

Local Member	
Councillor P.E.B. Atkins, OBE and Councillor P.A. Hudson	Uttoxeter Rural Uttoxeter Town

Planning Committee 04 August 2022

Minerals County Matter

Application No (District): [SCC/21/0025/FULL-ES](#) (East Staffordshire)

Applicant: Aggregate Industries UK Limited

Description Northern extension to Uttoxeter Quarry for the winning and working of sand and gravel with restoration to agriculture, water-based recreation and nature conservation, with the continued use of existing access, site offices, processing plant, silt lagoons and ancillary infrastructure

Location: Uttoxeter Quarry, Spath, Uttoxeter, Staffordshire, ST14 5AP

Background/ Introduction

1. Uttoxeter Quarry has been operating under a series of permissions since 2001 and the current planning permission required the site to cease mineral extraction by 30 November 2016. However, the Planning Committee has approved an application to extend the cessation date to 30 November 2023, pending the completion of a Section 106 Legal Agreement (Section 106). The Section 106 is nearing completion, meanwhile sand and gravel extraction has continued and is expected to cease by the end of 2022. There is also a separate report on this Committee meeting agenda to consider a planning application to import and wash limestone scalpings (ref. [SCC/21/0047/FULL-ES](#)). For more details see 'Relevant Planning History' below.
2. This application is seeking planning permission to extend mineral extraction to the north of the quarry within an area allocated in the Minerals Local Plan. The applicant anticipates that if the extension is granted permission, then mineral extraction at Uttoxeter Quarry would cease by the end of 2025.

Site and Surroundings

3. Uttoxeter Quarry is approximately 1.5 kilometres north of Uttoxeter and one kilometre to the east of Stramshall village. The eastern boundary of the quarry is formed by the River Dove which in this location forms the boundary

between the counties of Staffordshire and Derbyshire.

4. Mineral processing takes place in the western part of the quarry and access to the quarry is off the B5030 Rocester Road that leads to the A50. Near to the processing plant and stockpiling area are residential properties, namely Riversmede to the north of the quarry entrance, and Spath Farm and Spath Cottage lying to the south of the entrance.
5. The planning application includes existing operational parts of Uttoxeter Quarry as well as the proposed extension area to the north e.g., processing plant and silt lagoons. The total planning application site area amounts to approximately 166 hectares (ha), 45 ha of which comprises the proposed extension area (refer to Plan 1 accompanying this report).

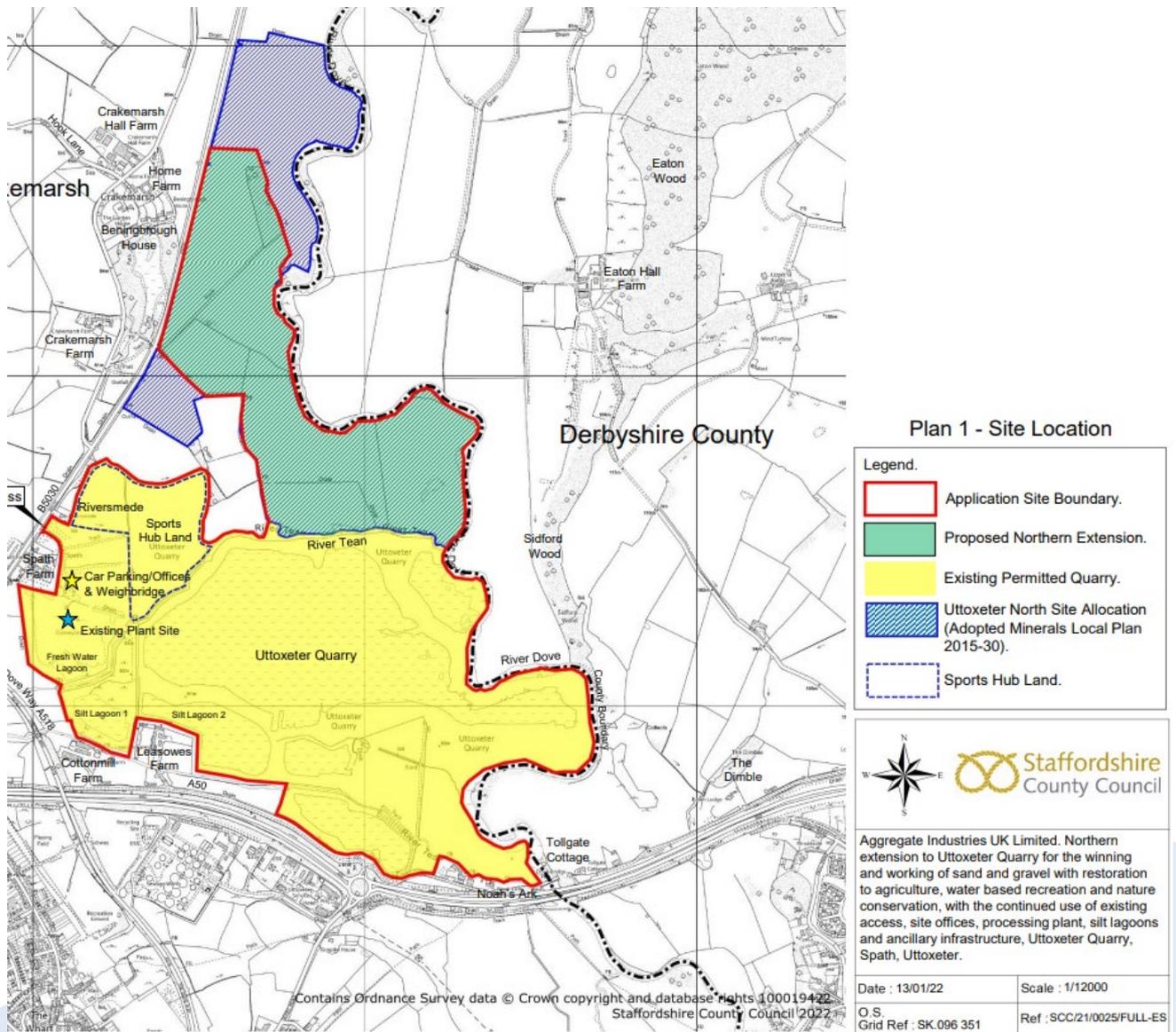


Figure 1: Site Location showing extent of northern extension in green.

6. The extension area comprises primarily of semi-improved grasslands and

arable fields with associated hedgerows. Broad-leaved woodland, scattered trees, tall hedges with ditches and a stream also lie within this area. The closest properties to the proposed extension area are in the hamlet of Crakemarsh, the closest of which, Beningbrough House, is approximately 75 metres to the west.

Summary of Proposals

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

Winning and working of 0.99 million tonnes of sand and gravel

8. It is proposed to win and work 0.99 million tonnes of sand and gravel from the proposed extension area following the exhaustion of reserves remaining within the current permitted area, anticipated by the end of this year. Based on a maximum permitted output of 400,000 tonnes per annum, all mineral within the extension area would be extracted within 3 years.
9. Sand and gravel would be processed at the existing processing plant and transported to the plant by dump trucks. The haul road would cross the River Tean in the south of the extension area via a new Bailey bridge.
10. Lorries exporting sand and gravel would continue to use the existing access onto the public highway. No changes are proposed to the number of permitted lorry movements associated with the quarry. Based on figures recorded in 2019 (pre-pandemic), there were an average of 64 HGV departures from the quarry (128 HGV movements per day) and a maximum number of HGV departures of 96 (a total of 192 movements). This is within the limits imposed by the current permission.
11. It is anticipated that 6% of the mineral extracted, would be separated as silt and this material would be deposited in existing lagoons to the east of the processing plant site. No additional lagoon capacity is required for the disposal of silt.
12. To enable mineral production to be maintained during times of flooding, it is proposed to develop two concurrent extraction areas within the extension area. Phases 1A to 4A are in the southern part of the extension area adjacent to the Rivers Dove and Tean, whilst Phases 1B to 4B are located on higher ground within the northern part of the extension area (refer to Plan 2 accompanying this report). Soils and overburden would be progressively removed as extraction develops through the phases.

