

Local Members	
Mrs. J. Jessel and Mrs. J. M. Eagland	East Staffordshire – Needwood and Lichfield – Rural North

Planning Committee 6 August 2020

Minerals County Matter

Application No (District): [L.19/09/817 MW](#) (Lichfield)

Applicant: Tarmac Trading Limited

Description Planning application for the winning and working of sand and gravel including a southern extension and the re-phasing of permitted working and restoration schemes; the restoration of the quarry by the importation of inert waste material; the provision of new crossing points and conveyor bridges at Stockford Lane, Sittles Lane and Roddige Lane as well as the continued use of existing crossing points on Roddige Lane, the A513 and Croxall Road; and the continued use of the mineral processing plant and other ancillary facilities already permitted including weighbridge, site offices, field conveyor, concrete batching plant and bagging plant

Location: Alrewas Quarry, Croxall Road, Alrewas, Burton on Trent

Background/ Introduction

1. Sand and gravel extraction at Alrewas Quarry commenced in the 1970's and the quarry mainly produces aggregates for concrete production. Recently, the applicant has indicated that the quarry will be used to supply aggregates to concrete plant associated with construction of the phase 1 section of the HS2 railway.
2. Current mineral extraction takes place south of the A513 and is subject to a modified planning permission granted in November 2019 (reference L.19/03/817 MW). This permission allows for the output of the quarry to increase to 750,000 tonnes per annum in connection with the applicant's contracts to supply sand and gravel to the construction of the HS2 railway. At the time of submitting the planning application now under consideration, there were 3.4 million tonnes of remaining permitted reserves of sand and gravel. This would mean that the remaining reserves would be exhausted during 2024 which is in advance of the current cessation date of 17 May 2027 as defined by the relevant planning permission.
3. The applicant by submitting this application seeks to extract additional sand and gravel reserves by extending the quarry further southwards involving land that is allocated in the Minerals Local Plan for Staffordshire.

Site and Surroundings

- Alrewas Quarry is located to the south-east of Alrewas village and is separated from the main area of the village by the A38 dual carriageway as well as a railway line connecting Lichfield and Burton upon Trent as shown on Plan 1 to this report. The mineral processing plant site including concrete batching and bagging plants as well as offices, are situated off Croxall Road to the north of the A513 and immediately to the west of the National Memorial Arboretum.



Figure 1: View of allocated site extension, looking southwards with plant site and National Memorial Arboretum (bottom left) – Alrewas village and A38 (right hand side of photo) – restored Whitemoor Haye area with lakes (top left) [c.2008]

- The application comprising of 248 hectares of land, is intended to consolidate the remaining mineral development subject of the current planning permission with the proposed southern extension to the quarry. The proposed southern extension includes 63.5 hectares of mainly agricultural land which is situated in the parish of Fradley and Streethay, to the south and west of land that has been quarried. The western boundary of the extension area is defined by the Lichfield to Burton railway; the most southerly boundary is near to Brookhay Wood; and, includes land adjoining Stockford Lane to the east. There are isolated residential properties in the locality of the proposed extension including Dunstall Farm and Waterworks Cottages near the Fradley pumping station off Brookhay Lane which are to the west of the railway; and Roadside Cottage and Sittles Farm off Stockford Lane. The Lichfield and District crematorium is situated immediately to the west of the railway off Fradley Lane.



Figure 2: View looking south-westwards from Sittles Lane towards land within proposed phase 4A (Lichfield and District Crematorium in background)



Figure 3: View looking south-westwards from Fine Lane towards land within proposed phases 4B and 5A

Summary of Proposals

6. The development would consist of the following key elements:

Winning and working of an additional 1.5 million tonnes of sand and gravel

7. It is proposed to win and work 1.5 million tonnes of sand and gravel in addition to the 3.4 million tonnes remaining within the current permitted area. Based on a maximum permitted output of 750,000 tonnes per annum as would be required to supply HS2 along with other contracts, all mineral extraction would be completed within 7 years. Based on the output of 600,000 tonnes per annum which is now allowed at the quarry prior to operations associated with the supply of HS2 contracts, the extended mineral reserve would be extracted within 9 years.
8. Commencement of extraction within the proposed extension would be as soon as possible. Consequently, the extraction of remaining permitted reserves north of Roddige Lane and then north of the A513 would be deferred until the reserves within the proposed southern extension are extracted. Plan 2 shows the proposed working scheme including the extent of permitted and proposed extraction as well as the revised phasing of working operations.
9. Sand and gravel would be transported to the existing processing plant by a

combination of dump truck and field conveyor. Currently, the conveyor extends to the fields north of Roddige Lane and it is currently proposed to extend this field conveyor onto land south of Roddige Lane and then south of Stockford Lane. This would require bridges for the conveyor to be erected over the two roads. To transport reserves from land between Fine Lane and Roddige Lane, it is proposed to provide a road crossing on Sittles Lane which would enable a dump truck to access the proposed conveyor situated on land to the east.



Figure 4: View of recent excavation of sand and gravel from land south of Roddige Lane

10. The export of sand and gravel and ancillary products would continue to use the access onto Croxall Lane which connects with Barley Green Lane and the A513 to then provide access to the A38. No changes are proposed to the number of permitted lorry movements associated with the quarry.
11. It is anticipated that 5 to 8% of the sands extracted, would be separated as silt and this material would be deposited in existing lagoons to the north-east of the processing plant site. No additional lagoon capacity is required for the disposal of silt.
12. The submitted working plan as shown on Plan 2 indicates that soils removed from land subject to extractive operations would be temporarily stored in mounds around the limits of the proposed extraction areas. In addition, extraction areas would be offset from the crematorium and Roadside Cottage to minimise noise effects. A further offset is proposed to safeguard Brookhay Wood which is designated as ancient woodland to safeguard the woodland from dewatering operations.
13. No changes are proposed to the current permitted hours of operation for extractive, processing or restoration operations

Restoration of the extension area to agricultural use by backfilling with 0.9 million cubic metres of waste

14. Restoration of the proposed extension is based on reclaiming land to agricultural use as shown on Plan 3 and therefore, it would be necessary to backfill the quarry void with materials brought onto the site. This is most likely to involve a continuation of importing inert waste materials as undertaken elsewhere in the quarry although there remains an option that quarry wastes could be brought from other quarries for disposal. Based on an import rate of 250,000 cubic metres per annum, it is anticipated that restoration of the entire site would be achieved by 2034. It is also anticipated that the land within the proposed extension would be restored by 2029.
15. HGVs delivering backfill materials would access the quarry at entrances already defined by the current permission (i.e. Croxall Lane and Barley Green Lane) and to deliver materials to backfill the proposed extension area, it would be necessary to provide two additional road crossings for HGVs, one on Stockford Lane and the other across Sittles Lane, the lane between Roddige Lane and Fine Lane.
16. Within the proposed extension area, it is also intended to provide contributions to local biodiversity objectives with water-based nature conservation habitats, including open water; wetland and lowland meadow/ grassland establishment; along with woodland planting; and hedgerow enhancement.
17. Restoration for the current permitted area remains unchanged with proposals for land immediately to the north of the A513 intended to be developed for the benefit of the National Memorial Arboretum which would require separate planning permission from Lichfield District Council (refer to Plan 4).

Continuation of ancillary uses

18. Permission for the ancillary concrete batching plant and bagging plant are tied in with the duration of the current permission for quarrying and therefore, would be removed from Alrewas Quarry when the quarrying ceases. The proposed extension would not extend the permitted duration of these ancillary uses but would support the continued use of the plant with the supply of additional mineral.
19. The application is accompanied by many documents and plans including:
 - Planning Statement
 - Environmental Statement (including content as a Mineral Development Statement and a Waste Development Statement)
 - Technical Summary of Environmental Statement
 - Appendices to Environmental Statement including:
 - Landscape and visual Impact Assessment
 - Soil Resources and Agricultural Use and Quality report
 - Hydrogeological and Hydrological Impact Assessment
 - Archaeology & Cultural Heritage Assessment

- Ecological Impact Assessment
- Noise Assessment
- Transport Assessment
- Air Quality Assessment

The Applicant's Case

20. The applicant has developed these proposals in order to maintain a sustainable contribution to the County's landbank and, to supply nationally important precast concrete facilities situated along the A38 corridor as well as to maintain sufficient reserves to meet projected demands from HS2. The proposals also seek to safeguard the twenty-two jobs that are maintained on site, and the jobs of many indirect employees.
21. The applicant refers to pre application advice provided by the Mineral Planning Authority, that indicated the proposed extension to the site could be supported so long as: the development criteria identified in the site allocation profile are appropriately addressed; the methodology of transporting materials across the site is sustainable; and the restoration scheme is palatable to wider stakeholders. It is submitted by the applicant that the proposals meet these criteria.

Relevant Planning History

22. Alrewas Quarry has been operating for more than 40 years with initial mineral extraction taking place on land north of the A513. The quarry was extended south of the A513 into an area known as Whitemoor Haye in 1997 and more, recently additional land south of the A513 around Roddige Farm has been developed. Details of the relevant permissions and other planning decisions can be found listed in [Appendix 1](#).

