

<b>Local Members' Interest</b>	
Ms. K. Perry and Mr. B. Williams	Cheslyn Hay, Essington and Great Wyrley

PLANNING COMMITTEE – 7 June 2018

MINERAL COUNTY MATTER:

District: Application No. [SS.17/10/602 MW](#) (South Staffordshire)

Date Received: 7/11/17

Date Revised/ Further Details Received:

- 22/2/18 - Updated arboricultural report
- 28/2/18 – Email regarding landscape and visual assessment
- 8/3/18 – De-watering Impact Assessment
- 27/3/18 – Revised site plan

NRS Aggregates Limited, application to vary conditions 1, 12, 13, 14, 24, 46 and 47 of planning permission [SS.16/10/602 MW](#) to deepen parts of the permitted extraction area and to confirm the working scheme details at Saredon Hill Quarry, Great Saredon Road, Little Saredon

**Background/ Introduction**

1. Saredon Quarry has been extracting sand and gravel since 1962 and now operates under planning permission ref: [SS.16/10/602 MW](#) dated 11 November 2016. This permission allows mineral extraction up to 31 December 2028 in accordance with an agreed working scheme which is subject to review. This application mainly relates to changes to the approved working scheme.
2. A report on a separate planning application to temporarily amend the hours of operation to allow limited early morning and evening HGV movements is also on the agenda (ref. [SS.17/11/602 MW](#))

**The Site and Surroundings**

3. The quarry is located approximately 4 kilometres southwest of Cannock town centre and approximately 500 metres to the north of the hamlet of Little Saredon. The quarry is within the Green Belt in the district of South Staffordshire and is adjacent to the M6 motorway along its north-eastern boundary.
4. Access to the quarry is via the Great Saredon Road which links to Saredon Road and then onto the A4601/ A460 roads.
5. The quarry comprises of 27.6 hectares of land which includes an extension of 12 hectares which was permitted in 2015.

6. The nearest residential properties are located on Malthouse Lane to the north west of the application site (approximately 180 metres) and to the south east at Saredon Hill Farm off New Lane (approximately 280 metres).

### **Summary of Proposals**

7. The application seeks to vary the conditions of the permission principally to allow the localised deepening of the quarry and alterations to the phasing of mineral and restoration operations. In addition, the applicant seeks to vary conditions relating to the required site layout plan; review of that plan; and to details relating to tree and hedgerow planting.

#### *Deepening of quarry*

8. Due to uncertainties associated with the effects of geological faulting, the extent of the sand and gravel deposit has been found to be deeper than originally anticipated as excavations develop from the original quarry void into the eastern extension area. Extraction of the sand and gravel at these deeper levels has already commenced and it is estimated that an additional 260,000 tonnes of saleable mineral would be produced.
9. A site plan has been submitted showing the extent of the base of working contours within the limits of excavation as currently permitted and these show that the quarry would be deepened within the central part of the quarry and then excavations would merge with the shallower sand and gravel deposits within the eastern part of the quarry.
10. With regard to the additional sand and gravel reserves resulting from the deepening proposal, the applicant advises that the processing plant at the quarry is capable of increasing production capacity and consequently there is no requirement to extend the time to complete quarrying.

#### *Phasing of Excavations/ Backfilling*

11. The applicant proposes to excavate mineral within two areas of the quarry at the same time due to variations in the quality of sand and gravel within the overall reserve (refer to the attached plan showing the proposed phases of working and restoration). This flexibility in the phasing of working areas would allow the applicant to blend the mineral to improve the supply to the processing plant to increase the range of aggregate products sold from the quarry.
12. The submitted site plan indicates the extent of the two areas of extraction sufficient for the next 5 years together with three areas within the original quarry which are being restored by using imported inert wastes to backfill the quarry void. These areas are intended to be backfilled within the next 4 years. The submitted site plan is intended to replace the current approved plan showing the working scheme concept as referred to under condition 12 of the permission and to meet the requirements for an initial 'Site Layout Plan' required under condition 13.

