

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

Planning Committee 01 December 2022

Minerals County Matter

Application No (District): [SCC/21/0047/FULL-ES](#) (East Staffordshire)

Applicant: Aggregate Industries UK Ltd

Description Importation and temporary storage of limestone scalpings with the erection and use of an aggregate washing plant

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 (ref. [ES.11/13/524 MW](#) dated 13 December 2011). However, in December 2016 the Planning Committee approved an application to extend the cessation date to 30 November 2023 pending the completion of a Section 106 Legal Agreement (Section 106) ('the 2016 permission') (ref. [ES.16/15/524 MW](#)). The Section 106 is nearing completion, meanwhile sand and gravel extraction has continued and was expected to cease by the end of 2022.
2. In August 2022 the Planning Committee approved an application for a northern extension to the quarry that would extend the life of the quarry for a further 2.5 to 3 years (ref. [SCC/21/0025/FULL-ES](#)) ('the 2021 permission'). In accordance with the recommendation, the issue of the 2021 permission is pending the completion of the Section 106 to allow the 2016 permission to be issued. For more details see the 'Relevant Planning History' section below.
3. If the Planning Committee approve this application, and subject to the two Section 106s being completed, the proposed operations would continue in accordance with the latest permitted timescales for mineral extraction.
4. A Transport Assessment (TA) was submitted with the application which had proposed the use of local roads and national highways within Staffordshire for HCVs travelling between the quarries at Caldon Low and at Uttoxeter

(‘the original route’). In response to comments from consultee and local residents along the original route, the route was revised to use ‘A’ roads through Derbyshire and the TA updated accordingly (‘the revised route’).

5. In addition to proposing the revised route, the applicant has confirmed a willingness to accept a routing agreement secured by a Section 106 or Unilateral Undertaking. A Section 106 has now been drafted pending the Planning Committee’s decision.
6. This application was on the agenda for the August Planning Committee meeting but was deferred to provide Derbyshire County Council and the Parish Councils along the revised route an opportunity to comment which they have now done.

Site and Surroundings

7. Uttoxeter Quarry lies approximately 100m to the north of the A50 Trunk Road, south of which lies the town of Uttoxeter, approximately 1.5 kilometres away. Access to the quarry is via a private road which runs from the B5030 Rocester Road immediately to the west of the quarry.
8. The surrounding area is predominantly agricultural in nature and the quarry is bounded to the north by agricultural land with Cottonmill Farm and Leasowes Farm lying immediately to the south of the quarry. The proposed development for a new wash plant, would be situated within the western part of the quarry’s operational plant area with the greater extent of the operational quarry lying to the east. The eastern boundary of the quarry is formed by the River Dove which is the boundary between the counties of Staffordshire and Derbyshire. Agricultural land lies to the east of the quarry. To the west beyond the B5030 lies the village of Stramshall and hamlet of Spath.
9. The nearest properties lie either side of the quarry’s access, ‘Riversmede’ to the north, and ‘Spath Farm’ and ‘Spath Cottage’ lying to the south of the quarry entrance.

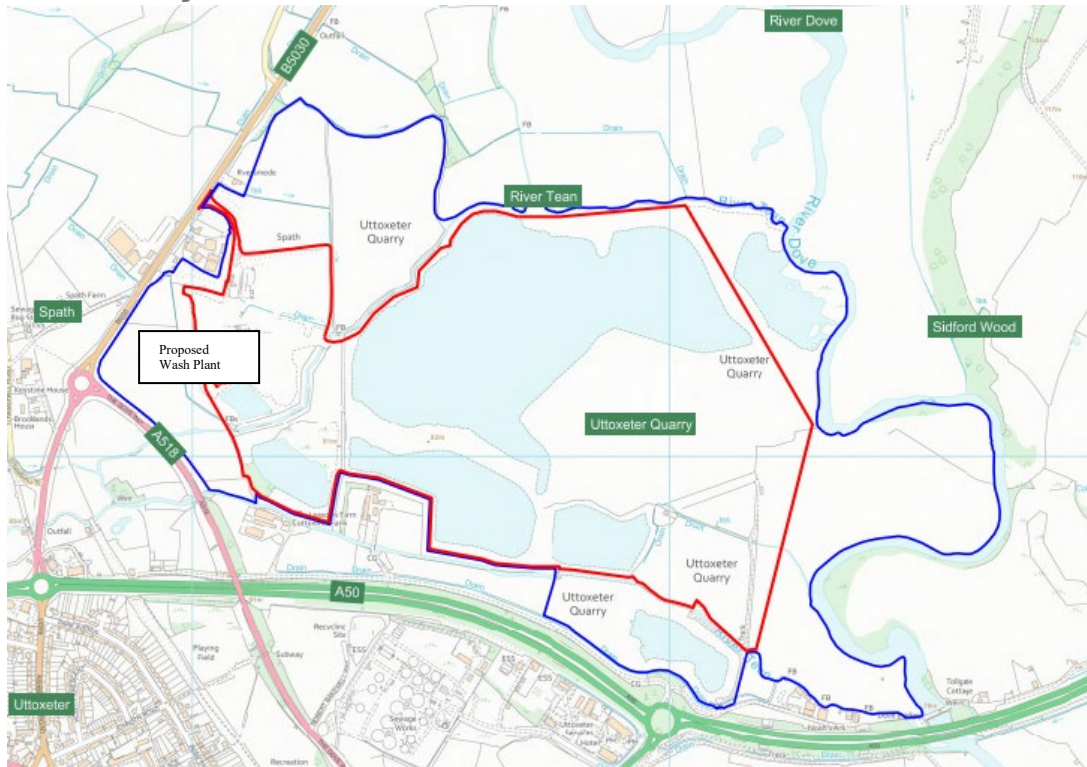


Figure 1: Site Location Plan

Summary of Proposals

10. This application which is accompanied by an Environmental Statement (ES) relates to part of the 74-hectare Uttoxeter Quarry site outlined by the red line on Figure 1 - Site Location Plan above.
11. The application seeks temporary permission to import 200,000 tonnes limestone scalpings per year from Caldon Low Quarry and to process the scalpings within a wash plant (indicated on Figure 1 – Site Location Plan above). The scalpings would be stockpiled, washed and stored as a limestone product ready for sale to construction markets.
12. The operations would cease when mineral extraction at Uttoxeter Quarry ends.
13. In response to objections to the original route between the quarries through Staffordshire (18 km), the applicant has proposed a revised route through Derbyshire (33km) shown on Figure 2 below. The applicant has also confirmed a willingness to enter into a legal agreement to secure the route.



