

Local Member	
Mrs. C. G. Heath	Leek Rural

Planning Committee

6 August 2020

Waste County Matter

Application Nos. (District): [SM.19/13/111 MW](#) and [SM.19/10/111 MW](#)
(Staffordshire Moorlands)

Applicant: [Geocycle UK Ltd](#)

Description:

- a) Delegated authority is sought to determine at a later date the application for Hazardous Substances Consent for proposed fuel storage and feed system for alternative fuel firing and ancillary development [SM.19/13/111 MW](#).
- b) Application for Proposed Fuel Storage and Feed System for Alternative Fuel Firing and ancillary development [SM.19/10/111 MW](#)

Location: Caudon Cement Works, Earlsway, Staffordshire

Background/Introduction

1. This report relates to two applications: delegated authority is sought to determine at a later date a hazardous substances consent application; and, approval is sought for the associated waste planning application for a fuel storage and feed system for alternative fuel firing.
2. [Geocycle UK Ltd](#) are a newly founded company registered in October 2019 formed to manage operations at the proposed alternative fuel storage and feed system ancillary to the existing Caudon Cement Works operated by Lafarge Caudon Limited.
3. The site forms part of the wider mineral complex at Caudon, which comprise of a limestone quarry, shale quarry, and significant built structures at the Cement Works, and falls within the boundary of the historic Interim Development Order (IDO) planning permission for mineral extraction issued in December 1998 ([IDO/SM/9](#)).
4. The Caudon Complex is a nationally significant cement manufacturing operation. As of 2017, Caudon produced around 960,000 tonnes of cement per annum, equating to nearly 10% of all cement used in Great Britain.
5. Globally, cement production is a significant contributor to CO₂ emissions which have a key impact in accelerating global warming and climate change. According to [Think Tank Chatham House](#), cement is the source of circa 8% of the world's carbon dioxide (CO₂) emissions. To meet the requirements of [the Paris Agreement on climate change](#), annual emissions from cement need to fall by at least 16% by 2030.

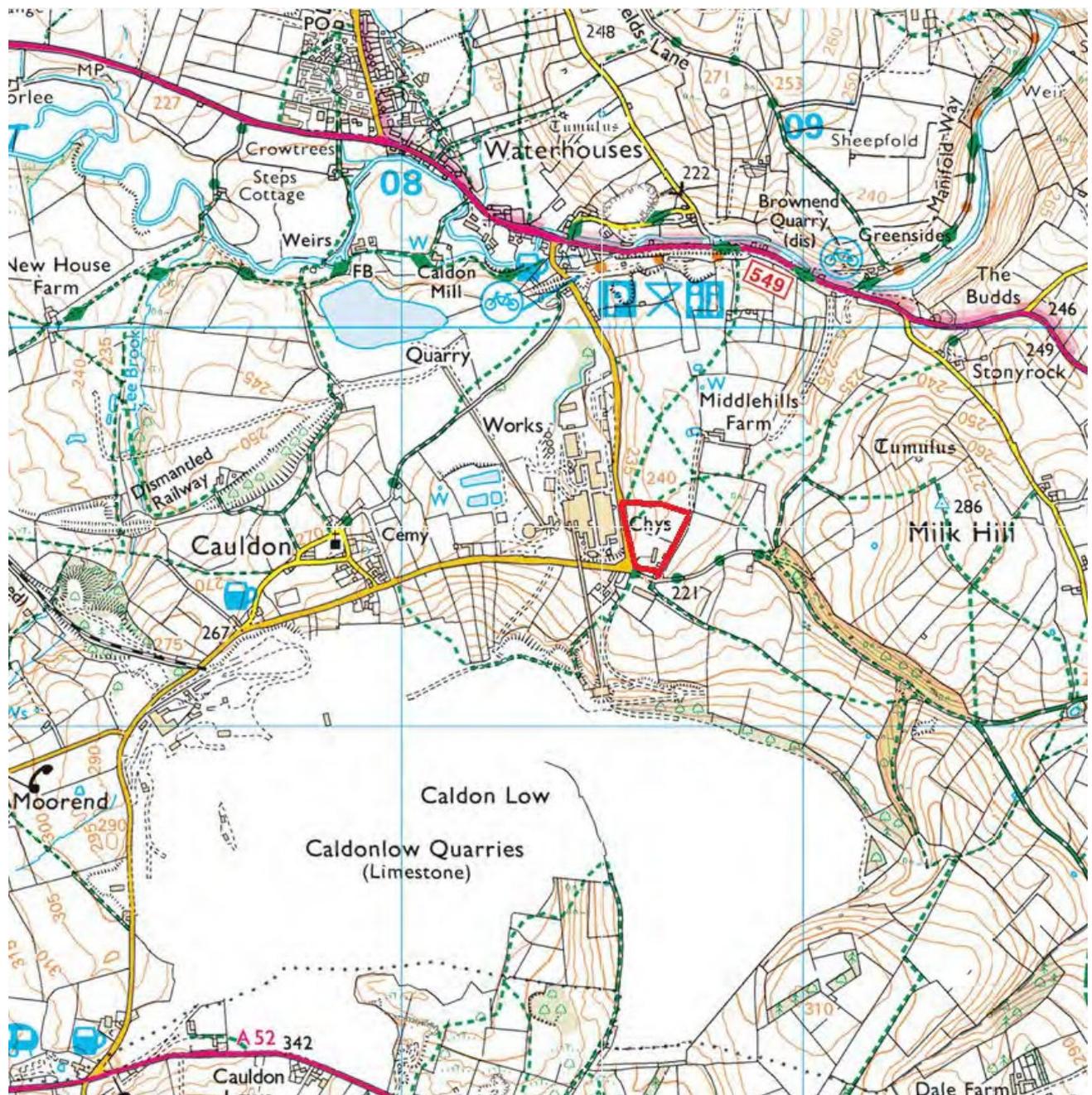
Therefore, the sector urgently needs to pursue a number of CO₂ reduction strategies.

6. As it is critical that CO₂ levels are reduced and minimised as far as possible, it is now the intention of the applicant to reduce the carbon footprint of Cauldon Cement Works by reducing the use of the existing fuels used in kilns at the works that emit high volumes of CO₂ when burnt in the cement production process.
7. Cauldon Cement Works opened and began operating in 1957. Solid recovered fuels have been used in kiln- firing since 2009, with Waste Derived Liquid Fuels (WDLF) first introduced in 2010. In 2013, Cauldon became the third of Lafarge Cement's 166 production sites across the world to achieve 100% alternative fuel use on the calciner for a limited period. In 2018 WDLF was introduced to the Calciner.
8. The current fuel mix at the Cauldon Cement Works consists of coal, used motor vehicle tyre chips, Processed Sewage Pellets (PSP), and a limited volume of WDLF. It is anticipated that the proposed development could enable Lafarge Cauldon Limited to utilise alternative / waste derived fuels for up to 85% of the total fuel mix, thereby reducing their reliance on less environmentally sustainable resources such as coal and tyre chips in the production of cement.
9. Although not part of the planning application, it should be noted that a separate submission has been prepared in order to facilitate a new Environmental Permit for the proposed alternative fuel storage and feed platform. Furthermore, as a consequence of the proposed increased quantity of alternative fuels that would be stored, the new area of the Cement Works (the application site) has applied to become Control of Major Accident Hazards (COMAH) compliant. A consultancy company who specialise in COMAH sites have been engaged to assist in ensuring that the new site meets all requirements of the regulations, and also provides hazard and risk assessment services for the new site throughout its conception, design, construction and ongoing operations.
10. The cement plan is required to operate to certain environmental standards by an Environmental Permit Ref: [TP3334AW](#). The environmental permit controls the site by the use of conditions/ standards that operators must comply with. These include emission limits of pollutants in the stack, to noise levels and dust leaving the site boundary. It may also include requirements to undertake certain cleaning regimes etc. The Cauldon Complex is what is known as an "A1 Installation" and is regulated by the Environment Agency. Staffordshire Moorlands District Council (SMDC). SMDC however is the Local Authority responsible for investigating [Statutory Nuisance](#).

Site and Surroundings

11. The site is situated between the villages of Cauldon and Waterhouses, approximately 10 kilometres to the south-east of Leek, and approximately 11 kilometres to the north-west of Ashbourne. At its closest point the site is located approximately 700 metres south of the Peak District National Park and approximately 200 metres west of the Caldun Dales site of Special Scientific Interest (SSSI).
12. The site is approximately a 2-hectare parcel of land to the east of the Cement Works known as 'Hurst Farm'. The boundary of the waste planning application is however

also drawn around the extent of the existing Caudon Cement Works. Refer to Committee Report Plan 1 'Application Boundaries'.



Location Plan (Source: Planning and Environmental Statement Technical Appendix C)

13. The manufacture of cement requires both limestone and shale, the Caudon limestone quarry is to the south of the main Cement Works site linked via conveyor, and the Caudon shale quarry is to the north-west of the works. A separate limestone quarry, Caudon Low quarry, is to the west of the Caudon limestone quarry.
14. Hurst Farm is accessed via the junction of Earlsway and Yelsway Lane, approximately 950 metres south of the A523. The existing access to Hurst Farm is approximately 20 metres east of Earlsway along an unadopted trackway.



Aerial Image: (Source: Planning and Environmental Statement)

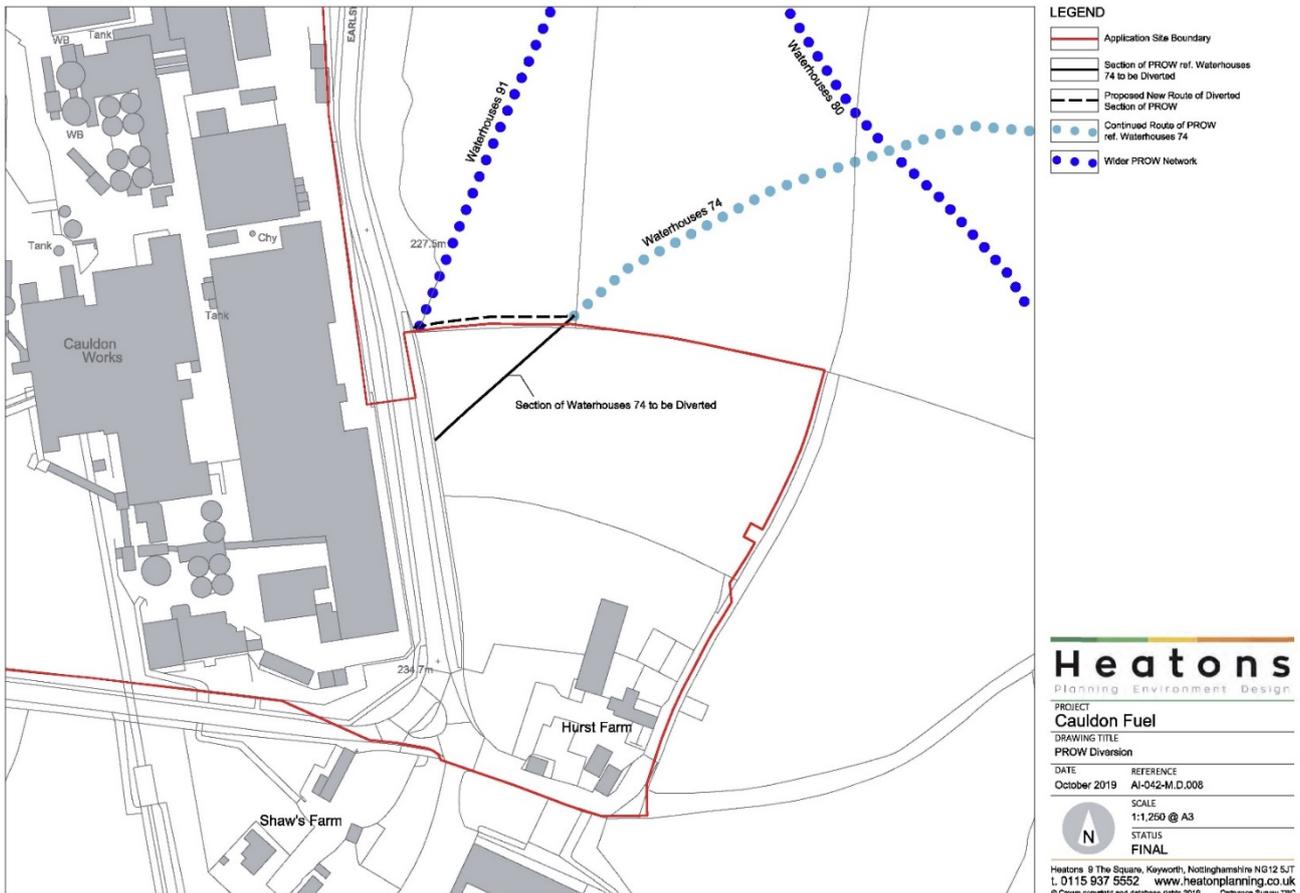
15. Hurst Farm is untenanted and contains six disused buildings, existing hardstanding, vacant land most recently used for grazing, scattered trees, and overhead power lines which terminate within the site. The site is bounded by drystone wall and hedgerow with areas of border woodland.