### *Tree and Hedgerow Planting*

13. Following the earlier approval of tree and hedgerow planting details, there is an outstanding requirement to agree additional details as listed under condition 47. These additional details were required to be submitted by December 2016 and have been submitted as part of the current application. The submitted details include an updated arboricultural report; tree protection fencing; and maintenance of trees and hedgerows.
14. The following key documents accompany the application:
  - Minerals Development Statement - October 2017
  - Revised Site Plan (Dwg No 305/214/PC107 Rev F)
  - De - Watering Impact Assessment
  - Preliminary Arboricultural Report

### **The Applicant's Case**

15. Increasing the depth would enable additional mineral to be extracted that would otherwise be left in the ground. The proposed phasing would be more flexible than the current phasing and it would increase the efficiency at the quarry because products can be mixed using mineral from different areas of the quarry.
16. The operators have invested around £2 million in this site. There are currently eight members of staff employed at the quarry and around twenty lorry drivers a day visit the site to remove excavated and processed materials. As of July 2017, the business rates for the quarry were £113,044 per annum which over the remaining eleven years of the planning permission for working the quarry, equates to a contribution of over £1 million into the local economy.

### **Relevant Planning History**

17. [SS.12/15/602 MW](#) dated 16 December 2015, to continue the existing mining permission at Saredon Quarry; to extend the quarry and extract sand and gravel; and, restore the quarry by infilling with inert waste or inert material. A Section 106 Legal Agreement dated 15 December 2015 accompanied this permission and included obligations to control lorry routes on the local highway and to improve the highway near to the site access.
18. [SS.16/03/602 MW](#) dated 18 August 2016, to not comply with (to vary) Condition 1 (the approved documents and plans) and Condition 17 (the height of stockpiled material) of planning permission SS.12/15/602 MW in order to relocate existing washing and grading operations and formation of hardstanding area for the washing and grading plant and storage of washed and graded sand and gravel.
19. [SS.16/10/602 MW](#) dated 11 November 2016 to vary condition no.3 of planning permission SS.12/15/602 MW to allow the importation of limestone to produce higher strength concrete.
20. [SS.16/08/602 MW](#) dated 23 November 2016 for the development of an aggregates recycling facility including associated plant and storage areas.

21. [SS.17/11/602 MW](#) for variation of condition 23(e) of planning permission SS.16/10/602 MW to allow additional two concrete mixer lorries to enter and leave the site outside of normal operation hours, with departures (loaded) daily at 19:00 (Monday to Friday) and single inward journeys (returning unloaded) at 06:00 daily (Tuesday to Saturday) between 15/11/17 and 31/8/18 – subject of separate report to this committee.

### **Environmental Impact Assessment (EIA)**

**Screening Opinion:** YES      **Environmental Statement:** NO

22. As the proposed development falls within the applicable thresholds and criteria for screening for EIA development (ref. Schedules 1 and 2 to the [Town and Country Planning \(Environmental Impact Assessment\) Regulations 2017](#)), the County Council has issued a “Screening Opinion” which concluded that the proposed development is not EIA development and therefore the planning application need not be accompanied by an Environmental Statement (ref: [SCE.241/SS.17/10/602](#) MW dated 21 November 2017).

### **Findings of Consultations**

#### **Internal**

23. The Environment Advice Team (EAT) – no objections subject to conditions requiring an annual survey for protected species; the protection of trees within the existing woodland in the central part of the quarry; and a requirement to submit details for replacement planting along the northern boundary of the site adjacent to the internal access road and near the maintenance building.
24. The following internal consultees have no objections:
- Highways Development Control (on behalf of the Local Highways Authority);
  - Staffordshire County Council’s Noise Engineer;
  - Planning Regulation Team; and,
  - Flood Risk Management Team (on behalf of the Lead Local Flood Authority).

