

**DERBYSHIRE COUNTY COUNCIL**  
**REGULATORY – PLANNING COMMITTEE**

**1 September 2014**

Report of the Strategic Director – Economy, Transport and Environment

- 3 PROPOSED EXTENSION TO SAND AND GRAVEL WORKING AT SHARDLOW QUARRY ONTO LAND KNOWN AS THE ‘WESTON EXTENSION’ WITH RESTORATION TO AGRICULTURE AND BIODIVERSITY, RETENTION OF EXISTING PROCESSING FACILITY, INFRASTRUCTURE, ACCESSES AND ANCILLARY DEVELOPMENT WITH RESTORATION TO AGRICULTURE AND WATER HABITATS AT SHARDLOW QUARRY, ACRE LANE, SHARDLOW**  
**APPLICANT: HANSON QUARRY PRODUCTS EUROPE LTD**  
**CODE NO: CM9/0811/53**

**9.701.22**

**Introductory Summary** This is a proposal for an extension to an existing sand and gravel quarry to obtain a further 4 million tonnes of mineral over an eight year period. It is proposed to restore the site to pre-extraction levels and to agricultural usage by backfilling with inert waste and Pulverised Fuel Ash (PFA). This would take a further two years to complete.

The extension area occupies approximately 105 hectares of land lying between Weston-on-Trent and the River Trent. The proposal involves the retention of the existing processing plant for the duration of the operation and the continued use of the existing access onto the A50. The application indicates that the proposed development would be undertaken in a similar manner to the current quarry operations and would be subject to similar operational controls on extraction rates, noise and dust limits.

The application site is not allocated for mineral extraction in the adopted Derby and Derbyshire Minerals Local Plan (MLP) but the MLP only made specific provision until 2006. It is acknowledged, however, that there is an ongoing need for sand and gravel. The proposal represents an extension to an existing quarry rather than a completely new site which is a factor in its favour. For the reasons referred to below, it is also considered acceptable in

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the context of the relevant policies of the MLP and the requirements of the National Planning Policy Framework (NPPF).

The assessment of the proposal recognises the location and characteristics of the site, the distance from nearby properties and the absence of significant or sensitive features. It also took account of the proposed method of operation and the proposed controls and mitigation measures. In conclusion, it is considered that it would not have a significant adverse impact on the landscape of the area or result in any substantial and long-term visual impacts. The restriction of working to defined and limited areas, and the requirement for backfilling and restoration prior to working new areas, would minimise the impact on flora and fauna and on the agricultural use of the land. The proposal would not generate unacceptable levels of noise or dust and has been designed in a manner that would prevent flood risk or damage to the River Trent or the Trent and Mersey Canal. The proposed continuation and updating of the attractiveness of the site to birds would also prevent an increase in risk to aircraft using East Midlands Airport. The availability of the direct access from and onto the A50 also provides the site with good links to the highway network and would avoid adverse impacts on local roads.

The proposal would result in an increase in the area alongside the River Trent that had experienced disturbance and where it would be several years before the restored site and landscape features reached maturity. It would also involve the retention of the processing plant and ancillary facilities for a longer period. Set against the need for the mineral, however, these impacts are not considered sufficient to outweigh the benefits of the proposal.

Subject, therefore, to the amendments to the form of the development as detailed in the report below, the application is recommended for approval subject to conditions and a legal agreement in accordance with the terms also suggested below.

(1) **Purpose of the Report** To enable Committee to determine the application.

(2) **Information and Analysis**

### Existing Quarry

Shardlow Quarry is located in the Trent valley to the east of the villages of Aston-on-Trent and Weston-on-Trent and to the south Shardlow. The quarry is accessed by means of a private road off the A50 (Stoke – Derby) Trunk Road which runs west-east across the northern part of the quarry. A second access is available via Acre Lane, a minor road off Aston Lane, Shardlow, and is used when the A50 access is flooded. The quarry currently occupies a site area of approximately 137 hectares and includes existing mineral workings, restored

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mineral working areas, a processing plant, ready-mix concrete batching plant, silt lagoons, stocking areas, a waste transfer station and internal haul roads.

The existing mineral extraction area is bounded to the east by the River Trent and the Trent and Mersey Canal to the west. The current working area is bisected by a freight railway line that runs west-east across it on an embankment. The Aston Brook flows within the site. Electricity pylons and poles also cross the site. Weston Cow Pasture Bridge, which spans the Trent and Mersey Canal, provides the crossing point for Bridleway No 6 that extends from the village of Aston-on-Trent to the River Trent, passing through the site and under the railway, through accommodation Bridge No 16. There is a further accommodation Bridge No 17, 185m west of Bridge No 16. These bridges, and an unused level-crossing bridge next to Bridge No 16, provide the only means of access between the land to the north and the land to the south of the railway. To the north of the processing area lies Witches Oak Water, a former mineral extraction area that has been restored by Severn Trent Water Ltd as a water storage facility and nature conservation area.

The closest residential property is Weston Grange located on the north side of the Trent and Mersey Canal near the western limits of the site. The nearest residential properties in the nearby villages are 500m away in Aston-on-Trent and 800m in Weston-on-Trent, and, from Shardlow, the distance to the processing plant site is over 1 kilometre. East Midlands Airport is located to the south-east and is less than 4 kilometres from the current extraction area and therefore, the site falls within the Airport's safeguarding zone.

Sand and gravel is extracted from the current working area in accordance with an approved plan consisting of 11 phases; phases 1 to 6 and phase 11 north of the railway and phases 7 to 10 south of the railway. The site is being progressively restored to agriculture following each phase of extraction by infilling with imported inert waste material and PFA, and overburden and soils that have been stored on site for this purpose. The rate of extraction from the quarry has averaged at approximately 400,000 tonnes per year, although the level of production declined in 2012 due to adverse weather conditions and the economic climate. All of the sand and gravel is processed on site.

Since the planning application was submitted, the company temporarily suspended extraction operations in 2013, due to a decline in demand, and working has not yet resumed. During this period the operator has continued to import PFA and other inert wastes which has been used to commence backfilling of the area identified as phase 6 of the existing quarry which is located to the north of the railway line. This represents a modification to the approved phasing plan, which has been approved by this Authority, as it enables the company to maintain its long term contracts with its suppliers and continues the progressive restoration of the quarry back to original ground levels and the resumption of agricultural usage.

### Planning Background

Planning permission for sand and gravel extraction at Shardlow Quarry was first granted in 1971 on an area of 132 hectares of land in the floodplain of the River Trent, to the south of the village of Shardlow. Hanson's interest in the site stems from 1989 and, since then, extraction has progressed southwards along the Trent Valley. Operations in the original quarry area were completed in 2002 (the restored area now known as Witches Oak Water).

In 2002, a further planning permission (application code no.CM9/900/48) was granted for an extension to the site into 84 hectares of land immediately to the south-west. Within this area, sand and gravel is permitted to be worked from 65 hectares over a 9 to 10 year period through a phased scheme of working and restoration, with an anticipated completion of restoration by the end of 2013 (now likely to be extended due to the reduced rates of extraction). The site is currently working under this permission, subject to the variation approved in 2011 (CM9/0211/163) which authorised the import of PFA as an additional type of material to be used in the restoration of the site.

### Current Proposal

The proposal seeks to extend mineral extraction into a further 105 hectares to the south-west of the current quarry, yielding an estimated 4 million tonnes of sand and gravel. The proposed extension is referred to as the 'Weston Extension' as it lies close to the village of Weston-on-Trent. The area consists of agricultural land situated between the River Trent to the east and south, and the Trent and Mersey Canal to the west. The northern boundary is the southern limit of the current approved extraction area.

In overview, the proposal can be summarised as follows:

- Completion of mineral extraction and restoration works within the existing quarry under the terms of the current planning permission with some minor amendments to facilitate working in the extension area.
- Phased extraction of sand and gravel from the Weston Extension for a period of 7 to 8 years.
- Retention of the existing Plant Site and working practices at the quarry for the duration of working in the extension area.
- Operation of the plant in accordance with the current limits and up to 600,000 tonnes per annum production.
- Working to the current hours of operation.
- Use of the existing quarry access from the A50.
- Vehicular access to the Weston Extension through the quarry so that no access is required from Weston-on-Trent.
- Inclusion of a No-Working Area within the Weston Extension to provide a stand-off from the Trent and Mersey Canal and Weston-on-Trent village.

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- Public footpaths to be kept open during the works (through diversion where necessary).
- Phased and progressive restoration of the Weston Extension to existing ground levels using inert fill and PFA imported to the site via the A50 access.
- Restoration of the land back to agricultural use.

### **Site and Surroundings**

The proposed Weston Extension is an area of flat land lying within the flood plain of the River Trent with a land use of arable, grassland and pasture fields. The fields are defined by margins of either distinct and substantial hedgerows or sparse and gappy hedgerows with some fencing consisting of post and wire. Within the site, mature trees are infrequent and predominantly of willow and ash with occasional oak. Trees are more numerous around the site boundary, particularly in the central southern area bordering the River Trent and alongside the Trent and Mersey Canal. There are no buildings within the site. Five electricity pylons cross the site running from the north-east to south-west.

The Aston Brook continues from the current extraction area, running across the north-western part of the proposed site parallel to the Trent and Mersey Canal. The main pond feature of the Aston Brook is situated in the northern part of the extension area but is situated in the part of the site where mineral extraction is not proposed. There are also several other water features, consisting of a series of ponds in the area close to the Trent and Mersey Canal and a linear semi-dry area on the southern boundary close to the River Trent.

King's Mill Lane is an adopted highway which bisects the Weston Extension running from Weston Lock (on the canal) to a dead end at the bank of the River Trent. It is an unmade lane open for public use and now functions as a farm track to the land either side and for walkers and for river access for anglers. Historically, it led to a ferry crossing but this was abandoned many years ago.

There are a number of residential properties in the vicinity of the site, the closest of which are Weston Lock House located immediately to the north, properties along Trent Lane approximately 150m to the north-west and the Priest House Hotel situated on the Leicestershire embankment of the River Trent. There are also a number of properties close to the existing quarry along Aston Lane and Shardlow Road, and individual properties such as Roydon Hall Farm (200m) Moorside and Moorside Cottages (200m).

There are no sites with statutory designation within the proposed extension area but Donington Park Site of Special Scientific Interest (SSSI) is located 500m to the south. There are a number of non-statutory designated sites near

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to the site, the closest of which is the Blackpool Local Wildlife Site immediately to the west.

### Proposed Operations

The application states that the proposal would not affect the existing quarry development where there would be little change to current operations which would continue until completion of mineral extraction and restoration in that area. In order to maintain the required sequence of operations, (the agreed rolling programme of extraction and backfilling) however, the completion of the existing area and the proposed extension would be co-ordinated and combined in to a continuous development. The area in the south-west corner of the current quarry extension area would be retained as the transfer area for moving extracted material from south of the railway to the main haul road to the north and on to the processing plant. Accordingly, the application acknowledges that the current proposal would result in the retention of the processing plant and ancillary facilities for a longer period and an extension to time before the whole of the existing site would be restored. The proposal would also require the use of the waste reception area for imported inert materials and PFA for an extended period. The current proposal therefore seeks to formalise the use of these facilities. All the material extracted from the proposed extension area would be transported to the existing processing plant for treatment and stockpiling prior to export from the site via the A50. All materials used for backfilling would be brought to the site via this access point.

The application identifies four separate development stages of working in the proposed extension area; site establishment, mineral extraction, restoration and after-care. The site would be worked in eight main phases, moving north to south alongside the River Trent, and then turning back northwards in the area closest to the Trent and Mersey Canal. Each phase would last for approximately one year.

The application estimates that operations within the proposed extension area would take approximately 10 years, consisting of an initial phase of site establishment over a three month period, mineral extraction between seven to eight years, progressive restoration with infilling extending a further 12 months beyond the completion of all extraction and a further 12 months to complete site restoration. This would be followed by a five year aftercare period. The site is currently in agricultural use and the form of restoration proposed would restore the land to similar levels and conditions (including similar field patterns), enabling the resumption of agricultural usage.

Extraction operations would be serviced by a haul road running broadly through the middle of the site with soil bunds created in several locations to the north of the haul road. The haul road would require a crossing point with King's Mill Lane and this aspect of the proposal has been the subject of discussions with the applicant resulting in changes to the original submission

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in terms of the location and width of the crossing. These aspects are addressed in more detail in the 'Planning Considerations' section below but the crossing would require the removal of sections of the hedgerow, although where possible, some of hedgerow would be stored for translocation within the restored areas. The works would be undertaken with provision for stand-off distances of 10m from the boundary hedgerows which are to be retained, 30m from the Trent and Mersey Canal and 50m from the River Trent.

The working method would follow the principles of operations in the current quarry consisting of:

- Perimeter trench excavation and clay sealing.
- Dewatering of the sand and gravel to lower the groundwater levels to about the base of the mineral.
- Progressive mineral extraction.
- Placing of engineering clay to provide sealed restoration cells.
- Infilling with material.
- Soil spreading.
- After-care and management.

The sand and gravel would be transported via the haul road to the existing transfer/loading point adjacent to Bridge No 17 and then onwards to the processing plant for treatment prior to transport off site using the A50 egress point. Based on maintaining previous production levels, the application states that the use of 20 tonne capacity lorries the development would generate an average of 111 loads leaving the site per day.

The proposed hours of operation are those of the existing quarry, namely 0700 hours to 1900 hours Monday to Friday (excluding bank and public holidays) and 0700 hours to 1300 hours on Saturdays.

The application is accompanied by an Environmental Statement (ES) which addresses the potential impacts of the development in terms of landscape and visual impact, biodiversity, agriculture and soils, historic environment, transport, hydrogeology and hydrology, flood risk, noise, air quality, bird strike, recreation and rights of way, and impact on the Trent and Mersey Canal and Trent Valley Railway. These issues are addressed in more detail in the 'Planning Considerations' section below.

### **Post Application Submissions**

In response to a formal request under the terms of the Environmental Impact Assessment Regulations, the applicant submitted further statements in three further submissions. One submission provided additional information to the original ES. It addressed the following issues:

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### Archaeology

A further investigation of the archaeological potential of the site used to help inform the content of a Written Scheme of Investigation which would be submitted in the event that the proposal is approved.

### Ecology

Further ecological surveys and assessments to address:

Addendum to the Biodiversity List

Updated Bat Survey

Updated Tree Survey

Hedgerow Evaluation and Grading System Survey

Survey for Hobby

Survey for Otters

Updated Badger Survey

Breeding Bird Assessment

Aquatic Plants and Invertebrates Survey

Reassessment of impact on Aston Brook

Appropriateness of Working Limits

Updated Landscape and Visual Impact Assessment taking account of specific views and the use of the Waste Reception Area.

Highway Assessment - reassessing the impact on King's Mill Lane.

Reassessment of the Flood Risk Assessment.

As a consequence of these reassessments, the applicant submitted a number of revisions to the form of the proposed development. Many of the amendments are very minor and do not merit specific reporting. The most significant amendments include:

- 3m high screening bund on River Trent to minimise views from the Priest House Hotel
- Amendment to the operation around King's Mill Lane
- Exclusion from working of an area containing trees in Phase 3
- Provision of a permissive right of way along the River Trent
- Reinstatement of the course of the Aston Brook
- Adoption of a Habitat Management Plan
- Amendments to the restoration objectives and planting details, particularly relating to the restoration of Aston Brook

With regard to Aston Brook, the applicant states that the revised restoration of this area involves restoring it to a wider, meandering water feature with open pools and hollows, and is intended to be a substantial, direct biodiversity enhancement. It would also involve the retention of several prominent trees along the line of the brook. The applicant also proposes to reduce the width of



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the haul road crossing at King's Mill Lane in accordance with recent advice from the Highway Authority concerning the standard of the visibility splays that would be required.

