

DERBYSHIRE COUNTY COUNCIL
REGULATORY – PLANNING COMMITTEE

1 September 2014

Report of the Strategic Director – Economy, Transport and Environment

**5 FIRST PERIODIC REVIEW OF MINERAL PLANNING
PERMISSION UNDER SCHEDULE 14 OF THE
ENVIRONMENT ACT 1995 FOR APPROVAL OF NEW
CONDITIONS AT DOVEHOLES QUARRY, DOVE HOLES,
BUXTON**
APPLICANT: CEMEX UK MATERIALS LTD
CODE NO: R1/0313/26

1.306.R1

Introductory Summary A new scheme of conditions has been submitted by Cemex UK Materials Ltd under the requirements of the Environment Act 1995 to update planning controls on future operations at Doveholes Quarry, Dove Holes, Buxton under four planning permissions 1986/6/16, CHA/1259/18, CHA/1271/23 and CM1/1293/108. The scheme, together with an Environmental Statement, provides details of the proposed working of the site, environmental protection, the form of restoration and the suggested planning conditions under which the site should be worked.

I consider that certain changes to the submitted conditions are necessary and my recommendation relates to an amended schedule of conditions. I do not consider that the amended conditions would restrict the working rights of the applicant so as to provide any ground for a claim for compensation.

As this is a Review of Mineral Permissions (RoMP) application, the principle of the permission for the development is not under question. Valid planning permission exists and, therefore, the main planning issues are whether:

- the submission as a whole, including operational and restoration proposals, meet the aspirations of the relevant development plans for the area; and
- the proposed planning conditions are sufficient to ensure that the development can be controlled, such that it does not cause unacceptable impacts upon local residents or the wider environment.

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I have considered the application in light of the above and my conclusions are that, as a result of the submission of amended details and information, it meets both of these requirements.

(1) **Purpose of the Report** To enable the Committee to determine a new scheme of conditions under the powers of the Environment Act 1995 to replace those of the original planning permissions, as well as those approved under the Initial Review in 1998 at Doveholes Quarry.

(2) **Information and Analysis**

Site and Surroundings

The site now referred to as Doveholes Quarry covers an area of approximately 213 hectares (ha) and is located to the east of the village of Dove Holes which itself, is to the north-east of Buxton. It includes a relatively small area (c.22ha) at its northern end which lies within the administrative boundaries of the Peak District National Park Authority (PDNPA). All the operational area covered by this submission is within that part of the site for which the County Council is the Mineral Planning Authority.

The quarry complex at Dove Holes is a combination of three quarries known individually as Bee Low, Peak Quarry and Holderness, all of which were developed in the first half of the twentieth century. The planning permissions relevant to this submission therefore all date from 1952 onwards. The Peak and Holderness quarries have been expanded to the extent that they are now linked into a single operational area. Bee Low Quarry is currently separated from the main quarry void by a stone isthmus which accommodates the current alignment of an unclassified road known as Beelow Lane. Extraction operations are currently concentrated in the main quarry void. Intermittent working does also take place within Bee Low Quarry, particularly during poor weather conditions when faults in the geology of sections of the main quarry void make those areas unsuitable for working and subsequent processing. Processing operations are concentrated in the southern sector of the site near the settlement of Smalldale. The quarry complex also contains several independent processing and manufacturing businesses which are not covered by this submission. An area of mineral waste tipping, known as Tip 4, is located along the north-western edge of the quarry site close to Dove Holes village.

The quarry is surrounded to the north, east and west by a network of fields bounded by stone walls with isolated farm buildings within 200 metres (m) of the boundary. Adjacent to the fields to the north-west are some small disused quarries which have naturally regenerated. The nearest settlements are Smalldale, situated immediately to the south-east of the site and Dove Holes to the north-west.

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There is a significant network of public rights of way in the immediate vicinity of the site. Peak Forest footpath numbers 43, 65 and 66 are all located to the west of the quarry, Peak Forest footpath numbers 39 and 42 are to the north, whilst Peak Forest footpaths 30 and 33 are to the east.

There is one non-statutory natural heritage designation within the site and a number of other cultural and natural heritage designations nearby. Bee Low Quarry is a Regionally Important Geological Site (RIGS) of interest because of the quality of its exposed section of Bee Low Limestones. The northernmost section of the Peak District Dales Special Area of Conservation (SAC), a European designation, lies approximately 2.2km to the east. Duchy Quarry Site of Special Scientific Interest, (SSSI) a national designation, is 0.16km to the south. Monk's Dale SSSI, which also forms part of the SAC, is 2.2km to the east. Wye Valley SSSI, also part of the wider SAC, is 3.7km to the south. Ridgeclose Rocks and Grassland Local Wildlife Site (LWS) is 225m to the west. Doveholes Dale LWS is 63m to the south-west whilst Dove Holes Spoil Heaps LWS is 100m to the west.

A number of conservation areas are situated to the north. These include Peak Forest Old Dam extension which is 1.3km to the north-east, Sparrowpit Conservation Area which is 1.15km to the north and Bagshaw Conservation Area which is 3.17km to the north-west. A scheduled monument, bull ring henge and associated bowl barrow, is located approximately 150m to the west of the quarry site.

Planning History

Quarrying at Dove Holes is known to have taken place since the late eighteenth century. Current mineral extraction operations at Doveholes Quarry are permitted under four planning permissions which can be summarised as follows:

- Planning permission 1986/9/16 dated 29 August 1952 for the winning and working of limestone and the disposal of mineral waste at Dove Holes.
- Planning permission CHA/1259/18 dated 25 March 1960 to re-open and extend the working of Holderness Quarry at Dove Holes.
- Planning permission CHA/1271/23 dated 6 October 1972 to extend existing quarry working and associated activities at Dove Holes.
- Planning permission CM1/1293/108 dated 11 July 1994 for the restoration of part of Doveholes Quarry by infilling of quarry waste.

In accordance with the provisions of the Environment Act 1995, Doveholes Quarry was registered by the County as an Active Phase 1 Site on 23 January 1996, requiring the submission of a scheme of new conditions. The company submitted a scheme of new conditions for 'Initial Review' under schedule 13 of the 1995 Act on 30 June 1997 which was subsequently approved by the

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County Council on 19 March 1998. Since that time, the quarry has been monitored against the approved conditions.

A planning application (CM1/0202/153), with a proposed scheme to amend the working scheme which was approved in 1998 at the Initial Review, was submitted in 2002. An Environmental Statement (ES) was subsequently submitted in support of this application in late 2003 with later submissions of supplementary information being submitted over the intervening period. This application is currently undetermined. The applicant has indicated that once the current RoMP application has been determined then it will withdraw this application (CM1/0202/153).

A planning application for the diversion of a section of Beelow Lane relating to the site (CM1/0212/164) was submitted to the County Council in February 2012. This application is also on this Committee agenda (see agenda item no.6). The diversion application is relevant to this application, because from a practical point of view, the replacement of the section of Beelow Lane is clearly instrumental to the ongoing development of the wider Doveholes Quarry site. The working plan described below assumes that planning permission and the legal diversion of the highway for the proposed diversion would be forthcoming. No alternative working scheme has been presented at this time.

The Development Proposals

The submission provides details of the future working and restoration of the quarry up to 2027, divided into seven indicative phases. A plan has also been submitted which indicates the projected long term limit of extraction. The proposals indicate that mineral working until 2027 will be concentrated in the northern central area of the quarry working roughly northwards into Bee Low Quarry.

During Phase 1 (June 2012 – December 2013), mineral extraction was anticipated to continue northwards in three areas at ‘Shaw’s Land’ to the west, ‘Lodesmarsh’ in the centre, and the ‘Larder Quarry’ area to the east. All three areas are located immediately to the south of the current alignment of Beelow Lane and are required to maintain flexibility of access to reserves of varying type and depth as raw material feed to the processing plant. Restoration operations undertaken within this period would include the completion of the profiling and landscaping of Tip 4, including the northern end and the inner ‘middle slopes’ the commencement of the restoration on the upper benches and faces within Shaw’s Land and the upper benches and faces along the eastern side of the Larder Quarry area.

Working during phases 2 (December 2013 – December 2014) and 3 (December 2014 – December 2015) would see mineral extraction concentrated in the northern central section of the quarry at Lodesmarsh with

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faces and benches being worked northwards towards the limits defined by the current alignment of Beelow Lane. Restoration operations during Phase 2 would be concentrated on the old faces and benches in the north-eastern part of the quarry at Lodesmarsh. Silt disposal operations in the south-western 'Holderness' section of the quarry would be completed and the lagoon decommissioned during Phase 3. The proposed diversion of Beelow Lane around the northern boundaries of the quarry (see agenda item no.6) would be undertaken during Phase 3.

Mineral extraction operations during Phase 4 (December 2015 – December 2016) would progress in a north-westerly direction through the current alignment of Beelow Lane towards the south-western edge of Bee Low Quarry. Mineral working would also continue in the 'Larder' area to maintain flexibility of supply. During this Phase, the restoration of the Holderness silt lagoon would partially commence.

Phase 5 (December 2016 – December 2017) would see mineral extraction operations focused on the area between Lodesmarsh and Bee Low Quarry with the working faces development northwards from Lodesmarsh into Bee Low Quarry. The restoration of Holderness silt lagoon would continue, as well as the ongoing restoration of redundant benches and faces in Shaw's Land.

The information provided in respect of phases 6 and 7 is indicative at this stage, with more detailed submissions due before the commencement of each phase. In summary, however, mineral working during Phase 6 (December 2017 - December 2022) would see the final breakthrough into Bee Low Quarry, as well as ongoing winning and working in the Larder area of the main quarry void. Redundant faces and benches along the north-eastern and north-western sides of the quarry would be restored at this time. Phase 7 (December 2022 - December 2027) would see ongoing mineral extraction operations in Bee Low Quarry, as well as in the central/southern areas of the main quarry void where the existing workings would be deepened. Restoration works to the upper benches and faces around the quarry would be ongoing during this period.

Further information provided after the submission of the application confirmed that, based on current and predicted rates of working, approximately 114 million tonnes of workable reserves would remain available to the Company prior to 2042.

The applicant also confirmed that the only source of quarry waste is the silt which results from the washing process. The Company proposes that during the forthcoming review period, all silt generated from processing operations would be placed in the Shaw's Land void. The Company acknowledges, however, that the placement of silt in this location has the potential to sterilise workable mineral reserves and states that, as a result, it 'wishes to retain the

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option to remove this silt in the future to uncover this otherwise sterilised material'. Such a removal is not envisaged until after 2027.

Restoration

The scheme provides comprehensive details for the progressive restoration of certain areas of the site over the initial five phases with further detailed submissions relating to progressive restoration anticipated prior to the commencement of phases 6 (which would account for years 6 -10 of the review period) and 7 (accounting for years 11-15 of the current review period). The stated aim of the restoration proposals is the progressive and comprehensive restoration of all worked areas as they become available, as well as the progression of restoration works at the earliest opportunity within areas previously worked and/or partly restored at the start of the current review period in order to improve/reduce the visual impact of the development in its wider setting.

Key principles of the submitted restoration proposals include the completion of the Tip 4 landform, the backfilling of the Holderness void with silt and subsequent restoration to grassland with woodland planting, the progressive restoration of the faces and benches around the edge of the quarry, and the creation of a large lake within the central and northern part of the quarry.

Environmental Statement

The application is accompanied by an ES which comprises technical reports prepared by specialist consultants relating to socio-economics, landscape and visual amenity, ecology, hydrology and hydrogeology, noise, blast vibration, traffic and transportation, and cultural heritage. Set out below are the main points from the ES and further information. The Company has also submitted further information to the ES in response to the comments made by consultees.

Socio-Economics

The ES considers the socio-economic impacts of the on-going development at Doveholes Quarry, including descriptions of the strategic and socio-economic contexts for the on-going development, a summary of the market context of the on-going development, an assessment of the quantifiable economic impact of the development, an assessment of the impacts to local businesses and sectors, and a review of the community impacts.

The ES states that Doveholes Quarry is a unit of regional significance, and, in the context of its rail link and markets served, it is a quarry of national significance. The ES concludes that in terms of Quantifiable Economic Impacts, the continued operation of the quarry would safeguard the continued employment of 124 direct employees, 43 indirect employees, and 23 service employees who are regularly employed by the site. With regard to community impacts, the assessment concludes that the quarry serves an important role in

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aggregate supplies, both locally and nationally, as a local employer, and as an important socio-economic component of the locality.

Landscape and Visual Impacts

The ES provides an overview of the main quarry developments over the forthcoming period up to 2027 and considers the effects on features and characteristics important to the landscape character of the site and its setting, and on the visual amenity of users of the site and surrounding landscape including the adjacent Peak District National Park (PDNP).

The ES acknowledges that, in recent years, restoration works have not been undertaken progressively or in pace with extraction operations and states that a key issue for the current RoMP scheme and the overall mitigation measures is the progressive and comprehensive restoration of all worked areas as they become available, as well as the progression of restoration works at the earliest opportunity within areas previously worked and/or partly restored at the start of the current review period. Whilst the ES acknowledges that the works would result inevitably in certain environmental impacts, it is believed that the progressive restoration operations would significantly assist in mitigating the effects of the most severe of these impacts and would, in time, help to contribute positively to landscape character and nature conservation while at the same time helping to reduce impacts on visual amenity.

With regard to landscape character, the ES notes the context of the current quarry workings adjacent to, but not within, the PDNP for much of its length and acknowledges that views into the existing quarry are achievable from a number of locations within the Park. The assessment provides a description of the national and regional/sub-regional landscape character areas in which the site sits, stating that the quarry operation contains very few landscape elements and features key to maintaining the landscape characteristics of the surrounding area. As a result, the landscape quality of the site is assessed as being of medium to low quality and medium to low value. Overall, the site is assessed as having a medium sensitivity to the proposed ongoing development, primarily as a result of the influence of the existing quarry operation. The capacity of the site to accept change, during the forthcoming 15 year period is considered to be reasonable when taken in the context of the existing works and proposed restoration operations. During extraction operations, magnitude of change is assessed as 'medium' on the basis that whilst changes to the landscape would be permanent and of a prominent scale, in considering the size of the existing quarry and its existing significant influences on local landscape character, the proposed development would not be uncharacteristic. The predicted magnitude of change at the '5 – 10 Years Post Restoration' stage (for each area worked), has been assessed as small and general adverse largely because the restoration proposals would mitigate a number of the most adverse effects of mineral extraction by the application of a range of restoration techniques. Overall, the significance of impact to

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landscape is assessed as moderate during extraction operations and minor-moderate and generally adverse after 5 to 10 years restoration and aftercare. With regard to potential visual impacts associated with Doveholes Quarry, the ES states that whilst the visibility of the site from much of the surrounding area is restricted by undulating landforms, intervening vegetation and occasional built structures direct and partial views of the quarry are achievable from a number of near and more distant locations. Following liaison with this Authority and the PDNPA, nine representative viewpoints (vp) were chosen, including Batham Gate to the south-west (vp1), a footpath in Dove Holes village to the west (vp2), Laughman Tor to the east (vp3), a footpath to the north-west in the PDNP (vp4), a footpath located along the proposed route of the diverted Beelow Lane (vp5), a footpath close to Sparrowpit to the north (vp6), a footpath to the east of the quarry close to the Donkey Sanctuary (vp7), a bridleway to south-east of the quarry (vp8), and a footpath beside the A623 road to the east (vp9). With the exception of vps 1 and 3, the sensitivity of all vps was rated as either high or medium – high as a result of their representing a residential property, being a public right of way or being within the PDNP. Vps 1 and 3 were rated as being of medium sensitivity as they represent views for users of the highway.

