

<b>Local Member</b>	
Councillor M. A. Deaville	Staffordshire Moorlands - Cheadle and Checkley

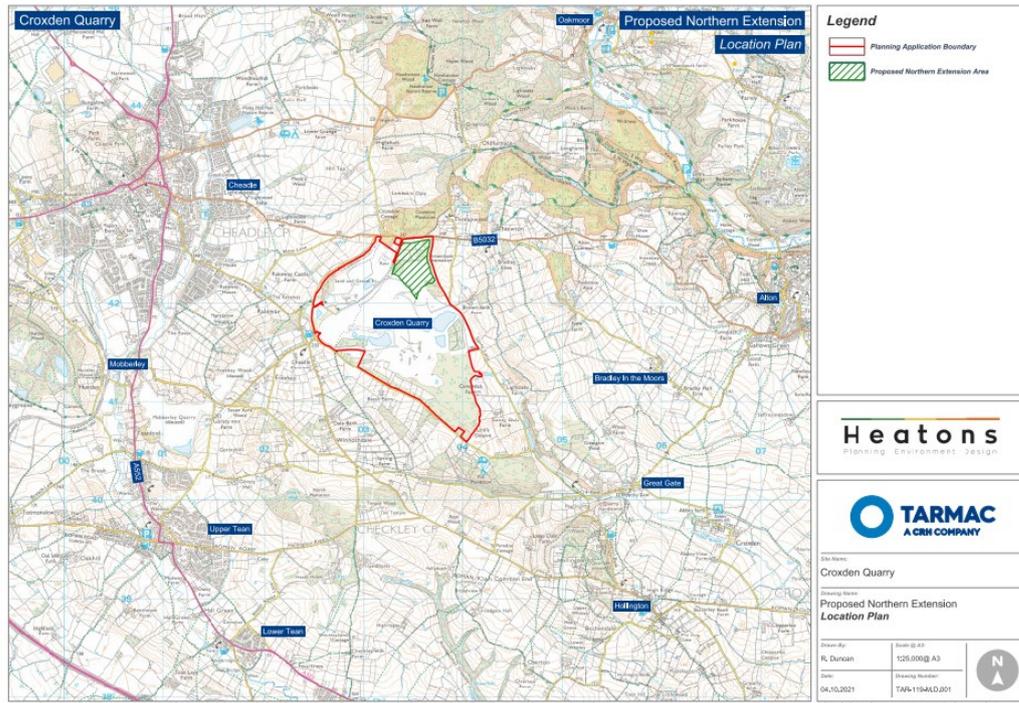
**Planning Committee      01 December 2022****Minerals County Matter****Application No (District):** [SCC/21/0076/FULL-ES](#) (Staffordshire Moorlands)**Applicant:** Tarmac Trading Ltd**Description** Proposed lateral (northern) extension to extract a further 4.65 million tonnes of sand and gravel and a consolidating application covering all mineral extraction operations.**Location:** Croxden Quarry, Freehay Road, Cheadle**Background/Introduction**

1. Croxden Quarry is an amalgamation of several sand and gravel quarries. The earliest quarrying permissions were granted in 1946 and 1948 but most of the major permissions were granted in the 1960's and 1970's and then consolidated under planning permission issued in 1996. The 1996 permission was varied by permissions issued in 2014 and earlier this year (see the 'Relevant Planning History' section and Appendix 1 for more details).
2. The latest permission and associated Section 106 Legal Agreement allows extraction of sand and gravel, the manufacture of concrete products, the removal of sand and gravel from stockpiles, and the manufacture and sale of ready mixed concrete up to 30 November 2023. Sand and gravel extraction is currently taking place in the southwestern part of the quarry.
3. This consolidating application is seeking permission to extend the quarry and extract 4.65 million tonnes of sand and gravel within part of the area allocated in the [Minerals Local Plan for Staffordshire](#) (MLP) (see '[Inset Map 2](#)' accompanying the MLP).

**Site and Surroundings**

4. Croxden Quarry is located within Staffordshire Moorlands District, lying northeast of the village of Freehay and approximately 1.5 kilometres to the southeast of Cheadle. The quarry covers approximately 200 hectares.
5. The Location Plan below shows the site, including the northern extension

area edged in red and the northern extension hatched in green.



### Location Plan

6. The site is bounded by the B5032 Ashbourne Road to the north, Sandy Lane to the east, Coppice Lane to the South, and Counslow Road to the west.
7. Access to the site can be gained via an entrance off Coppice Lane. The vehicle routes to the quarry, secured in the Section 106 Legal Agreement, direct lorries to use the A522 Cheadle Road to the southwest of the quarry.
8. The nearest residential properties to the extension area are to the north, northeast and to the east. These include Counslow Lodge and Counslow Cottage and properties at Threapwood.



Photographs showing the extension area from within the quarry

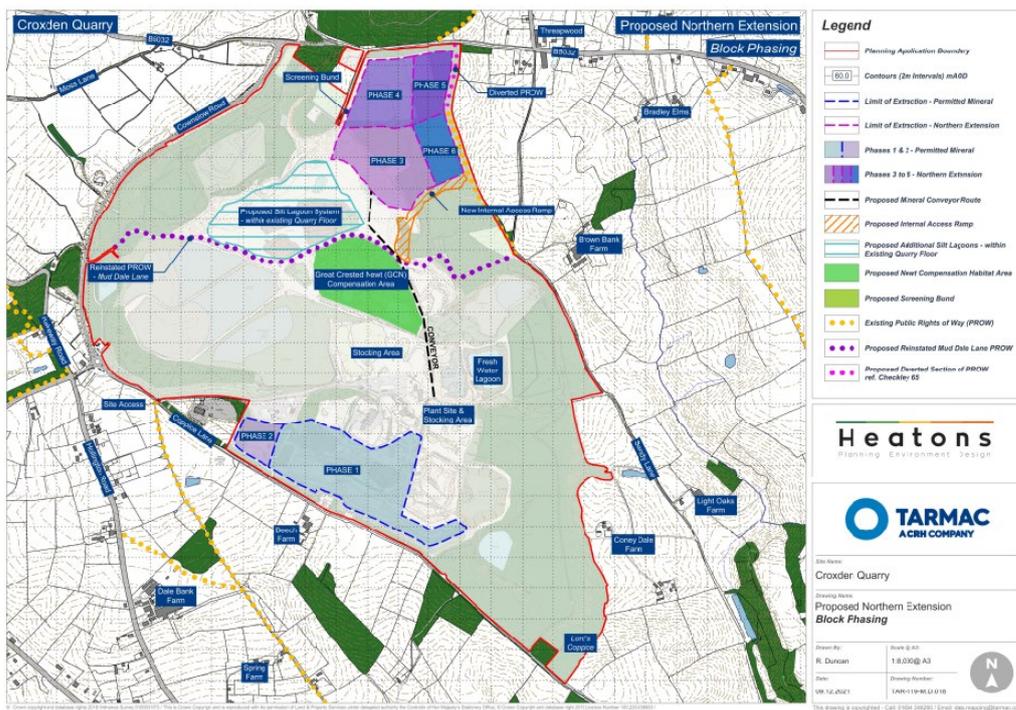


Photographs showing the extension area and across the quarry from the view platform on Counslow Road (adjacent to Laburnham Cottage)

## Summary of Proposals

Mineral working

- The application consists of the extraction of sand and gravel in the four phases shown on the Phasing Plan below (phases 3 to 6 to the north).



The Phasing Plan

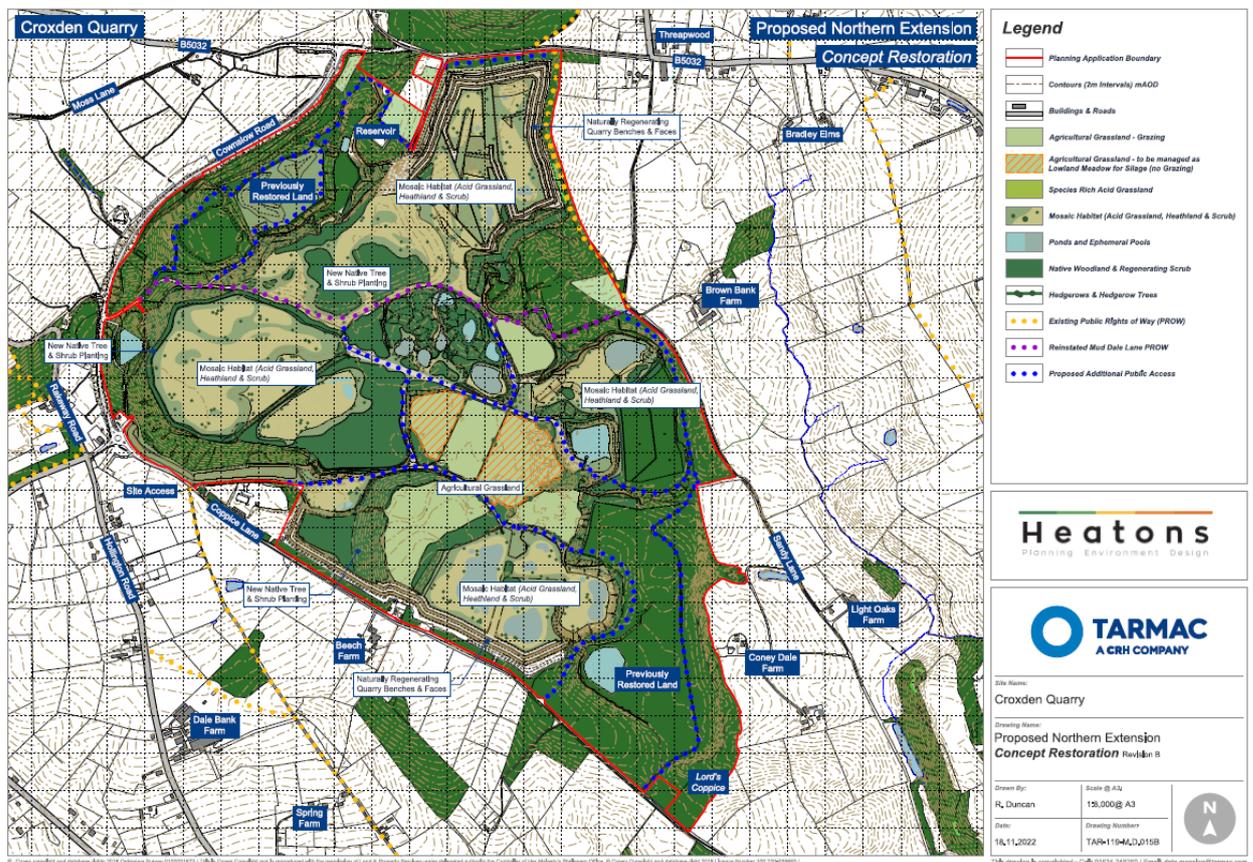
- Phases 1 and 2 also shown on the plan are the changes to the extraction slopes permitted earlier this year (ref. [SM.20/02/110 M](#) ('the 2022 permission')). Together this represents a combined total sand and gravel output of approximately 6 million tonnes which the applicant estimates would take 10 years to work based on the current 600,000 tonnes per annum output, followed by a further 12 to 24 months to complete the

restoration.