Figure 2: The revised route

14. The breakdown of the vehicle movements is as follows:

- 16,200 import movements per year (32,400 two-way movements),
- 59 arrivals and 59 departures per day (based upon a standard 275 working days per year)

15. It is anticipated that the vehicles delivering limestone scalplings would backhaul aggregate as far as possible to reduce mileage, to reduce associated emissions and to reduce fuel costs. It is proposed that this would result in vehicles arriving at the site with unwashed limestone and then collecting either washed limestone, separated silt or site-won sand and gravel for onward transport to customers.

16. The wash plant would be situated alongside other processing plant within the

existing plant and stockpile area (Figure 3 below) and would operate between the following hours:

- 07:00 and 18:00 Monday to Fridays (not including Bank or Public holidays); and
- 07:00 and 13:00 Saturdays.



Figure 3: Site Layout Plan

17. The wash plant would be erected on compacted ground over a 2-to-3-day period. The area required would measure 30m by 30m (including stockpile conveyors). The footprint of the wash plant without conveyors would be approximately 4m by 16m with a maximum height of 8m.



Figure 4: Typical Example of Wash Plant

18. Fresh water required for the washing process would be abstracted from the freshwater lagoon located immediately south of the proposed wash plant. The fresh water would either be recirculated within the wash plant or discharged to the silt lagoon in the south of the quarry dependent upon the type of plant employed.
19. The application is accompanied by a number of documents and plans including:
 - Environmental Statement
 - Non-Technical Summary
 - Transport Assessment – Technical Appendix 1
 - Flood Risk and Drainage Strategy – Technical Appendix 2
 - Planning Statement
 - Location Plan
 - Site Layout Plan
 - Current and Proposed Water Management Plan
20. Further information was also submitted in support of the proposed alternative route.

The Applicant's Case

21. The applicant contends that Caldon Low Quarry does not have a washing plant or silt lagoon to enable the on-site produced limestone scalpings to be washed on the site. It is also contended that storage of the scalpings at Caldon Low Quarry poses operational difficulties as space is limited and the stockpiled scalpings that do exist restrict access to the underlying mineral that is permitted for future extraction leading to double handling to move the material to other parts of the site.
22. The ES has considered the alternatives to locating the proposed development at Uttoxeter Quarry as follows:
 - The applicant considers that the 'do nothing' option would lead to the limestone scalpings remaining unwashed and without processing, the unwashed scalpings are unsuitable as secondary aggregates for construction and infrastructure projects and would most likely be sent to waste recovery facilities for use in inert fill for which a charge would be incurred.
 - The applicant has considered alternative operational locations within

Staffordshire and the West Midlands area under Aggregate Industries' ownership. The applicant concludes that Uttoxeter Quarry is the preferred location due to its close proximity to Caldon Low Quarry and would minimise road mileage and associated carbon emissions. Other operational locations are considered less favourable as it would result in the scalplings being transported over greater distances and therefore, being less cost effective and unsustainable.

Relevant Planning History

23. Uttoxeter quarry has been operating since 2001 and a comprehensive list of the planning permissions for Uttoxeter Quarry is provided in [Appendix 1](#)

Environmental Impact Assessment (EIA)

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

Findings of Consultations

Internal

25. **Environmental Advice Team (EAT)** – no objections having reviewed the application documents in respect of landscape, tree protection, ecology, archaeology, the historic environment, and public rights of way.
26. **Highways Development Control** (on behalf of the Highways Authority) (HA) – no objections subject to a routing agreement being secured through a legal agreement and the proposed development being temporary to accord with the end date for quarrying operations (northern extension (3 years)).
27. **Flood Risk Management Team** – no objections, subject to conditions to require the development being carried out in accordance with the Flood Risk and Drainage Strategy and the Current and Proposed Water Management Document, and the mitigation measures detailed within these documents:
28. **Planning Regulation Team** – no objections subject to design details of the wash plant being provided.

External

29. **East Staffordshire Borough Council** - no objections.
30. **East Staffordshire Borough Council (Environmental Health) (EHO)** - no objections and commented that they are satisfied that the proposed controls should be adequate to minimise noise disturbance and unacceptable levels of dust.

31. **Derbyshire County Council** – initially raised concerns about the revised route due to the increase in traffic on the A515 through Derbyshire. Having reviewed further information, the concerns were withdrawn on the basis that the revised route forms part of the advisory lorry route through Derbyshire and confirmation that the increase in HGVs on the network would be well below 10%.
32. **Uttoxeter Rural Parish Council** – objected to the original route. The Parish Council objections are summarised below:
 - a) The volume of traffic which would have an adverse impact on an already congested highway network within the Parish including traffic associated with JCB and Alton Towers Theme Park at peak times.
 - b) Quarry vehicles would try to avoid congested areas and the use of village roads would increase.
 - c) Currently, drivers use neighbouring villages as a rat-run (Crakemarsh, Stramshall, Beamhurst), to avoid existing congestion.
 - d) The operation is likely to compound issues and the Parish are aware that no policing of roads and weight limits occur. If drivers are on time limits to deliver, they will find the quickest way through neighbouring villages.
33. **Uttoxeter Town Council** – supports the revised route and requests that the route is secured by a legal agreement.
34. **Wootton Parish Council** – objected to the original route. The Parish Council objections are summarised below:
 - a) Effect of traffic along the route between Caldon Low and Spath through the villages of Wootton, Mayfield and Ellastone:
 - Unsuitable roads for HCVs
 - Impact on two bridges – Ellastone and Hudford
 - Effect on highway surface
 - Effect on other highway users including pedestrians
 - Effect on junction – B5030 with A50 roundabout
 - b) An alternative option to process material at Caldon Quarry should be pursued.
35. **Ellastone Parish Council** – objected to the original route. The Parish Council objections are summarised below:
 - a) The effect of traffic on local communities between Caldon and Uttoxeter

Quarries and neighbouring communities, particularly Wootton.