Magnitude of change during extraction operations was assessed as 'large' for vps 5 and 8 due to their proximity to the quarry and/or areas affected by the works which, when considered in the context of their medium-high sensitivity rating, indicates that visual impacts of 'major' and 'major-moderate' are predicted. For vps 1 to 4, 'medium' levels of change were predicted which, combined with their sensitivity ratings, would result in impact significance of 'moderate to major' for vps 2 and 4 and 'moderate' for vps 1 and 3. Vps 6, 7 and 9 would receive either 'small' or 'very small' levels of change so when combined with their sensitivity, the ES assessed their impact significance as 'minor – moderate' or 'minor'. In the period 5-10 years post restoration, it was considered that vps 5 and 8 would receive the highest 'Magnitude of Change' level of 'medium', leading to an impact significance level of 'moderate'. Following restoration, vps 1 to 4 would receive a 'small' magnitude of change indicating a 'moderate' impact significance for vp 4, and a 'minor – moderate' impact significance for vps 1 to 3. Vps 6, 7 and 9 would receive 'small' or 'very small' magnitude of change levels and the impact significance would be 'minor-moderate' or 'minor'.

In conclusion, with regard to landscape and visual impacts, the ES states that the presence of the existing quarry within a large proportion of the submission area, as well as the fact that no part of the PDNP falls within the submission boundary, provides the baseline context for its assessment. It notes that in recent years, mineral extraction has predominated over quarry restoration works which, in themselves, are now considered inappropriate in design and scale for a major quarry operation. Whilst some unavoidable impacts upon landscape character and visual amenity would occur, these would be for a

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temporary period only and would be minimised following restoration. The highest impacts upon the adjacent PDNP, in addition to those already caused by the quarry, would similarly be temporary in nature and would be minimised once mitigation/restoration measures have been implemented.

Mitigation measures proposed include the creation of rollover slopes and restoration slopes, the crest tipping of pre-seeded soil onto inaccessible benches to help 'green up' the faces and benches, tree planting both within the quarry on lower benches/restoration slopes and on land outside the RoMP boundary to help to break up linear views of the quarry from the Peak Park and locations to the east. With these in place, the ES concludes that the development proposals over the forthcoming 15 year period would not have unacceptable impacts on landscape character or visual amenity, either to the area within the submission boundary itself or the PDNP which lies outside this boundary.

Ecology

An ecological assessment of the site has been undertaken which includes a description of the baseline ecological context, a Phase 1 Habitat Survey, a Phase 2 National Vegetation Classification (NVC) Vegetation Survey, bat emergence and activity surveys, a Badger Survey, breeding bird/raptor surveys, a Reptile Survey and an Amphibian Survey, an assessment of the effects of the development on identified ecological features, identification of the direct and indirect effects of the proposed working scheme, an assessment of the significance of those impacts and proposed mitigation measures.

The survey work undertaken identified the presence of a number of priority species and habitats, as well as protected species at the site. Protected species identified as being active within the quarry site were limited to badger. Very little bat activity was recorded, although low level foraging activity was noted to the north-west of the site. No bat roosts were identified and no structures within the site were assessed as being capable of supporting roosts.

Priority species identified at the site include bird species such as twite, skylark, curlew, lapwing, ring ouzel, grey partridge and linnet, invertebrates such as small heath butterfly, amphibians such as common toad, and mammals such as brown hare. The survey area was not considered to be important for curlew, lapwing, ring ouzel and of limited importance for small heath butterfly, common toad, grey partridge and linnet. Whilst skylark were widespread, the assessment considers that the relatively high population around the site indicates that the less intensively managed grassland habitats are of some importance for this species helping maintain population sizes in the vicinity, and should therefore be considered a feature of local interest. Brown hare was also found to be widespread, with high population densities in

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the quarry margins and open habitats above the quarry void, to the extent that the assessment suggests they should also be regarded as interest features of local importance. A small population of twite (possibly 1-2 breeding pairs) are known to be active in the vicinity of Bee Low Quarry, the only one known in this region. Due to the small population noted and the species unfavourable conservation status (declining), the species presence was assessed to be of County and possibly regional level importance.

Four priority habitats were identified at the site, calcareous grassland, lowland dry acid grassland, lowland meadows and limestone pavement. A number of areas of calcareous grassland were identified in the vicinity of the site, the largest and best being located to the north and north-east of Bee Low Quarry, close to some limestone outcrops. Further, smaller areas were also identified to the east of Bee Low Quarry and the south of Dove Holes. Small areas of calcareous grassland were also identified in association with old spoil mounds to the west and south-east of Bee Low Quarry. Survey work identified lowland dry acid grassland habitat in two semi-improved grassland fields close to a limestone outcrop north of Bee Low Quarry. This area was also found to support two uncommon and declining fern species, moonwort and adder's-tongue fern. This was considered to be of at least district-level conservation interest. The acid grassland field to the north of Bee Low Quarry was assessed as being of no more than local interest, but was considered to increase in interest closer to the limestone outcrop. Three areas of lowland meadow were identified within the survey area, located to the south-west and west of the quarry. Although subject to some agricultural improvement, the assessment considered them to be features of local conservation interest. With regard to the limestone pavement, despite its protected and priority habitat status nationally, the ES does not consider that the small areas (no more than a few square metres) identified to be of more than local interest because they are lacking in characteristic species.

Two dewponds were identified although neither was considered to be of sufficiently high ecological value to qualify as UK Biodiversity Action Plan (BAP) Priority Habitats. Neither pond was found to support protected or priority species, and both were found to be affected by agricultural run-off. However, in acknowledgement that dewponds are local BAP Priority Habitats in the Peak District BAP, the ES concluded that they should be considered as features of local importance.

The ES acknowledges that the ongoing quarry development would have direct impacts on a number of the habitats, protected species and priority species identified either within or in the vicinity of the site including the loss of 8.24ha of neutral grassland, 3.82ha semi-improved neutral grassland, 0.65ha semi-improved acid grassland, 2.53ha ephemeral – short perennial, 1.00ha calcareous grassland, and 0.008ha open water, swamp and marginal wetland habitat. The ES states that such losses would be balanced by direct habitat

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gains resulting from the proposed progressive restoration of the site during the forthcoming 15 year review period. With regard to direct impacts to protected species, direct impacts were predicted in respect of badger. The ES did not consider that the revised working scheme would result in direct impacts to bat roosts or habitats important to foraging bats. Based on the location of the 2011 nest site, potential impacts to peregrine falcon were noted, although the current working scheme would involve the loss of another part of the same face with an extensive buffer. Other breeding birds likely to be affected by habitat loss include ground nesting species such as skylark and meadow pipit; woodland species, such as chaffinch and cliff breeding species, such as raven and jackdaw. Priority species likely to be affected by the development, primarily as a result of the loss of their favoured habitats, would include small heath butterfly, common toad, grey partridge, skylark, linnet, twite and brown hare.

With the exception of twite, peregrine falcon and the lowland calcareous grassland, the ES assesses the significance of these impacts to be of a local (or negligible in the case of linnet) level only. Impacts to twite were assessed to be of regional level significance, whilst the potential impacts to peregrine falcon and the lowland calcareous grassland were assessed as being of district level significance.

Indirect impacts associated with the ongoing development at the site include potential hydrological impacts on statutory designated sites including the Peak District Dales SAC and Monk's Dale SSSI. A fuller analysis of the potential hydrological impacts of the development on these sites are summarised in the hydrology and hydrogeology section below. In brief, however, concerns have previously been voiced over the vulnerability of the SAC and SSSI, which contain calcareous spring habitats, due to any changes in groundwater levels resulting from quarrying activities such as dewatering. The ES states that hydraulic and botanical monitoring have been undertaken since 2007 which, to date, has not demonstrated any hydraulic connectivity between the quarry and Monk's Dale indicating that dewatering would not have a negative impact on the springs.

The assessment identified the key areas where mitigation measures should be focussed including:

- the disturbance and potential loss of breeding peregrine falcon;
- potential disturbance of twite and the loss of their breeding/foraging habitat;
- loss of potential small heath butterfly breeding habitat;
- loss of skylark breeding habitat; and
- the loss of small areas of calcareous grassland.

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With regard to peregrine falcon, mitigation measures proposed include ensuring awareness by key quarry staff of the need to avoid disturbance to nest ledges and of their legislative responsibilities for Schedule 1 species when planning blasting and disturbance of new faces, and the provision of new nesting opportunities on unworked faces.

With regard to twite, a Twite Management Plan has been submitted in support of the application. The Management Plan includes provision for disturbance of species poor grasslands to the west of Bee Low Quarry prior to mineral extraction to encourage the establishment of ruderal species which would provide a suitable seed source for twite, the improvement of meadow management in fields to the east of the quarry to improve seed sources, a modification to the Company's weed control policy, altering seed mixes to include species known to be attractive to twite, the creation of new hay meadow habitat and over tipping restored faces to create new areas of flower rich grassland. Other mitigation measures proposed include protecting twite nests during site clearance works and opening new faces.

The ES states that whilst the calcareous grassland to be lost would be of no more than local/district conservation interest, it is possible to mitigate this loss through the establishment of new calcareous grasslands during the restoration of those areas where vegetation is to be formed on calcareous soil-forming materials on the steeper slopes and the bases of retained faces. The proposed seed mix is based on a mix suggested by the Wildlife Trust, albeit for the Peak Fringe Natural Area, but includes many species associated with calcareous grassland restoration. The mix has been further amended to maximise its value for foraging twite.

With regard to skylark, the ES notes that the species have successfully colonised restored land to the south of the quarry and that the proposed restoration of an equivalent 28ha of grassland at the site would, in principle, ensure no net long-term impact on skylark populations in the area. In addition, the proposed establishment of more 'meadows' is considered likely to create a high quality skylark habitat.

Mitigation measures aimed to ensure the continuity of habitats favoured by the small heath butterfly include the creation of calcareous and neutral grasslands during restoration. The ES notes that whilst there may be some local loss of colonies when quarrying moves northwards into Bee Low Quarry, sufficient areas of suitable habitat in the immediate vicinity of the site would allow colonisation of the restored land. The net impact over the life of remaining permitted mineral development is therefore assessed as being neutral.

The ES notes that the schedule of conditions approved as part of the initial review did not contain any conditions directly relating to ecology and states that the First Periodic Review has been able to identify ecological interest and

make recommendations that can be translated into planning conditions. The updated schedule therefore includes a number of conditions relevant to ecology, including the progressive restoration and landscaping of the site and mitigation measures to prevent disturbance to peregrine falcon and ground nesting birds, the implementation of a 'twite management plan', and the establishment of calcareous grassland habitats.

Hydrology and Hydrogeology

The hydrological and hydrogeological assessment addresses the potential impacts on the local hydrological and hydrogeological environment resulting from the ongoing development of Doveholes Quarry over the forthcoming 15 year review period. The assessment provides a description of the hydrological and hydrogeological baseline conditions including the geology of the quarry and nearby Monk's Dale, annual rainfall measurements, surface water features, drainage, water flows and quality, aquifer classification and vulnerability, ground water levels and flows, potential sources of pollution, details of the nearby nature conservation designations with a hydrological interest with particular reference to Monk's Dale, details of the current monitoring regime at Monk's Dale and the results and conclusions drawn, information relating to water management at the quarry and the proposed method of working during the extraction and restoration phases, an assessment of the potential impacts of the ongoing quarry development on the hydrogeology of the area, proposals for future monitoring regimes and mitigation measures, and a discussion of the suggested updated planning conditions.

The assessment identifies that Doveholes Quarry is in the Carboniferous Chee Tor Rock which comprises massive, pale grey, chert-free limestone, and is classified as a major aquifer. It notes that Karstic features (underground drainage systems with sinkholes, dolines and caves) are known to be present in the general area and that whilst there is evidence of conduit flow, such features are not exposed in the quarry. Regional groundwater flow is in a south-easterly direction with discharge to the Wye Valley. Monitoring of groundwater levels has established that seasonal fluctuations of up to 57m can occur, although the seasonal range is less than 10m down gradient of the quarry lagoons, which may represent a 'dampening' effect from the quarry sump and passive dewatering by the railway cutting and tunnel. Whilst a number of potential sources of contamination are identified, the ES finds no evidence of significant groundwater contamination in the vicinity of the site. Finally, the assessment indicates that approximately one third of inflow to the quarry comprises groundwater.

The ES describes the programme of monitoring and review that has been ongoing at the site since 2006, primarily as a result of concerns voiced by Natural England and the Environment Agency regarding the potential for indirect effects from quarry dewatering on springs and related alkaline fen

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vegetation communities at the Wye Valley SAC to the east of Doveholes Quarry. Such monitoring was intended to establish whether such effects were occurring or likely to occur in the future. The range and frequency of monitoring undertaken includes:

- Monitoring of the surface water and spring flows, groundwater levels and water quality at Monk's Dale SSSI was undertaken every two weeks between the period 2006 and 2010, and on a monthly basis since 2010.
- Measurements of pH, electrical conductivity (EC) and temperature was undertaken since 2006, in order to provide quantitative information on each spring and the stream.
- Sampling of the springs and the stream for major and minor ion analysis was undertaken at quarterly intervals since 2007, reduced to biannually since May 2011.
- Vegetation monitoring, undertaken to complement the spring monitoring programme at Monk's Dale fen, was undertaken annually between 2007 and 2012.

The ES states that, to date, the monitoring results and interpretive reports indicate that the alkaline fen communities within the SSSI/SAC are maintained by the downward flow of base rich water from perched springs and that these springs are not in hydraulic connection with Doveholes Quarry. The monitoring results continue to indicate that flows are maintained principally by rainfall recharge. The perched springs have been shown to flow for most of the year and to be hydraulically connected to springs at a lower level providing the through-flow of base rich water to the fen. Based on the conceptual model and the monitoring results, the ES does not consider it likely that the springs would be impacted upon should the quarry be deepened below its present base.

The ES notes that in 2027, the quarry would be deepened to approximately 267m AOD and that, as a result, the quarry catchment area will increase by approximately 18%. Based on the groundwater modelling undertaken, the assessment suggests that the mean dewatering discharge from the quarry would increase from 2,500m³ per day (m³/d) as is currently the case to 3,900m³/d over the 15 year development period. This would still fall well within the permitted discharge limit of 5,200m³/d. In order to ensure that discharge rates remain below the permitted limit, the ES indicates that increased inflows during periods of higher rainfall and groundwater levels would be managed within the quarry and that in the event that the limits proved insufficient, then the operator would not continue until a comprehensive revised water management scheme had been provided. Furthermore, it is anticipated that the site geology, the railway tunnel and the presence of the main quarry sump would further limit the expansion of the groundwater drawdown resulting from quarry dewatering.

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The ES concludes that it is unlikely that the future expansion of the quarry (laterally and at depth) would have an effect on local springs, water bodies or groundwater dependant habitats including the SSSI/SAC due to the association of those hydrological/ecological features with perched groundwater bodies and their relative distance from the quarry. Similarly, no cumulative impacts associated with the simultaneous dewatering at the site or the nearby Tunstead Quarry are predicted because the springs at Monk's Dale are considered not to be hydraulically connected to Doveholes Quarry. Restoration proposals for the quarry over the review period are not expected to have a significant impact on groundwater levels or flows.

A number of management and mitigation measures are proposed, including the continuation of the existing programme of groundwater monitoring with reviews at regular intervals and any changes only being made following the agreement of the relevant regulatory bodies and additional equipment to be installed to facilitate more frequent monitoring, the maintenance of quarry discharge and abstraction flow meter records, recording rainfall at the quarry, the use of the above data to inform and refine the quarry discharge predicted by the groundwater model, monthly sampling of discharges, the continuance of the Monk's Dale SSSI monitoring scheme, and the continuation of the NVC vegetation monitoring at Monk's Dale SSSI will be reviewed.

Mitigation measures proposed include limiting dewatering and dry working of the mineral carried out where feasible, working deeper parts of the quarry during periods when the water table is low and restricting working to those higher sections when the water table is high, the continuing use of the main quarry sump during the forthcoming 15 year review period, the provision of additional balancing storage areas as the quarry extends laterally and at depth, and the construction of a new quarry sump to provide additional balancing storage and additional capacity for recharge of the aquifer.