The final submission in June 2014 included an updated tree survey with proposals to retain more of the mature trees on the site and revised proposals for the provision of the clay seal underneath King's Mill Lane and its subsequent restoration to a highway.

## **Consultations**

### **Local Member**

Councillor Harrison (the local Member at the time the application was submitted) states that he fully supports his constituents in their opposition to the proposed extension. In the event that planning permission is granted, however, he requests that effective conditions be imposed to control dust, noise and mud on the highway, along with the continuation of the current regulation of the access and egress arrangements to protect residential amenity.

Councillor Davison (the current local Member for the area in which the application falls) has also been consulted on the application but has not made any observations.

### **South Derbyshire District Council**

The Council informed that it had no objection on planning grounds. At the time of the original consultation, the Council's Environmental Health Officer stated that he had no objection on the basis that the Environment Agency's permit would impose conditions in respect of noise and dust. In response to subsequent consultations, the current Environmental Health Officer noted that this type of development does have the potential to adversely affect the local community. In this case, he stated that he was satisfied with the methodology used in the noise assessments presented in the ES and would not dispute the conclusions reached. He did, however, recommend conditions setting noise limits for the operation in line with those identified in the ES.

### **Aston-on-Trent Parish Council**

The Parish Council stated that it was *"Disappointed that phases 6a and 7b are being undertaken as they fall close to a busy route."*

### **Shardlow Parish Council**

No comments.

### **Weston-on-Trent Parish Council**

The Parish Council submitted the following observations:

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*“It is assumed; the working boundaries will be adhered to especially in the King’s Mill Lane area which is residential. Noise considerations taken into account, dust/mess kept to a minimum within the village, access to site from inside site only, time limit kept to and restoration of the area as agreed.”*

### **Leicestershire County Council**

Leicestershire County Council stated that it did not have any observations from a minerals or waste perspective but provided comments from its Landscape Officer as follows:

*“The Restoration Master Plan (D136735.NTS.005) shows narrow strips of ‘shelter belt advanced planting’ on the riverside opposite the Priest House Hotel, which is identified by the landscape and visual impact assessment as the only representative viewpoint location with substantial adverse visual impacts during the initial earthworks and site operations. The detailed layout and planting of these areas needs to ensure that there is sufficient planting to achieve effective mitigation.*

*The restoration proposals broadly reflect the existing and earlier (1884) hedgerow patterns, but some of the reinstated hedgerows are oddly attenuated and more could be done to achieve an enhanced closure pattern. There is also scope to create new areas of wet woodland, carry out additional riparian planting along parts of the river bank and create local wetland habitats in the form of small ponds or scrapes. All of these elements would help to conserve and enhance the landscape character of the local Riverside Meadows character area and the wider Trent Valley area.”*

In response to the supplementary information, the County Council provided a further detailed observation on the hedgerow field-boundary planting on the proposed restoration plan.

**Comment:** These issues are addressed in the ‘Planning Considerations’ section below, and, where appropriate, they are accommodated in the recommended restoration and landscaping conditions below.

### **North West Leicestershire District Council**

No objection provided that the County Council is satisfied that the proposed development complies with the relevant development plan and subject to all statutory consultees being satisfied that the proposal would not cause significant impacts on North West Leicestershire.

### **Castle Donington Parish Council**

No objection.

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### **Environment Agency**

The Environment Agency initially objected to the proposal on the grounds that it did not include an acceptable Flood Risk Assessment.

In response to the supplementary submission, the Environment Agency confirmed that it was able to withdraw the objection provided that the detailed measures identified in the new Flood Risk Assessment were implemented and secured by the suggested conditions. The specific requirements of the Agency were:

- Control over the dewatering discharge rate
- Operations to cease during periods of site flooding
- Restoration not to exceed original ground levels
- Aston Brook to be restored to its original course with no decrease in the capacity of the channel
- Controls over the form and duration of storage mounds.

The Agency also advised that under the terms of the Land Drainage Act 1991, prior written approval is required for the proposed diversion of Aston Brook during the development and that, as of 6 April 2012, the authority responsible for consenting such works is the lead Local Flood Authority, which in this case is the County Council.

### **Highway Authority**

The Highway Authority notes that the ES concentrates on the potential impact of the traffic generated by the proposal on the A50 and Acre Lane. Based on the continuation of the current access arrangements and production limits, it would support the conclusions of the ES and does not object to the proposal.

### **East Midlands Airport**

East Midlands Airport (EMA) indicated that the proposed extension lies to the south-west of the existing quarry, only 2.2km from the Airport's western boundary fence and that it is a substantial and critical area as it extends the Trent Valley gravel workings into close proximity to runway 27 departure and runway 09 approach centrelines. The EMA notes that it is proposed to restore the land to 'dry' agricultural uses and considers that, once delivered, it should be no more attractive to hazardous birds than the existing situation. Concern was expressed about the high water table in the site and the potential for temporary water bodies that could prove attractive to hazardous birds unless active dewatering by pumping is carried out. The EMA considers that the proposed mitigation measures are satisfactory in principle but requests that the production of a 'unified' bird management plan for the whole of the quarry complex be required by an appropriate condition.

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### **Natural England (NE)**

Natural England indicated that the landscape and ecological surveys and assessments provided in the ES, as originally submitted, were inadequate to enable a full and proper assessment of the potential impacts of the proposal. In response to the supplementary submissions NE indicated that it had no objections subject to full compliance with all the mitigation measures specified in the application documents and the imposition of conditions to protect the ecological interests of the area. NE indicated that the development had potential to increase the biodiversity value of the area and that it should not have an adverse impact on the Donington Park SSSI nearby, again provided the development fully complied with the identified mitigation measures and all the suggested conditions.

### **Derbyshire Wildlife Trust (DWT)**

The DWT indicated that the application included an appropriate desk study which provided the context for the range of fieldwork required for an Extended Phase 1 Habitat Survey and noted that a survey of Aston Brook and drains for evidence of water vole, a specific badger survey and a bat roost survey of 15 trees which would be lost due to the proposal being undertaken. The DWT indicated the range of other species surveys which it considered to be necessary prior to the consideration and determination of the proposal.

In terms of the conclusions of the ES, the DWT noted that it concluded that it would result in the loss of approximately 105 hectares of intensively managed arable farmland and improved pasture with negligible value for ecology and nature conservation. However, the DWT considered that this under-valued the hedgerows and trees (both mature and near-veteran) present on the site and that the loss of some of these features would not be acceptable in the absence of further mitigation. The DWT considered that the survey of trees for bats was not adequate and should be carried out again. The DWT also raised concerns about the loss and form of restoration of the Aston Brook and highlighted the need for an Ecological Management and Monitoring Plan for the site if the proposal is eventually undertaken. The Plan should include details of how the restoration proposals would be designed to provide maximum benefit for biodiversity and post-mitigation monitoring.

The DWT submitted further observation in response to the supplementary information provided by the applicant. This can be summarised as follows:

- Sufficient evidence to conclude that the proposal would not impact upon bat roosts.
- Acknowledge that the Hobby breeding site is within the Non-Working Area and would be unaffected by the proposal. Support the incorporation of additional opportunities for Hobby, including the proposed translocation of mature hedgerow trees, within the Habitat Management Plan.

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- Accepts that it is unlikely that any of the hedgerows qualify as 'important' hedgerows but notes that no detailed information of the species composition has been provided. It welcomes the proposals for translocation of affected hedgerows but requests further clarification to which hedgerows will be subject to translocation, together with details of the receptor areas. It is important that the translocation of all hedgerows and trees is carried out under the terms of an approved method statement.
- Requests further information of the methodology used to assess which trees are considered to be important. Available information suggests that some trees on site qualify as 'veteran trees' but this is not acknowledged.
- Welcomes the provision of a Habitat Management Plan which should include post-mitigation monitoring.
- Supports the amendment to reinstate the course of Aston Brook together with targeted sections of the brook to advance habitat establishment.
- Welcomes the results of the otter and water vole surveys and recommend that the 50m stand-off from the main river embankment remain undisturbed with no attempt to introduce rights of way.
- Acknowledges survey indicating presence of an active badger sett and requests updated surveys at appropriate phases to ensure it continues to be unaffected.
- Welcomes amendment to exclude a narrow tree line and wide drainage channel in Phase 3 from the working area.

### **E.on Central Networks/Western Power/National Grid**

Raised no objection to the proposal and provided details of installations in the area of the site.

### **Highways Agency**

The Highways Agency raised no objection, indicating that the proposal would not have a material impact on the A50.

### **Network Rail**

No objection. Network Rail noted that the proposal would involve the extraction of sand and gravel from areas near to a railway and canal, the dewatering of the area to enable extraction to take place, the use of a conveyor system beneath Bridge No 17 to transfer the material, and restoration of the site to agriculture using imported material and therefore submitted a further copy of its consultation response (from 2002) to the application relating to the current working area. That submission provided advice to the applicant on dewatering and access arrangements, and suggested conditions to protect Network Rail assets.

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### Severn Trent Water Ltd

No objection.

### British Waterways (subsequently the Canal and River Trust)

No objection subject to the imposition of conditions (suggested wording provided) to protect the Trent and Mersey Canal, for other mitigation measures and to secure appropriate restoration.

### Publicity

The application was advertised by press notice (Derby Evening Telegraph), site notices and neighbour notifications in August 2011. The supplementary submissions were also advertised by further press and site notices. The representations received were as follows:

### Save Aston Village Environment (S.A.V.E)

The group objected to the proposal on the following grounds:

1. *"This extension of workings will delay public access to the waterside amenity as detailed in the Section 106 Agreement for a further eleven years at least.*
2. *The planting of screening trees along the hedge-line adjacent to the T&M Canal will mask the opening vista of the River Trent Valley, as viewed from the canal or towpath when going east as far as Aston Lock, these should be removed as part of the restoration work. **Objection***
3. *Aston Brook. The build-up of fines within the watercourse over the extended period of working will inevitably degrade the aquatic habitat, measures should be in place to ensure that a viable soil structure is in place during the restoration.*
4. *Our previous comments on site restoration using pulverised fuel ash (PFA) are still relevant. The headline proposal to limit PFA to 50% (by volume or weight?) is an improvement. However, it is important to take into account of the materials that will make up the other 50% admixture? In Appendix 3.3.3 is the statement "infill may be inert and/or PFA" - **Objection***  
*As previously stated this situation exists in the fields adjacent to Junction 2 of the A50 – rock solid formation. If it is mixed with soil or other friable material then yes, if made up of refractory materials or other water impervious rubble then we have in effect a solid material! No No No.*
5. *It is mentioned in the auger details that some of the existing fields have less depth than other fields by way of sub-soil and topsoil. Bear in mind that these reduced soil depths have at present permeable strata below*

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*which enhances drainage. This gravel and sand will be replaced by who knows what. We consider that all fields should be restored using the maximum depth of soil and sub-soil proposed for the site, to assist surface water absorption.* **Objection**

6. *We remain concerned at the method of restoration proposed with large dammed enclosures (16 hectares largest) interspersed by only five water conduits (between blocks 1 to 6a). We have commented to the Environment Agency in the past of our concern at the virtual dam, (to ground water flow) being constructed between the River Derwent and beyond the River Trent to Hemington by water resistant infill structures. The volumes of ground water flow listed in the Application add to our fears of an elevated water table in the area between the two rivers, from Aston to Shardlow unless adequate water conduits are put in place.*

### **In Conclusion**

*The application details make clear that the landscape restoration will have a base of water resistant material encased by a number of bunded enclosures with only one and a half metres of soil and subsoil for cover (at best, it could be less). At the exhibition of proposals, when questioned about the use of PFA for infill, Hanson staff were at pains to point out that this would only be at 50%: contradicted by Appendix F3.3.3. Our concerns of raised groundwater levels remain.”*

**Comment:** The “Section 106 Agreement” referred to at 1 above, is this Section 106 Agreement that was entered into relating to the adjacent area of ‘Witches Oak Water’. The provisions of that Section 106 Agreement do not grant unrestricted public access to the Witches Oak Water area. It is a distinct part of the former quarry that was restored by Severn Trent Water Authority as a resource of potable water and with ecological interests as the primary restoration objective. Whilst the legal agreement does make provision for some public access, it was intended that any such access would be at an appropriate level compatible with the need to protect the quality of the water and the form of restoration. Future access arrangements will be established by Severn Trent and Derbyshire Wildlife Trust (who will be managing the site). Public visits are likely to be in the form of organised weekend visits on a prior booking basis but details have yet to be finalised. It is acknowledged that the access to the area is through the active quarry which raises health and safety issues for anyone entering the site. It is further acknowledged that the proposal would extend the life of the quarry such that the access would remain within the active working area for a longer period. This, however, should not unduly affect the form of access by the public that was always envisaged at the time of the earlier planning permission and the compiling of the appropriate legal agreement.

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The issues relating to the use of PFA are noted but these were addressed in the previous planning application and the use of this material has been sanctioned by the Environment Agency. The other issues are addressed in the 'Planning Considerations' section below.

### Derby Railway Angling Club

The Club indicated that it has fishing rights on sections of the River Trent, including sections within the proposed extension area. The Club states that members use King's Mill Lane for vehicular access to these fishing spaces and object to any loss of vehicular access rights over this road.

**Comment:** The proposal would involve the temporary closure and diversion of King's Mill Lane and this issue is addressed in the 'Planning Considerations' section below.

In addition, objections have been received from four local residents and one resident has indicated support for the proposal on the grounds that it would enhance the biodiversity of the area and improve the condition of the land. The issues raised by those objecting to the proposal can be summarised as follows:

- Workings encroaching too close to residential properties giving rise to unacceptable disturbance from noise and dust which would be exacerbated by the river valley landform.
- Mineral extraction activities venturing too far into the Trent Valley.
- Unacceptable disturbance to current lifestyle for too long a period.
- Unacceptable disturbance to wildlife, particularly from the removal of Aston Brook.
- Risk of contamination to the River Trent.
- Adverse impact on human health from dust with particular concerns for the impact on children at Weston-on-Trent Primary School. One objector was concerned that her existing health issues would be exacerbated by the development which would be close to her property for some of the phases.
- Visual intrusion from soil heaps and infill materials.
- Loss of important archaeological features from the Trent Valley.
- Reduction in house prices and adverse impact on ability to sell properties.

**Comment:** The issue of impact on property prices is not a material planning consideration. The other issues are addressed in the 'Planning Considerations' section below.



## **Planning Considerations**

Section 38(6) of the Planning and Compulsory Purchase Act 2004 requires that planning applications are determined in accordance with the development plan unless material considerations indicate otherwise. In relation to this application, the relevant policies of the development plan are contained in the saved policies of the adopted MLP, the adopted Derby and Derbyshire Waste Local Plan (WLP) and the adopted South Derbyshire Local Plan. The NPPF (March 2012) and the National Planning Practice Guidance (March 2014) are also material considerations.

### **Derby and Derbyshire Minerals Local Plan**

The main policies of the MLP which are relevant to the determination of this proposal are MP1: The Environmental Impact of Mineral Development, MP2: The Need for Mineral Development, MP3: Measures to Reduce Environmental Impact, MP4: Interests of Acknowledged Environmental Importance, MP5: Transport, MP6: Nature Conservation – Mitigation Measures and MP7: Archaeology – Mitigation Measures. Other MLP policies of relevance are MP8: Planning Conditions, MP9: Planning Obligations, MP10: Reclamation and After-Use, MP14: Disposal of Non-Mineral Waste in Association with Mineral Development, MP16: Maintenance of Landbanks, MP18: Extensions to Sites, MP 19: Additional Sites and MP21: Sand and Gravel Sites.