Environmental Impact Assessment (EIA)

23. The findings of the ES (and the environmental information subsequently received) are summarised in [Appendix 2](#).

Appropriate Assessment

24. In accordance with the Habitats Directive (Council Directive 92/43/EEC) and Regulation 48 of the Habitats Regulations 1994, a screening assessment has been carried out on the effects of the proposal on the River Mease Special Area of Conservation (SAC). Based on the information submitted, it is considered that the proposed development would not result in a negative impact on the River Mease Special Area of Conservation (SAC).

Findings of Consultations

Internal

25. **Environmental Advice Team (EAT)** – no objections, subject to conditions relating to:

- Production of a comprehensive management plan for treatment of boundaries to remediate landscape effects.
- Submission of details of site lighting in line with recommendations in 8.18 of the Ecological Impact Assessment. This should include a lighting plan (contours) that confirms that light spill will not affect nearby vegetation or contribute to night sky effects.
- Prior to commencement, submission of a scheme of hydrological monitoring and mitigation. The scheme should include provision for replacement or repair of water monitoring point BH48P.
- Prior to commencement of any site works, submission of a Construction Environmental Management Plan (Ecology). [Note: details have subsequently been submitted and found to be acceptable]
- Within one year of commencement, submission of a Landscape and Ecological Management Plan (LEMP). [Note: details have subsequently been submitted and found to be acceptable]
- Soil bunds around boundaries to be situated a minimum of 5 metres from trees, hedges and ditches.
- Within one year of commencement, details of landscaping to be submitted to include seed mixes and tree and hedge planting.
- Prior to commencement, submission of details of great crested newt mitigation methods to be employed, including any temporary habitat creation. [Note: details have subsequently been submitted and found to be acceptable]

An informative note regarding outstanding issues involving Public Footpath No 40 Fradley and Streethay is required.

The County Ecologist has considered the impact of the proposals on European Protected Species and a record of that consideration is found in [Appendix 3](#) to this report.

The County Archaeologist has recommended that the applicant submit a Written Scheme of Archaeological Investigation. The applicant has responded to this requirement and the submitted detail is found acceptable for implementation.

26. **Highways Development Control** (on behalf of the Highways Authority) (HA) – no objections subject to a condition that the development shall not be brought into use until the access and crossings to the site within the limits of the public highway have been completed. An informative is also required to advise that off-site highway works shall require a Highway Works Agreement with the County Council.
27. **Planning Regulation Team** – confirm that they have no comments.
28. **Flood Risk Management Team** (on behalf of the Lead Local Flood Authority) – no objections subject to conditions requiring development to be carried out in accordance with the submitted Flood Risk Assessment and the Hydrological and Hydrogeological Impact Assessment; that following restoration, an appropriate

system of agricultural drainage should be established in order to facilitate the use of land to the south of the A513 for agriculture; and, there should be no significant increase in restoration levels compared with the current ground levels.

29. **County Council's Noise Engineer** - no objection on noise grounds subject to the 100 metre stand off and bunding being conditioned for Roadside Cottage together with appropriate noise limits based around LA90 background noise level + 10 dB, subject to a maximum of 55 dB LAeq, 1hr.
30. **County Council's HS2 Project Manager** – no objection but highlights arrangements for HS2 contractors in terms of adherence to the [Code of Construction Practice \(CoCP\)](#) and routes to the construction scheme.

External

31. **Lichfield District Council (Planning)** – no objection provided that the County Council is satisfied that the proposals will not impact on residential amenity or protected species.
32. **East Staffordshire Bough Council (Planning)** - no objection.
33. **Lichfield District Council's Environmental Health Officer** - no objections. It is advised that the recommendations in the noise report should be used to form the basis for a noise management scheme for the site.
34. **East Staffordshire Bough Council's Environmental Health Officer** – no objection.
35. **Alrewas Parish Council** – no objection.
36. **Fradley & Streethay Parish Council** – confirmed that they have no comments.
37. **Whittington/ Edingale Parish Councils**- no comments received.
38. **Highways England** - no objection.
39. **Historic England** - no comments received.
40. **Environment Agency (EA)** - no objections subject to conditions to require a review of the existing groundwater management and monitoring scheme as well as the scheme to mitigate the impact of de-watering on local water features. Advice is also provided regarding the potential requirement for an abstraction licence and for a variation of a Mining Waste Permit.
41. **Natural England** - no objection.
42. **Canal and Rivers Trust** – confirmed that they have no comments.
43. **National Air Transport Service** - no objection.
44. **Network Rail** - no objection subject to conditions relating to drainage, details of excavations in proximity to the railway, HGV routes and landscaping.
45. **National Grid** - no comments received.

46. **Cadent Gas** - no objection subject to the inclusion of an informative relating to protection of a gas pipeline
47. **British Pipeline Agency** - no objection subject to the inclusion of an informative relating to protection of the oil pipeline.
48. **South Staffordshire Waterworks Company** - no comments received.

Publicity and Representations

49. Site notice: YES Press notice: YES
50. 63 neighbour notification letters were sent out and 6 representations have been received. The concerns raised are summarised below:
 - The poor condition of the existing road crossing at Roddige Lane (i.e. damage to surface and mud/ dirt deposited on highway) and safety concerns for highway users;
 - Noise and dust and adequacy of bunding to mitigate these effects in proximity to properties off Brookhay Lane.
 - Noise impact on the nearby crematorium particularly during construction of the 4m-high earth screening bunds. It is requested that consideration be given to introducing a greater stand-off from the western extent of Phases 4a and 4b to reduce noise impact on mourners at the Crematorium during cremations and visitors seeking quiet reflection at the Gardens of Remembrance.
 - Intrusive reversing beepers have been reported as a complaint about existing operations [this complaint was reported to the operator who has instructed their contractor to fit “white noise alarms” which are less intrusive and are normally used on vehicles at the quarry].

The development plan policies (and proposals) and the other material planning considerations relevant to this decision

51. National Planning Practice Guidance – Determining planning application - [How must decisions on applications for planning permission be made?](#) explains that:

‘To the extent that development plan policies are material to an application for planning permission the decision must be taken in accordance with the development plan unless there are material considerations that indicate otherwise.

The National Planning Policy Framework represents up-to-date government planning policy and is a material consideration that must be taken into account where it is relevant to a planning application or appeal. This includes the presumption in favour of development found at [paragraph 11 \[not 14 as stated\] of the \[National Planning Policy\] Framework](#). If decision takers choose not to follow the National Planning Policy Framework, where it is a material consideration, clear and convincing reasons for doing so are needed.’

52. [Appendix 4](#) lists the development plan policies (and proposals) and the other

material planning considerations, relevant to this decision.

Observations

53. Having given careful consideration to the application, environmental and other information, including the environmental information subsequently received, consultee comments and the representations received, the relevant development plan policies and the other material considerations, referred to above, the key issues are considered to be:
- The general development plan policy and other material planning policy considerations.
 - The site-specific development plan policy considerations and the matters raised in representations.
 - The opportunity to review and update the conditions of the planning permission and the terms of the Section 106 Legal Agreement

The general development plan policy and other material planning policy considerations

54. Both national and local planning policies recognise the importance of minerals for sustainable economic growth. The National Planning Policy Framework (NPPF) contains specific mineral planning policy guidance and provides general planning policy guidance which is underpinned by a presumption in favour of sustainable development. Paragraph 205 of the NPPF explains that:
- ‘When determining planning applications, great weight should be given to the benefits of mineral extraction, including to the economy.’
55. Policy 1 of the Minerals Local Plan (MLP) for Staffordshire sets out how provision will be made for sand and gravel in the county up to the end of 2030 and refers to 11 proposals for the extension of quarries. One of these proposals allocates land to which this application relates (refer to inset map 6 in the appendix 1 to the MLP) and policy 1.2 of the MLP requires that:
- ‘Any proposals to develop the allocated extension sites will only be supported where it has been demonstrated that they accord with the Plan policies, including Policy 4 and address the development considerations listed in appendix 1.’
- Furthermore, policy 1.3 requires that:
- ‘Planning permission to extend a site will normally be conditioned so that the extension area can only be worked following cessation of mineral working within the existing site unless it has been demonstrated that there are operational reasons why this is not practicable.’
56. Commentary: On the basis that the application site relates to an allocation promoted in the MLP, the principle of developing the proposed extension is accepted. It is likely that the proposed extension would not significantly extend the duration of mineral production at the quarry due to the operator’s intention to increase production at the quarry to meet contracts for concrete as required by construction

works on the HS2 railway.

57. In accordance with policy 1.2 of the MLP, it is necessary to consider whether the submitted proposals address the development considerations as identified for the allocation and set out under inset map 6. The table below lists the information provided in the application to address these considerations.

