observations at intersects of a 100 m grid, giving a sampling density of one observation per hectare. During the survey soils were examined by a combination of pits and augerings to a maximum depth of 1.2 m.

The survey shows a mixture of heavy textured soils developed in till, clay and mudstone, and lighter textured soils occurring on sandstone bands.

The heavy soils are mainly slowly permeable, and are likely to be affected by winter wetness due to water ponding over the clay layers. They are limited in the range of food and fibre production they can support, being mainly limited to autumn sown crops and grass, and have a poor capacity to absorb excess winter rainfall. They provide moist, neutral habitats for plant communities.

The lighter, loamy, soils are mainly permeable in their upper layers, and where over sandstone drain freely (wetness class I). Over slowly permeable clay, water drains quickly laterally on the steep slopes, and the soils suffer only minor winter wetness. They can potentially support a fairly wide range of food and fibre production, but very steep slopes make cultivation difficult. They provide moist, neutral habitats for plant communities.

In terms of Agricultural Quality the assessment notes that the agricultural quality in the survey area is determined partly by wetness caused by slow drainage over slowly permeable subsoils where the soils are heavier, and partly by droughtiness limitation where the soils are over sandstone. Slope is also an important factor.

Seasonal wetness is the principal limitation to agricultural land quality in the heavy land and the majority is of moderate quality in sub-grade 3b. The loamier soils give best and most versatile land in subgrade 3a where the slopes are less steep, but gradient is a limiting factor over some of the site.

In terms of soil handling and restoration the report recommends stripping should only take place in the driest parts of the year, using the excavator and dumper method as described by Sheet 1 in the MAFF Good Practice Guide for Handling Soils.

If direct placement of stripped soils onto areas being restored is not possible, the resources should be stripped and stored separately in low bunds (no more than 3 m high for topsoil). Topsoil should be stripped from areas designated for storing subsoil. The bunds should be constructed either by excavator or bulldozer (Sheets 2 and 14 in the MAFF Good Practice Guide) avoiding overcompaction. They should be sown with grass to help maintain biological activity and prevent water erosion. The soils should be removed from storage (Sheet 3 in the MAFF Good Practice Guide) and replaced by excavator during the summer using the loose tipping technique (Sheet 4 in MAFF Good Practice Guide), which avoids traffic on the restored surfaces.

Public Rights of Way

There are short term localised negative impacts of low significance during the period of around 3 years whilst AE109X is temporarily diverted and route AE108 is subject to managed crossing points. Beyond this period and upon restoration of the wider Mancetter Quarry complex there are significant opportunities for enhancement to the network through the creation of additional routes and paths of greater variety to the end users. The short term
diversions required to mitigate affects and restoration proposals can be satisfactorily secured through a combination of orders and Section 106 planning agreement to ensure delivery.
8. **PLANNING POLICY**

**National Planning Policy Framework**

8.1 The National Planning Policy Framework (NPPF) was published on 27th March 2012. The Framework sets out the Government’s economic, environmental and social planning policies for England and details how these are expected to be applied. It is, in itself, a material consideration in planning decisions.

8.2 At the heart of the NPPF is a presumption in favour of sustainable development. For decision taking, this means “approving development proposals that accord with the development plan without delay” and where the development plan is absent, silent, or relevant policies are out-of-date, granting permission unless “any adverse impacts of doing so would significantly and demonstrably outweigh the benefits, when assessed against the policies in this Framework taken as a whole; or specific policies in this Framework indicate development should be restricted”.

8.3 The NPPF recommends that local planning authorities should:

“...approach decision-taking in a positive way to foster the delivery of sustainable development” and “...look for solutions rather than problems, and decision takers at every level should seek to approve applications for sustainable development where possible.”

8.4 The ‘development plan’ in the instant case comprises the saved policies of the Warwickshire Minerals Local Plan (1995). The emerging Warwickshire Minerals Plan (previously known as the Warwickshire Minerals Core Strategy) is still at a relatively early stage of preparation but also remains to be considered.

8.5 These plans are considered further below but need to be assessed in the light of the relevant implementation policy of the NPPF, namely that ‘... due weight should be given to relevant policies in existing plans according to their degree of consistency with the NPPF (the closer the policies in the plan to the policies in the Framework, the greater the weight that may be given)’ (paragraph 215).

8.6 In relation to ‘Facilitating the sustainable use of minerals’, the NPPF states that “Minerals are essential to support sustainable economic growth and our quality of life. It is therefore important that there is a sufficient supply of material to provide the infrastructure, buildings, energy and goods that the country needs. However since minerals are a finite natural resource, and can only be worked where they are found, it is important to make best use of them to secure their long term conservation” (Paragraph 142).

8.7 The NPPF sets out a number of policies to which local planning authorities should have regard when determining planning applications (Paragraph 144 refers). These include:

- *Give great weight to the benefits of mineral extraction, including to the economy;*
- *Ensure, in granting planning permission for mineral development, that there are no unacceptable adverse impacts on the natural and historic environment, human health or aviation safety;*
- Ensure that any unavoidable noise, dust and particle emissions and any blasting vibrations are controlled, mitigated or removed at source and establish appropriate noise limits for extraction in proximity to noise sensitive properties;
- Provide for restoration and aftercare at the earliest opportunity to be carried out to high environmental standards, through the application of appropriate conditions, where necessary

8.8 The NPPF also requires mineral planning authorities to plan for a steady and adequate supply of aggregates by ‘making provision for the maintenance of landbanks for at least 7 years for sand and gravel and at least 10 years for crushed rock’ (paragraph 145).

8.9 Whilst the latest figures (as at 31 December 2011) indicate that Warwickshire’s crushed rock landbank remains healthy at 23.86 years, it is understood that much of this landbank is provided by non-operational sites and that the potential deliverability of these sites may impact on the County’s landbank and crushed rock provision over the plan period. [Source – Warwickshire County Council Minerals Plan update – November 2013].

8.10 In addition, data from the latest Annual Monitoring Report (2011/2012) indicates that the production of crushed rock in 2010 for Warwickshire and Staffordshire combined was only 26% of the combined annual apportionment of 2.275mt (i.e. 74% below target). This data should be considered in the light of advice on landbanks contained within the online Planning Practice Guidance (see below) which acknowledges that there is no maximum landbank level and states that each application for minerals extraction must be considered on its own merits regardless of the length of the landbank. This is discussed in more detail below.

8.11 The NPPF replaced a considerable number of Planning Policy Statements, Guidance Notes and Minerals Policy Statements including, in particular, MPS1 and MPS2. A raft of other guidance documents have also recently been cancelled following the launch of the Planning Practice Guidance Suite (06 March 2014) which sits alongside the NPPF. This guidance is considered further below.

The Development Plan

8.12 Section 38(6) of the Planning and Compulsory Purchase Act 2004 provides that where regard is to be had to the development plan for the purpose of any determination made under the Planning Acts, the determination must be made in accordance with the plan unless material considerations indicate otherwise. In the case of the proposal the relevant document is the adopted Warwickshire Minerals Local Plan (1995).

Warwickshire Minerals Local Plan (1995) - Saved Policies

8.13 The Minerals Local Plan for Warwickshire was adopted in 1995 as the statutory plan for minerals development in the county. Pending the adoption of the emerging Minerals Plan, a number of policies within the Minerals Local Plan continue to apply following a direction from the Secretary of State in September 2007. These include, amongst others, policies M1, M5, M6, M7 and M9.

8.14 Before considering these policies it is important to note that any assessment of policy which pre-dates 2004 needs to be weighted according to its degree of consistency with the policies in the NPPF. The relevant policies are reviewed and assessed below.
8.15 Policy M1 indicates that the preferred location for mineral extraction is within defined ‘preferred areas’ and ‘areas of search’. However, these areas relate only to sand and gravel and do not include hard rock and, to this extent, Policy M1 does not apply. Nonetheless, the accompanying text clarifies the position in relation both to hard rock and to extensions to existing sites.

