

|                     |                       |
|---------------------|-----------------------|
| <b>Local Member</b> |                       |
| Mrs. J. Eagland     | Lichfield Rural North |

**Planning Committee**      15 July 2021

**Minerals County Matter**

Application No (District):      [L.20/03/867 M](#) (Lichfield)

Applicant:      Cemex UK Operations Limited

Description      Proposed sand and gravel extraction, the erection of plant and infrastructure and creation of new access, in order to supply the HS2 project with ready mix concrete, with export of surplus sand and gravel

Location:      Land south of the A513, Orgreave, Alrewas

**Purpose of this update to the Committee Report**

1. This update to the committee report summarises the findings of a consultation carried out on further information to the Environmental Statement.
2. In response to information about the commencement of the HS2 Phase 2a works, an addendum to the Environmental Statement has been submitted by the applicant to review the cumulative effects that would be associated with an overlap of those works with proposed quarrying at the application site. A summary of the addendum is included in appendix 1 to the committee report.

**Publicity and Representations**

3. The further information was publicised in accordance with Regulation 25 of the Town and Country Planning (Environmental Impact Assessment) Regulations 2017. As well as posting site notices and advertising a press notice, neighbour notification letters/ emails were sent to those occupiers of properties who had previously been notified together with those persons who had previously submitted representations on the previous consultations. 58 representations were received.
4. One of the main concerns raised in response to the consultation is the anticipation that the proposed quarry could be developed to supply materials to the phase 2a works of the HS2 project. Objections refer to a track which connects with Hay End Lane opposite the western boundary of the application site and is shown as land safeguarded for the purposes of HS2 phase 2a works. It is suggested that this track could be used to haul materials from the proposed quarry to the phase 2a construction area.

5. Concerns are raised that the foreseeable impacts of the proposal have not been assessed in the expectation that the proposed quarry could continue producing minerals beyond 5 years. On this basis, the assessment of environmental effects such as landscape, flooding, noise, air quality and ecology are considered deficient.
6. In relation to phase 2a works, borrow pits are proposed in the locality and these would be developed at the same time as the proposed quarry. It is considered that there would be adverse effects due to this overdevelopment.

## **Findings of Consultations**

7. No objection responses have been received from Highways England; Natural England; and, the National Air Transport Service (NATS).
8. The Highways Development Control Team has reviewed the additional information provided by the applicant on the cumulative traffic impact from construction traffic associated with HS2 Phase 2a. The Team agrees with the applicant that there would not be a significant impact from construction traffic associated with HS2 Phase 2a on the A513 as traffic would not be routing between Kings Bromley and the A38 along the A513.
9. The County Council's Environmental Advice Team comment that the landscape and visual impact of HS2 in the vicinity of the application site dwarfs the localised impacts of the concrete plant. Also, whilst there would be some short-term overlap in terms of the construction programme, once the line is operational the concrete plant site would be fully restored.
10. The County Council's noise engineer agrees that that there should be no unacceptable adverse cumulative noise impact having regard to the information available regarding construction of the phase 2a works.
11. HS2 Limited do not raise any adverse comments and in relation to the landscape and visual assessment, it was suggested as a minor point that reference to the latest iteration of Phase 2a Supplementary Environmental Statement and Additional Provisions should be made. The applicant's landscape advisor has reviewed the relevant documents and concludes no further amendments to the ES Addendum are required from a landscape and visual perspective. The main amendment to the HS2 phase 2a scheme in the vicinity of Alrewas is the lowering of the Kings Bromley viaduct, Bourne embankment and River Trent viaduct. In summary, the HS2 embankment at its nearest point to the Quarry will now be marginally lower than originally assessed. As a result, any cumulative landscape and visual effects arising in combination with Alrewas Quarry will be of a lower magnitude and significance than previously assessed.
12. No further comment responses have been received from the Lead Local Flood Authority (Flood Risk Management Team); the Canal and Rivers Trust; Cadent Gas; Cannock Chase AONB Partnership; and Lichfield District Council's Environmental Health Officer.
13. Alrewas Parish Council have expressed concerns that the developer intends

to supply HS2 phase 2 and not just phase 1.

14. Fradley and Streethay Parish Council have expressed a concern as they believed that there would be no quarrying in their Parish whilst HS2 works were on-going.

## **Observations**

15. As indicated previously, the addendum has been submitted to address new information about the commencement of phase 2a works on the HS2 railway project which are now planned to overlap the proposed duration of quarrying operations at Pyford Brook. The nearest part of the phase 2a works to the proposed quarry is 1.3km to the west of the quarry and would involve the excavation of minerals with subsequent backfilling with excavation wastes. HS2 Limited confirms that commencement of works at the Kings Bromley South borrow pit is planned in February 2025.
16. A key concern raised in the representations is that the proposed quarry would supply phase 2a works using a track off Hay End Lane. The proposed application is based on all HGVs turning right out of the site onto the A513 to gain access to the HS2 construction area via the A38. There are no proposals to use the track off Hay End Lane and furthermore HS2 Ltd have now confirmed that the track, which was originally anticipated to be used to assist with utility diversion works, is no longer intended to be used for such purposes. If proposals to supply the phase 2a works from this site were promoted by the applicant, a further planning application would be required.
17. Within the area of search there are two proposed borrow pits and another adjacent to the area of search near Kings Bromley. The nearest borrow pit to the application site is 1.3 km to the west and no unacceptable adverse cumulative effects have been identified by technical consultees.
18. The committee report examines the way in which development considerations for the area of search have been addressed as required by policy 1.5 of the Minerals Local Plan (MLP). In considering the area of search west of the A38, the Inspector examining the MLP stated 'Wide ranging development considerations have been included in the Plan which I consider appropriate and should enable mineral extraction to be permitted with due regard to balancing the protection of the environment with planning for a steady and adequate supply of sand and gravel.' [extract from paragraph 48 of the Inspector's report dated 25 November 2016]. The development considerations have been carefully assessed where relevant and as indicated by the Inspector are used to weigh the balance between protecting the environment and assessing the benefits of mineral supply. Consideration of the development considerations is assisted by the addendum and responses received in relation to the assessment of cumulative effects

## **Conclusion**

19. Having regard to the further environmental information, the consultation responses and representations subsequently received, it is reasonable to conclude that the environmental statement has adequately assessed the

potentially significant environmental effects associated with the proposed development and there is no reason to change the overall conclusion reached in the Committee report.