

TWC/2022/0547

Leaton Quarry, Leaton, Telford, Shropshire, TF6 5HB

Proposed northern extension for the winning and working of minerals including the deepening of the existing quarry and retention of the existing associated operations incorporating: stopping up of part of Leaton Lane; construction of screen mounds; formation of water settlement lagoons and; the diversion/provision of relevant rights of way, with final restoration to a water body, agriculture, creation of biodiverse habitats and community open space (ENVIRONMENTAL STATEMENT RECEIVED)

*** AMENDED INFORMATION SUBMITTED ***

APPLICANT

Breedon Trading Ltd

RECEIVED

27/06/2022

PARISH

Wrockwardine

WARD

Wrockwardine

THIS APPLICATION HAS BEEN REFERRED TO PLANNING COMMITTEE AS THE SCHEME COMPRISES SCHEDULE 1 EIA DEVELOPMENT

Online planning file: <https://secure.telford.gov.uk/planning/pa-applicationsummary.aspx?applicationnumber=TWC/2022/0547>

1.0 SUMMARY RECOMMENDATION

1.1 It is recommended that DELEGATED AUTHORITY be granted to the Development Management Service Delivery Manager to GRANT FULL PLANNING PERMISSION subject to the terms of any subsequent legal agreement, conditions and informative notes.

2.0 SITE AND SURROUNDINGS

2.1 Leaton Quarry is located between Telford and Shrewsbury, to the north of the A5 dual carriageway. Telford lies around 8.5km to the east, whilst Shrewsbury is approximately 12.8km to the west. Wellington town centre is around 3.4km to the east. The villages of Wrockwardine, Overley and Leaton are respectively 1km to the north-east, 750m to the west and adjacent to the northern boundary of the quarry.

2.2 The quarry (area 57 hectares) is generally bounded by the highway network. To the south is the B5061 (Roman Road), whilst to the east, north and west the quarry is bounded by small lanes running between the B5061 and Wrockwardine.

2.3 The quarry workings occupy a triangular area in the southern part of the site, flanked by landscaped screen mounds. The processing plant is within the north-western part of the quarry site whilst the stockyard and ancillary processing plant is located in the north-east.

2.4 The proposed extension and an associate landscaped screen mound lie to the north of the current quarry, comprising agricultural land between Leaton Lane to the south and Tiddiecros Lane to the north. The extension also takes in part of Leaton Lane. The eastern extension boundary is formed by a

woodland belt ('the Dingle'). The western boundary is formed by field boundaries and a track.

3.0 APPLICATION DETAILS

- 3.1 The application seeks planning permission for a northerly extension to the quarry workings, together with the deposit of mineral wastes to create a landscaped screen mound. The existing surface water settlement ponds would also be re-located.
- 3.2 The proposed extension and amendments to the approved working scheme would yield around 21.3Mt of reserves in addition to those permitted. This comprises 13.5Mt in the proposed extension and 7.8Mt from the proposed deepening of the southern part of the quarry. The quarry faces would advance into the extension area, progressively deepening the quarry workings. Concurrent with this, the existing quarry workings would be expanded in a north-westerly direction within the extant planning permission boundary.
- 3.3 The quarry would continue to develop by working a series of 15m high faces, separated with benches for access and slope stability purposes. Rock liberated by blasting would be loaded onto dump trucks for transportation to the primary crusher from where the crushed rock would be transferred to the aggregate processing plant by covered conveyors for further crushing and screening.
- 3.4 Restoration would be to a lake with surrounding fields and woodland. The quarry is predicted to fill with water to a level of 85m AOD covering the majority of the benches. A shallow habitat area would be created in the south-east corner using in-situ quarry spoil material.
- 3.5 The proposals involve stopping up a section of Leaton Lane to allow the current working area to progress into the Northern Extension. A public right of way would be diverted to a new line around the eastern edge of the extended workings along with the creation of other rights of way.
- 3.6 In addition, the proposals seek to consolidate mineral extraction under the extant permissions by:
- amending the approved working scheme to allow the Northern Extension to integrate into the current quarry workings
 - relocation of existing surface water settlement ponds
 - allowing the extraction of rock to progress down to 20m Above Ordnance Datum (AOD)
 - amending the extraction boundary in the north-western corner of the quarry
 - removing the current limit on the rate of extraction (750,000 tonnes per annum)
 - creation of a new plant site at a lower level within the quarry workings and the creation of new stock yards.
- 3.7 The application is accompanied by the following supporting documents: -

Volume 1 - Planning Statement;

Volume 2 - Environmental Statement (including a suite of reports covering all relevant environmental issues);

- Volume 2A – ES Text;
- Volume 2B – ES Technical Appendices; and
- Volume 2C – A Non-Technical Summary of the ES

3.8 The applicant, Breedon Group plc is a leading construction materials group. It operates two cement plants and an extensive network of quarries, asphalt plants and ready-mixed concrete plants, together with slate production, concrete and clay products manufacturing, contract surfacing and highway maintenance operations.

4.0 RELEVANT HISTORY

4.1 Leaton Quarry has been established for many decades and has been subject to a number of planning permissions. The most recent and relevant permissions are summarised below.

- July 2005 - composite planning permission for an extension of the permitted mineral extraction area, formation of new stocking area and screening bund at holt field, new water settlement lagoon, continuing operation of the quarry plant area, site offices and access road, car park and continuing recoiling of inert waste material for use as secondary aggregates;
- January 2006 - erection of a concrete batching plant and ancillary development;
- April 2007 - extension to stocking yard;
- November 2008 - the placement of soil and overburden on land adjacent to Leaton Quarry;
- August 2011 - Construction of new site access road, to include a new junction with the B5061 and the closure of the existing access onto Leaton Lane. An increase in the average output from the site from 400,000 tonnes per annum to 750,000, extension to extraction area of the quarry and placement of soils and overburden to create landscaped screen mound (Amended plans received).
- January 2022 - Construction and operation of an aggregate stockyard on land to the north of Leaton Lane;
- February 2022 - Variation of conditions 55 and 59 of TWC/2010/0085 to amend the hours of operation.

5.0 RELEVANT POLICY DOCUMENTS

5.1 National Guidance - National Planning Policy Framework (NPPF):

5.1.1 The National Planning Policy Framework advises that “It is essential that there is a sufficient supply of minerals to provide the infrastructure, buildings, energy and goods that the country needs. Since minerals are a finite natural

resource, and can only be worked where they are found, best use needs to be made of them to secure their long-term conservation. The guidance recognises however that “Minerals can only be worked where they naturally occur”. (NPPF Paragraph 215)

- 5.1.2 When determining planning applications, great weight should be given to the benefits of mineral extraction, including to the economy (paragraph 217). Protection should however be provided to designated areas including Scheduled Monuments and Conservation Areas and there should be no unacceptable adverse impacts on the natural and historic environment, human health or aviation safety. Account should be taken cumulative effects from multiple sites. Any unavoidable noise, dust and particle emissions and any blasting vibrations should also be controlled, mitigated or removed and appropriate noise limits should be established and restoration and aftercare to high standards should be undertaken at the earliest opportunity (NPPF 217).
- 5.1.3 Paragraph 219 adds that minerals planning authorities should plan for a steady and adequate supply of aggregates by inter alia maintaining sufficient reserves (landbank) of at least 10 years for crushed rock.