8.16 In relation to the former, paragraph 4.17 of the Minerals Local Plan states:

“For hard rock the limit of resources is constrained by the limited geographical extent of the outcrop, and when the site specific restraints are applied the remaining area is very limited indeed. Consequently the whole resource has been identified on the Distribution of Minerals Map and each proposal will need to be justified by its own particular circumstances at the time of the application”.

8.17 In relation to proposed extensions to existing sites, paragraph 4.22 states that these will have to be justified as exceptions and in such instances, the onus will be on the applicant to demonstrate that the proposal ‘does not in reality impinge on any of the constraints used in identifying the Preferred Areas in the Plan’ (paragraph 4.20). Note that ‘the constraints’ are detailed at paragraph 4.5 of the Plan and largely relate to environmental designations. It is submitted that these constraints have been assessed and dealt with through the Environmental Impact Assessment which accompanies this application.

8.18 It is considered that whilst Policy M1 and its accompanying guidance do not conflict with policy in the NPPF, the policy is relatively neutral in its application, simply requiring the application to be assessed on its merits, taking into account the results of the accompanying ES.

8.19 Policy M5 seeks to ensure that proven and potentially workable minerals are extracted prior to sterilisation by other forms of development, regardless of whether they are within or outside the ‘preferred areas’ and ‘areas of search’. Although the proposed development does not suggest development other than mineral extraction, this policy is considered relevant as it acknowledges the importance of minerals as a non-renewable resource. The proposed development provides for the sustainable extraction of a nationally important resource, to ensure the continued supply of a rare and useful mineral. The outcome of limiting extraction to the current permitted extent would be the effective sterilisation of an important mineral resource. This policy is consistent with policy in the NPPF which seeks to encourage the prior extraction of minerals, where practicable and environmentally feasible, if it is necessary for non-mineral development to take place (paragraph 143 of the NPPF). The policy can therefore be accorded due weight.

8.20 Policy M6 seeks to ensure that applications for mineral development, regardless of whether the site is within or outside the ‘preferred areas’ and ‘areas of search’, will be considered against certain considerations. These are addressed in the table below and are considered to be consistent with policy in the NPPF, meaning that this policy can also be accorded due weight.

<table>
<thead>
<tr>
<th>Consideration</th>
<th>Response</th>
</tr>
</thead>
<tbody>
<tr>
<td>Operation and economic need</td>
<td>The resource is a rare mineral of local, regional and national importance. In particular it provides for a highly skid resistant asphalt utilised in</td>
</tr>
<tr>
<td>Area</td>
<td>Description</td>
</tr>
<tr>
<td>------------------------------------------------</td>
<td>--------------------------------------------------------------------------------------------------------------------------------------------</td>
</tr>
<tr>
<td><strong>Existing and proposed developments in the area</strong></td>
<td>No known existing or proposed development in the area that would constrain the extension of the site</td>
</tr>
<tr>
<td><strong>Areas of woodland, conservation, geological, geomorphological and ecological value</strong></td>
<td>As per the Environmental Statement, the proposal will not result in any significant demonstrable harm, and following restoration of the site, there will be significant benefits in terms of biodiversity and increased access to geological interests.</td>
</tr>
<tr>
<td><strong>Sites and landscapes of historical and archaeological importance</strong></td>
<td>As per the Environmental Statement, the proposal will not result in any significant demonstrable harm</td>
</tr>
<tr>
<td><strong>Transport</strong></td>
<td>As set out in the Environmental Statement, the proposal will not result in impacts on highway safety or capacity or on residential amenity. The existing lorry route will be retained and the existing section 106 agreement will be revised as appropriate in relation to contributions for the upkeep of the highway.</td>
</tr>
<tr>
<td><strong>Agricultural land and the feasibility of restoration to an appropriate use</strong></td>
<td>The site is located on subgrade 3a and subgrade 3b land but gradient is a limiting factor over areas of the site. The proposed development provides for the restoration of elements of the site to agriculture, with additional woodland, water, ponds, grasslands and scrub providing ecological enhancement.</td>
</tr>
<tr>
<td><strong>Surface and groundwater</strong></td>
<td>As per the Environmental Statement, the proposal will not result in any significant demonstrable harm.</td>
</tr>
<tr>
<td><strong>Subsidence</strong></td>
<td>The applicant has significant experience in the working of the site, and the quarry extension and landform feature have been appropriately designed by experienced geologists taking account of the particular geology of the site.</td>
</tr>
<tr>
<td><strong>Living conditions</strong></td>
<td>As per the Environmental Statement, the proposed development will not result in significant negative impacts such as noise, dust or vibrations.</td>
</tr>
<tr>
<td><strong>Green belt</strong></td>
<td>The site is not in green belt.</td>
</tr>
</tbody>
</table>
8.21 Policy M7 provides for the Council to impose conditions (including aftercare conditions) and/or planning obligations in order to mitigate against any environmental impacts and/or impacts on local residential amenity. This is consistent with policy in the NPPF which provides, at paragraph 203, for local planning authorities to consider “whether otherwise unacceptable development could be made acceptable through the use of conditions or planning obligations”. The Policy can therefore be accorded due weight. The NPPF goes on to state:

“Planning obligations should only be used where it is not possible to address unacceptable impacts through a planning condition.

Planning obligations should only be sought where they meet all of the following tests:

- Necessary to make the development acceptable in planning terms;
- Directly related to the development; and
- Fairly and reasonably related in scale and kind to the development.

Where obligations are being sought or revised, local planning authorities should take account of changes in market conditions over time and, wherever appropriate, be sufficiently flexible to prevent planned development being stalled.

Planning conditions should only be imposed where they are necessary, relevant to planning and to the development to be permitted, enforceable, precise and reasonable in all other respects”. (Paragraphs 203 – 206 of the NPPF)

8.22 Policy M9 states:

“Restoration of workings to a high standard and a beneficial after use will be required in accordance with the development plan. Satisfactory arrangements for aftercare will also be sought”.

8.23 This policy is consistent with policy in the NPPF as detailed above and can therefore be accorded due weight.

8.24 A detailed restoration plan is enclosed with the application. As described above, the proposed development provides for the provision of agricultural land, acidic grassland, woodland, scrub and ponds. It is submitted that the proposed restoration plan will provide an attractive resolution of any visual impacts and will, in time, provide habitats in the form of woodlands, ponds and grassland. Lafarge Tarmac Limited proposes to submit a landscape management and aftercare plan for the approval of the Minerals Planning Authority, should consent be forthcoming.
8.25 It is submitted that the proposed development will provide for the extraction of a rare and immensely useful mineral resource, without resulting in any significant harm to amenity or to the environment. The landscape can be adequately restored and the restored site will provide a beneficial after use as habitat, in the form of grasslands, waterbodies and woodland.

8.26 Consequently, it is considered that the proposed development is in full compliance with those objectives and policies of the Minerals Local Plan which have been shown to be consistent with policy in the NPPF.

**Material Considerations**

**Warwickshire Minerals Plan**

8.27 The Minerals Plan for Warwickshire will, when adopted, supersede the current Minerals Local Plan and become the principal planning document setting out the locational strategy for where new mineral development should be located and the policies that will guide new minerals development.

8.28 The Warwickshire County Council website advises that the Council is now restarting works on the Minerals Plan following a requirement for mineral planning authorities to prepare a Local Aggregate Assessment (LAA) based on a rolling average of 10 years’ past sales (and other relevant information). The LAA will determine how much sand and gravel and crushed rock is required over the plan period, thus influencing emerging policy and options of the proposed Minerals Plan. Once the LAA is completed, the Council will produce a Preferred Option and Policies consultation document which will include the locational strategy for new minerals development in the county, the draft development plan policies and allocations for sand and gravel extraction only.