Noise

A noise survey and assessment has been undertaken to predict noise levels at sensitive receptors close to the quarry. Noise predictions using the guidance given in BS 5228 Part 1: 2009 were undertaken at the five noise sensitive properties (Lower Barnmoor Farm to the north-west, Lodesbarn Farm to the north-east, Ridgeclose Farm and The Meadows development to the west, and Oak House Farm to the south-east) closest to the site boundary with such predictions subsequently assessed against the criteria in the current guidance for mineral operations contained in Government guidance.

The ES reiterates Government guidance relating to noise at mineral sites which, at the time of submission, was set out in the (now cancelled) technical guidance note to the NPPF. That guidance (now reiterated in the National Planning Practice Guidance (NPPG)) suggested mineral planning authorities should aim to establish daytime and evening noise limits at 10dB(A) above

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background noise levels. The guidance note recognised that, in some circumstances, it would be difficult not to exceed 10dB(A) above background and, in such cases, the limit should be set as near that level as practicable and in all cases should not exceed the upper limit of 55dB LAeq,1h. Suggested night time noise limits should be 10dB(A) above background subject to a maximum of 42dB(A) whilst the upper noise limit for temporary operations was 70dBA for 8 weeks during any 12 month period.

For daytime operations (0700 hours – 1900 hours) the noise predictions took account of the use of the drill rig, the continuous operation of primary, secondary and coating plant at the site, three quarry loading shovels (operational within the quarry, the stockpile area and loading trains), two face loading shovels, dump trucks and HGVs. For evening (1900 hours – 2200 hours) and night time (2200 – 0700 hours) operations, noise predictions were based on all of the above plant and machinery with the exception of the drill rig. Noise predictions relating to temporary operations considered an excavator, dozer and articulated dump truck. All noise predictions were ‘worst case’ scenarios, when operations would be undertaken at their closest distances to sensitive properties and would therefore be expected to have the greatest influence on the noise levels experienced by sensitive receptors.

The assessment predicted that daytime noise levels experienced at Lower Barnmoor Farm, Ridgeclose Farm, The Meadows and Oak House Farm would not exceed the applicant’s suggested noise limit of 50dB(A) whilst noise levels experienced at Lodesbarn Farm would not exceed 55dB LAeq, 1h (dB(A)) when the drill rig was operational. The suggested upper limit of 50dB(A) would meet the Government’s recommended limit of 10dB(A) above background noise levels in respect of The Meadows, would be 1dB(A) above background in respect of Lower Barnmoor Farm (Phase 6) and Oak House Farm (Phase 7) and approximately 5dB(A) above background at Ridgeclose Farm (Phase 3). Background noise levels at Lodesbarn Farm were found to be extremely low (28/29 LA90 1 hour) and the applicant has suggested a lower daytime limit of 42dB(A) for this receptor. During those times when the drill rig was not operational, the assessment anticipates that noise levels would not exceed 10dB(A) above background at all sensitive receptors except Lodesbarn Farm which would experience noise levels of around 48dB(A), approximately 19/20dB(A) above background but 6dB(A) above the suggested lower limit of 42dB(A).

During evening operations, noise limits were not expected to exceed 10dB(A) above background at all receptors except Lodesbarn Farm where anticipated noise levels would be 39dB(A), approximately 3dB below the suggested upper evening limit of 42dB LAeq,1h. Night time operations were not expected to exceed the 42dB LAeq, 1h criterion at all sensitive receptors with the exception of Oak House Farm. Due to the proximity of the quarry plant area to Oak House Farm, current and predicted noise levels were found to be

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47dB(A) during all phases, 5dB(A) above the Government's upper limit of 42dB(A). Noise associated with temporary operations was not expected to exceed the 70dBLAeq,1h criterion at any of the sensitive receptors.

In order to mitigate against the effects of noise and to enable the Company to meet the requirements of Government guidance, the ES proposes a number of mitigation measures, including the use of an appropriate, less noisy, drill rig during Phase 2 for those operations closest to Lodesbarn Farm, only permitting mineral extraction operations to take place at the base of the first bench during evening and night time periods, and a series of modifications and noise attenuation measures to existing plant to reduce night time noise levels experienced at Oak House Farm to achieve a reduction in the noise currently experienced of between 2 and 3 dB(A).

The assessment concludes with an examination of the current proposals in respect of noise in the context of the existing noise limits set by the Initial Review schedule of conditions approved in 1998. These conditions set simple noise limits of 55dB(A) during the daytime and 42 dB(A) during the evening and night time. The assessment concludes that the current submission would be able to reduce upper noise limits experienced at the site and would therefore represent an improvement on the current situation.

Blast Vibration

The ES provides an overview of a blast vibration study undertaken at the site and includes a description of the effects of blasting such as ground vibration and airborne vibration (air overpressure), information relating to the various ground and airborne vibration levels necessary to cause damage to property, a general description of the methods used to predict and control ground and airborne vibration levels, details of survey work undertaken and the methodologies used, and an assessment of the findings of the survey. Mitigation measures to reduce the effects of blast vibration are also proposed.

The assessment looked at the predicted effects of blast vibration on five properties: Oakhouse Farm, Lodesbarn Farm, Lower Barnmoor Farm, Ridgeclose Farm and assessed the findings against current Government guidance at the time of submission. The assessment concludes that at the worst case, when blasting operations would be closest to each property, the magnitude of vibration would be well within the proposed vibration criterion of 6mm per second ⁻¹ (mm/ps) at 95% confidence level at Oakhouse Farm during Phase 6, Ridgeclose Farm during Phase 1, and the Meadows during phases 3, 5, and 6 and Lower Barnmoor Farm during Phase 1. The assessment found that predicted worst case blast vibration levels would occur during Phases 2, 3, 5, 6 and 7 where maximum levels would be 6mm/ps. In order to ensure that operations complied with 6mm/ps at 95% confidence level, a reduction of the maximum instantaneous charge weight, is proposed.

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The assessment provides a number of recommendations to minimise the impact of blasting to nearby residents at the site. These include limiting ground vibration experienced at sensitive receptors to 6mm/per second peak particle velocity (ppv) at a 95% confidence level as measured in any of the three planes of measurement, the adoption of safe and practical measures, including such factors as initiation, technique, to minimise air overpressure generated by blasting at source, implementing an ongoing programme of blast monitoring which would be continually updated to provide input into the design of future blasts, and proposed conditions relating to restricted hours of operation in which blasting could take place, not allowing secondary blasting and a requirement for the Operator to minimise air overpressure in accordance with a written scheme.

The ES concludes that, subject to the Company implementing the mitigation measures and recommendations set out, the ongoing development at the quarry should not give rise to cause for complaint due to induced vibration at any of the dwellings in the vicinity.

Dust

The ES provides an assessment of the potential sources of dust emissions at the site and sets out the current dust control and mitigation measures which are currently utilised at the site. The assessment is set out in the context of the Pollution Prevention and Control Act 1999 (PPC) Permit, the most recent of which was issued by High Peak Borough Council in 2006 (ref P32-3/08) which regulates the operation of the quarry processing plant and related activities, and which, amongst other things, imposes strict controls on emissions and the monitoring of emissions from the plant, stockpiles, haul roads and aggregate handling operations.

The ES identifies the main sources of dust emissions at Doveholes Quarry as soil and overburden stripping, blast hole drilling and blasting, loading at the quarry face and haulage to the mobile processing plant, processing the excavated rock, storage of products, and loading and haulage off-site of finished products, and sets out a series of mitigation measures in respect of each activity designed to minimise or remove dust emissions at source.

Suggested mitigation measures relating to quarry working would include not moving or stripping soils during extreme dry weather conditions, the suspension of soil handling operations during dry and windy weather conditions, the use of an air flushed drilling rig which is fitted with a fabric filter bag which removes dust from the air venting from the drilling rig, minimising the drop height of dug material onto the ground and during loading, and the continued use of dust sprays on the quarry access road and internal roads. Dust mitigation measures associated with the internal haul routes use fixed sprays/water bowser, regular compaction, grading and maintenance of the haul road, maintaining a speed limit of 10 mph, fitting all site vehicles and

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plant with upswept exhausts etc, evenly loading vehicles to avoid spillages, and ensuring that all site traffic keeps to the designated haul routes. All these measures have been included within a Soil Handling Action Plan for the site.

In conclusion, the ES states that whilst the location of the quarry in relation to sensitive receptors provides an inherent risk of adverse effects associated with dust, the proposed dust management and mitigation measures would enable mineral working to continue at Doveholes Quarry in a way which would not give rise to significant adverse dust effects on sensitive receptors. It further concludes that the combination of the PPC Permit, as well as conditions to control more general operations at the quarry site, would not represent duplication in respect of the site's monitoring regime.

Traffic and Transportation

The ES provides a description of the highway network surrounding the site, an assessment of current road traffic generation generated from the site, as well as an overview of rail freight movements. Overall, and based on the current annual output of 3.5 million tonnes per annum, approximately 2.1 million tonnes (60%) is exported by rail with the remaining 1.4 million tonnes (40%) exported by road. The assessment states that, for the purposes of the 15 year review period, this broad pattern is expected to continue although the ES states that it is the Company's objective to increase the quantity of aggregate exported by rail.

The ES estimates that with regard to road transport, on average, the quarry generates 396 Heavy Goods Vehicle (HGV) movements (198 in/198 out) per day and that of these, approximately three quarters feed markets in the Greater Manchester area with the remaining output being distributed to the east, south-east and west. Daily rail loads from the site number on average between 3 and 6 trains per day, depending on train pathways on the national rail network. No information is provided regarding the geographical distribution of the markets served by rail freight from the site. No material changes are anticipated to this well established pattern of distribution of products from the quarry within the forthcoming review period.

The ES notes that there are currently no restrictions imposed on either annual output or vehicle movements from the site and sets this in the context of Government guidance set out in Mineral Policy Guidance (MPG) 14 which was current at the time of submission. MPG14 emphasised that conditions should not place limits on the annual output from active sites to control the rate at which the resource depleted. The assessment concludes that in light of the above, and based upon the acceptable functioning of the existing access and public highways in the vicinity of the site, the Company had not included restrictions relating to either output or vehicular movements in its updated schedule of conditions. Conditions were, however, proposed which related to the environmental impacts of HGV movements, including measures to prevent

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dust, mud and spillages on the public highway, the surfacing of quarry access roads, the sheeting of loaded lorries, the prevention of dust and other debris being carried on to the public highway, and other relevant highway and access related matters.

Cultural Heritage

The ES provides an assessment of the cultural heritage of the site, including a description of the site and surrounding area as well as the wider 2km study area; a description of the methodology used, a summary of the baseline data and known heritage assets within the application and study areas, an analysis of aerial photographs and historic mapping, an overview of the type and age of the identified heritage assets, and statements of potential and significance, as well as suggested mitigation measures.

The ES notes that two non-designated heritage assets relating to the same feature (post medieval/modern lead mining remains) were recorded within the application site, although these are no longer extant.

With regard to the wider study area, five SMAs (a Neolithic long barrow at Harrod Row, three bronze age barrows and the late Neolithic-early bronze age 'bull ring' henge monument) are identified, the closest of which is 300m from the site boundary. Six Grade II Listed buildings were also identified within the study area, although the closest of these was 1.5km from the application site. The assessment also identified 157 undesignated heritage assets within the wider study area.

The assessment notes that whilst heritage assets of national significance are present, as significant portions of the wider study area to the north of Bee Low Quarry are considered unlikely to host any unknown heritage assets due to later disturbance through quarrying and associated development, the potential significance in this area would be negligible. Land to the west of Bee Low Quarry, as well as to the east and south-east of the application site, are significantly less disturbed and, as a result, the ES considers that previously unknown heritage assets would be of likely low-medium significance.

The ES concludes that the ongoing development of the quarry would result in adverse impacts on the significance of any heritage assets due to their removal but goes on to state that given the low density and significance of both the known and potentially unknown remains such an impact that would be satisfactorily mitigated against through a programme of recording, monitoring and dissemination. The ES considers this to be a proportionate level of mitigation in line with the question-led approach advocated in policy and guidance. Overall, any impact on the setting of heritage assets was considered to be low-negligible, due to the extent of existing screening, and the additional screening provided by natural tree belts and intervening buildings.

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Detailed mitigation measures proposed include a programme of recording and archaeological monitoring to be undertaken within the defined study area in accordance with a Written Scheme of Investigation (WSI). The WSI was also submitted in support of the application and forms the basis of one of the applicant's suggested conditions.

Consultations

Three rounds of consultation have been undertaken in respect of the current application.

Local Member

Councillor Street (Chapel and Hope) has been notified.

High Peak Borough Council Planning

No response has been received to date.

Environmental Health Officer (EHO)

The EHO initially stated that he had no comments to make as quarrying, cement handling, mineral drying and cooling, and roadstone coating operations at Doveholes Quarry are prescribed, and continue to be regulated under High Peak Borough Council's (HPBC's) Environmental Permit P32B-3/08.

At the request of this Authority, the EHO provided further advice regarding the noise assessment submitted which included the following:

- That the background noise levels at Lodesbarn Farm be re-measured due to their extremely low nature and that the achievable noise limit at this property is likely to be 55dB(A) rather than 10dB(A) above background.
- That the predicted night time figure of 47 dB(A) at Oak House Farm is problematic, given that the limit set out in Government guidance is 42 dB(A). The EHO noted that whilst the applicant identified the "secondary plant" as the main contributor here, and indicated that they could undertake noise reduction measures to bring the level down by 2 or 3 dB(A) from existing levels, this would still be in excess of the limit. The EHO further commented on potential additional noise abatement measures which had been successfully applied elsewhere.

Peak District National Park (PDNPA)

The PDNPA has provided two responses in respect of the application. In its initial response, the PDNPA provided both general comments relating to the approach to the RoMP procedure, as well as detailed comments relating to the ES.

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With regard to the RoMP procedure, the PDNPA expressed concern over the '15 year bite' approach to RoMPs adopted by the ES, commenting that *'it has always been our view that the Environment Act 1995 was designed to eliminate uncertainty by establishing working rights, for the entirety of the development, in the Initial Review rather than addressing the matter in a piecemeal fashion every 15 years'*. The PDNPA further noted that whilst the submission provided significantly more detail than that provided for planning application CM1/0202/153, no detailed information relating to the working of the site has been provided beyond 2027. It considered that the current submission did not provide information about the maximum depth of working, how the quarry would be worked, the anticipated rate of mineral extraction, the volume of waste that would be produced, or where the waste would be placed for the period between 2027 and 2042.

Note: Whilst the comments of the PDNPA are noted, this Authority considers that it is in receipt of sufficient information of appropriate quality to be able to process and determine the application. Members may also wish to note that, contrary to what one would initially assume from the PDNPA commentary, the Authority was provided with a plan showing the full extent and depth of working in 1998. This plan does not indicate anything contrary to the limited terms of the base permissions.

The PDNPA also made detailed comments regarding hydrology and hydrogeology expressing concern that the south-easterly direction of groundwater flow could potentially result in significant impacts on the PDNP, notably (i) effects on the base flow of the River Wye; and (ii) effects on the alkaline fen communities within the SAC.

With regard to its landscape, the PDNPA commented that the baseline for this review should be used as the baseline for any future reviews. Whilst the restoration concept plan was welcomed, concerns were raised regarding the depth of the large water body and the means by which shallow marginal areas would be created. The PDNPA further requested that the bunds associated with Beelow Lane be removed at the earliest opportunity, as they create an artificial feature in the landscape, and that the future management of the restored sections of the quarry be considered at an early stage.

Note: The comments regarding the bunds at Beelow Lane are noted. These issues are dealt with more thoroughly in the context of that application (see agenda item no.6).

The PDNPA Ecologist stated that the entire site falls within the Peak District BAP, not the lowland Derbyshire BAP, and considered that key areas of concern were birds, dewponds, badgers, hydrology, grassland (loss and enhancement) and the proposed restoration design/concept. With regard to

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birds, the PDNPA considered that the main species to mitigate for were twite, skylark, meadow pipit, wheatear, peregrine falcon and sand martin.