#### **External**

25. The following consultees have no objections or comment:
- The Health and Safety Executive
  - Natural England
  - National Grid
  - Highways England (subject to stand-offs)
26. Midland Expressway Limited – on the assumption that HGV movements would increase, they had concerns are raised about the impact of these vehicles passing over the motorway bridge as HGVs do not have sufficient space to pass each other and this would result in lorries mounting the verge.
27. Environment Agency (the EA) – no objection but recommend a condition to require groundwater monitoring from two boreholes (one at the western edge of the site and

another at the southern edge of the site).

28. South Staffordshire Waterworks Company – having raised concerns regarding the deepening proposal, the Company supports the recommendation by the EA to require monitoring of groundwater.
29. No response was received from the Forestry Commission.

### **District/Parish Council**

30. South Staffordshire District Council (Planning and Environmental Health) – no objections.
31. Saredon Parish Council - no comments.

### **Publicity and Representations**

32. Site notice: YES      Press notice: YES
33. 69 neighbour notification letters were sent out and 5 representations have been received. The representations are summarised as below:
  - The deepening of the quarry may affect the water table in the locality and in particular, affect water features in the locality including an ancient moat to the south of the quarry.
  - Concerns about the adverse impact of HGVs on the public highway and the amenity of the adjacent Saredon Hall Farm in terms of vibration and mud on road.
  - A concern about the frequency of blasting and that blasting is shaking buildings which may result in structural damage.

### **The development plan policies and proposals relevant to this decision**

34. The relevant development plan policies are listed below:
  - a) [Staffordshire and Stoke on Trent Minerals Local Plan](#) (2015 - 2030) (adopted 16 February 2017):
    - Policy 1: Provision for Sand and Gravel
    - 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
  - b) The [Staffordshire and Stoke on Trent Joint Waste Local Plan](#) 2010 to 2026 (adopted 22 March 2013):
    - Policy 1: Waste as a resource
      - Policy 1.3 Construction, demolition and excavation waste
      - Policy 1.6 Landfill or landraise

- Policy 4: Sustainable design and protection and improvement of environmental quality
    - Policy 4.1 Sustainable design
    - Policy 4.2 Protection of environmental quality
- c) The [South Staffordshire Core Strategy](#) (adopted 11 December 2012):
- Policy GB1: Development in the Green Belt
  - Core Policy 2: Protecting and Enhancing the Natural and Historic Environment
  - Policy EQ1: Protecting, Expanding and Enhancing Natural Assets
  - Policy EQ4: Protecting and Enhancing the Character and Appearance of the Landscape
  - Core Policy 3: Sustainable Development and Climate Change
  - Policy EQ7: Water Quality
  - Policy EQ9 – Protecting Residential Amenity
  - Policy EQ12: Landscaping
  - Core Policy 11: Sustainable Transport
  - Policy HWB2: Green Infrastructure

### **The other material planning considerations**

35. The other material planning considerations are listed below:

- [The National Planning Policy Framework](#) (the NPPF\*) (published on 27 March 2012).
  - Section 1: Building a strong, competitive economy;
  - Section 4: Transport;
  - Section 9: Protecting Green Belt land;
  - Section 11: Conserving and enhancing the natural environment;
  - Section 13: Minerals;
  - Paragraphs 14 (Presumption in favour of sustainable development); and 17 (Core planning principles);

[\* Note: a [review of the NPPF](#) is currently taking place. The consultation period started on 5 March and ended on 10 May 2018. Having regard to the sections referred to above, the proposed changes to the NPPF are not considered to be significant in terms of the determination of this application.]

- [Planning Practice Guidance](#) including: [Land stability](#); [Minerals](#); [Natural environment](#); [Noise](#); and [Use of planning conditions](#).
- The emerging [Site Allocations Document](#) (Part of the South Staffordshire Local Plan awaiting adoption with the District Council having recently received the Inspector's report) – confirms that the quarry remains within the Green Belt.