8.29 The (previously titled) Warwickshire Minerals Core Strategy ‘Revised Spatial Options’ was consulted on between February and May 2009. It is noted that the NPPF provides that decision-takers may give weight to relevant policies in emerging plans according to:

- The stage of preparation of the emerging plan (the more advanced the preparation, the greater the weight that may be given);
- The extent to which there are unresolved objections to relevant policies (the less significant the unresolved objections, the greater the weight that may be given);
- The degree of consistency of the relevant policies in the emerging plan to the policies in the Framework (the closer the policies in the emerging plan to the policies in the Framework, the greater the weight that may be given) (paragraph 216).

8.30 It is considered that the policies set out in the Revised Spatial Options document discussed below are consistent with the ethos and policy of the NPPF such that they can be accorded some weight at this stage.

8.31 The Revised Spatial Options document sets out Warwickshire Council’s intention to identify strategic mineral sites in the Core Strategy. The document notes that most of the sites in the county are of strategic importance for various reasons. Figure 2.2 identifies the existing allocations and permitted sites in the county, including Mancetter Quarry.

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21 Paragraph 1.10 to 1.15
8.32 In relation to strategic hard rock quarries, the document notes that the outcrop of rock, including Mancetter Quarry, is a regionally important resource, which serves a national market for road building. It notes that this resource is especially important, given that large areas of the south-east have no local supplies of such mineral and require supplies from this source in Warwickshire\textsuperscript{22}. The document also notes that Mancetter Quarry and the two other quarries in the area, one of which is not operational, are ideally located near the central England motorway and principal road networks\textsuperscript{23}. As shown in Figure 2.5 of the document, Atherstone is located on the Warwickshire Advisory Lorry Route, which links to the national motorway network. Section 2.25 of the document notes the importance of encouraging the bulk transportation of minerals on such routes.

8.33 The draft spatial vision of the strategy is:

“To secure and manage the long term sustainable supply of Warwickshire’s primary and secondary minerals serving local, regional and national needs, whilst conserving the environment and promoting long term social and economic benefits”.

8.34 The document indicates that this vision will be implemented by achieving a number of objectives. The objectives relate to:

- The prudent use and safeguarding of mineral resources and the prevention of the sterilisation of land;
- The promotion of recycling and waste minimisation to reduce the demand for primary extraction;
- Securing the supply of minerals needed for economic growth;
- Conserving and enhancing the natural and historic environment;
- Protecting local communities from unacceptable environmental impacts;
- Minimising the impact of the bulk transport of minerals by road;
- Ensuring the restoration of mineral sites to a high standard;
- Promoting the use of locally extracted materials;
- Reducing the impact of mineral extraction on climate change; and
- Ensuring the protection or replacement of agricultural land.

8.35 The document also includes three spatial options for the allocation of sites. Spatial Option 1 provides for the extension of existing mineral sites which would include Mancetter Quarry. Spatial Option 2 suggests dispersed site selection within geological areas and Spatial Option 3 provides for new sites and extensions based on proximity to the main road network and to main growth areas, which would also include Mancetter Quarry. It is submitted that, under all of the Options, the Council appears to consider Mancetter Quarry to be a suitable site for continued mineral extraction.

8.36 The document sets out a number of policy principles. These principles are intended to be criteria against which future development proposals will be assessed. Policy Principle 2 relates to the extension of existing mineral workings and states:

“Proposals for the extension of existing mineral workings will be encouraged for allocated and un-allocated sites, where contiguous with an existing, dormant or un-restored site, and provided their impacts are environmentally acceptable and in accordance with the

\textsuperscript{22} Paragraph 1.22
\textsuperscript{23} Paragraph 3.46
development criteria set out in Policy Principle 1. Site submissions and applications will be carefully assessed against the cumulative impact of developments on local communities”.

8.37 The text accompanying Policy Principle 2 notes that extensions to mineral sites can have less environmental impact and can be more sustainable than the development of new sites. Although the document acknowledges that an extension can be more sustainable than a greenfield site and can avoid the sterilisation of mineral, it also notes that several extensions of a site could result in a negative cumulative impact. In this instance, the applicant proposes a seven to eight year extension of a site that has operated for well over one hundred years. The proposed extension is considered to be relatively modest.

8.38 Policy Principle 2 indicates that proposed extensions should be assessed against the criteria set out in Policy Principle 1. For convenience, the criteria are set out in table format below:

<table>
<thead>
<tr>
<th>Criteria</th>
<th>Assessment</th>
</tr>
</thead>
<tbody>
<tr>
<td>Amenity impacts</td>
<td>The Environmental Statement does not anticipate significant amenity impacts as a result of noise, dust, vibrations or transport or in relation to visual amenity.</td>
</tr>
<tr>
<td>Transport network</td>
<td>Proximate to Advisory Lorry Route</td>
</tr>
<tr>
<td>Dust, noise, air quality</td>
<td>Dust, noise and air quality are addressed in the Environmental Statement.</td>
</tr>
<tr>
<td>Cumulative impact</td>
<td>The proposed extension represents a modest increase in the operational lifespan of this quarry.</td>
</tr>
<tr>
<td>Special Areas of Conservation (SAC)</td>
<td>Not in or near an SAC</td>
</tr>
<tr>
<td>Sites of Special Scientific Interest (SSSI)</td>
<td>Not in or near an SSSI</td>
</tr>
<tr>
<td>Sites of Importance for Nature Conservation</td>
<td>See Environmental Statement</td>
</tr>
<tr>
<td>Local nature conservation sites</td>
<td>See Environmental Statement</td>
</tr>
<tr>
<td>Local Nature Reserves</td>
<td>See Environmental Statement</td>
</tr>
<tr>
<td>Areas of Outstanding Natural Beauty</td>
<td>Not in an AONB</td>
</tr>
<tr>
<td>Special Landscape Areas</td>
<td>Not in a Special Landscape Area</td>
</tr>
<tr>
<td>Regionally Important Geological Sites</td>
<td>In both Purley Quarry and Oldbury Quarry faces are and will be retained to enable the study of the geology of the site.</td>
</tr>
<tr>
<td>Areas of archaeological importance</td>
<td>See Environmental Statement</td>
</tr>
<tr>
<td>Historic Parks and Gardens</td>
<td>Not in or adjoining a historic park or garden</td>
</tr>
</tbody>
</table>

24 Paragraph 3.6
<table>
<thead>
<tr>
<th>National Trust Properties</th>
<th>None in the vicinity</th>
</tr>
</thead>
<tbody>
<tr>
<td>Listed Buildings</td>
<td>No listed buildings on or near the site</td>
</tr>
<tr>
<td>Conservation Areas</td>
<td>Not in or near a conservation area</td>
</tr>
<tr>
<td>Registered Battlefields</td>
<td>Not in or near a registered battlefield</td>
</tr>
<tr>
<td>Biodiversity Action Plan habitats</td>
<td>See Environmental Statement</td>
</tr>
<tr>
<td>Biodiversity Action Plan species</td>
<td>See Environmental Statement</td>
</tr>
<tr>
<td>Landscape Character Areas</td>
<td>See Landscape and Visual Impact Assessment</td>
</tr>
<tr>
<td>High grade agricultural land</td>
<td>The site is located on subgrade 3a and subgrade 3b land but gradient is a limiting factor over areas of the site. The proposed development provides for the restoration of elements of the site to agriculture, with additional woodland, water, ponds, grasslands and scrub providing ecological enhancement</td>
</tr>
<tr>
<td>Country Parks</td>
<td>Hartshill Hayes Country Park to southeast</td>
</tr>
<tr>
<td>Green belt</td>
<td>Not in the green belt</td>
</tr>
<tr>
<td>Public open space, commons, rights of way</td>
<td>A bridleway passes through the extension. This would be temporarily closed and reinstated following restoration. Additional footpaths through the site will also be provided as part of the restoration plan</td>
</tr>
<tr>
<td>Climate change</td>
<td>No anticipated significant impacts</td>
</tr>
<tr>
<td>Water environment</td>
<td>Water environment addressed by Environmental Statement</td>
</tr>
<tr>
<td>Flood risk</td>
<td>In flood risk zone 1. Flooding addressed in Environmental Statement</td>
</tr>
</tbody>
</table>

Policy Principle 5 considers the issue of buffer zones between quarries and sensitive properties and settlements. The document advises that the Council no longer considers it appropriate to set strict setback distances between quarries and sensitive properties. Policy Principle 5 clearly sets out the Council’s intention to review such matters on a case by case basis. In this instance, the Environmental Statement clearly indicates that the proposed development is unlikely to have any significant negative impacts on nearby dwellings and sensitive properties, particularly in relation to noise, dust, vibration and transport.
This Policy Principle accords with guidance on separation distances / buffer zones set out in the recently launched Planning Practice Guidance. This provides, at paragraph 018, as follows:

“Separation distances/buffer zones may be appropriate in specific circumstances where it is clear that, based on site specific assessments and other forms of mitigation measures (such as working scheme design and landscaping) a certain distance is required between the boundary of the minerals extraction area and occupied residential property.