5.2 The Development Plan

- 5.2.1 Section 38(6) of the Planning and Compulsory Purchase Act 2004 confers a presumption in favour of development proposals which accord with the Development Plan, unless material considerations indicate otherwise. The Development Plan for the site comprises the Telford & Wrekin Local Plan 2011-2031 (Adopted 2018). This sets out the Council’s strategy for the Borough until 2031 and can be regarded as up-to-date for the purposes of the NPPF.
- 5.2.2 Section 10.2 of the Plan refers to minerals. Paragraph 10.2.1 notes the importance of minerals, stating they are essential raw materials for the construction industry and “are essential to a sustainable community. Therefore, it is appropriate that sufficient supplies are provided for new housing, industry, infrastructure and employment”. Paragraph 10.2.2 adds that it is “fundamental that existing and future mineral extraction is restricted to locations that are environmentally acceptable and that do not adversely affect the quality of life of the borough's communities.” Hence, the Plan is supportive of mineral extraction where this does not lead to unacceptable adverse environmental or amenity effects.
- 5.2.3 Policy ER3 states that the supply of crushed rock will be provided from existing permitted reserves at Leaton Quarry. The policy goes on to add: “The Council will only support proposals for further crushed rock working if the need for the mineral outweighs the material planning objections (Policy ER6) and one or more of the following exceptional circumstances apply:
- i. Working would prevent the sterilisation of the resource; and/or
 - ii. Significant environmental benefits would be obtained.

Proposals for new crushed rock extraction should demonstrate they are environmentally acceptable and be consistent with Policy ER6 and other relevant plan policies.

5.2.4 The policy therefore indicates that any new proposals for the release of minerals at Leaton Quarry will be supported where the need outweighs any material planning objections (cross referring to Policy ER 6) and one or both of the stated exceptional circumstances applies.

5.2.5 Policy ER6 sets out the general requirements for mineral infrastructure and mineral working developments. The policy states that “the Council will support mineral extraction, processing or associated development subject to it being demonstrated that the development would not have an unacceptable impact, including cumulative impact with other developments”. The policy then sets out the following criteria that need to be considered:

1. Local amenity (including demonstrating that the impacts of noise levels, air quality and dust emissions, light pollution and vibration are acceptable).
2. The quality and quantity of water within water courses, groundwater and surface water;
3. Drainage systems;
4. The soil resource from the best and most versatile (BMV) agricultural land;
5. Farming, horticulture and forestry;
6. The safety and capacity of the road network;
7. Public Open Space, the definitive Public Rights of Way network and outdoor recreation facilities;
8. The appearance, quality and character of the landscape, countryside and visual environment
9. Land stability;
10. The natural and geological environment (including biodiversity and ecological conditions for habitats and species);

5.2.6 The applicant refers to the various reports accompanying the Environmental Statement as evidence that there would be no significant adverse effect on the above considerations. As such, the applicant considers that the proposals can be afforded the positive support that policy ER6 gives to mineral extraction. Other policies regarding the environmental implications of the proposals are considered in section 8 below.

6.0 SUMMARY OF CONSULTATION RESPONSES

Officer Note: There have been two main rounds of consultation. The first was following initial receipt of the application. The second took place following the receipt of further information pursuant to Regulation 25 of the Environmental Impact Assessment Regulations 2017. The final position of consultees is outlined below.

6.1 Local Member & Town/Parish Council Responses:

Comments received from statutory consultees can be viewed in full on the planning file, but key points have been summarised as follows:

6.1.1 Wrockwardine Parish Council: Objection

The Parish Council objects on the basis of concerns that there would be considerable negative impact on the village of Wrockwardine and the surrounding area. There is concern about the effect on the Wrockwardine Conservation Area and St Peter's Church. Other concerns relate to damage from blasting, air pollution and health, tarmac odours and ecological impact. The closure of Leaton Lane will have adverse highway impact.

6.1.2 Cllr Jacqui Seymour (former Ward Cllr) called the application to committee.

6.2 Standard Consultation Responses

6.2.1 National Highways: – No objection.

6.2.2 Environment Agency: No objection subject to hydrological monitoring conditions. Further hydrological information submitted by the applicant is acknowledged.

6.2.3 Severn Trent Water: No objection as the proposal has minimal impact on the public sewerage system.

6.2.4 Historic England: No objection

6.2.5 Shropshire Council Historic Environment: No objection subject to a pre-commencement archaeological evaluation condition.

6.2.6 T&W Council Heritage: Comment

- i. Local Plan Policies state that the Council will not support applications that would detract from or damage the setting of a listed building (BE4), or where a development would not do justice to the setting and surroundings of a conservation area or would impair views of the area (BE5iii).
- ii. Harm to the setting of heritage assets (Leaton Grange and the Wrockwardine Conservation Area) has been identified within the Cultural Heritage Statement and Heritage Chapter 13, but then inexplicably dismissed. It is agreed that there would be a harmful impact due the landscape changes, the removal of the road between Leaton and Wrockwardine, and the loss of a significant entrance to the CA along Leaton Lane and David's Bank. These changes, which would affect aesthetic, historic and evidential values of the heritage assets, should be given great weight in accordance with the NPPF and the Local Plan, as above.
- iii. The harms identified are 'less than substantial' and may be at the lower end of that broad categorisation. It is nevertheless considered that some further mitigation could be offered by a more organic edge to the bund and more informal planting, to better integrate with the existing undulating land forms, and character and density of tree planting.

6.2.7 Ecology: Comment

Additional information is required relating to Biodiversity Net Gain (BNG) offsetting of hedgerow habitats as a no-net loss position has not yet been reached. The current position is that the quarry will achieve an overall net gain of 17.18% (7.66 units) on area habitats over the full lifespan of the site. This satisfies Local Plan policy NE1 which requires sites to demonstrate 'no-net-loss' of biodiversity. However, the site at its current proposal will achieve a slight loss of hedgerows, around -2.61% (0.93 units). A further consideration of hedgerow offsetting will be required to satisfy the no-net-loss position for this habitat type. Despite an overall increase in units across the period, area habitats and hedgerow habitats cannot be considered in combination and both types are required to reach no-net-loss individually. There are options to address the hedgerow loss which could include offsite contribution, however given the land ownership around the quarry by the applicant, it should be simple to achieve the no-net-loss on site. Should no-net-loss be achieved then the application could be supported subject to recommended conditions.