11. The extraction of sand and gravel would take place using dozers, loading shovels, wheeled dump trucks and a conveyor. The conveyor would carry the sand and gravel from the extraction area to the existing processing plant / stocking areas.

### Restoration and Aftercare

12. The quarry is currently undergoing progressive restoration in accordance with the latest 2022 permission. The restoration concept, incorporating the extension area, shows the plan to create a landscape which is in-keeping with the landscape character of the surrounding area.



### The Concept Restoration Plan (Revision B)

#### Transport

13. The existing transport arrangements would continue including adherence to the approved routes prescribed in the Section 106 Legal Agreement. HGV's leaving the quarry would also continue to use the wheel wash facility and be sheeted before leaving the quarry.

#### Rights of Way

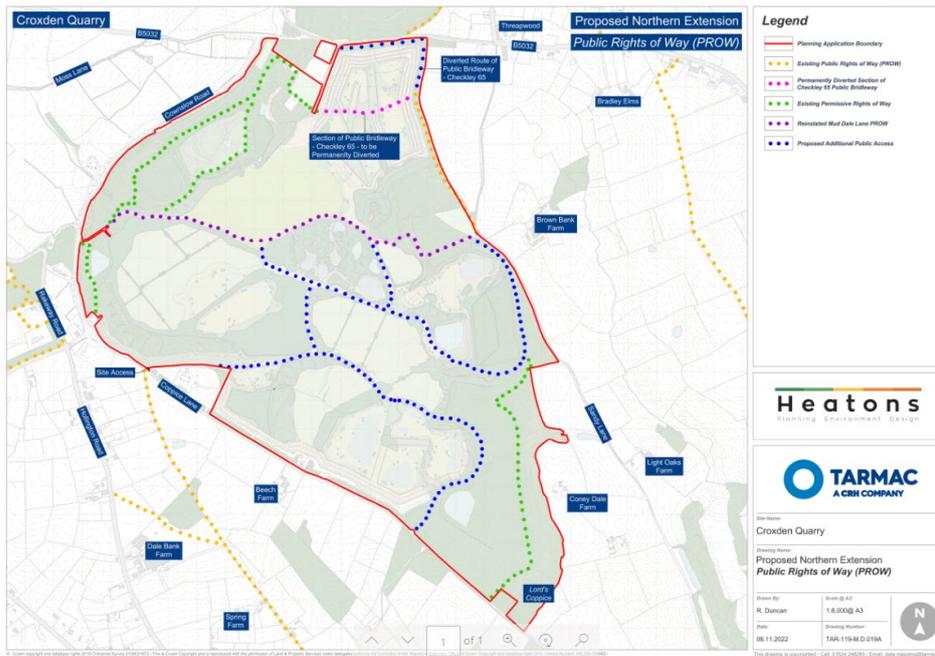
14. The extension to the quarry would result in the permanent diversion of

Bridleway Checkley 65 in Phase 3. The existing route is shown below in pink and the diversion shown in blue.



Map showing Bridleway Checkley 65 (pink) and the route of the permanent diversion (blue).

15. During Phase 1 it is proposed to reopen the former Muddale Lane PROW as a bridleway albeit along a slightly amended route from its 'historical alignment'. The bridleway would be fenced and clearly identifiable to ensure safety of users as it traverses active areas of Croxden Quarry.



## Public Rights of Way Plan

### The operating hours

16. No changes are proposed to the permitted operating hours (condition 8 of the 2022 permission).
17. The application is accompanied by a number of documents and plans including:
  - Planning Statement

- Environmental Statement including appendices
- Heritage Considerations Summary Statement
- Location Plan
- Current Situation Plan
- Block Phasing Plan
- Phase 1, 2, 3, 4, 5 and 6 plans
- Public Rights of Way Plan
- Concept Restoration Plan (Revision B)

#### Liaison Committee

18. The applicant has recently confirmed that a liaison committee has now been established.

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

19. The applicant contends that as the proposed extension would be accessed via the operational quarry, using the existing site access road, internal haul roads and processed at the existing processing plant, and as there would be no requirement for any new processing plant or buildings, other than extension to the main site conveyor, any potential effects from the mineral extraction operations area would be satisfactorily controlled to an acceptable level.
20. The applicant also contends that the findings of the Environmental Statement demonstrate that overall, the development would be environmentally acceptable and would accord with the development plan.

### **Relevant Planning History**

21. The latest consolidating permission to allow the release of an additional 1.5 million tonnes of sand and gravel and to revise the restoration plan was issued on 25 April 2022 (ref. [SM.20/02/110 M](#)) ('the 2022 permission'). The permission was issued after a [Section 106 Legal Agreement](#) was completed on 21 April 2022. The schedules of the legal agreement relate to: General Obligations; Restoration and Aftercare; Biodiversity Enhancement and Habitat Connectivity Improvement Plan; Extended Aftercare; Routing of Traffic; Transfer of the Land; and Restoration Guarantee Fund.
22. [Appendix 1](#) lists the earlier planning permissions.

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

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

## Findings of Consultations

### Internal

24. **Environmental Advice Team (EAT)** – no objections, subject to conditions. The EAT reviewed the application and noted the following:
- a) Landscape – The Landscape and Visual Impact Assessment (LVIA), reasonably concludes that
    - the proposed development would not result in significant adverse landscape or visual effects and can be successfully accommodated and absorbed within its immediate operational and wider rural visual setting.
    - the vast majority of the site would be restored to a wildlife enhanced and agriculturally managed landscape where the only visual sign of quarrying would be the lowered land levels and remaining naturally regenerated quarry extension faces and benches. At this stage it is assessed that levels of significance of effect will be reduced to between slight adverse and moderate beneficial.
    - the restoration plan would reinstate permissive access routes through the quarry, and whilst the landscape will not replicate the mature wooded character of the Churnet valley, it should provide additional recreational capacity in a 'man modified' quarried landscape.

EAT commented that it is vital to achieve the quality of the restoration and aftercare as set out in the Concept Restoration Plan and therefore recommended that the following matters be addressed by conditions:

- i) A comprehensive and detailed restoration and aftercare scheme for the whole site which should include a programme which is regularly monitored. The scheme should also demonstrate a commitment to longer term management of the quarry post aftercare stage e.g. the aftercare of woodland areas exposed to wind blow following removal of trees should be fully incorporated in the restoration proposals, and the restoration scheme should include contingency measures in case any of the restoration elements fail due to climate change or unforeseen erosion or fire damage etc.
- ii) The provision of an interpretation board to communicate information to the public on the works being carried out.
- iii) Hedgerow management of the established hedgerows adjacent

to the highway (Ashbourne Road / B5032) involving at least one operation of hedge laying ideally by a registered professional hedge layer.

- b) Ecology – The County Ecologist accepted the findings of the Ecological Impact Assessment and after changes to the wider quarry restoration concept plan were made to include additional grassland which resulted in an updated Biodiversity Net Gain calculation of 42.3 units (a net gain of 4 units or 10.4%). The County Ecologist recommended that the following matters be addressed by conditions:
- i. An Environmental Management Plan (EMP) and a Landscape and Ecological Management Plan (LEMP) as recommended in the Ecological Impact Assessment. The EMP and LEMP should include provisions for updated protected species surveys if more than 24 months has passed since the last surveys were carried; details of measures to control invasive species (notably Himalayan balsam, but also possibly Rhododendron); provisions to ensure biosecurity; and provision for at least 10 years habitat monitoring, measured against a series of monitoring plans.
  - ii. A comprehensive and detailed restoration and aftercare scheme for the whole quarry. The scheme should incorporate the 'off-site' compensation which should provide heathland / acidic grassland in optimal proportions.
- c) Tree protection – a tree survey was provided and later the applicant confirmed that no veteran trees would be affected.
- d) Archaeology / Historic Environment – a comprehensive Archaeology and Cultural Heritage Chapter has been produced in line with the relevant guidance and informed by a Historic Environment Desk Based Assessment and the conclusions are generally supported. The proposed mitigation measures outlined in the ES should be secured as part of a Written Scheme of Archaeological Investigation submitted prior to the commencement in Phase 3 (this approach is supported by paragraphs paras 194 and 205 of the NPPF and Policy 4.1 (k) of the Minerals Local Plan for Staffordshire).

The County Council Archaeologist has advised that the mitigation works (where applicable), should be carried out sufficiently in advance of stripping and extraction works commencing to allow for any further archaeological mitigation works to be designed and implemented and, should any significant archaeological remains be encountered, discussions had on their potential for preservation in situ.

In relation to the potential impact of the proposals on the setting of designated heritage assets, the conclusions the Archaeology and Cultural Heritage Chapter, the Historic Environment Desk Based Assessment and Heritage Conservations Summary Statement are generally supported. The Staffordshire Moorlands District Council Conservation Officer and Historic England should be consulted on these matters.

The Historic Environment Desk Based Assessment identifies that the hedgerow along the application site's north-western boundary (identified as Hedge 1 in the report) is of historic importance. The County Archaeologist recommends that this heritage asset should be retained as part of the proposed restoration scheme (as per Section 7 of the Assessment) and should be appropriately protected during preparation, operation, and restoration works.

The County Archaeologist has also commented that the retention of this hedgerow is not particularly clear on the submitted Concept Restoration Plan and clarification should be provided [Note: the revised Concept Restoration Plan confirms the hedgerow would be retained.]