Any proposed separation distance should be established on a site-specific basis and should be effective, properly justified, and reasonable. It should take into account:

- the nature of the mineral extraction activity;
- the need to avoid undue sterilisation of mineral resources,
- location and topography;
- the characteristics of the various environmental effects likely to arise; and
- the various mitigation measures that can be applied”.

Policy Principle 6 relates to transport. This draft policy requires that mineral development proposals have good access to the road network and in particular, to the Warwickshire Advisory Lorry Route. The accompanying text requires that applications for new developments be accompanied by a traffic impact assessment and states that operators may be required to enter into legal agreements regarding HGV routes. In this instance, the operator has already entered into a legal agreement regarding HGV routing and the impact of HGV movements was considered in detail in appeal ref. APP/H3700/A/11/2147480. Given that the proposed development will not result in an increase in the frequency of HGV movements above those already permitted, it is submitted that the proposed development will not result in any significant impacts as confirmed by the Transport Statement forming part of the ES. It should also be noted that the accompanying text to Policy Principle 8 (discussed below) comments at paragraph 3.46 that Mancetter Quarry is “ideally located around the central England motorway and principal road network to serve as a source of road coating material”.

Policy Principle 8 relates to the assessment of applications for extraction and processing of crushed rock. The accompanying text notes that although the landbank is sufficient to meet with the minimum national requirements, the crushed rock quarries in Warwickshire, including Mancetter Quarry, provide a high specification aggregate that is of regional importance. For this reason, it is important to ensure that there is sufficient flexibility in the landbank to ensure that increased demand can be met. The document goes on to state that:

“The exposed and accessible reserves of crushed rock around Nuneaton [which includes Mancetter Quarry] are very limited due to the encroachment of other developments and therefore a high degree of protection should be granted to safeguard these high specification aggregates. The allocation of sites, which would necessarily be extensions to existing operations where viable would serve to protect reserves of rock, inform local communities of possible future mineral workings and create flexibility...to cater for possible increase in demand for crushed rock from Warwickshire” (Our emphasis).

Paragraph 3.51 of the document adds:

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25 Paragraph 3.50
“The allocation of crushed rock sites for the production of high quality aggregates from the Nuneaton area will therefore be considered desirable in the Core Strategy”.

8.44 It is considered that the proposed application meets the identified need for flexibility in the landbank, makes use of an important and limited resource and will ensure that Warwickshire can continue to meet demands for crushed rock at a regional level.

8.45 Policy Principle 15 relates to the restoration of mineral sites. The draft policy indicates that all mineral development proposals should have restoration and after use management plans and that restoration schemes should include ecological benefits. The proposed development provides for the restoration of the site to woodland, grassland, scrub and ponds, which are anticipated to provide significant ecological benefits. The applicant proposes to submit an aftercare and landscape management plan as and when required by condition in the grant of permission.

8.46 Section 4 of the draft Core Strategy lists and reviews potential mineral sites. These sites include sites put forward by the landowners and all of the sites in the ‘areas of search’ and ‘preferred areas’ in the adopted Minerals Local Plan. The applicant did not submit the proposed extension as a potential site and as noted above, the site was not specifically addressed in the adopted Minerals Local Plan. However, as set out in paragraph 4.17 of the adopted Minerals Local Plan, hard rock quarries were not allocated in that plan owing to the limited nature of the resource. It was intended that such sites would be assessed on a case by case basis.

Planning Practice Guidance

8.47 As noted above, the NPPF replaced a considerable number of Planning Policy Statements, Guidance Notes and Minerals Policy Statements, including, in particular, MPS1 and MPS2.

8.48 In addition, a range of other planning guidance in the form of Planning and Mineral Policy Guidance notes, Circulars and letters to Chief Planning Officers has now been replaced by the launch of the online Planning Practice Guidance which sits alongside the NPPF.

8.49 The new Practice Guidance contains some specific advice on minerals development, of which the following is of particular relevance in relation to the proposed development (note that all paragraph numbers referenced relate to the section within the Guidance on Minerals):

8.50 Paragraph 010 comments that the suitability of each proposed site, whether an extension to an existing site or a new site, must be considered on its individual merits, taking into account issues such as:

- need for the specific mineral;
- economic considerations (such as being able to continue to extract the resource, retaining jobs, being able to utilise existing plant and other infrastructure);
- positive and negative environmental impacts (including the feasibility of a strategic approach to restoration); and
- the cumulative impact of proposals in an area.

8.51 These issues have been considered above and are addressed in the Environmental Statement.
**Noise**

8.52 Paragraphs 019 onwards deal with the issue of noise and require those making development proposals to carry out a noise assessment and to include proposals for the control or mitigation of noise emissions.

8.53 The guidance includes details of appropriate noise limits which may be imposed by condition but notes that care should be taken ‘to avoid any of these suggested values being implemented as fixed thresholds as specific circumstances may justify some small variation being allowed’ (paragraph 021).

**Dust**

8.54 In similar vein, paragraphs 023 onwards deal with the potential for dust emissions and require operators to prepare a dust assessment study which should include specified measures to control dust which in turn should be described in terms of their potential to reduce dust and consequential impacts (paragraph 028). The Guidance notes that some facilities can be more or less sensitive to dust than others and the impact of proposals will vary depending on local circumstances (such as the topography, the nature of the landscape, the respective location of the site and the nearest residential property or other sensitive use in relation to the prevailing wind direction and visibility) (paragraph 031).

8.55 The impact of the proposed development in relation to both noise and dust is addressed in full in the Environmental Statement. It is not anticipated that the development will result in significant impacts and the Environmental Statement sets out appropriate mitigation measures, as required.

**Landbanks**

8.56 Finally, the Guidance contains important advice on the question of landbanks. Paragraph 084 notes that ‘There is no maximum landbank level and each application for minerals extraction must be considered on its own merits regardless of the length of the landbank’. The Guidance goes on: ‘There are a number of reasons why an application for aggregate minerals development is brought forward in an area where there exists an adequate landbank. These could include:

- significant future increases in demand that can be forecast with reasonable certainty;
- the location of the consented reserve is inappropriately located relative to the main market areas;
- the nature, type and qualities of the aggregate such as its suitability for a particular use within a distinct and separate market; and
- known constraints on the availability of consented reserves that might limit output over the plan period’.

8.57 As already noted, the crushed rock produced at Mancetter Quarry is a high specification aggregate of local, regional and national importance and in particular it provides for a highly skid resistant asphalt utilised in essential maintenance works on the highway network. Combining this with the stated concerns as to the potential deliverability of the County's crushed rock landbank (as much of it is provided by permitted, but not operational sites), it is
submitted that the proposed development would provide an invaluable contribution to the County’s supply of crushed rock through to 2025.