Development considerations for the Alrewas South allocation	Addressed in the application/ environmental statement (ES) by:
Existing copses should be retained and linked to further planting. Where possible, existing hedgerows should also be retained with suitable buffers.	Refer to Appendix 3 of ES - Landscape Visual Impact Assessment (LVIA) dated August 2019; Detailed Landscaping Proposals (Dwg no M13.116(t).D.010); and Southern Extension Restoration Plan (South) (Dwg no A301-00079-06). The LVIA is supported with an arboricultural assessment that indicates trees and hedges to be protected or removed. This assessment and the restoration plans have been considered by the EAT and there are no objections subject to conditions.
Site lies in an area with high potential for significant archaeological remains. Desk based assessment will be required to plan appropriate additional archaeological works.	Refer to Appendix 6 of ES - Archaeology & Cultural Heritage Assessment dated June 2019 and to updated Written Scheme of Investigation (WSI). The EAT has no objections subject to development being carried out in accordance with an updated WSI.
There are two Grade II heritage assets within proximity of this allocation and a Scheduled Ancient Monument. Developers will need to ensure that their significance and that of their setting is protected and conserved.	Refer to Appendix 6 of ES - Archaeology & Cultural Heritage Assessment dated June 2019 and to Cultural Heritage Assessment (March 2014) (Appendix 6 to ES for application ref: L.14/03/817 MW). No significant direct or indirect effects have been identified and an appropriate level of investigation and recording to mitigate any potential impact to remains would take place. No objections have been raised in terms of measures to safeguard the historic environment.
Proximity to adjacent railway needs to be considered.	Refer to Southern Extension Working Plan (Dwg no A301-00079-03) and existing planning conditions attached to permission L.19/03/817 MW. No objection has been raised by Network Rail subject to the imposition of conditions.

<p>Restoration should attempt to restore the historic character and maintain landscape connection with Fradley. Opportunities to contribute to the Central Rivers Initiative, Trent and Tame Futurescapes project and objectives of the National Forest should be considered.</p>	<p>Refer to Appendix 3 of ES - Landscape Visual Impact Assessment dated August 2019; Landscape and Ecological Management Plan; and to Detailed Landscaping Proposals (Dwg no M13.116(t).D.010). Restoration proposals for the current permitted area remain largely unchanged and in accordance with previously approved details which will contribute to local environmental initiatives as well as the National Memorial Arboretum. Proposals for the extension area include proposals for landscape and biodiversity enhancement although based on an agricultural restoration.</p>
<p>There is a high risk of best & most versatile land being present, so this land should be addressed in the restoration of the site.</p>	<p>Refer to Appendix 4 of ES - Soil Resources and Agricultural Use and Quality report dated 28 May 2019. Almost two thirds of the agricultural land is of “best and most versatile” quality. The proposed restoration scheme for the extension area is to return the land to arable production thereby safeguarding the value of the best and most versatile land. No objection has been raised by Natural England.</p>
<p>There is potential for landscape enhancement in restoration.</p>	<p>Refer to Appendix 3 of ES - Landscape Visual Impact Assessment dated August 2019; Landscape and Ecological Management Plan; and to Detailed Landscaping Proposals (Dwg no M13.116(t).D.010) consistent with the Southern Extension Restoration Plan (South) (Dwg no A301-00079-06). The LVIA has been assessed and no objections are raised by EAT subject to the imposition of conditions consistent with the current permission. The proposals include provision for the enhancement of field boundaries for the creation of new wetland habitat within the proposed extension.</p>
<p>Potential adverse impacts on ecology can be mitigated and/ or compensated if opportunity is taken to create significant areas of BAP habitat and enhance ecological connectivity through sensitive</p>	<p>Refer to Appendix 7 of ES - Ecological Impact Assessment dated September 2019; to Landscape and Ecological Management Plan; and to Detailed Landscaping Proposals (Dwg no</p>

restoration.	M13.116(t).D.010). No objections have been raised by EAT or Natural England. Several matters are recommended for conditions to safeguard and enhance biodiversity interests. In relation to the river Mease SAC and protected species, relevant assessments have been undertaken and recorded by the EAT.
Part of the site is located within the floodplain of the River Tame (Flood Zones 2 & 3). It must be ensured that there is no net loss of floodplain storage as a result of the excavations. Any excavated material should be stored outside of the extent of the 1 in 100-year (with climate change) floodplain unless its temporary storage would be acceptable to the Environment Agency. Any ancillary development should be located in areas of lowest risk. Any extraction or restoration works should not increase flood risk upstream or downstream of the site.	Refer to Appendix 5 of ES - Hydrogeological and Hydrological Impact Assessment dated September 2019. Part of the proposed extension area is within Flood Zone 2 but the majority of the extension area is within Flood Zone 1. In relation to the small proportion of the bunds associated with the proposed extension which are potentially located in Flood Zone 2, gaps would be provided in bunds to limit any potential effect on the flow of flood water. In areas where gaps would prevent adequate visual screening other suitable flood flow conduits such as pipes under a bund would be provided. No objections have been raised by the Local Lead Flood Authority or the Environment Agency.

58. All the development considerations have been addressed in the application although it should be acknowledged that some of the development considerations are more relevant to the greater part of the allocation which has been already permitted for the winning and working of sand and gravel (now subject to permission L.19/03/817 MW).
59. Regarding the timing of development within the southern extension, the proposal is that mineral operations would commence as soon as road crossings have been constructed to gain access. Consequently, the proposals seek to re-phase current permitted workings so that the remaining reserves to the north of the proposed extension area would be extracted after the extraction of reserves within the southern extension. Policy 1.3 requires that extension areas can be only worked following cessation of mineral working within the existing site but in this case, the proposed amendment to phasing is acceptable in terms of minimising disturbance to the land with operations progressing back to the plant site reducing the need for internal haulage infrastructure.
60. Conclusion: Having regard to the development plan policies and other material planning policy considerations referred to above, it is reasonable to conclude that the proposal is acceptable in principle given that it will support the provision of sand and gravel from a site allocated in the MLP. The proposals would maximise the recovery of the resource within the site allocation area and the rephasing of operations is

considered acceptable. No objections have been raised in relation to the development considerations listed in the MLP, although it would be necessary to secure mitigation measures through the imposition of planning conditions or by planning obligation.

The site-specific development plan policy considerations and the matters raised by consultees and in representations

Site restoration and review

61. Paragraph 205 (e) of the NPPF requires that mineral planning authorities, should provide for restoration and aftercare at the earliest opportunity, to be carried out to high environmental standards, through the application of appropriate conditions.
62. Policy 6 in the MLP requires any restoration proposals to be sufficiently comprehensive, detailed, practicable and achievable within the proposed timescales and that where relevant (amongst other matters), that the land affected at any one time would be minimised by including phased working and restoration (Policy 6.2). This requirement is also endorsed by policy 4.1 (xii) of the Waste Local Plan (WLP).
63. Commentary: The recent permission to allow for an increase in output at Alrewas Quarry (ref: L.19/03/817 MW) together with associated changes to limits on the number of lorry movements as well as operating hours means that it is likely that the remaining permitted mineral reserve would be extracted before the cessation date for mineral extraction of 17 May 2027 as defined by the current permission. In anticipating the risk that there would be an increased period between the completion of mineral extraction and then completion of restoration due to the disparity between the rates of extraction and backfilling, it was noted that there were proposals to increase the rate of backfill to 250,000 cubic metres per annum and that the progress of restoration operations would be subject to regular review (refer to condition 9 of the current permission requiring the operator to submit progress reports, condition 63 requiring a review of the proposed restoration strategy and schedule 5 of the section legal agreement requiring periodic review of the restoration strategy in consultation with the quarry's site liaison committee). Currently, restoration is required to be completed within 18 months of the cessation of mineral working i.e. by 17 November 2028.
64. Assuming that output at the quarry does increase to 750,000 tonnes per annum, the remaining resource together with reserves within the southern extension would be exhausted in less than seven years but the consequent quarry voids to be backfilled are expected to be reclaimed by 2033. There is, therefore, a risk of a prolonged disturbance to the landscape and visual amenity.
65. The findings of the landscape and visual impact assessment do not indicate a significant effect on the landscape or visual amenity. In terms of cumulative impacts, the ES notes that in relation to landscape character:

‘The short-term cumulative effects are managed through site design, and the phased approach to working and restoration. The implementation of the restoration scheme will have a cumulative effect on the local landscape character in the long term.’
66. Similarly, in relation to the cumulative impacts on visual amenity it is noted that:

'The potential substantial impacts are in relation to effect on local amenity. There is a cumulative effect in time through the operations of the quarry, however the phased and progressive working and restoration reduces any spatial cumulative effect.'

67. The County Council's Environmental Advice Team (EAT) commented that the landscape and visual impact assessment under-estimates the impact of the operational phases and it is recommended that a management plan is agreed and implemented for the field margins around the operational areas. The applicant has accepted that there is scope for improvement in maintaining and enhancing field margins and refers to the current requirements of condition 54 for hedgerow management and enhancement. In support of the application, the applicant has now submitted details of landscaping and ecological management for the extension area and the initial view of the EAT is that the details are consistent with restoration proposals and comprehensive.
68. As considered previously, there would be a requirement to carry forward requirements for restoration review and while accepting that proposals for backfilling are based on the requirements of landowners for the reinstatement of agricultural land, there may be scope in later phases of restoration operations to review the scale of backfilling or to consider options for increased rates of backfilling when mineral extraction has been completed.