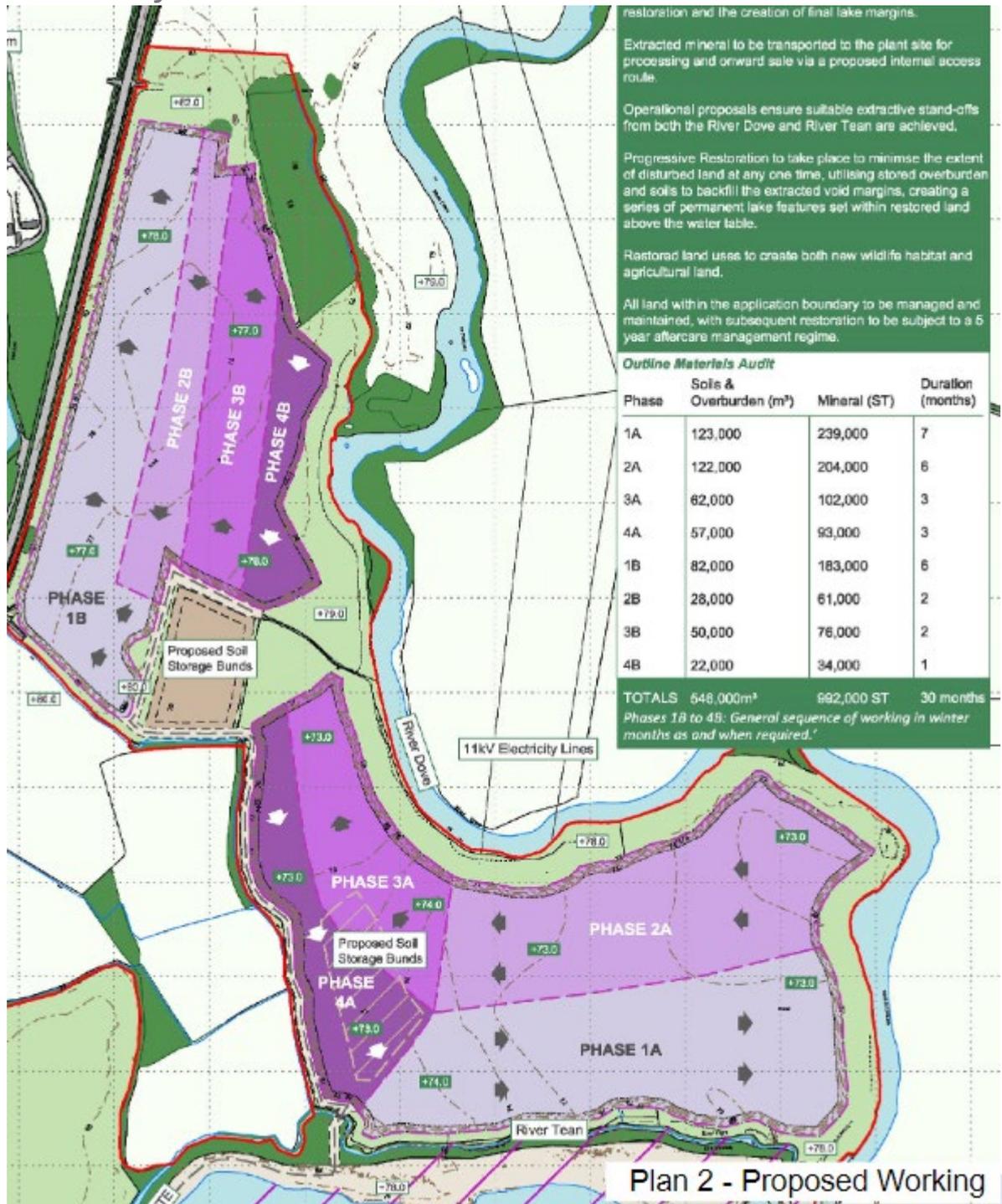


Figure 2: Extract from Proposals Plan showing two extraction areas and phasing.

- Soils and overburden which are removed (stripped) from the initial working areas (Phases 1A and 1B) would be placed in temporary soil storage bunds which would be grass seeded and maintained. The storage mounds would not exceed 5m in height and would provide a storage capacity of approximately 45,000m³ each. The material from subsequent soil and overburden stripping would then be placed into the most recently worked-out void to allow for the progressive restoration of the site.

14. No changes are proposed to the current permitted hours of operation for extractive, processing, or restoration operations.

Restoration of the extension area

15. The overall objective of the restoration scheme is to establish a mix of agricultural land and wildlife habitats associated with the flood plain of the River Dove and River Tean, which is sustainable in respect of its management and potential for Biodiversity Net Gain (refer to Plan 3 accompanying this report).



Figure 3: Extract from Restoration Concept Plan.

16. It is anticipated that all mineral extraction and restoration works would be completed by the end of 2026.

17. It is proposed that the site would be progressively restored to create three lakes, two situated in the northern part of the extension area and one situated in the southern part. The restoration of the northern part of the extension area would result in the creation of amenity/ recreation lakes surrounded by species rich grassland with sections of new native woodland on the eastern boundary. The restoration of the southern part of the extension area would create one large lake with soils and overburden used to create areas of shallows/ reedbeds in the lake corners. Agricultural grassland would surround the southern lake and extend northwards. Field boundaries would be created to separate the agricultural grassland in the south from the species-rich grassland further north in the extension area.

Habitat Type	Area (Ha)/ Linear m
Agricultural Grassland	14.71 Ha
Species Rich Grassland	5.92 Ha
Proposed New Woodland	0.91 Ha
Existing Woodland (Retained)	2.17 Ha
Reeds / Shallows	3.74 Ha
Open Water	17.19 Ha
Hedgerows	1500 linear m

Figure 4: Table 8.6 extracted from Environmental Statement listing the habitat to be created through restoration works.

18. Following the cessation of mineral extraction and processing, and as part of the final phase of restoration, the processing plant, site offices and internal access roads would be removed, and the land restored.
19. The application is accompanied by a large number of documents and plans including:
- Planning Statement
 - Environmental Statement
 - Technical Summary of Environmental Statement
 - Appendices to Environmental Statement including:
 - Transport Assessment
 - Preliminary Ecological Appraisal Report
 - Biodiversity Net Gain assessment
 - Protected Species Survey Reports

- Arboricultural Survey Report
- Landscape and Visual Impact Assessment
- Noise Impact Assessment
- Dust and Air Quality Impact Assessment
- Hydrogeological Impact Assessment and Flood Risk Assessment
- Geomorphological assessment
- Cultural Heritage Assessment
- Outline Archaeological Mitigation Strategy
- Soil Resources and Agricultural Quality of Land Report
- Stability Report

The Applicant's Case

20. The extraction of sand and gravel from the proposed extension area would provide a steady supply of good quality aggregate which would be suitable for use in concrete production and other construction products. Given the significant level of construction and infrastructure projects planned for the Midlands region within the short and medium term (including HS2), the mineral resource identified within the extension area is considered to have significant environmental and economic value. It is considered by the applicant that the proposal for an extension to Uttoxeter Quarry accords with both national and local planning policy.
21. The site operations and management procedures at the quarry are well established and do not give rise to unacceptable effects on the environment or local amenity. The management and mitigation measures that are currently in place at the quarry would continue to be implemented within the extension area.

Relevant Planning History

22. Details of relevant planning permissions and other planning decisions are listed as follows:
 - [ES.23992/01](#) dated 5 June 2000 permitted the winning and working of sand and gravel (4.8 million tonnes of sand and gravel over a 12 year period).
 - [ES.08/02/524 M](#) dated 31 July 2009 permitted an extension to extract 200,000 tonnes of sand and gravel within 12 months of commencement

with restoration to a community recreational use (cricket ground facility). This extension was worked in 2010 and restored in 2011.

- [ES.09/05/524 M](#) dated 23 December 2010 permitted the 'Dove' extension to extract (1.6 million tonnes of sand and gravel up to 30 November 2016) with restoration to agriculture and water-based recreation and nature conservation.
 - [ES.11/13/524 MW](#) dated 13 December 2011 permitted the variation of conditions 1, 2, 8, 9, 10, 32, 38, 39 and 42 of permission ref ES.09/05/524 M to alter the sequence of phased extraction.
 - [ES.16/15/524 MW](#) dated 11 August 2016 to vary conditions 1, 2, 8, 9, 10, 32, 38, 39 and 42 of permission ref. ES.11/13/524 MW: to alter the sequence of phased extraction; and to revise the date for cessation of mineral extraction from 30 November 2016 to 30 November 2023 and restoration from 30 November 2018 to 30 November 2025. This application was approved on 1 December 2016, but permission remains to be issued pending completion of a Section 106 legal agreement.
 - [SCC/21/0047/FULL-ES](#) dated 15 October 2021 for the importation and temporary storage of limestone scalplings with the erection and use of an aggregate washing plant. This application is to be reported to the Planning Committee at the same meeting as this report.
23. A Section 106 legal agreement (Section 106) dated 1 June 2000 accompanied the permission ref: ES.23992/01 and this included undertakings for off-site highway works in association with creation of an access onto the B5030 and extended aftercare for nature conservation afteruses.
24. An additional Section 106 has been drafted and is nearing completion in connection with the approval of the 2016 application ref: ES.16/15/524 MW. This agreement will require the quarry operator to pay for works associated with the development of football pitches on land that has been quarried and now restored; continuation of the arrangements for the site liaison committee; provision of extended aftercare; and provision of a restoration guarantee.