- b) The Transport Assessment is misleading.
 - c) The increase in traffic travelling through nearby villages would be significant (severe).
 - d) The proposal to backhaul mineral would not involve transporting mineral to Caldon Low Quarry.
 - e) Local roads are not suitable for quarry traffic (narrow roads, difficult bends, bridges and junctions).
 - f) Effect of traffic on Ellastone Conservation Area.
 - g) Proposal should involve using 'A' roads (not 'B' roads).
36. **Denstone Parish Council** – objected to the original route. The Parish endorses the comments made by Ellastone Parish Council.
37. **Mayfield Parish Council** - objected to the proposals and the original route. The Parish Council's objections are summarised below:
- a) There is no explanation of how long 'temporary' might be (the applicant has a track record of applying to extend the lifetime of operations at its sites);
 - b) The transportation of limestone from one quarry to another over an 18km distance is not a justifiable proposition or compatible with sustainability to decrease the level and impact of carbon emissions;
 - c) The traffic would pass through a number of rural villages between Caldon and Uttoxeter causing pollution (noise, emissions), and contributing to overall degradation of road surfaces and verges;
 - d) The application makes no effort to establish how their operations might minimise the inevitable negative environmental impacts on residential communities;
 - e) Attention has not been given to the 'Alternatives', far more thought should be given to confining all necessary activity to one site.
38. Mayfield Parish Council's objections to the revised route and other additional information provided by the applicant in response to the Parish Council's initial comments are summarised below:
- a) Insufficient justification has been provided and the activity should be undertaken at Caldon Low Quarry;
- Applicant's Response: Potential space could exist at Caldon Low Quarry,

though a lack of space for stockpiling of washed and unwashed aggregate and the material currently stockpiled on the site poses operational difficulties due to insufficient space for stockpiling and manoeuvring of mobile plant resulting in the need for double handling, often due to the need to extract the mineral underlying the stockpiles. Also, because of the geology of the site, the quarry does not have silt lagoons that could manage wastewater from the washing process. Uttoxeter Quarry is the applicant's closest site which has sufficient space for washing and stockpiling of aggregate, as well as silt lagoons for the management of wash water.

- b) The new routing solution is for 2 x 19-mile trips - which is nearly double the most direct route. Justification is questioned, both in terms of emissions and commercial viability. Result is likely to be the use of the largest trucks possible for the least number of journeys;

Applicant's Response: The more direct route was not considered acceptable by a number of consultees, including local residents and Parish Council's and therefore an alternative route (the revised route), is proposed which was considered acceptable by National Highways and by the County Council's Highways Development Control Team.

- c) Journeys are likely to generate more than 1.5 metric tonnes of CO₂ emissions each working day. Little analysis of the impact of extra emissions on the villages and residential communities has been carried out;

Applicant's Response: The majority of limestone scalplings would be transported from Caldon Low Quarry for use off-site, regardless of whether the material is washed or unwashed. The washing process enables the material to be used in higher end uses (construction), though other potential uses include quarry restoration and waste recovery schemes. To maximise the opportunities for the aggregate, this would require the material to be removed from the quarry that would inevitably result in a proportion of HCV's travelling south on the A515 and only calculating the HCV vehicle emissions travelling from Caldon Low Quarry to Uttoxeter Quarry is considered to be misleading.

- d) Have Derbyshire County Council Highways been consulted on the application in relation to additional HGV traffic movements along Mayfield Road?

Applicant's Response: The applicant defines the A52 as a designated lorry route.

[Note: Derbyshire County Council has now been consulted and have commented on the revised route – see above.]

- e) Efficiencies are questioned in respect of no backhauling and noise in residential communities from empty HGVs;

Applicant's Response: The 'no backhauling' scenario was only assessed as a worst-case trip generation for the Transport Assessment and the applicant would seek to backhaul as much as possible. It is contended that backhauling not only has environmental and sustainability benefits, but also financial benefits.

- f) Lack of realistic assessment and impact of 118 daily truck journeys on the roundabout on A50 at Uttoxeter;

Applicant's Response: The number of HCVs in any one hour would be low and would not create a junction capacity issue and the principle has been accepted by National Highways and Staffordshire County Council's Highways Team in respect of routing through busy junctions on the network.

- g) Questions the management and monitoring of legal agreement. Requests prevention of HGVs passing through the centre of Mayfield on B5023 and suggests financial penalties if HGV contractors breach the legal agreement.

Applicant's Response: The applicant contends that the S106 agreement would be legally enforceable by Staffordshire County Council.

- h) If permission is granted, request is made for a 40mph speed limit for Swinscoe Hill and 30mph limit imposed at Hanging Bridge at the junction with the B5032.

Applicant's Response: Consideration of this issue should be for Derbyshire County Council Highways.

39. **Waterhouses Parish Council** – no objections in principle subject to conditions. The Parish Council recommends that the applicant ensures the following:

- Only use the revised route specified;
- That the route suffers no pollution by waste products;
- That the route is kept clean at all times.

40. **Cotton Parish Council** – support the operations. Assurance is sought that

wheel-washing and road cleanliness is enforced as there have been significant issues in the past. Concern is raised for road safety and suggestion is made that HGVs turn right out of Caldon Quarry into Waterhouses and turn right onto the A52.

41. **Ashbourne Town Council** – no comments to make.
42. **National Highways** – no objection to the revised route, but recommended conditions having reviewed the environmental information. The recommended conditions are intended to control traffic movements on the trunk road network and output from the quarry as follows:
 - Total number of vehicles associated with import and export of limestone should not exceed a 5-day average of 118 HCV two-way movements per day (59 in and 59 out) – Monday to Friday.
 - Total quantity of mineral exported from the quarry as a whole (including proposed northern extension), not exceeding 600,000 tonnes, which includes 400,000 tonnes of current mineral operations and 200,000 tonnes of limestone in any 12-month period. [Note: This is a matter for the main planning permission.]
43. **Environment Agency (EA)** - no objections having reviewed the environmental information (Flood Risk Assessment) and concur that the proposed plant will lie in flood zones 1 or 2 and therefore, have no objections on fluvial flood risk grounds. The EA comment that the proposal is within an existing area identified for stockpiling and processing, as such there will be no change to the flood risk situation as already covered by the original planning application for the processing plant.
44. The EA further comment that the limestone scalplings are a waste byproduct of the mining process and therefore the washing of these can be controlled by an Environmental Permit, and that there are two existing Environmental Permits for activities at Uttoxeter Quarry:
 - Ref. EAWML 103654 (SR2010No12 Treatment of waste to produce soil, soil substitutes and aggregate), and
 - EAWML 102387 (S0908 No 8: Management of inert or extractive waste at mine).
45. The EA advise that neither Environmental Permit appears to cover the processing activity of washing the limestone scalplings, including the discharge of the effluent from the washing process and recommend that the applicant seeks Advanced (paid for) Pre-Application advice to vary the relevant permit before any of these activities commence.
46. **Natural England** – have only provided general advice.

47. **Canal and River Trust** – advised that the proposed development lies close to the restoration line of the Uttoxeter Canal and recommended that the Caldon and Uttoxeter Canals Trust be consulted. The Caldon and Uttoxeter Canals Trust was subsequently consulted but no comments have been received.
48. **Western Power Distribution** – have provided details of their electricity/WPD Surf Telecom apparatus in the vicinity of the proposed development and have provided guidance on requirements for safe working procedures.
49. **Cadent Gas** – have provided details of their apparatus in the area which does not indicate the presence of assets within the site development area.