Photograph 1: The disused buildings at the application site Hurst Farm
Photograph 2: Looking south down 'Earlsway'. Hurst Farm is to the left of the road and the Cement Works is to the right.
Photograph 3: site access would be from the junction of Earlsway.



16. Grade II Listed Buildings (Shaws Farm which are under the control of the Company) are located within 100 meters of the site's boundary, south-west of the site adjacent to Earlsway.

17. The closest noise sensitive property is Middlehills Farm which is located approximately 175 metres north-east and is within the ownership of the Company.
18. A Public Right of Way, 'Public Footpath 74 of Waterhouses Parish' is partly located within the application site . The footpath terminates at a hedgerow on the western boundary of Hurst Farm where it meets a stile leading to the public highway Earlsway.



The Proposed Public Right of Way Diversion which forms a separate application. (Plan supplied by applicant).

Summary of Proposals

Hazardous Substances Consent Application (ref. [SM.19/13/111 MW](#))

19. Associated with the waste planning application, consent is sought to store hazardous substances.
20. The hazardous substances consent process is separate to the land use planning process and is in accordance with The Planning (Hazardous Substances) Act 1990 and The Planning (Hazardous Substances) Regulations 2015. This technical process ensures that necessary measures are taken to prevent major accidents and limit their consequences to people and the environment. The hazardous substances authority (i.e. in this case Staffordshire County Council) has responsibility for deciding whether the risk of storing hazardous substances is tolerable for the community. Usually the District/Borough Planning Authorities is the hazardous substances authority however we have the application as we are determining the associated waste planning application.

21. The [Planning Practice Guidance](#) advises that we should consult the Control of Major Accident Hazards (COMAH) competent authority (i.e. The Health and Safety Executive (HSE) and the Environment Agency (EA)) and others as required by legislation. (Others include fire and civil defence authorities, other relevant planning authorities and public utilities).
22. At the current time it is important to highlight that the Health and Safety Executive do not have an Inspector available to assign to providing a response on the application and therefore a decision on the application cannot be made. In terms of COMAH both the HSE and EA have however held a pre-receipt meeting with the applicant as the site will be categorised as a Top Tier COMAH site.
23. The technical application for Hazardous Substances Consent (HSC) has been mentioned in this report as our Scheme of Delegation does not currently allow determination by your officers. The recommendation later is therefore seeking approval of the Planning Committee to delegate authority to the Director for Economy, Infrastructure and Skills in consultation with the Chairman of Planning Committee and the Cabinet Member for Environment, Infrastructure and Climate Change to determine this HSC application on receipt of the relevant consultation responses, particularly from the HSE. [Note that the consultation responses, representations and observations detailed in the report below relate only to the waste planning application [SM.19/10/111 MW](#)].

Waste Planning Application (ref. [SM.19/10/111 MW](#))

24. Planning permission is sought for the construction of a fuel storage and feed system for alternative fuel firing of the kilns at Cauldon Cement Works.
25. The fuels proposed to be increased are:
 - Solid Recovered Fuels (SRF) and Refuse Derived Fuels (RDF) such as non-recyclable soft plastics such as crisp packets and similar, which otherwise are generally sent to landfill or for incineration;
 - Waste Derived Liquid Fuels (WDLF) such as waste oils such as motor and cooking oils, solvents, diesel and wastewater; and,
 - High Viscosity Liquids (HVL), such as slurries of a higher viscosity than standard WDLF, up to a maximum of 30% solid content. (Of all the fuels listed, only HVL have not been previously used at Cauldon).
26. The proposal involves the following elements:
 - The demolition of all existing buildings and structures at Hurst Farm;
 - The installation of a chlorine bypass at the existing Cement Works;
 - Creation of a site access with remodelling of the Earlsway /Yelsway Lane junction;
 - Construction / installation of the following built development at Hurst Farm
 - SRF/RDF storage hall;
 - Four WDLF/HVL storage tanks
 - SRF/RDF conveyor feed (including section over Earlsway);
 - WDLF /HVL pipeline feed (including section over Earlsway); and,
 - Associated ancillary infrastructure including internal roads and hardstanding, weighbridge, administration and laboratory building, carparking and HGV waiting areas, power substation, fire water pump

- station, rainwater/residual fire water basin, emergency access, emergency exist, and perimeter fencing; and,
- Landscaping with native planting and surface water management

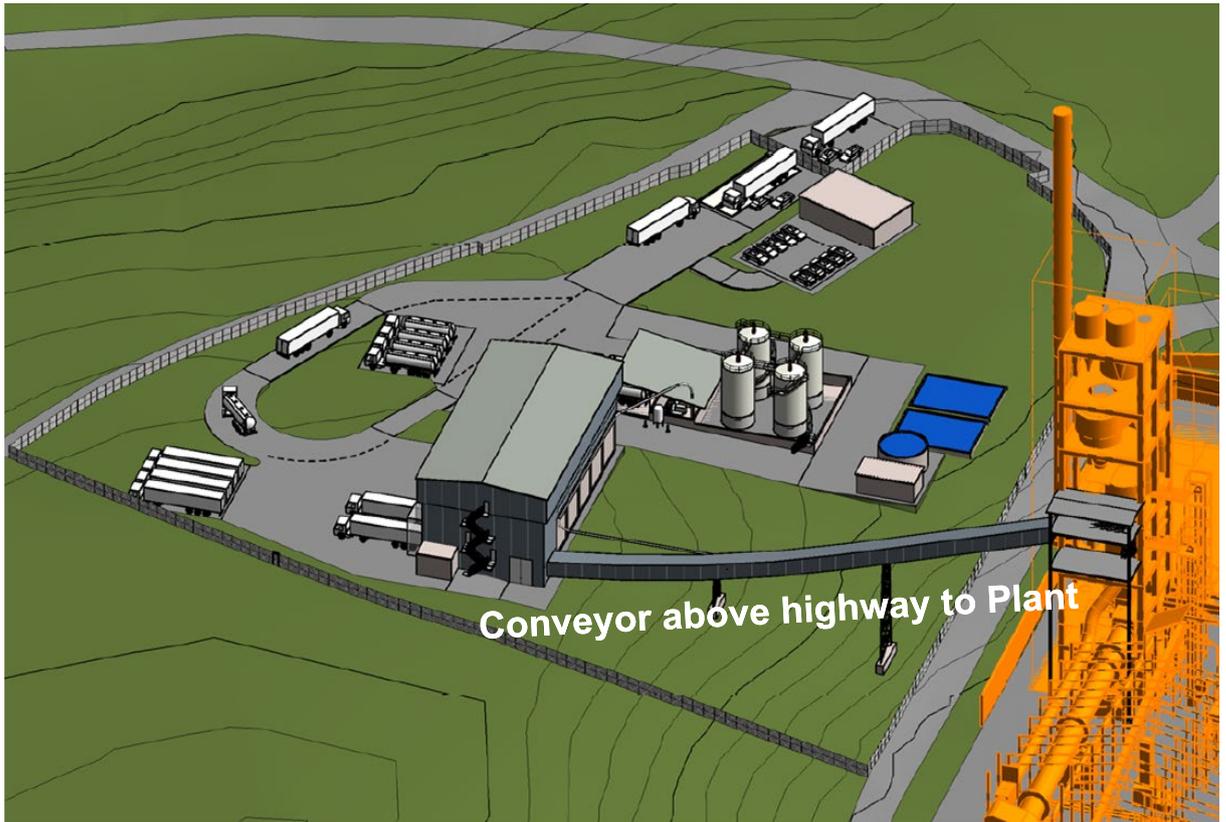
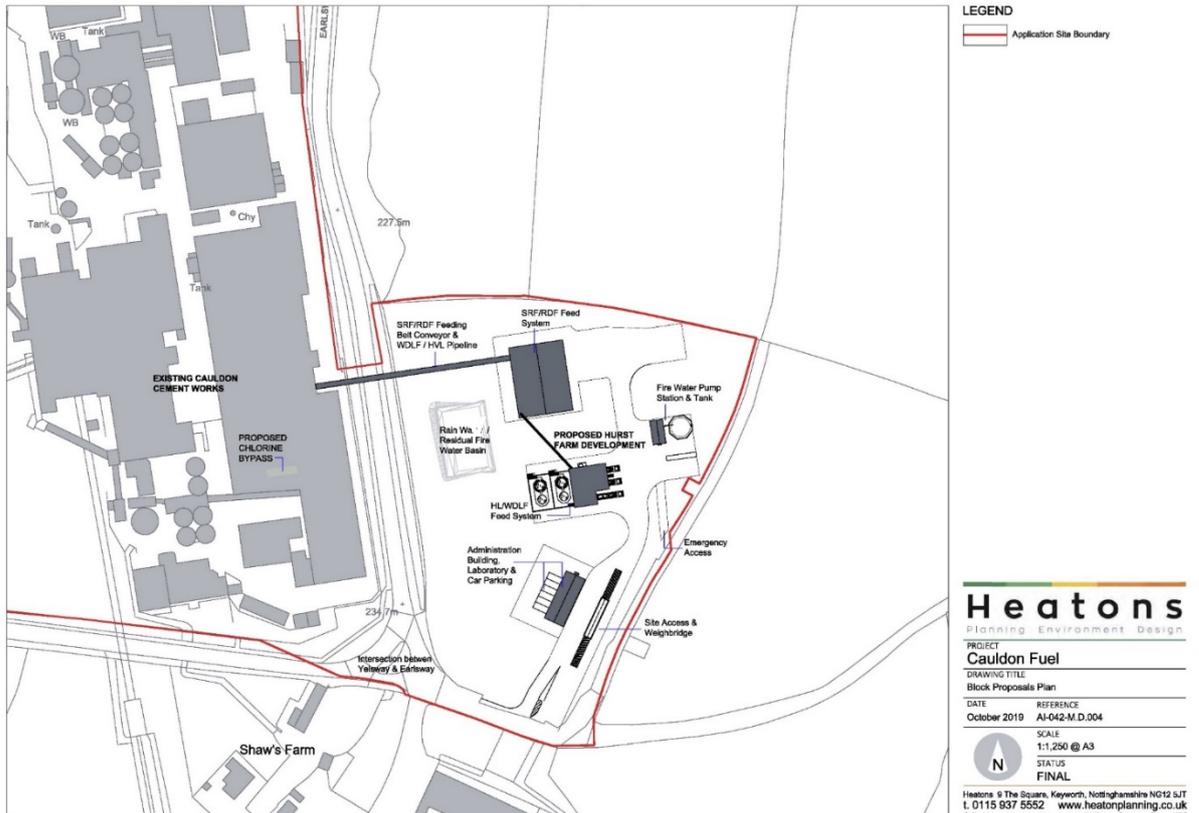


Image (above) and Layout (below) of proposed development (supplied by applicant). Note detailed plans now supersede this image).