Officer note: The applicant has subsequently submitted further information which confirms a no net loss position with respect to hedgerows through on-site provision.

6.2.8 Highways: No objection in principle subject to conditions and a S106 Legal Agreement relating to off-site highway improvements. The two principle highway matters in the consideration of this application are the closure of part of Leaton Lane, to allow the Quarry extension to the north, and the impact of continued Quarry HGV use on the B5061 between the site and the junction with Holyhead Road some 2km to the east.

- i. The site will continue to use the existing access onto the B5061. The primary route for the Quarry HGV traffic (c90%) is to and from the east via the M54 Junction 7 and the junction with Holyhead Road to the north of Junction 7.
- ii. The quarrying of the new site is to last circa 26 years. The applicant is seeking to increase the output limit of the site from 750,000 tonne to 1,500,000 tonne per year. However, this is an upper threshold to cover exceptional demand and the reality is that output will be variable and overall unlikely to deviate considerably from current levels.
- iii. The B5061 link to the M54 is considered to be a safe and suitable connection for use by the Quarry. This section of the B5061 will however require some extensive maintenance improvements under a S106 Agreement to ensure it remains fit for purpose.
- iv. Part of Leaton Lane is proposed to be removed. The stopping up process is subject to an application under separate legislation and is currently with the Department of Transport for determination. The stopping up of Leaton Lane is a separate legal consideration and should not necessarily be material in the planning determination. Any planning consent given cannot be acted on terms of extending the quarry until the stopping up order has been ratified.

- v. If the stopping up is approved then mitigation will be required to provide turning and road realignment at its western and eastern termination points to allow vehicles to turn. These proposals can be secured via an appropriate planning condition. Direct access to individual properties or land outside of the application boundary will not be affected.
 - vi. Burcot Lane is identified as the primary alternative route and as a result the LHA requests that a scheme of passing place formalisation is conditioned and carried out prior to the removal of Leaton Lane.
 - vii. Non-motorised traffic including pedestrian and equestrian movement will be affected by the stopping up of the lane. To mitigate, the application proposes, from Phase 1A, to create a diversion around the east and north of the quarry extension linking through to Tiddiecross and the existing public track to the west of Leaton Grange. The new section will be delivered to Bridleway status offering a betterment to a tarmacadam surface.
 - viii. Phase 3 of the plans propose an additional new footpath route which again runs around the east and north of the quarry extension but this falls further within the site still linking to Tiddiecross and the track to the west. Again, the detailed delivery specification of this new route can be secured under appropriate planning condition.
 - ix. Public Right of Way footpath no.28 runs through the application site to the east of the existing lagoon and links Leaton Lane with Tiddiecross. This route is proposed to be removed via a closure order. The proposals described above are to mitigate the loss through creation of the new footpath. Any planning consent cannot be acted on until the extinguishment order has been ratified.
 - x. The restoration plans propose an additional public footpath that runs around the full perimeter of the newly created lake offering a comprehensive leisure and wellbeing route at that point in the future. An extension to the Bridleway, which will allow travel down the western perimeter of the site is also proposed.
 - xi. The LHA can state that the extant use of Leaton Lane by both motorised and non-motorised users has been evidenced as low and that the mitigations for its removal proposed by the application would not result in any highway impact that could be demonstrated as severe under the NPPF tests. It is a wider planning and Council decision on whether the merits of the mineral extraction outweigh those of the loss of the lane having regard to Government Policy for mineral extraction including economic benefits.
- 6.2.9 TWC Drainage: Comment.
- i. The proposal includes a single point of discharge from the proposed new lagoon in the north-west of the site, to the Leaton Brook. The proposed discharge rate, and the claim of betterment, is predicated on the assumption that existing 'runoff' from the site area will enter the watercourse at or

upstream of this point. However, this appears to be an incorrect assumption. Please provide clarification regarding the proposed lagoon flow control(s).

- ii. Regarding the flow conveyance capacity of the Leaton Brook is based on a single cross-section. More detail is needed to demonstrate that the watercourse has the capacity to receive the proposed flows, both upstream and downstream of Tiddiecross Lane.

Officer note: The applicant has subsequently provided further drainage information to address these comments.

6.2.10 TWC Healthy Spaces: Comment

- i. A new long term Landscape Management Plan which covers the lifetime of the Public Open Space after it has been restored should be conditioned.

6.2.11 Shropshire Fire Service: No objection. Consideration should be given to advice provided in Shropshire Fire and Rescue Service's "Fire Safety Guidance for Commercial and Domestic Planning Applications" document.

7.0 SUMMARY OF PUBLIC RESPONSE

7.1 The number of public representations received is 82. Of this there are 74 objections, 6 in support and 2 which advocate the need for improved footpath provision. The full details can be viewed on the Council's online planning register, but key points are summarised as follows:

i. Objectors:

- Residential amenity Concerns: Noise, dust / air pollution and health, blasting vibration and property damage, light pollution, tarmac odour, disturbing the peace
- Traffic: HGV movements, More than enough traffic through the village. Blocking off Leaton Lane has implications for access / emergency services
- Heritage: Effect on Wrockwardine Conservation Area and associated Grade 1 Church / listed buildings, destruction of an historic landscape
- Ecology: Concern about loss of habitats / biodiversity. Leave the countryside as it is.
- Other: Loss of agricultural land.

ii. Support:

- The applicant is a leading supplier of construction materials Asphalt and stone and has always achieved this in a responsible way to the local environment plus finding employment over 100 people.

8.0 PLANNING CONSIDERATIONS

8.1 Need and Policy Compliance

8.1.2 The two exceptional circumstance tests set by Local Plan Policy ER3 which apply for the release of new mineral at Leaton Quarry are referred to in

Section 5 above. The applicant states that the proposed extension would meet the first exceptional circumstance test by avoiding the sterilisation of reserves. A substantial quantity of reserves remaining within Leaton Quarry are located underneath the processing plant site, so working would require the removal of the processing plant.

- 8.1.3 Other reserves would only be realised if the quarry is developed to its currently approved maximum limits. If these other reserves are worked then access into the Northern Extension would be severed as linking access roads/ramps would have been removed, and benches worked back. As such, it would not be possible to develop the Northern Extension on exhaustion of the current permitted reserves within Leaton Quarry.
- 8.1.4 A further consideration related to sterilisation is mineral quality. The geology of the site is complex and variable so the operator needs to maintain the ability to blend materials to achieve the desired aggregate quality. The earlier upper stages of the proposed extension are more weathered and therefore potentially of lower quality in places. The extension proposals involve working of deeper reserves in the existing quarry (Phase 2) concurrently with shallower reserves in the northern extension (Phase 3) in order to achieve the blending. This requirement for blending necessitates development of the Northern Extension at an earlier stage to ensure the working remains feasible and is not sterilised.
- 8.1.5 It is accepted that working of the Northern Extension would avoid sterilisation of a valuable and significant roadstone resource.
- 8.1.6 The second exceptional circumstance test is that the project would deliver significant environmental benefits. The proposals would lead to an increase in biodiversity of nearly 23% as compared to the 10% minimum benchmark. This is recognised as a benefit of the scheme, though is not considered sufficient on its own to represent an exceptional circumstance. Other benefits can be linked to the positive contributions that minerals supply makes to the economy, though these would arguably apply to any mineral proposal.
- 8.1.7 Overall, whilst the first test of avoiding sterilisation is clearly met it is not considered that the applicant has demonstrated sufficiently that the second test of significant benefits has been met. This is when the policy is seen in the context of generic benefits to biodiversity and the economy which would be expected of all minerals proposals.
- 8.1.8 Notwithstanding this, as only one of the exceptional circumstance tests in Policy ER3 needs to be met it follows that the policy would support the proposed extension. This is provided the need for the mineral outweighs the material planning objections (Policy ER6).