The main objective of these policies is to ensure the provision of sufficient sites for the extraction of an agreed and appropriate amount of sand and gravel from within Derby and Derbyshire, with the minimal level of environmental and amenity impact, whilst ensuring that extraction sites are restored to a satisfactory standard and after-use. These issues are explored in detail below.

### **Minerals Local Plan and Future Development Plan Documents for Minerals**

The current MLP made provision for the supply of minerals for the period from 1991 to 2006. In December 2008, the Council published a guide to the relationship between allocations in the saved policies of the MLP and future plans. Work on an Aggregates Sites Development Plan Document to role forward the allocations was halted (as a result of other advice on the progressing of plans elsewhere), in favour of work on a Core Strategy Document. The guide is now a statement to assist prospective applicants until a new MLP for Derbyshire is in place.

### **Derby and Derbyshire Waste Local Plan**

The relevant policies of the WLP are W5: Identified Interests of Environmental Importance, W6: Pollution and Related Nuisances, W7: Landscape and Other Visual Impacts, W8: Impact of the Transport of Waste, W9 Protection of Other Interests; W10 Cumulative Impact, W11: Need for Landfill and W12:

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Reclamation and Restoration. The relevance of these policies is due to the proposed use of imported waste material to backfill the extraction voids and the issues focus on the type of waste material and the form of landfilling involved.

### **South Derbyshire Local Plan**

The South Derbyshire Local Plan was adopted in 1998 and will be replaced in due course. At present the relevant saved policies are Environmental Policy 1: Development in the Countryside, Environmental Policy 11: Sites and Features of Natural History Interest, Environmental Policy 13: Listed or other Buildings of Architectural or Historic Importance, Environmental Policy 14: Archaeological and Heritage Features and Recreation and Tourism Policy 8: Public Footpaths and Bridleways. The relevant aspects of these policies raise similar issues to those of the MLP with regard to the protection of the environment and other identified interests of importance from inappropriate development.

### **National Planning Policy Framework**

The NPPF reiterates the established provisions of planning law that applications must be determined in accordance with the development plan, unless material considerations indicate otherwise. The NPPF provides guidance on material considerations. It states that the purpose of the planning system is to help achieve sustainable development and adds that there should be a presumption in favour of sustainable development. The term sustainable development is not defined as such but the NPPF states that ensuring better lives for society without worsening lives for future generations is at the core of sustainability. It states that sustainable development has economic, social and environmental aspects.

The economic aspect for planning is stated as contributing to the economy by providing sufficient land of the right type, in the right place and at the right time. The social role is to support strong and vibrant communities by providing for the needs of the community whilst fulfilling the environmental role of protecting and enhancing the natural, built and historic environment.

When determining applications for mineral development, the NPPF states that mineral planning authorities should give great weight to the benefits of mineral extraction, recognising the importance of minerals to the national economy and overall quality of life. It states that it is important that there is a sufficient supply of minerals to provide for the infrastructure and building needs of the country, but it also recognises that minerals are a finite resource and can only be worked where they are found, making it important to make the best use of those resources to secure their long-term conservation. It adds that importance should be given to sustainability issues and in terms of the relevant environmental factors for assessing applications it reiterates objectives and criteria which are similar to those of the MLP by stating that

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mineral planning authorities should ensure that the winning and working of minerals does not give rise to unacceptable adverse impacts.

The NPPF requires mineral planning authorities to plan for a steady and adequate supply of aggregates by determining their own levels of aggregate provision through the preparation of an annual Local Aggregate Assessment (LAA). This should be prepared either individually or with another or other mineral planning authorities, based on a rolling average of 10 year sales data and other relevant local information, and an assessment of all supply options (including marine dredged, secondary and recycled sources). It is advised also that published National and Sub National Guidelines on future provision should also be taken into account. It should also assess the balance between demand and supply, and the economic and environmental opportunities and constraints that might influence the situation. It should conclude if there is a shortage or surplus of supply and, if the former, how this is being addressed.

### **National Planning Practice Guidance**

The National Planning Practice Guidance (NPPG) reiterates much of the policy guidance of the NPPF in terms of the need for and how to plan for mineral extraction. It recognises the contribution of minerals to our economy and overall quality of life but also acknowledges that they are a finite resource and need to be used prudently to ensure their continued availability for future generations. It recognises that mineral can only be worked where they naturally occur but that the means of obtaining them can have economic, social and environmental impacts which need to be balanced. The advice on how to plan for a steady supply of aggregates repeats the guidance in the NPPF referred to above.

### **Identification of Issues**

With regard to the supply of aggregates, the NPPF states that planning authorities should plan for a steady and adequate supply, making provision for the maintenance of landbanks of at least seven years supply for sand and gravel. This is of particular relevance to the determination of this proposal. The site is not allocated for mineral development in the current MLP (Policy MP21) and therefore conflicts with the first part of Policy MP19: Additional Sites, which states: *“Proposals for working aggregates or industrial limestone outside permitted and allocated sites will not be permitted, except where: they are required to meet a proven need which would not otherwise be met and their impact on the environment is acceptable.”*

The policy provides exceptions and, as the MLP is now out of date, it is necessary to consider the proposal against the second part of the Policy. The issue of need in terms of the current and anticipated landbank is addressed below.

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In terms of other policies of the current MLP, the site, however, would be an extension to an existing quarry and would therefore accord with the provisions of MLP Policy MP18 which gives preference to such sites over new ones, provided they can be accommodated in an environmentally acceptable manner. The proposal also accords with the requirements of MLP Policy MP10 which states that mineral development will only be permitted where satisfactory provision is made for appropriate reclamation and after-uses as soon as practicable. Notwithstanding a detailed assessment of the form of the proposed restoration, this proposal does make provision for the land to be returned to the current landform and levels, and back to agricultural use on a progressive basis. The use of the existing access/egress arrangements onto the A50 also means that the proposal accords in principle with the requirements of Policy MP5.

The main issues for the determination of this proposal are therefore the need for the mineral as assessed against the latest demand/supply information, the environmental acceptability of the proposed method of working at this site at this point and whether or not there would be any significant cumulative impacts.

The planning application is accompanied by an ES. The following assessment addresses individual topics in the order they are reported in the ES. Each heading contains a summary of the conclusions of the ES followed by the Officer assessment.

### **Alternatives/Need**

The ES refers to the need for mineral extraction in Derbyshire which is described in more detail in the Supporting Statement. Therein, it states that the additional mineral from the proposal would meet a substantial shortfall in the Derbyshire mineral 'landbank' of permitted sand and gravel reserves, which in June 2011 was considered to be substantially below the minimum seven year production figure required by national and County policy. It states that the proposed extension would increase the landbank to around 8.3 years. It adds that Shardlow Quarry is considered to be a strategically important facility, making a vital contribution to the supply of primary aggregates in Derbyshire, further adding that the proposal would provide continuity of supply from an established base.

The applicant indicates that it has no alternative potential sources of supply in the vicinity of the quarry that could be immediately available for development and therefore states that it is not necessary to compare the proposal against other sites. In terms of where and how to work the site, the ES states that the current proposal represents the best alternative having taken account of relevant advice relating to the proposed stand-off from Weston-on-Trent and the treatment of features such as King's Mill Lane and Aston Brook, and the proposed non-working area. The ES reports that the non-working and stand-

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off areas contain some of the deepest and most commercially attractive mineral within the site but emphasise that the proposed method of extraction has been devised to minimise the impact on amenity and the ecology of the area.

The ES also states that the proposal takes account of other environmental constraints, restoration options and development options (access, plant location, phasing and transport), leading to the chosen alternative.

The County Council has prepared a joint LAA in collaboration with Derby City Council and the Peak District National Park Authority (PDNPA). The Joint LAA sets out the current and future situation in Derbyshire, Derby and the PDNP with regard to all aspects of aggregate supply, in particular, setting out the amount of land won aggregate that the area will need to provide. The latest survey information is from 2012 and therefore updates the position as assessed by the applicant in the ES at the time of submission.

The Government produced national and sub-national aggregate guidelines in 2009 for the period 2005 to 2020. The East Midlands Aggregate Working Party used these figures to provide the Region's mineral planning authorities with their aggregate apportionments for this period. The sub-regional (i.e. county level) figures were considered and endorsed by the East Midlands Regional Assembly in 2010. They would have been incorporated into the East Midlands Regional Plan through the partial review process, however, with the abolition of the Regional Assemblies in March 2010, the revised Regional Plan did not progress. At a meeting of the East Midlands Aggregate Working Party in February 2013, it was agreed that these figures were based on information which was out of date, as they were only based on aggregate output from a period of economic growth. It was then agreed to base the new apportionment figure on the 10 year average of sales and to consider any flexibility in this figure, taking account primarily of local circumstances, particularly future economic growth.

The most recent production figures for 2012 show that production of sand and gravel dropped to 0.81 million tonnes from 1.1 million tonnes the previous year. This now means that for the most recent three years (2010 – 2012), production of sand and gravel has averaged 0.98 million tonnes, and for the last 10 years, the average is 1.16 million tonnes. Taking into account a range of factors, including comments received through public consultation, the annual apportionment figures were set at 1.16 million tonnes. This figure is not intended to be a ceiling limit; there may be years when production is even higher than this. It is intended, therefore, as an average figure.

At the time of the 2012 survey, there were five active operations producing sand and gravel, four along the Trent Valley and one at Mercaston. A further site with permitted reserves, at Potlocks Farm, is not active and is the subject

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of further coverage in this report with regard to the relationship of the those reserves and this application. Further reserves were released at Elvaston in August 2013 when planning permission was granted for a site extension there.

At the end of 2012, estimated reserves of sand and gravel in Derbyshire from these quarries amounted to around 7.9 million tonnes. Government policy requires landbanks (the stock of reserves with planning permission) to be maintained for all aggregate minerals, with the recommended landbank for sand and gravel required to be at least seven years. The LAA annual apportionment figure for Derby and Derbyshire is 1.16 million tonnes which means that the current landbank was then sufficient for 6.8 years.

Based on the proposed annual apportionment of 1.16 million tonnes, the proposed total apportionment for the Plan period (2013 – 2030) that Derbyshire will provide is 20.88 million tonnes ( $1.16 \times 18$ ). There are already permitted reserves of 9.7 million tonnes (at October 2013) and therefore, additional provision will need to be made for just over 11 million tonnes over the remainder of the Plan period.

This confirms that there is a current need for further sand and gravel to meet the shortfall in the landbank and for further sites to be identified and approved for mineral extraction to meet the apportionment requirement for the remainder of the Plan period.

### **Landscape and Visual Assessment**

The ES states that the form and content of the assessment of the existing landscape and the potential landscape and visual impacts of the proposed development is based on established guidance from the Countryside Agency and the Landscape Institute of Environmental Management (Guidance for Landscape and Visual Impact, Second Edition 2002 and Landscape Assessment Guidance 2002). In defining the baseline position, it refers to the Derbyshire Landscape Character Assessment, wherein the site lies within the 'Trent Valley Washlands'.

The site is described as typical of agricultural land within the wider landscape along the broad river valley. It states that due to the relatively high level of screening along the site boundaries, the landscape character has limited influence on the wider landscape character beyond. It states that the upper elements of the existing Plant site buildings and structures are partially visible from areas of higher ground in the surrounding landscape. It adds that the site has no designations relating to landscape quality and, due to the nature of the low-lying landform, other significant infrastructure and development unrelated to the site are visible, both close to and in the far distance. Overall, the site is considered to be of low sensitivity to the proposed development as it represents a temporary land use which would deliver pastoral and arable farmland as final land uses, including restoration of the current field patterns

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and boundary features. On this basis, it is stated that the site has a high capacity to accommodate the proposal.

The ES states that the proposal could have both an adverse or beneficial effect on the landscape character through the removal of landscape elements, such as agricultural land, or the introduction of uncharacteristic elements which contrast with the existing landscape, or the creation of elements that achieve biodiversity and landscape objectives. Potential effects are identified as:

- Localised temporary loss of landscape elements.
- Temporary removal of the land cover followed by a progressive re-instatement to the existing land use.
- Delivery of Biodiversity Action Plan (BAP) targets and habitat creation within an appropriate landscape framework.

It identifies indirect landscape effects that could result from cumulative impacts within the wider landscape arising from direct impacts on site or external influences off site, such as traffic/dust/water which may change landscape character. No significant indirect landscape effects are predicted as a result of the proposal.

The ES states that mitigation and enhancement of potential landscape effects have been incorporated into the design in the form of a rolling programme of restoration and comprising the following elements:

- Retention of a large area of permanent pasture and water features along the northern edge of the site.
- A programme of advanced planting with native species where the existing hedgerow boundary along the Canal has degraded and become intermittent.
- Phased working and restoration to limit the extent of working at any one time.
- Restoration to the existing land uses and field patterns.
- Creation of a restoration scheme which replicates existing landscape elements, field patterns and species.
- Habitat creation to contribute to local biodiversity objectives.
- Restoration scheme to meet the management guideline aims of the Trent Valley Washlands.

In conclusion, the ES states that the proposal would have no impact on the landscape character of the area. At site level, it has been assessed that there would be a high magnitude of change during the initial earthworks and operational phases but this would reduce to a negligible impact post restoration. Overall, the impacts on landscape character, with mitigation, are

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considered to be of low, adverse magnitude during the working of the site and very low, beneficial magnitude at year 15 post restoration.

The supplementary submission considered the effects of the storage of material within the Waste Reception Area and the construction of temporary soil storage bunds to the south-eastern boundary of phases 1 and 2a to provide improved screening from the Priest House Hotel.

It was concluded that the operation of the Waste Reception Area would have no additional impact on the landscape character of the area due to the respective levels of the stored material, other storage, the height of the nearby plant and ground levels. Similarly, the visual impact was considered to be negligible due to the distance and low sensitivity of views that are available and the minimising effects of the flat landscape and vegetation.

The construction and presence of the screen bund opposite the Priest House Hotel was considered to be of a substantial adverse impact but would be offset by the benefits it would provide and the temporary duration it would be present. The removal of the bund as part of the restoration of the site, led to the conclusion that it would have no impact (neutral impact) in the longer term.

The supplementary submission confirmed that the scheme as amended would affect 1,590m of hedgerow (excluding King's Mill Lane). A total of 1,060m would be translocated (some to locations within the existing quarry), 620m would be reinstated and that there would be 960m of additional, new hedgerows planted.

It is acknowledged that the proposal represents a temporary use and temporary disturbance of the land which is characteristic of mineral development in general. It is also acknowledged that the existing quarry extraction area is being backfilled to pre-extraction ground levels and conditions, and returned to agricultural use. This would also apply to the land forming the proposed extension. It is also acknowledged, as stated in the ES, that the site does not contain any areas with landscape orientated designations. However, the existing quarry extends over a considerable area and the proposal would further extend mining activity over a much larger area. The creation of a large quarry stretching from Shardlow in the north to Weston-on-Trent in the south would result in profound changes to the landscape, affecting a significant area of typical lower Trent Valley farmland. The backfilling and replacement landscaping is welcomed but it has to be acknowledged that it will take many years for the new trees and other planting to mature such that the footprint of the quarry is no longer discernible. The current proposal also requires the retention of the existing processing plant, the waste transfer station and some of the existing temporary water features for a much longer period than previously envisaged.