- e) Public Rights of Way – no objections to the principle of the diversion of Public Bridleway No 65 Checkley.
- i. The diversion would need to be subject of an assessment on site, a formal application and public consultation.
  - ii. It is not clear whether equestrians, cyclists and walkers use the current route to access Counslow Road which, in turn, provides a more direct connection to Hares Lane. The proposed diversion will mean that for anyone heading northwest they will need to use the B5032. However, a more direct connection with Public Footpath No 14 Cheadle would be required should the diversion prove successful.
  - iii. Pre-application consultation should take place with local walking and riding groups prior to formal submission of the diversion of the footpath.
  - iv. The application mentions a proposal to downgrade byway open to all traffic (BOAT) No 40 and 55 Checkley Parish. BOAT's are part of the vehicular highway network and any changes will need to be discussed with the County Council's Land Charges Team.

The Public Rights of Way Team have requested further information concerning the proposed crossing of the conveyor belt.

25. **Highways Development Control** (on behalf of the Highways Authority) (HA) – no objections subject to conditions to ensure that the access on Coppice Lane is used (shown on the Block Phasing Plan - (Drawing No TAR-119-M-D-018)); no more than 88 HGVs shall enter or leave the Site per full working day (176 two-way HCV vehicle movements) and no more than 486 HCVs shall enter or leave the Site per full working week (972 two-way HCV vehicle movements); the internal access road between the public highway and the wheel cleaning facilities should be maintained in accordance with the approved details (ref. SM.91/1355 D3 dated 15 September 1997) and used for the cleaning on the wheel of haulage vehicles; the sign indicating the haulage route onto the A522 maintained in position for the duration of this permission and to ensure that no mud or deleterious materials shall be deposited on the public highway.
26. The HA also commented that their response was based on the understanding that the terms of the Section 106 Legal Agreement for associated with the 2022 permission would be carried forward.
27. **Planning Regulation Team**– no objections / comments.
28. **The County Council’s Noise Engineer** – no objections, subject to conditions. The Noise Engineer reviewed the ES and noted that:
  - a) a noise assessment has been carried out including baseline noise levels being determined at nearby noise sensitive receptors as well as predicted site noise levels. The properties which would be affected by the proposed northern extension are located at Sandy Lane and Brown Banks Farm, Lightoaks Farm and Counslow Lodge.
  - b) the calculated site noise levels show that routine operations would be carried out within current noise limits at the nearest properties.
  - c) during the sandstone extraction/overburden, properties on Sandy Lane and Brown Banks Farm would have a predicted site noise level above the existing site noise limits.
  - d) the assessment recommends that the existing site noise limits for routine mineral extraction and processing are retained and a short-term site noise limit of 55 dB LAeq, 1 hour, free field at dwellings is used during the removal of the upper three metre sandstone layer.
  - e) the site noise levels would reduce as depth increases and once the sandstone extraction/overburden removal is complete the existing noise limits can be complied with.
29. **Flood Risk Management Team (FRMT)** – no objections, subject to conditions to require extraction to be carried out in accordance with the mitigation measures included in the Flood Risk Assessment and the Hydrological & Hydrogeological Impact Assessment, and to require the

site to be restored in accordance with the Concept Restoration Plan.

### **External**

30. **Staffordshire Moorlands District Council** - no response.
31. **Staffordshire Moorlands District Council Environmental Health** – no objections, subject to conditions:
- a) Noise - the existing planning conditions (SM.11/07/110 M) relating to noise and times of operations should apply to this permission having regard to the following:
    - i. there is a requirement to remove the soil overburden and subsequent sandstone overburden before the intended mineral products can be extracted. The removal of the sandstone overburden is not considered temporary as it would take longer than the permitted 8-weeks in any 12-month period.
    - ii. the noise impact assessment therefore identifies that a sound limit of 55 dB LAeq, 1 hour should apply to residential receptors for the period during the removal of sandstone overburden.
    - iii. the Mineral Planning Authority needs to be satisfied that in accordance with the NPPG, that complying with the existing sound limits will place an unreasonable burden on the mineral operator.
    - iv. the EHO have commented that it is unclear whether the sandstone is a “commercially saleable material”, this may be an important factor in determining the above and that it is also unclear as to the anticipated timescale for the removal of this material and therefore the length of time the increase sound limit will apply for.
    - v. if the removal of the sandstone overburden is to continue for a notable period of time, this may be a consideration with regards to determining any unreasonable burden. In considering this aspect, it is worth noting that during background sound level measurements for this assessment, site noise was noted at Brown Bank Farm, Lightoaks Farm, dwellings on Sandy Lane. The increase from the existing site noise limits to 55 db LAeq, 1 hour for the sandstone overburden removal could be significant.
  - b) Air quality - the existing conditions of planning permission

(SM.11/07/110 M) relating to access and transportation and dust are applied and to require the submission of a scheme for monitoring of dust from the development

32. **Checkley Parish Council** - no response.
33. **Cheadle Parish Council** - no response.
34. **Alton Parish Council (adjoining PC)** - no response.
35. **Environment Agency (EA)** - no objections. The EA reviewed the application in relation to 'Controlled Waters' and noted that the reports recognise the advice in the NPPF regarding the protection of water quality and the need to promote the sustainable management of water resources. The information submitted specifically seeks to identify and assess any potential risks to and from the proposed development on the water environment by ensuring that there is no pollution of groundwater or surface water resources and a safe management of water resources.
36. The EA also commented that the Hydrological and Hydrogeological Impact Assessment (HHIA) report makes valid, substantiated points about the various reasons the north-eastern quarry extension will not lead to impacts to either groundwater or surface water levels and/or quality.
37. The EA believe that there are no over-riding hydrogeological or hydrological reasons why the planned north-eastern quarry extension should not progress as described in the supporting documents to this application. However, this is based on the presumption that all recommendations set out (including in the EMS) are adhered to and also imposed by the Mineral Planning Authority. The EA strongly advise that, if granted, the planning permission should include the same environmental protection planning conditions as included within the original permission.
38. **Natural England (NE)** were unable to provide a bespoke response and referred to comments made in relation to the 2022 permission.
39. NE previously had no objection and commented that they consider that the proposed development would not have significant adverse impacts on designated sites. NE also commented in relation to soils, land quality and remediation. NE confirmed that they are satisfied that the site working and reclamation proposals provided in support of the application meet the requirements for sustainable minerals development set out in the [National Planning Policy Framework \(NPPF\)](#) and current Minerals Planning Practice Guidance. NE general advice on the agricultural aspects of site working and reclamation; soil handling; consideration of protected species; and other natural environment issues have been included in the recommended informative (see Informative 4).

40. **Historic England** – no comments and recommend the views of the Council’s specialist conservation and archaeological advisers are sought.
41. **Severn Trent Water** - no response.
42. **Ramblers Association** – commented that Footpath Cheadle 7 would be affected, and measures must be in place, to make this path safe for the public to use [Note: sections of Checkley 65 and Checkley 40 are located within the existing quarry and a section of Checkley 65 is within the extension area)].
43. **Forestry Commission** – provided guidance concerning Ancient Woodland.
44. **Cadent Gas Limited** – confirmed the existing medium and low-pressure asset in the vicinity of the Site (see Informative 5).
45. **Western Power Distribution** - a plan is provided showing existing Western Power Distribution (WPD) Electricity / WPD Surf Telecom apparatus in the vicinity of the Site. Advice is also provided on work taking place in the vicinity of WPD plant (see Informative 6).

## **Publicity and Representations**

46. Site notice: YES      Press notice: YES
47. 52 neighbour notification letters were sent out and 1 representation has been received. The concerns raised in the representation are summarised below:
  - Loss of habitat (woodland, wetland and meadow).
  - Noise pollution.
  - Dust and air pollution.
  - Light pollution.
  - Dangerous proposal regarding Public Right of Way adjustment.
  - Lack of consideration to the loss of amenity to local residents.
  - Safety concerns regarding 60 mph B5032 and associated distractions.

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

48. 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.'

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

## **Observations**

50. 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:
- Mineral planning policy and other material planning considerations
  - Mineral Local Plan development considerations
  - Other matters raised by consultees and in the representation
  - The need to review and update the planning conditions
  - The Need for a Legal Agreement

## **Mineral planning policy and other material planning considerations**

51. 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.'
52. 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 2 (Croxden North) in appendix 1 to the MLP [appendices](#)).

53. 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.'

54. 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.'

55. Commentary: As explained in the Introduction earlier, the 2022 permission requires the site to cease mineral extraction by 30 November 2023. The northern extension area is land that has been allocated in the MLP as shown on Inset Plan 2 of [Appendix 1 to the MLP](#).

56. 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 ([Local Aggregate Assessment 2022](#)), 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).

57. 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 next 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.

58. 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 allocated in the MLP.

### **Mineral Local Plan development considerations**

59. 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.'

60. 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.'

61. 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. A table submitted with the application lists the [Development Considerations](#) and the sections of the Environmental Statement where each point are addressed (see [Appendix 2](#) for a summary of the findings of the ES).

62. The table below summarises how these considerations have been addressed by the applicant and also considered by consultees.

<b>Development considerations for the Croxden (North) allocation</b>	<b>Addressed in the application / Environmental Statement (ES) by:</b>
Need to ensure that working does not open up unacceptable views of the operational area of the quarry from sensitive receptors	<p><b>Applicant</b></p> <ul style="list-style-type: none"> <li>• A Landscape and Visual Impact Assessment (LVIA) has been prepared. Chapter 7 of the LVIA provides an assessment of the impact of the proposed development on nearby landscape designations, on the landscape character and identified sensitive visual receptors. These receptors include nearby Public Rights of Way, residential dwellings and farms.</li> <li>• The LVIA concludes that the proposed extension would be in accordance with guidance and relevant policies and that no significant cumulative landscape or visual effect would result from the proposals in combination with either existing or proposed developments.</li> </ul> <p><b>Consultees</b></p> <ul style="list-style-type: none"> <li>• No objections have been raised by the County Council's Environmental Advice</li> </ul>