**Review of Policy and Material Considerations**

**Policy/Allocation**

8.58 As outlined above, Mancetter Quarry and the proposed extension area are not specifically included in either the ‘preferred areas’ and ‘areas of search’ of the current Minerals Local Plan nor have they been put forward for allocation in the draft Minerals Core Strategy. This is not because the site is unsuitable for such development. Indeed, in the adopted Minerals Local Plan, the resource at Mancetter Quarry is considered to be of such rarity, that applications for development are required to be considered on a site by site basis. The draft Core Strategy acknowledges that the landbank of crushed rock must be flexible in order to respond to future increases in demand. The draft Core Strategy also notes that any sites allocated for crushed rock production will inevitably be extensions to existing sites.

8.59 It is submitted, therefore, that the lack of a proposed allocation in the draft Core Strategy and of an allocation in the adopted Minerals Local Plan is not an indication of unsuitability or that there is no policy basis for granting permission on this site. Indeed, it is considered that the proposed site should be assessed on its merits bearing in mind the high level of importance which the draft Core Strategy accords to the reserves of crushed rock located around Nuneaton, including Mancetter Quarry, as well as the high specification of the aggregate produced there, and in view of the comments above (paragraphs 8.9 and 8.10) concerning the County’s crushed rock landbank and the fact that production of crushed rock in 2010 for Warwickshire and Staffordshire combined was only 26% of the combined annual apportionment of 2.275mt (i.e. 74% below target).

**Importance of the Resource**

8.60 The importance and rarity of the resource at Mancetter Quarry is cited repeatedly in both the current Minerals Local Plan and the draft Core Strategy. The diorite extracted at Mancetter Quarry is a rare mineral with very useful properties. It has a high PSV value, which makes it particularly useful where high friction, anti-skid road surfaces are required. This material is particularly useful outside schools and hospitals and at motorway junctions.

8.61 There is only one other quarry in the West Midlands that produces such material and, as noted in the draft Core Strategy, large areas of the south-east do not have equivalent, indigenous supplies. Given that the resource at this site is both rare and useful and that the ES does not identify any significant negative impacts as a result of the proposed extension, it is submitted that extraction of further mineral at this site is not only appropriate, but desirable. The outcome of limiting extraction to the current permitted extent would have the effect of sterilising an important mineral resource.

**Sustainability of an Extension**

8.62 As outlined in the draft Core Strategy, the extension of an existing site is often more sustainable than extracting mineral on a greenfield site. Aside from the limited availability of this mineral in the county, the development of a greenfield site would be likely to have much greater impacts on the environment and on local amenity than would the extension of the existing site.
8.63 Mancetter Quarry has successfully operated for over 100 years. There is already in place significant processing plant along with roadstone coating plants, offices and other ancillary development as required on such sites, and the operator is familiar with monitoring and mitigating any potential negative environmental impacts on the site. There is also a legal agreement in place to govern the routes used by HGVs accessing and egressing the site. The site is close to the Warwickshire Advisory Lorry Route and is, therefore, readily accessible. In addition, there is an approved restoration plan on the site, which is updated by this application.

8.64 The applicant proposes to operate the proposed extension in the same manner as at present. It is submitted that the main effect of the proposed development will be to extend the life of the quarry, albeit not beyond the timeframes for which permission is already granted; it will not result in any significant impacts either on the environment or on local amenity.

Consolidation

8.65 As set out above, the site is the subject of several different planning permissions. The applicant proposes to consolidate the conditions which currently govern the operation of the site into a single consent. It is anticipated that the approval of this application for a consolidated permission will obviate the need for the impending review of mineral permission, currently required under Schedule 14 of the Environment Act 1995.

8.66 The applicant seeks to retain many of the existing conditions set out in permission ref NW/20/00CM001, except for those conditions superseded by permission ref APP/H3700/A/11/2147480. Some of the existing conditions have been complied with and discharged and some additional conditions may be required relating to the proposed extension. In the interest of clarity, the conditions which the applicant seeks to retain are listed below:

- Condition 14 of NW/20/00CM001, restricting the annual output of the site
- Condition 15 of NW/20/00CM001, restricting the monthly output of the site
- Condition 16 of NW/20/00CM001, relating to monthly record of output
- Condition 1 of APP/H3700/A/11/2147480, relating to operating hours
- Conditions 18 - 24 of NW/20/00CM001, relating to soil
- Condition 25 – 31 of NW/20/00CM001, relating to access
- Condition 37 of NW/20/00CM001, relating to dust
- Conditions 38 - 39 of NW/20/00CM001, relating to blasting
- Condition 40 – 42 of NW/20/00CM001, relating to pollution control
- Condition 44 relating to geology
- Condition 47 – 48 of NW/20/00CM001, relating to restoration
- Condition 49 of NW/20/00CM001, relating to aftercare.

Environmental Considerations

8.67 The proposed development is the subject of an ES, which is enclosed with the application and summarised in Section 7 above. It is submitted that the proposed development will not result in any demonstrable, significant, negative environmental impacts. The mitigation measures proposed in the ES will ensure that any potential impacts are managed and minimised. It is also noted that the proposed site is not the subject of any special
designations, other than a Local Geological Site designation, and that the proposed development is unlikely to result in any significant impact on any such designations in the surrounding area.

8.68 In relation to residential amenity, the ES provides information regarding noise, vibration, dust, traffic and transport, and visual impacts. As set out in the ES, no significant adverse impacts are anticipated.

8.69 In conclusion, it is submitted that the application accords with applicable development plan policy and with both the spirit and detail of the NPPF. Consequently, in accordance with the presumption of sustainable development detailed within the NPPF, it is considered that the proposed development should be approved without delay.
9. **SUMMARY AND CONCLUSIONS**

9.1 This statement has been prepared on behalf of Lafarge Tarmac Trading Limited (‘Lafarge Tarmac’) in support of an application seeking planning permission for a lateral extension to the existing quarry, creation of permanent landform features, consolidation and regularisation of existing operations and associated ancillary development at Mancetter Quarry. The application is made in accordance with section 58(1)(b) of the Town and Country Planning Act 1990, as amended (TCPA1990), which relates to the granting of planning permission on application to the planning authority.

9.2 The potential for the development to cause significant environmental effects has been considered through an Environmental Impact Assessment, and with particular regard to:

- Highways and Traffic
- Landscape and Visual Impact
- Ecology
- Noise
- Blast Vibration
- Air Quality and Dust
- Water Environment
- Archaeology and Cultural Heritage
- Soils and Agricultural Land Quality
- Public Rights of Way

9.3 It is concluded from the assessment that, given the proposed design, operational and mitigation measures, the development can be undertaken without a significant adverse environmental impact.

9.4 With the mitigation proposed, and the use of planning conditions, where appropriate, attached to any planning permission granted, it is considered that the proposed development does not conflict with the appropriate policies or proposals contained within the adopted and emerging development plan, the appropriate weight to be attached to each having been carefully considered.

9.5 Consequently, in accordance with the presumption of sustainable development detailed within the NPPF which provides that developments which accord with the development plan should be approved without delay, and on the basis that there are no material considerations to prevent the approval of the proposed development, it is submitted that this application warrants a positive determination.
FIGURES
APPENDIX 1 - Planning Permission reference NW20/00CM001 and Appeal reference APP/H3700/A/11/2147480
TOWN AND COUNTRY PLANNING ACT 1990
Town and Country Planning (General Development Procedure) Order 1995
NOTICE OF DECISION OF COUNTY PLANNING AUTHORITY

To: Tarmac Central Limited, Tunstead House, Wormhill, Buxton, Derbyshire SK17 8TG

The WARWICKSHIRE COUNTY COUNCIL, having considered the application for a consolidating permission including an extension to mineral workings at 76.5 Hectares of land at Mancetter Quarry Purley Chase Lane Mancetter Atherstone Warwickshire [Grid ref: 307.953] ("the Site") deposited with the County Council on 16th January 2000.