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Whilst it is self-evident that minerals can only be worked where they exist and that the mineral in this site is in a convenient form and quantity for commercial exploitation, and whilst I would not disagree with many aspects of the broad baseline assessment of the ES, it is disappointing that the original survey work and the proposals based on it did not fully reflect the impact of a proposal of this scale and in this location. In particular, the tree and hedgerow survey was not to an appropriate standard and was inaccurate in many respects, leading to a proposed form of development which would have had a significant adverse impact on the landscape features of the site and the visual amenity of the area. It would have resulted in the removal of many mature trees within the site and the removal of a significant proportion of the trees and hedgerow on King's Mill Lane to the detriment of its appearance and character. The amendments to the proposal to retain more trees and sections of Aston Brook have been very positive from a landscape and visual impact perspective and now address most of the main concerns which I have raised with the applicant.

I also note and acknowledge a number of other factors that support the proposal. The method of working will continue the phased and rolling programme of excavation and restoration which has worked well on the current quarry area, minimising the area taken out of agricultural use at any one time. The exclusion of a large area of pasture and water features along the northern boundary will also help to minimise any adverse visual impact, particularly for users of the Canal and towpath. The translocation of a significant length of hedgerow will help the restored site to mature more quickly. This will be assisted by the advance proposed planting, some of which has already been carried out and would reduce the visual intrusion of the development from the Priest House Hotel which is on the properties closest to the extraction area.

In conclusion, I am now satisfied that the proposal now takes full and proper account of the landscape context and setting of the site, and the main features within. It will inevitably result in a major change in the appearance of the site which will endure for a lengthy temporary period but the method of working will restrict the main impacts to relatively small areas at any one time and the restoration and landscape masterplan proposals would ultimately produce a landform and landscape which respected the character of the Trent Valley setting and assimilated the site into the wider area in keeping with the requirements of the relevant policies of the MLP and the South Derbyshire Local Plan.

### **Biodiversity**

This section of the ES provides an assessment of the potential impacts of the proposal on the ecology of the Weston Extension area and land close to the quarry area. It states that the assessment was undertaken in accordance with

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the relevant established guidelines, including a desktop data review and appropriate surveys.

The review indicates that there are no designated sites within the proposed extension area but those close to the site were noted and assessed for their ecological value. The ES states that the dominant use of the site for intensively managed arable purposes minimises its overall ecological value and accordingly, the magnitude of the impact is assessed as negligible. The line of the Aston Brook which dissects the northern section of the extension area and a few other isolated areas of pond and tree planting were considered to be the only areas of any habitat significance but the temporary nature of the development set against the restoration proposals were seen as mitigating measures supporting the overall conclusion. It also concluded that the potential effects on species was very limited due to the relatively unfavourable baseline conditions and so the assessment was restricted to flora, birds, badgers and bats. The design of the development, including non-working areas and appropriate stand-off distances, together with the temporary disturbance to an area with only limited scope, were considered to be relevant factors for the assessment conclusion of negligible impacts on flora, birds and bats. The impact on badgers (population of Local value) was assessed as moderate adverse but the significance was not considered to be significant. The ES listed a further series of species mitigation measures centred on the phasing and management of the development.

The applicant provided a further set of biodiversity related surveys in response to the formal request from the County Council but these did not alter the original conclusions of the ES.

Whilst I acknowledge the lack of formally designated sites within the proposed extension area and that the majority of the fields are managed for agricultural purposes, I consider that the level and scope of the original ES did not reflect the ecological potential of the area, or at least was not able to justify and support the conclusions it made. This was reflected in consultation responses, particularly the responses from Derbyshire Wildlife Trust and the County Ecologist. The original survey work did not cover some species known to be present in the area and, for the reasons associated with the inadequacies of the tree and hedgerow survey referred to above, it did not fully assess the habitat potential of the site.

I can now report that the applicant has provided the ecological surveys that were appropriate for this site and that they were conducted to the standards recommended for the respective species. This now enables a full and proper assessment of the impact of the proposed development and on the future benefits of the restoration proposals.

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The supplementary information now confirms which species are present on the site and which are not, and the other amendments to the working scheme and restoration details now take account of and make appropriate provisions for the flora and fauna found on the site. For example, the survey now confirms the presence of Hobby but that the main breeding site is within the 'Non-Working Area' and will not be affected by the development. The proposal also provides an appropriate stand-off distance from the River Trent which will minimise the impact on otter and water voles which inhabit the riverside area. The translocation of mature hedgerow trees will also provide additional opportunities for Hobby and other species of birds. I support the amendment to the development to reinstate the course of Aston Brook within the restoration scheme, together with the translocation of targeted sections of the Brook to advance habitat establishment along the diverted route. I also welcome and support the provision of a Habitat Management Plan for the site and I have recommend an appropriate condition which includes the provision for post-mitigation monitoring to establish the condition of all retained, created and translocated habitats.

In conclusion, I am now able to accept the findings and conclusions of the ES. I consider that the applicant has now provided information of the right type and extent to enable an appropriate assessment of the ecological interest of the site and the impact of the proposal to be made. I consider that the amendments to the proposal provide adequate mitigation measures to protect the ecological interests of the site, subject to the implementation of the recommended conditions. I also consider that the outline form of the restoration and landscaping provisions also provide a genuine opportunity to increase the range of habitats in and around the site in the longer term. Accordingly, I consider that the proposal meets the requirements of the relevant policies of the MLP and the South Derbyshire Local Plan.

### **Soils and Agriculture**

The ES recorded the five different soil types found within the site and the level of flooding recorded, concluding that most (98.4 hectares/94.7%) of the site was graded as 3b on the Agricultural Land Classification system, with 3.8 hectares (3.7%) classed as grade 2. Land of grade 2 standard is officially regarded as being the Best and Most Versatile (BMV) and is afforded greater protection from development but the ES states that this land is found in the north-western edge near to the Trent and Mersey Canal and is excluded from the proposed mineral extraction area.

The ES provides a list of mitigation measures based on soil handling in accordance with DEFRA best practice advice and concluded that there are no soil or agricultural reasons for preventing the development proceeding.

It is inevitable that mineral extraction operations result in significant disturbance to soils and subsoils. In this case, it is proposed to restore the

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land to original conditions by backfilling the voids with inert wastes and PFA. Appropriate management of the soils when excavated, stored and replaced should ensure that the pre-extraction conditions are recreated as closely as possible. I am satisfied that the effectiveness of the management and restoration works on the current quarry area demonstrates that similar results could be achieved for the proposed extension area. The proposed phasing of soil stripping and the replacement after backfilling enables the area to be disturbed at any one time to be minimised. I note and welcome the statement that the potential reduction in soil quality and structure due to excavation and storage is intended to be minimised by adherence to the guidance in the DEFRA publication “Good Practice Guide for Handling Soils, Sheets 1 to 4” which should provide for the appropriate management of the resource.

In conclusion, I am satisfied that the proposal does not conflict with the relevant requirements of MLP policies MP1: The Environmental Impact of Mineral Development and MP4: Interests of Acknowledged Environmental Importance.

### **Archaeology and Cultural Heritage**

The ES states that the assessment considers the impact on the proposed extension area only as the existing quarry area has already been subject to archaeological investigation and surveys related to previous planning applications. The assessment concludes that there are no designated cultural heritage sites located within the extension area. Apart from some temporary modern animal shelters, there are no buildings on the site and the relevant survey did not find any significant visible aspects of historical or archaeological interest, other than visible remains of ridge and furrow earthworks. The surrounding area was also surveyed for evidence of settlements back to the Neolithic period.

The ES concluded that the absence of designated sites or other known cultural heritage assets close to the site, coupled with the fact that quarrying is an established feature of the local landscape, leads to the view that the scheme would not have a significant, indirect impact upon the setting of any known assets. The extension area is considered to have moderate potential for the recovery of archaeological remains, which are expected to be concentrated in the higher ground on the western side nearer to the Canal. The assessment stated that archaeology on the lower ground (in the floodplain) did not reveal itself as cropmarks and any remains are likely to be better investigated during quarrying operations. It concludes that mitigation measures should be employed to ensure that, if discovered during quarrying, archaeology is appropriately dealt with.

I acknowledge that the available information supports the conclusion that the area with the highest archaeological potential is the ‘higher terrace’ near to the Canal and can also confirm that this area is not within the proposed mineral

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extraction area. For the proposed extraction area I also acknowledge that site conditions (depth of alluvium, etc) are such that pre-extraction investigations in the form of trench evaluation would be difficult and costly, and with no guarantee of providing successful results. I consider that the suggested approach of the provision of a Written Scheme of Investigation for archaeological monitoring and recording is acceptable and appropriate, and can be secured by a planning condition.

The proposed site abuts the Trent and Mersey Canal which is designated as a Conservation Area. The inclusion of the proposed non-working area, however, means that there would be a break between the mineral activity and the Canal, and together with the temporary nature of the proposal, I am satisfied that it would not adversely impact on the character and quality of the Conservation Area. The level of the Canal relative to the operational site combined with the existing and planned vegetation along the boundary of the site restricts views into the site which will help to minimise any potential adverse impact on users of the Canal.

Accordingly, I am satisfied that the proposal does not raise any significant issues with regard to the provisions of MLP policies MP4: Interests of Acknowledged Environmental Importance or MP7: Archaeology – Mitigation Measures.

The processing of this application may affect the applicant's sand and gravel site at Potlocks Farm near Willington. This is because there is an existing obligation under Section 106 of the Town and Country Planning Act 1990 which provides a protection against its further working and facilitates the revocation of the mineral planning permission for it, in the event that an equivalent planning permission is granted on land in Derbyshire under the ownership and control of the applicant. Potlocks Farm is a site which still has planning permission for the winning and working of sand and gravel, although the site contains the remains of a Neolithic feature, known as a cursus, which is of national significance. The cursus spans the site at Potlocks Farm, extending to the east where it has been designated as a Scheduled Ancient Monument, and to the west into the former Willington Power Station site. A direct impact of the implementation of the currently approved development would be the almost total loss of the cursus, with the Potlocks Farm Site, as well as other associated archaeological features. If Members are minded to approve this current application for the Weston Extension to Shardlow Quarry, the permission to be granted would satisfy the requirements of this Section 106 obligation so that the planning permission for Potlocks Farm could then be revoked without result to compensation payment.

## **Transport**

The ES provides a summary of the formal Transport Statement which was provided separately as an appendix. It focuses on the access to and from the

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site and the number of vehicle movements likely to be generated by the proposed development.

The baseline conditions which were identified include reference to the provisions and restrictions of the existing quarry planning permissions which limit the volume of mineral that can be exported from the site and the rate of imported infill material. It states that under the current proposal, the existing site and the proposed extension area would continue to work at the same rate of production but the applicant would seek to increase the rate of import for backfilling purposes. This would increase vehicle movements to and from the quarry to 16 (increase of 4) per hour during a normal working day. This traffic would continue to use the existing access directly onto the A50. The increase in the delivery of infill material would be PFA from local power stations travelling to the site via the M1 and A50. Accordingly, it concludes that the development would not lead to any material impact in terms of road capacity or road safety.

The consultation responses of the Highway Authority and the Highways Agency confirm that there are no significant highway issues arising from the proposed development in terms of access/egress arrangements and the number of vehicle movements that would be generated. The main highway issues relating to the movement of vehicles to and from the site therefore do not conflict with the requirements of MLP Policy MP5: Transport.

The impact of the proposal on King's Mill Lane within the site does, however, raise some issues. King's Mill Lane is an adopted highway, albeit that the section within the site is of a limited standard of construction and terminates in a cul-de-sac at the point where it meets the River Trent. The proposal would impact on this road at three points. It would be crossed in the central section of the lane to provide the main site haul road, and also at both ends (within the site) to enable the construction of the proposed clay seal which is required to enable backfilling.

In its initial response, the Highway Authority raised a number of issues concerning these proposals to which the applicant submitted a supplementary statement. Based on the description of the use of the haul road, the Highway Authority considers that the crossing does not need to be of the standard as originally proposed and suggested an alternative form with reduced width and sightlines. This alternative suggestion has the added benefit of reducing the length of tree and hedgerow removal which is necessary to accommodate the crossing and is considered acceptable. The applicant company has confirmed that it would adopt this revised design for the crossing and has submitted new plans as appropriate, and these are identified in the recommended condition.

The other concern related to the provision of the clay seal underneath both ends of the lane. The issue was about the form and construction of the

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reinstated road and its long-term ability to accommodate vehicular movements over it. The Highway Authority was concerned that the integrity of the road would be compromised, or at least was not sufficiently confident that the information provided negated those concerns. Following discussions, the applicant has now provided revised details of the form and construction of the clay seal liner and for the reconstruction of the road afterwards. These details now meet the requirements of the Highway Authority. The revised proposals involve less intrusion into King's Mill Lane where the width of the clay liner and the resultant excavation has been reduced, as well as the duration of the works and the temporary diversions. The diversions would only be to bridleways but are considered to be satisfactory given the nature of the development and the duration they would be in use.

Accordingly, there are no highway based objections to the proposed development.

### **Hydrogeology and Hydrology**

This section provides an assessment of the potential effects on surface water and groundwater resources associated with the proposal. Potential impacts to the baseline hydrogeological and hydrological conditions were assessed taking account of both the short-term operational phases and longer-term restoration phases. The potential for unplanned incidents, such as spillages of hazardous substances were also considered. The ES lists the range of factors that were considered.

The main surface water features are the River Trent, Aston Brook, ponds and field drains. The Trent and Mersey Canal runs parallel to but outside of the northern boundary of the site.

A portion of the mineral to be excavated is situated beneath the watertable, necessitating its lowering to facilitate safe operations. British Geographical Survey records indicate that the ground materials include brown/grey silt clays with sand and gravel in the Alluvium level with grey or brown, bedded, unconsolidated silt, sand and gravel with lenses of silty clay or organic rich peaty clay in the River Terrace Deposits. The whole site is underlain by solid strata comprising predominantly mudstone and designated by the Environment Agency as Secondary B Aquifers.

The ES states that the proposal is essentially a continuation of operations which have been undertaken to date. It adds that no adverse impacts have occurred with respect to water issues and it is anticipated that this situation would prevail in future. The similarity of the geology of the proposed extension to the existing quarry site is such that the currently adopted methods of mineral extraction and water management are proposed for the working of the extension area. The proposal involves the removal of sections of Aston Brook and, in the proposed amended restoration scheme, it would be replaced on a

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similar alignment. In order to limit and manage groundwater which could ingress from unworked sections, and to prepare for site restoration, engineering would be undertaken on the periphery of the quarry void consisting of a clay seal along the perimeter batter. During the mineral extraction phase, a drainage layer and trench would serve to reduce hydraulic pressure behind the clay barrier. The watertable would be drawn down behind the clay barrier with the resultant groundwater collected, settled and discharged off-site.

The assessment concludes that water management and the lowering of the watertable would modify the groundwater flow regime in the immediate vicinity of the site (estimated radius of influence of 550m) but there are not expected to be any adverse impacts associated with either groundwater flow volumes or direction. It states that the placement of the clay seals would reduce the mass hydraulic conductivity of the aquifer but would not impede groundwater flow due to the provision of a drainage blanket around the clay bund. It adds that the proposed method of water management is such that the flux of groundwater is consistently towards the quarry void and therefore unlikely that any form of contamination could enter the groundwater system external to the site. The passage of water over the quarry floor would result in fines being mobilised with a resultant increase in its suspended solids content but these would be reduced such that they comply with the conditions stipulated in the Discharge Consent. Water collected in the ditch and sump system would be pumped to a settlement area where it would have sufficient residence time to allow the reduction of fines to occur.

Overall, it is concluded that the characteristics and small magnitude of impacts during the development and after restoration could be effectively managed by the proposed mitigation measures.