Other matters arising from the representation – road crossings

69. Policy 4 of the MLP requires that in assessing the impact of proposals for mineral development consideration should be given to traffic on the highway network. This requirement is also repeated in the WLP under policy 4.2 (ii).
70. Paragraph 109 to the NPPF explains states that:
- 'Development should only be prevented or refused on highways grounds if there would be an unacceptable impact on highway safety, or the residual cumulative impacts on the road network would be severe.'
71. Commentary: Objections to the proposal have been received from users of Roddige Lane about the condition of the quarry's road crossing which has been used by dump trucks transporting mineral extracted from permitted workings south of Roddige Lane to a conveyor hopper north of the lane. Temporary arrangements for the road crossing have been agreed with the Highways Authority and repair works have been undertaken by the applicant on the crossing. In addition, the operator has improved measures to ensure that the surface of the public highway at the road crossing is kept clean.
72. The Highways Development Control Officer has confirmed that there is no objection to the proposals which would involve the introduction of conveyor bridges over Roddige Lane and Stockford Lane for mineral transport and the construction of additional road crossings for lorries/ dump trucks on Sittles and Stockford Lanes to enable haulage of mineral and waste/ backfill. The recommendation is that no further transport of materials should take place south of Roddige Lane until details of the road crossings have been approved and implemented. The agreement of details would require the completion of a Highway Works Agreement for the works within the public highway and a revised bond figure for the highway works would be required

under an updated section 106 legal agreement. Planning conditions would be required to ensure the effective operation of the crossings without adverse impact on other highway users.

Other matters arising from the representation – noise

73. Policy 4 of the MLP requires that in assessing the impact of proposals for mineral development consideration should be given to noise. This requirement is also repeated in the WLP under policy 4.2 (i).
74. Paragraph 205 (c) requires that mineral planning authorities:

‘ensure that any unavoidable noise, dust and particle emissions and any blasting vibrations are controlled, mitigated or removed at source, and establish appropriate noise limits for extraction in proximity to noise sensitive properties.’
75. Representations have been received from a resident living at Waterworks Cottages near the Fradley Water Pumping Station and from agents representing Dignity Funerals responsible for the operation and management of the Lichfield and District crematorium, in relation to the impact of noise from mineral operations.
76. Regarding the impact on Waterworks Cottages, the noise assessment submitted with the application predicts that normal mineral operations can be undertaken without unacceptable adverse impact in terms of noise on those properties taking into account national planning guidance that seeks to prevent noise levels at any noise-sensitive property exceeding the background noise level (LA90,1h) by more than 10dB(A) during normal working hours (0700-1900). Planning guidance does allow for short term noisy activities to exceed noise limits for normal operations e.g. for the formation of screening mounds and that a limit of 70 dB(A) LAeq 1h (free field) should be imposed for such activities for a period of up to 8 weeks in any one year. In relation to Waterworks Cottages, the assessment predicts that noise levels from the formation of soil bunds could exceed background levels by 11 dB(A) which is within acceptable limits and the works would be achieved within eight weeks.
77. The Waterworks Cottages are more than 150 metres distant from the proposed extension area and are separated from the proposed extension by a railway and hedge lines. It would be expected that the operator adopts careful management of operations in the vicinity of sensitive properties to minimise noise impacts as well as manage dust generating activities. As with the current permission, the operator would be required to undertake environmental monitoring in accordance with approved details and maintain records of such monitoring.
78. Representations made on behalf of the operator of the crematorium have sought to ensure that the tranquility of the associated garden of remembrance is safeguarded and the applicant has carried out further assessments to ensure that the noise environment of the gardens is not unacceptably adversely affected. The applicant maintains that the proposals as submitted accord with national guidance but in relation to the crematorium, revisions have been made to the proposed working scheme so that the standoff from the crematorium building itself is increased to 440m and 160m to the gardens of remembrance. This change has reduced the predicted noise level for normal operations by a further 2 dB(A) making the predictions only 2 dB(A) above background levels. The applicant also confirms that they would be content to work to a modified condition on working hours when constructing the

bunds around phases 4 and 5; and, they would seek to maintain day to day dialogue with the operators of the crematorium when working near to the crematorium (such as during bund construction) so that the quarry can be operated sensitively relative to the crematorium. Furthermore, the operator has invited representatives of the crematorium to attend the quarry's liaison committee which already involves representatives for the National Memorial Arboretum.

79. Conclusion: Having regard to the development plan policies and other material planning policy considerations referred to above, it is reasonable to conclude that the proposals are acceptable subject to the imposition of planning controls in relation to their impact on local amenity during working and restoration operations as well as their impact on landscape and visual amenity. The impact on the highway is found acceptable in principle but the applicant would need to complete a Highway Works Agreement prior to mineral extraction commencing within the proposed extension area.

The opportunity to review and update the conditions of the planning permission and the terms of the Section 106 Legal Agreement

80. Paragraph 54 to the NPPF explains that:

'local planning authorities should consider whether otherwise unacceptable development could be made acceptable through the use of conditions or planning obligations. Planning obligations should only be used where it is not possible to address unacceptable impacts through a planning condition'.

81. Paragraph 55 explains that:

'Planning conditions should be kept to a minimum and only imposed where they are necessary, relevant to planning and to the development to be permitted, enforceable, precise and reasonable in all other respects.'

82. Paragraph 56 explains states:

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

- (a) necessary to make the development acceptable in planning terms;
- (b) directly related to the development; and
- (c) fairly and reasonably related in scale and kind to the development.'

83. Policy 4.5 of the MLP seeks to ensure higher environmental standards of working, restoration and aftercare and supports securing environmental improvements by consolidating existing permissions.

84. Commentary: The applicant seeks to consolidate the proposed extension with mineral development already permitted and subject to permission L.19/03/817 MW which was granted in November 2019. This permission is up to date with modern standards and therefore, should permission be granted, it would be only necessary to review current conditions so that the requirements of those conditions also relate to development within the proposed extension area e.g. noise and dust monitoring.

85. The Section 106 Legal Agreement dated 10 May 2017 requires undertakings that should be carried forward into a new agreement that would be applicable to the proposed extension area and include additional landowners associated with the proposed extension area. It would be also necessary for the operator to agree to the new agreement superseding the current agreement, to refer to the additional highway works associated with the proposed road crossings on Sittles Lane and Stockford Lane as well as to review the amount of the highways bond to guarantee the works being undertaken within the public highway.
86. It is considered that the existing undertakings meet the tests referred to above for the reason discussed below:
- a. To maintain and remove the conveyor; to, maintain the structure under the A513; and, to reinstate the roads and access to appropriate standards to serve the site's future use.

This existing undertaking should be retained as it would ensure that the structures including conveyor required to transport the mineral from the southern extension area to the plant site adjacent to the National Memorial Arboretum are maintained for the duration of the development and then removed following the completion of the mineral extraction and restoration of the site in accordance with the Mineral Local Plan (policies 4 and 6) and the NPPF (sections 9, 15 and 17) which seek to minimise the traffic, noise and visual impacts of development and secure restoration to high environmental standards.

- b. To ensure that HGV's do not to use Barley Green Lane (south of the site access on Barley Green Lane); to notify HGV drivers of the restriction; and, to erect a sign to inform drivers of the restriction.

This existing undertaking should be retained as it would ensure that appropriate routes are used by HGVs in accordance with the Mineral Local Plan (policy 4), Waste Local Plan (policy 4) the NPPF (sections 9 and 17) in the interests of highway safety and to safeguard the public highway.

- c. To regularly review the approved Concept Restoration Plan in consultation with the site liaison committee.

This undertaking ensures that the Concept Restoration Plan is kept under review to ensure that the site is restored to high environmental standards at the earliest opportunity; and, to provide an opportunity to enhance local amenity or the environment and make more of a contribution towards local or national initiatives e.g. the National Memorial Arboretum, the gateway to the National Forest and the National Forest Way, and, the Central Rivers Initiative which currently supports the Transforming the Trent Valley Landscape Partnership (a scheme undertaking a wide range of environmental, cultural and community-led projects within the Trent, Tame and Dove river valleys). Key stakeholders would be invited to attend the site liaison committee and they would be able to contribute to the review and the consultation arrangements. This undertaking accords with the Mineral Local Plan (policies 4 and 6), the Waste Local Plan (policy 4) and the NPPF (sections 15 and 17) as they relate to the effective reclamation of land subject to mineral development.

- d. To maintain the site liaison committee including local residents/ landowners and representatives on behalf of the County, District and Parish Councils, the Environment Agency, the National Memorial Arboretum, the National Forest Company, the Central Rivers Initiative, and the Lichfield and District crematorium.

This undertaking ensures that a forum exists for key stakeholders to be kept informed about the progress of the working and restoration of the site and that concerns about quarry operations or opportunities to improve the working and restoration can be discussed in accordance with the Mineral Local Plan (policy 4) and the NPPF (sections 4 and 17).

- e. To carry out 10-year extended aftercare in accordance with the approved aftercare scheme.

This undertaking already exists in connection with previously worked land and the extended period of aftercare would ensure that the site is fit for a sustainable afteruse in accordance with the Mineral Local Plan (policies 4 and 6) and the NPPF (sections 15 and 17).

- f. To secure a Restoration Guarantee Bond either by being a member of the Mineral Products Association and eligible to draw on their scheme, or by arranging another financial guarantee to cover the costs of restoration and aftercare.

This undertaking would ensure that there are financial provisions in place for restoration and aftercare in case the operator goes out of business in accordance with the Mineral Local Plan (policy 6) and the NPPF (section 17).

- 87. Conclusion: Having regard to the policies and guidance referred to above, it is reasonable to conclude that the planning conditions attached to the current permission remain relevant, necessary and reasonable and are up to date, subject to amendments/ additions required in relation to controlling development within the extension area. The undertakings within the Section 106 Legal Agreement also remain necessary; directly relate to the development; and are fairly and reasonably related in scale and kind to the proposed development.

