A PLANNING APPLICATION TO VARY CONDITIONS 7, 14, 18, 31, AND 43 OF PERMISION 12/00001/MIN

HARLEY WAY QUARRY, HARLEY WAY, CHURCHFIELD, OUNDLE, PE8 5AU

CHURCHFIELD STONE LTD

October 2013
Version 2
Final
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1 THE APPLICATION

1.1 Introduction

1.1.1 This Planning Application has been submitted by GP Planning Ltd on behalf of Churchfield Stone Ltd and seeks to regularise the current quarrying operations at Harley Way Quarry. The application has been made in response to a monitoring visit undertaken by Northamptonshire County Council’s Planning Enforcement Officer, made under ‘The Town and Country Planning (Fees for Applications, Deemed Applications, Requests and Site Visits) (England) Regulations 2012, which identified a number of activities that were not in compliance with the detail of Planning Permission 12/00001/MIN.

1.1.2 This Application requires that variations are made to conditions 7, 14, 18, 31 and 43 of Planning Permission 12/00001/MIN in order to regularise the current operations. They relate to details of phasing, the site office/portakabin, the haul road, vehicle manoeuvring and height of material stockpiles, respectively.

1.1.3 It should be noted that the non-compliances highlighted in relation to conditions 19, 20, 24, 26 and 45 will be rectified through the erection of site signage, full implementation of the settlement lagoon, installation of a wheelwash and the submission of the archaeological records to the appropriate archives.

1.1.4 This Planning Application is supported by the following documents:

- GPP-PGR-CFQ-11-01 Site Location Plan v2
- GPP-CS-HWQ-11-02 v5 Site Plan
- GPP/CS/HWQ/11/05 Site Layout Plan v7
- GPP/CS/HWQ/11/15 Elevations for Portakabin v 2
- GPP/CSL/HWQ/13/05 Photograph Panel.
- P002-03 Planning Statement VoC 131001
- Planning Application Forms

1.2 The Site, Its Surroundings and History

1.2.1 Planning permission 12/00001/MIN was granted in 2012 for a Conservation Stone Quarry. The quarry extracts Blisworth Limestone construction and walling stone for use for built heritage and conservation purposes. The operation is undertaken by Churchfield Stone Ltd and produces stone to supplement and enhance its nearby stone processing operations at Churchfield Farm.

1.2.2 The site sits adjacent to the previously worked Churchfield Quarry. Its location is shown by drawing GPP/CS/HWQ/11/01 Site Location Plan. The extent of the Harley Way Quarry, is shown on drawing GPP/CS/HWQ/11-02 Site Plan v5.

1.2.3 The site is served by a joint access with the adjacent Churchfield Farm Quarry onto the Harley Way, a single track road with passing places along its length towards the A427.

1.2.4 In terms of immediate receptors, there is a single residential property that sits approximately 200 meters away from the quarry extension to the North East. To the west of the site, the...
closest receptor is the Churchfield Farm which is situated approximately 350m away from the Quarry.

1.2.5 The surrounding land uses consist of mainly arable agricultural land and woodland. The Lyveden Brook runs close to the southern boundary of the site.

**Local and National Designations**

1.2.6 The most proximate historic designation is the Lyveden New Bield, a Grade II* listed property National Trust, it is on the Register of Parks and Gardens of Special Historic Interest and a Scheduled Ancient Monument. This is located 3.5 km to the west of the site.

1.2.7 Oundle and Stoke Woods are identified as Ancient Woodlands and also Local Wildlife Sites by the Northamptonshire Minerals and Waste Development Framework (adopted in 2010) and are situated approximately 200m to the south and southwest of the site.

1.2.8 Opposite the site entrance there is a public footpath heading northwards and then in a westerly direction away from the development site. This footpath forms part of the formal Public Rights of Way network.

1.3 The Proposed Variations

**General Amendments to the Permitted Scheme**

1.3.1 The proposed variations are required to regularise the ‘non-compliant’ operations at the site. The reason for the deviation from the working scheme consented by permission 12/00001/MIN is due to operational efficiencies discovered through the working of the site.

1.3.2 The main change is in relation to an amended phasing scheme for working and restoring the mineral reserve. The operations are being conducted in reverse to the scheme that was originally permitted. Mineral extraction has commenced in phase 5 and will now progress west to east towards the original phase 1. This change is required in order to allow for the restoration of the land to be undertaken in a more efficient manner and to provide more space for undertaking the quarrying activities. The amended phasing arrangement is shown on drawing GPP/CS/HWQ/11/05 Site Layout Plan v7.