27. Refer to Committee Report Plan 2 'The Proposed Site Layout' and Committee Report Plan 3 'Proposed Development Elevations' for further detail of the layout of the alternative fuel firing facility and elevations.

Demolition of existing buildings

28. The existing buildings and structures on the Hurst Farm site would be demolished in their entirety.

Installation of a Chlorine Bypass

29. The chlorine bypass is proposed to be installed at the Cauldon Works site and would be located beside the existing preheater tower west of Earlsway. The site's old granulator building (now vacant) would be demolished in order to facilitate the installation of the bypass. Unlike many other cement plants with similar production levels, at present the Cauldon plant does not benefit from the use of a chlorine bypass. The purpose of a chlorine bypass is to avoid build-ups and corrosion problems in the cement kiln as well as enabling the collection of 'bypass dust'. The bypass effectively acts as a filter which extracts dust which can be recycled or can then be mixed into the final cement products.
30. The majority of the chlorine bypass would be housed within the existing preheater tower, with the only external section of the design consisting of the bypass duct and steel support that connect the preheater tower to the bypass filter. The diameter of the bypass duct would be 1.2 metres.

Creation of site access with remodelling of the Earlsway/Yelsway Lane Junction

31. The existing access to Hurst Farm would be replaced by a newly constructed access east of the existing which would benefit from segregated pedestrian, car and HGV access, with a splitter island between car and HGV accesses.

SRF/RDF Storage Hall

32. A bridge crane operated storage hall with a storage capacity of 5,000 cubic metres is proposed which measures 22.2 metres x 29.6 metres with a height (to ridge) of 18.6 metres, giving a total footprint of 684 square metres. The hall would be constructed with exposed concrete to a height of 9 metres with a lifting screen truck door. The storage capacity equates to three days of SRF/RDF storage capacity, enabling the feed of solid alternative fuels to the works even over bank holiday weekends when no deliveries would take place.
33. The storage hall contains sunken storage bays, where SRF/RDF would be stored at a maximum depth of 5.6 metres, prior to their loading onto the internal hopper for onward transport via conveyor. The conveyor would transport the fuels over Earlsway within enclosed casing directly to the existing precalciner in the preheater tower. Power to the developments proposed would be derived from the existing Cement Works via cabling beneath the public highway.

Installation of a conveyor feed

34. Two steel towers are proposed to support a conveyor from the SRF/RDF storage hall across the public highway Earlsway and directly into the preheater tower, from which

suspension cables would uphold the feed. The total length of the external feed would be 79 metres and would enter the existing preheater tower at a height of 31 metres above ground level. The conveyor would be enclosed within cladding to minimise the visual, dust and noise impacts of transporting solid alternative fuels over Earlsway at a gradient of 18 degrees and at a significant height of approximately 28 metres above the public highway.

WDLF/HVL storage tanks

35. A total of four storage tanks, white to reflect heat, measuring 16.3 metres in height with roof rails with a capacity of 200 cubic metres each would be located centrally within the site in a 'tank farm', close to the entry weighbridge. From the tanks the liquid fuels would be transported by piping to the over-road feed pipeline within the same enclosed casing as the conveyor which transports the solid fuels to the existing Cement Works pre-heater tower.

Associated ancillary infrastructure

36. A two-storey building 22.5 metres x 9 metres x 7.0 metres high plus roof rails and covering a footprint of 202.5 square metres would be erected on-site. The ground floor would provide a laboratory in order to enable quality testing of fuels imported. The first floor would provide an office, meeting room and welfare facilities.
37. Internal roads would be concrete or tarmacked and a single dual-entry weighbridge would be installed and managed by site-operated traffic lights. Car parking for seven vehicles is proposed for employees and visitors, located close to the site access and the laboratory/administration building. A one-way system is proposed for the car park. In addition two separate waiting areas for heavy goods vehicles (HGVs) would be provided to reflect the two feed systems and the types of waste to be imported. Two HGV waiting bays would be provided for HVL/WDLF vehicles and four would be provided for solid SRF/RDF vehicles. The bays would be used when fuel sampling is being undertaken or whilst waiting to unload fuels.
38. A 15.2 metre x 6.3 metre substation hosting a transformer would be located adjoining the SRF/RDF storage hall constructed with external masonry walls, a single galvanised steel door and roof consisting of concrete slab with bituminous waterproofing.
39. A tank for the emergency supply of fire water (12 metres diameter x 6.2 metres high with rails) and a fire pump station (10 metres x 5 metres x 3.95 metres high with pumps, foam tank, compressors, generator and control system) is also proposed in addition to a separate rainwater/residual fire water basin with 500 cubic metre capacity.
40. An emergency vehicular access would be installed along the eastern boundary of Hurst Farm in the event that access could not be gained through the site's primary access/egress points. An emergency exit would also be located at the northern boundary of Hurst Farm.
41. 2-metre-high perimeter fencing would be erected, consisting of a post and panel design comprising 5mm diameter wires, within existing site boundaries (drystone walls, hedgerow boundary vegetation). All of the hedgerow and sporadic trees

located along the western boundary with Earlsway, and the northern and eastern field boundaries would be retained.

Operating Hours

42. The fuel storage and feed facility would operate without restriction to ensure a constant and steady supply of fuel to the Cement Works, which is permitted to operate on a 24 hour 7 days per week basis. HGV deliveries to the site would however be restricted to the following hours:

- Between 0600 hours and 2200 hours Monday – Friday
- Between 0600 hours and 1300 hours on Saturdays.
- No deliveries would be received on Sundays or bank / public holidays.

Throughput of material and associated HGVs Movements

43. There are no planning condition limits on the days/times that HGVs can enter the existing Cement Works and HGVs can arrive on a 24 hour /7 days a week basis. An additional 21 HGV loads /42 HGV movements are proposed per full working day (0600 hrs – 2200hrs), equating to less than 2 loads per hour.

	SRF/RDF	HVL/WDLF
Throughput	85,000tpa	40,000tpa
HGV load	22T	25T
HGVs per year (peak)	3,860	1,600
HGV receiving days per year	260	260
HGV arrivals per day (peak)	15	6
HGV reception window	16 hours per full working day	16 hours per full working day
HGV per hour	0.94	0.38

44. The volume of SRF /RDF proposed is 85,000 tonnes per annum and the peak number of HGV loads proposed per day for SRF/RDF would be 15. The volume of HVL/WDLF proposed would be 40,000 tonnes per annum and the peak number of HGV loads proposed per day for HVL/WDLF would be 6. The proposed delivery hours are consistent with the hours at the Cauldon limestone quarry. Implementing a dual-shift working day with employees working 0600 – 1400 hours and 1400 – 2200

hours would enable deliveries to be evenly spaced throughout the working day at a rate of approximately 1 – 2 deliveries / 2 – 4 movements per hour over a 16-hour full working day without any night-time deliveries.

45. There is scope for the proposed 21 additional daily vehicle movements to be offset by a long-term reduction in deliveries of coal and motor vehicle tyre chips.
46. The application is accompanied by a large number of documents and plans including:
 - Application Form
 - Planning and Environmental Statement
 - Technical Appendices
 - A- Landscape and Visual Impact Appraisal
 - B- Ecological Appraisal Factual Report
 - C - Cultural Heritage Assessment
 - D - Noise Assessment
 - E - Air Quality Impact Assessment
 - F – Soil Resources and Agricultural Land Quality Assessment
 - G – Hydrology and Hydrogeology Impact Assessment including Flood Risk Assessment
 - H – Transport Assessment
 - Non-Technical Summary
 - Waste Development Statement
 - Construction Environmental Management Plan (CEMP)
 - Drawings
 - Location Plan
 - Topographic site Plan
 - Block Proposals Plan
 - General Layout Plan
 - Elevations Plan
 - Floor Plan
47. The off-site highway works shall require a Highway Works Agreement which is a separate matter. Similarly a separate application has been submitted to permanently

divert the Public Right of Way (Public Footpath no.74 of Waterhouses Parish) which is partly within the application site.

48. The Applicant proposes to enter into a Section 106 Legal Agreement relating to the remodelling of the Earlsway/Yelsway Lane junction. An established Community Liaison Group (Cauldon Community Liaison Committee (CLC)) meets regularly at the Cauldon Cement Works regarding the mineral operations and cement works and would also be able to discuss matters associated with the fuel storage and feed system.

The Applicant's Case

49. The primary reasoning behind the proposals is to enable Cauldon Cement Works to switch to a higher proportion of alternative 'waste-derived' materials (Solid Recovered Fuels (SRF) and Waste Derived Liquid Fuel (WDLF)) in the fuel mix for kiln firing in place of coal and used motor vehicle tyre chips in the production of cement and reduce the CO₂ emissions from the Cement Works. It is calculated that by utilising alternative fuels, such as SRF and RDF, the cement manufacturing process at the site can reduce its CO₂ production by approximately 35,000 tonnes annually. This proposal would enable the facility to accept more than 85% of its fuel feedstock from more sustainable sources, including SRF/RDF and waste liquid fuels.
50. In addition to emitting less CO₂ than the current fuel feedstock, which is used at Cauldon Cement Works, the proposed development would also reduce the amount of waste being sent for disposal at landfill from the waste streams. This represents a significant environmental benefit.
51. There is limited space for the proposed development to be installed within the existing Cement Works complex west of Earlsway. Hurst Farm is a logical site to host the new alternative fuel feed platform outside of the works due to its incorporation within the Company's landholding, ease of transport access from the public highway, and its proximity to the existing preheater.
52. Although not currently being used, all of the alternative fuels proposed to be stored and fed into the preheater tower from Hurst Farm have been used at Cauldon before, with the exception of HVL. However, HVL are used for the firing of cement kilns elsewhere across the UK and beyond. Their use for this purpose is a well-established practice in the cement industry.
53. Alternative fuels were used in the production of cement at Cauldon as recently as May 2019. The fuels which fire the cement kilns at Cauldon are burned at a temperature of between 1450 and 2000 degrees Celsius. Burning the alternative fuels at such temperatures ensures that no residue is left, and no materials are unburned.
54. It is not proposed to undertake any 'pre-processing' activities at the Hurst Farm storage and feed platform. All of the alternative fuel brought to site to be fed from the proposed alternative fuel platform would be imported 'ready to burn'.
55. A total of six jobs would be created and the proposed development would provide a multi-million-pound investment in the Cauldon Complex that would provide a purpose-built facility equipped to serve a modern cement works with the highest safety standards. Control of Major Accident Hazards (COMAH) accreditation is

being pursued which would ensure that the site maintains high safety standards and minimises the risk of incidents which could lead to environmental damage.

Relevant Planning History

56. The mineral permissions granted under Interim Development Orders [IDO/SM/6](#) and [IDO/SM/9](#) and planning permissions for the wider mining site (including permissions for the extraction of limestone granted in 1998 and permissions granted in 1988 and 2006 for the extraction of shale) are subject to periodic review under the Environment Act 1995. A postponement of the current review date to 31 December 2021 was approved 25 July 2019 ([SM.19/05/111 MW](#)) consistent with the request to postpone the review of mineral planning permissions at Cauldon Low Quarry, the adjacent limestone quarry (ref: [SM.19/04/112 M](#)). The buildings and structures forming the cement works would not be subject to review as they are subject to the other permissions.
57. The manufacture of cement at Cauldon has been ongoing since 1957. The cement works were originally permitted by the Minister of Housing and Local Government in 1950 and extended in 1961 and subsequently a number of permissions have been granted for extensions and alterations culminating in a 1983 planning permission (ref. SM.11724) for 'the construction of new preheater warehousing, process control and other buildings together with new cement and clinker silos', which provided for the redevelopment of the works to its present form. 3 kilns were replaced by a single kiln but changes to the plant led to an increase in output. Condition 10 of this planning permission originally withdrew permitted development rights for the erection of any fixed plant, fixed machinery, building or structure, other than those indicated on the plans approved with the 1983 consent. This was however later varied by permission SM.009/01/111 MW granted in 2002 to allow permitted development rights on the plant site. Condition 6 of the 1983 consent (ref. SM.11724) requires the removal of all buildings, structures, foundations and hardstanding and the restoration of the site in accordance with a scheme to be agreed with the County Planning Authority when cement production ceases.