### **Observations**

36. This is an application to vary conditions 1, 12, 13, 14, 24, 46 and 47 of planning

permission SS.16/10/602 MW to deepen parts of the permitted extraction area and to confirm the working scheme details at Saredon Hill Quarry, Great Saredon Road, Little Saredon.

37. Having given careful consideration to the application and supporting information, including the information subsequently received, the consultation responses and the representations received, the relevant development plan policies and the other material considerations, all referred to above, the key issues are considered to be:
- Minerals planning policy considerations
  - Environmental impact
  - Other matters arising from representation

### **Minerals planning policy considerations**

#### *Context*

38. 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 ([Section 13](#)), and provides general planning policy guidance which is underpinned by a presumption in favour of sustainable development. The NPPF encourages local planning authorities to “give great weight to the benefits of mineral extraction, including the economy”.<sup>1</sup>

#### *Deepening*

39. The proposal involves the deepening of part of the quarry in the vicinity of a geological fault as a consequence of proving by excavations that the actual extent of sand and gravel reserves is deeper than originally anticipated. The base of excavation shown on the proposed site plan in the northern ‘area of excavation’ is at 85 metres Above Ordnance Datum (AOD) at a point where the original quarry meets with the permitted eastern extension area and from this level excavations are anticipated to rise eastwards up to 138m AOD. Originally, excavations levels were anticipated to reach between 125m – 130m AOD at this point. Likewise, there is a southern ‘area of excavation’ where the lowest level would be 96m AOD and would rise into the eastern extension area to 138m AOD. No changes are anticipated to the base of excavation within the remainder of the eastern extension area but this localised deepening in the vicinity of the fault line could provide a potential additional 260,000 tonnes of sand and gravel.
40. As the proposed deepening would take place within the limits of extraction already permitted; would only take place within a 4.5 hectare area of the 12 hectare extraction area; and, as the change is the result of a reassessment of reserves within a geologically uncertain part of the quarry; it is considered reasonable to accept that the proposed deepening would not result in a fundamental change to the permission and should be determined as a variation of the current permission.
41. The proposed deepening does not need to be justified as would a lateral extension or more extensive deepening of the quarry but the applicant justifies the proposed deepening with reference to Policy 1 of the Minerals Local Plan, in that the proposed

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<sup>1</sup> Refer to paragraph 144 in [section 13](#) of the NPPF

deepening supports the continued production of sand and gravel from a site which is favoured with an allocation to extend and would contribute to the overall provision of sand and gravel required over the Plan period. It is considered that there is merit to the comprehensive recovery of sand and gravel from this quarry provided this can be achieved without unacceptable adverse impact in accordance with policies 4 and 6 of the Minerals Local Plan. It is also observed that the opportunity to extract the sand and gravel at depth within these parts of the quarry is time limited due to progressive backfilling of the void required in order to restore the quarry.

### *Phasing*

42. The proposed site plan also indicates changes to the phasing and direction of excavations so that there are two areas of excavation being worked during the next 5 years. This is required by the applicant in order to increase the efficiency of the quarry in producing aggregate materials by enabling mineral that was previously considered uneconomic to extract to be blended with mineral from another part of the quarry.
43. The revised phasing is not consistent with the approved concept working scheme but would enable the quarry to be worked more efficiently through a fault zone into the extension area. As with the proposed deepening, the proposed phasing allows for the comprehensive recovery of mineral and is consistent with national policy which in relation to minerals states "*it is important to make best use of them to secure their long-term conservation*".<sup>2</sup>
44. *Conclusion:* Having regard to the development plan policies and other material considerations referred to above, it is reasonable to conclude that the proposal provides an opportunity for the comprehensive recovery of sand and gravel within the permitted extension area which would otherwise be sterilised by progressive backfilling as the quarry is restored.

### **Environmental impact**

45. The proposed deepening and changes to the phasing of extraction would require a variation to conditions 12, 13 and 14 which were imposed to assist with the effective monitoring of the planning permission, to ensure the orderly operation of the Site in this Green Belt location and to protect the environment and amenity of local residents. Therefore, the proposed changes to the development of the quarry need to be assessed in terms of their effect on the environment in accordance with policy 4 of the Minerals Local Plan; and, to secure the orderly operation of the quarry which should achieve high quality restoration at the earliest opportunity in accordance with policy 6 of the Minerals Local Plan.