Based on the experience of the current operation and the associated management of water issues, and the identified similarity in the geology of the current working and proposed working areas, I have no reason to dispute the broad conclusions of the ES. British Waterways (now the Canal and River Trust) has confirmed that the proposed stand-off distances appear to be adequate to protect the integrity of water features around the site. The Environment Agency also confirmed that it had no objection to the proposal, subject to the information and amended proposals in the supplementary submission and the inclusion of suggested planning conditions relating to the provision and adherence to a water management scheme and a scheme providing specific details for the engineering of the clay lining. In fact, the issue for the Mineral Planning Authority concerning the clay liner relates only to the impact of reconstructing the road; the technical and operational aspects of the integrity of the clay liner are matters for the Environment Agency. I note the concerns raised by S.A.V.E. about the creation of impermeable areas by backfilling with inappropriate materials and the consequent effect on the



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watertable in the wider area, but these fears are not supported by the Environment Agency who will also retain regulatory control over this issue. The Agency has had the benefit of monitoring the existing site for several years prior to forming its response.

The impact of the proposals with regard to the removal of sections of Aston Brook is addressed in other sections of this report.

In conclusion, I consider that the proposal accords with the relevant requirements of MLP policies MP1: The Environmental Impact of Mineral Development and MP4: Interests of Acknowledged Environmental Importance.

### **Flood Risk**

The current quarry area and the proposed extension lie within the flood plain of the River Trent (Environment Agency Flood Zone 3) and floods extensively and frequently. In this respect, I can confirm that extraction operations have been suspended temporarily on several occasions in recent years due to flooding. Accordingly, a formal Flood Risk Assessment was undertaken and included in the ES. It states that the proposed surface water management measures are considered sufficient to prevent any hazards presented by accumulations of surface water and it is further considered that the overall risk from surface water flooding is low. The creation of storage mounds within the site could affect flood flow and the capacity of the area but the creation of the quarry voids is considered adequate compensation. It is also acknowledged that the proposed development has the potential to increase the flood risk to the surrounding area but again the proposed form of operation and the identified mitigation measures are considered sufficient to prevent such occurrences.

In response to issues raised by the Environment Agency, the applicant submitted an addendum to the Flood Risk Assessment. It provided further technical information which attempted to justify and support the overall conclusion that the development could be undertaken with sufficient controls and mitigation measures to prevent the risk of flooding in the extension area or affecting the flow of flood waters elsewhere.

The Environment Agency initially objected to the proposal on the grounds that the Flood Risk Assessment did not provide sufficient information to demonstrate that the development was acceptable but subsequently withdrew the objection subject to the implementation of all the specific mitigation measures identified in the Flood Risk Assessment Addendum being secured by planning conditions. These relate to the dewatering discharge rate, suspension of operations during periods of flooding (as currently), ground levels in the restored areas not exceeding original levels, restoration of Aston Brook to its original course and the form and duration of storage mounds close to the River Trent. All these issues could be controlled by appropriate worded

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conditions. Based on the experience of monitoring the current operation and the observations of the Environment Agency regarding the method of working the proposed extension, I have no reason to dispute these conclusions.

In conclusion, I consider that the proposal and mitigation measures satisfy the requirements of MLP Policy MP1: The Environmental Effects of Mineral Development.

### Noise

As an introduction to the issue, the ES states that there has been no history of noise complaints associated with the working of the existing quarry. It provides the results of a Noise Impact Assessment for the proposed extension area undertaken in accordance with the relevant advice and guidance in Minerals Policy Statement 2 (MPS2) Controlling and Mitigating the Environmental Effects of Mineral Extraction and BS4142 (for the Plant Site).

Background noise levels were recorded at eight locations around the site with figures ranging from 45 to 55 dB Laeq 1 hour. The assessment of impacts concluded that:

- All predicted noise levels would be considerably below the MPS2 limit of 70 dB Laeq 1 hour for temporary operations and below the existing noise limit for temporary operations of 60 dB Laeq 1 hour.
- The 'worst-case' noise predictions indicate compliance with the maximum noise limits at all locations. The 'typical' predicted levels indicate compliance with the 'preferred' noise limits at all locations also.
- Only at the Priest House Hotel do 'worst-case' levels exceed the preferred limits and this is by 1dB only.
- Predicted noise levels as a result of continued operation of the Plant Site are significantly below the preferred and maximum limits, as defined in MPS2.

The ES identifies a series of noise mitigation proposals and concludes that the noise impact from the development would be negligible.

Since the planning application and the ES were prepared and submitted, MPS2 has been deleted and the current criteria for assessing noise impacts are contained in the NPPF and NPPG. In this case, however, the change in guidance has not made any material difference to the assessment of the proposed development.

I can confirm that there have not been any complaints or significant issues relating to noise generated by mineral extraction activities in the current working area or the ongoing use of the main processing plant. In general, the main aspects of the noise environment in this area are from the Donington

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Park racetrack and East Midlands Airport. The former has been the main source of noise complaints in recent years.

I am satisfied that the assessment included in the ES represents an appropriate and accurate estimate of the background noise environment, the noise levels that would be generated by the proposed development in the extension area, and for the continued use of the processing plant and the waste transfer area. I also note that this view is not disputed by the Environmental Health Officer. Based on this assessment set against the location of the site which is not close to residential properties (Priest House Hotel and Lock House apart), I accept the conclusion of the ES that it could be operated within the established guidelines, subject to full compliance with the proposed mitigation measures. At these two properties, the estimated noise levels would be within the thresholds and limits set by MPS2, and the noise experienced would be for temporary periods only and would not constitute a significant noise issue in terms of the criteria set out in the NPPG.

I note the concerns of one local resident about noise and the possible amplifying effects of the valley feature on the level of noise but I do not consider there to be any substantive reason to warrant an objection to the proposal. I acknowledge that some residents of Weston-on-Trent may be able to hear some of the operations as works approach the village, and that noise is a sensitive issue in the area due to the proximity of the East Midlands Airport and the Donington Park racetrack, but I am satisfied that the additional noise generated by the development would be within the guidance limits in the NPPF.

Accordingly, I consider that the proposal does not conflict with the requirements of MLP Policy MP1: The Environmental Impact of Mineral Development.

### **Air Quality**

The assessment provided in the ES investigated the potential for significant effects to occur as a consequence of uncontrolled emissions of coarse dust and PM10 particles from the extraction and restoration operations and from emissions from on-site plant and vehicles.

The assessment reiterates that the operations would remain the same as those carried out under the existing planning permission, maintaining the same rate of production, hours of operations and on-site practices and procedures. Site management procedures for the control of fugitive dust would also continue as at present. It states that the extent of the proposed extension to the operational area of the quarry would mean that potential receptors to the north-east (in line with the majority of the strongest winds) would be further away from potentially dust generating activities than they are under the current site. It states these receptors would all be more than 100m from any dust

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generating activities and that the potential impacts would be negligible. Whilst the operator expresses confidence in this assessment, the ES contains a list of further specific mitigation measures that would be considered in the event of any problems arising during the working of the extension area.

The ES acknowledges that the Donington Park SSSI is within 100m of the site but it concludes that PM10 emissions would be unlikely to place it at risk. Any deposited material would be composed of sand and soil-like particles, which would be readily displaced during periods of precipitation. It adds that dusts of this type would not significantly affect vegetation. It also states that this type of dust emissions would not be harmful to human health. It concludes that the proposed development would only take place after completion of the current working area (apart from a small revision to the phasing programme), such that there would be no cumulative impacts from both areas being worked at the same time.

The results of the dust monitoring undertaken for the current working area would support the conclusions of the ES. That site has been worked without undue disturbance and nuisance from fugitive dust as a result of the wet working conditions, the mitigation measures employed to the most dust susceptible operations and the distance of the site from sensitive receptors. I acknowledge that some of the operations have the potential to give rise to significant dust emissions (vehicles on the haul road in dry conditions and infilling of voids) but I am satisfied that the continuation of the existing mitigation measures and controls would prevent any significant problems affecting the nearest residential properties or any sensitive ecological features in the area.

Accordingly, I consider that the proposal does not conflict with the requirements of MLP Policy MP1: The Environmental Impact of Mineral Development.

### **Bird Strike**

The ES acknowledges that the development has the potential to create areas attractive to large and/or flocking birds which could create a bird strike risk to aircraft using East Midlands Airport, but it also identifies the mitigation measures that would prevent such occurrences. These are based on the restoration of the site back to agricultural land rather than water features, dewatering to prevent standing water during excavation operations and control of the type of backfill material so as not to attract birds.

The issue of bird strike to traffic at East Midlands Airport is a major issue which has shaped the way mineral extraction sites in this part of the Trent Valley have developed over the last 20 years. There has been considerable dialogue between the Airport Authority, mineral operators and my officers leading to the establishment of agreed bird strike management plans for each

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site. The measures agreed for the existing site are well established and are proposed by the applicant for the new extension area. I am satisfied that a new and appropriate management plan can be developed for the extension area based on agreed refinements to the existing plan and have recommended a condition to this effect.

### **Recreation and Public Rights of Way**

The ES acknowledges that the proposal has the potential to have direct and indirect impacts upon users of footpaths and other routes in and around the site and that King's Mill Lane and footpath 7 would need to be diverted temporarily during stages of the development, but adds that the routes would be reinstated as part of the restoration works. It also states that it would not have any direct adverse impact on the integrity and use of the Trent and Mersey Canal.

There are a number of rights of way that cross the application site which would be directly affected by the proposed development and it would be necessary to find appropriate diversions. I am satisfied, however, that the phasing programme for extraction and backfilling would enable suitable diversions to be proposed, and that the disruption would be for periods as short as possible. The impact on King's Mill Lane has been addressed elsewhere in the report.

The proposal provides an opportunity to achieve a significant benefit to the rights of way system in and around the site. Currently, footpath 6, which runs roughly north to south through the existing quarry area and into the northern part of the site, is constructed to bridleway standards but terminates at the point where it meets the River Trent, where after it joins footpath 7, which is only to normal footpath standards. Footpath 7 joins to King's Mill Lane which allows usage similar to and above a bridleway. The application proposes to provide a continuation of the bridleway (footpath 6) southwards to join the eastern end of King's Mill Lane, but only as a concessionary bridleway. Whilst this is appreciated, it is considered that the provision of a permanent bridleway link would be an appropriate and proportionate planning gain to offset the disturbance the development would generate. This could be achieved either by making the proposal a permanent rather than a concessionary bridleway or by reinstating footpath 7 to bridleway standards after the restoration of that part of the quarry working.

The proposal would bring mineral extraction activity closer to some sections of the Trent and Mersey Canal but I acknowledge the stand-off distances provided by the declaration of the non-working area and conclude that it would not directly affect the ability of people to continue to use it for boating, walking or fishing, or adversely affect its overall amenity value. I note the comments of S.A.V.E. about the effect of advanced planting along the western boundary near to the Canal but I do not agree that it would produce the level of

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‘enclosure’ as suggested. The planting would largely consist of the gapping up of the boundary hedgerow and would be implemented for a relatively short stretch of the site in the south-western corner where the vegetation on the northern side of the Canal does not substantially restrict views in that direction.

### **Cumulative Impact**

This issue is not directly addressed in the ES. My assessment, however, is that whilst there are some cumulative impact issues which should have been addressed specifically, there would be no overriding adverse cumulative impacts arising from the proposal. The development would result in mineral activity taking place in the Shardlow to Weston-on-Trent area for a longer period (another 10 years), consisting of working in the extension area and the retention of the existing plant. This would result in the disturbance to another, large area of land, leading to the disturbance of a substantial part of this area of the Trent Valley. This would inevitably have an adverse impact on the landscape character of the area and result in some degree of visual intrusion. The development would result in a large and extended area of immature landscape which would take many years to mature. The southern extent of the proposed mineral extraction area is remote from the processing plant (about 2.5km) resulting in mineral being transported on temporary and longer haul roads for an extended period. The potential for noise and dust emissions would also be extended.

I acknowledge, however, that minerals can only be worked where they are found and that the Trent Valley is the major source of sand and gravel reserves in the area. If this site is not to be worked, then an alternative or alternatives would need to be found, possibly involving new sites rather than extensions. This could involve the provision and construction of new site accesses and processing plant, and the site(s) would have similar potential for adverse effects on the landscape and on local amenity, particularly from noise and dust.

In the assessment of individual topics above, I have concluded that there would be no substantive adverse impacts sufficient to warrant a recommendation of refusal. For the reasons indicated above, I also consider that the proposal would not give rise to any aggregate or cumulative adverse impacts sufficient to warrant refusal.

### **Conclusion**

Taking account of the latest information available from the LAA work, I am satisfied that there is currently a need for the mineral from the proposed development. I am also satisfied that it can be obtained in an environmentally acceptable manner, subject to full adherence to the proposed amendments to the form of the development and other requirements detailed in this report. I consider that it would contribute to the sand and gravel apportionment

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requirements for Derby and Derbyshire for the period up to 2030 and that the site and the proposed method of operations, including mitigation measures, would meet the requirements of the policies of the current MLP.

If planning permission is granted, it would be necessary for the applicant to enter into another legal agreement pursuant to the Town and Country Planning Act 1990, Section 106, as substituted by the Planning and Compensation Act 1991, to secure similar obligations to those that were entered into for the grant of planning permissions CM9/900/48 and CM9/0211/163. The terms of the agreement shall cover the headings listed in the Officer's Recommendation below.

(3) **Financial Considerations** The correct fee of £65,000 has been received.

(4) **Legal Considerations** This is an application submitted under Part III of the Town and Country Planning Act 1990 which falls to this Authority to determine as the Mineral Planning Authority.

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 permission being granted subject to the conditions referred to in the Officer's Recommendations.

(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 9.701.22

Application submitted by URS Scott Wilson Ltd under cover of letter dated 29 July 2011 on behalf of Hanson Quarry Products Europe Ltd.

Supplementary submissions by URS Scott Wilson Ltd under cover of two letters dated 19 March and 10 September 2012.

Letter and contents from URS Scott Wilson Ltd dated 30 April 2012.

Supplementary submissions from Hanson Quarry Products Europe Ltd via emails dated 9 October and 12 November 2013 and 30 June 2014.

Email from Councillor Harrison dated 10 August 2011.

Letter from Western Power dated 17 August 2011.

Letters from British Waterways dated 18 August 2011, 4 April and 18 May 2012 and the Canal and River Trust dated 10 October 2012 and 18 July 2014.

Letter from the Highways Agency dated 19 August 2011.

Letters from Severn Trent Water Ltd dated 18 August 2011 and 21 September 2012.

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Letter from North West Leicestershire District Council dated 31 August 2011.  
Emails from Aston-on-Trent Parish Council dated 17 May and 17 October 2012.

Letters from the Environment Agency dated 5 September 2011 and 27 April 2012 and 17 July 2014.

Letters from Derbyshire Wildlife Trust dated 19 September 2011 and 29 May and 29 October 2012.

Letters from Leicestershire County Council dated 6 September 2011 and 11 April 2012.

Letter from Castle Donington Parish Council dated 13 April 2012.

Email from Weston-on-Trent Parish Council dated 16 August 2011.

Letters from the Highway Authority dated 24 August 2011 and 20 April 2012.

Letter from East Midlands Airport dated 29 September 2011.

Letters from Network Rail dated 25 August 2011 and 2 April, 21 May and 28 September 2012.

Letters from South Derbyshire District Council dated 18 June 2012 and 31 July 2014.

Letter from National Grid dated 4 October 2012.

Letter from Natural England dated 30 October 2012.