Environmental Impact Assessment (EIA)

58. A Screening and Scoping Opinion was adopted by the County Council in June 2019 (Ref. [SCE.83/111 MW & SCO.311/111 MW](#)). In line with this Opinion, the Environmental Statement (ES) considered: Landscape and Visual Impact; Ecology; Cultural Heritage; Noise; Air Quality; Soil Resources and Agricultural Land Quality; Hydrology and Hydrogeology Impact including Flood Risk; and Transport. The findings of the ES (and the environmental information subsequently received) are summarised in [Appendix 2](#).

Findings of Consultations

Internal

59. **Highways Development Control** (on behalf of the Highways Authority) – no objections. An informative is however recommended regarding a Highways Works Agreement. Conditions are also recommended in relation to:
 - details of the highways works before works commence on construction of the revised access;

- details of the conveyor belt and means of preventing material falling onto the highway where it passes over the highway;
- details of the surface water drainage interceptor;
- provision of visibility splays; and,
- implementation of the Construction Environmental Management Plan.

60. The **Environmental Advice Team (EAT)** – no objections. Conditions are however recommended:

Ecology

- submission of Biodiversity Mitigation Management Plan (BMP) prior to commencement of any site works including vegetation clearance and building demolition. BMP to include details of how retained grassland will be enhanced and then maintained; monitoring and remediation details; and details of swallow and bat mitigation measures;
- submission of site plans that show retained grassland, trees and other habitats prior to commencement;
- submission of fencing details (Heras type or equivalent) to protect retained grassland, trees and other habitats prior to commencement;
- submission of details of how bats will be protected during building demolition prior to commencement;
- submission of external lighting details prior to brought into use. Such details shall include the location, height, type and direction of light sources and intensity of illumination, with contour plan. Any lighting which is so installed shall not thereafter be altered without the prior consent in writing of the Local Planning Authority other than for routine maintenance which does not change its details;
- submission of details of ramp suitable for wildlife to escape from rainwater basin;
- removal of vegetation and demolition of buildings shall be undertaken outside of bird nesting season (1st March to end August). If this is not possible then a suitably qualified ecologist shall check the areas concerned immediately prior to the clearance works to ensure that no nesting or nest-building birds are present. If any nesting birds are present, then the vegetation or buildings shall not be removed until the fledglings have left the nest.
- measures to protect herptiles (reptiles and amphibians) set out in 12.3.14 of the Planning and Environmental Statement to be followed throughout all site works.
- submission of details of method for protection for retained trees in line with 'BS 5837:2012: Trees in relation to design, demolition and construction' and location of protective fencing in relation to root protection zones prior to

commencement

Historic Environment

- Archaeological site work shall be implemented in full in accordance with the approved Written Scheme of Archaeological Investigation (WSI). The development shall not be occupied until the site investigation and post-fieldwork assessment has been completed in accordance with the approved WSI and the provision made for analysis, publication and dissemination of the results and archive deposition has been secured. The archaeological trial trenching must be undertaken sufficiently in advance of construction so that, should further archaeological mitigation be required, it can be designed and fully implemented. [Note: The County Archaeologist was previously consulted by the applicant's Historic Environment Consultant with regards to the scope and contents of the submitted Cultural Heritage Assessment and approved the submitted Archaeological Written Scheme of Investigation. It was agreed that in terms of archaeological mitigation, a Level 2 Historic Building Record and a programme of archaeological trial trenching should be carried out in advance of the development commencing].

Public Rights of Way (PROW)

- An application has been submitted to divert PROW Waterhouses 74. An informative is provided.

Landscape

- Submission of landscape plan and aftercare to include treatment of the attenuation pond and new tree planting. [Note it is recommended that Ash die back in the landscape is considered and also use of drystone walling to highway boundaries constructed using local materials and to traditional walling patterns and built by craftsman].

61. The **Flood Risk Management Team (FRMT)** – no objections subject to a pre-commencement condition requiring details of a satisfactory surface water design to prevent flooding by ensuring the satisfactory storage of/disposal of surface water from the site.
62. The **Planning Regulation Team** – no objections but conditions are recommended to restrict the operating hours during the construction and the hours when vehicle movements are acceptable once the site is operational. It is commented that the Planning Regulation Team have attended several meetings of the site's Community Liaison Committee where these proposals have been presented and discussed. At those meetings questions were raised regarding the visual impact of the development, effect on vehicle movements to the site and safety issues with the proposed plant, however these were addressed during the meetings.
63. **County Noise Engineer** – no objections but noise conditions are recommended. It is commented that having read the applicant's noise report the noise impact from the proposals to construct the fuel storage and feed system is extremely low – the assessment has shown that predicted levels will be between 1 dB and 28 dB below the existing LA90 background levels at the five nearest receptors (dwellings). Their conclusion, and correctly so, is that the development would have a negligible effect

on the nearest dwellings.

64. With regards to a noise condition, it would be impossible to set permitted limits at the receptors that were able to be measurable – operations from this development would be inaudible with other quarrying operations and other noise sources in the vicinity being either dominant or audible. Control on noise emissions would be effectively maintained by limits on working hours and the type of plant and equipment permitted through other conditions. However, a standard type noise condition is recommended relating to use of plant and equipment. Also it is recommended that the construction phase is carried out in accordance with a Noise Management Plan as part of the CEMP. This should include but not be limited to guidance provided by BS5228-1: 2009+A1:2014 Code of practice for noise and vibration control on construction and open sites – Part 1: Noise and Part 2: Vibration and include other measures of general good practice site management.

External

65. The **Environment Agency (EA)** – no objections however a condition is recommended to effectively deal with any contamination that is identified during development and presents a risk to controlled waters.
66. It is commented that the cement works are limited to what they can use as alternative fuels under their existing Environmental Permit (Ref: [TP3334AW](#)). Any new fuels would be subject to a potential Environmental Permit Variation on the new site and the existing works. The site would also be subject to the COMAH regulations due to the type and volume of fuel proposed. Advice is provided on Environmental Permitting and groundwater and contamination which could form Informatives.
67. In relation to the concerns raised in relation to the existing cement works, the EA records show that there was one dust complaint in 2017, no complaints in 2018 and three dust complaints and one odour complaint in 2019. The EA were not able to substantiate any of these complaints. It is also commented that the EA are aware that thirty complaints were made direct to the Parish Council in relation to the cement works. The Environment Agency visited Lafarge and went through all the complaints made; assessed the activities on all occasions but were unable to find anything untoward. The cement works have to monitor a number of parameters including particulates continuously and submit quarterly reports as part of the conditions in their Environmental Permit. In addition the Environment Agency has met two representatives from the Parish Council and explained the requirements of the Environmental Permit and all the monitoring the cement works have to carry out. The option for noise monitoring is open to the complainant in question if required at a later date. The EA have however undertaken a recent noise survey (June 2020) and will be undertaking unannounced visits over the next months.
68. **Natural England (NE)** – As the West Midlands Area Planning Team did not have the capacity to assess the application generic advice was provided (if applicable) on Protected species; best and most versatile agricultural land and soils; landscape; local sites and priority habitats and species; ancient woodland; environmental enhancement; rights of way; and, biodiversity duty. [The Information is provided in an Informative].
69. **Historic England** – no comments. It is suggested that the views of the County

Council's conservation and archaeological advisers are sought. [Note: The County Archaeologist agreed the scope and contents of the submitted Cultural Heritage Assessment and approved the submitted Archaeological Written Scheme of Investigation. It was agreed that in terms of archaeological mitigation, a Level 2 Historic Building Record and a programme of archaeological trial trenching should be carried out in advance of the development commencing].

70. **Staffordshire Moorlands District Council Planning** – Support the proposal in principle as it seeks to secure a renewable, more sustainable energy supply and thus reduce the overall carbon footprint of the works, which would fully support the aims and objectives within Policy SD2 of the Core Strategy, Policy DC2 of the Emerging Local Plan and relevant paragraphs within Chapter 14 of the National Planning Policy Framework.
71. **Staffordshire Moorlands District Council Environmental Health** – No objections subject to conditions in relation to dust management, artificial lighting, and noise:
- A dust management plan and method to monitor the effectiveness of mitigation measures (outlined in Table 1.26 of the submitted Air Quality Assessment) is recommended to adequately protect from dust pollution.
 - Details of any artificial lighting to be installed is recommended which should not increase the pre-existing illuminance at the adjoining light sensitive locations when the light(s) is (are) in operation.
 - In respect of noise as all site preparation and construction works are proposed for daytime then significant adverse impacts are not predicted. No night-time working is recommended by condition in addition to ensuring that generator noise is controlled in compliance with BS4142:201. (Plant and machinery sound levels are set out in tables 6.28 and 6.29 under BS4142:2014 of the submitted noise assessment). It would be advisable that where possible the nearest neighbours are provided with a timescale of construction and notification of piling etc.
72. An informative /advisory note is also provided regarding lighting, demolition, noise, and the control of dust and emissions.
73. With respect to the operation of the Cement Plant, the site has been visited at night on account of continued noise complaints from local residents against the general activity at the site specifically night-time noise. It was found that there is a significant level of noise coming from the main plant processing area at present. The noise impacting the area was considered tonal (subjective). Previous to March 2020 the site has been subject to a rare occasional complaint to the District Council but since then the site has been subject to numerous noise and dust complaints. This development according to the submitted noise assessment is predicted not to increase noise levels. It is Environmental Health's opinion that post development noise monitoring should be undertaken within 4 weeks of the first use to ensure the development impact noise complies with the noise assessment.
74. It is commented that Lafarge is required to operate to certain environmental standards by an Environmental Permit regulated by the Environment Agency. The application site will require an Environmental Permit and it is recommended that the appropriate parts of the existing permit (site management / dust control) are

transposed to the application area.

75. **Peak District National Park Authority** – No objections provided there is no material impact on the landscape and setting of the National Park. Conditions are recommended in relation to landscape enhancement and appropriate colours to help mitigate the appearance of the new structures and buildings. It is commented that the PDNPA are satisfied that the proposed development will result in a number of operational, economic and environmental benefits which would contribute to the sustainable continuation of this nationally important cement works without undue detriment to the setting of the National Park, and the environmental impacts would be localised.
76. **Waterhouses Parish Council** – No objection to the proposal, however concerns are raised that the emissions from the existing Cement Plant have not been solved; and, potentially there will be hazardous emissions from burning waste derived fuels if the problems with the existing plant are not resolved. It is stated the ‘the development should be conditional upon the resolution of the on-going issues that so unfairly impair the well-being of the parishioners’.
77. Whilst the economic benefits of the works within the community are recognised and in principle the company’s plans to reduce the carbon footprint are largely supported, concerns are raised in relation to noise from the Cement Plant affecting a few specific residential properties and creating substantial distress for the occupants; and dust and smoke emissions of a more sporadic nature affecting the parish far more widely. Furthermore, there is a lack of data to identify the nature of the emissions, and their possible long-term effects upon the health and well-being of people living nearby. Whilst reducing the levels of fossil fuels burnt at the works, the proposal will result in increased haulage and associated pollution that will have a detrimental effect on wellbeing and tourism. Meetings have recently been held with Lafarge, the Environment Agency and District Environmental Health and County Council representatives to try to better understand the cause of the complaints and to safeguard the future interests of the parishioners. The Parish Council has been assured by the Environment Agency that the works are operating within its licenced parameters, however the parishioners cannot understand that this is possible when the company has admitted that there are malfunctions within the processing plant which stem from certain ‘ageing’ components and/or disruptions to the supply of power to the works. The Parish Council would like to seek reassurances that the problems evident with the existing processing plant will be addressed so as to allay the serious health and well-being fears of many local residents. No independent monitoring processes of air quality takes place in the area surrounding the works therefore there is currently no baseline information by which to judge the effect of burning more waste as fuel. If the improvements to the operation of the existing works are not made a condition of the new planning application, then at the very least, independent monitoring of the levels of smoke, dust and noise, should be made a condition of any potential approval, to provide parishioners with the confidence that their health interests will be safeguarded. [Note emissions are Environmental Permit considerations for the Environment Agency. See consultation response above from the Environment Agency].
78. **Adjoining Parish Councils** (Cotton, Wootton, Farley) were consulted but have not responded.
79. **Western Power Distribution** – Information is provided of electricity /WPD Surf

Telecom apparatus in the vicinity of the proposed works. Advice is provided as an informative if excavating on site in the vicinity of apparatus.