	<p>Team subject to conditions including the submission of a comprehensive and detailed restoration and aftercare scheme.</p>
<p>There is a Grade II heritage asset to the north of the proposed allocation. Developers will need to ensure that it is protected and conserved, together with its setting.</p>	<p><b>Applicant</b></p> <ul style="list-style-type: none"> <li>• Counslow Lodge is a Grade II listed asset to the northwest of the site. The impact on this listed building has been considered in several chapter of the ES (Archaeology and Cultural Heritage, Dust and Air Quality Impact Assessment and in the LVIA).</li> </ul> <p><b>Consultees</b></p> <ul style="list-style-type: none"> <li>• No objections have been raised by the County Council’s Environmental Advice Team regarding the impact on the listed building.</li> <li>• Historic England had no comments to make and recommend the views of the Council’s specialist conservation and archaeological advisers are sought.</li> <li>• Staffordshire Moorlands District Council did not respond to the consultation.</li> </ul>
<p>Restoration should involve a sensitive approach to design, and integration with entire quarry area.</p>	<p><b>Applicant</b></p> <ul style="list-style-type: none"> <li>• Concept Restoration Plan Revision B</li> <li>• Consideration of the impacts/benefits of the restoration proposals were included within the LVIA and the Ecological Impact Assessment (EcIA). Creation of the Restoration Scheme was an iterative process guided by the findings within the reports and their associated surveys building on the currently consented scheme for the wider Quarry. This is outlined in paragraph 5.7.5 of the ES.</li> </ul> <p><b>Consultees</b></p> <ul style="list-style-type: none"> <li>• No objections have been raised by the County Council’s Environmental Advice Team subject to a number of conditions including the submission of a comprehensive and detailed restoration and aftercare scheme.</li> </ul>
<p>Should ensure that new woodland and other BAP priority habitats such as heathland and acidic grassland with enhanced connectivity are established to mitigate and/ or compensate for loss of the large area of</p>	<p><b>Applicant</b></p> <ul style="list-style-type: none"> <li>• This matter was addressed in the Ecology Impact Assessment and elsewhere in the ES at paragraphs 7.3.11-7.3.15 &amp; 7.4.6.</li> <li>• The Concept Restoration Plan shows the extension area as part of the wider restoration plan for the quarry</li> </ul> <p><b>Consultees</b></p>

<p>BAP priority woodland.</p>	<ul style="list-style-type: none"> <li>• Environmental Advice Team have accepted that the proposed revisions to add grassland to the restoration concept would off-set the loss of the habitats and achieve an overall net gain of 10%.</li> <li>• The Environmental Advice Team have therefore raised no objections subject to a several conditions including a requirement to monitor the habitat creation over a 10 year period.</li> </ul>
<p>The site is affected by a ground water protection zone.</p>	<p><b>Applicant:</b></p> <ul style="list-style-type: none"> <li>• A Hydrological &amp; Hydrogeological Impact Assessment was prepared and submitted as part of the application.</li> <li>• The assessment concluded that there are no over-riding hydrogeological or hydrological reasons why the planned development should not proceed in the manner described in the application.</li> </ul> <p><b>Consultees</b></p> <ul style="list-style-type: none"> <li>• No objections have been raised by the County Council’s Flood Risk Management Team subject to a condition to require mineral extraction and restoration to be carried out in accordance with the Flood Risk Assessment and the Hydrological &amp; Hydrogeological Impact Assessment, and the Concept Restoration Plan.</li> <li>• No objection from the Environment Agency who commented that there are no over-riding hydrogeological or hydrological reasons why the planned north-eastern quarry extension should not progress, subject to the same environmental protection planning conditions as included within the original planning permission being applied here. The EA also recommend a condition to require the submission of an Environmental Management Scheme in accordance with the recommendations of the Hydrological &amp; Hydrogeological Impact Assessment.</li> </ul>

63. 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 Croxden North allocation in the MLP, subject to the recommended conditions and terms for the Section 106 Legal Agreement referred to below.

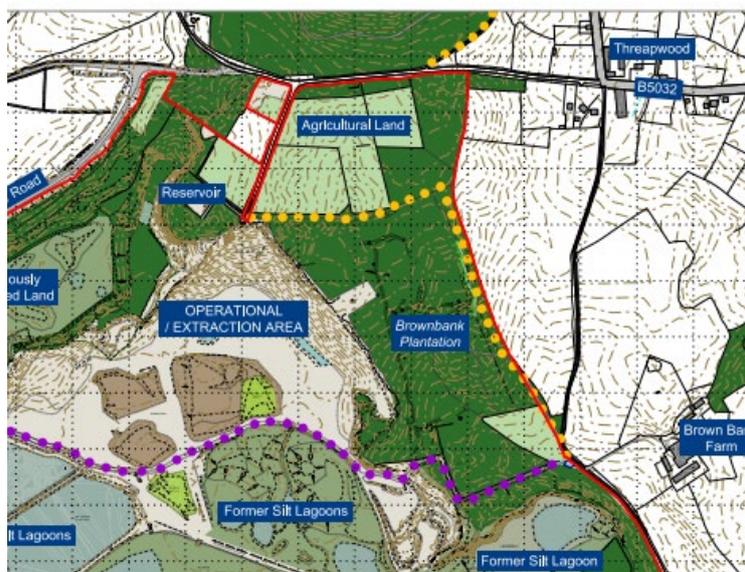
## **Other matters raised by consultees and in the representation**

Loss of habitat – visual impact and ecology

64. The representation raised concerns in relation to loss of woodland, wetland and meadow habitat and the impact on ecology and the County Council's Environmental Advice Team (EAT) commented on the restoration scheme and biodiversity net gain.
65. Paragraph 174 of the NPPF states that decisions should contribute to and enhance the natural and local environment by:
  - '(a) protecting and enhancing valued landscapes, sites of biodiversity or geological value and soils (in a manner commensurate with their statutory status or identified quality in the development plan).
  - (b) recognising the intrinsic character and beauty of the countryside, and the wider benefits from natural capital and ecosystem services – including the economic and other benefits of the best and most versatile agricultural land, and of trees and woodland.
  - (d) minimising impacts on and providing net gains for biodiversity, including by establishing coherent ecological networks that are more resilient to current and future pressures'
66. Policy 4.1 of the MLP requires consideration to be given to the impact of proposal for mineral development on people, local communities and the environment. The environmental considerations that should be taken into account include:
  - 'c) Visual amenity....
  - h) The countryside;
  - i) Landscape....
  - j) Natural environment....'
67. Planning Practice Guidance states that planning authorities need to consider the potential impacts of development on protected and priority species, and the scope to avoid or mitigate any impacts when considering site allocations or planning applications ([Natural environment, Biodiversity, geodiversity and ecosystems](#) (paragraph: 016 Reference ID: 8-016-20190721)).
68. 'Biodiversity Net Gain' (BNG) is a new requirement set out in the [Environment Act 2021](#). When this comes into law it will require all planning permissions granted (with a few exemptions) to deliver a minimum 10% gain calculated using a biodiversity metric, the approval of

a net gain plan and habitats to be secured for at least 30 years (via obligations / conservation covenants). The changes to bring BNG into effect for England will require amendments to the Town & Country Planning Act 1990 and are likely to become law in November 2023.

69. Commentary: A Landscape and Visual Impact Assessment and Ecological Impact Assessment have been submitted as part of the ES. The assessments conclude that the proposed development would not result in significant adverse landscape or visual effects and that the impact on nature conservation / ecology would be not significant, subject to the recommended mitigation measures to protected individual species including badgers, bats, reptiles, amphibians, birds, invertebrates, other mammals, and other protected species.
70. A plan accompanying the application shows the current situation for the site including the extension area. The extension area currently contains agricultural land with mixed woodland along the northern and eastern boundaries.



Extract of the current situation plan showing the extension area.

71. The applicant has indicated that the site would be screened from the Ashbourne Road; the tree belt along the northern boundary would be retained. This would maintain landscape and ecological connectivity and localised screening. A new hedgerow is also to be established along the western, northern and eastern boundaries.
72. The applicant has now submitted a revised Concept Restoration plan and an updated Biodiversity Net Gain 'Defra v3 metric' ('the BNG metric') to address comments from the County Council's Environmental Advice Team.
73. The County Council's Environmental Advice Team has confirmed that the

restoration of the site would create large areas of habitats including species rich acid grassland and broad-leaved woodland which are intended to qualify as priority habitat and these habitats would be suitable for nesting birds, foraging bats, foraging badgers, reptiles, invertebrates and amphibians. The County Council's Environmental Advice Team has confirmed that the updated metric, which now includes habitat creation on fields agreed for restoration to grassland on the existing quarry site, does provide sufficient 'off-site' compensation for the loss of habitat within the extension site.

74. Overall, the County Council's Environmental Advice Team has raised no objections subject to several conditions referred to earlier, including the need for a comprehensive and detailed Restoration and Aftercare Scheme for the whole site and habitat monitoring.
75. Conclusion: Having regard to the site-specific development plan policies referred to above, it is reasonable to conclude that subject to the conditions recommended below, the proposed development would not give rise to any materially harmful impacts in terms of biodiversity, landscape or visual amenity.

#### Noise

76. The representation raised concerns in relation to noise generated at the quarry.
77. The NPPF states that when determining planning applications, great weight should be given to the benefits of mineral extraction, including to the economy and when considering proposals for mineral extraction, and minerals planning authorities should:
  - ensure that any unavoidable noise, dust and particle emissions and any blasting vibrations are controlled, mitigated or removed at source, and establish appropriate noise limits for extraction in proximity to noise sensitive properties (paragraph 211 (c));
78. Policy 4.1 of the MLP requires consideration to be given to the impact of proposal for mineral development on people, local communities and the environment and that environmental considerations should be taken into account including 'Noise' (Policy 4.1 (a))
79. Planning Practice Guidance states that for mineral proposals, a noise impact assessment carried out, which should identify all sources of noise and, for each source, take account of the noise emission, its characteristics, the proposed operating locations, procedures, schedules and duration of work for the life of the operation, and its likely impact on the surrounding neighbourhood.
80. The Planning Practice Guidance also states that

'Mineral planning authorities should take account of the prevailing acoustic environment and in doing so consider whether or not noise from the proposed operations would:

- give rise to a significant adverse effect;
- give rise to an adverse effect; and
- enable a good standard of amenity to be achieved'.

([Minerals, Assessing-environmental-impacts-from-minerals-extraction](#); Noise emissions (Paragraph: 019 Reference ID: 27-019-20140306 and Paragraph: 020 Reference ID: 27-020-20140306)).