Need - Managed Aggregate Supply

- 8.1.9 The supply of aggregates is governed by the Managed Aggregate Supply System (MASS). This seeks to ensure a steady and adequate supply of aggregates. It requires mineral planning authorities which have adequate resources of aggregates to make an appropriate contribution to national as well as local supply, while control any environmental impacts to an acceptable level. The MASS requires national, sub-national and local partners to work together to deliver a steady and adequate supply of aggregates.
- 8.1.10 Guidance on the Managed Aggregate Supply System was published by DCLG in October 2012 and confirmed that each Mineral Planning Authority should prepare a 'Local Aggregate Assessment' (LAA) of the demand for and supply of aggregates. This should include a forecast of aggregate demand, an analysis of all aggregate supply options and an assessment of the balance between demand and supply. If a supply shortage is identified the LAA must confirm how this will be addressed. Telford and Wrekin forms part of the Shropshire Telford & Wrekin sub-region for the purposes of the LAA.
- 8.1.11 The aggregate landbank is a key monitoring tool which underpins the working of the MASS. The Local Aggregate Assessments for the sub-region indicate that there is an adequate supply of crushed rock aggregate from existing consented reserves within the sub-region and aggregate supply has remained consistently above the minimum target levels set out in the NPPF. The LAA indicates that sales of crushed rock were 3.01Mt in 2018, slightly down from 3.09Mt in 2017. The 10 year average production is 2.54 Mt in 2018 and has steadily increased from 2.36Mt in 2014.
- 8.1.12 Minerals Planning Practice Guidance to the NPPF advises that: "There is no maximum landbank level and each application for minerals extraction must be considered on its own merits". There are a number of reasons why an application to increase the permitted aggregate landbank may be brought forward where, ostensibly, an adequate supply exists. These could include increases in future demand, inappropriate location of reserves relative to market, quality limitations of consented reserves and known constraints on the availability of consented reserves that might limit output. Hence, a landbank in excess of the minimum level set out in the NPPF does not provide an embargo on the release of further reserves.
- 8.1.13 The LAA comments "The area ('Shropshire Telford & Wrekin sub-region') is currently responsible for producing over half of the regional requirement for crushed rock. Production of crushed rock from a single site in Telford & Wrekin contributes about a quarter of the annual production". It goes on to add "Aggregates monitoring data for 2018 indicates that 44% of production supplies markets within Shropshire and 29% supplies markets in other parts of the West Midlands region. However, the high polishing resistance of some crushed rock resources in Shropshire supports export to a larger market area, including by rail transport and about 26% of production supplies national markets outside the West Midlands. These trends are expected to

continue". Hence, Leaton Quarry is a key supplier of aggregates into the local and regional markets, supplying over 25% of all sales.

8.1.14 Policy ER3 stipulates that "The supply of crushed rock will be provided from existing permitted reserves at Leaton Quarry. The Council will only support proposals for further crushed rock working if the need for the mineral outweighs the material planning objections (Policy ER6) and one or more of the following exceptional circumstances apply:

- i. Working would prevent the sterilisation of the resource; and/or
- ii. Significant environmental benefits would be obtained."

8.1.15 The exceptional circumstance tests have been assessed in the previous section. It is considered that the application has justified the need to enter into the Northern Extension at this stage in order to prevent sterilisation of a proven mineral resource. This provides an in-principle justification for working the mineral in accordance with Policy ER3. The extent to which this can outweigh any material planning objections is considered in succeeding sections.

Need - Mineral Quality

8.1.16 Leaton Quarry produces a range of drystone aggregates, along with coated roadstone and concrete. The mineral deposit at Leaton Quarry is such that it can produce aggregates with a 'polished stone value' of over 60. This means that the mineral has a high resistance to polishing and can therefore be used in areas of the road network where durability and skid resistance is critical such as motorway junctions.

8.1.17 As a result, the mineral at Leaton Quarry is classified as High Specification Aggregate ('HSA') which is uncommon for crushed rock stone deposits. Only a limited number of quarries in the UK are capable of supplying HSAs and, as Leaton Quarry is important both regionally and nationally. A research project sponsored by the former Department of the Environment and updated in c. 2004 considered the available sources of HSA's. The report concluded that HSA's are relatively rare and highly specialised aggregates which can be obtained from a limited areas. In England, just 23 quarries are capable of producing HSA's, including Leaton Quarry. Accordingly, the report concludes that HSA's should be seen as a national strategic resource.

8.1.18 It is considered that the quality of the HSA mineral resource at Leaton Quarry adds weight to the justification for the proposed northern extension and need to avoid sterilisation of the mineral it contains.

Need - Economy

8.1.19 Leaton Quarry is a well-established provider of crushed rock serving the local and regional markets with the quality of the aggregates extending the quarry's market. The various operations undertaken across the quarry support the direct employment of around 100 personnel and a diverse range

of skill sets. The operations also support a range of local firms who supply goods and services, ranging from engineering and fabrication to landscape maintenance.

- 8.1.20 The proposed development would help to secure/retain the jobs of those already directly and indirectly employed by the quarry, thereby contributing to the local economy through wages. At a national level the quarry contributes to the economy through the aggregates levy and other taxation processes.

Conclusion on need

- 8.1.21 If the Northern Extension is not developed at this stage, it is unlikely that the resource would be developed in the future as a standalone operation. The area is too small to allow for the workings to progress to any great depth as a free-standing operation, or to allow for the development of the necessary processing plant. There is therefore a high risk that the reserves would be sterilised.
- 8.1.22 The NPPF recognises the importance of minerals, affording Great Weight to proposals for the working of minerals. Whilst there is currently a surplus of consented crushed rock reserves of rock within the Telford and Wrekin and Shropshire sub-region this should not be seen as a bar to development. There has been a progressive decrease in the landbank since 2016 and the LAA shows that annual sales of crushed rock significantly exceed the 10 year trend. This means that reserves are being depleted at a greater rate than anticipated.
- 8.1.23 Leaton Quarry currently provides around 25% of all crushed rock produced in the West Midlands region. However, reserves at Leaton are sufficient to sustain current production levels for less than 10 years. It is therefore important for new reserves to be released at Leaton if the current supply pattern is to be maintained. Other crushed rock quarries in Shropshire are located further to the west, to have to travel additional distances to supply Telford and the regional market.
- 8.1.24 Overall it is concluded that there is a strong justification to release the additional mineral in the Northern Extension at this stage. The requirements of Policy ER3 are therefore met, provided the environmental effects of the proposals can be made acceptable.