Publicity and Representations

80. Site notice: YES Press notice: YES

81. 20 neighbour notification letters were sent out and 2 representations have been received. The representations raised concerns about:

- Increase in pollution (noise, dust and emissions).

The operational management and controls of the current works should be a material consideration. High volumes of dust, smoke and noise from the existing works have been experienced for the last few years and particularly in recent months. Complaints have been reported to the Parish Council, Lafarge's control room, the Company's Environment Officer, the site Managers, The County Council, the District Council and the Environment Agency. It is commented that on occasion the company have failed to respond to these complaints or have commented that the airborne pollution is a consequence of failing equipment, faulty filtration systems, and lack of available budget to facilitate correct operational performance of equipment. It is feared that any further development of the works will add to the disruption already being experienced by local residents. Contamination of vehicles through airborne pollution is also a major concern being overlooked. Also the droning noise day and night is causing anxiety and stress to residents. [Note emissions are Environmental Permit considerations for the Environment Agency. See consultation response above from the Environment Agency. Also SMDC is the Local Authority responsible for investigating Statutory Nuisance].

- Traffic

Additional traffic cannot be supported without significant investment in the road network system. The immediate access road supports the national speed limit and concerns are raised regarding the dangers posed of increased HGVs to local residents, cyclists, pedestrians and horse riders.

- Visual Impact.

Additional infrastructure will have an impact on the village and local environment.

- Impact on wildlife.

The local environment, habitats and wildlife will be affected by additional built development.

The development plan policies and proposals relevant to this decision

82. 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.

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.’

83. [Appendix 1](#) lists the development plan policies, and the other material planning considerations, relevant to this decision.

Observations

84. This report considers two applications:
- a) Delegated authority is sought to determine at a later date the application for Hazardous Substances Consent for proposed fuel storage and feed system for alternative fuel firing and ancillary development [SM.19/13/111 MW](#).
 - b) Application for Proposed Fuel Storage and Feed System for Alternative Fuel Firing and ancillary development [SM.19/10/111 MW](#)
85. Whilst the two applications are associated, the consultation responses, representations and observations detailed in this report relate only to the waste planning application (ref. [SM.19/10/111 MW](#)).
86. Having given careful consideration to the waste planning application, environmental and other information, including the environmental information subsequently received, the consultation responses 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 by consultees and in representations
 - The need for a Section 106 Legal Agreement

The general development plan policy and other material planning policy considerations

The right type, in the right place and the right time?

87. The [National Planning Policy Framework](#) (February 2019) (NPPF) supports the transition to a lower carbon-emitting future, including through the determination of planning applications (Section 14).
88. The NPPF contains no specific waste policies. Instead the [National Planning Policy for Waste](#) (October 2014) (NPPW) explains the need to:

- a) drive waste management up the waste hierarchy;
 - b) promote a more sustainable and efficient approach to resource use; and,
 - c) ensure that waste is considered alongside other spatial planning concerns.
89. The NPPW also emphasises the importance of:
- a) putting in place the right waste management infrastructure at the right time and in the right location;
 - b) securing the re-use, recovery or disposal of waste without endangering human health and without harming the environment; and,
 - c) ensuring that the design and layout complements sustainable waste management.
90. The new waste strategy [‘Our Waste, Our Resources: A Strategy for England’](#) published in December 2018 sets out a national policy framework with respect to waste. The strategy discusses the management of residual waste and states that energy from waste is generally preferable to landfill, which it sees as having an ongoing role only for inert waste that cannot be prevented or recycled. The strategy also addresses the circular economy and states that:
- ‘...it’s not just in material reuse that the circular economy delivers benefits. It’s also relevant to energy generation and savings. Incinerating non-recyclable or contaminated waste (such as food packaging) can generate energy’. (page 32)
91. The [Staffordshire and Stoke on Trent Joint Waste Local Plan \(2010 – 2026\)](#) (WLP (Policies 1.1, 2,3, 3.1, and Paragraph 5.23) promotes the principal that waste is a resource and seeks to encourage the diversion of waste away from landfill; supports waste development which manages waste higher in the ‘waste hierarchy’; and, indicates that ‘energy from waste and waste derived fuels has an important role to play alongside recycling and composting in a system of integrated sustainable waste management’. The development should be of a scale and size which is proportionate and appropriate to the area and should avoid causing unacceptable adverse impacts. The general requirements for new and enhanced waste management facilities are that they should be:
- a) fully contained within well designed purpose built or appropriately modified existing buildings or enclosed structures appropriate to the technology or process; and,
 - b) compatible with nearby uses, and appropriate in scale and character to their surroundings giving careful consideration to any cumulative effects that may arise.
92. [The Staffordshire Moorlands District Local Plan \(up to 2026\)](#) (SMDLP) (Policy SD2) supports renewable /low-carbon energy. New buildings should however have ‘minimal impact’ on the countryside (Policy R1).
93. Commentary: At present, it is not possible to produce cement in a ‘zero carbon’ environment, however the primary objective of this proposal is to reduce the carbon footprint of the Caudon Cement Works by facilitating the safe and efficient use of

waste derived fuels as an alternative to the coal and used motor vehicle tyres currently burnt in the cement kilns. The burning of fossil fuels, such as coal, generates large quantities of CO₂, which is a significant greenhouse gas, having a key impact on global warming and climate change. Although there are many industrial processes that produce significant amounts of CO₂ emissions as a by-product of chemical reactions needed in their production process, cement production produces the greatest amount of CO₂ amongst all industrial processes. The re-use of solid recovered fuels (SRF), waste derived liquid fuels (WDLF), refuse derived fuels (RDF) and high viscosity liquids (HVL) would not only enable the reduction in use of fossil fuels, but would utilise the wastes for a meaningful purpose. This represents a sustainable waste management option which accords with the principles of the waste hierarchy i.e. the use of such waste derived fuels in cement production is preferable to their disposal and would enable the reduction of the facility's environmental impact.

94. The production of clinker requires temperatures of approximately 2000 degrees Celsius in the cement production process. By increasing the amount of alternative fuels burnt as opposed to fossil fuels it is calculated that the cement manufacturing process at Cauldon could reduce its CO₂ production by 35,000 tonnes annually. This proposal would enable the facility to accept a fuel mix of greater than 85% alternative / waste derived fuels (between 100,000 - 150,000 tonnes per annum) and this would represent a significant environmental benefit. The alternative fuels have a general higher calorific value when burned than the coal and motor vehicle tyre chip and would greatly improve the efficiency of the works as less fuel would be required to achieve a comparable temperature. The company may also be able to reduce the volume of fuels used in cement production which would have wider economic and environmental benefits, such as long-term reduction in HGV movements required for the delivery of fuels to the site.
95. It is expected that whilst construction of the platform and feed are underway, the site would see a temporary net increase in carbon in the short-term, which would be greatly outweighed by the capability of the Cement Works to utilise alternative fuels derived from waste instead of coal in the long term. The beneficial relief of carbon emissions also outweighs the slight increase in vehicle movements associated with deliveries to / from the proposed platform. The project's potential total transport movements once operational have already been reduced through the reduction of 'tailpipe' emissions by utilising the proposed conveyor to feed fuels to the Works, as opposed to road transport.
96. Conclusion: Having regard to the general development plan policies and other material planning policy considerations referred to above, it is reasonable to conclude that the proposed fuel storage and feed system for alternative fuel firing is designed to meet the demands of the adjacent cement works and would enable the substitution of fossil fuels in an established industrial process. The development represents an opportunity to reduce the carbon footprint of the Cauldon Works whilst maintaining the vital supply of cement from the site. In general terms the site is the right type, in the right place, and the proposals are at the right time. Therefore, the proposals are considered to be acceptable in principle. The site-specific considerations are discussed below.

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

The proximity to residential areas and consequential risks (increase in pollution, traffic, visual impact, and impact on wildlife).

97. The WLP (Policy 4.2), and the NPPW (Appendix B) explain that consideration should be given to the likely impact of the proposal. Relevant to this case are the potential effects of the proposals on people and local communities including the potential health effects; the highway network; the landscape, countryside and natural environment; the setting of the Peak District National Park; the local environment and protection of air, soil and water and reduction of flood risk.
98. Similarly the SMDLP requires consideration of design, landscape and visual impacts and residential amenity (Policies SD1 Sustainable use of resources; SD2 Renewable /low-carbon energy; DC1 Design consideration; and DC3 Landscape and settlement setting); public amenity including noise, dust and emissions (Policy SD4 Pollution and flood risk); ecological impacts (Policy NE1 Biodiversity and geological resources) and highway safety (Policy T1 Development and sustainable transport).
99. Commentary: The landscape and countryside are key considerations in determining the impact of the proposed development. With reference to [Planning for Landscape Change](#) (formerly Supplementary Planning Guidance to the Structure Plan referenced as a material consideration in Appendix 3 of the Joint Waste Local Plan) the area is recognised as being characterised by historic quarrying and the existing cement works and associated infrastructure forms part of the distinctive character of the landscape. The SMDLP (Policy SD1) also states that “Development on non-allocated greenfield land is considered acceptable where the proposal relates to the provision of needed development which cannot be accommodated on a deliverable previously developed site or other allocated site in the locality and is in a sustainable location”. The proposed site is directly across the road from and would be linked by a conveyor and piping to the Cement Works which supplies circa 10% of Great Britain’s cement and is therefore a nationally significant operation, representing a sizeable contribution to both the local and national economy. The Cement Works does not benefit from a spacious internal layout and therefore the alternative fuel storage and feed system cannot be installed within its footprint. The proposed built development would essentially form an extension to the existing infrastructure at the Cauldon Cement Works. It could not feasibly be located anywhere else due to the nature of its proposed use, being the fuel supply to the works. Any localised impacts on countryside and landscape would be outweighed by both the size, scale and massing of the existing complex and the national need for the development in environmental and economic terms.
100. Given the substantial scale of the proposed built development at Hurst Farm it has however been appropriate to assess the potential for significant impacts on the Peak District National Park. The introduction of taller structures at Hurst Farm would be noticeably visible and would have the visual effect of laterally extending the area of tall structures eastwards as seen from within the National Park. However, only a marginal increase in prominence and visual detracting may be experienced, and the impacts of the proposed new buildings would be relatively minimal set adjacent to the local dominance of the substantial buildings and structures on the main cement works site and against the prominence of Cauldon Limestone Quarry and Cauldon Low to the south. With regard to landscape mitigation the proposals include 2 metres high perimeter fencing and landscaping with native planting. The proposals would however bring built development on Hurst Farm further to the north whilst the predominant vegetation shielding the current lower level buildings at Hurst Farm are

trees contained around the southern and western boundaries and a mature hedge along the eastern edge of Earlsway. The more critical boundaries in terms of visibility from within the National Park are the northern and eastern boundaries where it would appear that there is only patchy vegetation, a few scattered tree groups and remnant stone walling on the northern boundary and only two trees with hedgerow on the eastern boundary. The Peak District National Park Authority (PDNPA) has recommended landscape enhancement in particular for the northern boundary of the Hurst Farm application site (thickening / gapping the hedgerow / additional hedgerow trees) to provide some improved low-level screening and additional landscaping.