In its second response, the PDNPA noted that the projected maximum depth of extraction of 243m AOD at the end of the permitted development in 2042, would be above the level used in the hydraulic modelling exercise (232m AOD) about which it had previously voiced concern. Accordingly, the PDNPA concluded that this would be acceptable, and that, subject to some kind of verification regarding the return of dewatering water back into the aquifer (rather than being lost to the River Wye catchment altogether). The PDNPA also sought reassurance that the results from the continuous groundwater monitoring programme would be fed back into the model on a regular basis to progressively improve its accuracy.

With regard to landscape, following the submission of additional information, the PDNPA stated that it was generally content with the proposed restoration techniques but expressed surprise that the applicant had dismissed the need to show indicative water edge treatments at this stage. The PDNPA also commented that a clear and early assessment needs to be undertaken of bench restoration to avoid problems with accessibility; that there should be a greater variation in soil placement and that rollovers should continue existing wall patterns where possible to allow future grazing. The PDNPA also queries whether the current screening bunds were to be removed at the end of restoration.

With regard to ecology, the PDNPA expressed concern that the issues raised in its first response had not been addressed and sought assurance from this Authority that the applicant was working with it to resolve these issues.

Note: The latter issue is addressed in further detail in the 'Planning Considerations' section below and in the amended schedule of conditions.

Environment Agency

The Environment Agency commented that, in respect of the protection of controlled waters, the submission would only be acceptable if the applicant's submitted conditions relating to hydrological monitoring were retained. Without these conditions, the Environment Agency considered that the development would pose an unacceptable risk to the environment. The Environment Agency also requested the rewording of two further conditions relating to the storage of oils and the importation of materials to the site. Finally, the Environment Agency requested the imposition of two further conditions relating to the extent of mineral extraction at the site and the requirement for a long-term surface water management plan.

Natural England

In providing its response, Natural England noted that the RoMP submission and associated scheme of conditions were based on there being no working within that part of the quarry complex which falls within the PDNP [before 2027], restrictions to working depths of 278m, 271m and 267m AOD, with anticipated increases in quarry dewatering of only 1,500m³/d from 2,500m³/d to 3,900m³/d over the 15 year review period and no increase in the current limits to permitted levels of dewatering. Natural England further noted that a number of the documents submitted in support of the RoMP had previously been submitted in the context of planning application CM1/0202/153 and referred us to its previous comments in this respect.

In respect of Sites of Special Scientific Interest (SSSI)

Natural England had no objections to the submission, stating that it was fully satisfied that there will be no direct impacts upon any of the nearby SSSI resulting from the proposed working at Doveholes Quarry.

Natural England further commented on the potential for indirect hydrological impacts upon the freshwater dependant features of the nearby SSSI, noting that issues such as intercepting or diverting flows within the karst aquifer and the potential for recharge have resulted in extensive monitoring of hydrological interests both at the quarry and within, particularly Monks Dale SSSI. Natural England stated that it fully supported the monitoring undertaken to date which has resulted in a far clearer picture of the hydrological context of the quarry, and the nature of the water supply to the designated sites. Although Natural England was unable to unequivocally support the position presented by the applicants, that the springs in Monks Dale are not in hydraulic continuity with Doveholes Quarry, it expressed the view that the limited increases in dewatering at the quarry which are anticipated over the next 15 year development period, are unlikely to pose a significant risk to the notified features of the SSSIs or SAC whilst there is no increase in dewatering beyond those levels currently permitted, as set out in the Dove Holes Water Management Scheme (ref SK0877.CMP.290611rev1). It was also considered that the Water Management Scheme would serve as a baseline upon which to build any future proposals for amending water management at the quarry, such as any increase in permitted discharge rates or proposals for the recharge of water into the aquifer.

Natural England was generally satisfied with the submitted schedule of conditions, commenting that they would enable as full an understanding of the implications of any future increases in dewatering as possible, but requested that an additional condition (requiring the production of a Water Management Regime, including proposals for recharging water back into the aquifer likely to be affected by any future increases in dewatering), which had previously been the subject of detailed discussions between all parties, be added to the schedule. Natural England considered that this requirement, which should be

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implemented prior to any significant increases in the amount of dewatering at the quarry, would provide the future protection for the designated site interests.

In respect of the Natura 2000 site (Peak District Dales SAC)

Natural England raised no objections in respect of the Natura 2000 site, commenting that as the anticipated limited increases in dewatering would fall within the currently permitted discharge limits, they were unlikely to pose a significant risk to the freshwater dependant SAC features for which the Peak District Dales SAC is classified. The continuation of hydrological monitoring was supported as it would enable future assessments of the implications of dewatering at Doveholes Quarry in the event that further deepening of the quarry, or increases in the permitted discharge limits, are required.

Natural England further advised that it was satisfied that an appropriate assessment to assess the implications of this specific proposal on the site's conservation objectives was not required.

In Respect of Protected Species

Natural England noted the submission of the full range of ecological reports which have been prepared in recent years and referred both to its current Standing Advice or comments made in respect of planning application CM1/0202/153, which it made in 2012 which it considered remain valid in the context of the current proposals.

Natural England's letter of 2012 stated that the ecological surveys undertaken presented a good overview of the ecological value of the site and that, having reviewed the information, it was satisfied that the surveys were comprehensive and had been undertaken following best practice guidelines. With regard to breeding birds, Natural England commented that all workers should be mindful of the legal requirements in respect of their protection and that it welcomed the proposals to ensure that species such as peregrine falcon, skylarks and meadow pipits would continue to have breeding habitat on site throughout all phases. Natural England further recommended that workers at the site be made aware of the potential to encounter protected species, such as badger, bats, etc and that they be informed as to the correct procedures in such an event.

In Respect of Protected Landscapes

Natural England commented that the landscape and visual impacts of the ongoing development at the site should be considered in the context of the PDNP and the appropriate National Park Landscape Strategy, and other policy documents. Natural England further commented that it broadly concurred with the findings of the LVIA, submitted in support of the application, but recommended that the proposals be evaluated in the context of the appropriate landscape character assessment/strategy and relevant local

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development framework, which may reveal landscape or visual impacts which are significant at a local or regional scale.

Derbyshire Wildlife Trust (Trust)

The Trust commented that the information submitted in support of the RoMP was comprehensive, providing an accurate assessment of the habitats and species present, as well as sufficient details of the ecological impacts resulting from the ongoing development of the quarry and suitable mitigation measures to address these impacts.

The Trust noted that the ongoing development of the quarry would result in the loss of several UK BAP Priority Habitat types, including 1ha of lowland calcareous grassland, 0.65ha of lowland acid dry grassland and a small area of limestone pavement, as well as adversely affecting a number of bird species including skylark, meadow pipit and twite, and possibly affecting jackdaw and raven. The Trust accepted that significant impacts to peregrine falcon were unlikely, subject to the current monitoring regime being maintained. Minor impacts to small heath, a UK BAP priority butterfly species, were also noted.

In conclusion, the Trust was satisfied that, subject to the mitigation measures proposed forming the basis of the new schedule of conditions, the ongoing development of the site would be acceptable. The Trust further recommended that the restoration of the site should include the creation of UK BAP habitats, particularly lowland calcareous grassland and, if possible, lowland dry acid grassland, and the creation of smaller ponds close to the proposed lake to be of greater benefit to amphibians.

Network Rail (Mining)

Network Rail noted that the extraction and blasting operations proposed under the new working scheme would be some distance from its infrastructure, but requested that in the event that the working scheme be amended to the extent that operations would be within 200m of its property, that it be consulted in order to agree safe vibration levels appropriate to the railway and rail tunnel.

Network Rail also voiced concerns regarding current and predicted water discharge rates from the site, stating that the complex nature of the surface and ground water regimes in the area gives rise to concerns that the need to increase discharge rates in the future would adversely impact on railway property Doveholes Tunnel. Network Rail therefore requests the imposition of a further condition requiring that the volume and rate of water discharge not exceed the current discharge licence. The Company also requested two further conditions relating to the position of plant and machinery in relation to railway infrastructure.

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Health and Safety Executive and Peak Forest Parish Council

Were consulted but have yet to make a response.

Publicity

The initial application was advertised by press notice (Buxton Advertiser) and by site notice with a request for observations by 25 April 2013. Five representations were received as a result of the publicity, four from the same individual who supported the review process but commented that they would object to any expansion of the quarry into the PDNP.

The other representation received related to the public footpaths in the vicinity of the site. In general, the representation voiced support of the proposed diversions and Stopping Up orders required to enable the proposed working to go ahead as they would result in an improvement to a number of the existing rights of way. Further comments were made regarding the condition of existing footpaths and that the proposed orders should be made at the earliest opportunity in order to benefit the users of those rights of way.

Two further rounds of publicity, as required under Regulation 22 of the Town and Country (Environmental Impact Assessment) Regulations 2011 were advertised by press advert (Buxton Advertiser) and site notice with a request for observations by 12 December 2013 and 26 June 2014. No further representations were received.

Planning Considerations

It is for the company, in the first place, to submit a scheme of conditions for the Mineral Planning Authority to consider, and for the Mineral Planning Authority to determine whether the submitted conditions are acceptable, or should be modified or added to in light of the particular circumstances of the case and Government guidance set out in the NPPG. The Mineral Planning Authority may not refuse a RoMP application for updated conditions but only approve conditions as submitted by the company or as modified by the Mineral Planning Authority.

Planning Policy

I have assessed the RoMP application against the relevant development plan policies which, in this instance, are in the Derby and Derbyshire Minerals Local Plan (DDMLP), the High Peak Local Plan (adopted November 2005) (HPLP). The NPPF and the NPPG is also a material consideration.

Members are reminded that the application under consideration is a RoMP which comprises a review of the conditions under which existing mineral permissions should operate. The determination of a RoMP application does not call into question the existence of the planning permission(s) and, whilst there are policies in the development plan which would directly relate to other

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applications for these sites, for example DDMLP Policy MP23: Crushed Rock for Aggregates; they are not directly applicable to this case.

Since the prime purpose of the RoMP process is to put in place a scheme of modern up-to-date planning conditions, together with a modern scheme of working and restoration, the application is assessed against those planning policies relating to environmental considerations. In the context of this application, the policies considered to be most pertinent, contained in the DDMLP, are MP1: The Environmental Impact of Mineral Development, MP3: Measures to Reduce Environmental Impact, MP4: Interests of Acknowledged Environmental Importance, MP5: Transport, MP6: Nature Conservation – Mitigation Measures, MP8: Planning Conditions, MP7: Archaeology – Mitigation Measures and MP10: Reclamation and After-Use.

MLP Policy MP1 states that proposals for mineral development will be permitted provided that their impact on the environment is acceptable having regard to a number of aspects of the environment. Those of relevance in the context of this application are as follows:

- Effect on local communities and neighbouring land uses by reason of noise, dust, vibration or other pollution or disturbance.
- Quarrying operations such as those undertaken at Doveholes Quarry have the potential to cause adverse impacts as a result of noise, dust, blast vibration and inappropriate lighting.

Noise

The application includes a noise action plan which sets out the suggested noise monitoring and mitigation measures proposed for operations at the site, as well as details of proposed noise abatement measures that are to be applied to the existing processing plant.

The applicant's noise assessment indicates that during the daytime, noise levels would be capable of being kept within acceptable limits. In general, I am satisfied that the suggested noise limits would ensure that nearby local residents would not experience adverse impacts associated with the ongoing quarry development. Whilst it has not been possible for the applicant to meet the 10dB(A) above background criterion at all five of the identified receptors, viewed in the context of the current noise controls, four of the five would have a reduced upper daytime noise limit of either 50dB(A) (Lower Barnmoor Farm, Oak House Farm and Ridgeclose Farm) or 52dB(A) (The Meadows). Lodesbarn Farm would retain the existing upper noise limit of 55dB(A). Evening noise limits would also be subject to similar reductions from the existing 55dB(A) upper limit to 42dB(A) for Lodesbarn Farm, 45dB(A) for Ridgeclose Farm, 49dB(A) for Oak House Farm and Lower Barnmoor Farm and 52dB(A) for The Meadows.

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Whilst I note the applicant's inability to meet the Government's recommended limit of 10dB(A) above background at a number of the receptors, I am also mindful that the purpose of the review process is not to re-examine the principle of the mineral development being undertaken but rather to update the environmental controls associated with such development. The current RoMP application relates to a site which has had planning permission since 1952, which has been worked continuously since that time and which gives rise to an established range of environmental impacts such as noise. In such circumstances, the applicant's suggested upper daytime and evening noise limits would represent a significant improvement on the current environmental controls at the site and are to be welcomed.

With the exception of Oak House Farm, I am also satisfied that night time working would fall within acceptable limits with regard to noise. With regard to the current/predicted night time noise levels at Oak House Farm, I note that without mitigation, such levels would be in excess (by 5dB(A)) of the Government's upper night time limit of 42dB(A), and also in breach of the requirements of the approved Initial Review schedule of conditions. I further note, however, that the applicant's proposals to implement a series of noise abatement measures to the secondary processing plant which, following their implementation, would reduce the night time noise levels currently experienced at Oak House Farm by 2-3dB(A). Whilst noise levels would still exceed the Government's suggested upper limit by 3dB(A), such improvements are welcomed. Detailed submissions relating to the working of the site are required prior to the commencement of phases 6 (2017-2022) and 7 (2022-2027), and in order to provide a mechanism for further improvement to these night time levels during the current review period, I have also added a requirement for a review of night time noise levels at Oak House Farm to be submitted as part of those submissions. This would enable the applicant to take advantage of any improvements to technology which may help reduce noise levels further.

Overall, I am of the opinion that the proposed noise mitigation measures would represent a significant improvement on existing noise controls at the site and that the amended schedule of conditions would not only provide adequate controls, but also an appropriate mechanism through which to seek further improvements to the noise generated by the processing plant as part of detailed submissions at years 5 and 10 of the review period. I am therefore satisfied that noise is unlikely to have any significant effects upon sensitive receptors and can be adequately controlled by conditions.

Dust

The dust assessment submitted with the application confirms that activities at Doveholes Quarry have the potential, without mitigation, to create significant dust impacts and that such impacts could increase particularly during dry or

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windy weather conditions, or as a result of particular operations such as soil and overburden stripping.

I note that the assessment also clearly states that a number of existing dust generating activities at the site, namely emissions from the plant, stockpiles, haul roads and aggregate handling operations, are already subject to control by virtue of the Environmental Permit which is regulated by HPBC. Subsequently, the assessment concentrates on the emissions generated by soil and overburden stripping, blast hole drilling and blasting, the loading and haulage of unprocessed mineral to the processing plant, and the loading and haulage off-site of finished products.

The assessment proposes a number of mitigation measures for general quarry operations, such as the use of bunds, dust suppression, including use of water bowsers and road sweepers, signage and speed limits. It concludes that with such measures in place, the proposed operations could be undertaken in accordance with Government guidance contained in the NPPG and I agree that dust can be adequately controlled through appropriate planning conditions and the ongoing regulation of the site via the Environmental Permit.

Vibration

I am satisfied that the proposed ground vibration limits, which are the same as those on the approved Initial Review schedule of conditions, would be sufficient to control the impacts of blasting on nearby receptors.

Lighting

The use of artificial lighting at the site does have the potential to impact on residential amenity and ecological interests as a result of light pollution. Whilst acknowledging that this Authority is satisfied that the current use of artificial lights at the site does not give rise to such impacts, the introduction of any additional lighting at a quarry of this size could potentially do so. The approved Initial Review schedule of conditions included a condition which provided controls over any future lighting, although I note that a similar condition has not been suggested by the applicant in respect of the current review. I have therefore added a condition which would be sufficient to protect nearby residents against impacts associated with light pollution.

In conclusion, information submitted with the application, which is not disputed by the consultees, indicates that the proposed operations would be able to operate within the parameters relating to lighting, noise, dust and vibration which national planning guidance considers acceptable. I am therefore satisfied that appropriate planning conditions can be imposed to adequately control the development in these respects. I have strengthened the noise conditions proposed by the company by reference to specific noise limits and a requirement for the submission of a noise monitoring scheme. Similarly, the

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proposed dust condition has also been strengthened with a requirement to submit a Dust Monitoring Scheme. A lighting condition has also been added to the applicant's schedule.