1.3.3 Commencement on the western end of the quarry means that once the extraction void is restored through the placement of waste stone and inert material, it will be left undisturbed as the quarrying activities advance to the east and away from the restored area. This will allow the restored area to settle and to reduce, as much as possible, the amount of vehicle movements across the restored area.

1.3.4 The change in phasing also allows the operator more space in which to manage the material extracted from the quarry. Originally, the material extracted from the void was to be stored on the quarry floor and in the dedicated mineral storage area, in proximity to the site portakabin. The amended operations however allow for mineral to be stored on the area of land associated with the following extraction phases. The process is indicated on drawing GPP/CS/HWQ/11/05 Site Layout Plan by an arrow which advances west-east across the southern end of the extraction area. This allows the operator more space in which to store different walling and construction stones and differing grades of aggregates prior to sale. It is proposed that for
stockpiles of material that are not located on the quarry floor a height restriction of 5m is imposed in order to minimise potential visual impact.

1.3.5 The location of the haul road has been amended in order to allow for easier access to the extraction area, the storage stockpiles and also the stone cropping operations. The amended location of the haul road is shown on drawing GPP/CS/HWQ/11/05 Site Layout Plan v7. It is also considered that the re-location allows for more manoeuvring area for HGV traversing the site. The change will also allow for the full implementation of the settlement lagoon as per the requirement of condition 26 of permission 12/00001/MIN. A reworked scheme pursuant to condition 31 of permission 12/00001/MIN is shown on by drawing GPP/CS/HWQ/11/17 Vehicle Manoeuvring Plan v4.

1.3.6 The portakabin on the site is larger than the detail of the one permitted by permission 12/00001/MIN. The detail of the new portakabin is shown drawing GPP/CS/HWQ/11/15 Elevations for Portakabin v2. Further information is shown on drawing GPP/CS/L/HWQ/13/05 Photograph Panel.

The proposed wording of the varied conditions

1.3.7 It is proposed that the wording of conditions 7, 14, 18, 31 and 43 is changed to accommodate the amendments to the consented scheme (ref planning permission 12/00001/MIN). The suggested changes are set out below with the original wording struck out and the proposed wording shown in blue:

Condition 7

1.3.8 The condition is required to be worded as follows:

‘Except as otherwise required by conditions attached to this permission the site shall be worked and restored sequentially in accordance with details the submitted Site Layout Plan ref GPP/CS/HWQ/11/05 Rev 4 dated 26 October 2011 Site Layout Plan GPP/CS/HWQ/11/05 Rev 7 dated 26 October 2011 and the submitted Schedule of Phases and Timescales submitted as Appendix 2 to the Environmental Statement. Operations on the application site shall be carried out in accordance with the approved plans, working scheme and details and no part of the operations specified therein shall be amended or omitted without the prior written approval of the Mineral Planning Authority.’

Condition 14

1.3.9 It is required that condition 14 is amended to the following:

‘The portakabin shall be located, designed and finished in accordance with the details shown on the drawing titled Elevations for Portakabin Ref GPP-CSHWQ-11-15 Rev 1 dated 4 October 2010 GPP/CS/HWQ/11/15 Rev 2 dated 4 October 2010.’

Condition 18

1.3.10 It is required that condition 18 is amended to read the following:

‘The proposed internal haul road as shown on Site Layout Plan Ref GPP/CS/HWQ/11/05 Rev 4 dated 26 October 2011 GPP/CS/HWQ/11/05 Rev 7 dated October 2011 shall be hardsurfaced and kept free of mud, dust and detritus material to ensure that such material is not carried onto the public highway.’
### Condition 31

1.3.11 It is required that condition 31 is amended to read the following:

> Traffic management operations at the site shall be controlled as shown on drawing GPP/CS/HWQ/11/17 Rev 4 dated 16 August 2012 to ensure that all Heavy Goods Vehicles are routed to avoid reversing manoeuvres. A plan identifying on-site routing arrangements shall be submitted to the Mineral Planning Authority for approval in writing prior to mineral extraction commencing. Traffic management shall be in accordance with the approved plan.

### Condition 43

1.3.12 It is required that condition 43 is amended to the following:

> Stockpiles of mineral shall be confined to the quarry floor, where possible. Should mineral be stockpiled elsewhere within the quarry then the stockpiles shall be not be greater than 5m in height.
2 PLANNING POLICY

2.1 Introduction

2.1.1 This section sets out the relevant planning policies in the context of the development and in particular the nature of the section 73 planning application.

2.2 Local Planning Policy

Northamptonshire Minerals and Waste Development Framework Core Strategy, adopted May 2010

2.2.1 The Core Strategy document sets out the strategic vision and policy objectives for Minerals and Waste Development in Northamptonshire. Mineral development proposals are determined in accordance with the detail of the strategic policies to assess their compliance with the County's development strategy.