Publicity and Representations

50. Site notice: YES Press notice: YES
51. 23 neighbour notification letters were sent out and 48 representations have been received. Representations include objections from the Local Member for the area (Cllr P. Atkins, OBE), JC Bamford (JCB), The Alton Towers Estate and JE Greenhall Ltd and from residents along the original route between the two quarries. The representations are summarised below:
 - a) **Local Member (Cllr Philip Atkins, OBE)** –questioned the temporary nature of the proposals in context of the life of the quarry which has been extended since being granted planning permission, and the need for new plant as the existing apparatus should be taken down when finished with. Cllr Atkins also questioned the original route – specifically the impact at Hudford Bridge, Ramshorn, Toll Gate at Wootton both on the C3 or on Ellastone level at the B5030/A50 junction which would generate additional traffic hold-ups and higher carbon emissions. The additional HCV traffic will add to an existing problem which will only add pressure over the years to the potential damage to property and the highway at Wootton and Ellastone and extend the queues of traffic on the Rocester Corridor. In summary, Cllr Atkins objects on the grounds that there is no finite end to the works; no consideration has been given to potential off-site highway damage; no consideration has been given to traffic hold-ups leading to additional carbon emissions; and no screening of additional apparatus has been proposed and it should be taken down within the lifetime of the application.
 - b) **JC Bamford (JCB)** initially raised concerns about the original route but later welcomed the revised route and the willingness of the applicant to enter into a legal agreement.
 - c) **Alton Towers Estate** raised specific concerns about the original route and the effects on Alton, traffic flows through the village and into and out of the Alton Towers resort leading to a risk of severe congestion at

peak times.

- d) **JE Greenhall** raised concerns about the effects of the original route in terms of highway safety, local amenity and in terms of sustainable development.

e) Comments received from residents along the original route:

- i. A better solution would be to have a washing facility at Caldon Low Quarry.
- ii. Increased traffic movements through local villages including Ellastone, Wootton, Ramshorn and Rocester and potential impacts to pedestrians, cyclists and horse riders using Class B and C roads with narrow footpaths and pinch-points, and impacts from traffic noise, vibration and dust;
- iii. Inadequacy of local roads and their condition to cater for HCVs and dangers negotiating dog-leg junctions, blind bends and bridges on the B5417 and B5032 and the potential for congestion.
- iv. Suggestion that a better route be considered along 'A' roads through Derbyshire (the A52 to A515, then A50 to Uttoxeter).

52. 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 a notice in the press, neighbour re-notification letters were sent. Two further representations have been received, one from a member of the public withdrawing their objection, and one from JC Bamford's solicitors (Hill Dickinson) related above, confirming that the objection would be resolved subject to a S106 agreement being secured for the routing of HCV traffic between the quarries along the A52, A515, A50 and B5030 ("the Specified Route").

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

53. National Planning Practice Guidance – Determining planning applications - [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.'

54. [Appendix 3](#) lists the development plan policies (and proposals) and the other material planning considerations, relevant to this decision.

Observations

55. Having given careful consideration to the application, environmental and other information, including the environmental information subsequently received, consultee comments and the representations received, the relevant development plan policies and the other material considerations, referred to above, the key issues are considered to be:
- Minerals and waste planning policy considerations and other material planning considerations
 - Site-specific development plan policy considerations and other matters raised by consultees or in representations.
 - Need for the Section 106 Legal Agreement

Minerals and waste planning policy considerations and other material planning considerations

Maximising the best use of mineral resources

56. Strategic Objective 1 of the Minerals Local Plan for Staffordshire (the provision of minerals to support sustainable economic development) aims:
- 'to support sustainable economic development, the provision of minerals will:
 - to achieve an acceptable balance between the steady and adequate supply of minerals and the impact of mineral operations on local communities and the environment.
 - so far as is practicable, to take account of the contribution that substitute, or secondary and recycled material can make as an alternative to primary minerals; and
 - to ensure that important economic mineral resources are not needlessly sterilised.'

57. The National Planning Policy Framework (NPPF) generally supports sustainable development and recognises the importance of minerals as an important element of economic growth. For example, paragraph 209 states that:

'It is essential that there is a sufficient supply of minerals to provide the infrastructure, buildings, energy and goods that the country needs'

58. The NPPF paragraph 210 promotes that planning policies should:

'... (b) so far as practicable, take account of the contribution that substitute, or secondary and recycled materials and minerals waste would make to the supply of materials, before considering extraction of primary materials, whilst aiming to source minerals supplies indigenously.

'... (f) set out criteria or requirements to ensure that permitted and proposed operations do not have unacceptable adverse impacts on the natural and historic environment or human health, taking into account the cumulative effects of multiple impacts from individual sites and/or a number of sites in a locality.

'...(h) ensure that worked land is reclaimed at the earliest opportunity, taking account of aviation safety, and that high quality restoration and aftercare of mineral sites takes place'.

59. The Staffordshire and Stoke on Trent Joint Waste Local Plan (WLP) (Waste as a resource - Policy 1.1 (general principles)) promotes the principle that waste is a resource and seeks to encourage the diversion of waste away from landfill and supports waste development which manages waste higher in the 'waste hierarchy'. It sets out that permission for new development of new waste management facilities will be granted where the applicant can demonstrate that the proposal accords with the principles listed below:

- i. Waste is minimised;
- ii. Waste is used as a resource, including the formation of waste synergies, for example through the creation of resource recovery parks;
- iii. The proposals represent the most sustainable option for management of waste as high up the "waste hierarchy" as feasible (Refer to Appendix 4: The Waste Hierarchy);
- iv. Protection of human health and the environment.
- v. Unacceptable adverse impacts, including cumulative effects, should be avoided and adverse impacts minimised and mitigated

as part of the proposals;

- vi. The overall (economic, social and environmental) benefits outweigh any material planning objections.

60. WLP Policy 2.3 (Broad locations) requires waste management facilities to be located:

...as close as possible to where the waste arises to reduce the need to transport waste great distances;

61. Commentary: The applicant has sought to support an economic argument that promotes the proposed development. The applicant contends that because of the geology of the site, Caldon Low Quarry does not have silt lagoons to enable the on-site produced limestone scalpings to be washed on site and wash water to be managed. It is also contended that the storage of the scalpings at that quarry poses operational difficulties due to space being limited, and that stockpiled scalpings that do exist restrict access to the underlying mineral that is permitted for future extraction leading to double handling on site. The issue of minerals waste arisings at Caldon Low Quarry was identified within the 'Caldon Development Study' report produced by Bowman Planton Associates in 1998 and identified that waste arisings from mineral production equated to around 15% along with a future need for a new approach if the quarry is not to become operationally restricted. In addition, the applicant has stated that a 'do nothing' option would lead to the limestone scalpings remaining unwashed and without processing, the scalpings are unsuitable as secondary aggregates for construction and infrastructure projects and would most likely be sent to waste recovery facilities for use as inert fill for which a charge would be incurred. The applicant has considered alternative operational locations within Staffordshire and the West Midlands area under Aggregate Industries ownership and has concluded that Uttoxeter Quarry is the preferred location due to its close proximity to Caldon Low Quarry.
62. The contribution that the re-use of minerals waste (limestone scalpings) would make to the supply of materials is supported in minerals policy terms and would maximise its value both practically and economically in promoting its use in lieu of primary aggregates.
63. In respect to waste planning policy, waste would be minimised in that it would be recycled and achieve a more sustainable option in the management of waste higher up the 'waste hierarchy'. The limestone scalpings would be transported 33km by road along the revised route, and although it would be desirable to recover the waste as close as possible to where it arises to reduce the need to transport waste great distances, the waste limestone scalpings would in any event be transported off the Caldon Low Quarry site and in that respect, there would be no greater or lesser impact than the development proposals present irrespective of any routes taken to transport

the material.