Policy MLP1 of the DDMLP is an 'umbrella' policy which affords a general level of protection across a range of environmental issues. In addition to noise, dust and vibration, it also refers generally to 'disturbance' to local communities and the environmental effects of traffic could be considered to fall within this category. This aspect is dealt with in more detail in MLP4 and MLP5 of the DDMLP and, therefore, I refer to this in my consideration of traffic issues below.

The Effect on Agricultural Interests including the Extent of Agricultural Land Loss and the Feasibility of Achieving a High Standard of Restoration

As much of the quarry site is already operational or has been the subject of previous mineral extraction, very little undisturbed land remains. What remains is concentrated in the north around Bee Low Quarry and to the north-east of the main quarry void, and comprises unimproved pastoral grassland for the most part. I am satisfied that the proposals make adequate provision for the removal, storage and re-use of those soil resources that remain, and that there are no implications for 'best and most versatile' land.

The Visual Effects of the Proposals and the Effect on the Character and Quality of the Landscape

The effects of the development on landscape features, including the adjacent PDNP, landscape character, views from roads, properties and monuments has been assessed as part of the ES. Whilst those parts of Doveholes Quarry which are the subject of this application lie outside the National Park designation, the ES acknowledges that the landscape character both inside and outside the designation is the same and, consequently, has similar sensitivities to development of this type. This is welcomed and has resulted in the proposed progressive restoration of the quarry, focussing on strategies that satisfactorily integrate the site into its surrounding landscape context.

In considering the likely additional impacts associated with the next 15 years of working, the conclusion of the ES that ongoing quarry development would result in landscape impacts of moderate significance, i.e. that impacts to landscape character and quality would be noticeable at a local level are fair, although I would have expected an acknowledgement that the quarry already exerts a significant impact on the local area and the wider landscape. Likewise, whilst I would accept the judgement that visual impacts associated with continued mineral extraction would generally be of moderate significance, the existing quarry exerts a substantial adverse effect on some of the identified vps, particularly those at Batham Gate and Laughman Tor. Following the progressive restoration of the areas identified in this submission,

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the visual impact is assessed as being of generally moderate to minor significance with respect to the quarry development in this period. I would agree with this and consider that the overall significance of the impact is reduced due to the extent of the identified progressive restoration during the next 15 years.

Mineral extraction operations at the site, over the last 15 years, have tended to take precedence over restoration. This has led to the current predominant visual impact being the extent of the quarry and the lack of unrestored areas. I consider it essential, therefore, that ongoing development over the next 15 years should be better balanced to ensure that overall, the visual footprint of the site remains constant or extends at a minimal rate that is acceptable from local vps. This is all the more important as it is will be in this review period that the main quarry and Bee Low Quarry would be amalgamated into a combined single void. I am satisfied, however, that the detailed proposals indicates that significant restoration (including the completion of Tip 4, the progressive restoration of the upper benches of the Shaw's Land and Lodes Marsh areas, and the creation of a rollover slope in the triangle area) will take place, particularly during phases 1 and 2. Targeting these areas for early restoration will ensure that any visual impacts associated with the proposed breakthrough between the main quarry void and Bee Low Quarry would be offset by the significant restoration works undertaken in the preceding 5 years. The applicant's proposed conditions include mechanisms to ensure that the proposed progressive working and restoration is undertaken in accordance with the submitted documents, as well as provision for further detailed submissions relating to phases 6 and 7 and future aftercare. With that in mind, and subject to some minor amendments, I am satisfied that the potential landscape and visual impacts associated with the development are capable of being controlled by condition.

The Effect on Sites and Features of Wildlife or Geological/Geomorphological importance

The on-going operation of the quarry has the potential to impact on sites and features of wildlife and geological importance.

In addition to the requirements of DDMLP Policy MP1, Policy MP4: Interests of Acknowledged Environmental Importance does not permit mineral development where irreparable or unacceptable damage would result to interests of acknowledged environmental importance, and in particular, where *'development would adversely affect nature conservation interests of international or national importance including...special areas of conservation, sites of special scientific interest...and the habitats of protected species'* and *'development would cause significant disturbance to other sites of importance for nature conservation including...regionally important geological sites'*.

Statutory Designated Sites

The potential for the ongoing working of the quarry, to result in indirect adverse impacts to nearby statutorily designated sites (Peak District dales SAC and Monk's Dale SSSI), through dewatering and quarry water management, has long been of great concern to this Authority. Indeed, it is primarily for this reason that the application submitted in 2002 has never been determined. The extensive monitoring regime and subsequent interpretation of data regarding the hydrology and hydrogeology of the quarry and its surrounding area, which was initiated in response to those issues, has enabled the construction of a detailed conceptual model of these systems.

I note the applicant's conclusion that the quarry is not in hydrological connectivity with the features of interest within Monk's Dale which were considered potentially vulnerable to indirect impacts. I further note the response of Natural England which indicates that although the organisation is not able to unequivocally support the view that the springs in Monks Dale are not in hydraulic continuity with the quarry, it is of the opinion that the anticipated *"limited increases in dewatering at the quarry which are anticipated over this 15 year development period are unlikely to pose a significant risk to the notified features of the SSSIs or SAC"*, that it was *"...broadly satisfied that there is not likely to be an adverse effect on designated sites in the area as a result of the proposal being carried out in strict accordance with the details of the application as submitted"* and that they advise that the designated sites do not represent a constraint in determining this application and that an appropriate assessment of the proposals is not required.

In light of the above, I am satisfied that, subject to the development proposals and hydrological monitoring being undertaken, as set out in the submitted documents, the conditions proposed by the applicant, as amended at the request of Natural England, the ongoing operation of the quarry, as set out in the current submission, would not result in adverse impacts to the SAC or SSSI.

Possible other impacts to nature conservation, associated with mineral working at the quarry, are limited to habitat losses (including BAP habitats) associated with non-designated sites, impacts on UK BAP priority species and impacts on certain protected species, such as badger.

UK BAP Priority Species

Twite

In considering the scarcity and poor conservation status of this species in the UK nationally, the potential for impacts on twite, as a result of on-going development at Doveholes Quarry, is a significant issue. I am satisfied, however, that the 'twite management plan', submitted in support of this application, sets out the relevant mitigation measures for this species and that

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the applicant's proposed schedule of conditions includes provision to secure the implementation of this plan. Both Natural England and Derbyshire Wildlife Trust have confirmed that this is also their view in respect of twite. The submitted twite management plan only relates to the next five year period and I have therefore added additional requirements for a review and update of the management plan as part of the detailed submissions relating to phases 6 (2017-2022) (Condition 6) and 7 (2022-2027) (Condition 7), which would provide continuing measures for the management of the species. I note that the PDNPA raise a number of additional minor issues in relation to twite, including the loss of dewponds and the reinstatement of stone walls at the site. I have included these requirements in an additional condition which requires the submission of a quarry habitat management plan.

Peregrine/Raven

Peregrine falcons are known to breed within the site and have done so for a number of years. The species appears to be able to be successfully accommodated within working quarry sites without significant disturbance. Ravens are also known to have bred within the quarry in recent years. The twite management plan also contains mitigation measures in respect of both species and, as with twite, conditions have been suggested by the applicant to ensure the implementation of that plan.

Badger

From the information provided in the ES, it is clear that badgers are known to be on site and are likely to be affected within the next 15 years. The impacts arising to badgers are not likely to be any greater than previously envisaged and the population and activity of the badgers identified is 'fluid' and will continue to be so throughout the forthcoming review period. With all of the above in mind, and considering the population is of local interest only, and that measures to avoid impacts to badgers would adversely affect the working rights of the operating company, whilst I accept the conclusions of the badger report, I also note that the applicant has not suggested any conditions relating specifically to the species. I have therefore inserted an additional condition which requires further badger surveys be undertaken where specific operations, such as vegetation clearance, soil stripping, land clearance or the creation/diversion of new tracks, are to be undertaken on land which is previously undisturbed, previously disturbed areas which has naturally regenerated to the extent that they could support badger; and within 50m of any existing setts.

Breeding Birds

In addition to the species discussed above, the ecological assessment identified the presence of a number of other bird species, including ground nesting species such as skylark and meadow pipit, at the site. Mitigation measures suggested by the applicant to protect breeding birds primarily include a condition restricting vegetation, tree and shrub clearance to those

periods which fall outside the bird nesting season, or if this is not possible not prior to appropriate checks and any subsequent actions for breeding birds and nests prior to the work being undertaken, as well as commitments to ensure the retention and/or enhancement of existing agricultural land. Given the scale of site operations and the nature of the works, in which future phases of working and site aspirations are known well in advance, I can see no reason why vegetation removal cannot be foreseen and programmed to occur outside the bird nesting season. I have therefore amended the applicant's suggested condition to allow for no removal of trees, scrub, hedgerows or grassland during the bird nesting season, or allowing this only to occur in exceptional circumstances with our written prior approval and subject to rigorous checks.

Other Ecological Receptors and Associated Impacts

Other ecological receptors present on site which either have been affected by works to date or which will be affected over the next 15 years include the ongoing loss of grasslands, loss of habitats for certain bird species such as skylark, meadow pipit and wheatear and impacts on invertebrates such as the small heath butterfly. I do not consider such impacts to be significant particularly when the restoration proposals are taken into account and the site is viewed in the long term, a view also confirmed by the response of Derbyshire Wildlife Trust. I note the comments of the PDNPA, however, whose response raises a number of minor issues and matters of detail which would enhance the proposals of which that Authority considers should be addressed prior to the determination of this Review. It is my opinion that whilst such issues would undoubtedly improve biodiversity at the site, they do not need to be addressed prior to determination. I have therefore added a further condition which requires the preparation, submission and implementation of a quarry habitat management plan for the whole site which is aimed at addressing the issues raised by the PDNP, as well as other mitigation measures suggested by the applicant in their ES.

Geology

As proposed in the applicant's submitted working plan, the ongoing development of the quarry would result in the loss of the Bee Low RIGS designation as a result of mineral extraction moving northwards into Bee Low Quarry. The RIGS designation post-dates the initial grant of planning permission in this area by a period of almost 40 years and bears no relation to the full extent of permitted reserves, being based on the physical extent of the quarry in the mid-1990s. In considering the non-statutory nature of the RIGS designation, the potential restriction to the working rights of the operator and the subsequent potential for a claim for compensation resulting from the loss of those working rights, I do not think it appropriate to restrict working in this area to prevent the loss of the designation.

The designated site is notable for its massive exposures of Bee Low limestone on a single plane which are largely the result of historic methods of working.

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Due to current health and safety requirements relating to bench heights within quarries, it would clearly not be possible to replicate the height of existing faces but I am of the opinion that the operator would be able to ensure that some selected faces are left exposed during the final restoration. With that in mind, and to ensure that the proposed working at the site would accord with the requirements of MP1 and MP4 of the DDMLP, I have suggested the imposition of an additional condition requiring the submission of a geology action plan to be submitted.

The Effects on Sites of Archaeological Importance and their Settings

As outlined above, whilst there is evidence of pre-historic activity in the vicinity of the site, apart from the two post medieval/modern lead mining remains which are no longer extant, there are no recorded archaeological heritage assets within the confines of the application area. As little previously undisturbed ground will be affected by the development proposals, I accept that the applicant's suggested approach i.e. that a scheme of working based on the submitted WSI be submitted prior to any soil stripping taking place is an appropriate one. I am also satisfied with the content and scope of the submitted WSI.

The Effect on the Built Environment and, Especially, Features of Architectural, Historical or Heritage Importance, and their Settings

There are no such features likely to be affected by the proposals.

The Transport Implications and, in Particular, the Scale and Nature of Traffic likely to be Generated and its Implications for Site Access, Highway Capacity, Road Safety and the Environment Generally

In general, I do not consider that issues relating to vehicle movements or restrictions on output are relevant in the context of a RoMP application as the principle of the development is already established, as is the use of the local highway network via which approximately a third of the quarry's output is transported. For this reason, I do not consider it appropriate to impose conditions relating to either the annual output of the site or the number of HGVs accessing the site by road. The applicant's proposed conditions relating to the site access and the highway would ensure that environmental impacts associated with the movement of HGVs, to and from the site (such as dust and the drag out of debris onto the highway), could be controlled are considered acceptable. Likewise, the requirement for a revised scheme of signage at the site entrance would reduce visual clutter on Dale Road. The scheme could also allow for the introduction of a sign indicating the shortest route to the strategic highway network which would reduce the number of large vehicles using the network to the east of the site.

I note the information provided in the ES regarding recent production levels and the modes of transport (rail and road) used to export mineral from the site. The ES indicates the applicant's desire to increase the volumes of mineral

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exported via rail over the current review period and this approach is welcomed although, again, I do not consider it appropriate that a condition to that effect be imposed.

Effects on Public Rights of Way and Areas of Importance for Formal and Informal Recreation

Although there are numerous public rights of way in the vicinity of Dove Holes Quarry, I do not consider that they would be any more directly affected by the development proposals than is currently the case. The obvious exception to this is Beelow Lane which requires diverting to enable mineral extraction at the quarry to continue northwards. This diversion forms the subject of a separate planning application which is also on the agenda for this Committee (see agenda item no.6). I am aware that a number of temporary and permanent diversions are now in place, either in the interests of the safety of the users of the footpath due to the proximity of the quarry workings or because they provide an improvement to the current alignment of existing footpath for the benefit of the public in the long run.

Effects on the Quality and Quantity of Water Resources, including the Ecology of Water Courses and Wetlands, and on Water Supply and Flood Protection Interests

The management of water within a quarry environment has the potential to result in adverse impacts to hydrology and hydrogeology as a result of activities, such as dewatering, surface water disposal and control of polluting substances. One of the major concerns of statutory consultees, such as Natural England and the Environment Agency, regarding dewatering from this site has been its proximity to statutory designated nature conservation sites, such as the SAC and SSSI at Monk's Dale and the potential for indirect effects to the aquatic plant communities within the SAC/SSSI as a result of quarry dewatering. Such concerns are based on the known presence of karst features in the area and the lack of certainty as to whether there was any hydraulic connectivity via these features between Doveholes Quarry and Monk's Dale. The PDNPA has also voiced concern on this issue and also in respect of the potential cumulative impacts of dewatering at all the major quarries in the vicinity of the site on the River Wye.

The ES provides detailed information on this issue and concludes that the springs within the SAC/SSSI are fed by perched groundwater springs rather than by any karstic features, and that there is no evidence for hydraulic continuity between the designated sites and the quarry. I note that whilst not able to definitively conclude that no such connectivity could be identified during the remainder of the life of the quarry, both Natural England and the Environment Agency have accepted the conclusions set out in the ES in the context of this review and, subject to the inclusion of the applicant's water monitoring conditions, have no objections to the proposals.

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The PDNPA's concerns regarding the potential impacts to the SAC/SSSI are noted. On the basis of the responses received from Natural England, the Environment Agency and the further information received from the applicant, however, I am satisfied that sufficient information has been provided (in terms of current and anticipated depth and rates of working and the rates of discharge permitted by the current discharge licence) to enable this Authority to determine the current application with some degree of confidence as to its likely environmental impacts. With regard to any future impacts to the SSSI/SAC arising as a result of an increase in the rate of dewatering, whilst the potential for adverse impacts can always exist, I do not consider that it is possible for any usefully reliable assessments of potential impacts from particular notional rates and depths of working to be reached at this time. In any event, such an increase in dewatering would only be permitted subject to the issue of a revised discharge licence, such licences being the subject of detailed assessment under a separate regulatory regime, and the submission of a revised water management regime for the site, the latter issue being satisfactorily controlled via condition.

The applicant's proposed schedule of conditions includes a number relating to water management and monitoring. These conditions are the result of detailed discussions between this Authority, Natural England and the applicant, and seek to ensure that not only are existing operations and Monk's Dale subject to frequent monitoring and review, but also that the results are fed into a conceptual model. Further provision is also made for the submission of a revised scheme in the event that the operator wishes to increase the rate of discharge over and above that allowed by the current licence. Both Natural England and the Environment Agency have confirmed that they are satisfied that the proposed conditions are acceptable from a water management point view and on that basis, I have no concerns.