2.2.2 On the basis of the principle of the development remaining the same it is considered that the development is compliant with the following strategic Core Strategy policies:

- Policy CS4 – Spatial strategy for mineral extraction
- Policy CS5 - Providing for an adequate supply of aggregates
- Policy CS6 – Building and roofing stone
- Policy CS13 - Restoration and after-use of minerals and waste development

2.2.3 Policy CS14: Addressing the impact of proposed minerals and waste development, requires that the environmental impact is minimised, that the built development is of a design and layout that is suitable in its local context, to ensure that access is sustainable and that local amenity is protected. Therefore the impact of the operational changes have been assessed (see section 3).

2.2.4 On the basis of the proposed layout changes it is required that their impact is considered in the light of site specific planning policies and other material considerations.

2.2.5 The development therefore needs to be assessed against the General Development Principle policies set out in Northamptonshire’s Control and Management of Development Development Plan Document.


2.2.6 The role of the Control and Management of Development DPD is to control and maintain the impact of minerals and waste development within the county. It does this by taking forward the vision, objectives, spatial strategy, and policies in the Core Strategy and sets out policies that address the principle of minerals and waste related development, as well as locally specific issues.

2.2.7 Policy CMD 4 of the document sets out the criteria for mineral development in the context of the strategic aims of the Core Strategy. Its principles are to ensure that the strategic spatial mineral strategy is maintained, that there is a sufficient supply of aggregates, that the extracted
mineral reserve is maximised and that the end-use of the extracted minerals are utilised for
their most appropriate use.

2.2.8 The Control and Management of Development DPD sets out the General Development Principles
that are to be complied with. These principles are set out in planning policies:

- Policy CMD7 – Natural Assets and Resources
- Policy CMD8 – Landscape Character
- Policy CMD9 – Historic Environment
- Policy CMD10 – Layout and Design

2.2.9 Policy CMD7 requires that mineral related proposals undertake an assessment (where
appropriate) to identify the nature, extent and level of importance of natural assets and
resources. This is in the context of the requirement for mineral development to deliver wider
environmental benefits, enhance green infrastructure and biodiversity and contribute towards
Biodiversity Action Plan species and habitats.

2.2.10 Policy CMD 8 places importance on ensuring that development does not have an adverse
impact upon its surrounding landscape character, particularly local character and
distinctiveness. Development should therefore assess the potential impact on character and
distinctiveness when assessing compliance with policy.

2.2.11 Policy CMD 9 encourages the enhancement of Northamptonshire’s Historic Environment through
the management of heritage assets and their setting. Importance is also placed on historic
landscape character and potential for archaeological interest. Development should therefore
consider potential impact upon the historic environment when assessing compliance with
planning policy.

2.2.12 The detail of policy CMD 10 is based on ensuring that layout and appearance of appropriate
mineral development are sympathetic to its surroundings and supports local identity, enhances
local landscape and is visually of interest. The principle of the development at Harley Way
hasn’t been amended to a substantial level. Where required, the aesthetic qualities of the
development will be discussed to assess compliance.

2.3 Summary

2.3.1 On the basis of the requirements of planning policy which have been set in the light of the
strategic vision and objectives of the Northamptonshire Mineral and Waste Development Plan, it
is considered that the following areas need to be assessed in determination of the section 73
planning application. They are:

- The contribution to the strategic requirements of the Local Development Plan;
- The planning benefits of the proposal;
- The potential impact of the development upon general amenity and visual amenity;
- The potential impact on site specific environmental considerations.

2.3.2 Those areas highlighted above will be discussed in the following chapter.
3 PLANNING CONSIDERATIONS

3.1 Introduction

3.1.1 As set out in section 2.3 the merits of the proposed development will be discussed in the context of the areas identified below.

3.2 Contribution to the strategic requirements of the Local Development Plan

3.2.1 The planning committee report for the original planning application (12/00001/MIN) considered that the development was in compliance with the strategic requirements of the Minerals Core Strategy. The report states that:

‘Policy CMD4 of the Control and Management of Development DPD that proposals for building and roofing stone must specifically demonstrate that the purpose of the extraction is for building and roofing stone, including identification of the proportion of stone and aggregate production………

………..Once the site is established the applicant estimates that 3,000 to 4,000 tpa of building stone would be required which would necessitate the excavation of 7,500 to 10,000 tpa of workable limestone before sorting. This is considered to be a suitable ratio of building stone to aggregate and is relevant to how the application is judged in Development Plan terms.

3.2.2 The report also goes on to state:

Policy CMD4 of the Control and Management of Development DPD requires that proposals for building and roofing stone support the supply of locally sourced building materials. As detailed in paragraphs 3.5 to 3.8 and 8.6 of this report the Core Strategy sets out the importance of locally sourced stone building stone.