Environmental Impact Assessment (EIA)

25. The findings of the ES (and the environmental information subsequently received) are summarised in [Appendix 1](#).

Findings of Consultations

Internal

26. **Environmental Advice Team** (EAT) – no objections, subject to conditions

to require relocation of large sections of all felled veteran and over-mature timber to the fringes of the site where they will remain undisturbed; provision of a Construction Environmental Management Plan for biodiversity; an Invasive Species Management Plan; a programme of archaeological work implemented in accordance with an approved Outline Archaeological Mitigation Strategy; a Habitat and Landscape Management Plan; prior to seeding of species-rich grassland areas, submission of soil test results for approval; and detailed restoration plans to include natural features on internal watercourses and River Tean, where hydrological modelling allows.

27. The EAT reviewed the submitted further information and welcome proposals for early planting, and provision for toads and bats as part of a proposed Construction Environmental Management Plan for biodiversity.
28. **Highways Development Control** (on behalf of the Highways Authority) (HA) – no objections subject to maintaining the condition to limit the output of the quarry.
29. The HA comment that because the traffic would be the same as at present, there will not be a severe impact on highway capacity. The impact of this level of traffic on highway safety, and the layout of the site access have all been assessed during the consideration of previous applications on the site and found to be acceptable.
30. Regarding the assessment of stability on the public highway, the HA conclude that the information submitted with the application is adequate. A review prepared by the applicant concludes that the risk of slope failure is negligible, and it will be maintained as such, with no significant impact on 3rd party property, land or the general public over the life of the proposed development. The risk of settlement associated with dewatering close to the B5030 is also considered negligible.
31. **Flood Risk Management Team** (on behalf of the Lead Local Flood Authority) – no objections subject to conditions relating to compliance with approved documents; measures to control surface water are in place as part of any quarrying works; and provision of a detailed management and maintenance plan for the restoration ponds.
32. **Planning Regulation Team** – confirm that they have no comments.
33. **County Council's Noise Engineer** - no objection on noise grounds subject to the implementation of the proposed mitigation measures which include the provision of a 'wall' of straw bales 3 metres in height 150 metres in length on the western boundary of the site; and vehicles being fitted with non-intrusive reversing/ warning systems.

External

34. **East Staffordshire Borough Council (Planning)** - no objections.

35. **East Staffordshire Borough Council (Environmental Health)** – no objections subject to a condition requiring review of existing dust mitigation measures. The Environmental Protection Officer confirms that he is satisfied with the findings of the environmental statement and as long as the mitigation measures proposed both in terms of noise and dust control are followed and the relevant conditions in the site’s extant planning permission are directly transferrable, the risk of adverse impacts to nearby residents can be minimised.
36. **Uttoxeter Rural Parish Council** – commented that there needs to be a proper, real and tangible community benefit from the extension, i.e. completion of the sports hub development, water sport development, footpath accessibility and car parking.
37. **Uttoxeter Town Council** – commented that: (i) The Planning Authority should ensure that steps are taken to monitor the proposals in accordance with the proposals to safeguarding biodiversity; and (ii) The works should be monitored closely by the Planning Authority as the quarry develops.
38. **Canal and River Trust** – advised that the Caldon and Uttoxeter Canals Trust be consulted as they are working on the restoration of the Uttoxeter Canal through the Churnet Valley and the creation of a route back toward Uttoxeter.
39. **Caldon and Uttoxeter Canals Trust** - supports this development proposal and would like to be contacted about future master planning of the quarry site in order that inland waterway and boating use can be considered and allowed for in the future. The applicant has been made aware of the Trust’s interest in the proposal.
40. **Environment Agency (EA)** – currently have a holding objection on the grounds that the proposal does not adequately assess the flood risks posed by the development in terms of the effect of soil storage mounds placed in the flood plain; and the approach to maintaining stand-offs between the River Dove and proposed mineral working areas. Since confirming this objection, the applicant has met with the EA and additional information has been submitted to clarify the proposals and address the grounds for objection. A response is expected from the EA, and this will be reported verbally to the Planning Committee.
41. Comments are also made in relation to opportunities for restoration proposals including the enhancement of river corridor habitat and contributing towards Water Framework Directives. In addition, the EA require continued groundwater monitoring including monitoring of water levels in Crakemarsh Pond which is to the west of the proposed extension and outwith the application site. In response to groundwater monitoring requirements, the applicant has confirmed that all groundwater monitoring as explained in the Hydrogeological Impact Assessment would continue and trigger levels

would be established prior to commencement of extraction within the proposed extension area.

42. **The Forestry Commission** – no comments but refer to standard guidance relating to the protection of ancient woodlands as the south-eastern part of the extension is within an ancient woodland consultation zone.
43. **Historic England (HE)** – no objection. HE recommends that the advice of the County Archaeologist should be implemented in full, to ensure that the archaeological evaluation and subsequent mitigation work is managed effectively and appropriately.
44. **National Highways** – no objection subject to conditions to maintain the current limits on the mineral exported from the quarry and the number HGV movements associated with the export of mineral.
45. **National Air Transport Service** - no objection.
46. **Natural England** – no objection.
47. **Ramblers' Association (RA)** – commented on the impact on three footpaths. Regarding proposed restoration, the repositioned footpaths around the periphery of the site is very welcome and will provide a new circular route around the proposed lakes. Currently, there is no link for footpath 31 across the River Dove to another footpath in Derbyshire which is directly opposite, and the RA ask whether a footbridge could be provided.
48. **Severn Trent Water Limited (STWL)** – no objection. STWL advise that there is a public pressurised sewer located within the site. Public sewers have statutory protection and may not be built close to, directly over or be diverted without consent. The applicant is advised to contact STWL to discuss the proposals. [The applicant proposes that the sewer pipe which runs in a generally north to south direction through the northern / north-western part of the extension area would be removed or diverted under processes separate to planning control].
49. **Western Power Distribution** – provided information relating to the location of a 33kV overhead electric line within the southern part of the extension area. [The applicant has confirmed that it would be necessary to divert this pole mounted overhead line.]

Publicity and Representations

50. Site notice: YES Press notice: YES
51. 28 neighbour notification letters were sent out and one representation has been received relevant to the application. The concerns raised in the representation are summarised below:

- a) Use of straw bales as a noise and visual reduction barrier. There are concerns about the barrier's durability; creation of a fire hazard; health and safety hazard for users of the diverted footpath; and vermin.
- b) As an alternative to the straw bales, it is suggested that a temporary soil bund should be formed.
- c) It is requested that the Planning Committee challenge the timescale of the proposed extension as it seems highly unlikely that 30 months is either feasible or achievable. It is now 20 years on from when the quarry first started excavating.
- d) Further loss of more hedges and trees will be devastating to all wildlife species.
- e) What consideration has been given to those who use septic tank drainage and may find their run-off fields continually below the water table level and flooded? [In respect of this issue, the applicant considers that the proposal would not be a risk. The relevant issue that has been considered is the effect of dewatering excavations and its impact on causing water levels to fall, although not a cause for objection. Refer to comments from the Highways Authority and Environment Agency for more details].

52. In addition, a representation was also received from one of the two local Members who commented as follows:

- a) There is a need to divert the existing pole mounted overhead 33kV electricity cables which cross the southern part of the extension area, and a pressurised sewer pipe runs in a generally north to south direction through the northern/ north-western part of the extension area.
- b) The site is in the floodplain and any works on the lower Dove flood plain must be carefully planned to lower the risk of flooding on other land adjacent, above and below the site. There has already been a breach at the existing quarry site causing damage to crop on the opposite side of the river.
- c) The after use of the quarry as a nature reserve and sports hub must not be hindered by any works attached to this application. The original quarry was supposed to be a short-lived works finished "by the end of the century" and the local community need to see something for their benefit as soon as is possible.
- d) There is a wood on the site which should be retained and trees which have to be cut down should be replaced.
- e) If the B5030 quarry access is to remain after the excavations are ended the aggregate company will not have the cost of its removal as in the

original application. This gain to the operator should go towards the afteruse of the quarry site and be legally registered.