64. Conclusion: Having regard to the minerals and waste planning policies and guidance referred to above, it is reasonable to conclude that in principle, the proposals accord with planning policy and guidance and would aid and support economic growth, would maximise the permitted mineral reserve and minimise the waste at Caldon Low Quarry. The relevant site-specific impacts and related planning policy considerations are discussed below.

Ancillary development

65. Policy 4.6 of the Minerals Local Plan for Staffordshire states that:

‘Proposals for ancillary development within or near to a mineral site will be assessed in accordance with this policy and where planning permission is granted, it will be limited to the duration of the mineral site.’

66. The reasons for this policy are set out in paragraph 7.45 where it states that:

‘... Any proposals will be regarded as ancillary development where the principal purpose of the ancillary development would be any purpose in connection with the operation of the mineral site; the treatment, preparation for sale, consumption or utilisation of minerals won or brought to the surface at that mineral site, or the storage or removal from the mineral site of such minerals, their products or waste materials derived from them. Policy 4 requires that ancillary development should be limited to the duration of the mineral site and that the impacts of proposed development will be assessed in accordance with Policy 4.’

67. Commentary: The principle of ancillary development at quarries is well established and appropriate ancillary development often constitutes ‘permitted development’. Planning permission has previously been granted at Uttoxeter Quarry for ancillary development to import, stockpile and process waste glass (25,000 tonnes per year - 20 daily vehicle movements) to produce recycled aggregate blended with on-site derived mineral (ref: [ES.11/10/524 MW](#) dated 06 January 2012). The principle is not dissimilar, however, in this case, most of the limestone scalpings would be washed at Uttoxeter Quarry as a single product with a proportion of the washed limestone to be mixed with site-won sand and gravel to provide a range of products to be sold from the site. Vehicle movements would be significantly greater however than that related to the waste glass permission which expired on 30 November 2016.

68. 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 approved an application to extend the

cessation date to 30 November 2023 ('the 2016 application'), pending the completion of a Section 106 ('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. In August 2022 the Planning Committee accepted a recommendation to permit an application for a northern extension to the quarry which would extend the life of the quarry for a further 3 years ('the 2021 application'), subject to the completion of the 2016 Section 106 and issue of the 2016 application, and subject to the completion a Section 106 ('the 2021 Section 106').

69. The wash plant would be situated adjacent to existing plant within the quarry and would operate in conjunction with existing operations carried out at the quarry. As such, the proposed operations would be similar in nature to already permitted operations. The proposed development can therefore reasonably be considered to be ancillary to the permitted operations, in that a proportion of the washed limestone may be blended with site-won sand and gravel and therefore, related to the treatment, preparation for sale, consumption or utilisation of minerals won or brought to the surface at Uttoxeter Quarry.
70. In accordance with MLP Policy 6 it is recommended that this ancillary development is limited to the life of the quarry.
71. Conclusion: Having regard to the relevant site-specific policies, it is reasonable to conclude that proposed development does constitute ancillary development and is acceptable principle, subject to outstanding quarry planning permissions being issued before the limestone scalping permission is issued. The site-specific development plan policy considerations are discussed below.

Site-specific development plan policy considerations and other matters raised by consultees and in representations

72. Policy 4 of the Minerals Plan for Staffordshire in general seeks to minimise the impact of mineral development. Policy 4.1 states that:

'In assessing the impact of proposals for mineral development on people, local communities, and the environment, where relevant, the following environmental considerations will be taken into account (summarised as relevant):

 - a) Noise
 - b) Air quality
 - e) Traffic on the highway network
 - n) Water environment

- p) Cumulative effects from a single site, or from a series of sites in a locality.

73. Policy 4.2 of the Minerals Local Plan for Staffordshire states that:

‘Where unacceptable adverse effects cannot be avoided, adequate mitigation should be demonstrated. As a last resort, where unacceptable adverse effects cannot be avoided or adequately mitigated, compensatory measures will be taken into account.’

74. Policy 4.3 of the Minerals Local Plan (Overall Assessment), 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.’

75. Paragraph 211(b) of the National Planning Policy Framework (NPPF) seeks to:

‘ensure that there are no unacceptable adverse impacts on the natural and historic environment, human health or aviation safety, and take into account the cumulative effect of multiple impacts from individual sites and/or from a number of sites in a locality’;

76. Commentary: In general, no objections have been raised by technical consultees to the proposed operations, subject to conditions. However, concerns have been received from a Local Member for the area, the local Parish Council (Uttoxeter Rural), the neighbouring Parish Councils along the original route between the two quarries, Ellastone, Denstone, Wootton and Mayfield, and in the individual representations regarding the impact of traffic to be generated by the proposals. The comments remained largely unchanged after a second round of consultation and notification in response to the further information submitted including a revised route and updated the Transport Assessment.

77. National Highways who are responsible for management of trunk roads have recommend conditions to control the number of traffic movements per day (59 in and 59 out), and to restrict the throughput of limestone scalplings to 200,000 tonnes per year.

78. Staffordshire County Council’s Highways Development Control Team (on behalf of the Local Highway Authority) requested further information to support the submitted Transport Assessment (TA). The further information included the revised route which the Team found to be acceptable subject to a legal agreement which the applicant has accepted.