101. The PDNPA has also commented that the greatest visual impact as seen from wide areas of the National Park arises from the cement works buildings themselves, in particular the pre-heater tower and chimney and they would support any opportunity to secure repainting of sheeted and other surfaces of (particularly tall) buildings and structures at the cement works using darker recessive colour(s) instead of the existing light greys / mushroom colours which appear bright white and very visually apparent in certain lights. The preferred outcome could be achieved by agreeing a colours strategy with the Works operator providing for the gradual mitigation of the visual appearance of buildings and structures, where practicable, during periods of maintenance and asset renewal (e.g. sheeting replacement) and new build (e.g. colour choice and use of new development to screen visually intrusive existing development). With or without an agreed colours strategy for the main works, the PDNPA would nevertheless request that condition(s) be imposed on any grant of planning permission for the current application to ensure, where practicable, the use of appropriate dark recessive colours on the external faces of the new development proposed, such as to visually integrate that development within the natural landscape.
102. The Parish Council and local residents have expressed concerns about the operation of and emissions from the existing cement works which they consider could be exacerbated by the development and use of alternative fuels. The application is however accompanied by air quality, landscape and visual impact, ecological, noise, flood risk and transport assessments which conclude that there would be no unacceptable adverse impacts. A purpose-built facility is proposed within Hurst Farm which would operate safely, efficiently and to environmentally acceptable standards. Technical consultees, including the Environment Agency, Highway Authority, Staffordshire Moorlands District Council's Environmental Health Team, have all independently considered the assessments and have raised no objections to the proposals, subject to the conditions and informatives recommended below.
103. It is relevant to note the government guidance on waste which explains that:

‘There exist a number of issues which are covered by other regulatory regimes and waste planning authorities should assume that these regimes will operate effectively (emphasis added). The focus of the planning system should be on whether the development itself is an acceptable use of the land and the impacts of those uses, rather than any control processes, health and safety issues or emissions themselves where these are subject to approval under other regimes. However, before granting planning permission they will need to be satisfied that these issues can or will be adequately addressed by taking the advice from the relevant regulatory body.’ (ref. Guidance – Waste - [Regulatory regimes](#)).
104. The day-to-day operations would be controlled by an Environmental Permit regulated

by the Environment Agency. The proposed alternative fuel storage and feed platform would also have to be COMAH-compliant and therefore it would have to adhere to the highest level of health and safety standards.

105. With respect to traffic, the existing Cement Works internal roads, the existing HGV access and egress are frequently congested as a result of the tight layout of the existing works. HGVs delivering fuels to the existing works do not benefit from a circulatory road and instead have to manoeuvre tight turns within the site. A purpose-built alternative site layout which is designed to modern safety and design standards is therefore required. The Transport Assessment submitted as part of the application has identified that the proposed development would result in a slight increase in HGV vehicle movements (up to one more per hour) in comparison with the current works traffic.
106. Conclusion: Having regard to the site-specific development plan policies and the matters raised by consultees and representations referred to above, it is reasonable to conclude that the proposed development would not give rise to any materially harmful impacts, subject to the conditions recommended below.

The need for a Section 106 Legal Agreement

107. 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’.

108. 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.’

109. 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.’

[Note: These are also legal tests by virtue of the Community Infrastructure Levy Regulations 2010 [[Part 11, Regulation 122 and 123](#)] (as amended by the [2011](#), [2013](#) and [2014](#) Regulations). The Planning Practice Guidance ([Community Infrastructure Levy](#), ‘Do the planning obligations restrictions apply to neighbourhood funds?’) indicates that the [Community Infrastructure Levy \(Amendment\) Regulations 2014](#) prevents section 106 planning obligations being used in relation to those things (infrastructure) that are intended to be funded through the levy (Community Infrastructure Levy) (CIL) by the charging authority. In this case, Staffordshire Moorlands District Council do not currently have CIL].

110. Chapter 6 of the Staffordshire and Stoke on Trent Joint Waste Local Plan (Implementation and Monitoring of the Plan) and similarly Chapter 8 of the [Mineral Local Plan for Staffordshire](#) (Implementation and Monitoring of the Plan) and Appendix 7 (B) provides guidance on the ways the Mineral and Waste Planning Authority will implement the objectives and policies of the Local Plans including negotiating legal agreements or modifications to existing legal agreements. Planning obligations should only be used where it is not possible to address unacceptable impacts through a planning condition.
111. Commentary: The Applicant proposes to enter into a Section 106 Legal Agreement (S106) relating to the remodelling of the Earlsway/Yelsway Lane junction. [Note an informative is also recommended regarding the need for a Highways Works Agreement].
112. The wider Cauldon Complex (the mineral operations and cement works) has an existing Cauldon Community Liaison Committee which meets regularly and includes representatives from the Parish Council, Environment Agency, District Council and County Council. This is an opportunity to formalise this committee as part of a new Section 106 Agreement and to include the operation of the Alternative Fuel Storage and Feed System as part of the remit of the committee.
113. In this case it is considered that the undertakings described below would meet the tests referred to above for the reasons discussed below.

To secure the remodelling of the Earlsway/Yelsway Lane junction

114. This undertaking would ensure the provision of measures for safe access and egress to and from the site in accordance with the [Mineral Local Plan for Staffordshire](#) (Strategic Objective 3 and policy 4) and the NPPF (section 17).

To formalise the existing Cauldon Community Liaison Committee arrangements in relation to the mineral operations and cement works and to include the Alternative Fuel Storage and Feed Facility and invite key stakeholders including local residents /landowners.

115. This undertaking would formalise the previous informal arrangement and would ensure that a forum exists to keep all those concerned informed and for concerns that may arise or opportunities to improve the working of the Cement Works and the alternative fuel storage and feed system to be discussed in accordance with the [Mineral Local Plan for Staffordshire](#) (Strategic Objective 4 and policy 6) and the NPPF (section 17).
116. Conclusion: Having regard to the policies and guidance referred to above, it is reasonable to conclude that the terms of the undertakings described above are necessary, directly related to the development, and fairly and reasonably related in scale and kind to the proposed development and should be secured as part of a Section 106 Agreement.

Overall Conclusion

117. 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

A. Recommendation [SM.19/13/111 MW](#)

That Planning Committee **delegate authority** to the Director for Economy, Infrastructure and Skills in consultation with the Chairman of Planning Committee and the Cabinet Member for Environment, Infrastructure and Climate Change, to determine the application for Hazardous Substances Consent for proposed fuel storage and feed system for alternative fuel firing and ancillary development, on receipt of the relevant consultation responses, particularly from the HSE.

B. Recommendation [SM.19/10/111 MW](#)

Permit the application for a Fuel Storage and Feed System for Alternative Fuel Firing and ancillary development 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

1. To secure the remodelling of the Earlsway/Yelsway Lane junction.
2. To formalise the existing Cauldon Community Liaison Committee arrangements in relation to the mineral operations and cement works and to include the Alternative Fuel Storage and Feed Facility.

The conditions to include the following:

Definition of Consent

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

Commencement of the Development and Notification

2. To define the commencement of the development.
3. To require notification of the date of commencement and when the alternative fuel firing facility is brought into use.

Cessation of the Development

4. To define cessation and require notification of the date of cessation of operations on the site. For the avoidance of doubt the alternative fuel firing facility development is ancillary to the adjacent Cauldon Cement Works.

5. To require a site clearance scheme including reinstatement and aftercare in the event that the use should cease.

Expiry of the Permission

6. To define the expiry of the permission when the site has been cleared and aftercare period has been completed.

Restriction of Permitted Development Rights – Buildings, Fixed Plant and Machinery

7. To specify that the site shall not be used for any purposes other than that which is the subject of this permission.
8. To define that prior written approval is required for any buildings, structures, fixed plant or machinery including additional lighting and fencing.

Record Keeping

9. To require record keeping of the quantity, source and type of feedstock delivered to the site; vehicle movements; and, any complaints received and steps taken to investigate and address them.

The Feedstock / Alternative Fuel

10. To define the feedstock /alternative fuel (SRF/ RDF/ HVL/ WDLF).
11. To define the annual quantity of permitted feedstock (SRF /RDF = 85,000 tonnes per annum. HVL/WDLF = 40,000 tonnes per annum).
12. To require the removal of non-conforming wastes.

Construction and Environmental Management Plan

13. To require that prior to commencement of any site works the submitted Construction Environmental Management Plan (CEMP) shall be updated to include the following and the approved CEMP shall be implemented and adhered to throughout the construction period:
 - a) Tree protection measures for retained trees in line with BS 5837:2012: Trees in relation to design, demolition and construction and location of protective fencing in relation to root protection zones;
 - b) The construction phase shall be carried out in accordance with a Noise Management Plan. This Plan shall include but not be limited to guidance provided by BS5228-1: 2009+A1:2014 Code of practice for noise and vibration control on construction and open sites – Part 1: Noise and Part 2: Vibration and include other measures of general good practice site management; and
 - c) Soil stripping and storage details.
14. To define the hours for site preparation, site clearance and construction operations:

- 08:00 to 18:00 hours Monday to Friday; and
- 08:00 to 13:00hrs Saturday.

No construction operations on Sundays or public holidays (except for works to address an emergency).

15. To define that no work associated with the site preparation, vegetation and site clearance, demolition and construction phases shall take place during the bird breeding season (March – August inclusive) unless preceded by a nesting bird check.

Ecology

16. To require that prior to the commencement of the development, including carrying out any site preparation; vegetation and site clearance including building demolition; arrival of machinery and materials to the site; and, construction the following shall be submitted for the written approval of the Waste Planning Authority:
 - a) a Biodiversity Mitigation Management Plan (The Plan). The Plan shall include details of how retained grassland will be enhanced and then maintained; monitoring and remediation details; and details of swallow and bat mitigation measures. No operations shall be carried out other than in accordance with the approved Plan;
 - b) site plans which show retained grassland, trees and other habitats. No operations shall be carried out other than in accordance with the approved site plans;
 - c) fencing details (Heras type or equivalent) to protect retained grassland, trees and other habitats. No operations shall be carried out other than in accordance with the approved fencing details;
 - d) details of how bats will be protected during building demolition. No operations shall be carried out other than in accordance with the approved bat protection measures; and
 - e) details of a ramp suitable for wildlife to escape from the rainwater basin. The ramp shall be constructed in accordance with the approved details.
17. To require protection of Herptiles (reptiles and amphibians) in accordance with the measures set out in the Planning and Environmental Statement (12.3.14).

Archaeological Investigation

18. To require that the archaeological site work shall be implemented in full in accordance with the approved written scheme of archaeological investigation

The development shall not be brought in to use until the site investigation and post-fieldwork assessment has been completed in accordance with the approved written scheme of archaeological investigation and the provision made for analysis, publication and dissemination of the results and archive deposition has been secured.

The archaeological trial trenching shall be undertaken sufficiently in advance of construction so that, should further archaeological mitigation be required, it can be designed and fully implemented.

Operating Hours

19. To define the 24/7 operation of the Alternative Fuel Firing facility.
20. To define the hours for deliveries of permitted feedstock
 - 06.00 to 22.00 Monday to Fridays; and,
 - 06.00 to 13.00 on Saturdays.

No such deliveries to take place on Sundays, Public or Bank Holidays.

Site Layout and Appearance

21. To require the submission of details of external materials and finishes of the Alternative Fuel Firing facility which include the use of appropriate dark recessive colours on the external faces of the new development proposed, such as to visually integrate that development within the natural landscape. The facility shall be constructed in accordance with the approved details.
22. To require handling and storage carried out in accordance with the approved plans.
23. To require all buildings, structures and hard-surfaces to be maintained in good condition according to the manufacturers specification for the duration of the permission.