81. Planning Practice Guidance includes the following noise standards for mineral operators for normal operations and for noisy short-term activities (e.g. soil-stripping, the construction and removal of baffle mounds, soil storage mounds and spoil heaps, construction of new permanent landforms and aspects of site road construction and maintenance):

#### Noise standards for normal operations

'Mineral planning authorities should aim to establish a noise limit, through a planning condition, at the noise-sensitive property that does not exceed the background noise level (LA<sub>90,1h</sub>) by more than 10dB(A) during normal working hours (0700-1900). Where it will be difficult not to exceed the background level by more than 10dB(A) without imposing unreasonable burdens on the mineral operator, the limit set should be as near that level as practicable. In any event, the total noise from the operations should not exceed 55dB(A) LA<sub>eq, 1h</sub> (free field). For operations during the evening (1900-2200) the noise limits should not exceed the background noise level (LA<sub>90,1h</sub>) by more than 10dB(A) and should not exceed 55dB(A) LA<sub>eq, 1h</sub> (free field). For any operations during the period 22.00 – 07.00 noise limits should be set to reduce to a minimum any adverse impacts, without imposing unreasonable burdens on the mineral operator. In any event the noise limit should not exceed 42dB(A) LA<sub>eq,1h</sub> (free field) at a noise sensitive property.'

([Minerals, Assessing-environmental-impacts-from-minerals-extraction; Noise emissions](#) (Paragraph: 021 Reference ID: 27-021-20140306)).

#### Noisy short-term activities

'Increased temporary daytime noise limits of up to 70dB(A) LA<sub>eq 1h</sub> (free field) for periods of up to 8 weeks in a year at specified noise-sensitive properties should be considered to facilitate essential site

preparation and restoration work and construction of baffle mounds where it is clear that this will bring longer-term environmental benefits to the site or its environs.

Where work is likely to take longer than 8 weeks, a lower limit over a longer period should be considered. In some wholly exceptional cases, where there is no viable alternative, a higher limit for a very limited period may be appropriate in order to attain the environmental benefits. Within this framework, the 70 dB(A) LAeq 1h (free field) limit referred to above should be regarded as the normal maximum.'

([Minerals, Assessing-environmental-impacts-from-minerals-extraction; Noise emissions](#) (Paragraph: 022 Reference ID: 27-022-20140306)).

82. Commentary: A noise assessment was submitted as part of the ES which accompanied the application. The assessment concluded that the mitigation measures would ensure that the impacts from noise would be acceptable.
83. The 2022 permission includes conditions 30 to 37 which provides a range of measures to limit and monitor noise levels.
84. The County Council's Noise Engineer and Staffordshire Moorlands District Council Environmental Health Officer have no objections on noise grounds, subject to the existing noise conditions being retained and an additional condition being imposed to set a temporary noise limit of 55 dB during the period when the sandstone overburden is being removed.
85. Conclusion: Having regard to the site-specific development plan policies and guidance referred to above, it is reasonable to conclude that subject to the conditions recommended above, the proposed development would not give rise to any materially harmful impacts in terms of noise.

#### Dust and Air Pollution

86. The representation has raised concerns in relation to dust and air pollution caused by the quarry.
87. Paragraph 211 of the NPPF referred to above is also relevant in relation to dust and air pollution.
88. Policy 4.1 of the MLP requires consideration to be given to the impact of proposal for mineral development on people, local communities and the environment and that environmental considerations should be taken into account including 'Air Quality' (Policy 4.1 (b)).
89. Planning Practice Guidance indicates that where dust emissions are likely to arise, mineral operators are expected to prepare a dust assessment

study, which should be undertaken by a competent person/organisation with acknowledged experience of undertaking this type of work ([Minerals, Assessing-environmental-impacts-from-minerals-extraction; How should mineral operators seek to minimise dust emissions?](#) (Paragraph: 023 Reference ID: 27-023-20140306))

90. Commentary: A Dust & Air Quality Impact Assessment has been submitted which concludes that the existing mitigation measures, which would be applied to the extension area, would ensure that the air quality impacts are acceptable.
91. The mitigation measures detailed in the assessment include the adoption of best practicable means to ensure dust and fumes from the site are effectively suppressed, mobile plant should be regularly serviced and equipped with effective exhausts to prevent fume emissions, the haul roads should be adequately maintained, the use of a water bowser during dry conditions on the access road and any other trafficked areas, vehicle speed control along the access road and other trafficked areas, and the use of a road sweeper.
92. The 2022 permission includes a condition which requires a range of measures to be carried out to control dust.
93. The Staffordshire Moorlands EHO has indicated that the existing condition of planning permission relating to dust should be applied and a dust monitoring scheme condition should be required added.
94. Conclusion: Having regard to the site-specific development plan policies and guidance referred to above, it is reasonable to conclude that subject to the conditions recommended above, the proposed development would not give rise to any materially harmful impacts in terms of dust.

#### Light Pollution

95. The representation has raised concerns in relation to light pollution from the quarry.
96. Paragraph 185 of the NPPF states that:

`...decisions should also ensure that new development is appropriate for its location taking into account the likely effects (including cumulative effects) of pollution on health, living conditions and the natural environment, as well as the potential sensitivity of the site or the wider area to impacts that could arise from the development. In doing so they should:

  - (c) limit the impact of light pollution from artificial light on local amenity, intrinsically dark landscapes and nature conservation`.
97. Policy 4.1 of the MLP requires consideration to be given to the impact of

proposal for mineral development on people, local communities and the environment and that environmental considerations should be taken into account including 'Visual amenity, including the effects of light pollution (Policy 4.1 (c)).

98. Planning Practice Guidance states that 'artificial lighting needs to be considered when a development may increase levels of lighting, or would be sensitive to prevailing levels of artificial lighting' ([Light pollution, What light pollution considerations does planning need to address?](#) (paragraph 001 Reference ID: 31-001-20191101)).
99. Commentary: The applicant has responded that the main requirement for lighting is within the existing plant site to maintain operational safety and within extraction areas lighting is limited to the lighting on mobile plant or on quarry vehicles.
100. The applicant has also explained that the operational hours would in accordance with the 2022 permission and that operations at the quarry face or in extraction areas would typically finish earlier than the main plant/processing areas to allow for shut down and the return of plant and personnel before the quarry closes.
101. There are differing hours depending on the type of operations taking place with the quarry as set out in condition 8 of the 2022 permission. For example, working or restoration operations should only be carried out between 0700 and 1900 Monday to Friday and 0700 and 1300 on Saturdays, with no operations on Sundays, Bank or Public Holidays. Therefore, it is considered reasonable and necessary to recommend a condition to remind the operator to control external lighting to minimise light pollution.
102. Conclusion: Having regard to the site-specific development plan policies and guidance referred to above, it is reasonable to conclude that subject to the condition recommended above, the proposed development would not give rise to any materially harmful impacts in terms of light pollution.

#### Right of Way

103. The representation has raised concerns in relation the proposal to diversion of the Public Right of Way (Bridleway Checkley 65), at the point where the diverted right of way ceases on the Ashbourne Road (B5032) (opposite another right of way (Cheadle 14)) due to the speed of traffic on the road
104. Paragraph 100 of the NPPF states that planning decisions should protect and enhance public rights of way and access, including taking opportunities to provide better facilities for users, for example by adding links to existing rights of way networks including National Trails.

105. Policy 4.1 of the MLP requires consideration to be given to the impact of proposal for mineral development on people, local communities and the environment and that environmental considerations should be taken into account including 'Public rights of way...' (Policy 4.1 (f))
106. Planning Practice Guidance states that public rights of way form an important component of sustainable transport links and should be protected or enhanced ([Open space, sports and recreation facilities, public rights of way and local green space](#), [Public rights of way and National Trails](#) (Paragraph 004 Reference ID: 37-004-20140306)).
107. Commentary: The applicant has explained that the extension would result in the permanent diversion in Public Right of Way Checkley 65 and considers that the diversion would improve connectivity of the wider rights of way network as the diverted route would exit the site opposite Checkley 14.
108. In response to the representation, the applicant has revised the route of the diverted path to include a section of right of way along the northern boundary of the site (along the Ashbourne Road (B5032) to the junction with Counslow Road (towards Hares Lane). The revised route is shown on the revised Concept Restoration and Public Rights of Way plans.
109. The County Council's Right of Way Team have no objections in principle to the diversion of Public Bridleway No 65 Checkley and have explained that the diversion would need to be subject to assessment on site, a formal application and public consultation. A condition is recommended below to require more details of the footpath diversion to be submitted for approval.
110. The applicant has also provided information concerning the relationship between the proposed right of way and the conveyor serving the northern extension area. The right of way would be fenced on both sides with gated access to allow for quarry vehicles to cross which when open become a gate/block to users of the right of way whilst vehicles cross. The conveyor would be situated within a tunnel that runs underneath the bridleway. A condition is recommended below to require more details of the design/layout arrangements to be submitted for approval.
111. Conclusion: Having regard to the site-specific development plan policies and guidance referred to above, it is reasonable to conclude that subject to the conditions recommended above, the proposed development would not give rise to any materially harmful impacts in terms of public rights of way.  
  
Highway Safety
112. The representation has raised concerns in relation to the use of the B5032 (Ashbourne Road).

113. The NPPF (Section 9: Promoting sustainable transport – paragraphs 108 and 109 explain that:

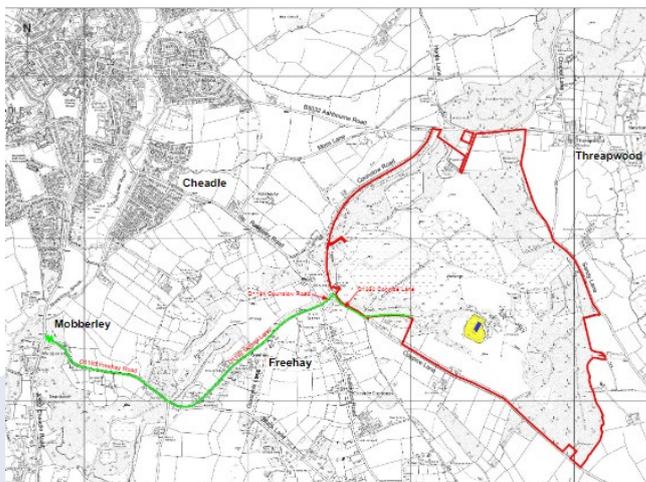
'108 In assessing sites that may be allocated for development in plans, or specific applications for development, it should be ensured that:

- a) appropriate opportunities to promote sustainable transport modes can be – or have been – taken up, given the type of development and its location;
- b) safe and suitable access to the site can be achieved for all users; and
- c) any significant impacts from the development on the transport network (in terms of capacity and congestion), or on highway safety, can be cost effectively mitigated to an acceptable degree.

109. Development should only be prevented or refused on highways grounds if there would be an unacceptable impact on highway safety, or the residual cumulative impacts on the road network would be severe.'