79. The further information also addressed other matters that had been raised by consultees and in representations received relating to the breakdown and analysis of trip generation, vehicle sizes and the opportunities for backhauling.
80. In terms of the temporary nature of the proposed operations (questioned by a Local Member), as explained in paragraph 68 above, an extension to the life of the quarry has been approved and it is recommended below that this permission be tied to the life of the quarry.
81. The main thrust of the representations relates to the impacts of HCV traffic movements using narrow roads, difficult bends and bridges along routes passing through local villages along the original route. As well as proposing a revised route to address those concerns, the applicant has confirmed a willingness to enter into a Section 106 legal agreement to follow the revised route.
82. The revised route does address the concerns raised by residents of Ellastone, Wootton and Rocester, and the Alton Towers resort as the quarry traffic would not pass through those villages. In respect to the village of Mayfield, the route would use the main A road (A52) through the village. The proposed change of route has resulted in a response from one resident withdrawing their objection and a response from JC Bamford who are minded to withdraw their objections subject to the routing plan being secured by a legal agreement.
83. 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, subject the conditions and Section 106 Legal Agreement recommended below, the proposed development would not give rise to any unacceptable site-specific adverse effects.

Need for a Section 106 Legal Agreement

84. 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'.

85. Paragraph 57 to the NPPF explains that:

'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.'

86. 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).

87. Commentary: It is recommended that the following undertakings to the manage Heavy Commercial Vehicle (HCV) routing on the public highway and driver behavior be secured by a Section 106 Legal Agreement (S106). The reasons why the undertakings meet the tests referred to above are explained below:

- a) Heavy Commercial Vehicles (HCVs) associated with the transport of limestone scalplings shall use the 'specified route' (except in case of emergencies);
- b) Notices showing the specified route shall be displayed on site;
- c) All drivers (including any employees or contractors) associated with the transport of limestone scalplings shall be instructed to act in a considerate manner towards other road users and shall avoid driving over roadside verges;
- d) All HCV drivers associated with the transport of limestone scalplings shall be reminded about the instruction in 3 above at regular intervals;
- e) A condition shall be included in contracts with HCV companies associated with the transport of limestone scalplings to require their HCV drivers to use the specified route only (except in an emergency) and to require their HCV drivers to act in a considerate manner towards other road users and to avoid driving over roadside verges;
- f) Any HCV driver associated with the transport of limestone scalplings who is found not to be using the specified route (except in an emergency situation), shall be subject to disciplinary action (in so far as the law permits). The disciplinary action shall include:
 - A verbal warning (first instance)

- A written warning and ban for three working days (second instance)
- A final written warning and a ban for one month (third instance)
- A permanent ban (fourth instance)

88. These undertakings would ensure that HCVs accessing and/ or egressing the application site would do so via the specified route and in a manner that would minimise the potential adverse environmental, highway safety and amenity impacts, in accordance with the MLP (Policy 4) and the NPPF (Sections 9 and 17).

89. Conclusion: Having regard to the policies and guidance referred to above, it is reasonable to conclude that the undertakings referred to above to be secured by a S106 are necessary; directly relate to the development; and are fairly and reasonably related in scale and kind to the proposed development.

Overall Conclusion

90. 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 importation and temporary storage of limestone scalplings with the erection and use of an aggregate washing plant 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. Heavy Commercial Vehicles (HCVs) associated with the transport of limestone scalpings shall use the 'specified route' (except in case of emergencies);
2. Notices showing the specified route shall be displayed on site;
3. All drivers (including any employees or contractors) associated with the transport of limestone scalpings shall be instructed to act in a considerate manner towards other road users and shall avoid driving over roadside verges;
4. All HCV drivers associated with the transport of limestone scalpings shall be reminded about the instruction in 3 above at regular intervals;
5. A condition shall be included in contracts with HCV companies associated with the transport of limestone scalpings to require their HCV drivers to use the specified route only (except in an emergency) and to require their HCV drivers to act in a considerate manner towards other road users and to avoid driving over roadside verges;
6. Any HCV driver associated with the transport of limestone scalpings who is found not to be using the specified route (except in an emergency situation), shall be subject to disciplinary action (in so far as the law permits). The disciplinary action shall include:
 - A verbal warning (first instance)
 - A written warning and ban for three working days (second instance)
 - A final written warning and a ban for one month (third instance)
 - A permanent ban (fourth instance)

The conditions to include:

Definition of the Consent

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

Commencement

2. To require the commence of the development within 3 years of the date of the planning permission and to require notice of the date when the development is first brought into use.

Waste Types

3. To specify that no waste material should be treated or stored at the site

other than limestone scalplings derived from Caldon Low Quarry.

Dates for Cessation of Development, Restoration and Expiry of the Permission

4. To require the importation of limestone scalplings to cease no later than the cessation date for mineral extraction.
5. To require the restoration of the site, including the removal of all plant and associated equipment and stockpiles in accordance with the approved Restoration and Aftercare Scheme programme for the quarry.
6. To define the expiry of the permission to be when the restoration and aftercare of the site has been completed in accordance with the latest approved Restoration and Aftercare Scheme for the quarry.

Detailed requirements

7. To require the submission of details of the washing plant and implementation of approved details.

Management of Site Operations

Hours of Operation

8. To limit the operation of the washing plant to:
 - 07:00 and 18:00 Monday to Fridays (not including Bank or Public holidays); and,
 - 07:00 and 13:00 on Saturdays.

Importation of Limestone Scalplings

9. To limit the import of limestone scalplings to 200,000 tonnes per year.

Site Access and Traffic Movements

10. To limit HCV traffic movements to a maximum of 59 movements in and 59 movements out per full working day.
11. To define the access to be used by HCVs.
17. To require all HCVs to turn left when leaving the Site.
13. To require that no vehicle associated with the development leaves the Site whereby mud, dirt or deleterious material is deposited on the public highway.

14. To require loaded HCVs entering or leaving the site to be sheeted.

Environmental Management

Water

15. To require the development to be carried out in accordance with the Flood Risk and Drainage Strategy and the Current and Proposed Water Management Document.

Noise

16. To require the operations to comply with the noise limits for the quarry.
17. To specify the use of reversing alarms and horns.

Air

18. To require the operations to comply with the air quality and dust management measures for the quarry.

Record Keeping

19. To require records to be kept and made available to the MPA of the HCV movements, the quantities of limestone scalplings imported to the site, the operating hours, 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 – Relevant Planning History

- [ES.23992/01](#) dated 05 June 2000 – for the winning and working of sand and gravel. This planning permission allowed the extraction of 4.8 million tonnes of sand and gravel over a period of 12 years (until 31 December 2012).

A Section 106 Legal Agreement (S106) - 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.