8.2 Impact on residential amenity

- 8.2.1 Pollution and Amenity: NPPF Paragraph 180(e) advises that development should not give rise to unacceptable levels of pollution including with respect to soil, air, water or noise and should not cause land instability. 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 (NPPF Paragraph

191). Planning Practice Guidance addresses the ability to comply with the noise and dust criteria.

- 8.2.2 Local Plan Policy ER6(1) requires consideration of Local amenity (including demonstrating that the impacts of noise levels, air quality and dust emissions, light pollution and vibration are acceptable). The application includes assessments of air quality, noise and vibration which have not identified significant adverse effects following mitigation.

Air Quality

- 8.2.3 An air quality report considers any potential significant environmental effects on the baseline environment and makes mitigation recommendations. The assessment considers both particulates (dust) and road traffic emissions from HGVs. Dust emissions are subdivided into the fine fraction (PM10s) for which Air Quality Standards exist, and the coarse fraction, which is typically associated with amenity issues.
- 8.2.4 The report finds that background levels of fine dust are 'well below' the limit for undertaking further assessment. It concludes further that the proposed development would not lead to a significant increase in fine dust emissions which would lead to an exceedance of the Air Quality Objective.
- 8.2.5 An assessment identifies the potential additional sources of coarse dust on site and concludes that the predicted magnitude of effects is negligible at most receptors. A 'slight adverse' effect associated with activities within the existing quarry area is observed at 6 receptors, but the proposed extension is predicted to have a negligible effect on all receptors.
- 8.2.6 Overall, the assessment concludes that the effect of working of the application site is 'not significant' in the absence of mitigation. No significant residual effects are predicted with the implementation of mitigation measures as required by the current planning conditions. The assessment finds that traffic air quality impacts are not significant in the absence of mitigation and that overall, dust and air quality is not a material constraint to the proposed development.
- 8.2.7 The existing quarry operations are subject to proactive controls to minimise dust and air quality issues and there is no significant history of air quality and dust issues associated with the existing quarrying operations. The proposed extension does not take the quarrying activities nearer to sensitive receptors than the current quarrying activities. Provided the application continues to be subject to the same operational and planning controls it is considered that the conclusions of the applicants dust and air quality assessment can be supported.

Noise

- 8.2.8 A noise report considers the potential implications of the proposed Northern Extension for the local noise environment. This includes an assessment of

the baseline noise conditions in accordance with relevant national standards at 6 representative locations around the quarry. The assessment concludes that if all quarrying operations were to occur simultaneously (i.e. worst case) the cumulative noise level would be below the currently approved limit of 55dB LAeq,1hour at all assessed locations. Predicted noise levels are likely to be lower than those shown as identified noise sources will not normally be simultaneous.

- 8.2.9 The assessment concludes that provided best practice continues to be adopted the existing limit would not be breached and noise impacts associated with the operation of the Northern Extension would not be significant, so no additional noise mitigation is proposed.
- 8.2.10 The proposed extension would be contained behind a large screening landform and quarrying operations would be set down relative to surrounding levels. The proposed re-location of the plant site to a lower elevation within the quarry void is expected to have additional benefits in terms of noise attenuation. The quarry does not have any significant history of noise complaints and there have been no objections from the Council's Environmental Health service. The conclusions of the noise assessment can therefore be supported, subject to the continued application of the current permitted noise limit.

Vibration

- 8.2.11 Concerns about the potential of blast vibration to damage local properties including older properties within Wrockwardine Conservation Area have been raised by Wrockwardine Parish Council and some local residents.
- 8.2.12 A report assesses the potential effects of blasting operations in the proposed extension on nearby receptors. The existing planning permission provides vibration limits at the nearest receptors to the quarry workings in terms of peak particle velocity ('PPV'). These limits are well below the levels at which there is the potential for damage to properties. All blasts are monitored by the applicant to check for compliance with the planning consent. The monitoring data is used to design blasts to ensure that the approved vibration limits are not exceeded.
- 8.2.13 In addition to ground vibration the energy from blasts can also be transmitted through the air as 'air-overpressure'. The company also monitors these levels and has found that they are well within established guidelines. Therefore, the report concludes that vibration generated by blasting events should not be a limiting factor for the proposed Northern Extension.
- 8.2.14 The quarry's permitted vibration limit of 8.5mm/s PPV falls well below the level at which international research identifies the possibility of minor cosmetic damage to property (15mm/s PPV). The applicant's blast monitoring data confirms that vibration levels fall consistently well within the permitted limit. Whilst the Northern Extension is a different area from the existing quarry workings it is no nearer to residential property than the

existing workings and is within the same geology. Hence, there is confidence regarding the predictions of vibration levels from blasting in the Northern Extension.

- 8.2.15 It is accepted that blast vibration can sometimes be perceived at levels which are much lower than the permitted maximum level (i.e. 1.5mm/s PPV). Whilst the perception of blast vibration does not equate to an indication of damage to property it is recognised that this can cause concern to property owners. In recognition of this and in accordance with good practice the company designs all blasts to minimise the level of ground vibration, having regard to the results of previous monitoring and any feedback from the local community, including through the Quarry's Community Liaison Committee.
- 8.2.16 This iterative blasting process would continue for working in the Northern Extension. Hence, a robust mechanism would continue to be in place to ensure blast vibration remains well within acceptable limits.

Landscape and Visual Impact

- 8.2.17 Section 15 of the NPPF, "Conserving and enhancing the natural environment", sets out criteria that are relevant to landscape. These include the protection of valued landscapes in a manner that is commensurate with their statutory status or identified quality in the development plan, recognition of the intrinsic character and beauty of the countryside and maintaining the character of undeveloped coast. At a local level, Policy NE7 affords protection to the Shropshire Hills AONB and strategic landscapes. The application site is not located within, or adjacent to either designation.
- 8.2.18 The LVIA finds that overall landscape effects are very well contained by the woodland and hedgerow vegetation around the site. The first stage of the screen bank would be constructed in a short period of time and then seeded, to form a large grassed bank to screen receptors to the north and east. The second phase would extend the screen bank to its final height, enabling all seeding and hedgerow and woodland planting to be carried out. It is stated that the landscaped screen mound has been carefully designed to blend with the existing landscape. Once it has developed its own vegetation it is likely to blend well into the surrounding landscape within minimal effects. The proposed screen mound would complete the enclosure of the quarry by screening landforms on almost all sides
- 8.2.19 The LVIA states that the short construction periods for the screen bank would minimise the disturbance effects and once deposited the overburden and soils would appear similar to the adjacent ploughed fields. The quarry extension would then be hidden behind the existing and proposed screen banks. Longer term visual effects would be limited to the removal of the plant site towards the end of Phase 4 to allow the working of mineral deposits beneath it. This would be a beneficial landscape change as the plant is glimpsed above vegetation in many local views and is already permitted by the existing planning consent. The final restoration of the quarry site would be beneficial in terms of ecology and habitat improvement works.