53. The applicant submitted further information in relation to the Environmental Statement to address issues raised during the initial consultation and this further information was publicised in accordance with [regulation 25](#) of the Town and Country Planning (Environmental Impact Assessment) Regulations 2017. As well as posting additional site notices and advertising in the press, neighbour notification letters were sent. No further representations were received from members of the public.

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

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

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

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

55. [Appendix 2](#) lists the development plan policies (and proposals) and the other material planning considerations, relevant to this decision.

Observations

56. Having given careful consideration to the application, environmental and other information, including the environmental information subsequently received, consultee comments and the representation received, the relevant development plan policies and the other material considerations, referred to above, the key issues are considered to be:
- Mineral planning policy and other material planning considerations.
 - Mineral Local Plan development considerations.
 - Other matters raised by consultees or in representations.

- Need for the Section 106 Legal Agreement

Mineral planning policy and other material planning considerations

57. Both national and local planning policies recognise the importance of minerals for sustainable economic growth. The National Planning Policy Framework (NPPF) contains specific mineral planning policy guidance and provides general planning policy guidance which is underpinned by a presumption in favour of sustainable development (Section 2). Paragraph 211 of the NPPF explains that:
- ‘When determining planning applications, great weight should be given to the benefits of mineral extraction, including to the economy.’
58. Policy 1 of the Minerals Local Plan (MLP) for Staffordshire sets out how provision will be made for sand and gravel in the county up to the end of 2030 based on maintaining a landbank of at least 7 years of permitted reserves to support a level of provision of 5 million tonnes per annum (Mtpa); and refers to 11 proposals for the extension of quarries. One of these proposals involves the land subject of this application (refer to Inset Map 3 in appendix 1 to the MLP [appendices](#)).
59. Policy 1.3 of the MLP requires that:
- ‘Planning permission to extend a site will normally be conditioned so that the extension area can only be worked following cessation of mineral working within the existing site unless it has been demonstrated that there are operational reasons why this is not practicable.’
60. Footnote 73 to paragraph 213 (f) of the NPPF which relates to maintaining landbanks of at least 7 years for sand and gravel states that:
- ‘Longer periods may be appropriate for landbanks of aggregate minerals to take account of the need to supply a range of types of aggregates, locations of permitted reserves relative to markets, and productive capacity of permitted sites.’
61. Commentary: As explained in the Introduction earlier, the current planning permission required the site to cease mineral extraction by 30 November 2016. However, the Planning Committee has approved an application to extend the cessation date to 30 November 2023, pending the completion of a Section 106 Legal Agreement (‘the 2016 Section 106’). The 2016 Section 106 is nearing completion, meanwhile sand and gravel extraction has continued and is expected to cease by the end of 2022. Therefore, the recommendation is that the 2016 Section 106 should be completed so that the planning permission can be issued before the permission for the extension is issued.

62. The application site is situated within land allocated in the MLP as shown on Plan 1 to this report and sand and gravel to be worked from this allocation is expected to contribute to the provision of sand and gravel aggregates within the county over the period up to 2030.
63. The most up to date assessment of the sand and gravel landbank in Staffordshire indicates that the size of the landbank was sufficient for 11.8 years as of 1 January 2021, based on a level of provision of 5 million tonnes per year as defined in the MLP, (using data from the West Midlands Aggregate Working Party Survey).
64. While there is no current need for additional reserves to maintain the county's sand and gravel landbank, the proposed extension would maintain production at the quarry following the exhaustion of the quarry's permitted reserves which is anticipated to be later this year. The proposal, therefore, would accord with Policy 1.3 of the MLP; and the guidance of footnote 73 to paragraph 213 (f) of the NPPF by maintaining the productive capacity of a permitted site.
65. Conclusion: Having regard to the mineral planning policies and other material planning considerations referred to above, it is reasonable to conclude that the proposal is acceptable in principle given that it would maintain the provision of sand and gravel from a site identified in the MLP.

Mineral Local Plan development considerations

66. Policy 1.2 of the MLP requires that:

'Any proposals to develop the allocated extension sites will only be supported where it has been demonstrated that they accord with the Plan policies, including Policy 4 and address the development considerations listed in appendix 1.'

67. Policy 4.3 of the Minerals Local Plan states that:

'Having assessed the impacts of the proposals for mineral development and the mitigation and/ or compensatory measures, permission will only be granted where it has been demonstrated that there are no unacceptable adverse impacts on human health, general amenity and the natural and historic environment, or the material planning benefits of the proposals outweigh the material planning objections.'

68. In accordance with policy 1.2 of the MLP, it is necessary to consider whether the submitted proposals address the development considerations identified for the allocation as set out in Appendix 1. The table below summarises how these considerations have been addressed by the applicant and considered by consultees.

Development considerations for the Uttoxeter North allocation	Addressed in the application/ environmental statement (ES) by:
<p>Impacts on landscape character should be addressed in part by retention of landscape buffers along B5030. Retention of visually significant vegetation will assist.</p>	<p>As shown on the Phase 1 Working and Restoration Plan, proposals include strengthening the existing boundary hedge along the B5030 and for Phases 1 and 2 maintaining a straw bale barrier that would screen views of the working areas in the northern part of the extension area. The proposals also include retention of a woodland in the northern part of the extension area as well as blocks of trees along the Rivers Dove and Tean. Hedgelines would also be retained along the western boundary of the southern part of the extension area. No objections are raised by the County Council's Environment Advice Team. The concerns raised by a resident about the proposed straw bale barrier are considered below.</p>
<p>There are three Grade II heritage assets that could be impacted by this allocation. Developers will need to ensure that the significance of these features and their settings is protected and conserved.</p>	<p>Section 13 of the ES considers the impact of the proposals on three Grade II listed buildings within 1km of the application site. No adverse effects on these historical assets are identified. No objections are raised by the County Council's Environment Advice Team or Historic England to the findings of the ES.</p>
<p>Historic features associated with former flood meadows will need to be recorded before soil stripping, and should ensure that there are no indirect adverse impacts on the scheduled Dove Bridge, by affecting flow rates in the river and changing siltation/ erosion patterns downstream.</p>	<p>Section 13 of the ES considers the impact of the proposals on historic ridge and furrow and flood meadows. A mitigation strategy for the ridge and furrow (and possible remains of water meadows) is proposed which would involve further survey work and trial excavations as set out in an approved Outline</p>

Development considerations for the Uttoxeter North allocation	Addressed in the application/ environmental statement (ES) by:
	<p>Archaeological Mitigation Strategy. The Flood Risk Assessment assesses that the proposals will not change the course of flow dynamics of the river other than some positive effects due to the increase in flood storage and therefore, there should be no negative impact on the bridge. No objections are raised by the County Council's Environment Advice Team. Historic England confirm they are satisfied that there will be limited impact on the Scheduled Dove Bridge.</p>
<p>Significant progress with the completion of restoration works within the existing quarry should be achieved prior to commencement of quarrying within the allocation.</p>	<p>Approval of application ES.16/15/524 MW required that restoration of the current quarry be completed by November 2025. The submitted plan 'Projected Restoration Timescales' indicates that most of the site except the plant site would be completed by the end of this year. Concerns about restoration timescales are considered below.</p>
<p>Proximity to sensitive properties to the west and south of the site needs to be considered.</p>	<p>The potential for amenity effects on properties to the west and south of the site has been considered within Technical Appendices 9 (Landscape), 10 (Noise) and 11 (Dust and Air Quality). Subject to conditions, no objections are raised by the Council's Noise Engineer or the Borough Council's Environmental Health Officer.</p>
<p>The adjacent Site of Biological Importance supports UK habitat of principal importance and relies on the hydrological regime which</p>	<p>Crakemarth Pool SBI lies to the west of the site, west of the B5030, and comprises a fishing pool with emergent and</p>

Development considerations for the Uttoxeter North allocation	Addressed in the application/ environmental statement (ES) by:
should be maintained.	submerged vegetation. The potential for environmental effects, including hydrological effects arising from quarry dewatering, is considered in both Technical Appendix 8.1 (Preliminary Ecological Appraisal) and Technical Appendix 12.1 (Hydrogeological Impact Assessment and Flood Risk Assessment). Subject to the proposed mitigation for monitoring water levels, no objections are raised by the County Council's Environment Advice Team or the Environment Agency.
Restoration proposals should include opportunities to provide enhanced sport and recreational facilities as proposed in the Borough's Local Plan	Proposals for the provision of sports pitches are part of proposals associated with application ref: ES.16/15/524 MW on previously quarried land to the north of the River Tean. The delivery of this scheme is subject to undertakings associated with a proposed Section 106 Legal Agreement and involves the Staffordshire Football Association.
There is also a high risk of best & most versatile land being present, so this land should be considered in designing the restoration of the site.	Technical Appendix 14 'Soils and Agricultural Quality of Land at Crakemars, Uttoxeter' indicates that best and most versatile land is affected by the proposals. Whilst the proposed development would result in the loss of approximately 32ha of agricultural land, the final scheme would create 14ha of agricultural grassland and 6ha of species-rich grassland.
The site is located within the floodplain of the River Dove and River Tean (Flood Zone 3). There should be no net loss of floodplain storage as a result of the	A detailed Flood Risk Assessment has been undertaken and is provided at Technical Appendix 12.3. The assessment confirms that the quarry void would provide