- [ES.05/10/524 M](#) dated 20 October 2005 – for change of use to permit the importation of 20,000 tonnes (approx.) of as-dug sand and gravel for stockpiling, processing and subsequent sale over a temporary period of 12 weeks.
- [ES.05/13/524 M](#) dated 14 November 2005 – to not comply with conditions 6, 29 and 44 of planning permission ES.23992/01 to change the phasing method working from wet to dry and to revise the restoration of the site.
- [ES.06/29/524 M](#) dated 19 October 2006 – to erect 5 aggregate storage bays and to permit the importation of type 1 granite.
- [ES.06/31/524 M](#) dated 22 December 2006 – for installation of replacement sand plant.
- [ES.06/34/524 M](#) dated 23 April 2007 – for the erection of 5 aggregate storage bays, the importation, storage, and stockpiling of type 1 aggregate, building sand and bagged cement and direct sales off-site of aggregated, building sand, bagged cement and surplus topsoil.
- [ES.07/02/524 M](#) dated 19 February 2007 – for installation of additional office cabin
- [ES.08/02/524 M](#) dated 31 July 2009 – to extend Uttoxeter Quarry to the north to extract approximately 200,000 tonnes of sand and gravel.
- [ES.09/05/524 M](#) dated 23 December 2010 – to extend Uttoxeter Quarry (Dove extension), to extract approximately 3 million tonnes of sand and gravel with restoration to agriculture and water-based recreation and nature conservation.
- [ES.09/09/524 M](#) dated 29 October 2009 – for erection of 5 aggregate storage bays, the importation, storage and stockpiling of aggregates, building sand and bagged cement and surplus topsoils.
- [ES.11/10/524 MW](#) dated 06 January 2012 – to import, stockpile and process waste glass to produce a recycled aggregate.
- [ES.11/13/524 MW](#) dated 13 December 2011 – to vary conditions 1, 2, 8, 9, 10, 32, 38, 39 and 42 of planning permission ES.09/05/524 M.
- [ES.16/15/524 MW](#) – reported to County Council Planning Committee 16 December 2016 (Permitted subject to signing of S106 legal agreement – not yet completed).
- [SCC/21/0025/FULL-ES](#) – reported to County Council Planning Committee on 04 August 2022 (Permitted subject to signing of S106 legal agreement – not

[Return to Relevant Planning History](#)

Appendix 2: Summary of the findings of the Environmental Statement

Section 1 – Introduction

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

Section 2 – Site Appraisal

This section describes the application site, its location and setting.

Section 3 – Description of Development

This section describes the proposed development to erect a wash plant at Uttoxeter Quarry and explains the operations involved in transporting limestone scalpings from Cauldon Low Quarry, the washing process, traffic movements, operating hours, employment and a summary for foul drainage and utilities.

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 (the NPPF). 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

This section sets out the approach to consideration of alternatives to the proposal. It concludes that the proposals, as submitted, represent the preferred option and a 'do nothing' option would result in the limestone scalpings remaining unwashed and their potential use as a secondary aggregate would be lost.

Section 7 – **Transport**

This section sets out the policy context and the potential for impacts and baseline conditions which have been assessed within a Transport Assessment (TA) which is included as an appendix to the ES.

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 concludes that the impacts would not be 'severe'. The ES concludes overall that the proposed development and site operations would not have unacceptable direct or indirect impact on the 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 the EIA Regulations.

Additional Information

In response to comments from National Highways and the Staffordshire County Council's Highways Development Control Team (as the Local Highway Authority), and in response to representations, additional information was submitted to update the Transport Assessment based on a revised route between the quarries (Uttoxeter Highways Comments prepared by AECOM). The additional information also included clarification about HCV backhauling, the size of HCV vehicles and trip generation.

Further consultation on the additional information was carried out and conditions were recommended by consultees. The applicant has also confirmed a willingness to enter into a legal agreement to secure the revised route for HCVs between the quarries.

Section 8 – **Noise**

This section considers the potential for significant noise effects associated with the proposed development. It sets out the policy context, the baseline conditions, and the potential for impact.

As the proposed wash plant is to be located adjacent to existing aggregate processing plant and remote from any noise sensitive dwellings, the noise contribution from the plant is concluded to be negligible. It is concluded overall that the proposed development would not give rise to levels of noise which would exceed the existing noise limits set at sensitive receptors and would not give rise to unacceptable levels of noise which could adversely affect nearby receptors or the surrounding environment and in terms of noise, would not have any unacceptable direct or indirect impacts on population and human health, biodiversity, land, soils, water, air and climate, material assets, cultural heritage and the landscape, or the interaction between these factors in accordance with the EIA Regulations.

Section 9 – Air Quality and Dust

This section considers fugitive dust emissions and mitigation. It sets out the policy context, the baseline conditions and potential for impact.

The proposed washing process is a wet process and the potential for impact is considered to be 'very low', though the movement of HCVs across the site and the manoeuvring of aggregate to and from the wash plant, together with the loading and unloading of vehicles has the potential to generate dust, as does dust generated from stockpiles of aggregate within the site. The proposed development would be carried out in accordance with the site's existing air quality and dust management measures set out within the approved dust management scheme. Given that the effective mitigation measures employed at the quarry would continue to be employed, it is concluded that no significant effects in terms of air quality or dust would result from the proposals and overall, in terms of air quality and dust, the proposed development and operations would not have an unacceptable direct or indirect impacts on population and human health, biodiversity, land, soils, water, air and climate, material assets, cultural heritage and the landscape, or the interaction between these factors in accordance with the EIA Regulations.

10 – Flood Risk and Drainage

This section considers the potential effects of the proposed development on the flood risk and surface water drainage within and surrounding the site. It sets out the policy context, the baseline conditions and the potential for impact. In support of the application, a Flood Risk and Drainage Strategy is included as an appendix to the ES.

The wash plant location lies in Flood Zone 1, but close to Flood Zone 2. The risk of groundwater flooding occurring at the natural ground surface at the site is expected to be 'high', particularly in areas which are close to the River Tean, given the shallow groundwater table, though it is not considered to pose a risk to the site or its operations. It is considered that there is a residual risk from reservoir flooding to the wash plant, though the risk of a reservoir failure resulting in the loss of life is assessed as being 'very low'.

The proposed wash plant would have a negligible footprint and would be sited on compacted ground with most of the plant on raised supports and would not result in an increase in the impermeable area within the site and material stockpiles would be located along with other stockpiles. It is considered that the proposals would not impact on the current flood risk status of the site and the future flood risk from all sources is concluded to be 'low'.

The proposed development would not result in any changes to surface water drainage from the application site. Surface water is currently monitored at Uttoxeter Quarry, including the discharge point into the River Tean and monitoring ensures that the on-site activities do not adversely affect the surface water within

the quarry surface water bodies, the River Tean or watercourses downstream of the site, including the River Dove.

The Flood Risk and Drainage Strategy concludes that the proposed development would not impact on the current flood risk status or the future flood risk from all sources and would not have an unacceptable effect on surface water drainage within or within the vicinity of the site and overall in terms of flood risk and surface water drainage, the proposed development and operations would not have unacceptable direct or indirect impacts on population and human health, biodiversity, land, soils, water, air and climate, material assets, cultural heritage and the landscape, or the interaction between these factors in accordance with the EIA Regulations.