114. Policy 4.1 of the MLP requires consideration to be given to the impact of proposal for mineral development on people, local communities and the environment and that environmental considerations should be taken into account including 'Traffic on the highway network' (Policy 4.1 (e))

115. Commentary: The applicant has explained that the existing transport arrangements would continue including the use of the approved route (shown in green below) (and see 'The Need for a Legal Agreement' section below).



The approved HCV routes taken from the legal agreement

116. The 2022 permission includes a number highway or traffic related conditions, and the Section 106 Legal Agreement specifies the routes that should be used.
117. The Highways Development Control Team have no objection subject to inclusion of the 2022 permission highway or traffic related conditions and continuation of the lorry routing specified in the legal agreement.
118. Conclusion: Having regard to the site-specific development plan policies and guidance referred to above, it is reasonable to conclude that subject to the conditions and routing in the legal agreement recommended above, the proposed development would not give rise to any materially harmful impacts in terms highways safety.

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

119. The NPPF ([Section 4](#), paragraph 55) states that local planning authorities should consider whether otherwise unacceptable development could be made acceptable through conditions. Paragraph 56 of the NPPF explains that:

‘Planning conditions should be kept to a minimum and only imposed where they are necessary, relevant to planning and to the development to be permitted, enforceable, precise and reasonable in all other respects.....’.
120. Strategic Objective 4 and Policy 4.5 in the [Mineral Local Plan for Staffordshire \(MLP\)](#) seek to ensure that mineral sites operate to high environmental standards and paragraph 6.11 in the MLP states that Mineral Developers will be expected to demonstrate how they will operate to high environmental standards, for example by: reporting on progress and reviewing working, restoration and aftercare schemes.
121. Strategic Objective 4 and Policies 6.2 and 6.3 in the MLP also explain the importance of regularly reviewing restoration plans / strategies so that new opportunities to enhance the restoration and aftercare can be maximised.
122. The Planning Practice Guidance advises that:

‘When used properly, conditions can enhance the quality of development and enable development to proceed where it would otherwise have been necessary to refuse planning permission, by mitigating the adverse effects’. ([Planning Practice Guidance, Use of planning conditions, Why and how are conditions imposed?](#), paragraph: 001).
123. Commentary: The applicant has confirmed a willingness to accept the latest conditions from the 2022 permission.

124. Having regard to the above objectives, policies and guidance, it is considered that most of the conditions included in the 2022 permission are still reasonable, necessary and up to date subject to minor modifications. For example, to refer to the latest approved plans and documents submitted with the application. However, as mentioned earlier, there is also a need to add new conditions to address the matters raised by the Noise Engineer and EAT.
125. In this case, having regard to the proposed mineral extraction cessation date (10 years from commencement) it is now reasonable to require a further review of working and restoration after 5 years.
126. Conclusion: Having regard to the objectives, policies, guidance and consultee comments referred to above, it is reasonable to conclude that it is necessary to recommend several updates to existing conditions and to add new conditions to minimise the impact of mineral development and to ensure the quarry continues to operate to high environmental standards as well as achieve high quality restoration.

### **The Need for a Legal Agreement**

127. Paragraph 55 in the NPPF also explains that planning obligations may be used to make otherwise unacceptable development acceptable. Paragraph 57 states that planning obligations should only be sought where they meet all of the following tests:
  - necessary to make the development acceptable in planning terms.
  - directly related to the development; and,
  - fairly and reasonably related in scale and kind to the development.
128. These are also legal tests by virtue of the Community Infrastructure Levy Regulations 2010 ([Part 11](#)) (Note the Community Infrastructure Levy Regulations have been amended, the latest came into force on [1 September 2019](#)). 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). In this case, Staffordshire Moorlands District do not currently have an adopted CIL.
129. Chapter 8 of the [Mineral Local Plan for Staffordshire](#) (Implementation and Monitoring of the Plan) and Appendix 7 (B) provides guidance on the ways the Mineral Planning Authority will implement the objectives and policies of the Mineral Local Plan including negotiating legal agreements or modifications to existing legal agreements. Appendix 7 (B) states that planning obligations should only be used where it is not possible to address unacceptable impacts through a planning condition.
130. Commentary: As indicated in the 'Relevant Planning History' section

earlier, a [Section 106 Legal Agreement \(S106\)](#) (a supplemental deed to an earlier agreement) was signed on 21 April 2022 and it is necessary to consider whether or not the undertakings secured in the legal agreement still meet the tests referred to above and then decide if there is a need to modify/update the undertakings or to secure any additional undertakings as part of a new legal agreement.

131. In this case it is considered that there is a need to retain and update the existing undertaking. The undertaking and the reasons why they meet the tests are explained below:

- To retain the requirement to carry out the restoration and aftercare of the land (Schedule 2).

132. This undertaking would secure the existing requirement to carry out the restoration and aftercare of the land to high environmental standards and as such accords with the [Mineral Local Plan for Staffordshire](#) (Strategic Objective 4 and Policy 6) and the [NPPF](#) (section 17).

- To retain the requirement for a 'Biodiversity Enhancement and Habitat Connectivity Improvement Plan' (Schedule 3).

133. The existing S106 includes a requirement to submit a 'Biodiversity Enhancement and Habitat Connectivity Improvement Plan' within 18 months of the supplemental agreement (by 18 April 2024). The retention of this undertaking would ensure that appropriate habitat enhancement / creation is provided to offset the loss of habitat/newts and habitat enhancement/creation in accordance with the [Mineral Local Plan for Staffordshire](#) (Strategic Objective 4 and policy 6) and the [NPPF](#) (sections 15 and 17).

- To retain the requirement for an extended aftercare period and management plan (Schedule 4).

134. This undertaking requires an additional 5-year aftercare (10 years aftercare in total) and the submission of a management plan for the extended aftercare period. A plan has not yet been submitted. The retention of the existing undertaking would ensure the site is restored to a high quality in accordance with the [Mineral Local Plan for Staffordshire](#) (Strategic Objective 4 and policy 6) and the [NPPF](#) (sections 15 and 17).

[Note. the applicant provided information in relation to the 2022 permission concerning areas within the planning permission boundary, which are outside the area of mineral extraction (land to the west of Freehay Lane) or "unregistered land". These areas (shown in pink on Plan 2 Rev A of the S106) have been excluded from the extended aftercare requirement.]

- To retain the requirement that all the HCV traffic to and from the

quarry avoids Rakeway Road (shown on Plan 1 of the Legal Agreement) (Schedule 5).

135. It is considered reasonable and necessary to retain this undertaking to accord with the recommendations of the Highways Development Control Team, and to accord with the [Mineral Local Plan for Staffordshire](#) (Strategic Objective 3 and Policy 4) and the [NPPF](#) (Sections 9 and 17).

[Note: The existing S106 also includes reference to ancillary development planning permissions [SM.12/03/110 M](#) and [SM.12/04/110 M](#)].

- To retain the requirement that the operator responsible for the restoration of the site continues to be a member of the Mineral Products Association (MPA) (or equivalent) in order to provide the safeguard of the MPA's [Restoration Guarantee Fund](#), or as an alternative provides an equivalent financial guarantee to cover the costs of restoration and aftercare (Schedule 6).
136. The existing S106 includes an undertaking that the operator responsible for the restoration of the site continues to be a member of the Mineral Products Association (MPA) (or equivalent). The retention of this undertaking would ensure that there are financial provisions in place to fulfil the restoration and aftercare requirements for the site. The Mineral Product Association (MPA) Restoration Guarantee Fund has a limit of £1 million on any one project. This undertaking accords with the [Mineral Local Plan for Staffordshire](#) (Strategic Objective 3 and policy 6) and [NPPF](#) (sections 15 and 17). The applicant (Tarmac) is a [member](#) of the MPA.
137. Conclusion: Having regard to the policies and guidance referred to above, it is reasonable to conclude that the terms of the undertakings described above are necessary, relevant and fairly and reasonably related in scale and kind to the development and should continue to be secured as part of a S106 / Deed of Variation.

## **Overall Conclusion**

138. 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 representation 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**

**To permit** the proposed lateral (northern) extension to extract a further 4.65 million tonnes of sand and gravel and a consolidating application covering all mineral extraction operations at Croxden Quarry, Freehay Road, Cheadle subject to:

- 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,
- conditions including those listed below.

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

1. To retain the requirement to carry out the restoration and aftercare of the land.
2. To retain the requirement for a 'Biodiversity Enhancement and Habitat Connectivity Improvement Plan'.
3. To retain the requirement for an extended aftercare period and management plan.
4. To retain the requirement that all the HCV traffic to and from the quarry avoids Rakeway Road (shown on Plan 1 of the existing Legal Agreement).
5. To retain the requirement that the operator responsible for the restoration of the site continues to be a member of the Mineral Products Association (MPA) (or equivalent) in order to provide the safeguard of the MPA's [Restoration Guarantee Fund](#), or as an alternative provides an equivalent financial guarantee to cover the costs of restoration and aftercare.

**The conditions** to include:

### **Define the consent**

1. To define the consent with reference to the documents, plans and approvals.

### **Commencement and Cessation of the development**

2. To define the dates for the commencement of mineral working and final restoration.
3. To require notification of commencement and completion of working and restoration in each phase.

4. To define the expiry of the permission to be when the restoration and aftercare has been completed to the satisfaction of the Mineral Planning Authority in accordance with the latest approved Restoration and Aftercare Scheme.

### **Phasing and Site Layout**

5. To require the site to be operated in accordance with the approved phasing / site layout plan(s).
6. To require a progress report after 5 years on the mineral working of the quarry as a whole and if necessary, because of the report, to submit updates to the Phasing / Site Layout Plan(s) (also see 49 below regarding the progress report on the restoration and aftercare).

### **Management of the operations**

#### Hours of Operation

7. To limit the operating hours to the following:
  - a) working or restoration operations:
    - 0700 to 1900 Monday to Friday and
    - 0700 to 1300 on Saturdays.
  - b) mineral processing operations:
    - 0600 to 2100 Monday to Saturday.
  - c) No transportation of sand and gravel from the Site
    - 0600 to 2100 Monday to Saturday.
  - d) Servicing or maintenance of plant or machinery may be carried out at any time (except on a Bank or Public) (subject to the requirements of condition 34 below)
  - e) Temporary operations including construct or remove soil screening mounds
    - 0830 to 1730 Mondays to Fridays
    - 0830 to 1300 on Saturdays

No such operations / activities to take place on Sundays, Bank or Public Holidays, other than the servicing or maintenance of plant or machinery.