Development considerations for the Uttoxeter North allocation	Addressed in the application/ environmental statement (ES) by:
excavations. Any ancillary development should be located in areas of lowest risk. Any excavated material should be stored outside of the extent of the 1 in 100 year (with climate change) floodplain unless its temporary storage would be acceptable to the Environment Agency	additional floodwater storage and would therefore act to reduce the risk of flooding downstream. Regarding the storage of soil in mounds within the floodplain, the applicant has sought to address the concerns of the Environment Agency and a response is awaited (see below).
Restoration should seek to reinstate landscape features such as hedgerows, hedgerow oaks, small woodlands and flood pasture. Need to ensure that biodiversity benefits achieved through restoration outweigh the losses with lowland meadow being a priority habitat	Restoration proposals for the site are shown on the plans 'Concept Restoration' and 'Restoration Sections' and described in the Planning Statement. The biodiversity benefits of the proposed restoration are set out within Chapter 8 (Nature Conservation and Ecology) of the ES. A Biodiversity Net Gain calculation has been undertaken indicating a 12.69% net gain for habitat units and a 116.47% net gain for hedgerow units.
The site has major opportunities for river restoration and the provision of quality biodiverse floodplain habitats with improved connectivity between rivers and floodplain.	The applicant's Regulation 25 response to comments from the Environment Agency confirms proposals to enhance the river corridor in a detailed scheme.
Consideration should be given to the public rights of way affected by the site.	The potential for effects on public rights of way is considered within Chapter 15 of the ES. Footpaths to be diverted have been inspected with applicant by Rights of Way Officer.

Veteran Tree

69. Regarding the consideration relating to the retention of visually significant vegetation, the proposals involve the removal of eight trees (refer to Tree Constraints Plan attached to Arboricultural Survey Report). The survey indicates that one of these trees is a veteran tree and paragraph 180(c) states that 'development resulting in the loss or deterioration of irreplaceable

habitats (such as ancient woodland and ancient or veteran trees) should be refused, unless there are wholly exceptional reasons and a suitable compensation strategy exists’.

70. The veteran tree to be felled, is within the northern part of the extension area and its retention would sterilize a substantial quantity of mineral which the applicant suggests would render the proposed extension economically unviable. ‘Wholly exceptional circumstances’ are justified by the applicant, therefore, on the grounds that the land is allocated in the Minerals Local Plan and is part of the planned provision for meeting the need for sand and gravel over the period up to 2030.
71. The significance of the proposal in the context of the MLP and the wider public benefit is not disputed by your officers. The proposed northern extension does not include all the land that was allocated as it is understood that the sand and gravel resource within the allocation is less than originally anticipated. As the applicant suggests that the proposal is marginally viable, it would be reasonable to assume that there is little scope for losing substantial resource to provide for a buffer zone around the tree.
72. Conclusion: Given the above justification, it is your officers view that there are ‘wholly exceptional circumstances’ for the loss of the veteran tree. Compensatory planting is proposed which involves extending existing woodland by an additional 0.91ha. In addition, the Environment Advice Team recommend that large sections (main trunks) of all felled veteran and over-mature timber are relocated to the fringes of the site where they should remain undisturbed. This would be particularly helpful if placed near to remaining mature and over-mature trees, and preferably in shaded or partly shaded locations. This would provide continuity of habitat for specialist invertebrates and other species as well as compensate for the loss of the veteran tree.

Restoration Progress

73. The applicant is required to demonstrate significant progress with the completion of restoration works within the existing quarry and this consideration reflects the concerns raised by the resident’s representation and the Local Member.
74. As indicated above, the applicant has submitted information with the application to indicate that the proposals would not hinder the achievement of restoration of most areas of the current quarry in accordance with timescales approved in consideration of application ref: ES.16/15/524 MW. Current progress with mineral extraction should mean that restoration is achieved within the next 12 months except for the operational areas required for the development of the northern extension i.e. processing and stockpiling area, access roads and lagoons. These operational areas within the current permitted site would be restored following the cessation of mineral extraction

within the extension area i.e. during 2026.

Flood Risk

75. As indicated above, at the time of writing this report, the Environment Agency (EA) maintained a holding objection on the grounds that additional clarification was required regarding the impact of the soil storage mounds within the floodplain in terms of the volume of flood plain storage lost and the risk if the mounds were left in-situ for longer than anticipated. In addition, the Agency has recommended that during mineral operations that there is geomorphological monitoring to monitor the width of stand-offs between the quarry workings and the rivers with the aim of preventing a breach of the river into mineral workings.
76. Since submission of the further information, the applicant has met with the EA and additional information has been provided to clarify the findings of the Flood Risk Assessment as well as to clarify the measures that would be taken to monitor stand-offs from the river. A response to this information is expected by 28 July and will be reported verbally to the Planning Committee.
77. The EA has advised that if the County Council is minded to approve the application contrary to the EA's current objection, it is requested that the Council explains the material considerations to outweigh the objection to allow the EA to make further representations. In accordance with the [Town and Country Planning \(Consultation\) \(England\) Direction 2021](#), the County Council would be also required to consult the Secretary of State for Levelling Up, Housing and Communities.
78. The expertise in the matter of flood risk rests with the EA but in view of the recent discussions held between the applicant and the EA, it is reasonably anticipated that the EA's objection can be overcome.
79. Conclusion: Having regard to the policies, other material considerations and the consultee comments, it is reasonable to conclude that the application satisfactorily addresses the development considerations associated with the Uttoxeter North allocation in the MLP, subject to confirmation from the Environment Agency that their concerns about flood risk have been overcome.

Other matters raised by consultees and in representations

Use of straw bales

80. Mitigation of noise as would affect the nearest residential property, which is Beningborough House, is proposed by erecting a temporary barrier of straw bales up to the height of 3 metres and up to 150 metres long. The bales would be placed inside the western boundary alongside the B5030. As indicated above, the resident of another nearby property objects to the

proposed use of straw bales and suggests that as an alternative, soil bunds should be used.

81. The applicant proposes to use bales as this would involve less land and thereby allow for more mineral to be extracted. In mitigation the applicant, advises that the bales would be required for approximately 8 months of the proposed mineral extraction works i.e., for the duration of phases 1B and 2B. It is then recommended that the bales could be removed if considered visually intrusive rather than for the full duration of extraction within the northern part of the extension area because the bales would no longer be required for noise mitigation. The applicant also advises that during the first available planting season, a new section of hedgerow/ hedgerow trees would be planted along the western boundary of Phase 1B bordering the B5030, to accompany the existing hedgerow for screening purposes. The existing hedgerow would be also allowed to grow taller during the operational period.
82. Regarding concerns about the safety risks of storing bales in this location which would be adjacent to a diverted public right of way, the applicant proposes that there would be weekly monitoring of the condition of the bales by the quarry manager.
83. Conclusion: Having regard to the requirements for efficient mineral working and the requirements of policy 4 of the MLP to minimise the impact of mineral working, it is reasonable to conclude that provision of the straw bale barrier over a temporary period is acceptable for the purposes of mitigating noise in this location.

Other Restoration Issues

84. Concerns of the Uttoxeter Rural Parish Council, a local resident and the Local Member relate to the delivery of benefits to the local community arising from the restoration of the quarry. As considered above, the proposal does not adversely affect the currently approved timescale for restoration of the quarry.
85. Previously, as part of the approval of revised timescales for the restoration of the current quarry (refer to application ref: ES.16/15/524 MW), the applicant is required to provide a contribution towards works for the development of sports pitches on part of the quarry that has been already quarried and restored by the applicant. This contribution will be secured through a Section 106 Legal Agreement (Section 106), and it is intended that development of the sports pitches will involve the Staffordshire Football Association (SFA). Development of the sports pitches will require a separate planning permission from the Borough Council but when permission is secured the SFA would be able to lease the land and use available funding including the sports contribution to be provided under the terms of the Section 106. The Section 106 is now nearing completion.