### *Protecting the Green Belt*

46. When the application for the eastern extension was approved<sup>3</sup>, the proposal was considered to be compatible with national and local policy seeking to protect Green Belt land. Policy 4.1 g) of the Minerals Local Plan requires the impact of proposals on the Green Belt to be taken into account.

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<sup>2</sup> Refer to paragraph 142 in [section 13](#) of the NPPF

<sup>3</sup> Refer to minutes of the meeting on [2 October 2014](#) of the County Council's Planning Committee regarding application ref: SS.12/15/602 MW.



47. The proposed changes do not conflict with the purposes of including land in the Green Belt as set out in national policy.<sup>4</sup> Secondly, there is no spatial or visual impact on the openness of the Green Belt associated with the proposal to deepen the quarry. In relation to the amended phasing, further information was submitted by the applicant to assess landscape and visual impact and in response to this assessment, no further concerns have been raised by the County Council's Principal Landscape Officer. The nature of existing topography, screen bunding and new planting should ensure that the openness of the Green Belt is preserved.
48. For the purposes of screening the quarry, the permission requires trees and hedgerows to be planted in accordance with details previously approved and new planting has been carried out in accordance with the requirements of the permission. There remains a requirement to approve additional tree and hedgerow protection, management and enhancement measures under condition 47 of the current permission in relation to the planting required along the haul road near the concrete plant. These details have been submitted as part of the current application and are acceptable to the County Council's Principal Landscape Officer, subject to the submission and approval of further details.

#### *Protected Species*

49. The applicant has been required to demonstrate that there is no adverse impact on protected species in accordance with Policy 4.1 j) of the Minerals Local Plan and the applicant has submitted further information to address initial concerns raised by the County Council's Principal Ecologist. In response, further survey work of protected species is recommended as well as ensuring that trees would be protected within the retained woodland. The submitted site plan confirms that there are no mineral operations within the woodland and the stability of quarry slopes around the woodland is a matter for separate regulation (see below).

#### *Protecting groundwaters*

50. Policy 4.1 n) of the Minerals Local Plan requires consideration of the effect on the water environment including groundwater. The proposals include localised deepening of the quarry in the vicinity of a fault zone but the extent of deepening has already been achieved within the original quarry area.
51. In response to an initial objection raised by the Environment Agency, the applicant has submitted a "De - Watering Impact Assessment" to update the hydrogeological risk assessment that was submitted in support of the original planning application for the eastern extension. The assessment concludes that "*any deepening of the existing quarry will not have any greater impact on the groundwater regime than is currently apparent*". In addition, the assessment finds that there are no impacts on local water features around the quarry associated with dewatering.
52. The Environment Agency has now confirmed that they have no objection to the proposal in planning terms. In response to the report, concerns have been raised by South Staffordshire Waterworks Company and these concerns have been considered by the Environment Agency. In response, a condition is recommended to

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<sup>4</sup> Refer to paragraph 80 in [section 9](#) of the NPPF.

extend existing groundwater monitoring undertaken in accordance with the environmental permits for the quarry as regulated by the Environment Agency. The Waterworks Company support the condition recommended by the Environment Agency.

#### *Land stability*

53. Highways England has considered the impact of the proposal on their infrastructure which includes the embankment adjacent to the motorway carriageway. A stand-off of 10 metres is normally required by Highways England and the applicant's agent confirms that there is a minimum distance of 14 metres between the proposed extraction area and the site's boundary with highway land (the minimum distance to the carriageway is 50 metres).
54. National policy advises that where a site is affected by land stability issues, responsibility for securing a safe development rests with the developer and/or landowner.<sup>5</sup> Advice provided by the Health and Safety Executive (HSE) confirms that the operator is required to develop the quarry to a design prepared with a geotechnical specialist. This aspect of quarry operations is enforced by HSE using the Quarry Regulations 1999, so planning conditions are not necessary to ensure safe quarry face working. The quarry slopes would ultimately be removed by backfilling as part of the restoration of the quarry.