- 8.2.20 A significant visual effect is determined for residents at the property called Tiddiecross House, as the screen mound would represent a large visual change. Whilst the screen mound would remove various detractive elements (pylon, plant site buildings) the current view of The Wrekin would also be removed. Whilst there is no right to a private view in UK planning law it should be recognised that no significant public view would be affected from this location and any visual change must be considered in the context of the need and benefits of the scheme as set out above.
- 8.2.21 Overall, the Landscape and Visual Impact Assessment (LVIA) does not identify any significant adverse public landscape or visual effects and notes benefits in terms of the relocation of the plant site (in the long term) coupled with the restoration scheme. Hence, the LVIA concludes that there would be no contravention of national or local policies relating to landscape and visual impact.
- 8.2.22 The LVIA has been prepared in accordance with relevant Landscape Institute methodology and, having inspected the site and its environs the officer has no reasons to query its conclusions. The screen mound would result in some significant changes to the local landscape context. However, it is not considered that the appearance of this feature would be alien / artificial, particularly as the proposed landscape planting becomes established.
- 8.2.23 The surrounding landform incorporates undulations which assist in visually assimilating the proposed screen mound. There are numerous examples of quarry screen mounds in Shropshire which blend well into the surrounding landform (e.g. Condover Quarry, Bayston Hill Quarry).
- 8.2.24 The Planning Authority would monitor the two phases of screen mound construction to ensure that the contours blend smoothly with surrounding topography and are in full accordance with the approved plans. Landscaping would also be monitored to ensure that seeding and planting becomes established as soon as practicable. Overall therefore it is concluded that landscape and visual effects would not be a limiting factor for the proposed quarry extension provided the mound construction and associated landscaping works are subject to appropriate planning controls.

Transportation

- 8.2.25 Section 9 of the NPPF requires all developments that generate significant amounts of movement to provide a Travel Plan supported by a Transport Statement/Assessment. The NPPF advises that “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” (Paragraph 115). Local Plan Policy C3 considers the impact of development on highways. The policy requires all development to mitigate site specific highway issues in accordance with the NPPF advice.

- 8.2.26 A Transport Assessment finds that the local road network is of a suitable standard to safely accommodate the proposed development, including hourly and daily traffic, which falls within the range of activity already allowed under the extant planning permission. This is based on an output of up to 1.5 million tonnes per annum (typically 1.2-1.3 mtpa) with continued use of the existing access and working hours. Based on the lower output, operations would continue for up to 8 years beyond the current permitted end date of 31 December 2040. Based on the higher output rate, the reserves would be exhausted by 2045.
- 8.2.27 Weighbridge data from the quarry reveals that daily HGV traffic movements vary significantly from as little as 1 load / 2 movements per working day up to 361 loads / 722 movements per day. Increasing the annual output level to 1.5 million tonnes, represents an increase in difference of 56 loads / 112 movements per day and up to 12 HGV movements (6 in / 6 out) per hour relative to recent averages. This falls well within the range of activity which is allowed to occur under the extant planning permission.
- 8.2.28 Traffic growth has been assessed to the proposed end date of 2048. The predicted growth was found to be less than 4.5% over the additional period, which falls well within the range of normal day to day and hour to hour variations on the access road to the M54.
- 8.2.29 To facilitate the Northern Extension it is proposed to permanently close a section of Leaton Lane between Leaton and Wrockwardine. Replacement routes around the northern periphery of the extension would be provided to maintain pedestrian, cycle and equestrian access. Survey data on Leaton Lane revealed existing traffic flows are low, between 50 – 80 movements per day and 0 – 13 movements per hour. Severance would divert vehicles along the B5061 Roman Road and either Burcot Lane or Drummery Lane where no capacity or safety issues have been identified. The Assessment concludes that the proposed development would not result in an unacceptable impact on highway safety, or a severe residual cumulative impact on the road network.
- 8.2.30 The Transport Assessment concludes that the proposed development would not result in an unacceptable impact on highway safety, or a severe residual cumulative impact on the road network. Therefore, planning permission should not be prevented or refused based on highways grounds in this case.
- 8.2.31 The Local Highway Authority has not objected to the proposals provided some highway improvements are carried out to provide turning areas on the severed ends of Leaton Lane and to upgrade the access route to the M54. These works have been discussed and agreed in principle with the applicant's highway consultant. Subject to this it is considered that the proposals can be supported in highway terms.

Water Environment

- 8.2.32 Local Plan Policy ER12 (flood risk management) states that “Effective on-site management of surface water can improve water quality, water conservation, the replenishment of ground water supplies and reduce instances of flooding”. The policy sets out matters that need to be considered (where applicable) as part of any development. Policy ER6(2) requires consideration of “The quality and quantity of water within water courses, groundwater and surface water”
- 8.2.33 Hydrological and hydrogeological assessments consider the potential impacts of the proposals on water resources and flows. Baseline conditions within the application site and surrounding area have been used to form a Conceptual Hydrogeological Model (CHM). The potential impacts on groundwater levels and flows, surface water levels and flows, groundwater quality, surface water quality and flood risk have then been assessed. Mitigation measures / planning controls have then been specified where the potential for significant impacts to occur has been identified.
- 8.2.34 The assessment concludes that there is no hydro-geologically or hydrologically based reason that the Proposed Development cannot proceed. This is subject to adoption and implementation of the recommended mitigation measures / planning controls.
- 8.2.35 TWC Drainage have requested further detail regarding the existing drainage regime in the area affected by the proposed screen mound to the immediate north of the proposed extended extraction area. Topography suggests that drainage here is divided into 2 catchments with the western half draining to the Leaton Brook and the eastern part (east of Tidiecross House) draining to the system in “the Dingle”. Restoration contours suggest that a greater proportion of drainage may be directed west towards Leaton Brook than is currently the case. There may also be an increased run off rate due to the steeper restoration slope.
- 8.2.36 Notwithstanding this, the areas affected are small in relation to the total drainage catchment of both systems and detailed drainage in the screening landform can be designed to preferentially direct more drainage to the eastern catchment, if necessary, to limit the extent of any change within both systems. This can be achieved through imposition of a surface water drainage condition with specific reference to drainage of the screening landform.
- 8.2.37 The Environment Agency has not objected with respect to water resource issues. Subject to appropriate conditions it is considered that the proposals can be accepted in relation to surface water drainage and hydrology.