With regard to the potential cumulative impacts on the base flow of the River Wye as a result of simultaneous dewatering operations being undertaken at nearby quarries including Tunstead, Ashwood Dale and those along the A515 (Dowlow, Hindlow, Hillhead and Brierlow), based on current and proposed future dewatering practices at those sites, I am satisfied that the likelihood of such potential effects are extremely low. The ES states that no dewatering is currently taking place at Tunstead Quarry. Similarly, the respective operators of Brierlow and Ashwood Dale Quarries have confirmed that no dewatering operations are currently or proposed to be undertaken. Mineral extraction at Hindlow Quarry ceased in 1988, has not recommenced since and is unlikely to do so in the foreseeable future. Likewise, Hillhead Quarry has not been worked significantly since the mid-2000s and again, the operator has indicated that it has no intention to recommence working at the site. I note the comments of the Environment Agency in this respect and would concur with this conclusion.

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The Environment Agency notes and accepts the comments in the ES relating to flood risk and surface water drainage but recommends the imposition of a condition which requires the submission of details of the proposed means of surface water disposal. This I have included in the attached schedule of conditions.

In view of the above, I am satisfied that the requirements of this section of the Policy are met and I have included additional planning conditions where appropriate.

MLP Policy MP10 states that Proposals for Mineral Development will be Permitted Only where Satisfactory Provision has been made for the Reclamation and After-Use of the Site as soon as Practicable

I am satisfied that the revised restoration concept and phasing scheme, with its emphasis on reducing existing landscape and visual impacts, and nature conservation, provides a much more robust, sequential, progressive approach than was previously proposed, which can be adequately controlled by the conditions set out below. I therefore conclude that the requirements of this Policy are now satisfied.

Submitted Schedule of Conditions

The company proposed 45 planning conditions for the Dove Holes Quarry. I consider that the wording of these conditions needs amending in some cases and I have also added additional conditions where I consider further control is necessary. A total of 59 planning conditions are now proposed and these are set out in full at the end of this report.

Amended Schedule of Conditions

I have undertaken, where appropriate, a detailed review and redraft of the submitted conditions, having regard to the assessment of environmental effects anticipated in the submitted ES, including the site's future development and restoration. The redrafted conditions are not fundamentally different from those the company sought, in terms of their scope. However, I have added a number of new conditions as a result of concerns raised by external consultees and the conclusions of the ES. Furthermore, in a number of instances, minor amendments to the wording of the conditions have been made to bring them in line with current environmental standards. During the process of redrafting, I have discussed the proposed variations with Cemex, taking into account its views, together with those of the consultees. Referring to the topics and order of conditions in the Officer's Recommendation below, the reasons for the more significant alterations are as follows:

Site and Scope of Conditions (Condition 1): The applicant's suggested condition referred to a drawing number. For the purposes of clarity and to ensure that there can be no doubt as to which documents will be superseded as a result of the current review, I have also inserted the code numbers of the

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base planning permissions, as well as the schedule of conditions approved under the Initial Review.

Duration of Development (Condition 3): This condition was imposed on the Initial Review schedule of conditions but had been excluded by the applicant in their proposed schedule of conditions for the first review period. I have reinserted it for the purposes of this first Periodic Review for consistency and to ensure that the parameters of working established under the Initial Review are not lost.

Protection of Network Rail Property (conditions 20 and 21): These conditions were inserted at the request of Network Rail and relate to the need to prevent quarry plant and machinery overhanging Network Rail property for health and safety purposes.

Dust Monitoring (Condition 25): This condition has been inserted to ensure that this Authority has the ability to satisfactorily monitor the site for dust nuisance arising from general quarrying operations and to enable it to respond to any complaints in respect of dust.

Groundwater Management and Monitoring (Condition 37): I have partially amended this condition to better reflect previous discussions between the applicant, Natural England and this Authority with regard to a suitable set of conditions relating to groundwater monitoring at the site. Prior to the submission of the current First Periodic Review application, a set of conditions had been agreed by all parties. The conditions submitted in support of the current application accurately reflected the previously agreed condition with the exception of the requirement to submit a detailed 'Revised Water Management Regime' in the event that the Company wished to increase the rate of dewatering at the site. This requirement is now incorporated into the Condition as 37(b). In its consultation response, and as part of its acceptance that the ongoing quarry development would not result in adverse impacts to the designated sites, Natural England requested that this requirement be reinserted. In light of the amendments, I have subsequently made amendments to the wording of those originally agreed conditions, I have also re-consulted Natural England on my suggested format with the response that they were satisfied with my suggestion.

Badger (Condition 49): I have inserted this condition to reflect the recommendations made in the applicant's confidential badger survey. The condition will also enable this Authority to meet its requirements with regard to the NERC Act 2006 in respect of protected species.

Quarry Habitat Management Plan (Condition 50): The condition has been inserted to provide a mechanism in which to meet the recommendations of the

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applicant's ecological assessment with regard to priority species and habitats at the site, as well as the comments of the PDNP in its letter of 7 June 2013.

Geology Action Plan (Condition 51): The condition has been added in order to provide mitigation for the loss of the Bee Low RIGS as a result of the ongoing development at the site.

Aftercare (Condition 58): This condition replaces the applicant's suggested Aftercare Schedule which was appended to the end of the submitted conditions. Other than the need to submit an aftercare scheme, the requirements of the condition are identical to those proposed in the applicant's original schedule.

Conclusions

In conclusion, I believe that the current application significantly improves the environmental controls currently in place at the site, particularly with regard to landscape and visual impacts, ecology, noise and hydrology and hydrogeology, and that the scheme now largely addresses the requirements and environmental parameters of the aforementioned policies, and I am satisfied that the proposals do not conflict with the development plan. The schedule of conditions in the Officer's Recommendation has been agreed between the parties and would bring appropriate updates and much improved control over, amongst other matters, the environmental effects, method of working, landscaping, restoration and aftercare of the Doveholes Quarry site in line with modern planning permissions and the requirements of consultees.

Where conditions have been altered, I have borne in mind, in each case, the potential effect on working rights and the asset value of the site. In my opinion, the working rights of the land or mineral owner are not significantly affected.

(3) **Financial Considerations** Review submissions do not attract a fee. There are potential compensation implications for an Initial Review of an active site. The Council may be liable to compensation for loss or damage attributable to the scheme if:

- (i) it determines conditions which differ in any respect from those submitted by the company;
- (ii) the effect of the alteration, compared with the conditions which applied previously, is to restrict working rights at the site (other than through restoration and aftercare conditions);
- (iii) the restriction is such as to prejudice adversely and to an unreasonable degree the economic viability of operating the site or the asset value of the site.

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Where provisos (i) and (ii) are satisfied, the Authority must issue a notice to say so, to identify the rights restricted and to say whether, in its opinion, the third proviso is satisfied or not.

(4) **Legal Considerations** The RoMP application falls to be determined by the County Council as Mineral Planning Authority under the provisions of Section 96 and schedules 13 and 14 of the Environment Act 1995.

I do not consider that there would be any disproportionate impacts on anyone's human rights under the European Convention on Human Rights as a result of this decision.

(5) **Environmental and Health Considerations** As indicated in the report.

In preparing this report the relevance of the following factors has been considered: prevention of crime and disorder, equality and diversity, human resources, property and transport considerations.

(6) **Background Papers** File 1.306.R1

Application documents and accompanying Environmental Statement received from Cemex UK Materials Ltd dated 18 March 2013, as amended by further information and drawings submitted by cover of letter dated 11 November 2013 and further information and drawings submitted by cover of letter dated 31 March 2014.

Memorandum from the Footpaths Officer dated 10 April 2013.

E-mail correspondence from the Environmental Health Officer dated 11 April, 13 June and 20 November 2013, and 8 January 2014.

Memoranda from the Highways Area Management Division dated 2 May and 15 November 2013.

Letter from Network Rail dated 7 May 2013.

Letter from Derbyshire Wildlife Trust dated 28 May 2013.

Letters from the Peak District National Park Authority dated 7 June 2013 and 27 February 2014.

Letter from the Environment Agency dated 27 June and 18 December 2013.

Memoranda from the Conservation and Design Manager dated 28 June and 3 December 2013, and 4 June 2014.

Letter from Natural England dated 28 November 2013.

(7) **OFFICER'S RECOMMENDATION** That the Committee resolves that the following conditions be **approved** for the purposes of Paragraphs 6 and 10 of Schedule 14 of the Environment Act 1995, as the new conditions for the Strategic Director – Economy, Transport and Environment to issue in respect of planning permissions 1986/6/16, CHA/1259/18, CHA/1271/23 and CM1/1293/108, and to replace the schedule of conditions

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previously approved under the Initial Review (R1/0697/2) dated 19 March 1998.

The Site and Scope of Conditions

- 1) These conditions shall apply to the whole of the area outlined in red on attached drawing no. DOV_PLA_CAW_150113, to which the planning permissions 1986/6/16, CHA/1259/18, CHA/1271/23 and CM1/1293/108 (the 'relevant permissions') relate, and shall supersede all the conditions in those permissions and those contained in the approved Initial Review schedule of conditions (R1/0697/2) dated 19 March 1998 with effect from the date that they take effect. From that date, the development shall be undertaken only in accordance with these conditions.

Reason: To establish control over and the extent of the development and hence, to protect local amenity.

Approved Details

- 2) The development to which the relevant permissions relate shall only be undertaken in accordance with the following documents or as otherwise required by the conditions below:

Plan Title	Plan Ref
• Location Plan	DOV_PLA_CAW_140113
• Extent of Submission	DOV_PLA_CAW_150113
• Potentially Sensitive Properties	DOV_PLA_CAW_170113
• Ancillary Development	DOV_PLA_CAW_310113
• Planning History	DOV_PLA_CAW_010213
• Public Rights of Way	DOV_PLA_CAW_260213
• Location of Boreholes and Springs	SP4136_CAW_D_030806_A
• Cross Sections Sheet 1	12-06 DOV PLA 001 Rev B
• Cross Sections Sheet 2	12-06 DOV PLA 002 Rev B
• Cross Sections Sheet 3	12-06 DOV PLA 003 Rev B
• Phase 1 June 2012 – Dec 2013	12-06 DOV PLA 004
• Phase 2 Dec 2013 – Dec 2014	12-06 DOV PLA 005
• Phase 3 Dec 2014 – Dec 2015	12-06 DOV PLA 006 Rev A
• Phase 4 Dec 2015 – Dec 2016	12-06 DOV PLA 007
• Phase 5 Dec 2016 - 2017	12-06 DOV PLA 008
• Phase 6 Dec 2017 - 2022	12-06 DOV PLA 009
• Phase 7 Dec 2022 – 2027	12-06 DOV PLA 010
• Locations of Lines Section	12-06 DOV PLA 011
• Extent of Permitted Development Rights	DO15/1
• Tree Planting Block Locations	DH 005
• Restoration Materials Resources Plan	DH 006a Rev A
• Detailed Restoration Proposals for	

Public

Tip 4: End 2013	DH 008a Rev A
• Triangle Area Restoration Details	DH 009
• Tip Restoration Details 2027	DH 013
• Beelow West Flank Restoration Details	DH 016
• Shaw Restoration Details	DH 017
• Restoration Types and Areas	DH 018a Rev A
• Final Restoration Masterplan	DH 019b Rev B
• Proposed Stone Wall Construction Phasing Plan	DH 023
• Dove Holes Water Management Scheme	SK0877.CMP.290611rev1
• Revised Explanation of Restoration Techniques	002.018 October 2013
• Twite Management Plan	1 November 2012
• Written Scheme of Investigation for Archaeological Survey and Watching Brief 2012	
• Soil Handling Plan	
• Revised Noise Action Plan	
• Dust Action Plan	
• Revised Blast Vibration Action Plan	

Reason: To apply appropriate control over the parameters of the development, including relevant mitigation controls to be observed, to protect local amenity.

Duration

- 3) Extraction of minerals from and the depositing of mineral waste at the site shall cease by 22 February 2042. On or before that date, all mineral extraction operations shall have ceased and the quarry shall have been restored in accordance with the conditions below.

Reason: For the avoidance of doubt and to enable the Mineral Planning Authority to properly monitor the progress and timing of key stages of the approved operations having regard to the restrictions on the timescale of the development, and to determine the aftercare periods.

Availability of Plans, Etc

- 4) From the date that these conditions take effect until the completion of the development, a copy of these conditions, including all plans, drawings and documents hereby approved, and any other plans, drawings or documents subsequently approved in accordance with these conditions, shall always be kept available at the Doveholes Quarry site offices for inspection during the prescribed working hours.

Public

Reason: To ensure that all necessary documentation for the purposes of monitoring and securing compliance with the planning permission are available to site staff.

Quarry Development

- 5) The working, restoration and aftercare of the site shall be carried out only in accordance with the working programme and phasing plans contained within drawing numbers 12-06 DOV PLA 004 entitled 'Phase 1 June 2012- Dec 2013', 12-06 DOV PLA 005 entitled 'Phase 2 Dec 2013 – Dec 2014', 12-06 DOV PLA 006 Rev A entitled 'Phase 3 Dec 2014 – Dec 2015', 12-06 DOV PLA 007 entitled 'Phase 4 Dec 2015 – Dec 2016', 12-06 DOV PLA 008 entitled 'Phase 5 Dec 2016 – Dec 2017', 12- 06 DOV PLA 009 entitled 'Phase 6: Dec 2017-2022' and 12-06 DOV PLA 010 entitled 'Phase 7 Dec 2022 – 2027' submitted in support of application no R1/0313/26 unless otherwise approved in writing by the Mineral Planning Authority. In particular, each phase of the development as detailed in the application plans and documents shall be completed in its entirety prior to the commencement of any excavations in any subsequent phase.

Reason: To enable the Mineral Planning Authority to control the development and to minimise its impact on the amenities of the local area.

- 6) In addition to the provisions of Condition 5 above, as regards the content of drawing no. 12-06 DOV PLA 009 entitled 'Phase 6: Dec 2017-2022', by 30 September 2016, a detailed scheme of working for the years 2017 to 2022 shall be submitted to the Mineral Planning Authority for its prior written approval. The scheme, which shall then be implemented as approved, shall, amongst other things, include provision for:
- (a) the method, direction, sequence, depth and area of working;
 - (b) the angles of excavated slopes and margins to the site boundary;
 - (c) the temporary storage of soils, if required;
 - (d) the location and construction of haul roads within the site;
 - (e) the location and height of mineral stockpiles;
 - (f) the location, height, size, shape and surface treatment of any overburden and quarry waste tips;
 - (g) final contours for those parts of the site which will be restored during the period;
 - (h) the treatment of any remnant quarry faces and benches;
 - (i) the treatment and design of any working quarry faces and benches to facilitate the incorporation of shallow/varied margins to the final design of waterbodies;

Public

- (j) location species, numbers, sizes, ground preparation works and protective measures for tree and shrub planting;
- (k) grass and/or wildflower seed mixes, fertiliser or other treatments;
- (l) the provision of fences, walls, gates and stiles;
- (m) removal of any redundant quarry buildings, plant or machinery;
- (n) a review of, and where possible improvements to, those noise mitigation measures implemented to reduce night time noise levels experienced at Oak House Farm;
- (o) a review and update of the Twite Management Plan to cover the period 2017-2022. The updated plan shall include details of further survey work, a 5 yearly review of the range and success of the mitigation measures undertaken since the date these conditions came into effect, and an updated set of mitigation and habitat management measures based on the outcomes of the 5 yearly review.
- (p) a timeframe for the submission of aftercare scheme(s) for those parts of the site proposed to be restored between 2017 and 2022 (Phase 6). The aftercare scheme(s) shall include, as appropriate, the detailed information as indicated in Condition 58 below. Any scheme submitted pursuant to this condition shall illustrate how the development of the site will realise that illustrated by drawing number DH 019 Rev B entitled 'Restoration Masterplan' over the period 2017 to 2022; and
- (q) a programme of implementation.