#### *Ensuring that the site is restored at the earliest opportunity*

55. The quarry is required to be progressively restored to nature conservation and agriculture and the current approved restoration and aftercare scheme is subject to review by no later than December 2025.<sup>6</sup> To support the effective monitoring of restoration progress, condition 13 requires the submission of a Site Layout Plan providing details of restoration progress and the approved Site Layout Plan is then subject to regular review for the duration of the planning permission under condition 14.
56. In support of the proposed deepening and amended phasing, a Site Plan has been submitted to address the requirements of condition 13 together with details of the proposed deepening and the amended phasing. The Plan also indicates the extent of restoration phases proposed to be achieved over the next 5 years which involves backfilling most of the original quarry void.
57. Referring to Policy 6.2 c) of the Minerals Local Plan, the applicant has been asked to confirm whether sufficient backfill materials are likely to be available to restore the site within an acceptable timescale. Currently, restoration operations involving the backfill of the quarry with imported waste are allowed to continue up to 31 December 2030.
58. The applicant has confirmed in their statement that the new plant used for processing mineral is capable of increasing production so that the current cessation date for mineral extraction i.e. 31 December 2028, remains achievable and therefore, increasing the amount of mineral to be extracted should not hinder the timely restoration of the quarry. In terms of achieving restoration proposed over the

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<sup>5</sup> Refer to paragraph 120 in [section 11](#) of the NPPF.

<sup>6</sup> Refer to conditions 50 and 51 of permission SS.16/10/602 MW.

next 5 years, the applicant's agent highlights that much of the original quarry is already backfilled and no problems are apparent in the availability of backfill material to maintain progress. The review of the approved Site Layout Plan is currently required every 5 years but in view of the current uncertainties relating to geology, it is considered that the review is brought forward so that a review takes place every three years for the period prior to the required completion of restoration in 2030.

59. *Conclusion:* Having regard to the development plan policies and in particular policies 4 and 6 of the Minerals Local Plan as well as policy of the Waste Local Plan, it is reasonable to conclude that the proposed changes should not cause any unacceptable adverse impact on the environment. The proposals are considered to conform to policy protecting the Green Belt. Furthermore, the submitted details relating to operation of the quarry including details of tree and hedgerow plant are considered acceptable.

### **Other matters arising from representations**

#### *Protection of Groundwater*

60. As indicated above, the applicant has been required to consider the impact of the proposed deepening on groundwater. The assessment undertaken on behalf of the applicant was also required to consider a representation concerning the potential impact of dewatering operations on the water supply to a moat which is to the south of the quarry in Little Saredon. The assessment concluded that the impermeable faults around the area of deepening prevent derogation to the moat.
61. Further representations have been made by the owner of the moat maintaining that there is a link between dewatering operations at the quarry and the moat which has affected the water level in the moat and the quality of the water. These further concerns have been forwarded to the Environment Agency and the Agency observes that they do not have any plausible explanation for linkage between quarry backfilling and a borehole associated with the moat.
62. *Conclusion:* In this case, the dewatering arrangements and use of the quarry for the disposal of inert waste have been accepted by the Environment Agency and given that there is no objection from the Agency to the proposal, it is considered that there is no reasonable ground for objection in terms of the effect of the proposal on groundwater.<sup>7</sup> The recommended additional groundwater monitoring would also assist with checking the impacts of dewatering the quarry.

#### *Impact of blast vibration*

63. Blasting is necessary in some parts of the quarry to loosen the sand and gravel prior to removal by excavators and as a consequence, conditions have been imposed to limit the ground vibration that results from blasting, to provide notification of blasts, to restrict the times for blasting and to monitor blast vibration at sensitive properties. Objections have been raised by local residents on the basis that current blasting operations affect their amenity and there are concerns that the scale of blasting would affect the structures of their homes.