Overall Conclusion

- 88. Overall, as an exercise of judgement, taking the relevant up-to-date development plan policies as a whole and having given consideration to the application, the supporting and environmental information, including the information subsequently received, the consultee comments, the representations and the other material considerations, all referred to above, it is reasonable to conclude that the proposed development accords with the development plan and as such represents sustainable development, and there are no clear and convincing reasons to indicate that the application for planning permission should not be permitted.

Recommendation

- 89. **Permit** the application for the winning and working of sand and gravel including a

southern extension and the re-phasing of permitted working and restoration schemes; the restoration of the quarry by the importation of inert waste material; the provision of new crossing points and conveyor bridges at Stockford Lane, Sittles Lane and Roddige Lane as well as the continued use of existing crossing points on Roddige Lane, the A513 and Croxall Road; and the continued use of the mineral processing plant and other ancillary facilities already permitted including weighbridge, site offices, field conveyor, concrete batching plant and bagging plant subject to the applicant and all other persons with an interest in the land signing a Section 106 Legal Agreement to secure the terms listed below and subject to the planning conditions listed below.

Section 106 Legal Agreement - heads of terms to include the following undertakings (carried forward from the current agreement):

1. To maintain and remove the conveyor; to, maintain the structure under the A513; and, to reinstate the roads and access to appropriate standards to serve the site's future use.
2. To ensure that HGV's do not to use Barley Green Lane (south of the site access on Barley Green Lane) or the level crossings at Fine Lane, Roddige Lane and Brookhay Lane; to notify HGV drivers of the restriction; and, to erect a sign to inform drivers of the restriction.
3. To regularly review the approved Concept Restoration Plan in consultation with the site liaison committee.
4. To continue arrangements for the site liaison committee.
5. To carry out 10-year extended aftercare in accordance with the approved aftercare scheme.
6. To secure a Restoration Guarantee Bond either by being a member of the Mineral Products Association and eligible to draw on their scheme, or by arranging another financial guarantee to cover the costs of restoration and aftercare.
7. To not implement the current permission L.19/03/817 MW and for the undertakings in the legal agreement dated 10 May 2017 to be superseded by the new agreement.

The conditions to include the following:

1. To define the permission with reference to documents and plans;

Definition of Operations and Commencement of Mineral Supply to HS2

2. To define the terms of working, processing, restoration operations as well as commencement of export of mineral from the site to supply the HS2 project;

Commencement

3. To require notice of commencement of soil stripping, working and restoration operations; cessation of working and restoration operations; as well as the date

of commencement of export of mineral from the site to supply the HS2 project;

Dates for Cessation of Mineral Extraction, Restoration Operations and Expiry of the Permission

4. To require the winning and working of mineral to cease no later than 31 December 2029;
5. To require the completion of restoration operations no later than 31 December 2033 which shall include the removal of all processing plant and ancillary development within 12 months of the cessation of mineral working;
6. To define the expiry of the permission when the restoration and aftercare has been completed in accordance with the latest approved Restoration and Aftercare Scheme;
7. To define the requirements if working operations cease prematurely;

Phasing, Limit of Extraction, Depth of Working and Importation of Inert Materials

8. Working and restoration operations shall be carried out in a phased manner in accordance with the Southern Extension Working Plan (March 2020) (Dwg no A301-00079-03) and as described in Section 3.2 of the Environmental Statement unless otherwise approved in connection with the latest approved Progress Plan (see Condition 9);
9. To require a review of working and restoration operations no later than 17 May 2022 (the 5th anniversary of the date of the original planning permission L.14/03/817 MW) and every 5 years thereafter until the cessation of the restoration operations;
10. To ensure that no more than 600,000 tonnes of sand and gravel is exported from the site per annum unless the Mineral Planning Authority is notified of the commencement of the export of mineral to supply the HS2 project, and then no more than 750,000 tonnes of sand and gravel shall be exported from the Site per annum;
11. To ensure that no more than 250,000 cubic metres of inert restoration material is deposited on site per annum;
12. To ensure appropriate standoffs around Roddige Cottage, Roddige Farmhouse, Whitemoor Haye House and the Lichfield District Crematorium are marked out as indicated by the Southern Extension Working Plan (March 2020) (Dwg no A301-00079-03);
13. To ensure the inert restoration materials imported for backfill purposes are received in accordance with the approved procedures for the inspection and acceptance of waste;
14. To require the submission of details of the method of importation prior to any importation of inert restoration material by rail and implementation of approved

details;

15. To require that no vibro-compaction machinery is used as part of restoration operations within 100 metres of the site's boundary with the railway;
16. To carry out excavations in proximity to the railway in accordance with approved details (ref: L.19/03/817 MW D1) or in relation to phases 4A and 4B as shown on the Southern Extension Working Plan (March 2020) (Dwg no A301-0079-03), no excavations shall take place within 10 metres of the site's boundary with the railway until details of excavations and earthworks to be carried out have been agreed in writing by the Mineral Planning Authority (subject to confirmation by Network Rail that the submitted details are acceptable prior to issuing the Decision Notice);
17. To require that no materials or plant capable of falling shall be located within 3 metres of the adjacent railway line and no buildings or structures shall be located within 2 metres of the Network Rail boundary;

Management of Site Operations

Development Restrictions

18. To restrict permitted development rights.

Hours of Operation

19. To limit operating hours as follows:
 - a) working operations or restoration operations shall be carried out between:
 - 07:00 and 18:00 Monday to Fridays; and
 - 07:00 and 13:00 Saturdays;
 - b) processing operations or associated vehicle movements shall be carried out between:
 - 06:00 and 22:00 Monday to Fridays;
 - 06:00 and 16:00 Saturdays.

The only exception to the above hours shall be essential operations including pumping and due to emergencies for reasons of health and safety or to prevent pollution;

Stockpiling

20. No minerals or processed minerals shall be stockpiled other than in accordance with the approved locations;
21. The stockpiles of minerals or processed minerals shall not exceed a height of 4 metres;

Soil management

22. To ensure that soil is managed in accordance with Section 3.3 of the

Environmental Statement;

23. To require that topsoil is not stored in mounds that exceed 3 metres in height and subsoil is not stored in mounds that exceed 4 metres in height;

Site Access, Vehicle Numbers and Highway Safety

24. To define the site access points;
25. To require the submission of details of the access on Barley Green Lane and implementation of approved details prior to any restoration operations taking place within phase 2;
26. To require all access roads to be constructed in a hard-bound material, kept clean and maintained in a good state of repair.
27. To require that no loads of mineral leave the processing site unless the load has first been securely contained or sheeted.
28. To limit the number of HGV movements to and from the site calculated on a yearly average basis to:
 - Mineral – 42 HCV movements per full working day (121 in and 121 out) unless notified of the commencement of the export of mineral to supply the HS2 project (Condition 3 (f)), where upon the limit would increase to 302 HCV movements per full working day (151 in and 151 out);
 - Inert restoration material – 182 HCV movements per full day (91 in and 91 out).
29. To require the submission of details of the road crossings at Roddige Lane, Sittles Lane and Stockford Lane and to implement the approved crossings prior to mineral extraction commencing within phases 4A and 4B;

Environmental Management

Noise

30. To carry out noise monitoring in accordance with the Noise Monitoring Scheme (April 2020);
31. To require that the noise generated by the operations with the exception of the construction and removal of soil mounds, do not exceed a maximum level of background LA90 + 10 dB with a limit of 55 dB LAeq;
32. Noise levels at the nearest noise sensitive properties resulting from the construction and removal of soil screening mounds shall not exceed 70 dB LAeq (1-hour) (free-field) during an 8 week period in any 12 month period; and be restricted to between the hours of 0830 and 1730 on Mondays to Fridays and between the hours of 0830 and 1300 on Saturdays ;
33. Noise arising from the processing operations between the hours of 1900 and

2200 shall not exceed a BS4142:2014 rating level of 55 dB measured at any noise sensitive property. If the site noise is found to exceed the above rating level, the operator shall take immediate steps to reduce the noise emissions from the processing operations;

34. To require the mitigation measures as listed in Section 6 of the Noise Assessment dated 13 August 2019 including:
 - a) All vehicles and plant employed within the Site shall at all times be fitted with silencers in accordance with the manufacturer's recommendations; and,
 - b) All plant or equipment used to carry out the working operations and restoration operations shall be fitted with a warbler reversing system or such other system to minimise, so far as is reasonably practicable and subject to maintaining safety, the level and generation of noise from reversing warnings systems.