HEREBY GIVE YOU NOTICE that PERMISSION is GRANTED for the consolidation and extension of mineral workings at the Site, subject to the following conditions:-

COMMENCEMENT DATE

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

PRE-COMMENCEMENT

2. The development hereby permitted shall not be commenced until a scheme identifying trees, hedges and habitat areas to be retained and measures for their protection has been submitted to and approved in writing by the MPA. Following approval the scheme shall be implemented accordingly.

3. The development hereby permitted shall not be commenced until a scheme for the protection of the habitat areas to be retained has been submitted to and approved in writing by the Mineral Planning Authority. This should include amongst other things detail of buffer zones and protective fencing. Following approval the scheme shall be implemented accordingly and maintained throughout the duration of operations on site.
4. The development hereby permitted shall not be commenced until a scheme which identifies the notable and protected species on site, and stipulates measures for their long term protection, has been submitted to and approved in writing by the MPA. Following approval the scheme shall be implemented accordingly.

5. The development hereby permitted shall not be commenced until a scheme identifying measures for the control/management of weeds within those areas of the site left undisturbed and all top soil, sub soil, soil making material and overburden mounds has been submitted to and approved in writing by the MPA. Following approval the scheme shall be implemented accordingly.

6. The development hereby permitted shall not be commenced until a scheme has been submitted to and agreed with the MPA for the retention of areas of geological interest (RIGS) in both the Purley and Oldbury Quarries. Following approval in writing the scheme shall be implemented accordingly.

7. The development hereby permitted shall not be commenced until a detailed scheme and programme of measures for the suppression of dust from the operations on site have been submitted to the MPA for approval. Following approval in writing by the MPA the scheme shall be implemented accordingly and complied with at all times for the duration of operations on site.

8. The development hereby permitted shall not be commenced until the type and location of a wheel wash has been submitted to and approved in writing by the MPA. Following approval the wheel wash shall be installed and maintained in working order throughout the life of operations on site.

9. The development hereby permitted shall not be commenced until the existing background noise levels measured in terms of $L_{A90}$ have been measured at locations agreed with the MPA and the results submitted to the MPA.

10. The development hereby permitted shall not be commenced until a scheme of blast monitoring by the operator has been submitted to the MPA for approval. The scheme shall include the frequency and location of monitoring and the equipment to be used. Following written approval the scheme shall be implemented in accordance with the approved details.

**GENERAL OPERATIONS**

11. The development hereby permitted shall not be carried out except in accordance with the submitted application ref: NW20/00CM001, Supporting Statement, Environmental Statement, Addition Information dated the 25th April 2000 submitted plans ref: NL00206/01, NL00206/14, NL00206/15, NL00206/16, NL00206/17, NL00206/18, NL00206/19, NL00206/20, NL00206/21, NL00206/22, NL00206/23, NL00206/24, NL00206/25, NL00206/26 and conditions here under.
12. Unless otherwise approved in writing by the MPA extraction of stone and restoration of the site shall be undertaken progressively in phases in accordance with Section 5 and 7 of the Supporting Statement and plans ref: PA10, PA11, PA12 and PA13.

13. The development hereby permitted shall be completed on or before the 1st January 2025

14. Unless otherwise agreed in writing by the MPA the annual output of mineral from the site shall not exceed a maximum of 400,000 tonnes per annum.

15. Unless otherwise agreed in writing by the MPA the monthly output of mineral from the site shall not exceed a maximum of 40,000 tonnes per month.

16. From the date of commencement of mineral extraction under the provisions of this permission the site operators shall maintain monthly records of their monthly output and shall make them available to the MPA at any time upon request. All records shall be kept for at least 2 years.

17. Except in emergencies to maintain the safe quarry working (which shall be notified to the MPA as soon as practicable) or unless otherwise agreed in writing by the MPA none of the operations hereby permitted shall take place except between the following hours:

Mineral extraction, processing, servicing, maintenance or testing of plant and restoration works:-

0700 - 1730 Mondays to Fridays
0700 - 1200 Saturdays

Tip removal, soil stripping and overburden removal:-

0800 - 1730 Mondays to Fridays
0800 - 1200 Saturdays

Blasting operations:-

1000 - 1600 Mondays to Fridays
1000 - 1200 Saturdays

Operation of the coating plant:-

0400 - 1730 Monday to Fridays
0400 - 1200 Saturdays

Vehicle movements:-

0600 - 1730 Mondays to Fridays
0600 - 1200 Saturdays
None of these operations shall be carried out on Sundays, Bank or Public Holidays.

SOILS

18. All turf, top soil subsoil and overburden and quarry waste shall be retained on the site.

19. No movement of soils shall take place except when the full depth of soil to be stripped or otherwise transported is in a suitable dry and friable condition. Conditions shall be sufficiently dry for the top soil to be separated from the sub soil without difficulty. Soils shall be drier than field capacity in the case of coarse textured soils and drier than lower plastic limit for fine textured soils.

20. Prior to any part of the site being excavated or traversed by heavy machinery (except for the purpose of stripping that part or storing top soil on that part) or used for the stacking of sub soil or for the construction of a road, all available top soil shall be stripped from that part.

21. No top soil or sub soil stripping operations shall take place until details of the locations of storage mounds, where soils are not to be used directly for restoration, have been submitted to and agreed in writing by the MPA.

22. All soil types shall be stripped and stored separately and within these soil types the top and sub soils shall be stripped and stored separately. Any overlap of soil types in the mound shall be the minimum necessary to form that mound and the interface shall be clearly recorded on a plan.

23. Top soil and sub soil storage mounds shall be constructed with the minimum amount of compaction necessary to ensure stability and shall not be traversed by heavy vehicles or machinery whilst in storage.

24. All reasonable steps shall be taken to ensure that drainage from areas adjoining the site is not impaired or rendered less effective by permitted operations.

ACCESS

25. No vehicular access shall be used to the site by empty vehicles except by the existing works access off Quarry Lane.

26. No vehicular access shall be made from the site for the export of aggregate and coated road stone except by the existing works access on Purley Chase Lane.

27. The access roads to the plant site shall be maintained in macadam or other suitable hard bound material for their whole length from their junction with the public highway to the reasonable satisfaction of the MPA.

28. The access road to Purley Quarry shall be maintained in macadam or other suitable hard bound material for 50 metres into the site.

29. Before any vehicle leaves the site it shall be sufficiently clean to prevent it from depositing deleterious material on the public highway.
30. When necessary, a mechanical brush shall be used to keep the hard surfaced internal roads and access areas clean to ensure that no mud or other debris is deposited on the public highway.

31. No loaded lorries shall enter or leave the site unless sheeted/netted, or their loads are otherwise appropriately secured.

NOISE

32. Noise levels attributable to site operations shall not exceed the existing background noise levels LA90 at the locations agreed with the MPA under the requirements of Condition 8 by more than 10dB(A) at any time other than for a period not exceeding eight weeks in any calendar year during which noise levels shall not exceed 70LAeq 1hr (freefield) at noise sensitive locations. Such periods of work shall be notified to the MPA prior to work commencing.

33. Notwithstanding the requirements of Condition 29 private gardens and public open spaces shall not be subject to noise levels exceeding 65LAeq 1hr.

34. All vehicles and plant employed within the site shall at all times be fitted with silencers in accordance with the manufacturers recommendations and shall be operated in a manner to minimise noise emissions.

35. All moveable plant and equipment based on the site shall be fitted with a reversing warning system which will, whilst maintaining safety, minimise as far as it is reasonably practicable, the generation and level of noise emissions from the plant and equipment.

36. Unless otherwise agreed in writing by the MPA, only electric pumps shall be operated within the site.

DUST

37. At no time during the development shall any operations take place which, despite the use of the dust control measures, would give rise to airborne dust levels sufficient to cause nuisance to properties around the site. If measures to prevent dust nuisance prove impossible, then such time as the weather conditions change and dust suppression becomes effective.