Site Access and Highway Safety

24. To limit the vehicle deliveries of feedstock per full working day (0600 hrs – 2200 hrs) to 21 HGV loads /42 HGV movements.
25. To require the feedstock loads to be covered /contained to prevent spillage or loss of such material on the public highway.
26. To require no deposit of mud or deleterious material on the public highway from vehicles leaving the site.
27. To require no works to commence on construction of the revised access as part of the development until details of highway works have been submitted and approved including:
 - a) remodelling of the junction;
 - b) full reconstruction and widening of Huddale Lane between Earlsway and across the site access;
 - c) alterations to streetlighting around the proposed junction due to location of existing streetlight within the proposed junction; and
 - d) details of construction, operation and clearance of the conveyor system where it passes over the highway.

28. To require that the development shall not be brought into use until details of the conveyor system and means of preventing material falling onto the highway where it passes over the highway have been submitted to and approved.
29. To require that the development shall not be brought into use until the visibility splays have been provided. The visibility splay shall thereafter be kept free of all obstructions to visibility.
30. To require the submission of details of the surface water drainage interceptor, sited immediately to the rear of the highway boundary in the storage depot access, connected to a surface water outfall or drained on SUDS principles, has been submitted to and approved.

General Environmental Protection

31. To require that prior to the commencement of the development a Surface Water Design Scheme shall be submitted for written approval which prevents flooding by ensuring the satisfactory storage of/disposal of surface water from the site. This shall be in accordance with the principles of the Drainage Design Criteria outlined within the Hydrology and Hydrogeology Impact Assessment (19125877.602/A.0/October2019) and include:
 - a) Detailed design (plans, network details and calculations) in support of any surface water drainage scheme, including details on any attenuation system, and the outfall arrangements;
 - b) Plans illustrating flooded areas and flow paths in the event of exceedance of the drainage system;
 - c) Provision of an acceptable management and maintenance plan for surface water drainage to ensure that surface water drainage systems shall be maintained and managed for the lifetime of the development;
 - d) Areas of the site that are most vulnerable to spillages will be 'sealed' drainage systems where in the event of a spillage, contaminated collected water would be removed from site without being discharged into the local water environment; and
 - e) Incorporate flood-proofing measures into the proposed development.
32. To require the submission of a contamination remediation strategy if during development contamination is found to be present.
33. To require the submission of external lighting details for written approval. Such details shall include the location, height, type and direction of light sources and intensity of illumination, with contour plan. The lighting shall be installed in accordance with the approved details.
34. To require dust management in accordance with the mitigation methodologies outlined in Table 1.26 of the Air Quality Impact Assessment (Bureau Veritas UK Limited; Ref: AIR4651026).
35. To require best practicable means to minimise the noise generated by the operations /activities permitted. In particular, keeping external doors closed,

all vehicles, plant and machinery used or controlled by the operator within the Site being operated with engine covers closed, and with effective silencers fitted. Wherever possible, and without contravening health and safety requirements, all vehicles shall be fitted with non-audible reversing warning safety systems) which shall be maintained in accordance with the manufacturer's specification for the duration of operations.

Landscaping and Aftercare

36. To require a landscape and aftercare scheme that includes landscape enhancement proposals in particular for the northern boundary of the Hurst Farm application site (thickening / gapping the hedgerow / additional hedgerow trees) to provide some improved low-level screening and additional landscaping.

The informatives to include the following

1. Knowledge of the conditions
2. The advice received from the Highways Authority - Highways Works Agreement. A licence under S50 Highways Act 1980 is required for private apparatus within the highway (Conveyor). The design for streetlighting alterations must be completed to SCC specification.
3. The advice from the Environment Agency – Groundwater protection & Contamination, and Environmental Permitting.
4. The advice from the SMDC EHO – Lighting, demolition, noise and the control of dust and emissions.
5. The advice from the Environmental Advice Team – Archaeology, Public Rights of Way and Ecology.
6. The advice from the Flood Risk Management Team – Surface Water Design Scheme.
7. The advice from Natural England - generic and standing advice.
8. The advice from Western Power Distribution Information - electricity /WPD Surf Telecom apparatus in the vicinity of the proposed works.
9. The operator to be reminded of the undertakings of the Section 106 Legal Agreement
 - To secure the remodelling of the Earlsway/Yelsway Lane junction
 - To formalise the existing Cauldon Community Liaison Committee arrangements in relation to the mineral operations and cement works and to include the Alternative Fuel Storage and Feed Facility.

Case Officer: Julie Castree-Denton - Tel: (01785) 277293 email: planning@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 The development plan policies and proposals, and the other material planning considerations, relevant to this decision

The development plan policies and proposals

[Staffordshire and Stoke on Trent Minerals Local Plan \(2015 - 2030\)](#)

(adopted 16 February 2017)

- Policy 2: Provision for Industrial Minerals used in the manufacture of cement
- 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):

- Policy 1: Waste as a resource
 - Policy 1.1 General principles
 - Policy 1.5 Energy Recovery
- Policy 2: Targets and broad locations for waste management facilities
 - Policy 2.1 Landfill diversion targets
 - Policy 2.2 Targets for new waste management facilities required by 2026 to manage municipal, commercial & industrial, and construction, demolition & excavation waste streams
 - Policy 2.3 Broad locations
 - Policy 2.5 The location of development in the vicinity of waste management facilities
- 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

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.

[The Staffordshire Moorlands District Local Plan \(up to 2026\) \(adopted 26 March 2014\)](#)

- Policy SS1 Development principles

- Policy SS1a Presumption in favour of sustainable development
- Policy SS6a Larger villages area strategy
- Policy SS6c Other rural areas area strategy
- Policy SD1 Sustainable use of resources
- Policy SD2 Renewable /low-carbon energy
- Policy SD3 Carbon-saving measures in development
- Policy SD4 Pollution and flood risk
- Policy E1 New employment development
- Policy DC1 Design considerations
- Policy DC2 Historic environment
- Policy DC3 Landscape and settlement setting
- Policy R1 Rural diversification
- Policy NE1 Biodiversity and geological resources
- Policy T1 Development and sustainable transport

The other material planning considerations

[Planning for Landscape Change](#) (formerly Supplementary Planning Guidance to the Structure Plan referenced as a material consideration in Appendix 3 of the Joint Waste Local Plan)

[Staffordshire Moorlands Local Plan \(2016 to 2031\) Submission Version February 2018](#)

- Policy SS1 Development principles
- Policy 1a Presumption in favour of sustainable development
- Policy SS 8 Larger villages area strategy
- Policy SS 10 Other rural areas area strategy
- Policy SD 1 Sustainable use of resources
- Policy SD 2 Renewable /low-carbon energy
- Policy SD 3 Sustainability measures in development
- Policy SD 4 Pollution and water quality
- Policy SD 5 Flood Risk
- Policy E 1 New employment development
- Policy DC 1 Design considerations
- Policy DC 2 Historic environment
- Policy DC 3 Landscape and settlement setting
- Policy NE 1 Biodiversity and geological resources
- Policy T 1 Development and sustainable transport

[National Planning Policy Framework](#) (updated February 2019):

- [Section 1](#): Introduction
- [Section 2](#): Achieving sustainable development
- [Section 4](#): Decision-making
- [Section 6](#): Building a strong, competitive economy
- [Section 8](#): Promoting healthy communities
- [Section 9](#): Promoting sustainable transport
- [Section 10](#): Supporting high quality communications
- [Section 11](#): Making effective use of land
- [Section 12](#) Achieving well-designed places

- [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](#)
- [Design](#)
- [Environmental Impact Assessment](#)
- [Flood risk and coastal change](#)
- [Hazardous substances](#)
- [Health and wellbeing](#)
- [Land affected by contamination](#)
- [Light pollution](#)
- [Minerals](#)
- [Natural environment](#)
- [Noise](#)
- [Open space, sports and recreation facilities, public rights of way and local green space](#)
- [Planning obligations](#)
- [Renewable and low carbon energy](#)
- [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](#)
- [Water supply, wastewater and water quality](#)

National Planning Policy for Waste (published on 16 October 2014):

- Section 1: Key Planning Objectives;
- Section 7: Determining Planning Applications.
- Appendix A - the waste hierarchy – in descending order - prevention; preparing for re-use; recycling; other recovery; disposal
- Appendix B – locational criteria:
 - a) protection of water quality and resources and flood risk management
 - b) land instability
 - c) landscape and visual impacts
 - d) nature conservation
 - e) conserving the historic environment
 - f) traffic and access
 - g) air emissions
 - h) odours
 - i) vermin and birds
 - j) noise, light and vibration
 - k) litter
 - l) potential land use conflict

The new waste strategy [‘Our Waste, Our Resources: A Strategy for England’](#) published in

December 2018

[Planning and Compulsory Purchase Act 2004](#) and the duty on mitigation and adaption sets out the structure of the local planning framework for England, including the duty on plan-making to mitigate and adapt to climate change.

[The Climate Change Act 2008](#) introduced a statutory target of reducing carbon dioxide (CO₂) emissions to at least 80% below 1990 levels by 2050, which interim targets, set through five-yearly carbon budgets, of 37% by 2020, 51% by 2025 and 57% by 2030. The outputs from the Climate Change Act provide an evidence base that can be used in identifying priorities for action and appropriate adaptation measures.

[The Planning Act 2008](#) introduced a duty on local development plans to include policies which ensure that they make a contribution to both climate mitigation and adaptation.

[The Planning and Energy Act 2008](#) sets out powers for local authorities to require a proportion of the energy need related to new development to be sourced in the locality of the development, through renewable or low-carbon generation. This enables what is known as a Merton-style approach which can be used to develop zero-carbon policy.

[Renewable Energy Directive 2009](#). In response to EU Directive 2009/28/EC on the promotion of the use of energy from renewable sources, the UK is committed to sourcing 15% of its energy from renewable sources by 2020 – almost a seven-fold increase on the share of about 2.25% in 2008, in scarcely more than a decade.

[The Paris Agreement 2015](#). In December 2015 the 'Paris Agreement' was adopted at the 21st Conference of the Parties (COP21). The Paris Agreement is a global climate agreement, the central aim of which is to strengthen the global response to climate change by limiting the global temperature increase this century to below 2 degrees Celsius above pre-industrial levels, and to pursue efforts to limit the temperature increase even further to 1.5 degrees Celsius. To achieve this aim, the Paris Agreement additionally sets a target of net zero global carbon emissions in the second half of the century. The Paris Agreement was ratified and came into force in November 2016. In line with the Paris Agreement, the UK government has set a target for reducing nationwide domestic emissions to net zero.

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

Appendix 2: Summary of the findings of the Environmental Statement

Section 1 Introduction & Background

This section of the Environmental Statement (ES) provides an introduction to the submission; the applicant and the development proposal.

Section 2 The Environmental Impact Assessment (EIA) Regulations

This section explains the EIA regulations and the matters that have been covered in accordance with the Screening and Scoping Opinion adopted by the County Council in June 2019.

Section 3 Application Site

This section of the ES provides a general background and history of the Cauldon Cement Works; a description of the site location; the site setting; and, the planning history of the wider site at Cauldon.

Section 4 Statement of Community Involvement

This section sets out the level of consultation that has been undertaken as part of the pre-application process including four meetings held between May and October 2019 with the established Cauldon Community Liaison Community (CLC) and three 12-hour public information exhibitions held in August and September 2019 and hosted at the existing Cauldon Cement Works. It also identifies the consultation comments and suggestions which have resulted in positive amendments to the scheme and/or have addressed concerns raised through the process.

Section 5 Description of Proposed Development

This section describes the proposed scheme, including the site layout, building dimensions, conveyor belt, vehicular access, landscaping, and operating hours.

Section 6 Proposed Process

This section provides further detail and explains the role of each of the components in the proposed development process.

Section 7 Planning Policy

This section sets out relevant policy contained within the Development Plan and also other material considerations.