(7) **OFFICER'S RECOMMENDATIONS** That the Committee resolves that planning permission be **granted** subject to the completion of a Section 106 Agreement in accordance with the terms below and the following conditions:

### 7.1 Section 106 Agreement Terms

The applicant or operator acting on behalf of the applicant and any other person with an interest in the application site shall enter into an agreement with the County Council under the terms of Section 106 of the Town and Country Planning Act 1990, Section 106, as substituted by the Planning and Compensation Act 1991 to secure planning obligations considered by the Strategic Director – Economy, Transport and Environment and the Director of Legal Services to make satisfactory provision for:

- Phasing of working (extraction and restoration)
- Restriction on working new areas in advance of restoration of earlier extraction areas
- Type of permitted infilling materials
- Bird Hazard Management Plan
- Water Pumping Operations
- Vehicle Routeing/Access/Egress
- Replacement of those Section 106 obligations contained in agreements or undertakings that were entered into with the grant of the planning permission code no. CM9/900/48 and planning permission code no. CM9/0211/163 to vary conditions 2 and 33 of planning permission Code



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No CM9/900/48 to permit the use of Pulverised Fuel Ash (PFA) to infill the mineral workings at Shardlow Quarry.

### 7.2 Conditions

#### Commencement and Duration

- 1) The development hereby approved relates to the continuation and completion of operations previously approved under planning permission CM9/0211/163 and the extension of the quarry onto land known as the Weston Extension. Insofar as the planning permission relates to the implementation of the Weston extension, it shall be begun within three years of the date of this permission. The Mineral Planning Authority shall be notified, in writing, of the date of commencement of operations in the Weston Extension within 14 days of such commencement. For the purposes of this Condition, commencement shall involve the stripping of soils within the Phase 1 area. In the event that the development is not implemented, the outstanding terms of planning permission CM9/0211/163 shall be implemented in full for the existing quarry area.

**Reason:** To comply with Section 91 of the Town and Country Planning Act 1990. The Mineral Planning Authority requires prior notification of the date of commencement of the development so that it has sufficient time to ensure that all the requirements of the planning permission are in place and to make arrangements for monitoring the development.

- 2) All operations, uses and development, as approved by this permission, including the restoration and landscaping of the site (but excluding aftercare), shall be completed in accordance with the other conditions to this permission subject to the following timescales:
  - Mineral extraction in the Weston Extension within eight years of the date of commencement.
  - Progressive restoration of the Weston Extension area to be completed within two years from the completion of mineral extraction in each phase.
  - Removal of processing plant and restoration of the site within one year of the completion of all mineral extraction at the quarry.
  - Removal of the waste transfer area and restoration of the site within one year of the final import of waste materials used in the restoration of the mineral extraction area.
  - Aftercare of all restored areas for a period of five years after the completion of restoration works.

**Reason:** To ensure the timely completion of stages of the development in the interests of the amenity of the area.

### Approved Plans and Form of Development

- 3) Except as may be modified or required by the terms of the other conditions of this permission, the development hereby approved shall be carried out in accordance with the details, including all mitigation measures, set out in the planning application documents, including the Environmental Statement, submitted by URS Scott Wilson Ltd under cover of the letter dated 29 July 2011 and received by the Mineral Planning Authority on 3 August 2011, as amended by the supplementary submissions by URS Scott Wilson Ltd under cover of the two letters dated 19 March and 10 September 2012 and the further submission under cover of the letter dated 30 April 2014 and the further amending submissions from Hanson Quarry Products Europe Ltd via emails dated 12 October and 9 November 2013, and 30 June 2014. For the avoidance of doubt, the approved development shall be carried out in accordance with the provisions of and shall relate to the area specified in the following drawings:

D136735.SS.001 Site Location  
D136735.SS.002 Location Area  
D136735.SS.003 Rev A Revised Application Boundary Plan  
D136735.SS.004 Rev A Topographical Survey  
D136735.SS.006 Rev A Development Master Plan  
D136735.SS.009 Rev A Weston Extension Phasing and General Development  
D136735.SS.011 Rev A Phase 1 Stage A  
D136735.SS.012 Rev A End of Phase 1  
D136735.SS.013 Rev A End of Phase 2  
D136735.SS.014 Rev A End of Phase 3  
D136735.SS.015 Rev A End of Phase 4  
D136735.SS.016 Rev A End of Phase 5  
D136735.SS.017 Rev A End of Phase 6  
D136735.SS.018 Rev A End of Phase 7  
D136735.SS.019 Rev A End of Phase 8 Stage A  
D136735.SS.020 Rev A End of Phase 8 Stage B  
D136735.SS.021 Rev A End of Phase 8 Stage C  
D136735.SS.022 Rev A Location of Clay Sealing  
D136735.SS.024 Rev B Restoration Master Plan  
D136735.SS.025 Soil Restoration Profiles  
D136735.SS.026 Rev A Restoration Surface Water Drainage Plan  
D136735.SS.027 Environmental Monitoring Points  
D136735.PS.004 Shardlow Quarry Plant Detail  
D136736.PS.003 Aston Brook Restoration Detail  
S121fc/220 Restoration Scheme  
S121cg/293 Restoration Scheme  
S121fc/246 Method of Working End of Year 5  
S121fc/247 Method of Working End of Year 6

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S121fc/248 Method of Working End of Year 7  
S121fc/249 Method of Working End of Year 8  
S121fc/250 Method of Working End of Year 9  
S121fc/251 Method of Working End of Year 10  
S121fc/252 Method of Working End of Year 11  
S121fc/253 Method of Working End of Year 12  
S121fc/254 Method of Working End of Year 13  
S121fc/255 Method of Working End of Year 14  
S121g/396 South of Railway Toe Drainage System  
S121g/411 Section Through Perimeter Bund  
S121g/412 Section Through Perimeter Bund  
S121g/413a Section Through Perimeter Bund  
S121g/415 Section Through Free-Standing Bund  
S121g/439c, May 2014 King's Mill Lane Temporary Diversion and Reinstatement  
S121/444, June 2014 Tree Survey/Retention Plan  
S121/433a, June 2014 King's Mill Lane Crossing Detail and Temporary Diversion  
S121c/272  
S121c/310 Lighting Plan  
S121fc/257 Processing Plant  
S121/364  
S121/371  
S121c/284  
S28/10

This requirement includes the maintenance of all the stand-off distances from the River Trent and the Trent and Mersey Canal, as identified on drawing no. D136735.SS.009 Rev A in the Weston Extension area, the stand-off distances from trees and hedgerows specified in the Environmental Statement and the stand-off distances agreed under the terms of planning permission CM9/900/48. The form of the haul road crossing point on King's Mill Lane and the details of the clay liner and road reinstatement shall be in full accordance with the details specified on drawings S121/439c and S121/443a. For the avoidance of doubt, the area subject to the planning permission is that identified on Drawing D136735.SS.003 Rev A submitted under cover of the letter from URS Scott Wilson Ltd dated 30 April 2012.

The concessionary bridleway indicated on drawing number D136735.SS.24 Rev B shall be dedicated as a permanent bridleway, or, alternatively, footpath number 7 shall be reinstated to bridleway standards.

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**Reason:** For the avoidance of doubt and to ensure that the development is carried out in accordance with the approved details in the interests of the amenity of the area.

- 4) The rate of production of mineral from the quarry shall not exceed an annual limit of 600,000 tonnes per year.

**Reason:** To establish an upper limit of production to minimise the environmental impact on the area and to maintain amenity.

### **Availability of Plans**

- 5) From the date any operations under this permission are commenced, a copy of the permission, including all the documents referred to in it, and any further submissions to, and approved by the Mineral Planning Authority under the approved conditions, shall be displayed at the site office during working hours, and the terms and conditions of the permission shall be known to any person(s) given the responsibility for the management and control of operations on site.

**Reason:** To ensure that the site operators are fully aware of the scope of the planning permission and the requirements of these conditions throughout the period of the development in order to ensure that it is carried out as approved in the interests of the amenity of the area.

### **Notifications**

- 6) The applicant/operator shall notify the Mineral Planning Authority within seven days of the commencement and completion of each phase of the development and give at least seven days notice of the intention to undertake soil stripping in each phase. The applicant/operator shall also maintain production and output records which shall be made available to the Mineral Planning Authority on an annual basis.

**Reason:** The Mineral Planning Authority requires appropriate notification of these dates to establish the base dates for the duration of the operations and to ensure that it has sufficient time to make arrangements for monitoring of the development in the interests of maintaining the amenity of the area. The maintenance and provision of the annual production figures are required to ensure that the quarry operates within the approved limits.

### **Working Programme and Working Restrictions**

- 7) Except as may be otherwise approved in writing by the Mineral Planning Authority, the development shall be carried out in accordance with the programme of extraction and restoration detailed in Chapter 5 of the Planning Application and Supporting Statement dated July 2011, as amended by the details provided under cover of the letter from URS

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Scott Wilson Ltd dated 19 March 2012, including the works as detailed on drawing numbers D136735.SS.011 Rev A to 136735.SS.021 Rev A. For the avoidance of doubt, mineral extraction shall not be commenced in a new phase until infilling operations have been completed in the phase prior to the preceding one. Furthermore, no trees, hedgerows or shrubs shall be removed during the bird nesting season (1 March to 31 August in any year).

**Reason:** To establish the sequence of operations to enable the Mineral Planning Authority to monitor it in the interests of protecting the amenity of the area and to minimise the area of operations at any one time.

### **Buildings, Fixed Plant and Machinery**

- 8) Notwithstanding the provisions of Part 19 Class A Schedule 2 of the Town and Country Planning (General Permitted Development Order) 1995, no fixed plant or machinery, buildings, structures or erections, or private ways shall be erected, extended, installed, replaced, repaired or altered without the prior approval of the Mineral Planning Authority, except on the site of the processing plant as shown on drawing no S121fc/257 of planning permission CM9/900/48.

**Reason:** To enable the Mineral Planning Authority to assess any proposed further development in those parts of the site, other than the processing plant site, where any such development might have an unacceptable impact on amenity and the environment.

### **Hours of Operation**

- 9) Except in the circumstances set out below, no operations authorised or required by this permission, including vehicle movements to and from the site, or within the site shall be carried out on the site except between the following times:

0700 hours and 1900 hours Mondays to Fridays; and  
0700 hours and 1300 hours Saturdays.

No operations shall be carried out on Saturday afternoons, Sundays, Bank Holidays, or other Public Holidays, without the prior written approval of the Mineral Planning Authority.

The exceptions to this requirement are as follows:

- i) in case of emergencies affecting public safety;
- ii) routine plant maintenance shall be permitted between 1300 hours and 1600 hours on Saturday and 0800 hours to 1600 hours on Sundays.

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Only emergency repairs to machinery may be carried out outside these hours provided no machinery or plant is run or operated.

**Reason:** To control the hours of operation in the interests of local amenity.

### **Access, Traffic and Protection of Public Highway**

- 10) Sole access/egress by vehicles transporting mineral from the site, or which are entering the site to collect minerals shall be by way of the existing access/exit roads to the A50 except during periods when these roads are impassable because the River Trent is in flood. On these occasions, vehicles transporting minerals from the site shall use the existing Aston Lane/Acre Lane access. The Mineral Planning Authority and Shardlow and Great Wilne Parish Council shall be informed immediately by telephone of any such occurrence. The duration of the occurrence, and number of lorry movements during the occurrence, shall be notified to these bodies, in writing, no later than seven days after the end of the occurrence.

**Reason:** To restrict the routes for accessing the site in the interests of local amenity.

- 11) Sole access/egress by vehicles which are importing materials to the site, or which have imported materials to the site for restoration purposes shall be by way of the existing access/exit roads to the A50.

**Reason:** To restrict the routes for accessing the site in the interests of local amenity.

- 12) No loaded lorries shall leave the site unsheeted.

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

- 13) No mud or other dirt shall be carried from the site on to the public highway.

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

### **Noise**

- 14) Except as provided at Condition 15 below, the free field noise generation from the site, expressed as a 1 hour LAeq as measured at all the noise sensitive locations identified in Chapter 14 of the Environmental Statement dated July 2011, shall not exceed the 'preferred' daytime operational limit (expressed as dB for any one-hour) between 0700 hours and 1900 hours, Mondays to Fridays and 0700 hours – 1300 hours on Saturdays.

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**Reason:** To control the impact of noise generated by the development and to provide for the monitoring of the impact in the interests of protecting local amenity.

- 15) The noise limits referred to in Condition 14 above may be exceeded for noise emitted from temporary operations related to the stripping of soils and overburden, formation of soil storage and flood protection bunds and their subsequent re-use for restoration, and received at any of the noise sensitive properties for a total period not exceeding eight weeks in any calendar year, provided that at no time shall noise exceed 55 dBLAeq, 1 hour, free field.

**Reason:** To control the impact of noise generated by the development and to provide for the monitoring of the impact in the interests of protecting local amenity.

- 16) Prior to the commencement of the stripping of topsoil, subsoil and overburden, the formation of storage mounds and their subsequent reuse for restoration in the phases near to the identified noise sensitive properties the operator shall notify the respective occupants at least seven days in advance about the date of commencement, the duration of these operations and the proposed hours of daily working and inform the Mineral Planning Authority, in writing, about the details of the notification within seven days of the date of the notification.

**Reason:** To control the impact of noise generated by the development and to provide for the monitoring of the impact in the interests of protecting local amenity.

- 17) Efficient silencers shall be fitted to, used and maintained in accordance with manufacturers' instructions, on all vehicles, plant and machinery used on the site. Save for the purposes of maintenance, no machinery shall be operated with the covers open and removed.

**Reason:** To control the impact of noise generated by the development and to provide for the monitoring of the impact in the interests of protecting local amenity.

- 18) No audible warning devices shall be used on any mobile plant, including hired plant, except in accordance with details that have received the prior written approval of the Mineral Planning Authority.

**Reason:** To control the impact of noise generated by the development and to provide for the monitoring of the impact in the interests of protecting local amenity.

### Noise Monitoring Scheme

- 19) No operations shall be commenced within the Weston Extension area until a revised scheme for monitoring noise levels arising from operations within the overall quarry complex has been submitted to and approved in writing by the Mineral Planning Authority. The scheme shall be based on the noise monitoring scheme submitted by the applicant company on 17 February 2003, as amended by e-mail dated 3 April 2003 and accompanying noise and dust mitigation document, as approved by the Mineral Planning Authority on 28 April 2003.

**Reason:** To control the impact of noise generated by the development and to provide for the monitoring of the impact in the interests of protecting local amenity.

### Dust

- 20) At all times during the carrying out of operations authorised or required by this permission, water bowsers, sprayers, whether mobile or fixed, or similar equipment and measures shall be used to minimise the emission of dust from the site. No vehicles used for the movement of materials on site shall be equipped with downward pointing exhaust pipes. At such times as the prevention of dust nuisance by these means is not possible, the movements of soils and overburden, infilling materials and any other dust generating activity shall temporarily cease until such time as weather conditions improve and the emission of dust from the site has been abated.

**Reason:** To control dust resulting from site operations and to provide for the monitoring of the impact of dust emissions in the interests of protecting the local amenity and the environment.

### Dust Monitoring Scheme

- 21) No operations shall be commenced within the Weston Extension area until a revised scheme for monitoring dust levels arising from operations within the overall quarry complex has been submitted to and approved in writing by the Mineral Planning Authority. The scheme shall be based on the dust monitoring scheme submitted by the applicant company on 17 February 2003, as amended by e-mail dated 3 April 2003 and accompanying noise and dust mitigation document, as approved by the Mineral Planning Authority on 28 April 2003.

**Reason:** To control dust resulting from site operations and to provide for the monitoring of the impact of dust emissions in the interests of protecting the local amenity and the environment.