Dust

35. To require a review of the approved Dust Monitoring Scheme prior to excavations taking place within phase 4A and implementation of the approved scheme;
36. To ensure that best practicable means shall be used during the life of the development to minimise dust emissions from the site;

Lighting

37. To require flood lighting or other illumination to be positioned so as not to cause light spillage or glare to occupiers of nearby properties, to highway users and to the railway as well as to conform with the requirements of paragraph 8.18 of the Ecological Impact Assessment;

Flood Risk and Safeguarding the Water Environment

38. To ensure the implementation of the submitted Flood Risk Assessment and the Hydrological and Hydrogeological Impact Assessment;
39. To require a review of the approved Surface Water Drainage Scheme prior to excavations taking place within phase 4A and implementation of the approved scheme (subject to confirmation from the Flood Risk Management Team that the submitted details are acceptable prior to issuing the Decision Notice);
40. To require a review of the approved Ground Water Monitoring Scheme prior to excavations taking place within phase 4A and implementation of the approved scheme (subject to confirmation from the Environment Agency and Environmental Advice Team that the submitted details are acceptable prior to issuing the Decision Notice);
41. To require a review of the approved Dewatering Scheme prior to excavations taking place within phase 4A and implementation of the approved scheme;

42. To define the requirements for the storage of oils, fuels and chemicals;

Nature Conservation and Archaeology

43. To require the submission a scheme to protect the A513 SBI; the SBI boundary hedgerows; the SBI ditches; and, to require the monitoring of the hydrology and ecology of the SBI;
44. To ensure that no stripping of vegetation or soils takes place during the bird breeding season (March – August) unless preceded by a nesting bird check carried out by a suitably qualified and experienced ecologist;
45. To require that works take place in accordance with the Construction and Environmental Management Plan (ref: M13.116(t).R.004);
46. To require that no working operations commence in any phase until a botanical species survey (including mitigation measures) is carried out by a suitably qualified and experienced ecologist.
47. To require that works take place in accordance with the GCN Mitigation Scheme (ref: M13.116(t).R.006);
48. To carry out works as specified in the Landscape and Ecological Management Plan (ref: M13.116(t).R.005A) and to review that Plan every five years until the completion of restoration operations;
49. To require the working operations to be carried out in accordance with the approved Written Scheme of Investigation dated 19 February 2020 v.2;
50. To require a review of the approved Hedgerow Enhancement & Management Plan, prior to commencement of mineral extraction within the southern extension area;

Restoration and Aftercare

51. To require the site to be restored in accordance with the approved Restoration Strategy (ref. L.14/03/817 MW D6 dated 24 June 2019) and for that part of the Site forming the southern extension to generally accord with Southern Extension Restoration Plan (South) (Dwg no A301-00079-06);
52. To require a review of the approved Restoration Strategy no later than 17 May 2022 and the Southern Extension Restoration Plan (South) (Dwg no A301-00079-06) and thereafter, to submit a review every 5 years until restoration operations are complete.
53. To require a detailed Restoration and 5 years Aftercare Scheme for the Site (including the southern extension) within 12 months of the review of the overall Restoration Strategy;
54. To require that in the event that the Restoration Strategy is revised, a revised Restoration and 5 years Aftercare Scheme to be submitted no later than 12 months after the approval of the Restoration Strategy including details of

restored levels, soil replacement and drainage;

55. In the event that the working operations or the restoration operations hereby permitted cease for a period of 24 months prior to the cessation date to require a Revised Restoration and Aftercare Scheme to be submitted;
56. To require the site to be restored and subject to aftercare in accordance with the latest approved Restoration Strategy and detailed Restoration and Aftercare Scheme;

Record Keeping

57. To require records to be kept of the following:
 - a) The total number of loads of mineral, concrete and waste materials entering or leaving the site per day, including supply to HS2 (as applicable);
 - b) The quantities of mineral exported, and inert waste imported;
 - c) The operating hours;
 - d) Noise, dust and ground water monitoring in accordance with the approved schemes;
 - e) Any complaints and remedial actions taken.

INFORMATIVES to include the following:

1. National Grid

National Grid advised as follows:

The operator should contact National Grid in order to agree the necessary safe working practices and stand-offs from a gas pipeline.

2. Cadent Gas

Cadent Gas advised as follows:

The operator's attention should be drawn to Cadent's email sent 12 November 2019 concerning measures to safeguard the gas pipeline.

3. British Pipeline Agency (BPA)

The BPA advised:

The operator's attention should be drawn to the BPA's email sent 4 December 2019 concerning measures to safeguard the oil pipeline.

4. Environment Agency

The Environment Agency advised as follows:

The operator may need to vary their Mining Waste Permit from the Agency under the Environmental Permitting (England and Wales) Regulations 2016.

5. Staffordshire County Council

The Environmental Advice Team advised as follows:

The applicant should be advised that the removal, relocation of a milepost adjacent the Lafarge Tarmac offices on Barley Green Lane would need Listed Building consent from Lichfield District Council and English Heritage and that any unauthorised works would be illegal.

The Rights of Way Team advised as follows:

The applicant should be advised to contact the Rights of Way Team to discuss Public Footpath No 40 Fradley and Streethay. Contact the Rights of Way Team on 01785 277241.

Transport Development Control Team advised as follows:

The applicant should be advised that as the development involves off-site highway works, a Highway Works Agreement with Staffordshire County Council would be required.

Case Officer: Matthew Griffin - Tel: (01785) 277275
email: mat.griffin@staffordshire.gov.uk

Due to current Coronavirus restriction, the list of background papers for this report is only available on request by email sent to planning@staffordshire.gov.uk and can only be provided by email.

Appendix 1: Relevant Planning History

Details of relevant planning permissions and other planning decisions are listed as follows:

- Alrewas Quarry, to the north of the A513, was granted permission by the Secretary of State in 1973 (ref (ELR.10761). Mineral extraction commenced in 1977 and has now ceased in this area and the land restored (except for the processing plant site).
- [L.950534](#) dated 4 March 1997 – Permission for the winning and working of sand and gravel, the restoration of land by the importation of inert waste material for; agriculture, floodplain forestry, amenity woodland, nature conservation, and quiet water-based recreation; the provision of an overland conveyor. This permission related to land south of the A513 referred to as Whitemoor Haye and required mineral extraction to cease by 31 December 2011 and the importation of inert waste material for restoration purposes to cease 15 years from the date of commencement, i.e. by 8 January 2016.
- [L.EA/9](#) was received on 1 July 1999 for approval of a scheme of conditions under the Environment Act 1995. This remains undetermined and the applicant has been advised to withdraw this application given that the plant site and associated lagoons are subject to the current permission L.14/03/817 MW (see below).
- [L.11/12/847 MW](#) was received on 31 January 2012 to vary condition 6 of planning permission L.950534 to allow restoration to be completed by 22 June 2020. This application was approved under the Council's Scheme of Delegation on 3 February 2015, subject to the completion of a Section 106 Legal Agreement. Currently the legal agreement has not been completed and as such the planning permission has not been issued. The requirements of the legal agreement relate to extended aftercare management of parts of the site.
- [L.13/07/817 MW](#) dated 5 February 2014 – Permission for an 11.5-hectare extension and the establishment of a new access to allow restoration to agriculture and nature conservation habitat with imported inert restoration materials. [This permission relates to land covered by Phase 1a of the southern extension to Alrewas Quarry (planning permission ref. [L.14/03/817 MW](#))].

Relevant approved details associated with this permission include:

- [L.13/07/817 MW D3](#) dated 30 May 2019 - Approved details in compliance with condition 21 (landfill access on Croxall Road) related to planning permission L.13/07/817 MW
- [L.14/03/817 MW](#) dated 17 May 2017 – Permission for a southern extension to Alrewas Quarry with restoration to agriculture, amenity and nature conservation by importation of restoration materials. There is an associated Section 106 Legal Agreement dated 10 May 2017 which relates to vehicle routing to and from the site, arrangements for a quarry liaison committee, extended aftercare, highway matters, and a restoration guarantee.

Note that this permission also includes permission for the following:

- Single storey office accommodation and associated car parking which was originally permitted in October 2000 (ref: [L.00/00640](#));

- Erection of a ready mixed concrete plant for the manufacture and distribution of ready mixed concrete which was originally permitted in May 2002 ([L.01/00647](#)); and,
- The erection and operation of a bagging plant which was originally permitted in May 2002 (ref. [L.01/00886](#));

This permission includes land which is allocated in the Minerals Local Plan for Staffordshire for sand and gravel extraction.

Relevant approved details associated with this permission include:

- [L.14/03/817 MW D1](#) dated 7 November 2017 - Approved details of a nesting bird check for Phase 1b (condition 50) and an Archaeological Investigation Scheme (Condition 59) required by planning permission L.14/03/817 MW.
- [L.14/03/817 MW D2](#) dated 31 January 2019 - Approved details of a surface water drainage scheme (condition 20); a detailed groundwater monitoring scheme (condition 21); a detailed scheme for the dewatering on local water features (condition 22); a detailed noise monitoring scheme (condition 41); a dust management scheme (condition 47); a botanical species survey (condition 51); a working method statement and ecological management plan for Phase 2 (condition 52); a great crested newt survey of the land within 250 metres of Pond 4 (condition 54); an updated tree protection plan (condition 55); and a hedgerow management and enhancement plan (condition 56) required by planning permission L.14/03/817 MW.
- [L.14/03/817 MW D3](#) dated 12 July 2018 - Approved details of a working method statement and ecological management plan in relation to Phase 3 only (condition 52); and, a great crested newt survey (condition 54) required by planning permission L.14/03/817 MW.
- [L.14/03/817 MW D5](#) dated 30 May 2019 - Approved details of suitable imported materials (condition 14); mineral stockpiling (condition 25); and ancillary plant and equipment (condition 61) required by planning permission L.14/03/817 MW. Note that details of the proposed landfill entrance on Barely Green Lane to Phase 1b (condition 30); and, details in connection with the construction and maintenance of the road crossing point over Roddige Lane prior to working operations in Phase 3b (condition 39) have not been discharged.
- [L.14/03/817 MW D6](#) dated 24 June 2019 - Approved a detailed progress plan to update the approved working scheme (condition 9); and, the first review of the approved restoration scheme (condition 66) required by planning permission L.14/03/817 MW. As the submissions were made beyond the deadline set out in the conditions of the planning permission a Non Material Amendment Application (NMA application) was received on 30 April 2019 and was approved to extend the submission dates to 17 May 2019 to discharge the conditions (ref. [L.14/03/817 MW NMA2](#) dated 24 May 2019).
- [L.18/01/817 MW](#) dated 28 September 2018 – Permission for erection and use of workshop premises and a change of use of part of the site to enable the establishment and operation of a contracting depot.

