Warwickshire County Council
Development Group
PO Box 43
Shire Hall
Warwick
CV34 4SX

For the attention of Matthew Williams Esq

DP/AW/2081/4

23 January 2014

Dear Matthew

PLANNING APPLICATION REFERENCE NWB/14/CM034

PROPOSED EXTENSION TO MANCETTER QUARRY, WARWICKSHIRE

REQUEST FOR ADDITIONAL INFORMATION UNDER REGULATION 22 OF THE TOWN AND COUNTRY PLANNING (ENVIRONMENTAL IMPACT ASSESSMENT) REGULATIONS 2011

Further to the request for points of clarification and further information in relation to the above application (e-mail and attachment from Paul Wilcox, dated 05 December 2014) and following our meeting of 22 December 2014; on behalf of our client, Lafarge Tarmac Trading Limited, a formal response to each individual question raised is set out within the attached document. A summary of the main points raised is set out below.

First and foremost, it should be borne in mind that the primary purpose of the application is to secure the continued extraction of the nationally important mineral resource present at Mancetter Quarry.

The Council is aware that the existing reserve at the quarry is close to being exhausted. There is therefore at present a limited window of opportunity to provide for an extension to the existing quarry which may otherwise be sterilised.

Consideration of alternatives

It should be noted that the application before the Council for determination is considered to represent the most appropriate form of development, taking overall account of the relevant social, economic and environmental factors.

The applicant undertook a significant amount of pre-application consultation, including extensive public consultation, in reaching the final development proposals. The relatively low number of representations received from members of the public and the fact that, to date,
there have been no objections received from any of the statutory consultees, is testament to this process.

In any event, you will, of course, be aware that the requirements of the EIA Regulations provide only for an outline of the main alternatives studied by the applicant to be detailed within the Environmental Statement together with an indication of the main reasons for the applicant’s choices. This information has already been provided within the application documentation.

Notwithstanding this, additional detail has been provided, as agreed, briefly addressing the alternative options outlined by the Council. None of the options outlined alters the opinion that the proposals are considered to represent the most appropriate form of development, or suggests that the form of the development proposed in the application should be altered or amended in any way.

Use of Recycled Asphalt Product (RAP) within the Asphalt Plants

Concern has been expressed by the Council regarding the recent raising of odour complaints by members of the public living within a certain area in the vicinity of the site. These complaints appear to be associated with the use of Recycled Asphalt Product within the Asphalt Plants at the site.

It should be noted that the complaints have only arisen intermittently, and the exact cause is being investigated, with appropriate action being taken through the licensing regime.

Investigations to date have indicated that the cause is not linked to the type of RAP product input to the plant, i.e. it is not linked to road planings imported for use in the plant, nor the use of RAP arising from waste asphalt from the plant itself. Rather it appears that the issue has arisen as a result of an upgrading to the asphalt plants, through technical alterations, which were undertaken in 2011/2012 to improve the efficiency of the plants in their handling of the RAP product.

This matter therefore has no direct impact on the regularisation of the RAP operations, including the import and use of road planings that form part of the submitted application.

Importation of road planings and primary aggregates

In this regard, it is recognised that there are operations at the site requiring regularisation, notably those associated with the conditioning/processing of road planings and waste asphalt (from the Mancetter asphalt plants) which form the Recycled Asphalt Product (RAP). These operations have been detailed within the application and accompanying environmental statement. It is understood, in addition, that the Council considers the importation of primary aggregates for use in the asphalt plants may represent a material change of use.

First of all, it should be noted that these operations, including the importation of aggregates, have been undertaken for a significant period of time without causing any significant effect or harm, and were being carried out at the time of the undertaking of the Environmental Impact Assessment. Their impact, therefore, if any, has already been assessed within the various reports included within the Environmental Statement.
Secondly, with specific regard to the importation of primary aggregates, the applicant remains firmly of the view that, in the context of the operations associated with the asphalt plants, this is ancillary to the operation of the quarry, and does not, therefore, represent a material change of use.

Notwithstanding this, it is understood that the Council’s principal concern regarding these activities is the potential impact on the local highway as a result of associated traffic movements.

Traffic movements

The Council’s queries concerning the number of traffic movements to be associated with the development seem to disregard both the fact that there is currently no conditional restriction on the number of vehicle movements to and from the site and that there has been no objection to the application from the County Highways Representative.

Nonetheless, specific responses have been included within the attached table in response to the questions raised, even though it is considered that the Transport Statement addresses all potential traffic issues which may arise as a result of all operations to be undertaken at the site.

In relation to the importation of virgin aggregates and road planings for Recycled Asphalt Product to the site, and in order to ensure the Council is satisfied that the asphalt plants at the site remain ancillary to the operation of the Quarry, the applicant would accept an appropriately worded condition or conditions.

The following suggested conditions are considered to address the matter, either as standalone conditions or as an addition to the existing conditions (14 and 15) controlling the export of minerals:

“No more than 40,000 tonnes of primary aggregate and no more than 30,000 tonnes of road planings shall be imported to the site per annum”

“No more than 4,000 tonnes of primary aggregate and no more than 3,000 tonnes of road planings shall be imported to the site in any calendar month”.

Restoration

The Council has raised concerns that the current approved plans for restoring both Purley Quarry and Oldbury Quarry are not achievable.

It should be borne in mind that any application is based on the best information available at the time that it is made (i.e. from professional consideration of the information provided by boreholes, geological mapping and knowledge of the working). However, as is the case with any mineral extraction operation, the actual detail will not be realised until the site is operated and the mineral exposed, won and worked.
It is understood that the existing restoration in Purley is achievable, however, minor modifications have already been proposed and implemented to temporarily hold back surface water following significant storm events. This is to reduce the risk of flooding to properties downstream. Purley Quarry had been a void for several decades and was able to accommodate any influx of water from the Raw Brook. The restoration that has subsequently taken place has reduced the capacity for flood attenuation and, therefore, in 2007 the Environment Agency suggested that a number of minor hollows on the surface with restricted outflows would hold back water for 1:50 year storms.

In addition, it became clear 4-5 years ago that the approved scheme to restore Oldbury Quarry was unachievable owing to the higher than expected re-bound of the water table once pumping had stopped. This has meant that the approved restoration levels would be below the long term water level within the quarry. Warwickshire County Council was informed at this stage, and a revised scheme was produced showing the base of the quarry flooded at the end of life.

For these reasons, it is considered that the current application provides a timely and beneficial opportunity to produce a revised restoration scheme which takes account of all the issues raised above.

Overall it is considered that the additional information sought, and provided, does not alter the conclusions contained within the planning application, and accompanying environmental statement.

The information provided within this letter, and in the attached document, has been presented in such a manner that a separate non-technical summary of the information provided is not considered to be required.

I trust this now provides you with all of the information required in the determination of the application. However should you require any clarification regarding any of the matters raised please do not hesitate to contact us.

Yours sincerely

Dave Pitt

Enc