86. Restoration of the existing quarry involves creation of a large lake as well as other smaller water bodies and in terms of the requirements of the current mineral permission, a significant part of the restoration is intended to create habitat for the benefit of biodiversity. The lake has the potential for water recreational use but any development of the lake beyond 'green' afteruses would require the benefit of a separate planning permission to be decided by the Borough Council. For example, comments received from the Caldon and Uttoxeter Canal Trust indicate a future potential for part of the quarry to be developed for the benefit of reinstating a canal.
87. Regarding the proposed northern extension, the proposal includes the creation of three additional water bodies as well wet woodland, and grassland. As the proposals affect existing public footpaths, the applicant also proposes to extend the existing footpath network and provide a circular walk around the proposed two northern lakes. One of the existing footpaths connects to the riverbank of the Dove and it has been questioned by the Ramblers' Association whether it might be feasible to provide a footbridge which could connect to the footpath network within Derbyshire. Historically, two footpaths either side of the river were connected by a ford, but this is no longer feasible. At this stage, the applicant considers that the costs of providing a footbridge would be unreasonable in relation to the scale of proposed development and it is considered that resources for restoration of the quarry are focused on improving the footpaths within the extension area.
88. While the Environment Agency, require that the water bodies to be formed are maintained separate to the courses of the two rivers, the EA refer to the potential for enhancement of the river environment and improvements to biodiversity that would help meet objectives of the Water Framework Directive (refer to Policy 6.2 (j) of the MLP). The restoration of the extension area offers the opportunity for significant long-term beneficial effects by increasing the size and area of the wetland habitats in the adjacent Uttoxeter Quarry Local Wildlife Site (LWS) and for associated species, including breeding and wintering birds, bats, and otters. The applicant has submitted a plan showing a restoration concept for the extension area, but it is recommended that a detailed restoration and aftercare should be required within 12 months if permission is granted so that river habitat enhancement works can be agreed and linked to enhancement works to be created within the existing quarry.
89. Conclusion: Having regard to Policies 4 and 6 of the MLP and Detailed Policy 10 of the East Staffordshire District Local Plan, it is reasonable to conclude that the proposals can provide restoration benefits to outweigh objections to the proposed restoration of the quarry, subject to conditions requiring a detailed restoration and aftercare scheme.

Need for a Section 106 Legal Agreement

90. Paragraph 55 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'.

91. Paragraph 57 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.'

92. These are also legal tests by virtue of the [Community Infrastructure Levy Regulations 2010 \(regulation 122\)](#). The 2010 Regulations also prevent the use of a planning obligation to fund infrastructure if a Community Infrastructure Levy (CIL) has been adopted in the area ([regulation 123](#)). East Staffordshire Borough Council have not yet adopted a CIL Community Infrastructure Levy (CIL).

93. Commentary: It is recommended that the following undertakings be secured by a Section 106 Legal Agreement (S106). The reasons why the undertakings meet the tests referred to above are explained below:

- a) To provide 5 years extended aftercare in addition to 5 years statutory aftercare required by legislation and planning condition, in accordance with a scheme to be agreed with the Mineral Planning Authority.

This undertaking would support the establishment of the proposed after uses including wetland habitat in accordance with the MLP (Policy 6) and the NPPF (Sections 15 and 17).

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

This undertaking would ensure that there are financial provisions in place for restoration and aftercare in case the operator goes out of business. This would be in accordance with the MLP (Policy 6) and the NPPF (Section 17).

- c) To require a scheme of groundwater monitoring for Crakemarsch Pond, and to determine mitigation measures should water levels fall below agreed levels.

This would ensure that the water environment of this pond is monitored to prevent any potential harm from the temporary dewatering of quarry workings in accordance with the MLP (Policy 4) and the NPPF (Sections 15 and 17).

d) To continue the existing arrangements for the site liaison committee.

This undertaking ensures that a forum continues for key stakeholders to be kept informed about the progress of the working and restoration of the site and for concerns about site operations or opportunities to improve the working and restoration of the site to be discussed in accordance with the Minerals Local Plan (Policy 4) and the NPPF (Sections 4 and 17).

94.. Conclusion: Having regard to the policies and guidance referred to above, it is reasonable to conclude that the undertakings within the proposed Section 106 Legal Agreement are necessary; directly relate to the development; and are fairly and reasonably related in scale and kind to the proposed development.

Overall Conclusion

95. 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

Permit the proposed development for the northern extension to Uttoxeter Quarry for the winning and working of sand and gravel with restoration to agriculture, water-based recreation and nature conservation, with the continued use of existing access, site offices, processing plant, silt lagoons and ancillary infrastructure subject to:

- a) The applicant first completing the Section 106 Legal Agreement to allow the 2016 planning permission ref. ES.16/15/524 MW to be issued;
- b) The applicant and all other persons with a relevant interest in the land (for the purposes of Section 106 of the Town and Country Planning Act 1990) signing a Section 106 Legal Agreement - the heads of terms to include those listed below; and,

- c) Conditions including those listed below.

The **Section 106 Legal Agreement** heads of terms to include:

1. To provide 5 years extended aftercare in addition to 5 years statutory aftercare required by legislation and planning condition, in accordance with a scheme to be agreed with the Mineral Planning Authority.
2. To secure a Restoration Guarantee Bond either by being a member of the Mineral Products Association and eligible to draw on their scheme, or by arranging another financial guarantee to cover the costs of restoration and aftercare.
3. To require a scheme of groundwater monitoring for Crakemarsh Pond, and to determine mitigation measures should water levels fall below agreed levels.
4. To continue the existing arrangements for the site liaison committee.

The conditions to include the following:

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

Commencement

2. To commence within 3 years of the date of the planning permission and to require notice of commencement of soil stripping, cessation of working and restoration operations in the northern extension area.

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

3. To require the winning and working of sand and gravel to cease no later than 3 years after the commencement of soil stripping within the first phase of working as notified under 2 above.
4. To require the restoration of the Site to be completed no later than 12 months after the cessation of winning and working of sand and gravel which shall include the removal of all processing plant.
5. If winning and working of sand and gravel should cease prematurely, then the Site to be restored and subject to aftercare in accordance with a revised restoration and aftercare scheme previously agreed in writing.
6. To define the expiry of the permission to be when the restoration and aftercare has been completed in accordance with the latest approved Restoration and Aftercare Scheme.

Phasing and Limit of Extraction,

7. To require the winning and working of sand and gravel as well as progressive restoration to be carried out in accordance with the approved plans.
8. To require no mineral extraction to be carried out within 30 metres of the edge of the bank of the River Dove and within 10 metres from the River Tean.
9. To limit sand and gravel exports from the site during any one calendar year to 400,000 tonnes.

Management of Site Operations

Development Restrictions

10. To restrict permitted development rights.

Hours of Operation

11. To limit the winning and working of sand and gravel to:
07:00 and 18:00 Monday to Fridays (not including Bank or Public holidays); and
07:00 and 13:00 Saturdays.

Stockpiling

12. To define the area for stockpiling mineral and the height of stockpiles.

Soil Management

13. To require soil to be managed in accordance with Section 14.6 of the Environmental Statement.
14. To require soil mounds to be seeded and maintained in a weed free condition.

Landscaping

15. To require the enhancement of hedgerows on the western boundary to be carried out during the first planting season after commencement of development.

Site Access and Lorry Movements

16. To define the access to be used by HGVs.
17. To require all HGVs to turn left when leaving the site and to require a sign to that effect to be maintained.

18. To require wheel cleaning facilities to be operated and maintained so that any vehicle leaving the site will not deposit mud, dirt and other deleterious materials on the public highway.
19. To require the site access road and internal hard surfaced roads to be maintained in a good state of repair and kept clean and free of mud, dirt and other deleterious materials.
20. To require loaded HGVs leaving the site to be sheeted.
21. To set the average number of HGV movements to and from the site, measured over a week to a maximum of:
 - 182 movements per day (91 in and 91 out) Monday to Friday; and,
 - 92 movements on a Saturday (46 in and 46 out).

To set the maximum number of HGV movements on any full working day to 192 (96 in and 96 out).

Environmental Management

Noise

22. To require a revised noise monitoring scheme and implementation of the approved scheme prior to the commencement of soil stripping within phase 1B.
23. To limit noise at the nearest noise sensitive properties to the numbers in Table 10.2 of the Environmental Statement.
24. To require non- intrusive reversing alarms to be used on vehicles and plant capable of using such alarms.
25. To require the straw bale barrier to be erected and maintained in place before soil stripping starts in phase 1B and to be maintained there until the winning and working of sand and gravel ceases in phase 2B.