## **Development Restrictions**

8. To limit the use of the site to the uses hereby permitted and to restrict permitted development rights.

### Maintenance of site infrastructure

9. To require all buildings, structures, perimeter security fencing, gates and hard surfaces to be maintained in place and in good condition and fit for purpose.

## **Site Access-and Highway Safety**

10. To define the access to the quarry from the existing access off Coppice Lane.
11. To limit the number of HCV movements to:
  - 88 per full working day (176 two-way HCV movements)
  - 486 per full working week (972 two-way HCV movements).
12. To require the internal access road to be maintained in good condition and fit for purpose in accordance with manufacturer's recommendations and in accordance with the approved details (ref. SM.91/1355 D3 dated 15 September 1997).
13. To require the approved wheel cleaning facilities (ref. [SM.91/1355 D3](#) dated 15 September 1997) to be maintained in good condition, fit for purpose in accordance with manufacturer's recommendations and be available and used as necessary by all HCVs prior to leaving the site.
14. To require a sign indicating the haulage route onto the A522 to be erected and thereafter maintained in position until the Site has been restored.
15. To require that no vehicles leave the site in a condition whereby mud, dirt, dust or other deleterious material could be deposited on the public highway.
16. To require the submission of further details of public right of way diversions.

## **General Environmental Protection**

### Meteorological Monitoring Station

17. To require the use and maintenance of the approved meteorological monitoring station (ref. [SCC/22/0114/DA](#) dated 26 Oct 2022).

## Soil Management

18. To require stripping of topsoil, subsoil and soil-making materials to be carried out in accordance with the Environmental Statement (Chapter 9 - Soils and Agriculture Assessment) attached to planning permission SM.11/07/110 M, in accordance with the Institute of Quarrying Good Practice Guide for Handling Soils in Mineral Workings and as set out in Condition 20 of planning permission [SM.20/02/110 M](#).

## Landscaping / Nature Conservation

19. To require the submission of Landscape and Ecological Management Plan (LEMP) prior to the commencement in Phase 3. The LEMP to include details of:
  - a) an interpretation board to be provided to communicate information to the public on the works being carried out; and,
  - b) the hedgerow management of the established hedgerows adjacent to the highway (Ashbourne Road / B5032)
20. To require the submission of Environmental Management Plan prior to the commencement in Phase 3 in accordance with the recommendations in the Ecological Impact Assessment.
21. To require retained trees and woodland blocks to be protected in accordance with BS 5837: 2012 'Trees in relation to design, demolition and construction – Recommendations'.
22. To require the submission of an updated protected species surveys as necessary prior to commencement of Phase 3.
23. To require the submission of a strategy for the translocation of flora and amphibians.
24. To require that no stripping of vegetation or soils takes place within the site during the bird breeding season (March – August) unless preceded by a bird survey carried out by a suitably qualified person to confirm the presence or otherwise of breeding birds.

## Archaeology

25. To require the submission of a Written Scheme of Archaeological Investigation be submitted prior to the commencement in Phase 3.
26. To require the submission of a Final Report of the Archaeological Investigations for the site for the written approval of the Mineral Planning Authority.

27. To require that access at all reasonable times is given to archaeologists nominated by the Mineral Planning Authority for the purposes of observing and monitoring the working operations within the site to record items of interest and finds.

#### Dust

28. To require dust management to be carried out in accordance with the Environmental Statement and the mitigation measures set out in Section 12.6 of Chapter 12 (Dust and Air Quality Assessment) attached to planning permission SM.11/07/110 M dated 19 August 2014 and the measures set out in Condition 29 of planning permission [SM.20/02/110 M](#).

#### Noise

29. To limit site attributable noise during the operating hours when measured at any noise sensitive properties set out in condition 30 of planning permission [SM.20/02/110 M](#).
30. To limit site attributable noise during the removal of the upper three metre sandstone layer to 55 dB LAeq (1 hour) during the operating hours when measured at any noise sensitive properties.
31. To require an update to the approved Noise Monitoring Scheme (ref. [SM.91/1355 D6](#) dated 18 October 1999) to take account of the extension and operations referred to in condition 30 above.
32. To require noise management to continue to be carried out in general accordance with the measures described in Environmental Statement (Section 11.5 of Chapter 11 (Noise Assessment)).
33. To require best practicable means to be employed to minimise the noise generated by the operations/activities.
34. To require the maintenance and running repairs of any plant or machinery to take place within the working area or within the confines of the fixed buildings and structures, except in the case of an emergency.
35. To require all vehicles and plant employed within the site to be fitted with effective silencers.
36. To require all vehicles and plant employed within the site to be fitted with appropriate reversing systems
37. To specify that there should be no sounding of horns of the HGVs other than in the case of an emergency.

38. To require that all plant engine covers are closed whilst the plant is in operation except when undertaking maintenance and repair work.

#### Water

39. To require the monitoring of the natural winter water table to continue to be carried out in accordance with the approved Groundwater Monitoring Scheme (ref. [SM.91/1355 D12](#) dated 14 July 2003).
40. To require that no excavations take place within 3 metres of the natural winter water table as defined by the piezometer readings submitted in accordance with the Groundwater Monitoring Scheme.
41. To require that no facilities for the storage of oils, fuels or chemicals are sited other than on impervious bases and surrounded by impervious bund walls (see Informative 3).
42. To require that no contaminated surface water shall be allowed to drain into a soakaway.
43. To require the restoration to be carried out using clean on-site material only.
44. To require the development to be carried out in accordance with the Flood Risk Assessment dated December 2021.
45. To require the development to be carried out in accordance with the measures stated in the Hydrological & Hydrogeological Impact Assessment dated December 2021, including the provision of an Environmental Management Scheme.

#### Lighting

46. To require external lighting to be positioned in such a way that it minimises light pollution.

#### **Restoration and Aftercare**

47. To require the quarry as a whole to be progressively restored to the required standard for nature conservation, commercial forestry, conservation grazing land, woodland and heathland in accordance with the Concept Restoration Revision B.
48. To require a comprehensive and detailed Restoration and Aftercare Scheme for the quarry as a whole to be submitted for approval within 12 months of the date of the permission. The scheme should include details of how the habitats would be monitored against a series of monitoring

plans over a 10-year period [Note: the legal agreement has an undertaking to carry out an additional 5-years aftercare].

49. To require a progress report after 5 years on the restoration and aftercare of the quarry as a whole, including a review of the restoration concept. If necessary, because of the report and review, to submit a revised Restoration Concept Plan and revised detailed Restoration and Aftercare Scheme (also see 7 above regarding the report on the progress of the mineral working).

### **Record Keeping**

50. To keep and make the following records available to the MPA on request:
  - a) The daily operating dates and times of the quarry
  - b) The date and times of any emergency operations
  - c) The date and times of any temporary operations.
  - d) The HCV movements in and out of the site per day
  - e) The results of ecological surveys
  - f) The results of archaeological investigations
  - g) Dust management/mitigation measures carried out
  - h) Noise monitoring data
  - i) Groundwater monitoring data
  - j) Any complaints received, and the steps taken to investigate and address them.

### **Liaison Committee**

51. To require the existing liaison committee meetings to continue and to require a scheme setting out the general meeting arrangements and terms of reference to be submitted for approval [see Informative 8].

### **INFORMATIVES to include the following:**

1. To ensure that the terms of the planning permission are made known to the site operators.
2. To advise the applicant of the County Council's Environmental Advice Team comments that planning permission does not construe the right to divert, extinguish or obstruct any part of the public path. The applicant should contact the County Council's [Right of Way Team](#) concerning the diversion of the 'Checkley 65' the reinstatement of Muddale Lane and the provision of additional public access.
3. The Environment Agency advice regarding procedures, training and equipment that should be provided for the site to adequately control and respond to any emergencies including the clean-up of spillages.

4. Natural England's general advice detailed in [Annex A of the letter dated 30 July 2020](#) should be considered concerning protected species and other natural environment issues.
5. Cadent Gas Limited advice about the existence of their medium and low-pressure asset located in the vicinity of the Site
6. Western Power Distribution - Electricity / Surf Telecom advice about their apparatus is located adjacent to the proposal and their safe working practices guidance.
7. To ensure that soil handling and storage should take into account the [Institute of Quarrying Good Practice Guide for Handling Soils in Mineral Workings](#) or the latest equivalent best practice advice.
8. To advise on the general arrangements and terms of reference for liaison committees.
9. A reminder about the undertakings in the Section 106 Legal Agreement.

Case Officer: David Bray  
tel: (01785) 27727273.  
email: [david.bray@staffordshire.gov.uk](mailto:david.bray@staffordshire.gov.uk)

The list of background papers for this report is available on request by email sent to [planning@staffordshire.gov.uk](mailto:planning@staffordshire.gov.uk).

## Appendix 1 Relevant Planning History

[SM.91/1355](#) dated 9 October 1996 – Extension of sand and gravel quarry with progressive restoration of land. A Section 106 Legal Agreement was signed on 3 October 1996.

[SM.11/07/110 M](#) dated 19 August 2014 - Application to vary Condition 4 of the extant planning consent, [SM.91/1355](#), to allow for a 10-year extension of time at Croxden Quarry. This enables the remaining 7.1 million tonnes (m/t) of permitted sand and gravel reserves from approximately 34 hectares (ha) of land to be fully worked, securing the viability of the quarry up to 2023. Also, the associated [Section 106 Legal Agreement](#) dated 18 August 2014. The schedules of the legal agreement relate to: General Obligations; Restoration and Aftercare; Management Plan for Pond 9; Extended Aftercare; Routing of Traffic; Transfer of the Land; and Highway Works.

[SM.12/03/110 M](#) dated 19 August 2014 - Variation of Condition 3 of planning consent SM.03/32/110 M to extend the end date of the sand products plant at Croxden Quarry until 30 November 2023.

[SM.12/04/110 M](#) dated 19 August 2014 - Variation of Condition 2 of planning permission SM.99/0954 to extend the end date of the bagging plant and storage shed until 30 November 2023.