Ecology

- 8.2.38 Local Plan Policy NE1 addresses biodiversity and geodiversity and provides that assets will be protected, maintained and enhanced. Positive improvements to the quality of the natural environment will be sought including net gains for biodiversity. The policy adds that the Council will

support development which presents significant economic or social benefits for the local community where, any necessary impacts on biodiversity or geodiversity assets can be avoided, mitigated or compensated. Policy NE2 seeks to protect trees, hedgerows and woodlands.

- 8.2.39 An Ecology Report is informed by desk study and consultation, followed by extensive habitat and species surveys. The report assesses the potential of the Northern Extension to adversely affect valued ecological receptors. The desk study finds that the site has no ecological designation, does not contain any ancient woodland and no such sites are present in the potential zone of influence, or the wider area. As such no adverse effects have been predicted on formally designated and un-designated ecological sites. Collectively, the habitats within the site have been evaluated as having ecological value at no more than a “local” level.
- 8.2.40 The native hedgerow resource extends to c.3km and includes hedges to be retained and enhanced as well as those which would need to be removed. No habitats supporting great crested newt, reptiles or any plant species, which are of conservation importance have been identified. No trees supporting bat roosts have been identified. Overall, low to locally moderate levels of bat activity have been recorded. The breeding bird assemblage has been found to be typical of arable-dominated farmland. A small ‘outlier’ badger sett would need to be removed under an appropriate Natural England license and mitigation scheme.
- 8.2.41 A phased landscaping scheme would involve the early and extensive creation of high value habitats (i.e. broad-leaved woodland and species-rich hedgerow and grassland) on the landscape screen mound.
- 8.2.42 The assessment concludes that there would be temporary (2-5 years) impacts on habitats and species valued at a local level due to enabling/soil stripping works and before the new habitats mature. Where possible adverse effects and losses on ecological receptors would be avoided or minimised through the mitigation and compensation measures. No significant adverse residual effect on important ecological features has been predicted. The proposed landscaping and restoration scheme would deliver significant gains in both the extent and quality of UK Priority Habitat Types with a biodiversity net gain of 22.61% in habitat areas.
- 8.2.43 The Council’s ecologist has been in dialogue with the applicant’s ecologist and generally supports the conclusions of the ecological survey, subject to appropriate ecological conditions. The biodiversity net gain (‘BNG’) of 22.61% for area habitats is accepted. There is some shortfall in linear BNG, principally from removal of some existing hedgerows along Leaton Lane. It is necessary for BNG as a minimum to achieve the policy compliant level of 10% for area and linear habitats separately. The extent of replacement hedgerow provision currently achieves less than 10% BNG, so is not policy compliant.

- 8.2.44 The officer has reviewed the applicant's restoration scheme and is satisfied that a BNG of greater than 10% could be achieved for hedgerow habitats through on-site provision. It is recognised that the field sizes on the screening landform have been designed to facilitate pasture management and additional subdivision by hedgerows would not be appropriate.
- 8.2.45 However, there is ample scope to plant double hedgerows in place of some single hedging on the screening landform without compromising agricultural / habitat management objectives for this area. In view of this it is considered that the matter of achieving a policy compliant level of BNG in hedgerow habitat can be secured through a pre-commencement condition. Subject to this and the other recommended ecological conditions it is considered that the proposals can be supported in relation to ecology and biodiversity.

Cultural Heritage

- 8.2.46 Section 16 of the NPPF recognises that heritage assets are an irreplaceable resource which need to be conserved in a manner appropriate to their significance. Local Plan Policy BE4 (Listed Buildings) provides that the Council will have special regard to the desirability of preserving the building or its setting or any features of special architectural or historic interest which it possesses. The Council will not support development that would detract from or damage the setting of a listed building. Policy BE5 (Conservation Areas) states that "Any harm or loss to a conservation area must be justified". Policy BE8 affords protection to archaeological features and scheduled monuments.
- 8.2.47 A Cultural Heritage Assessment finds that there will be no direct effects upon statutorily designated heritage assets. No scheduled monuments lie within 1km of the application site. The nearest designated asset is Leaton Grange, a Grade II house dating from 1674. Within Wrockwardine is the Grade I Church of St. Peter, the Grade II* Wrockwardine Hall and twenty-two Grade II listed buildings. The nearest listed building is 350m to the north east with the Church being 575m north east. The Conservation Area includes a green buffer zone with no listed buildings which at its nearest point is 100m east of the proposed extension area.
- 8.2.48 The applicant's field-based assessment has concluded that there would be a minor adverse impact to the setting of Leaton Grange and the western edge of the Conservation Area due to proximity, but there would be no effect on the ability to appreciate the significance of these assets. There would be no effects upon other heritage assets or the ability to appreciate their significance, due to a combination of topography, distance and vegetation. No additional mitigation is considered necessary. A geophysical survey concludes that it is highly unlikely that significant archaeology is present within the application area.
- 8.2.49 T&W Heritage have queried why harm has been identified, including also the loss of a significant entrance to the Conservation Area along Leaton Lane and David's Bank, but there has been no further attempt to mitigate this.

They advise that protecting heritage assets and their setting should be given great weight in accordance with the NPPF and the Local Plan.

- 8.2.50 NPPF Paragraph 208 advises that “where a development proposal will lead to less than substantial harm to the significance of a designated heritage asset, this harm should be weighed against the public benefits of the proposal including, where appropriate, securing its optimum viable use”. T&W Heritage consider that Paragraph 208 should engage, whereas this is disputed by the applicant’s consultant.
- 8.2.51 The Wrockwardine Conservation Area contains a green buffer at its western end. This contains no listed buildings but has been included to protect the listed buildings within Wrockwardine. The applicant’s consultant considers that this buffer should not be treated in the same way as the heritage assets. T&W Heritage advise however that the buffer forms an integral part of the Conservation Area.
- 8.2.52 NPPF Paragraph 197 advises that “when considering the designation of conservation areas, local planning authorities should ensure that an area justifies such status because of its special architectural or historic interest, and that the concept of conservation is not devalued through the designation of areas that lack special interest”. Whilst the buffer does not itself contain listed buildings it clearly comprises part of the setting protecting the Conservation Area. For the avoidance of doubt the officer has engaged the test set under NPPF Paragraph 208 whereby any less than substantial harm should be weighed against the public benefits of the proposal.
- 8.2.53 The proposals would lead to some harm to the buffer at the western end of the Wrockwardine Conservation Area and to the setting of Leaton Grange. It is not considered that there would be any direct harm to the listed buildings within the Conservation Area or their setting. It is necessary to weigh this harm against the public benefits of the proposed development.
- 8.2.54 NPPF policy 2.1 advises that “It is essential that there is a sufficient supply of minerals to provide the infrastructure, buildings, energy and goods that the country needs. Since minerals are a finite natural resource, and can only be worked where they are found, best use needs to be made of them to secure their long-term conservation”. Paragraph 217 advises that “When determining planning applications, great weight should be given to the benefits of mineral extraction, including to the economy”. Specific benefits of the proposal include:
- The ability to secure the longer-term supply an increasingly scarce high-specification aggregate material in a strategic location near the primary road network and principal markets
 - Avoiding the sterilisation of a significant regional and national mineral resource.
 - The ability to contribute approximately 25% of the total crushed rock supply for the West Midlands region.
 - Securing the direct employment of 100 people.