Dust

26. To review the Dust Management Plan prior to the commencement of soil stripping in phase 1B; and implementation of the approved plan.

Flood Risk and Safeguarding the Water Environment

27. To require compliance with the Staffordshire SuDS Handbook and section 12 of the approved Environmental Statement; and Appendix 2 to the Submission under Regulation 25.

28. To require a scheme for geomorphological monitoring for the stand-offs between the River Dove and mineral excavations including measures for mitigating riverbank erosion; and implementation of the approved scheme .

Landscaping and visual screening

29. To require trees and hedgerows to be protected in accordance with the Arboricultural Survey Report.

Nature Conservation and Archaeology

30. To require archaeological work to be implemented in accordance with the approved Outline Archaeological Mitigation Strategy before the start of the winning and working of sand and gravel.
31. To require large sections (main trunks) of all felled veteran and over-mature timber to be relocated to the fringes of the site before the start of the winning and working of sand and gravel and to remain there undisturbed.
32. To require a Construction Environmental Management Plan for Biodiversity to be submitted before the start of the development, and implementation of the approved plan. The Plan to include details to avoid harm to species (e.g., toads and bats), retained habitats within the site and neighbouring habitats (indirect effects).
33. To require the submission of an Invasive Species Management Plan to demonstrate how species including Himalayan Balsam and Giant Hogweed will be controlled on site, and implementation of the approved scheme.
34. To require the submission of a Habitat and Landscape Management Plan to be submitted for approval, containing details of how new habitat will be created and monitored, including target species compositions and how failures will be remediated, and implementation of the approved plan.
35. To require the site to be restored to achieve the 207.47 habitat units and 22.52 hedgerow units determined by the Biodiversity Metric 3.0 2021 (DEFRA).
36. To require the submission of Biodiversity Metric Reports to update the progress towards achieving the metrics referred to in above condition.

Restoration and Aftercare

37. To require the site to be progressively restored in general accordance with the 'Concept Restoration' (Dwg no AI-046-M.D.004 Rev A).
38. To require a detailed Restoration and Aftercare Scheme for the site within 12 months of the commencement of soil stripping that is compatible with the approved restoration and aftercare scheme for the other part of the site.

39. To require the submission of soil tests before the seeding of species-rich grassland areas.

Record Keeping

40. To require records of HGV movements, the quantities of mineral exported from the site, the operating hours, the noise and groundwater monitoring, and any complaints and remedial actions taken.

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The list of background papers for this report is available on request by email sent to planning@staffordshire.gov.uk.

Appendix 1: Summary of the findings of the Environmental Statement

Section 1 – Introduction

This section sets out the context of the planning application and provides details concerning the applicant and project team for the preparation of environmental statement (ES).

Section 2 – Site Appraisal

This section describes the application site, its location and setting as well as the relevant planning history.

Section 3 – Description of Development

This section describes the mineral resource to be extracted and explains the operations involved in the winning and working of the sand and gravel including restoration of the land.

Section 4 – Planning Policy Context

This section sets out relevant policy in the Development Plan which consists of the Minerals Local Plan for Staffordshire (2015 to 2030), the East Staffordshire Borough Local Plan (2012 – 2031) and Uttoxeter Neighbourhood Plan (2012 – 2031). Material considerations are referenced including the National Planning Policy Framework. Having regard to the proposals, the Development Plan and other material considerations, this section lists the key policy considerations for the application.

Section 5 – Environmental Impact Assessment

This section explains the need for the environmental impact assessment and introduces the main environmental considerations for the proposals.

Section 6 – Alternatives

Whilst there is no requirement to consider alternatives, this section sets out the approach to consideration of alternatives to the proposal. It is concluded that the proposals, as submitted, represent the best scheme from both sustainability and commercial viability points of view as well as being the most environmentally acceptable.

Section 7 – Transport

An assessment of the potential effects on transport and highway safety has been considered within a Transport Assessment (TA) which is included as an appendix to the ES. The TA focuses on highway capacity and road safety and considers the development in the context of existing site operations and non-site traffic. The proposed development would not trigger the requirement for any further environmental assessment of road traffic, given that there would be no net change in the number of HGV or staff movements. Traffic generated by the proposed development is considered to be of negligible significance on the surrounding highway network. The site has operated without giving rise to any unacceptable effects on the highway network and there are no proposals to increase the vehicle movements to or from the site in connection with these proposals. [Note that there are current proposals for the importation and processing of scalplings (application ref SCC/21/0047/FULL-ES) that are separately assessed in an ES accompanying that application. That assessment identified no material change in the environmental impact of traffic in terms of volumes of HGVs, though matters of HGV routeing have been agreed with the relevant highway authorities.]

Section 8 – Nature Conservation and Ecology

To assess the impact of the proposals on ecological features of value, including potential effects upon statutory and non-statutory designated sites, habitats of nature conservation interest, legally protected and notable species; baseline surveys have been undertaken and technical reports provided. These reports include a Preliminary Ecological Appraisal as well as reports for surveys of breeding birds, wintering birds, bats, reptiles, and otter and water vole. An arboricultural survey report was also included.

Significant ecological effects are not anticipated for most habitats located within the site. Due to the loss of eight important scattered trees to be removed from the field within the northern part of the extension area, however, it is assessed that there would be residual impacts associated with this long-term negative effect.

Mitigation measures required to prevent, reduce, or offset any significant adverse

effects include:

- Maintaining standoffs from the working areas to the existing important habitats of broad-leaved semi-natural woodland and intact species-rich hedgerows.
- Phased methods of working and restoration, such that soil stripping and vegetation removal can be timed to minimise disturbance to nesting birds, bats and other protected species.
- Including extensive areas of new tree and woodland planting as part of restoration to replace the limited number of scattered trees that would be lost because of the development.

Overall, the final restoration scheme offers the opportunity for significant long-term beneficial effects at the site by increasing the size and area of the wetland habitats in the adjacent Uttoxeter Quarry Local Wildlife Site (LWS) and associated species, including breeding and wintering birds, bats, otters, as well as replacement of scattered trees that would be lost because of the proposals. This is likely to be significant at a countywide scale.

Section 9 – Landscape and Visual

A Landscape and Visual Impact Assessment (LVIA) was undertaken which considered the potential for significant environmental effects on the landscape character of the site and surrounding area. The assessment concluded that the proposed soils stripping, and mineral extraction works would not have an unacceptable effect on the landscape character of the area.

Post restoration the main change in character would be the creation of water bodies located within the landscape. The LVIA concluded that this would have a beneficial effect on the landscape character of the area.

In terms of the potential for visual effects, it is considered that residential and commercial properties, as well as users of the public rights of way, may be affected by the proposed development. Visual changes would comprise soil stripping and placement to create new land contours, temporary storage of soil in 3-5m bunds and use of mobile plant and dump trucks on the site.

The scheme would include measures to reduce impacts including strengthening and species diversification of the western hedgerow along the B.5030 and the placement of 150m linear metres of straw bales part-way along the western boundary to create a visual screen on the phases closest to the footpath and B5030 road. These measures would ensure that the proposed development would not have any unacceptable effects on the landscape character of the area or visual effects on nearby receptors.

Section 10 – Noise

Site noise calculations were undertaken for seven off-site receiver locations: the

nearest residential receptors to the west of the B5030 and more distant dwellings to the east of the River Dove (Eaton Hall Farm and Doveridge Holiday Cottages).

Mitigation would be incorporated in the form of 150 linear metres of straw bales (to a height of 3 m above existing ground level) to be positioned part-way along the western site boundary. Furthermore, wherever practicable, and without contravening health and safety requirements, all vehicles would be fitted with non-intrusive reversing/ warning safety systems.

The noise assessment carried out as part of the planning application has demonstrated that, with the above mitigation measures in place, the proposed mineral extraction and restoration works can be carried out without exceeding the specified noise limits set out within the existing planning permission. In conclusion, the proposed development would not give rise to any unacceptable noise effects.

Section 11 – Air Quality and Dust

The Dust and Air Quality Assessment, undertaken as part of this planning application, examined the potential impact of dust emissions and considered the sensitivity of receptors to dust soiling, the sensitivity of people to health effects and the sensitivity of receptors to ecological effects. The most dust sensitive receptors identified within the assessment are the residential properties to the west of the site.

Dust is currently managed at Uttoxeter Quarry in accordance with a Dust Management Plan and these measures would remain in place for the duration of working within the extension area. Furthermore, the site's Dust Management Plan would be reviewed and updated to ensure it remains relevant and effective.