BLASTING

38. No blasting operations shall be undertaken unless an audible warning has been sounded.

39. Blasting operations shall be carried out in such a manner that vibration, noise and air overpressure are minimised. The peak particle velocity attributable to any blast, measured at a point immediately adjacent to any sensitive building outside the boundary of the site, shall not exceed 6mm/sec. in 95% of all blasts (peak particle velocity shall be measured in the maximum of mutually perpendicular directions taken at the ground surface).
POLLUTION CONTROL

40. There shall be no discharge of any foul or contaminated surface water from the site into either the ground water system or any surface water course.

41. 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 shall be at least equivalent to the capacity of the tank plus 10%. If there is multiple tankage, the compound shall be at least equivalent to the capacity of the largest tank, vessel or the combined capacity of interconnecting tanks or vessels plus 10%. All filling points, associated pipework, vents, gauges and sight glasses must be located within the bund or have separate secondary containment. The drainage system of the bund shall be sealed with no discharge to any watercourse, land or underground strata. Associated pipework shall be located above ground and protected from accidental damage. All filling points and tank/vessel overflow pipe outlets shall be detailed to discharge downwards into the bund.

42. Notwithstanding the provisions of the Town and Country Planning (General Permitted Development) Order 1995 (as amended or re-enacted) no buildings, fixed plant or machinery shall be erected or otherwise brought onto the site except within the existing processing plant area.

43. No waste materials shall be imported to the site.

GEOLOGY

44. No mineral working shall take place unless, throughout the life of the site, the County Museum Geologist (or his named representative) is given access to the site by prior appointment, for the purposes of monitoring and recording features of geological interest, and collecting representative geological specimens for the County Museum collections. Such access shall not be unreasonably withheld.

RESTORATION

45. Notwithstanding the requirements of condition 11, 6 months prior to mineral extraction ceasing within Purley Quarry a detailed landscaping and restoration scheme shall be submitted to the MPA for approval. The scheme shall include:

i) Planting proposals, including the locations, numbers, groupings, species and, plant height of native trees and shrubs.

ii) Landscaping measures.

iii) Details of grass mix.

iv) Proposals for improving the nature conservation value of the site.

v) A programme of implementation and management.

vi) Details of grading of the proposed water features and any planting proposals.

vii) Details of geological exposures to be preserved.

Following written approval the scheme shall be implemented accordingly.
46. Notwithstanding the requirements of Condition 11, no working shall take place within Phases 1 to 4 (Ouldby Quarry) unless a detailed landscaping and restoration scheme for the whole of the site to the south of Purley Chase Lane has been submitted to the MPA for approval. The scheme shall include:

i) Planting proposals, including the locations, numbers, groupings, species and, plant height of native trees and shrubs;

ii) Landscaping measures;

iii) Details of grass mix;

iv) Proposals for improving the nature conservation of the site;

v) A programme of implementation and management;

vi) Details of the grading of the proposed water features and any planting proposals.

vii) Details of geological features to be preserved

Following written approval the scheme shall be implemented accordingly.

47. At the cessation of mineral workings or sooner as may be agreed with the MPA, all buildings, fixed plant and machinery associated with the development, shall be removed from the site and all concrete, macadam and other hard standings which would impede the restoration of the site shall be broken out and similarly removed from the site, or used in the restoration of the site.

48. Notwithstanding the requirements of Condition 12, the site shall be restored in accordance with the approved restoration scheme within 12 months of the cessation of mineral working.

AFTERCARE

49. Three months prior to the replacement of any topsoil, final soil cover or the completion of restoration works within each phase, whichever is sooner, a detailed aftercare scheme for that area shall be submitted to the MPA for approval. The scheme shall specify the steps to be taken and the five year period in which they are to be taken. Following approval in writing by the MPA the scheme shall be implemented accordingly.

Reasons

1. To comply with Section 91 of the Town and Country Planning Act 1990.

2. To protect the amenity of the area and local residents, including visual impact, noise and dust.

3. To prevent pollution of the water environment.

4. To prevent interference with drainage to and from areas adjoining the site.

5. To protect and record features of geological importance.
6. To ensure the satisfactory and early restoration and aftercare of the site.

7. To protect highway safety and prevent the deposit of waste and mud or other material on the carriageway

8. To protect the visual amenities of the area.

9. To protect the features of ecological importance.

**Development Plan Policies Relevant to this Decision**


b) Warwickshire Structure Plan – Deposit Draft (as proposed to be modified) – Policies GD1, GD.2, GD4, ER.1, ER.2, ER.4 and ER.5

c) North Warwickshire Local Plan adopted May 1995 – Policies ENV4, ENV6, ENV14, ENV24 and IMP4

d) Minerals Local Plan for Warwickshire adopted February 1995 – Policies M1, M5 M6, M7 and M9

**DATED 13th February 2002**

[Signature]

Clerk of the Council

Shire Hall
Warwick
CV34 4RR

IT IS IMPORTANT THAT YOU READ THE NOTES AT THE END OF THIS NOTICE
Appeal Decision

Site visit made on 19 May 2011

by Elaine Benson  BA (Hons) Dip TP MRTPI
an Inspector appointed by the Secretary of State for Communities and Local Government

Decision date: 15 June 2011

Appeal Ref: APP/H3700/A/11/2147480
Mancetter Quarry, Mancetter, Atherstone CV9 2RF

- The appeal is made under section 78 of the Town and Country Planning Act 1990 against a refusal to grant planning permission under section 73 of the Town and Country Planning Act 1990 for the development of land without complying with conditions subject to which a previous planning permission was granted.
- The appeal is made by Tarmac Limited against the decision of Warwickshire County Council.
- The application Ref NWB/10CM009, dated 18 June 2010, was refused by notice dated 14 October 2010.
- The application sought planning permission for the consolidation and extension of mineral workings without complying with a condition attached to planning permission Ref NW20/07CM005, dated 27 July 2007.
- The condition in dispute is No 1 which states that: None of the operations hereby permitted shall take place except:
  (a) during the following hours on days other than Sundays, Bank Holidays and Public Holidays:
  Mineral extraction, processing, servicing, maintenance or testing of plant and restoration works:
  0700-1730 Mondays to Fridays
  0700-1200 Saturdays
  Tip removal, soil stripping and overburden removal:
  0800-1730 Mondays to Fridays.
  0800-1200 Saturdays
  Blasting operations:
  1000-1600 Mondays to Fridays
  1000-1200 Saturdays
  Operation of the coating plant:
  0400-1730 Monday to Fridays
  0400-1200 Saturdays
  Vehicle movements:
  0600-1730 Mondays to Fridays.
  0600-1200 Saturdays
  (b) as otherwise agreed in writing by the Minerals Planning Authority;
  (c) in emergencies to maintain safe quarry working (which shall be notified to the Minerals Planning Authority as soon as practicable); or
  (d) subject to prior notification to the Minerals Planning Authority, on 25 occasions in each year the coating plant may operate between 0500 and 1700 on Saturdays and Sundays (each day being a separate occasion) with an average of 5 loads of coated stone per hour leaving the quarry between 0600 and 1700.
- The reason given for the condition is: In order to protect the amenities and environmental quality of the locality.

http://www.planning-inspectorate.gov.uk
Decision

1. The appeal is allowed and planning permission is granted for the consolidation and extension of mineral workings at Mancetter Quarry, Mancetter, Atherstone CV9 2RF in accordance with the application Ref NWB/10CM009, dated 18 June 2010, without compliance with condition number 1 previously imposed on planning permission Ref NW20/07CM005, dated 27 July 2007, but subject to the other conditions imposed therein, so far as the same are still subsisting and capable of taking effect and subject to the following new condition:

None of the operations hereby permitted shall take place except:
(a) during the following hours on days other than Sundays, Bank Holidays or Public Holidays (with the exception of the operation of the coating plant and deliveries of coated stone as referred to below):
   Mineral extraction, processing, servicing, maintenance or testing of plant and restoration works:
   0700-1730 Mondays to Fridays
   0700-1200 Saturdays
   Tip removal, soil stripping and overburden removal:
   0800-1730 Mondays to Fridays.
   0800-1200 Saturdays
   Blasting operations:
   1000-1600 Mondays to Fridays
   1000-1200 Saturdays
   Operation of the coating plant:
   0400-1730 Monday to Fridays
   0400-1700 Saturdays
   0500-1700 Sundays
   Vehicle movements:
   0600-1730 Mondays to Fridays.
   0600-1200 Saturdays
   1200-1700 Saturdays (coated stone deliveries only)
   0600-1700 Sundays (coated stone deliveries only)
(b) as otherwise agreed in writing by the Minerals Planning Authority;
(c) in emergencies to maintain safe quarry working (which shall be notified to the Minerals Planning Authority as soon as practicable); or
(d) subject to an average of no more than 5 loads of coated stone per hour leaving the quarry between 1200 and 1700 on Saturdays and 0600 and 1700 on Sundays.