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<sup>7</sup> Note also advice under paragraph 122 in [section 11](#) of the NPPF.

64. There is no record of a blast exceeding the vibration limit imposed by condition which is a limit set below the threshold at which damage to property would occur. The applicant's statement indicates that blast design within the quarry is aimed at reducing vibration to levels lower than the limit defined by condition although as a consequence, the frequency of blasts may increase.
65. *Conclusion:* Having regard to policy 4.1 d) and to the previously submitted "Assessment of Environmental Impact of Blasting at Saredon Quarry" (October 2013), there is no evidence from recent blasts to suggest that the effect of blast vibration associated with the extended deepening would result in an unacceptable adverse impact and it is concluded that existing planning control on blasting remain adequate.

#### *Impact of HGV traffic*

66. Local residents have raised concerns about the actual impact of HGV traffic associated with the quarry and remain concerned about road safety (speed of vehicles on Saredon Road/ poor driving/ vehicles waiting on the public highway before the quarry opens) and the effect on their amenity (mud on the road/ vibration from passing HGVs).
67. Previous concerns of local residents about HGV traffic have been addressed with the imposition of conditions relating to the number of vehicle movements; a restriction on the times when vehicles can enter or leave the quarry; provision and use of wheel cleaning facilities; cleaning of the internal haul road between the wheel cleaning facilities and the public highway; and a requirement for all loads to be sheeted prior to leaving the quarry. In addition, the quarry operator is obliged under a section 106 agreement to require that haulage contractors comply with an agreed route to and from the quarry; to advise and regulate good driver behaviour; and to monitor and contribute to the maintenance of Saredon Road and Great Saredon Road. In accordance with the same agreement, the operator has installed wooden kicker rails to prevent parking in the vicinity of the junction of Saredon Road and Great Saredon Road as well as paid for advisory speed signs.
68. There is no proposal to increase the current limit on HGV movements or any proposed extension of the timescale in which to extract mineral despite the increase in the amount of sand and gravel that can be produced through the deepening of the quarry. The applicant explains that this can be achieved through more efficient management of transport whereby 90% of HGVs bringing backfill material to the quarry are leaving the site with a mineral load. In addition, vehicles with an increased carrying capacity up to 30 tonnes are also being used.
69. With regard to the concern raised by Midland Expressway Limited relating to the bridge over which all HGVs have to pass in order to comply with the approved access route, the Highways Officer has carried out an inspection of the access and on the basis of the current proposal does not recommend any further mitigation given that the proposal does not increase HGV movements. The applicant is prepared to contribute additional signage as well as measures to protect the verges of the highway and this would be progressed with direct liaison between the operator and the local highway authority in conjunction with the undertaking to contribute to highway repairs.

70. *Conclusion:* Having regard to policy 4.1 e) of the Minerals Local Plan and the effect of the proposal on traffic associated with the quarry, it is reasonable to conclude that no amendment of conditions relating to HGV movements or additional provision can be justified.