### Lighting

- 22) No outdoor lighting in addition to that identified in the lighting survey submitted on 21 September 2004 and indicated on drawing no. S121c/310 shall be installed at the processing plant site, as shown on drawing no S121fc/257, without the prior written approval of the Mineral Planning Authority.

**Reason:** To ensure that lighting is appropriate in the interests of protecting local amenity and the environment.

### Water Protection and Pollution Prevention

- 23) The development shall only be carried out in accordance with the provisions and requirements of the Flood Risk Assessment Addendum dated March 2012 and the following mitigation measures:

1. The dewatering discharge rate is limited to current discharges of an average 100-130 l/s. Should this rate be exceeded to the maximum consented rate of 451 l/s, dewatering must cease immediately, should any flooding occur in the Aston Brook, and water temporarily stored in the quarry void.
2. Operations shall be halted during flooding conditions as is current practice.
3. Ground levels within the restored area should not exceed original contours, and similar proportions of greenfield run-off shall drain to the Aston Brook and the River Trent post restoration when compared to the pre-development situation.
4. The Aston Brook shall be restored to its original course upon completion of the restoration phase. There shall be no decrease in capacity of the channel when restored channel and pre-development channels are compared. Gradients as in the long profile of the channel shall remain similar, with the exception of the addition of pool and riffle sections.
5. The storage mounds shall be in accordance with the details specified in Section G3 of the Addendum. In particular, they shall be placed parallel to the flood flows of the River Trent in the vicinity and there shall be gaps of at least 5m between each.
6. The mound closest to the River Trent, opposite the Priest House Hotel as shown on figure G.2a-d shall remain in place for a six month period only.

**Reason:** To prevent flooding elsewhere by ensuring that discharge rates do not exceed current rates. To ensure safe access and egress to and from the site. To ensure that upon restoration, the pre-developed greenfield scenario is replicated and that there is no increase in flood risk to third parties caused by the loss of floodplain storage. To ensure that flood risk is not increased to third parties from the diversion of the

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Aston Brook. To minimise the potential impact upon blockage of flood flows of the River Trent.

- 24) No development in the Weston Extension area shall be commenced until the applicant/operator has submitted a scheme for water management of the area which has been approved in writing by the Mineral Planning Authority. Thereafter, the scheme shall be implemented as approved.

**Reason:** The applicant outlined the water management proposals for the site only and the radius of influence is reported to be 550m but insufficient calculations have been provided to justify or explain this. A scheme is required to provide adequate protection to the water environment of the area.

- 25) No development in the Weston Extension area shall be commenced until a scheme providing details of the engineering clay lining for the quarry voids has been submitted to and approved in writing by the Mineral Planning Authority. Thereafter, the scheme shall be implemented as approved.

**Reason:** Further details are required to demonstrate that the properties of the clay are suitable to construct a lining and how it would be engineered to protect the environment from the Pulverised Fuel Ash and other infill materials.

- 26) With the exception of those operations detailed in the application documents, no other soil storage or excavations shall take place within 45m of the edge of the bank of the River Trent.

**Reason:** To maintain access to the River Trent and to minimise the risk of a potential breach in the bank of the River Trent.

- 27) The finished level for the haul roads to be used in the site shall be no higher than the corresponding existing ground levels.

**Reason:** To ensure there is no interruption to flood flow routes crossing the site.

- 28) The final levels of the restored land shall not exceed existing ground levels as shown on drawings submitted in accordance with other conditions to this permission.

**Reason:** To ensure that levels are not restored to the detriment of the flood plain in terms of both storage and flood flow.

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- 29) Any facilities for the storage of oils, fuels or chemicals shall be sited on impervious bases and surrounded by impervious bund walls. The volume of the bunded compound shall be at least equivalent to the capacity of the tank plus 10%. If there is multiple tankage, the compound shall be at least equivalent to the capacity of the largest tank, vessel or the combined capacity of interconnected tanks or vessels plus 10%. All filling points, associated pipework, vents, gauges and sight glasses shall be located within the bund or have separate secondary containment. The drainage system of the bund shall be sealed with no discharge to any watercourse, land or underground strata. Associated pipework shall be located above ground and protected from accidental damage. All filling points and tank/vessels overflow pipe outlets shall be detailed to discharge downwards into the bund.

**Reason:** To prevent pollution of the water environment.

- 30) No foul or contaminated drainage from the site shall be discharged into groundwater or any surface water either directly or via soakaways.

**Reason:** To prevent pollution of the water environment.

- 31) Only inert materials and Pulverised Fuel Ash shall be used to infill the site.

**Reason:** To prevent pollution of the water environment.

### Soil Stripping, Handling and Storage

- 32) The Mineral Planning Authority shall be given at least seven days notice in writing of the commencement of soil stripping operations.

**Reason:** To ensure these operations are carried out in the specified appropriate physical conditions and that monitoring arrangements are in place.

- 33) No plant or vehicles shall cross any area of unstripped topsoil or subsoil except where such trafficking is essential and unavoidable for undertaking permitted operations. Essential trafficking routes shall be clearly marked on the ground by stakes or other means. No part of the site shall be excavated, traversed, used for a road, for the stationing of plant or buildings, storage of subsoil or overburden, waste or mineral deposit, until all available topsoil and subsoil have been stripped from that part.

**Reason:** To prevent unnecessary trafficking of soil by heavy equipment and vehicles that could damage the soil.

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- 34) No topsoil and subsoil shall be stripped unless they are in a dry and friable condition. No soils shall be moved:
- i. during the months of November to March inclusive, unless otherwise approved in writing by the Mineral Planning Authority (this shall only be considered on the basis of a soil assessment carried out by a qualified person);
  - ii. when the soil to be moved or trafficked upon has a moisture content that is equal to, or greater than that at which the soils become plastic. (Tested in accordance with the 'worm test' as set out in BS 1377:1975 "British Standards Methods Test for Soils for Civil Engineering Purposes"); and
  - iii. when there are pools of water on the soil surface.

**Reason:** To prevent damage to soils by avoiding movement whilst soils are wet or excessively moist and which, therefore, do not meet the defined criteria.

- 35) All topsoil and subsoil shall be stored in separate mounds. Topsoil storage mounds shall not exceed 3m in height and subsoil mounds 5m in height. The mounds shall be constructed with the minimum amount of compaction. They shall not be traversed by heavy plant or machinery except where essential for purposes of mound construction or maintenance. They shall not subsequently be moved until required for restoration. If continuous mounds are used, dissimilar soils shall be separated by a third material previously approved in writing by the Mineral Planning Authority.

**Reason:** To prevent the loss of soil and minimise damage to soil structure during storage in the interests of the long-term restoration of the site.

- 36) All storage mounds to remain in situ for more than three months shall be grass seeded and managed in accordance with the scheme submitted and accompanying drawing no. S121/364 by the applicant company on 13 December 2007, as approved by the Mineral Planning Authority 17 March 2008.

**Reason:** To prevent the loss of soil and minimise damage to soil structure during storage in the interests of the long-term restoration of the site.

- 37) All topsoil and subsoil shall be retained on site. No later than three months from the stripping and formation of storage mounds in each calendar year, the quantities shall be measured and recorded on a plan

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showing the area of stripped topsoil and subsoil, the location of each storage mound, and the quantity and nature of the stored materials.

**Reason:** To facilitate soil stock-tacking and monitoring of resources in the interests of the long-term restoration of the site.

### Soil Replacement

- 38) Infilling material and soils shall be levelled and graded in accordance with the approved restoration contour plan(s) required by other conditions to this permission.

**Reason:** To ensure adequate surface drainage and to enable an effective under-drainage system to be installed. Excessive slopes increase the risk of soil erosion and hinder use of agricultural machinery.

- 39) No large areas of subsoil shall be left without topsoil and crop cover over the winter. Subsoil shall only be replaced when it and the ground are in a dry and friable condition. No movement, resspreading, levelling, ripping or loosening of topsoil or subsoil shall occur:
- i. during the months November to March inclusive, unless otherwise approved in writing by the Mineral Planning Authority;
  - ii. when rain affects soil conditions;
  - iii. when there are pools of water on the surface of the storage mound or receiving area.

**Reason:** To avoid land being without a vegetation/crop cover and becoming waterlogged over winter, and to control soil erosion. Also, to prevent trafficking of the soils during wet periods and to ensure that restoration is completed sufficiently early in the year as to enable vegetation to be established to protect soil over winter.

- 40) No plant or vehicles shall cross any area of replaced and loosened ground, replaced subsoil, or topsoil except where essential and unavoidable for the purposes of carrying out ripping and stone-picking or otherwise treating such areas. Only low ground pressure machines shall work on prepared ground. Soils shall be lifted into position and levelled by equipment that is not standing on re-laid topsoil or subsoil.

**Reason:** To avoid soil smearing and compaction.

### Archaeology

- 41) No soil stripping shall be undertaken in the Weston Extension area until the applicant/operator has submitted a written scheme of archaeological investigation for the site which has received the approval in writing of

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the Mineral Planning Authority. The approved scheme shall be carried out during all soil stripping and mineral extraction operations.

**Reason:** To ensure that procedures are in place for identifying, excavating and recording any archaeological features that may be uncovered during the development.

### Ecology

42) No development shall be commenced until the applicant or operator has received the approval in writing of the Mineral Planning Authority to an Ecological Management Plan to protect the existing ecological interests of the site. The Plan shall be based on the ecological surveys and in full compliance with all the ecological mitigation measures identified in the Environmental Statement, Appendix B: Biodiversity dated July 2011 submitted by URS Scott Wilson Ltd as part of the planning application, as amended or supplemented by the provisions of the Environmental Statement Addendum B: Biodiversity submitted by URS Scott Wilson Ltd under cover of letter dated 19 March 2012, as referred to in Condition 3. The Plan shall:

- i. make provision for areas to be resurveyed for badgers prior to the commencement of works in any phase and shall make provision for further mitigation measures where necessary; and
- ii. make provision for a further survey to be undertaken immediately prior to the intended felling of any trees to assess the impact on bats that may have inhabited them since the original surveys and to provide measures to mitigate any such disturbance;

The Plan shall be implemented as approved, except as may be otherwise approved in writing by the Mineral Planning Authority.

**Reason:** To ensure that all the mitigation measures identified in the planning application are implemented in the interests of the protection of the ecological interests of the area.

43) No development shall be commenced in the Weston Extension area until the applicant/operator has submitted a Habitat and Environmental Management Scheme for the site which has received the approval in writing of the Mineral Planning Authority. The scheme shall provide details of the long-term design objectives and management responsibilities, and maintenance schedules for all restored and landscaped areas and thereafter it shall be implemented as approved. The scheme shall include the following elements:

- Detail and extent of new tree planting, including wet woodland.
- Details of the maintenance regimes.

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- Details of any habitat created on site including restoration of fields to pasture.
- Details of the treatment of site boundaries and buffers around water bodies including the River Trent.
- Details of the method and program of post-mitigation monitoring.
- Details of management responsibilities.
- A Method Statement for the translocation of trees and hedgerows.
- A plan for the long-term management and monitoring of all new wildlife habitats created on all parts of the development site.

**Reason:** In order to ensure the protection of wildlife and supporting habitat, and secure opportunities for the enhancement of the nature conservation value of the site in accordance with the requirements of the National Planning Policy Framework.

### **Bird Hazard Management Plan**

- 44) No development shall be undertaken in the Weston Extension area until the applicant/operator has obtained the approval in writing of the Mineral Planning Authority to a unified Bird Hazard Management for the whole of the quarry complex. Thereafter, the scheme shall be implemented as approved. Until such time as the revised scheme is approved, all operations within the existing quarry area shall be carried out in accordance with the scheme entitled "Shardlow Quarry Extension Bird Hazard Management Plan" dated January 2004, submitted by the applicant company on 11 February 2004, as approved by the Mineral Planning Authority on 22 March 2004. Thereafter, all operations shall be undertaken in accordance with the provisions of the unified scheme.

**Reason:** To ensure appropriate steps are taken to control the creation of any water bodies on the site in order to discourage birds that may be a hazard to aircraft operating in the area.

### **Management and Protection of Trees, Shrubs, Hedgerows and Boundary Features**

- 45) All existing hedgerows and fences, and any new fencing around the site boundary, shall be maintained throughout the period of operations until the aftercare of the site has been completed. All existing hedgerows and fences within the site shall be maintained until they are removed in accordance with the phased working scheme(s) required by other conditions to this permission. There shall be no soil stripping or storage, excavation or site traffic within 6m of any site boundary hedgerow or within 10m of hedgerow that includes trees.

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**Reason:** To ensure that the trees, hedgerows and shrubs are properly protected during the development and in the interests of the visual amenity and local landscape.

- 46) In the first available planting season after the date of this planning permission, gaps in existing hedgerows (including hedgerow trees) to be retained shall be planted up with the same species as in the existing hedgerow. The hedgerows shall be inspected annually by representatives of the company and the Mineral Planning Authority, and any gaps that they identify during the development and aftercare periods shall also be planted up. Maintenance of any new planting in the hedgerows shall include fertilising, weed control and the replacement of dead, dying or missing stock. The hedgerows shall be trimmed in accordance with good agricultural practise and as agreed with the Mineral Planning Authority.

**Reason:** To ensure that the trees, hedgerows and shrubs are properly protected during the development and in the interests of the visual amenity and local landscape.

### Tree Protection Scheme

- 47) No development shall be commenced within the Weston Extension area until the applicant/operator has secured the approval in writing of the Mineral Planning Authority of a unified scheme of tree protection (including details of the protection of tree roots on retained trees) for the whole of the quarry complex. Thereafter, the scheme shall be implemented as approved. Until such time as a unified scheme has been approved, the mature trees to be retained on the existing quarry site shall be protected and conserved in the accordance with the scheme and accompanying drawing no. S121c/284 submitted by the applicant company on 17 September 2003, as approved by the Mineral planning Authority on 12 January 2004. The trees protected by the existing scheme shall be inspected annually in September of each year by representatives of the company and the Mineral Planning Authority and any deviations from the approved scheme shall be rectified forthwith. This provision shall continue into the operation of the Weston extension area.

**Reason:** To ensure that the trees, hedgerows and shrubs are properly protected during the development and in the interests of the visual amenity and local landscape.

### Tree, Hedgerow and Aquatic Plant Translocation

- 48) No hedgerows, which are to be translocated, shall be removed until a scheme providing details of the method of translocation, including their



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litter and brashing, has been submitted to and approved in writing by the Mineral Planning Authority. The scheme shall specify:

- i. the location of the existing hedgerows which are to be translocated and the locations to which the hedgerows and litter strips are to be moved (on a plan at a scale of 1:1250);
- ii. the method of lifting, site preparation and replacing of the hedgerows to include:
  - a. The lifting of a 1 metre wide strip of soil from either side of the hedgerow to be translocated.
  - b. The replacement of the strip of soil to the appropriate location.
- iii. the measures to be taken to protect, maintain and manage the hedgerow and strip;
- iv. a programme of implementation; and
- v. measures to be undertaken should the translocation fail.

The scheme shall be implemented as approved.

**Reason:** For the avoidance of doubt and to ensure that the proposed works are undertaken and managed in the most appropriate manner in the interests of the landscape and visual amenity of the area.

- 49) No trees which are to be translocated shall be removed until a scheme for their translocation has been submitted to and approved in writing by the Mineral Planning Authority. The scheme shall specify:

- i. the location of each individual tree to be translocated and the locations to which the trees are to be moved (on a plan at a scale of 1:1250);
- ii. the method of lifting, site preparation and replacing of trees;
- iii. the measures to be taken to protect, maintain and manage the trees at the receptor sites;
- iv. a programme of implementation; and
- v. measures to be undertaken should the translocation fail.