Reason: To ensure control over the ongoing development and restoration of the site and hence, to protect local amenity.

- 7) In addition to the provisions of Condition 5 above, as regards the content of drawing no. 12-06 DOV PLA 010 entitled 'Phase 7 Dec 2022 – 2027', by 30 September 2021, a detailed scheme of working for the years 2022 to 2027 shall be submitted for to the Mineral Planning Authority for its prior written approval. The scheme, which shall then be implemented as approved, shall amongst other things, include provision for: -

- (a) the method, direction, sequence, depth and area of working;
- (b) the angles of excavated slopes and margins to the site boundary;
- (c) the temporary storage of soils, if required;
- (d) the location and construction of haul roads within the site;
- (e) the location and height of mineral stockpiles;
- (f) the location, height, size, shape and surface treatment of any overburden and quarry waste tips;
- (g) final contours for those parts of the site which will be restored during the period;
- (h) the treatment of any remnant quarry faces and benches;

Public

- (i) the treatment and design of any working quarry faces and benches to facilitate the incorporation of shallow/varied margins to the final design of waterbodies;
- (j) location species, numbers, sizes, ground preparation works and protective measures for tree and shrub planting;
- (k) grass and/or wildflower seed mixes, fertiliser or other treatments;
- (l) the provision of fences, walls, gates and stiles;
- (m) removal of any redundant quarry buildings, plant or machinery;
- (n) a review of, and where possible improvements to, those noise mitigation measures implemented to reduce night time noise levels experienced at Oak House Farm;
- (o) a review and update of the Twite Management Plan to cover the period 2017-2022. The updated plan shall include details of further survey work; a 5 yearly review of the range and success of the mitigation measures undertaken since the date these conditions came into effect; and an updated set of mitigation and habitat management measures based on the outcomes of the 5 yearly review;
- (p) a timeframe for the submission of aftercare scheme(s) for those parts of the site proposed to be restored between 2022 and 2027 (Phase 7). The aftercare scheme(s) shall include, as appropriate, the detailed information as indicated in Condition 58 below. Any scheme submitted pursuant to this condition shall illustrate how the development of the site will realise that illustrated by drawing number DH 019 Rev B entitled 'Restoration Masterplan' over the period 2022 to 2027, unless otherwise agreed in writing with the Mineral Planning Authority; and
- (q) a programme of implementation.

Reason: To ensure control over the ongoing development and restoration of the site and hence, to protect local amenity.

- 8) The following dates shall be notified in writing to the Mineral Planning Authority no later than seven working days before each date:
- the dates on which the stripping of soils or overburden in preparation for the commencement of operations in each new area;
 - the commencement of operations within each phase; and
 - the completion of operations within each phase.

Reason: To ensure control over the on-going development of the site.

- 9) No soil stripping shall take place after the date on which these conditions take effect until a programme of implementation of archaeological field work based on the methodology set out in the *'Written Scheme of Investigation for Archaeological Survey and*

Public

Watching Brief 2012', produced by Archaeological Research Services Ltd, has been submitted to and approved in writing by the Mineral Planning Authority. Thereafter, the development shall be undertaken in accordance with the approved programme.

Reason: To allow any items of archaeological interest that may be present at the site to be documented prior to the stripping of soils.

General Operations

- 10) All rubbish, debris, scrap and other waste material generated on the site (other than mineral and mining waste) shall be collected regularly and stored in a contained and inconspicuous location within the quarry until disposed of at an appropriately licensed facility.

Reason: To protect local amenity.

- 11) All of the existing boundary features, including but not limited to trees, hedges, walls, dry stone walls and fences on and adjacent to the site boundary shall be maintained and protected from damage or destruction until the completion of development except as may be permitted by this schedule of conditions.

Reason: To protect local amenity.

Restriction of Permitted Development Rights

- 12) Notwithstanding the provisions of Article 3 and Parts 19A and 21 of Schedule 2 of the Town and Country Planning (General Permitted Development) Order 1995 (as amended):-

- a) Except within the area shown on drawing no. DO 15/1 entitled 'Extent of Permitted Development Rights', no fixed plant or machinery, buildings or structures in the nature of plant or machinery and no mobile processing plant shall be placed or erected on the site except as existing or previously authorised or required by this schedule of conditions;
- b) No mineral waste shall be deposited outside those areas shown on drawing numbers 12-06 DOV PLA 004, 12-06 DOV PLA 005, 12-06 DOV PLA 006 Rev A, 12-06 DOV PLA 007, 12-06 DOV PLA 008, 12-06 DOV PLA 009, 12-06 DOV PLA 010 or any detailed drawings submitted under conditions 6 and 7 above without the prior written approval of the Mineral Planning Authority.

Reason: To protect the amenities of the area.

Public

Plant and Machinery

- 13) The external appearance of all buildings, fixed plant, machinery and structures comprising the processing plant and ancillary operations shall be maintained. New plant and any replacement cladding on existing plant shall be painted and/or clad using the colour BS18 B25 or an alternative specific standard type of colour which has the prior written approval of the Mineral Planning Authority.

Reason: To protect local amenity.

- 14) At such time as they are no longer required for the approved development, all plant, structures, other installations, tanks, machinery and temporary buildings shall be dismantled and removed from site.

Reason: To protect local amenity.

Access and Protection of Highway

- 15) The sole means of vehicular access to and egress from the site shall be via the existing access road off Dale Road, Dove Holes, Buxton.

Reason: In the interests of highway safety and local amenity.

- 16) Within six months of these conditions having taken effect, a scheme illustrating the details of all signage at the site entrance shall be submitted to the Minerals Planning Authority for its written approval. The scheme shall then be implemented as approved. Thereafter, no further signage shall be erected at, or adjacent to the access road without the prior written approval of the Mineral Planning Authority.

Reason: To prevent the proliferation of signage and hence, protect local amenity.

- 17) The surfacing of the site access road shall be maintained in a solid bound material and repaired as necessary, and the access and all permanently surfaced internal roads shall be kept clean and free of mud and other debris at all times until the completion of the development. No mud or other material shall be taken from the site and deposited onto any public highway. No vehicles shall enter or cross the public highway from any part of the site without first using the existing or any new vehicle wheel, underside, carriage side and cab side washing facilities. Any such new facilities shall have received the prior written approval of the Mineral Planning Authority prior to their installation.

Reason: In the interests of highway safety and local amenity.

- 18) No heavy goods vehicles carrying limestone less than 75mm in size shall leave the site unsheeted.

Public

Reason: In the interests of highway safety and local amenity, and to mitigate a potential source of fugitive dust.

- 19) All vehicles parked on the site overnight shall use the nominated parking areas within the site, as shown on drawing no. DOV_PLA_CAW_310113 entitled 'Ancillary Development'.

Reason: In the interests of highway safety and local amenity.

Protection of Network Rail Property

- 20) All cranes or jibbed machines used in connection with the development shall be positioned so as to ensure that the jib, or any suspended load, does not swing over railway infrastructure or within 3m of the nearest rail if the boundary is closer than 3m.

Reason: To maintain the safety of railway operations.

- 21) All cranes, machinery and constructional plant shall be so positioned and operated so as to prevent the accidental entry onto railway property of such plant, or loads attached thereto, in the event of failure.

Reason: To maintain the safety of railway operations

Hours of Working

- 22) Except in emergencies to maintain safe operational practices, the nature and circumstances of which shall be notified to the Mineral Planning Authority as soon as practicable, or unless otherwise agreed in writing by the Mineral Planning Authority, the development permitted by the relevant permissions shall be undertaken within the following hours: -

a) Site Development and Surface Restoration

Site preparation, plant and services installation, soil stripping, bund formation and removal, surface restoration works, site clearance and access removal:

0700 hours – 1900 hours Monday to Friday.

0700 hours – 1300 hours Saturday.

b) Drilling

0700 hours – 1900 hours Monday to Friday.

0700 hours – 1300 hours Saturday.

c) Blasting

1000 hours – 1800 hours Monday to Friday.

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d) *Limestone Extraction*

0500 hours – 2000 hours on any day.

For the avoidance of doubt, processing operations and the transportation of excavated and/or processed materials, including the loading of that material, from and within the site is unrestricted.

Reason: In the interests of local amenity and to mitigate a potential source of fugitive noise.

Dust

- 23) All operations for the winning and working of minerals, restoration works and ancillary operations and development shall be carried out in such a manner as to minimise the generation of dust, and suitable dust prevention and control measures shall be implemented and maintained at all times during the carrying out of the approved development. At such times as any operation gives rise to unacceptable levels of dust leaving the site, that operation shall be temporarily suspended until such time as conditions improve or the operation can be effectively controlled.

Reason: In the interests of highway safety and local amenity, and to mitigate a potential source of fugitive dust.

- 24) From the date that these conditions come into effect, the dust mitigation and monitoring procedures set out in the submitted Dust Action Plan shall be fully implemented and thereafter shall be complied with at all times for the remainder of the development.

Reason: In the interests of local amenity, to ensure the control of fugitive dust from the site and to enable the Mineral Planning Authority to monitor the impacts of dust arising from the site.

- 25) Dust from the site shall be monitored in accordance with a scheme that has received the written approval of the Mineral Planning Authority. The scheme, which shall be submitted no later than two months from the date that these conditions come into effect, and which shall be implemented as approved by the Mineral Planning Authority, shall include the following details:

- (i) monitoring objectives;
- (ii) location, number and type of dust gauge monitors;
- (iii) duration and frequency of monitoring;
- (iv) proposed analysis of contents;
- (iv) provision for results to be made available to the Mineral Planning Authority;

Public

- (v) trigger levels and an action plan in the event that those levels are exceeded;
- (vi) mitigation measures if required;
- (vii) proposals for implementing, reviewing and updating the scheme; and
- (viii) a programme of implementation.

Reason: In the interests of local amenity and to enable the Mineral Planning Authority to monitor the impacts of dust arising from the site.

Noise

- 26) a) Subject to paragraph (b) to this Condition, the received noise levels as measured at each of the potentially noise sensitive properties as identified in column 1 of the table below and on drawing number DOV_PLA_CAW_170113, shall not exceed the corresponding noise level limits expressed in dB(A) LAeq, 1hr (free field) set out in columns 2 - 4 of the table as a result of continuation of the development permitted by the relevant permissions.
- b) During noisy short term activities at the site, the received noise level limits, as measured at each of the noise sensitive properties identified in column 1 of the table below, may exceed the limits set out in columns 2 to 4 of the table below during the daytime only for periods not exceeding a total of 8 weeks in any period of 12 months during the remainder of the development. During these periods, the received noise levels shall not exceed 70dB(A) LAeq, 1hr, free field. For the purposes of this condition, noisy short term activities are considered to be such activities as *'soil-stripping, the construction and removal of baffle mounds, soil storage mounds and spoil heaps, construction of new permanent landforms and aspects of site road construction and maintenance'* as referred to in the National Planning Practice Guidance or any successor document.

Public

Noise Sensitive Receptor	Daytime (0700 – 1900) Maximum Noise Limit (dB LAeq, 1H)	Evening (1900 – 2200) Maximum Noise Limit (dB LAeq, 1H)	Night time (2200 – 0700) Maximum Noise Limit (dB LAeq, 1H)	Temporary Works Maximum Noise Limit (dB LAeq, 1H)
Lower Barnmoor Farm	50	49	42	70
Ridgeclose Farm	50	45		
Lodesbarn Farm	55	42		
The Meadows	52	52		
Oak House Farm	50	49	47	

Reason: In the interests of local amenity and to enable the Mineral Planning Authority to control the noise generated by the development.

- 27) From the date that these conditions come into effect, the noise mitigation and monitoring procedures set out in the submitted Noise Action Plan shall be fully implemented and thereafter shall be complied with at all times for the remainder of the development.

Reason: In the interests of local amenity and to mitigate a potential source of fugitive noise.

- 28) All vehicles, plant and machinery operated at the site shall be maintained in accordance with the manufacturers' specifications at all times and shall be fitted with effective silencers. No such plant shall be operated with its covers open or removed.

Reason: To minimise and prevent unnecessary disturbance from machine noise.

Ground Vibration

- 29) Ground vibration as a result of blasting operations shall not exceed a peak particle velocity of 6 mm/sec in 95% of all blasts measured over any period of 6 months and no individual blast shall exceed a peak particle velocity of 12 mm/sec as measured at the following potentially

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vibration sensitive buildings (as illustrated by drawing no. DOV_PLA_CAW_170113): -

Lower Barnmoor Farm
Ridgeclose Farm
Lodesbarn Farm
The Meadows
Oak House Farm

The measurement shall be the maximum of three mutually perpendicular directions taken at the ground surface.

Reason: In the interests of local amenity and to mitigate a potential source of fugitive vibration.

- 30) No secondary blasting, including face dressing, shall be carried out without the prior written approval of the Mineral Planning Authority.

Reason: In the interests of local amenity and to mitigate a potential source of fugitive noise and vibration.

- 31) From the date that these conditions come into effect, the mitigation and monitoring procedures set out in the submitted Vibration Action Plan shall be fully implemented and thereafter shall be complied with at all times for the remainder of the development.

Reason: In the interests of local amenity and to mitigate a potential source of fugitive vibration.

Surface Water Management

- 32) Throughout the period of working and restoration, provision shall be made as necessary for the collection, treatment and disposal of all water entering or arising on the site.

Reason: In the interests of protecting the local hydrological and hydrogeological environments from potential pollution.

- 33) There shall be no interruption to the surface water and field drainage systems or field water supplies surrounding the site except for any necessary diversion or rearrangement of them, which shall be implemented where affected by the approved quarrying operations.

Reason: In the interests of protecting the integrity of the local hydrological environment.

Public

- 34) Any oil, fuel, lubricant and other potential pollutants shall be handled on the site in such a manner as to prevent pollution of any watercourse or aquifer. Any facilities for the storage of oils, fuels or chemicals shall be provided with secondary containment that is impermeable to both the oil, fuel or chemical and water, for example a bund, details of which shall be submitted to the local planning authority for approval. The minimum volume of the secondary containment should be at least equivalent to the capacity of the tank plus 10%. If there is more than one tank in the secondary containment the capacity of the containment should be at least the capacity of the largest tank plus 10% or 25% of the total tank capacity, whichever is greatest. All fill points, vents, gauges and sight gauge must be located within the secondary containment. The secondary containment shall have no opening used to drain the system. Associated above ground pipework should be protected from accidental damage. Below ground pipework should have no mechanical joints, except at inspection hatches and either leak detection equipment installed or regular leak checks. All fill points and tank vent pipe outlets should be detailed to discharge downwards into the bund.

Reason: In the interests of protecting the local hydrological and hydrogeological environments from potential pollution.

- 35) Surface water drainage from the site and any pumped water from the excavated area shall only be passed through existing settlement lagoons, or others as may have received the approval in writing by the Mineral Planning Authority, prior to discharge off-site.

Reason: In the interests of protecting the local hydrological environment from potential pollution.

- 36) Settlement lagoons shall be maintained in good working order and clear of mud and silt as necessary.

Reason: In the interests of protecting the local hydrological environment from potential pollution.

Water Management and Monitoring

- 37) a) From the date these conditions come into effect, the management of water at the site, as set out in the Dove Holes Water Management Scheme ref: SK0877.CMP.290611rev1, shall be implemented, and thereafter be maintained, for the remainder of the development unless the rate of discharge permitted under the Environment Agency consent to Discharge (Ref no T/37/45324/T/01) is increased and a revised regime for water management has been approved as provided in paragraph b) of this Condition.

Public

b) In the event that the discharge rate permitted by the Environment Agency consent to discharge referred to at Condition 37(a) above is increased, a revised regime for water management* shall be submitted in writing to the Mineral Planning Authority for its prior written approval. Upon the approval by the Mineral Planning Authority of the revised regime for water management*, the regime shall then be implemented as approved and maintained thereafter for the remainder of the development. There shall be no modification to water management at the site prior to the implementation of the revised regime for water management.