- The significant ancillary economic benefits of continued operation of the quarry.

8.2.55 It is considered that the economic benefits of the proposed extension significantly and demonstrably outweigh any less than substantial harm to the setting of Leaton Grange and Wrockwardine Conservation Area. The test in NPPF paragraph 208 is therefore met. This is provided the landscape mound is constructed exactly to the proposed contours and is rapidly greened over to ensure that it integrates acceptably into the local landscape.

Agriculture

8.2.56 Paragraph 180 of the NPPF advises that “planning policies and decisions should contribute to and enhance the natural and local environment by” (amongst other matters) “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”.

8.2.57 An Agricultural Land Classification survey shows that the majority of the Northern Extension comprises Best and Most Versatile Land. It is proposed that the best soils (Grade 2) would be used to restore the screen mound so that best use is made of the soil resource.

8.2.58 The NPPF instruction to “recognise” “the economic and other benefits of the best and most versatile agricultural land” is a material consideration. It is however a weaker instruction in national policy than the requirement to give “great weight to the benefits of mineral extraction, including to the economy”. It is considered that the proposal to use the best soils in restoration of the screening landform is an appropriate response to NPPF Paragraph 180 and that there is no conflict with this national policy in relation to best and most versatile agricultural land.

Cumulative Effects

8.2.59 The Environmental Impact Assessment (‘EIA’) Regulations 2017 require that potential cumulative effects are considered for EIA proposals. An assessment concludes that there are no other mineral operations within the immediate vicinity of the proposed Northern Extension and no other forms of development in the area that could give rise to cumulative effects.

Alternatives

8.2.60 The application site adjoins an operational mineral extraction site which has led to the current proposals. Consideration was given to whether the extension could be developed without closing Leaton Lane. However, the available area is too small to allow for the workings to progress to any great depth, thus it would lead to the sterilisation of mineral resources. The “do nothing scenario” means the quarry would continue to develop in line with

the extant planning permission. However, this would result in the sterilisation of some 13 million tonnes of high quality stone reserves.

Environmental Impact Assessment

- 8.2.61 The application is Schedule 1 development under the Environmental Impact Assessment Regulations. As such, if the Council is minded to approve the application it must first notify the Secretary of State.

9.0 CONCLUSIONS

- 9.1 The key Local Plan policy for assessing the current proposals is policy ER3 which specifically defines the circumstances in which additional reserves might be released at Leaton Quarry. It states that the Council will only support proposals for further crushed rock working if the need for the mineral outweighs the material planning objections (Policy ER6) and one or more of the following exceptional circumstances apply:

- i. Working would prevent the sterilisation of the resource; and/or
- ii. Significant environmental benefits would be obtained.”

- 9.2 The current landbank of crushed rock reserves is much greater than the minimum level set out in the NPPF. However, other factors need to be taken into consideration, including the need to avoid sterilisation of the high-quality aggregate reserve in the proposed northern extension. The exceptional circumstance tests have been assessed and it is considered that the application has justified the need to enter into the Northern Extension at this stage in order to prevent sterilisation of a proven mineral resource.

- 9.3 The proposal would also offer environmental benefits in terms of a biodiversity net gain (BNG) of 23% for area habitats. However, such habitat gains are an expectation of national and local policy for all mineral working proposals. Whilst the BNG at Leaton weighs in favour of the proposals it is questionable whether the extent of the gain can on its own meet the exceptional circumstance test of the Policy, albeit that only one of the tests needs to be met.

- 9.4 The policy also requires that the need for the mineral should outweigh the material planning objections with reference to policy ER6. The Environmental Statement (ES) submitted in support of the application has considered both need for the mineral and the likelihood of significant environmental effects occurring from the proposed development in accordance with policy ER6.

- 9.5 In terms of need this comes back to the need to avoid sterilisation of a proven high quality mineral resource with a widespread regional market. If the extension is not entered into at this stage the means of access will be quarried out and it is doubtful that the mineral could be worked economically and practically in the future. This consideration weighs strongly in favour of the proposals in accordance with the instruction of NPPF paragraph 216 to

avoid sterilisation and 217 to give “great weight” “to the benefits of mineral extraction, including to the economy”.

9.6 In terms of assessing material planning objections in accordance with policy ER3 the Environmental Statement is based on extensive survey work and consultations. The ES has not identified any significant effects from the proposed development and concludes overall that with the adoption of the proposed mitigation measures any impacts can be maintained within acceptable limits. Objections received from Wrockwardine Parish Council and local residents are noted. However, there are no outstanding objections from other planning consultees. The proposals must also be seen in the context of the strong support of national policy for mineral working where impacts can be mitigated. The design of the scheme and the ability to impose detailed planning conditions gives reassurance regarding the ability to control and limit the extent of any identified impacts in accordance with Policy ER6 and related policies.

9.7 Whilst some harm to the setting of Leaton Grange and the Wrockwardine Conservation Area has been identified the applicant’s heritage consultant finds that the extent of this is limited. When the test set out for ‘less than substantial harm’ to heritage assets in NPPF paragraph 208 is applied it is concluded that the proposed development can clearly meet the public interest test given the benefits of the proposals to the wider economy, including from the continued provision of an increasingly scarce and strategically significant high specification aggregate resource.

9.8 At the heart of national policy in the NPPF is a presumption in favour of sustainable development. For decision takers, means approving development proposals that accord with the Development Plan without delay. Having regard to the above factors it is considered that the proposal is in accordance with Policies ER3 and ER6 and with the Development Plan overall. Hence a presumption in favour of planning permission should apply.

10.0 RECOMMENDATION

10.1 Based on the conclusions above, it is recommended that **Delegated Authority** be granted to the Service Delivery Manager to GRANT FULL PLANNING PERMISSION (with the authority to finalise any matters including conditions, the terms of any subsequent legal agreement, or any later variations) subject to the following:

A) The following conditions (with authority to finalise conditions and reasons for approval to be delegated to Development Management Service Delivery Manager):

Conditions (covering the following areas):

- Time limit and approved plans/documents
- Highways (including off-site highways works)
- Hydrology

- Noise, dust and pollution control (including control of blasting)
- Hours of operation
- Extraction limits and other on-site controls
- Arboriculture, ecology and biodiversity
- Archaeology
- Soil handling, restoration and aftercare