[SM.20/02/110 M](#) in dated 25 April 2022 - Application to allow for the additional release of 1.5 million tonnes of sand and gravel reserve and a revised Restoration Masterplan, compiled to allow a new consolidated planning permission (superseding planning permission SM.11/07/110 M). Also, the associated [Section 106 Legal Agreement](#) dated 21 April. The schedules of the legal agreement relate to: General Obligations; Restoration and Aftercare; Biodiversity Enhancement and Habitat Connectivity Improvement Plan; Extended Aftercare; Routing of Traffic; Transfer of the Land; and Restoration Guarantee Fund.

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

## **Appendix 2 - Summary of the Findings of the Environmental Statement (ES) (and the environmental information subsequently received)**

### 1 - Introduction and Background to Proposal

This section of the Environmental Statement (ES) introduces the application, the applicant and the relevant planning and site history.

### 2 -Site Location

This section describes the location, the site and surroundings, including the site access and the extension area.

### 3 - Development Proposals

This section describes the mineral reserves and the geology. This section also provides a summary of the proposed phased working (Phases 1 to 6) and progressive restoration of the quarry, the aftercare, the transport arrangements (including the use of the approved HGV Route), rights of way (diversion of Checkley 65), the operating hours (as per the existing permission) and the employment.

### 4 - Environmental Impact Assessment

This section provides the background to the Environmental Impact Assessment, details the Scoping Opinion undertaken, sets out the topics and format of the ES report. This section also details the consultation undertaken prior to the submission of the application (Statement of Community Involvement) and the Main Environmental Considerations covered in the ES.

## 5 – Alternatives

This section outlines the main alternatives considered by the applicant including 'Do Nothing' and alternative sources of sand and gravel in Staffordshire (alternative locations) and at Croxden Quarry (an area not allocated in the Local Plan), alternatives to sand and gravel (the use of Recycled Aggregates and Secondary Aggregates), alternative designs for the extension (considering the phasing, extent of extraction, access to the area and mitigation required) alternative means of transport and extraction.

## 6 - Landscape and Visual Considerations

This section refers to the policy context (the National Planning Policy Framework, the Minerals Local Plan for Staffordshire, and the Staffordshire Moorlands Local Plan), the Methodology and Scope of the Landscape and Visual Impact Assessment (Appendix A). This section then considers the potential impacts, the potential mitigation and enhancement measures and the visual effects post mitigation. This section concludes that no significant cumulative landscape or visual effect would result from the proposals in combination with either existing or proposed developments.

## 7 - Nature Conservation and Ecology

This section starts by referring to the policy context, then considers the baseline conditions and studies including an Ecological Impact Assessment (Appendix B) and the potential impact and mitigation. This section provides a conclusion and details the enhancements, it concludes the mitigation measures proposed are highly likely to succeed, the mitigation measures may need to be secured by conditions and a Landscape and Ecological Management Plan (LEMP) will be produced.

## 8 – Arboriculture

This section starts by referring to the policy context, then considers the potential impact and potential mitigation. A Tree Survey Report was also submitted (Appendix C). This section indicates the development proposal would result in a significant loss of woodland and that although no replacement woodland is proposed in the northern extension area, the wider quarry site benefits from significant areas of woodland planting. The mitigation proposed would minimise the impact on remaining woodland and ensure a sufficient long-term management and aftercare.

## 9 -Noise

This section starts by referring to the policy context, then considers the potential impact and potential mitigation. A noise assessment was also submitted (Appendix D). The section proposes to retain the existing site noise limits for routine mineral extraction and processing and a short-term site noise

limit 55 dB LAeq, 1-hour, free field) is included due to the need to remove the upper three metre sandstone layer. It is concluded that the proposal complies with the policies contained within the Development Plan to control impacts associated with noise on nearby sensitive receptors.

#### 10 - Air Quality and Dust

This section starts by referring to the policy context, then considers the potential impact of dust on sensitive receptors (including the operations that generate dust e.g., soil stripping / extraction of the sand and gravel) and potential mitigation (detailing the best practicable means). An Air Quality Assessment was submitted with the ES (Appendix E). This section concludes that potential for fugitive dust emissions from the proposed excavation of sand and gravel is minimal due to the inherently high moisture content of the quarried material and the proposed development (subject to appropriate mitigation) would not give rise to unacceptable impacts.

#### 11 - Archaeology and Cultural Heritage

This section starts by referring to the policy context, then identifies the baseline conditions including Designated Heritage Assets (set out in an Archaeology and Cultural Heritage Desk Based Assessment (Appendix F)). This section then considers the potential impact and potential mitigation including the submission of a Written Scheme of Investigation. The section states that best practice working would be used onsite following the recommendations set out in this section of the ES.

#### 12 - The Impact on Water Resources and Flood Risk

This section starts by referring to the policy context, then refers to a Hydrogeological and Hydrological Impact Assessment and Flood Risk submitted with the ES (Appendix G). This section then considers the potential impact (offsite discharge and increased surface flooding) and potential mitigation. This section concludes that there are no over-riding hydrogeological or hydrological reasons why the planned development should not be approved.

#### 13 - Transportation and Traffic

This section starts by referring to the policy context, then identifies the baseline conditions including existing planning conditions and HGV route (Transport Assessment (Appendix H)). This section then considers the potential impact and potential mitigation. This section concludes that the extension should not result in an increased in traffic movements and shall not impact on the operation of the local highway network.

#### 14 - Soils and Agricultural Land Classification

This section starts by referring to the policy context, then refers to the soil

resource assessment and agricultural land assessment carried out (Appendix I), and the baseline conditions including the results of the assessment. This section then considers the potential impact (the loss of 5.1 hectares of existing agricultural land and site restoration to a Mosaic Habitat of acid grassland, heathland and scrub) potential mitigation (soil handling techniques). This section concludes that the proposed development would not have unacceptable direct or indirect impacts on soil resource.

## 15 - Rights of Way

This section starts by referring to the policy context, then considers the potential direct and indirect impacts from the development proposals on the Rights of Way. The permanent diversion of the Checkley 65 would take place to allow extraction in the northern extension area. The route of the diverted footpath is shown on the Public Rights of Way Plan (TAR-119- M.D.019). Mud Dale Lane would be reopened (this was closed to allow mineral extraction within the quarry) as a Bridleway/footpath prior to the extraction of sand and gravel within Phase 3. This section also identifies the changes in the landscape of the site, noise and dust during operations has the potential to impact users of the Right of Way. This section concludes that the proposed development would have transient effects on users of the other nearby Rights of Ways, all active connections would be maintained, and the routes would continue to extend alongside an active quarrying site and that the impacts on the amenity of users of the Right of Way would be mitigated.

## 16 - Climate Change

This section starts by referring to the policy context, then considers the potential impact and potential mitigation. The effects of climate change were considered as part of the scheme design and the EIA work and Tarmac have a business commitment to managing the impact their operations have on climate change including operational practices. The section concludes that development proposal would not result in any significant adverse impacts / any unacceptable level of harm in respect of hydrology/ hydrogeology or flood risk and on habitats, species and wider biodiversity

## 17 - Socio Economic Assessment

This section starts by referring to the policy context and then identifies the site-specific considerations including direct employment and maintaining supplies to existing customer, and general considerations including indirect employment, investment, and tax. This section concludes that proposed extension includes a series of positive economic and social contributions to the immediate and wider economy and that these factors should be given appropriate weight.

## 18 - Cumulative Impact

This section begins by explaining the approach and methodology used in

addressing the cumulative impact. This section assesses the successive impacts of the on-going operations at the quarry, the simultaneous impacts with other major developments in the locality and the in-combination effects. This section concludes that the successive and simultaneous impacts of the proposal would be negligible. This section also includes an assessment of potential combined effects for each area of potential impact (for example Landscape and Visual Impact and Cultural Heritage) and the combination of potential positive effects (need for the sand and gravel, the socio-economic benefits; and environmental benefits as part of restoration). The section concludes that there are no cumulative impacts that would arise from the scheme in combination either within itself or with other existing/ proposed developments that would render the proposed quarry extension unacceptable.

## 19 - Environmental Statement Conclusion

This section provides a Summary and Conclusion to the ES. The ES concludes that the proposals are environmentally acceptable and support the economic, social and environmental roles of sustainable development required in NPPF.

The ES also includes a statement detailing the relevant qualifications of the competent experts involved in preparing the ES (ref. Planning Practice Guidance, Environmental Impact Assessment, Preparing an Environmental Statement and the Town and Country Planning (Environmental Impact Assessment) Regulations 2017, Part 5, Regulation 18 (5) (b)).  
Appendices - The Appendices to the ES are provided in separate documents and include the Drawings (Appendix 1) Scoping Comments (Appendix 2) and Statement of Community Involvement (Appendix 4). Separate Appendices also accompanied the ES and are referred to where appropriate above.

Non-technical summary (Appendix 4): In accordance with the requirements for environmental assessment, the main findings are set out in a non-technical summary.

The following additional information was submitted to address matters raised in the consultation responses / representation. [Note: This information was not provided in response to a formal request to update the ES in accordance with regulation 25 of the EIA regulations.]

- Biodiversity Metric 3 1 Calculation Tool - Croxden Quarry, Cheadle - Grassland Offset Areas
- Letter dated 2 November 2022 from RammSanderson
- Email from Heatons dated 14 October 2022 concerning representation and EAT response
- Email from Heatons dated 20 September 2022 -response to Environmental Advice Team including Biodiversity Net Gain calculation 21 Sep 2022
- Grassland Survey and BIA dated 2 September 2022
- A revised Public Rights of Way Plan

- Concept Restoration Revision A
- General Arrangement Bridle Way re-route

[Return to 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**

[Staffordshire and Stoke-on-Trent Minerals Local Plan \(2015 - 2030\)](#) (adopted 16 February 2017)

- Policy 1: Provision for Sand and Gravel
- Policy 4: Minimising the impact of mineral development
- Policy 6: Restoration of Mineral Sites

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

[Staffordshire Moorlands District Council Local Plan](#) (2014 to 2033) (adopted September 2020)

- Policy SS1 - Development principles
- Policy SD 4 - Pollution and water quality
- Policy SD 5 - Flood Risk
- Policy DC 1 - Design considerations
- Policy DC 2 - The Historic Environment
- Policy DC 3 - Landscape and Settlement Setting
- Policy NE 1 - Biodiversity and Geological Resources
- Policy T 1 - Development and Sustainable Transport

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

[National Planning Policy Framework](#) (updated July 2021):

- [Section 2](#): Achieving sustainable development
- [Section 4](#): Decision-making
- [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 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](#)
- [Light pollution](#)
- [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.](#)