Additional Information

In response to comments from the Environment Agency and the Staffordshire County Council's Flood Risk Team (as the Lead Local Flood Authority), the applicant accepted a condition recommended by the County Flood Risk Team to comply the submitted Flood Risk and Drainage Strategy.

11 – Landscape and Visual Impact

This section considers the potential for landscape and visual impacts and sets out the policy context, the baseline conditions and potential for impact.

The site does not fall within any areas or designations which seek to conserve or enhance areas or features of landscape interest. Views of the proposed site area from visual receptors outside that site are limited by seeded bunds and perimeter vegetation. Public rights of way run close to the application site that do have views into the site. It is considered that the only change in terms of potential effects on landscape character and visual receptors would be of the wash plant and stockpiles.

In terms of landscape and visual impact, it is concluded that the proposed development and operations would not have an unacceptable direct or indirect impact on the landscape and overall, in landscape terms, would not have an unacceptable direct or indirect impact on population and human health, biodiversity, land, soils, water, air and climate, material assets, cultural heritage and the landscape, or the interaction between these factors in accordance with the EIA Regulations.

12 - Ecology

As the site is an existing quarry and the proposed wash plant would be sited within the current mineral processing area and no other changes are proposed, it is concluded that the proposed development would not have an unacceptable impact on the ecology of the site or local area and overall, in terms of ecology and nature conservation, would not have an unacceptable direct or indirect impacts on

population and human health, biodiversity, land, soils, water, air and climate, material assets, cultural heritage and the landscape, or the interaction between these factors in accordance with the EIA Regulations.

13 – Public Rights of Way

This section considers the potential for significant effects on the Public Rights of Way (PROW) that lie within and close to the site and sets out the policy context, the baseline conditions and potential for impact.

Sections of PROW Uttoxeter Rural 89 and Uttoxeter Rural 84 lie to the west of the site. On the southern side of the River Tean, lie Uttoxeter Town 34 and Uttoxeter Town 38, the latter of which runs through the centre of the application area along the River Tean. In the east of the application site run footpath Uttoxeter Town 38 joins footpaths Uttoxeter Rural 28(a), Uttoxeter Town 39 and Uttoxeter Town 35 which form a north and south route running through both operational and restored areas of the wider quarry.

No PROW would be required to be diverted and only glimpsed views of the proposed wash plant would be gained from surrounding footpaths. Overall, in terms of public rights of way, it is concluded that the proposed development would not have an unacceptable direct or indirect impact on population and human health, biodiversity, land, soils, water, air and climate, material assets, cultural heritage and the landscape, or the interaction between these factors in accordance with the EIA Regulations.

14 – Climate Change

This section considers the potential effects of climate change and sets out the mitigation measures proposed to minimise the likelihood of significant environmental effects. It also considers how the proposed development can minimise its contribution towards climate change through reducing emissions and energy consumption. It sets out the policy context, the baseline conditions and potential for impact.

It is assessed that the development proposals for the wash plant would not impact on the current flood risk status of the site and the future flood risk from all sources is concluded to be 'low'.

In terms of transportation of limestone scalpings from Caldon Low Quarry to Uttoxeter Quarry, it is not possible to transport materials using sustainable modes of transport, for example rail or water. However, where HCVs deliver limestone scalpings, they would back haul loads as far as possible so that either site-won sand and gravel or washed limestone/ silt material would be collected and transported to customers minimising the number of empty vehicles leaving the site and reduce HCV numbers as far as practicable. All mobile plant and machinery would be regularly serviced, maintained and switched off when not in use. 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 HCVs older than 2014 within the fleet at Uttoxeter Quarry.

It is concluded in terms of meeting the challenge of climate change, that the proposed development and operations would not have an unacceptable direct or indirect impact on population and human health, biodiversity, land, soils, water, air and climate, material assets, cultural heritage and the landscape, or the interaction between these factors in accordance with the EIA Regulations.

15 – Cumulative Impact Assessment

This section considers the cumulative impact of the proposed development and sets out the policy context, baseline conditions and potential impact. The impacts that development could potentially have on the site and surroundings have been assessed throughout the ES and associated technical appendices.

It is concluded that no sites or developments that were considered likely to result in a significant cumulative impact with the proposed development site were identified and therefore considered that significant cumulative impacts with other developments would be 'most unlikely' and overall, given the location of the site and the conclusions of the individual topic areas, it is also anticipated that significant in-combination effects from the proposed development would be 'most unlikely'.

16 – **Conclusions**

Overall, the findings of the ES conclude that the proposals are environmentally acceptable and support the economic, social and environmental roles of sustainable development required in the NPPF and accords with the Development Plan.

The additional information has not changed the overall findings of the ES.

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

Appendix 3 - 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 4: Minimising the impact of mineral development
- Policy 4.6: Ancillary development

- Policy 6: Restoration of Mineral Sites
- Strategic Objective 1 (The sustainable economic development of minerals)
- Strategic Objective 2 (Acceptable locations for mineral sites)
- Objective 3 (Operating to high environmental standards); and,
- Strategic Objective 4 (Restoration that enhances local amenity and the environment)

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 2.3 (Broad locations)

A [5-year review of the Waste Local Plan](#), completed in December 2018, 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.

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

- Principle 1 - Presumption in Favour of Sustainable Development;
- Policy SP1 - Approach to Sustainable Development;
- Policy SP24 - High Quality Design;
- Policy SP27 - Climate Change, Water Body Management and Flooding;
- Detailed Policy 1 - Design of New Development; and,
- Detailed Policy 7 - Pollution and Contamination.

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

- Policy E2 – Landscape and Setting;

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 6](#): Building a strong, competitive economy
 - [Section 8](#): Promoting healthy communities
 - [Section 9](#): Promoting sustainable transport

- [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 17](#): Facilitating the sustainable use of minerals

- [Planning Practice Guidance](#)
 - [Design](#)
 - [Environmental Impact Assessment](#)
 - [Flood risk and coastal change](#)
 - [Health and wellbeing](#)
 - [Light pollution](#)
 - [Minerals](#)
 - [Natural environment](#)
 - [Neighbourhood planning](#)
 - [Noise](#)
 - [Planning obligations](#)
 - [Transport evidence bases in plan making and decision taking](#)
 - [Travel Plans, Transport Assessments and Statements](#)
 - [Use of planning conditions](#)
 - [Waste](#)
 - [Determining planning applications](#)
 - [Regulatory regimes](#)
 - [Water supply, wastewater and water quality](#)

- [National Planning Policy for Waste](#) (published on 16 October 2014)
 - Determining planning applications (paragraph 7)
 - 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