- [L.19/03/817 MW](#) dated 14 November 2019 – Permitted application to vary (not comply with) Conditions 11 (the quantity of exported sand and gravel), 12 (the quantity of imported inert restoration material), 24 (the operating hours) and 38 (the number of HGV movements) of planning permission L.14/03/817 MW.

Relevant submission of details associated with this permission include:

- [L.19/03/817 MW D1](#) received 22 November 2019 - Submission of details relating to soil stripping in proximity to rail line (condition 16) and botanical survey and protected species updates for Phase 4 (conditions 50 and 51) of planning permission L.19/03/817 MW. These details remain to be approved.

Prior to submission of the current application, the following advice for preparation of the Environmental Statement was given:

- [SCO.83/817 MW](#) dated 26 April 2019 – Scoping opinion given in connection with proposals for southern extension to Alrewas Quarry.

[Return to the Relevant Planning History section of the report](#)

Appendix 2: Summary of the findings of the Environmental Statement

Section 1 – Introduction

This section sets out the context of the planning application and provides details concerning the applicant and project team; the aims of the environmental statement; methodologies; that no difficulties were encountered; and stakeholder engagement.

Section 2 – Site Location and Context

This section includes an introduction to the site, geology, landscape, ecology, hydrology and hydrogeology, soils and agricultural land quality, traffic, noise, archaeology and cultural heritage, air quality, rights of way, and utilities.

Section 3 – Working Scheme

This section provides details of the proposals including pre-extraction works; proposed working phases; soil handling; importation of restoration materials; dust suppression; other issues; and employment.

Section 4 – Design Statement and Restoration Concept

This section considers the restoration concept for the site, its design and measures for aftercare.

Section 5 - Environmental Considerations

Introduction: The assessments concentrate mainly on assessing the impact associated with the proposed extension, as the existing operations within the plant site (including concrete and bagging plants) have already been assessed. The impact assessments appended to the ES have been prepared by persons of appropriate experience and competency, consistent with the appropriate guidance.

Landscape and Visual Impact:

The potential for the greatest adverse effects upon landscape character would occur within the extraction area with external effects restricted due to the adoption of perimeter screen bunds, the relatively flat landform and inter lying vegetation. The overbridges have the potential to result in localised adverse effects upon landscape character and visual amenity. The hedgerows and mature hedgerow trees as key characteristics of the landscape, are assessed to have a Medium susceptibility to change and a Medium Value, resulting in an overall Medium Sensitivity.

Having regard to restoration proposals, it is concluded that proposals would constitute a Small magnitude of change and a Slight beneficial effect on the landscape structure of the Site, relative to the baseline, that is Not Significant.

The residential properties in the vicinity of the site with potential visibility of the proposed extraction are Roadside Cottage, Sittles Farm and Dunstall Farm. Temporary visual effects during the Construction Phase are predicted to range between Minor to Moderate adverse and Not Significant. The residual visual effects experienced by residents following restoration would be Neutral. During the Operational Phase, the magnitude of cumulative effect upon landscape character would be Low resulting in a Minor adverse cumulative effect that is Not Significant and a Neutral effect upon restoration.

The potential for cumulative visual effects from surrounding receptors is extremely limited due to the limited visibility of the site from the surrounding landscape. Overall it is assessed that the Proposed Development could be accommodated with only modest and localised adverse landscape and visual effects during the Operational Phase that have all been assessed as being Not Significant.

Soils and Agricultural Land Quality:

The land within the extension area has a mixture of stony light loamy and sandy soils, mainly affected by groundwater. Droughtiness is the principal limitation to agricultural land quality and most of the land is Grade 3. Almost two thirds of the agricultural land is of “best and most versatile” quality, mainly sub-grade 3a but with a small area of grade 2. The rest is of moderate quality in sub-grade 3b. Restoration of the land to best and most versatile agricultural land quality will require the use of 300 mm of loamy topsoil over at least 600 mm of subsoil. The stoniest soil resources would be improved by screening to remove the bulk of the stones.

Ecology (including Arboriculture):

The surveys completed included a Preliminary Ecological Appraisal (PEA), breeding bird surveys, bat activity surveys, bat roost surveys, harvest mouse surveys, great crested newt surveys and hedgerow surveys. The surveys were completed between 2018 and 2019. It is considered that the extraction of mineral and associated works proposed at the site, with the implementation of appropriate mitigation measures, would not have a significant negative impact on any statutory or non-statutory nature conservation sites.

The habitats present on the site are not considered of higher than local level importance, with the majority being habitats that are common and widespread in the local area. No significant negative impacts are anticipated on the habitats present within the site providing the restoration plan is delivered as specified. Consistent with existing planning controls at the quarry, a Landscape and Ecological Management Plan will be produced to ensure the long-term benefits of the habitats to be created, which will provide enhancements to the site above the existing situation.

A number of mitigation measures have been detailed to ensure that all legally protected species recorded within the site are adequately protected throughout the duration of the works. No significant negative impacts are anticipated on any known protected species or habitats present within the site providing the restoration plan is delivered as specified. Consistent with existing planning controls at the quarry, a Construction Environmental Management Plan will be produced to detail the specific measures required to protect the faunal species on site.

Archaeology and Cultural Heritage:

The assessment of direct impacts on archaeology and cultural heritage assets within the proposed development boundary shows that there will be an impact to:

- 1) Archaeological features as identified during trial trench investigations across parts of the site, including undated, but suspected Prehistoric archaeology and Medieval settlement archaeology.
- 2) A small derelict two-storey brick-built building as detailed on maps dating back to c.1800 will be demolished.

There is also a suggested impact to:

- 3) Presently uncharacterised archaeological remains that may exist elsewhere on the Site (as represented by various cropmarks but not identified in subsequent field evaluations).

It is therefore proposed to undertake the following to mitigate the perceived impacts:

- 1) Archaeological investigation of parts of the site (i.e. areas of identified archaeology and also areas of cropmark expression) prior to mineral extraction. An appropriate level of investigation and recording to mitigate any potential impact to identified and suspected remains will take place. This would likely be in line with the approved scheme of works presently being followed for the existing quarry, involving a combination of targeted 'strip, map and sample' excavation and 'watching brief action'.
- 2) A photographic and written record of the two-storey brick building in accordance with the publication 'Understanding Historic Buildings; a guide to good recording practice', Historic England 2016.

The predicted direct impacts are of moderate significance which does equate to an impact in EIA terms requiring mitigation. The assessment of indirect impacts on all cultural heritage assets within the study area shows that there are no identified significant indirect effects on the archaeological and heritage resource as a result of the proposed development.

Hydrology and Hydrogeology:

Dewatering Impacts: Dewatering will lower the level of the groundwater in the superficial sand and gravel deposits in the immediate vicinity of the proposed extraction area which has the potential to affect flows or levels in water features dependent on groundwater, reduce yields in abstractions, cause settlement of the ground and change the groundwater flow regime. The principles for mitigation are as set out in the already approved groundwater management and monitoring scheme and another mitigation measure which could be implemented as necessary is the provision of a recharge feature between the receptor and the mineral extraction in which dewatering is taking place. It is considered unlikely that changes in groundwater flow and groundwater quality resulting from the proposed development will be significant.

Settlement: The removal of fine particles from the superficial deposits round extraction areas during dewatering has the potential to induce settlement. Based on the understanding that the mineral deposit has a low fines content generally and as dewatering will be carried out from a sump in the base of the mineral extraction so that groundwater will flow into the void under gravity it is considered that the potential for dewatering induced settlement as a result of the removal of fines from the aquifer is low.

Modification of the Surface Water Drainage System: It is likely that the volume of water transferred by the surface water management system will reduce during the operational period as a proportion of surface water will drain to the mineral extraction void or dewatering in the void will derogate flows in drains in continuity with groundwater in the superficial deposits. Following restoration the pre-extraction drainage system at the application area will be reinstated and an appropriate system of agricultural drainage will be established in order to facilitate the use of land to the south of the A513 for agriculture. There is no scope whatsoever for any effect on the surface water drainage regime of the

River Mease itself or its surrounding designation as this is a separate hydrological catchment.

Water Quality: There is a potential risk to water quality from suspended solids in runoff from areas of disturbed ground. If site observations show that there is a risk of uncontrolled discharge of water high in suspended solids settlement areas will be provided. Consistent with the current methods of dry working at the current site clean water will be discharged to the River Tame and will be the subject of constraints on quantity and quality consistent with an Environmental Permit. To minimise the risk of contamination of groundwater by oil and diesel from plant all refuelling and servicing will be carried out on an impermeable surface with a sealed drainage system.