Section 8 Need and Benefits

This section provides an introduction to the Cauldon Cement Works and the five types of cement produced and why it is of strategic importance. The need for increased use of alternative fuels and environmental and economic benefits are then explained.

Section 9 Carbon Management and Climate Change

This section provides the legislative context for planning for climate change and also the policy context.

Section 10 Alternatives

This section sets out that in addition to consideration of the 'do nothing' approach, the following have also been considered: alternative locations for the proposed fuel storage and feed platform; alternative method of transporting fuels over Earlsway; and, alternative operating hours. A summary is also provided of how the proposals are considered to be the most appropriate when compared with the alternatives.

Section 11 Landscape and Visual Considerations

In order to determine the potential impacts of the proposed development on individual sensitive receptors and the wider landscape this section sets out the landscape character of the site and its surroundings and has described and assessed the potential impacts of the proposals with regard to landscape character, visual impact and the mitigation measures proposed to be implemented. A Landscape and Visual Impact Assessment (LVIA) is provided (Technical Appendix A).

The LVIA considers that the proposed development at Hurst Farm is not out of character with the immediate setting of the site, adjacent to the existing Cauldon Cement Works which is of considerable size and mass. The existing works serves as a backdrop for visual impact from many potential viewpoints of the proposed development from the north-east, east, and south-east. Elsewhere, visibility of the site within the surrounding landscape is generally restricted by a combination of natural topography, vegetation and buildings / structures.

From further afield, views towards the site are generally limited to only the upper portions taller elements of the proposals – predominantly from the north and west (which are largely visually screened by the existing Cement Works).

More localised visual receptors (such as road users of Earlsway or Public Right of Way users) will have a greater magnitude of effect from the proposed development. However, these users are transient, i.e. they will only experience the visual impact for a limited period of time as they travel.

No significant adverse visual impacts have been identified from any residential properties.

Overall, the LVIA concludes that no significant adverse landscape and visual effects would occur, including consideration of potential effects on the Peak District National Park, elsewhere within the wider landscape, the more local landscape, and identified potentially sensitive receptors.

Section 12 Nature Conservation and Ecology

In accordance with the Scoping Opinion issued by Staffordshire County Council in June 2019, appointed ecological consultants WYG have considered the potential for the site and its immediate surroundings to be used by protected species. The potential direct and indirect impacts of the proposed development on statutory and non-statutory sites of biological importance have been considered. The Ecological Appraisal Factual Report, subsequent surveys and assessments, and ecological recommendations completed by WYG are provided (Technical Appendix B).

Overall in terms of ecology and nature conservation it is concluded that the proposed development would not have an unacceptable impact on flora or fauna in accordance with EIA regulations.

The fuel storage and feed platform has been designed to retain as much boundary and on-site vegetation as possible, with enhancements proposed to the on-site grassland and new planting proposed to supplement retained trees. It is proposed to maintain grasses on-site to a longer than average length to encourage use by wildlife. Supplementary tree planting is proposed in the south-west corner of the site close to the junction of Earlsway and Yelsway Lane to provide enhancement to the scattered trees already present in that area of the site.

Implementation of the retained and new landscape planting and ecological features (bird boxes and bat boxes) are considered likely to result in a non-significant, beneficial, long term effect at a local / legal level.

Section 13 Archaeology and Cultural Heritage

To assess the cultural heritage impact of the proposal, a comprehensive Cultural Heritage Assessment can be found at Technical Appendix C. Overall, the proposals will not have an unacceptable direct or indirect impact on archaeology or cultural heritage

The layout of the proposed development has been designed to preserve the peripheral stone walls beyond the development's boundary fence. Two unlisted heritage assets are proposed to be removed: the remnants of a late 18th century farmstead, Hurst Farmstead, and a wall crossing the centre of Hurst Farm. Their demolition will be offset by the recording of the structures and examination of their foundation.

It is concluded that the overall effects upon the setting of designated assets are not significant, primarily due to the context of the long-standing industrial facility at the Cauldon Complex, the massing of which is substantially greater and more imposing than what it proposed. Impacts upon archaeology are considered to be low based upon previous investigations in the area. A Written Scheme of Investigation (WSI) has however been developed in collaboration with the Staffordshire County Council Archaeological Officer which outlines proposed mitigation including archaeological trending to be undertaken in advance of construction to evaluate the archaeological potential of the site.

Section 14 Noise

The noise impacts of the proposals have been assessed within a Noise Impact Assessment which can be found at Technical Appendix D. This concludes that the proposed development and operations will not result in adverse noise effects which are significant in EIA terms.

The assessment determined that the impacts from construction phase noise and vibration would be of minor adverse significance at the nearest sensitive receptors, and therefore no specific mitigation measures are proposed. The implementation of standard best practice will further ensure that the residual impacts would be, at worst, of minor adverse significance.

Furthermore, it determined that the residual noise impacts from additional road traffic generated on local roads by the operation of the proposed development would be of minor adverse significance.

In addition, the residual noise from the on-site operations will be of minor adverse significance at the nearest noise sensitive receptors.

Based on worst-case assumptions, where possible, the assessment concludes that construction and operation of the proposed development will not result in significant adverse noise or vibration impacts at the nearest sensitive receptors.

Section 15 Air Quality and Dust

An Air Quality and Dust Impact Assessment can be found at Technical Appendix E. The assessment considered the potential air quality effects arising from the proposals, both during the construction and operational phases.

Likely significant effects during the construction phase include deposited dust at nearby receptors and dust effects on human health. The assessment has indicated that, with recommended mitigation measures in place in relation to dust during the construction period, residual effects are expected to be “negligible”. In addition, these effects are temporary, and will cease once construction is finalised.

During the operational phase, there is potential for air quality effects to occur due to slightly increased traffic flows on public highways, resulting in emissions from road traffic. The assessment has demonstrated that residual effects are considered “negligible”.

Dispersion modelling of emissions from the on-site stacks has determined that effects at human and ecological receptors are minimal, with the contribution from the site being extremely small, with the largest magnitude of significance being described as “slight”.

Section 16 Soil Resources and Agricultural Use and Quality

A soil resource and Agricultural Land Classification survey can be found at Technical Appendix F. Approximately 80% of Hurst Farm consists of ‘greenfield’ land, with the remaining 20% comprising derelict agricultural structures and hardstanding.

The assessment sets out the baseline condition of soils and agricultural land quality on the site of the proposed alternative fuel platform and feed. It establishes how the proposed development can influence soil resources and how best to handle soils to avoid their degradation. The assessment concludes that with the implementation of the measures proposed, the proposed stripping, handling and storage of soils can be achieved without causing an unacceptable impact upon the soil resources at Hurst Farm.

Section 17 Water Resources and Flood Risk

A Hydrology and Hydrogeology Impact Assessment and a Flood Risk Assessment can be found at Technical Appendix G. Together, these documents consider the existing conditions of the site in terms of surface water features, sub-surface water and geology, and flood risk potential. The documents then consider the potential impacts of the proposed development on water resources, including potential impacts on surface and groundwater quality and

quantity. With the proposed mitigation measures in place it is considered that the proposed extension can be fully worked without posing any significant risk to the water environment.

Hurst Farm is located 750m south of the River Hamps. Two natural drainage paths are present alongside Hurst Farm on either side of the fields, flowing south-north towards the River Hamps when filled.

Given the hardstanding and built development proposed at Hurst Farm, water run-off rates are set to increase. Mitigating measures are proposed to ensure no adverse impacts on surface water quantity or quality and include the storage of water on-site. When necessary waterbodies will store water prior to gradual discharge into the existing pond present south of the site at Cauldon Quarry. The water bodies include on-site swales (ditches) to run alongside the western boundary of Hurst Farm to collect run-off from the higher areas of the site.

Certain areas of the site that are most vulnerable to spillages will be 'sealed' drainage systems where in the event of a spillage, contaminated collected water would be removed from site without being discharged into the local water environment.

In terms of flood risk, the Flood Risk Assessment does not identify an increased flood risk for the application site, or elsewhere as a result of the proposals. The very low risk of flooding remains unchanged.

Section 18 Traffic and Transport

A Transport Assessment (TA) can be found at Technical Appendix H

The TA focuses on highway capacity and road safety. It considers the proposed development in the context of existing site operations and non-site traffic and concluded that the impacts would not be 'severe'.

The TA has identified that the proposed development would result in a slight increase in HGV vehicles (up to one more an hour) in comparison with the current traffic flow situation on the highway network.

However, it is concluded that the proposed development traffic would not amount to being a material intensification in terms of HGVs or staff trips on these routes and, as such, there would be little change in overall highway performance and road safety risk.

The additional traffic would not have a material impact on the safety or operation of the local road network and with the implementation of mitigation measures as proposed, will not give rise to adverse impact on the surrounding road network.

Therefore, with regards to transport and traffic, the proposed development complies with planning policy tests and will not have unacceptable direct or indirect impact on population and human health; biodiversity; land, soil, water, air and climate; material assets, cultural heritage and the landscape; or the interaction between these factors in accordance with EIA regulations.

Section 19 Public Rights of Way

A Public Right of Way, 'Public Footpath 74' of Waterhouses Parish, is partly located within the application site and in order to facilitate the proposed development, 75 metres of this footpath is required to be diverted. As required by the Town and County Planning Act 1990, a separate application has been submitted for this.

The proposals will not bring about any unacceptable impacts on the enjoyment of the PRow network, and the proposed diversion is considered to be an opportunity to enhance the local footpath network. Taking account of the proposed diversion and other indirect impacts on Public Rights of Way, the proposed development can be operated without posing unacceptable harm.

Section 20 Socio-Economic Effects

The Socio-Economics chapter concludes that the Cauldon Cement Works is a significant contributor to the local and national economy. The proposals will both secure the existing employment on site and provide additional jobs. There will also be short-term construction employment generated.

The chapter conveys the economic importance of Cauldon Cement Works, including the fact that it generates nearly 10% of cement used in Great Britain and is therefore of national significance.

Lafarge Cauldon's presence at Cauldon contributes circa £11 million to the regional economy each year through salaries, business rates and purchases from local suppliers.

The proposal represents what is currently the largest cement infrastructure project in Europe and is a multi-million-pound investment in Cauldon that will increase employment opportunities both locally and in the supply chain.

The Cauldon Complex is a significant local employer with over 150 people employed across the site currently. It is anticipated that an additional six people would be employed at the complex as a direct result of the proposal being permitted.

Section 21 Cumulative Impact Assessment

An assessment of cumulative impacts has been carried out as part of the EIA and considers three categories of potential cumulative effects: successive effects; simultaneous effects from concurrent developments; and, combined effects from the same development.

In summary the proposals have been assessed against other committed and proposed major developments in the area and there are no cumulative impacts that will arise from the scheme in combination either within itself or with other existing/ proposed developments that would render the proposed development unacceptable.

Section 22 Conclusions

This section provides a conclusion to the ES. Overall it is considered that the proposed development is environmentally acceptable, will accord with the Development Plan, and the development supports the economic, social and environmental roles of sustainable development required in NPPF. Where adverse impacts do arise, they are not significant and appropriate mitigation can be promoted that will be capable of further reducing the effects of any such impact.

No unacceptable impacts have been identified in relation to landscape, ecology, archaeology and cultural heritage, noise, air quality, soil, water resources, traffic and transport, public rights of ways, socio-economic impact or cumulative impact.

The mitigation of potential impacts through the imposition of planning conditions and appropriate planning agreements is in accordance with development plan policy and national planning advice contained in guidance. The level of potential impact likely to arise from the proposed development is low and capable of being controlled to acceptable levels.

The proposed scheme will bring about a number of environmental and economic benefits, which act to offset any minor adverse local impacts.

In overall conclusion, it is considered that any potential localised environmental impacts are either outweighed by national gain or capable of being made acceptable by the imposition of planning conditions and obligations.

A non-technical summary of the ES was also provided.

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