The proposed mitigation measures, along with the high moisture content of the extracted material, should ensure that the proposed development does not give rise to any unacceptable effects regarding dust or air quality.

Section 12 – Water Resources and Flood Risk

In support of this planning application, a Hydrogeological Impact Assessment (HIA) and Flood Risk Assessment (FRA) were undertaken.

Uttoxeter Quarry is dewatered through the use of pumps to allow the mineral to be extracted dry. Therefore, an assessment was made of the potential for the dewatering of the site to affect the River Dove, River Tean, River Dove tributaries (notably Alders Brook), Crakemarsh Pond and the sand and gravel aquifer. It concluded that the proposed development would not have an effect on the River Dove or River Tean or their tributaries. However, the dewatering of the extension area could potentially lower water levels within Crakemarsh Pond to the west. To confirm this, additional water level monitoring has been proposed within the pond and if necessary, water would be transferred from the quarry to the pond to maintain appropriate water levels.

The FRA concluded that whilst most of the site would remain at high risk of flooding from the River Dove and River Tean, the quarrying activities are classified as 'water compatible' which is the least flood-vulnerable of all vulnerability categories. The FRA concludes that the proposed development would not reduce the floodplain storage capacity and would not increase the risk of flooding at the site or elsewhere.

Section 13 – Cultural Heritage

No designated assets of cultural heritage importance lie within the boundary of the application site. The magnitude of impact on two discrete areas of ridge and furrow within the application site (2.58ha) is considered to be Major. A mitigation strategy for the ridge and furrow (and possible remains of water meadows) is proposed.

In conclusion, given the proposed mitigation and the proposals to undertake further assessment work, it is concluded that the proposed development would not have any unacceptable effects on cultural heritage and archaeology.

Section 14 – Soil Resources and Agricultural Land

A detailed soil resource and agricultural quality survey was carried out and the findings of that survey indicate that land within the western part of the application site is classified as grade 2 or 3a land.

The proposed development would result in the loss of approximately 32ha of agricultural land. However, the final restoration scheme would result in the creation of approximately 14ha of agricultural grassland and 6ha of species-rich grassland.

All soils stripped from the site because of site preparation works would be retained on site for use in the progressive restoration of the extension area. It is concluded that the proposed development would not result in any significant effects on agricultural land quality or soil resources.

Section 15 – Public Rights of Way

Sections of Public Rights of Way (PROW) Uttoxeter Rural 30(b) and Uttoxeter Rural 31 run within the northern part of the extension area and PROW Uttoxeter Rural 28(a) runs through land to the southwest of the extension area and crosses the proposed haul route close to the River Tean. Permission would be sought to divert public footpaths 'Uttoxeter Rural 30(b)' and 'Uttoxeter Rural 31' to enable mineral extraction to proceed and for the site to be restored.

Whilst there would be a need to divert the footpaths that currently cross the northern part of the site, the restoration scheme would create additional footpath routes through the site.

Section 16 – Climate Change

The effects of climate change and the vulnerability of the proposals to these changes has been considered as part of the preparation of the ES, particularly in terms of hydrology/ flood risk and ecology (i.e. the impacts of climate change on habitats and species). The proposals would not result in any significant impacts with respect to hydrology, hydrogeology or flood risk even when taking account of the predicted likely effects of climate change.

It is not possible to transport materials to or from the site using sustainable modes of transport, for example rail or water. There would be no significant increase, however, in the number of HGV movements from the site as the proposed extension area would be worked after mineral extraction has ceased in the current quarry and the current output of around 400,000tpa is expected to continue. In terms of vehicles and emissions, since the Euro VI emission standards came into force in 2014, all vehicles supplied after September 2014 must comply with the Euro VI requirements. The applicant has been strategically replacing HGVs older than 2014 within the fleet at Uttoxeter Quarry.

Section 17 – Socio Economic Considerations

Uttoxeter Quarry employs 7 full time employees including weighbridge operatives and plant staff as well as around 9 load and haul contractors and one cleaner. Additionally, maintenance contractors are employed on an ad hoc basis although their numbers vary. If permission is granted for the extension area, it would secure at least 17 site-based and haulage jobs (plus additional jobs for maintenance contractors) for the duration of the mineral extraction operations, which is expected to take approximately 3 years.

Section 18 – Cumulative Impact Assessment

The likely effects of the proposed development, and the likely effects of other developments in the geographical area of the site, have been considered in order to determine the likelihood of cumulative effects, i.e. the cumulative impacts and the impact interactions.

The findings of the technical assessments demonstrate that there would be no significant cumulative effects arising from the proposals.

Section 19 – Conclusions

It is considered that the proposed development would not have any greater impact than the existing operations, although the lifespan of Uttoxeter Quarry would be extended by between approximately 3 and 4 years. Overall, it is considered that the proposals are environmentally acceptable and support the economic, social, and environmental roles of sustainable development required in the National Planning Policy Framework.

Further Information – Introduction

Following initial consultation on the planning application and the accompanying Environmental Statement further information was requested from the applicant. This further information was subject to consultation and publicised in accordance with the relevant regulations during May – June 2022.

Further Information – Ecology

In response to comments from the Environment advice Team, additional information was provided in relation to effect on veteran and near veteran trees; toads; bat roosts; restoration particularly in relation to the river environment.

Further Information – Hydrology (Flood Risk)

In response to comments from the Environment Agency, a geomorphological assessment has been undertaken and the report concludes that 'a 30m standoff from the River Dove is considered appropriate based on the evidence gathered on the historic and contemporary rates of erosion, field observations, the short timescale of the quarry extraction phases and the inclusion of a safety factor.' In response the Agency's concerns about storage of soils within the floodplain, the clarification of the Flood Risk Assessment concludes that floodplain compensatory storage provided by the soil strip and excavation that will be greater than that lost by the temporary placement of the soil bunds.

Regarding the Agency's concerns about ground water monitoring, it is clarified that monitoring of the Crakemarsh Pond commenced in October 2021, utilising a data logger. All monitoring is ongoing. Trigger levels will be established based upon the longest available record prior to the commencement of extraction with the extension area.

In response to questions raised by the Lead Local Flood Authority (LLFA), a technical note was submitted to address concerns about capacity to deal with flood waters during operations and when the site would be restored. As indicated above, the LLFA are satisfied with additional information.

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

Appendix 2: The development plan policies (and proposals) and the other material planning considerations, relevant to this decision

The development plan policies and proposals

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

- Policy 1: Provision for Sand and Gravel Extensions to sand and gravel sites
 - Policy 1.1 (c) – Uttoxeter (Inset Map 3) *
- Policy 4: Minimising the impact of mineral development
- Policy 6: Restoration of Mineral Sites
- Strategic Objective 1 (The sustainable economic development of minerals)
- Strategic Objective 2 (Operating to high environmental standards); and,
- Strategic Objective 4 (Restoration that enhances local amenity and the environment)

* See [Appendices to the Minerals Local Plan](#) - Inset Map 3 – Uttoxeter North and the accompanying development considerations.

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.

[East Staffordshire District Local Plan](#) (2012-2031) (adopted 15 October 2015)

- Principle 1 - Presumption in Favour of Sustainable Development;
- Strategic Policy 1 - Approach to Sustainable Development;
- Strategic Policy 23 - Green Infrastructure;
- Strategic Policy 25 – Historic Environment;
- Strategic Policy 27 - Climate Change, Water Body Management and Flooding
- Strategic Policy 29 - Biodiversity and Geodiversity
- Strategic Policy 30 - Locally Significant Landscape
- Strategic Policy 32 - Outdoor Sports and Open Space Policy
- Strategic Policy 34 – Health and Wellbeing
- Detailed Policy 7 - Pollution and Contamination
- Detailed Policy 10 - Blue Infrastructure and water-based recreation

[Uttoxeter Neighbourhood Plan](#) (2012 – 2031) (Made March 2017)

- Policy E2 – Landscape and Setting;
- Policy E3 – Green Links

The other material planning considerations

- [National Planning Policy Framework](#) (updated 20 July 2021):
 - [Section 1](#): Introduction
 - [Section 2](#): Achieving sustainable development
 - [Section 4](#): Decision-making
 - [Section 8](#): Promoting healthy communities

- [Section 9](#): Promoting sustainable transport
 - [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](#)
 - [Land stability](#)
 - [Minerals](#)
 - [Natural environment](#)
 - [Noise](#)
 - [Open space, sports and recreation facilities, public rights of way and local green space](#)
 - [Planning obligations](#)
 - [Transport evidence bases in plan making and decision taking](#)
 - [Travel Plans, Transport Assessments and Statements](#)
 - [Use of planning conditions](#)

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