Flood Risk Assessment: The operations at the site will be susceptible to flooding from the River Tame, its tributaries and potentially from the drainage system at the application area. In the event of flooding associated with the River Tame any excess groundwater and surface water will be allowed to accumulate in the base of the extraction areas thereby reducing the flow in the river at this time. It is considered that there will be an increase in flood storage hence a net positive effect on flood risk at and in the vicinity of the application area during the operational period. Mineral extraction and restoration activities and the proposed restoration of the application area to water-based nature conservation, amenity and agricultural after use will not result in an increase in flood risk at or in the vicinity of the site.

Noise:

A noise assessment for the southern extension indicates that predicted worst case noise levels from normal operations at Alrewas Quarry do not exceed the background noise level by more than 10 dB(A), as required by the NPPF. Section 6 of the noise report sets out measures to mitigate the impact of noise from the proposed operations.

Transport:

The current application anticipates a maximum mineral extraction rate of approximately 750,000tpa and a typical rate of 600,000tpa. At maximum extraction rate, this would equate to a total of 151 HGV loads per day (302 two-way movements including concrete batching and graded aggregates activity). Additionally, the maximum rate of inert restoration material importation is proposed to increase to 250,000m³ per annum and this would equate to a total of 91 HGV loads per day (182 two-way movements). The assessment concludes that the proposed continuation of activity generated by the proposed extension even considering the permitted increase in imports and exports is unlikely to have any material impact on the local road network.

Air Quality:

Assessment has been undertaken using the appropriate guidance which confirmed potential areas of concern for which bespoke mitigation measures have been developed. Full details on the range of mitigation measures will be subject to a dust management plan. Overall the effect on air quality of this development with the implementation of suitable dust mitigation measures is considered to be not significant.

Alternatives:

In this particular instance, no alternative sites for mineral extraction have been considered

as the application is to work a mineral; minerals can only be worked where they are found; therefore, there are no alternative sites where the mineral can be worked. As part of the Minerals Local Plan, other mineral sites were considered and the Inspector and County Council considered that subject to various criteria being met, the site in question was generally acceptable.

Cumulative Impact and Interaction Effects:

Given that the proposal is to consolidate the southern extension with the development already permitted to the north, there is scope for interaction effects. In this case the main sources of potential interaction effects have been identified as follows:

- a) restoration impact on landscape, ecology and soils;
- b) the appropriate location of the crossing points in relation to landscape and ecological impacts; and
- c) the appropriate location of amenity bunding to minimise the scope for impact in relation to noise, dust and landscape.

None of the revised impact assessments have identified any increased scope for long term impact as a result of the changes. Short term effects are increased in some areas of the site, but not to significant levels of effect.

Health Impacts

There is no scope for effect on mental, social or economic wellbeing, social mobility, or community health as the proposals are remote from concentrated residential and other sensitive forms of development. It is therefore concluded that the scope for adverse human health impacts is limited during site operations.

Section 6 – Summary and Conclusions

A non-technical summary of the ES was also provided. The context of the site is such that the mineral resource proposed in this application could be recovered with minimal impact on surrounding environment. The restoration scheme reflects Government advice in that it promotes nature conservation initiatives in line with local and national policies whilst reinstating high quality agricultural land wherever possible.

Addendum – Noise Assessment (February 2020)

Additional noise information was submitted to support the findings of the noise assessment in relation to the impact of the proposal on the Lichfield and District crematorium.

Update – Noise Assessment (March 2020)

This report presents updated noise level predictions and a revised assessment following modifications to the working scheme made to minimise noise impacts within the Gardens of Remembrance of the Crematorium.

[Return to the Environmental Impact Assessment \(EIA\) section of the report](#)

Appendix 3: Record of consideration of European Protected Species

The Local Planning Authority in exercising any of their functions, have a legal duty to have regard to the requirements of the Conservation of Species & Habitats Regulations 2017 which identifies 4 main offences for development affecting European Protected Species (EPS).

1. Deliberate capture or killing or injuring of an EPS
2. Deliberate taking or destroying of EPS eggs
3. Deliberate disturbance of a EPS including in particular any disturbance which is likely:
 - a. to impair their ability:
 - i. to survive, to breed or reproduce, or to rear or nurture their young, or
 - ii. in the case of animals of a hibernating or migratory species, to hibernate or migrate; or
 - b. to affect significantly the local distribution or abundance of the species to which they belong.
4. Damage or destruction of an EPS breeding site or resting place.

Our records and/or the habitat on and around the proposed development site and/or ecological survey results indicate that a European Protected Species is likely to be present.

The survey submitted with the application details the following mitigation measures:

- In the case of bats – sectional felling of trees that have a small chance of bat roosting.
- In the case of great crested newts – securing the population in the landscape by creation of habitat or by use of reasonable avoidance measures.

The mitigation measures detailed within the survey are considered to be convincing and in your officers' opinion will secure "offence avoidance" measures.

Your officers would, therefore, recommend the following condition(s) to secure the implementation of the offence avoidance measures to ensure that no offence is committed:

- Production of a Construction Environmental Management Plan (Ecology)

Recommendation:

Your officers consider that sufficient information has been submitted with the application which demonstrates that measures can be introduced which would ensure that an offence is avoided. The application is, therefore, not considered to have an adverse impact upon protected species provided that the stated mitigation measures are implemented.

[Return to the Findings of Consultations section of report](#)

Appendix 4: The development plan policies and proposals, and the other material planning considerations, relevant to this decision

The development plan policies and proposals

[The Minerals Local Plan for Staffordshire](#) (2015 - 2030) (adopted 16 February 2017).

- Policy 1: Provision for Sand and Gravel
 - Policy 1.1 (f)- Alrewas (Inset Map 6 including 'Development Considerations' ([Appendix 1](#)))
- Policy 2: Provision for Industrial Minerals used in the manufacture of cement
- Policy 3: Safeguarding Minerals of Local and National Importance and Important Infrastructure
- Policy 4: Minimising the impact of mineral development
- Policy 6: Restoration of Mineral Sites

A [partial review of the Minerals Local Plan for Staffordshire](#) to check conformity with the revised National Planning Policy Framework took place in February 2019. The review concluded that the policies in the Minerals Local Plan conform with the revised NPPF and therefore they continue to carry weight in the determination of planning applications for mineral development.

[Staffordshire and Stoke on Trent Joint Waste Local Plan](#) (2010 – 2026) (adopted 22 March 2013). A [5-year review of the Waste Local Plan](#), completed in December 2018, has concluded that there is no need to update the plan policies and therefore, they continue to carry weight in the determination of planning applications for waste development.

- Policy 1: Waste as a resource
 - Policy 1.1 General principles
- Policy 2: Targets and broad locations for waste management facilities
 - Policy 2.3 Broad locations
- Policy 3: Criteria for the location of new and enhanced waste management facilities
 - Policy 3.1 General requirements for new and enhanced facilities
- Policy 4: Sustainable design and protection and improvement of environmental quality
 - Policy 4.1 Sustainable design
 - Policy 4.2 Protection of environmental quality
- [Lichfield District Local Plan Strategy \(2008 – 2029\)](#) (adopted 15 February 2015) (saved policies):
 - Core Policy 1 (The Spatial Strategy);
 - Core Policy 2 (Presumption in Favour of Sustainable Development);
 - Core Policy 3 (Delivering Sustainable Development);
 - Core Policy 5 (Sustainable Transport);
 - Core Policy 13 (Our Natural Resources);
 - Policy NR4 (Trees, Woodlands and Hedgerows)
 - Policy NR6 (Linked Habitat Corridors and Multi -functional Greenspaces)
 - Policy NR8 (River Mease Special Area of Conservation)
 - Policy BE1 (High Quality Development);

- Policy Alr1 (Alrewas Environment);
 - Policy Alr3 (Alrewas Economy);
 - Policy ST1 (Sustainable Travel).
- [Planning for Landscape Change.](#)
 - [National Planning Policy Framework](#) (updated February 2019):
 - Section 2: Achieving sustainable development
 - Section 4: Decision-making
 - Section 6: Building a strong, competitive economy
 - Section 9: Promoting sustainable transport
 - Section 14: Meeting the challenge of climate change, flooding and coastal change;
 - Section 15: Conserving and enhancing the natural environment;
 - Section 16: Conserving and enhancing the historic environment
 - Section 17: Facilitating the sustainable use of minerals.
 - [Planning Practice Guidance](#)
 - [Conserving and enhancing the historic environment](#)
 - [Environmental Impact Assessment](#)
 - [Flood risk and coastal change](#)
 - [Minerals](#)
 - [Natural environment](#)
 - [Noise](#)
 - [Open space, sports and recreation facilities, public rights of way and local green space](#)
 - [Planning obligations](#)
 - [Transport evidence bases in plan making and decision taking](#)
 - [Travel Plans, Transport Assessments and Statements](#)
 - [Tree Preservation Orders and trees in conservation areas](#)
 - [Use of planning conditions](#)
 - [Waste](#)
 - [Alrewas Neighbourhood Plan](#) ('made' 9 October 2018)
 - [Fradley Neighbourhood Plan](#) ('made' 12 February 2019)
 - [Whittington & Fisherwick Neighbourhood Plan](#) ('made' 17 April 2018)

[Return to Observations section of the report.](#)