### **The need to review and update the planning conditions**

71. Under [section 73](#) of the Town and Country Planning Act 1990, the local planning authority shall consider only the question of the conditions subject to which planning permission should be granted. In this case, conditions are relatively up to date as the current planning permission SS.16/10/602 MW was granted in November 2016. Most of the conditions remain relevant but in the event that the proposals for deepening and the amended phasing are found acceptable, it would be necessary to update any other conditions that are impacted by the proposals. In this case, it would be necessary to update the following: Condition 1 so that the new permission refers to the approved plans and documents submitted with the current application; Condition 2 in order to define the date of commencement of the development commensurate with the date of the new permission; Condition 13 so that it requires that the site shall be worked and restored in accordance with the revised site plan/site layout plan; Condition 14 so that the date for the first Progress Report is submitted by 31 December 2021 and that the frequency of reporting is increased to every 3 years; Conditions 24 and 46 d) to refer to the submitted site plan; and Condition 47 to refer to approved submitted details and to require further details relating to tree group G1. In the event that the submitted site plan is approved, Condition 12 can be deleted and additional conditions would be necessary to require an annual update survey of protected species and to require the installation and monitoring of 2 boreholes in accordance with a Groundwater Monitoring Scheme.
72. As stated previously, another application which seeks to vary the extant permission is also being reported to this Planning Committee meeting (ref. [SS.17/11/602 MW](#)). It should therefore be noted that if the Planning Committee accept the recommendation to permit that application, then it would be necessary to make further updates to the conditions to accommodate that decision and vice versa.
73. *Conclusion:* Having regard to the requirements of the legislation and the requirement of existing conditions, it would be necessary to vary conditions if the proposed deepening and phasing of the quarry is found acceptable as well as details relating to site layout/ progress and tree/ hedgerow planting. Furthermore, having regard to national and development plan policies and other material planning considerations, there are no significant changes since the grant of the original permission that would justify other variations to the conditions.<sup>8</sup>

### **Overall Conclusion**

74. Overall, as an exercise of judgement, taking the relevant development plan policies as a whole and having given consideration to application, the supporting information, the consultation responses, the representations and the other material considerations, all referred to above, it is reasonable to conclude that the proposals should be supported, subject to the amended conditions recommended below.

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<sup>8</sup> Refer to "[Annex A: summary comparison table](#)" (paragraph: 019 Reference ID: 17a-018-20140306 of national planning guidance).

## **RECOMMENDATION**

**PERMIT** the application to vary conditions 1, 12, 13, 14, 24, 46 and 47 of planning permission SS.16/10/602 MW to deepen parts of the permitted extraction area and to confirm the working scheme details at Saredon Hill Quarry, Great Saredon Road, Little Saredon, subject to conditions to include those listed below.

**The planning conditions of the new planning permission** to include the conditions of the extant planning permission ref. SS.16/10/602 MW; the updates in the event that application ref. SS.17/11/602 MW is approved; and, the following updates (the updates are highlighted in **bold**):

1. To define the permission in accordance with the approved **documents, plans** and details.
2. To define commencement as being the **date of the permission**.
12. **To delete condition as it is superseded by Site Plan (Dwg No 305/214/PC107 Rev F) and the requirements of condition 13 as amended.**
13. To require the Site to be progressively worked and restored **in accordance with the approved Site Plan (Dwg No 305/214/PC107 Rev F)**.
14. To require Progress Reports and updates to the approved Site Layout Plan **every 3 years** commencing **from the date of this permission** until the cessation of working and restoration operations.
24. To require access and egress to/ from the Site to be via Great Saredon Road as indicated on **the approved Site Plan (Dwg No 305/214/PC107 Rev F)**
46. To require the management of soils, subsoils and soil making materials and stored in mounds as shown on **the approved Site Plan (Dwg No 305/214/PC107 Rev F)**
47. To require the planting and maintenance of trees and hedgerows in accordance with approved details (ref. SS.12/15/602 MWD3 dated 1 August 2016) **including:**
  - **Discharge of Condition 47 of SS16-10-602-MW**
  - **8-12-Year Maintenance Schedule -Trees Hedgerows**
  - **Preliminary Arboricultural Report (refer to Condition 47a)**

**and to require additional details for Tree Group G1.**

### Additional recommended conditions

- **To require the installation and monitoring of 2 boreholes in accordance with a Groundwater Monitoring Scheme to be approved by the Mineral Planning Authority, and**
- **To require an Annual Survey for Protected Species.**

Case Officer: Matthew Griffin - Tel: (01785) 277275  
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*A list of background papers for this report is available on request and for public inspection at the offices of Staffordshire County Council, 1 Staffordshire Place, Stafford during normal office hours Monday to Thursday (8.30 am – 5.00 pm); Friday (8.30 am – 4.30 pm).*