2. I have taken account of the views of local residents and other interested parties in reaching this decision.

Main Issue

3. The effect of asphalt production and deliveries on Saturday afternoons and Sundays on the living conditions of local residents, by reason of noise resulting from increased traffic movements.

Reasons

4. Mancetter Quarry has been operating continuously since the 1800s and is located in semi-rural, open countryside with its entrance and exit routes passing close to residential development. The quarry is one of only 2 in the West Midlands which produce diorite, a rare, hard stone aggregate with a high Polished Stone Value (PSV), which is recognised as a mineral of national
importance. The quality, scarcity and demand for the mineral and the fact that it can only be extracted from where it is found are accepted by the Council.

5. Diorite is used in the production of an asphalt used widely on road surfaces where higher than normal skid resistance is required and is designed to reduce road noise and water spray. The coated material has to be laid within three hours of production, otherwise it becomes unworkable. Highway works and road repairs are increasingly carried out overnight or at weekends to minimise disruption on the road network. As a consequence, the asphalt needs to be manufactured at nights or weekends to meet contractual requirements.

6. Planning permission was granted in February 2002 (NW20/00CM001) for the extraction of diorite up to 1 January 2025. Condition 17 restricted the hours of operation. The planning permission is also subject to a legal agreement which includes a traffic routing agreement, in recognition of the locational and highway access constraints. The routing agreement requires all empty heavy goods vehicles (HGVs) to enter the site from the north via Quarry Lane. Loaded HGVs exit from the south via Purley Chase Lane. The routing agreement ensures that the noise and disturbance of the HGV traffic is shared between the adjacent roads and a concentration of vehicle noise and disturbance avoided. This is necessary because a number of houses and bungalows along the route lie very close to the roadside, particularly in the built-up part of Mancetter, where the gradient is also likely to cause gear changes and acceleration.

7. Planning applications to formalise occasional weekend working were refused. Consequently, Condition 17 was the subject of 3 appeals decided in September 2005. Among other things the Inspector assessed the impact of the noise of loaded and unloaded vehicles on the living conditions of local residents during weekend working hours. The appeals were accompanied by noise assessments which indicated that the noise levels from additional HGVs would have little impact on daytime noise levels, based on 5 vehicles per hour. One appeal was allowed (reference APP/H3700/A/05/1178976), permitting the weekend production and delivery of high PSV asphalt on 25 occasions per year (with each Saturday and Sunday being a separate occasion) between the hours of 0600 and 1700, with the coating plant starting at 0500. The consent was subject to a 2 year trial period to allow for noise monitoring.

8. Planning permission was granted in July 2007 for weekend working on up to 25 occasions per year on a permanent basis (NW20/07CM005). The current appeal proposal seeks to vary Condition 1 of this consent to enable ‘operations of the coating plant’ and the ‘vehicle movements’ related to coated stone deliveries to occur on any Saturday afternoon and Sunday, thereby removing the restriction of 25 occasions per year. No other changes are proposed.

9. The coating plant is sited at the centre of the quarry. It is agreed by the main parties that the operation of this plant in itself would not cause any unacceptable effects on environmental or residential amenity. I see no reason to disagree and consider the extension of the coating plant operating time to be acceptable. However, I consider below whether the amended condition would result in significant and unacceptable disturbance from increased traffic in the surrounding roads, The Green, Quarry Lane, Purley Chase Lane, Ridge Lane and Pipers Lane during the weekends.

10. The application was accompanied by a traffic noise assessment which concludes that the impact of HGVs would be negligible. Furthermore, there
would be no greater impact on local residents than that caused by the approved 25 occasions of Saturday afternoon and Sunday working which were allowed because no fundamental amenity problems had been identified during the trial period. In this regard I note that no advance notice is given of the 25 operating days and no special measures are put in place. The noise evidence is consistent with that which was before the previous Inspector and demonstrates that the operation of the coating plant and through-flow of traffic has not resulted in intense periods of HGV traffic activity which might have affected the noise environment of the nearest residential occupiers.

11. Warwickshire Borough Council’s Environmental Health Officer concurred with the findings of the noise assessment, concluded that weekend working would not result in a statutory nuisance and did not object to the application. Nonetheless, the Council considers that the technical assessment failed to take into consideration the rural character of the surroundings, the narrow winding country lanes which access and exit the quarry and the closeness of residential properties to the edge of the lanes. The Council also claim that the assessment did not take proper account of noise peaks or ‘spikes’, particularly during the early morning period.

12. However, the survey points are representative of the approaches to and from the quarry; the noise assessment was conducted professionally and took into account background noise levels and other relevant matters in accordance with established procedures. There is no data to support the Council’s unsubstantiated conclusions. I consider that it had insufficient regard to the technical evidence which had been verified by the Council’s own consultee. I find the Council’s evidence on this matter to be subjective and unconvincing. It can therefore attract little weight.

13. Local residents, who would generally be at home during the weekends, ramblers, cyclists, horse riders and visitors to the Purley Chase Centre would be aware of the noise of passing HGVs. However, although the site is within a rural area, the quarry has operated for very many years and is a fundamental part of its character. Furthermore, there are a number of other businesses in the locality, including farms, which generate HGV traffic. Therefore, even without quarry traffic, HGVs could pass through the area during the Saturday afternoon and Sunday periods in question. During my site visit, I observed and heard a number of such vehicles which generated similar noise levels to quarry-related traffic.

14. The weekend production of asphalt can be regulated through the proposed condition which would control the operating hours and the number of vehicle movements associated with the coating plant. The passing of HGVs is short-lived and in my judgement an average of 5 vehicle movements per hour within the specified daily periods for the additional weekend working would not have an unacceptable impact or materially worse effect on the living conditions of residents along the routes. There would be no increase in the other quarry activities or traffic movements. Subject to the new and existing controls, including the routing agreement, there would not be a constant flow of quarry traffic, seven days a week, as suggested.

15. In the absence of any verifiable evidence to the contrary, I conclude that these measures would provide adequate mitigation and control over the development and would strike an appropriate balance between the needs of the quarry operator and the amenity of nearby residents. The proposal therefore does not
conflict with the relevant parts of saved policies M6 and M7 of the Minerals Local Plan for Warwickshire and saved policies ENV11, ENV14(2), and ENV15(2) of the North Warwickshire Local Plan which in summary require that adverse environmental effects and harmful effects on residents are mitigated at all mineral workings.

16. I have had regard to all other matters raised, including the effect of the proposal on the conservation area at The Green, Mancetter, sustainability and the potential for coating stone elsewhere. The Highways Authority raised no objection to the proposed amendment to the condition on highway safety grounds, despite concerns expressed by residents and I see no reason to disagree. Compliance with existing planning conditions is a matter for the Council. None of the matters raised outweigh the considerations I set out above in respect of the main issue.

17. I conclude that the appeal should be allowed and the condition amended. Because the original planning permission for the site allows for uncoated minerals to be transported from the site, I have made it clear that the additional vehicle movements per hour permitted relate only to coated stone.

Elaine Benson
INSPECTOR