The scheme shall be implemented as approved.

**Reason:** For the avoidance of doubt and to ensure that the proposed works are undertaken and managed in the most appropriate manner in the interests of the landscape and visual amenity of the area.

- 50) No works on Aston Brook shall be commenced until a scheme for the translocation of aquatic plants from the Brook has been submitted to and approved in writing by the Mineral Planning Authority. The scheme shall specify:

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- i. the species of plants to be translocated;
- ii. the location and estimate of the numbers of plants to be translocated;
- iii. the locations to which the plants are to be translocated (on a plan at a scale of 1:1250);
- iv. clarification of which plants are to remain in their new location and which ones are to be returned to Aston Brook upon its reinstatement;
- v. the method of lifting, site preparation and replacing of the plants;
- vi. the measures to be taken to protect, maintain and manage the plants at the receptor sites;
- vii. a programme of implementation; and
- viii. measures to be undertaken should the translocation fail.

The scheme shall be implemented as approved.

**Reason:** For the avoidance of doubt and to ensure that the proposed works are undertaken and managed in the most appropriate manner in the interests of the landscape and visual amenity of the area.

## Restoration

### Restoration: Quarry Complex

- 51) Except as otherwise required by the terms of other conditions of this planning permission, the whole quarry complex site, including the existing operational areas and the Weston extension, shall be restored in accordance with a scheme which has been submitted to and approved in writing by the Mineral Planning Authority. The scheme shall be based on the details provided in the planning application and Environmental Statement dated July 2011 submitted by URS Scott Wilson Ltd, as amended by the details contained in the further submissions under cover of the two letters dated 19 March 2012. Thereafter, the scheme shall be implemented as approved.

For the avoidance of doubt, this provision relates to the form, timing and phasing of restoration. It shall cover the following elements:

- 1) The inclusion of any scheme approved under the terms of planning permission CM9/900/48 and CM9/0211/163.
- 2) The processing plant, stocking area and silt lagoons.
- 3) The waste transfer area.
- 4) The area covered by the Weston Extension.

**Reason:** To ensure that the site is restored in accordance with the terms approved by the Mineral Planning Authority in the interests of the environment, landscape and amenity of the area.

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### Restoration: Haul Road Link to A50

- 52) The haul road and associated links from the processing plant site to the A50 shall be removed, restored and landscaped, or otherwise treated, in accordance with a scheme that has received the prior written approval of the Mineral Planning Authority in consultation with Severn Trent Water Ltd. The scheme, which shall be submitted no later than 24 months before the completion of the development, or within six years of the date of commencement, whichever is the sooner, shall thereafter be implemented as approved by the Mineral Planning Authority.

**Reason:** To ensure that the haul road is reclaimed, or otherwise treated, when it is no longer required and that account is taken of Severn Trent Water Limited's interest in it.

### Landscaping

- 53) Within six months of the date of this permission, the applicant/operator shall submit a scheme for the landscaping of the site, including all advanced planting, for the approval in writing of the Mineral Planning Authority. Thereafter, the scheme shall be implemented on a progressive basis (as approved) and shall be completed within two years of the date of the completion of mineral extraction activities, unless otherwise approved in writing by the Mineral Planning Authority.

The scheme shall make provision for the following areas:

- a. The completion, as approved, of the landscaping scheme for the mineral extraction area and associated working area north of the railway line covered by planning permissions CM9/900/48 and CM9/0211/163. The details of these schemes were provided in the submissions from Hanson Aggregates dated 23 September 2003, 5 July 2007 and 3 February 2010, and were approved by the Mineral Planning Authority on 12 January 2004, 6 August 2007 and 14 May 2010 respectively.
- b. Progressive landscaping of the area covered by planning permissions CM9/900/48 and CM9/0211/163, lying to the south of the railway line.
- c. The area covered by the Weston Extension.
- d. Details of the species, size, spacing and maintenance details for the advanced planting indicated on drawing number D136735.SS.006 Rev A.
- e. The area of the processing plant, stocking area and silt lagoons.
- f. The waste transfer area.
- g. Advance planting in the Weston Extension area as indicated on drawing no. D136735.SS.009 Rev A.

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The scheme shall also make provision for the following elements:

- a) details of the location, species, size and spacing of trees, shrubs and hedgerow plants;
- b) measures to protect newly planted stock and provision for the removal of tree guards;
- c) fencing and gates when no longer required;
- d) replacement planting for any trees, shrubs and plants which die, become diseased or otherwise removed;
- e) seed mixture, fertilisers and weedkillers to be used and their rates of application;
- f) management and maintenance; and
- g) a programme of implementation.

**Reason:** To ensure that the overall quarry complex site is landscaped after being restored in the interests of assimilating it into the surrounding landscape.

- 54) All advance planting within the proposed Weston Extension area, as indicated on drawing no. D136735.SS.009 Rev A, shall be maintained in the accordance with a scheme that has been submitted to and approved in writing by the Mineral Planning Authority. The scheme shall be submitted no later than six months from the date of this planning permission. All advanced planting undertaken in accordance with planning permission CM9/900/48 shall be maintained in accordance with the scheme and accompanying drawing no. S121c/272 submitted by the applicant company on 6 March 2003, as approved by the Mineral planning Authority on 28 April 2003.

**Reason:** All of the restored land at the overall quarry complex shall be subject to an aftercare programme which shall be carried out in accordance with a unified scheme that has been submitted to and approved in writing by the Mineral Planning Authority. The scheme shall be submitted within 12 months of the date of this permission and thereafter, the scheme shall be implemented as approved. Until such time as a unified scheme has been approved, the areas restored under the terms of planning permission CM9/900/48 shall continue to be maintained in accordance with the scheme entitled "Shardlow – Agricultural Areas on Restoration Scheme Plan no S121fc/220" and accompanying drawing no. S121fc/220 submitted by the applicant company on 5 July 2007 as approved by the Mineral Planning Authority on 6 August 2007.

- 55) For each year that the site remains in aftercare, a detailed annual aftercare programme shall be submitted to the Mineral Planning Authority for approval setting out (a) proposals for managing the land in

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accordance with the rules of good husbandry, including planting, cultivating, seeding, fertilising, weed control, draining, watering or otherwise treating the land for the forthcoming 12 months; and (b) a record of aftercare operations carried out on the land during the previous 12 months. The annual programme, which shall be implemented as approved by the Mineral Planning Authority, shall be submitted in writing three months prior to any part of the site being restored, and every subsequent year during the aftercare period.

**Reason:** To ensure a suitable regime of agricultural husbandry is pursued to comply with the requirements of Schedule 5 of the Town and Country Planning Act 1990 in order to bring each phase of restored land to the required standard for agriculture.

- 56) The mineral operator shall arrange an aftercare meeting on site before March of every year during the aftercare period unless otherwise approved in writing by the Mineral Planning Authority. The Meeting shall include representatives from the operators and Mineral Planning Authority.

**Reason:** To ensure a suitable regime of agricultural husbandry is pursued to comply with the requirements of Schedule 5 of the Town and Country Planning Act 1990 in order to bring each phase of restored land to the required standard for agriculture.

- 57) For the first five years following the implementation of each phase or phases, planting shall be maintained in accordance with the principles of good forestry and husbandry, and any hedgerow plant and trees which die or become seriously diseased or are missing shall be replaced with plants of the same species or such alternative species as may be approved in writing by the Mineral Planning Authority.

**Reason:** To ensure a suitable regime of agricultural husbandry is pursued to comply with the requirements of Schedule 5 of the Town and Country Planning Act 1990 in order to bring each phase of restored land to the required standard for agriculture.

## Other Controls and Requirements

### Railtrack

- 58) No extraction shall take place within a lateral distance of 20m from the railway boundary. Outside that distance, no excavation shall take place that shall encroach upon the plane created by a line drawn at 1 vertical to 1.5 horizontal downwards from the 20m berm.

**Reason:** To ensure the continued stability of the embankment in the interests of railway safety.

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- 59) Soil storage bunds shall be placed at least 6m from the railway boundary.

**Reason:** To ensure the continued stability of the embankment in the interests of railway safety.

### Processing Plant Maintenance

- 60) The external cladding and painting of all existing and new buildings, fixed plant, machinery and structures comprising the processing plant and ancillary operations, including the ready-mix concrete plant, and any recladding or repairing of any such existing item, shall conform with colour BS4800 00-A-05 (light grey), and shall be so maintained.

**Reason:** To control the visual impact of the development in the interests of the visual amenity of the area.

### Water Pumping Scheme

- 61) Water pumping operations in the Weston Extension area and the remaining mineral extraction operations in the land to the south of the railway shall be carried out in accordance with the water pumping scheme as set out in the document entitled 'Shardlow quarry: Condition 51 (including measures for protection of Trentside Ponds under Condition 48) – Water pumping scheme' and drawing no. S121/371 submitted by the applicant company on 22 April 2008 as approved by the Mineral Planning Authority on 14 July 2008 under the terms of the requirements of planning permission CM9/900/48.

**Reason:** To ensure that before any pumping operations are undertaken on the site, the nature of the operations and their potential impact have been fully considered in the interests of local amenity and the environment.

### Trentside Ponds

- 62) The Trentside Ponds shall be protected in accordance with the scheme designed for their protection and conservation, as set out in the document entitled "Shardlow Quarry: Condition 51 (including measures for protection of Trentside Ponds under Condition 48) – Water pumping scheme" and accompanying drawing no. S121/371 submitted by the applicant company on 22 April 2008 as approved by the Mineral Planning Authority on 14 July 2008 under the terms of planning permission CM9/900/48.

**Reason:** To protect and enhance the Trentside Ponds in the interests of nature conservation.

**Landfill Transfer Station Area**

- 63) All pulverised fuel ash and other waste materials that are to be used in the infilling and restoration of the excavated areas of the site shall be tipped and stored only in the area identified as the Landfill Transfer Station on drawing number S28/10 dated January 2011 submitted with the application documents dated February 2011. The height of the stockpiles of material on this area shall not exceed the height of the boundary bund which accommodates the Primary Feed Hopper (situated adjacent) at a crest height of 40mAOD.

**Reason:** For the avoidance of doubt and to control and monitor dust emissions from the site in the interests of local amenity and the environment.

- 64) Throughout the duration of the use of the Landfill Transfer Station, the area it occupies and the material stored on it shall be treated with water bowsers, sprayers or other similar equipment to minimise the emission of dust.

**Reason:** For the avoidance of doubt and to control and monitor dust emissions from the site in the interests of local amenity and the environment.

- 65) Dust from the site shall be monitored in accordance with a monitoring scheme that has received the prior written approval of the Mineral Planning Authority. The scheme shall be submitted no later than three months from the date of this planning permission and it shall be based on the scheme submitted by the applicant on 17 February 2003, as amended by email dated 3 April 2003 and the accompanying noise and dust mitigation document, as approved by the Mineral Planning Authority and shall include:

- i) monitoring objectives
- ii) location and number of monitoring stations
- iii) duration and frequency of monitoring
- iv) provision for results to be made available to the Mineral Planning Authority and South Derbyshire District Council Environmental Health Officer
- iv) action plan if trigger levels are exceed; and
- v) mitigation measures if required.

**Reason:** For the avoidance of doubt and to control and monitor dust emissions from the site in the interests of local amenity and the environment.

### **Management of Land Prior To Extraction And In Those Areas Where No Extraction Will Take Place**

- 66) All the remaining undisturbed land to south of the railway, lying within the existing quarry area, together with land in the extraction areas within the approved Weston extension area, shall be managed in accordance with good agricultural practise (including weed control) until such time as they are required for mineral extraction. The land comprising the stand-off to the River Trent, the stand-off to the Trent and Mersey Canal, and the other areas of the site that will not be disturbed by mineral extraction, shall be managed in accordance with good agricultural practise (including weed control) throughout the period of development, restoration and aftercare.

**Reason:** To ensure that all land to remain undisturbed throughout the development, and land that will not be worked until later in the extraction programme is properly maintained for the current usage and in the interests of local amenity and the environment.

**7.3** That the existing liaison committee for Shardlow Quarry be continued for the duration of development at this site.

### **Policies**

The principal planning policies relevant to this grant of planning permission are:

#### **National Planning Policies:**

National Planning Policy Framework

Planning Policy Statement 10: Planning for Sustainable Waste Management (PPS10)

#### **Derby and Derbyshire Minerals Local Plan:**

MP1: The Environmental Impact of Mineral Development

MP2: The Need for Mineral Development

MP3: Measures to Reduce Environmental Impact

MP4: Interests of Acknowledged Environmental Importance

MP5: Transport

MP6: Mitigation Measures

MP7: Archaeology – Mitigation Measures

MP8: Planning Conditions

MP9: Planning Obligations

MP10: Reclamation and Aftercare

MP16: Maintenance of Landbanks

MP19: Additional Sites

MP21: Sand and Gravel Sites



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### **Derby and Derbyshire Waste Local Plan:**

W5: Identified Interests of Environmental Importance

W6: Pollution and Related Nuisances

W7: Landscape and Other Visual Impacts

W8: Impact of Transporting Waste Planning Authority

W9: Protection of Other Interests

W10: Cumulative Impact

W11: Need for Landfill

W12: Reclamation and Restoration

### **South Derbyshire Local Plan**

Environmental Policy 1: Development in the Countryside

Environmental Policy 11: Sites and features of Natural History Interest

Environmental Policy 13: Listed and other Buildings of Architectural or Historic Interest

Environmental Policy 14: Archaeology and Heritage Features

Recreation and Tourism Policy 8: Public Footpaths and Bridleways

### **Statement of Compliance with Article 31 of the Town and Country Planning (Development Management Procedure) (England) Order 2010, as amended**

The Mineral Planning Authority engaged with the applicant in a positive and pro-active manner based on seeking solutions to problems and issues arising in the processing of this planning application in full compliance with this Article.

Whilst the applicant engaged in some pre-application discussions, a Scoping Opinion was not requested at an early stage; consequently, the Mineral Planning Authority did not have a full opportunity to influence the Environmental Statement that was submitted with the planning application. The subsequent (post application) assistance provided by the Mineral Planning Authority related to the effective use of the provisions of the Town and Country Planning Environmental Impact Assessment Regulations and the provision of advice from consultees, from within the Authority and from external bodies.

The Environmental Statement, as submitted, covered all the necessary topics but did not fully address all the relevant aspects and issues of each topic and contained some assessments where the presentation was not satisfactory. In accordance with the Environmental Impact Assessment (EIA) Regulations, the applicant was given clear advice as to the form and content of the supplementary survey work required to enable an appropriate assessment of the proposed development to be made. The requested information related to the need to complete the range of survey work submitted with the application which related to the range and location and condition of trees and hedgerows on the site, the presence or otherwise of birds and animals and further details

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of the disturbance and reinstatement of Kings Mill Lane. The consequence of the response to this request resulted in the applicant making a number of significant alterations to the form of the proposed development and the restoration of the site. Advice from officers of the Authority in consultation with the Environment Agency resulted in changes to the provisions for the screening of the site from Priest House Hotel. Advice from the Highway Authority resulted in beneficial changes to size and layout of the haul road where it crosses King's Mill Lane.

The environmental information and the subsequent supplementary information was taken into consideration by the Mineral Planning Authority in reaching this decision.

### **Footnotes**

- 1) Attention is drawn to the advice to the applicant/operator in the letter dated 27 April 2012 from the Environment Agency.
- 2) Attention is drawn to the advice in the attached memoranda from the Rights of Way Officer dated 15 May and 24 September 2012.

**Mike Ashworth**  
**Strategic Director – Economy, Transport and Environment**

# CM9/0811/53 - Proposed Weston Extension to Shardlow Quarry