*The revised regime for water management shall be a comprehensive scheme for the management of water at the site. It shall be informed by data collected and reports produced in accordance with the Hydrological Monitoring Scheme required under Condition 39 below and shall provide for such specific actions to be taken as may be appropriate, in relation to flows of water out of the site (including any water which may immediately escape to the ground or to aquifers within the site or to the land or ground or aquifers adjacent to the site), to ensure that water at the site is managed at all times during the carrying out of the development so as to avoid damage or risk of damage to the integrity of the ecological interests at the Peak District Dales SAC through any effects there might be on any sources of water to the Peak District Dales SAC. It shall include a timetable for the carrying out of the specific actions, and provision for:

- i. current quarry operations;
- ii. future quarry operations (relating to each phase of working and the depth of working);
- iii. proposals for recharging water removed from the quarry working area back into any relevant aquifer;
- iv. any additional specific actions which might be required in order to follow any proposals for immediate changes to the revised water management regime which might be contained in any six monthly report provided under Condition 41 below; and
- v. an annual review of specific actions in light of the monitoring of water levels and the content of each Annual Interpretive Report to be provided under Condition 42 below.

For the avoidance of doubt, any recommendations for the additional deletion or amendment to the actions required at iv and v above shall be submitted in writing to the Mineral Planning Authority for its consideration within three months of the submission of the Annual Interpretive Report (i.e. by 31 December in any calendar year) required under Condition 42 below.

Public

Reason: In the interests of protecting the local hydrogeological environment including the nearby Peak District Dales Special Area of Conservation (SAC).

- 38) No waste materials or materials for the restoration of the site shall be brought onto and deposited on the site, except soils, soil forming materials and soil ameliorants or materials used in the extraction or processing of minerals from or the manufacture of products from the site. Any materials intended for restoration purposes shall have been demonstrated, to the satisfaction of the Mineral Planning Authority, to be fit for the purpose proposed and have received the prior approval in writing of the Mineral Planning Authority prior to the importation and deposit.

In respect of this condition “deposited” means placed in final resting place or temporarily stored for more than six months.

Reason: In the interests of protecting the local hydrogeological environment. Materials must be suitable both chemically and physically for the intended use.

- 39) The established Scheme of Hydrological Monitoring shall be maintained throughout the working life of Doveholes Quarry unless the Mineral Planning Authority, following consultation with Natural England or any successor, provides written notification that it considers the Scheme’s continued implementation is no longer required. The Scheme of Hydrological Monitoring shall consist of ground and surface water monitoring at Monk’s Dale and Doveholes Quarry and shall include the following:
- a) 2 surface water monitoring points in the stream bed of Monk’s Dale (referred to as S1 and S2);
 - b) 3 piezometers in the stream bed of Monks Dale (referred to as P1, P4 and P5);
 - c) 13 spring monitoring points (referred to as SP12, 14,15, 16, 19, 22, 23, 24, 24a, 25, 29, 31 and 31a);
 - d) daily rainfall measurements at Doveholes Quarry and rainfall data collected by Natural England at Cressbrook Dale, and;
 - e) the continuation of monthly monitoring of water levels in seven boreholes at Doveholes Quarry.

The location of the above monitoring points are illustrated on drawing no. SP4136_CAW_D_030806_A.

Reason: In the interests of protecting the local hydrological and hydrogeological environments from potential pollution.

Public

- 40) The data referred to at Condition 39 above, shall be collected from the monitoring points identified by the Hydrological Monitoring Scheme at monthly intervals or any alternative intervals that the Mineral Planning Authority gives prior approval to in writing.

Reason: In the interests of protecting the local hydrological and hydrogeological environments from potential pollution.

- 41) The data collected pursuant to Condition 39 above shall be presented to the Mineral Planning Authority biannually, as a written monitoring report, detailing the periods May to October and November to April within one month of the end of the respective six month period. These reports shall include:

- a) the setting out and summary of data collected pursuant to the monitoring scheme referred to by Condition 39;
- b) if any change in the ground water and surface water at the Peak District Dales SAC is indicated by the data, a reasoned explanation as to what factors have caused or might have caused that change and the extent to which these factors are a result of the continued implementation of the planning permission, and the extent of the significance of that change (provided, however, that if no such change is indicated by the data other than insignificant temporary fluctuation associated with seasonal or meteorological factors, a statement to this effect shall suffice); and
- c) any proposed revisions to either the Scheme of Hydrological Monitoring that may be required to restore or maintain the local hydrological environment as a result of the conclusions of the reasoned explanation required by b) above.

Reason: In the interests of protecting the local hydrological and hydrogeological environments from potential pollution.

- 42) An annual interpretive report of the data collected by the Hydrological Monitoring Scheme, referred to by Condition 39 above, shall be submitted to the Mineral Planning Authority not later than 31 December in each successive year. The interpretative report shall review and analyse the monitoring data over the previous 12 months ending on 31 July that year, and shall include a reasoned explanation of:

- a) the trends in ground water and surface water characteristics at the Peak District Dales SAC which are revealed or indicated by the monitoring data;

Public

- b) the factors that have caused or might have caused the trends;
- c) the significance of the trends for ecological interests at Monks Dale;
- d) any other impacts on ecological interest revealed or indicated by the monitoring data; and
- e) proposals as appropriate for the revision of either the Scheme of Hydrological Monitoring or the Doveholes Water Management Scheme that, as a result of development permitted by the relevant permissions, would be required to preserve or secure the integrity of ecological interests at the Peak District Dales SAC (such mitigation measures should include, whenever beneficial to the integrity of ecological interests at the Peak District Dales SAC, changes to water management and discharge locations for Doveholes Quarry, together with a programme for increased monitoring to assess the effectiveness of any changes to the quarry water management). In the event that the annual interpretive report proposes that either Scheme be revised the report shall include timescales for those revisions to be implemented.

Reason: In the interests of protecting the local hydrological and hydrogeological environments from potential pollution.

- 43) The Hydrological Monitoring Scheme implemented pursuant to Condition 39 above, as may be revised by either conditions 41c) or 42e) and any mitigation measures adopted pursuant to Condition 42e) shall be reviewed and revised if appropriate at not less than five year intervals. Any revisions shall be agreed in writing with the Mineral Planning Authority prior to their implementation in accordance with a timescale that shall form part of the submitted review.

Reason: In the interests of protecting the local hydrological and hydrogeological environments from potential pollution.

- 44) The Mineral Planning Authority shall be given written notification as soon as practicable of any natural cave system, open passages, drainage soughs or features of speleological interest encountered during the operations. Reasonable access shall be afforded to the Mineral Planning Authority or its representatives to survey and record any such features.

Reason: In the interests of documenting any speleological interest within the site.

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Lighting

- 45) No external lighting shall be erected at the site without the prior written approval of the Mineral planning Authority. The extent of current lighting at the site shall be in accordance with the submitted lighting scheme dated 16 August 2000 and approved by the Mineral Planning Authority on 10 November 2000. Any amended scheme shall include details of proposed installations (including location, heights and wattage). The scheme shall be based on the following requirements: a) that lighting be restricted to those areas where it is absolutely necessary for health and safety, and security b) that lighting should be kept to a minimum; c) that lighting shall be timed to provide some dark periods.

Reason: In the interests of the amenity of the area and to enable the Mineral Planning Authority to effectively monitor the development.

Ecology

- 46) There shall be no clearance of trees, scrub, hedgerows or grassland during the bird nesting season (i.e. March to August inclusive) in any year unless otherwise appointed in writing by the Mineral Planning Authority.

Reason: In the interests of the protection of nesting birds.

- 47) During operational periods of quarry development that take place within the bird breeding season, a cliff nesting bird survey of the site shall be conducted to determine the presence, location and breeding status of any peregrine falcon, raven or other cliff nesting birds in the site, in particular, where nest site(s) are identified, a 100m buffer area shall be implemented until such a time that an ecologist confirms nesting has ended.

Reason: In the interests of the protection of nesting birds.

- 48) The recommendations of the 'Twite Management Plan' referred to in Condition 2 above shall be implemented in accordance with the details set out in the Plan.

Reason: To enhance habitats for twite, peregrine and raven and maintain their favourable conservation status in the vicinity of the site.

- 49) Prior to the commencement of any development that would involve vegetation clearance, soil stripping, land clearance or the creation/diversion of new tracks in any of the following areas:

- a) previously undeveloped areas of the site;

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- b) previously developed areas that have regenerated naturally or that become regenerated naturally to the extent that they could support badger; and
- c) areas within 50m of any badger setts.

A survey to ascertain the presence of badger and of any inhabited badger setts shall be undertaken. Reports of such badger surveys shall be submitted to the Mineral Planning Authority within one month of the survey and prior to the commencement of working within that area. Should inhabited badger setts be identified within the area surveyed, no work shall take place before appropriate measures for the mitigation of impacts and a programme of implementation have been submitted to and received the written approval of the Mineral Planning Authority. The approved measures shall then be implemented as approved.

Reason: To ensure that the development takes place without detriment to species protected by law.

- 50) Within 12 months of the date that these conditions come into effect, a comprehensive quarry habitat management plan shall be submitted to the Mineral Planning Authority for its approval. The scheme, which shall have regard to the proposed mitigation measures set out in Section 7.0 of the Environmental Statement and the comments of the Peak District National Park Authority relating to ecology in its letter dated 7 June 2013, shall, amongst other things, include provision for the following:
- a) the production of a water body management plan for the whole site which provides for the creation of dewponds and other small ponds for the benefit of birds and, where appropriate, amphibians, and their ongoing management during site operations;
 - b) the production of a grassland management plan for the whole site which provides for a review of grassland management within the site and all the surrounding area which is under the control of the mineral operator, an assessment of all existing grassland habitats including those which may be lost and provisions to ensure the ecological value of the grassland habitat is maximised (both as individual grasslands and as an overall resource), and that suitable foraging and ground nesting bird habitat is maintained throughout site operations until final restoration is achieved;
 - c) provision for the creation of calcareous grassland habitats during restoration using seed sources of local provenance, with details of the target community, species and method of monitoring successful establishment;
 - d) stone wall reinstatement, taking account of nesting opportunities for wheatear;

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- e) consideration of measures for the protection of sand martin nesting in stockpiles; and
- f) a programme of implementation.

The Scheme shall be approved by the Mineral Planning Authority subject to any modifications it may reasonably consider to be appropriate and the Scheme as so approved shall be implemented.

Reason: To ensure the re-establishment of wildlife habitats within the site, to minimise and offset impacts on wildlife and to bring forward potential long term increased biodiversity benefits in line with development plan policies for the protection of priority Biodiversity Action Plan habitats and species.

Geology

- 51) Within six months of the date that these conditions come into effect, a geology action plan shall be submitted to the Mineral Planning Authority for its written approval and shall include the following:

- a) a survey of the Bee Low Quarry Regionally Important Geological Site (RIGS);
- b) a report identifying key features of the Bee Low Quarry RIGS and proposals to ensure the permanent inclusion of stretches of exposed face within the restoration of Bee Low Quarry; and
- c) a programme of implementation.

The Scheme shall be approved by the Mineral Planning Authority subject to any modifications it may reasonably consider to be appropriate and the Scheme as so approved shall be implemented.

Reason: In the interests of compensating for the loss of the Bee Low RIGS site.

Restoration

- 52) The site shall be restored in accordance with the details shown on drawing number DH019 entitled 'Final Restoration Masterplan'. The restoration works shall be implemented in accordance with the principles set out in the 'Explanation of Restoration Techniques' document referred to in Condition 2 above. Progress towards the delivery of the restoration master plan shall be the subject of the development monitoring provisions set out in Condition 59 below.

Reason: In the interests of establishing the adequate restoration of the site.

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- 53) Progressive restoration works shall be implemented in accordance with the principles set out on plan ref numbers DH05 – DH018 inclusive, together with the progressive implementation of the stone wall construction programme set out on plan DH023.

Reason: In the interests of establishing the adequate restoration of the site.

- 54) Soil stripping, handling, storage and replacement shall be undertaken in accordance with the methodologies set out by the Soil Handling Plan unless otherwise agreed in writing with the Mineral Planning Authority.

Reason: In the interests of establishing the adequate restoration of the site.

- 55) Plant and vehicles shall not cross any area of unstripped soils or replaced and loosened ground, replaced topsoil or subsoil except where essential and unavoidable for the purposes of spreading soils or the beneficial treatment of such areas.

Reason: To ensure the appropriate handling and treatment of soils.

- 56) Prior to the re-spreading of subsoil or topsoil, the upper layers of the prepared surface shall be ripped to remove compacted layers capable of impeding normal agricultural and land drainage operations. Any stones, materials and objects which exceed 200mm in any dimension shall be removed from the site or buried at a depth of not less than 1m below the final pre-settlement contours.

Reason: To ensure the appropriate treatment of soils in the interests of good land husbandry.

- 57) All ripping, where practicable, shall be to a depth of 0.45m with tines at 1m centres and in two directions at right angles to each other.

Reason: To ensure the appropriate treatment of soils in the interests of good land husbandry.

Aftercare Scheme

- 58) Aftercare of the quarry in respect of phases 1 to 5 shall be carried out in accordance with a scheme(s) that has received the prior written approval of the Mineral Planning Authority. The scheme, which shall be submitted to the Mineral Planning Authority no later than six months after these conditions come into effect, shall be approved by the Mineral Planning Authority subject to any modifications it may consider to be appropriate and the Scheme as so approved shall then be implemented

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as approved. The scheme(s) for each phase of the development shall include the following details:

- a) the designated areas of the intended after uses of the whole site including the access road;
- b) the timing and pattern of vegetation establishment including species to be planted, grass seeding mixtures and application rates, stock types and size, spacing, method and position of planting;
- c) cultivation practices for the preparation of soils;
- d) boundary/dry stone wall construction;
- e) fertiliser, lime application and weed control based on soil analysis as necessary including chemical analysis;
- f) drainage proposals including timing of installation work, maintenance works or temporary drainage measures including ponds or wetlands;
- g) grassland management including class of grazing stock, livestock, stocking density and mowing practices;
- h) farm woodland management practices;
- i) watering facilities and provision of supplies as necessary including watercourses field ditch systems and piped field under-drainage as necessary;
- j) the assessment of the introduction of areas to be restored to amenity/nature conservation and its application to local biodiversity objectives;
- k) the creation, management and maintenance of any paths, tracks or roads;
- l) any other agricultural, silvicultural or conservation treatment particularly relevant of the site;
- m) fencing or otherwise;
- n) to provide annually a formal review to consider the restoration and aftercare operations which have taken place on land during the previous year, and the programme of management for the following year. The review shall include a meeting or series of meetings as necessary which shall include the operator the owners of the land, the occupier and the Mineral Planning Authority; and
- o) at least four weeks before the date of each annual review the operator shall provide the Mineral Planning Authority with a record of the management and operations carried out on the land during the period covered by the review.

Reason: To ensure the aftercare of the reinstated land to the required standard in accordance with approved schemes and annual programmes.

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Aftercare Monitoring

- 59) On the first day of and every February and October, unless otherwise agreed in writing by the Minerals Planning Authority, after these conditions take effect until the cessation of the development, an aftercare meeting shall be convened between the site operator, representatives of the Mineral Planning Authority and any other interested party whose attendance is agreed by both the site operator and the Mineral Planning Authority to review the progress of the development of the site and in particular any restoration and/or aftercare proposed to commence or be completed that year.

Reason: In the interests of establishing the adequate restoration of the site and to monitor aftercare performance.

Footnotes

- 1) No Works may be carried out within the existing highway without the prior permission of the Highway Authority (i.e. under Agreement to facilitate diversion of the Highway) and no excavation of areas falling within the existing highway until stopping up has been successfully completed.
- 2) The site is affected by Public Rights of Way, the routes of which must remain unobstructed on their legal alignments at all times and the safety of the public using them must not be prejudiced either during or after development Works take place. Advice regarding the temporary or permanent diversion of such routes may be obtained from the Strategic Director – Economy, Transport and Environment at County Hall, Matlock (tel: 01629 533190 and ask for the Footpaths Officer).

Mike Ashworth
Strategic Director – Economy, Transport and Environment