Blisworth limestone ................. has historically been used for the construction of both dry stone walls and buildings, including the Benefield, Oundle and Thrapston area.......... On balance it is considered that the site is in accordance with Policy CMD4 of the Control and Management of Development DPD.

3.2.3 It is considered that the proposed variation to the working scheme has not altered the principle of the development at Harley Way and that the same contribution will be made to the strategic vision of the minerals development framework.

3.3 Planning benefits

3.3.1 The main planning benefit of the proposal is the continued contribution to the strategic requirements of the Minerals Core Strategy. In addition the amendment to the scheme will enable the operations at the site to be undertaken in a more efficient manner. As stated in section 1.3 there will also be benefits derived in relation to the restoration of the quarry.

3.3.2 It was originally proposed that the quarry would be worked east to west, with the restoration of extraction voids occurring through the backfilling of the void with waste stone and imported
inert mineral. On site set up, it was realised that the proposals to track vehicles across the restored area, as the extraction phases advanced to the west had the potential to generate fugitive mud and dust emissions. There was the potential for vehicles, both plant situated on site and road going HGVs to have to travel over the restored area to collect mineral and to deposit inert material in the later phases of the quarrying operations.

3.3.3 The operator sought to minimise this risk and ‘switched’ the phasing arrangement around so that the phases are worked from west to east. This will ensure that once the extraction voids are restored they are left undisturbed, as far as is practicably possible, to ensure the best possible restoration scheme. This will also minimise the risk of vehicles running on ‘unprepared’ haul roads and further reduce any risk of adverse dust generation and mud being deposited on the road.

3.4 Impact on Amenity

Air Quality

3.4.1 The details of the dust management plan, submitted to discharge condition 35 of permission 12/00001/Min, have been implemented. As set out in section 3.3, it is considered that the potential for adverse dust generation will be reduced by the amended working scheme as the potential for vehicles traversing un-surfaced areas will be minimised. This will reduce the potential for adverse dust generation during dry weather periods and also reduce the potential for the tracking of mud on to the Harley Way during wet weather periods.

Noise

3.4.2 It is considered that the amendments to the development will not have an adverse impact on the noise amenity of the closest receptors. The principle of the development is the same as that originally consented, as the provision of the following elements will remain:

- Perimeter bunding for noise attenuation purposes
- Limitations on working hours
- Non-tonal warning signals fitted on site plant
- The provision of an updated vehicle manoeuvring schemes to ensure that reversing is minimised.

3.4.3 On the basis of the above it is considered that the development will continue to operate within the specific noise limits as set out by condition 32 of permission 12/00001/MIN, and is therefore considered acceptable.

Visual Amenity and Landscape

3.4.4 The potential impact of the original scheme was considered during the determination of permission 12/00001/MIN. The committee report considered that the:

‘Landscape and Visual Impact Assessment provided with the application demonstrates consistency with Policy CMD8 (Landscape Character) through a multiple phased mineral extraction operation mindful of existing topography and through progressive restoration intended to enhance landscape values and biodiversity. The proposals for bunding will generally lessen visual impacts in the short term while existing and proposed planting will also contribute to the mitigation
of visual impacts. The 6 m to 8m mound proposed to the west of the site is however considered particularly high and itself has the potential to impact on visual amenity. To address this potential issue a recommended condition restricts the heights of bunds and mounds on site to no more than 5 m in height. Subject to conditions, the working of minerals in the area will increase visual impact, but not to such an extent as would warrant refusal.

3.4.5 The mound on the west side of the quarry was reduced to 5m and it has been subsequently implemented. It is considered that the principle of the development has not changed in relation to the visual and landscape impact of the development as the amendments relate only to the operations undertaken within the quarry, which are visually screened by the perimeter bunds.

3.4.6 The principle of a scheme that is mindful of existing topography with the progressive back filling remains as previously consented.

3.4.7 In order to maintain this element of screening it is proposed that where mineral stockpiles at the site are not stored on the quarry floor, that they are restricted to a height of 5m. This will ensure that the stockpiles are not visible above the perimeter bunds.

3.5 Environmental Considerations

Flood Risk and Water Resources

3.5.1 Core Strategy Policy CS14 includes a requirement for minerals development to minimise environmental impacts including protecting natural resources or ensuring that any unavoidable loss or reduction is mitigated. On this basis, the amendments to the working scheme have to be assessed to ensure that they do not have a negative impact upon water resources or on the potential for flood risk for land at or surrounding the site.

3.5.2 It is considered that the amended scheme will not have an adverse impact as the full extent of the flood mitigation measures set out in flood risk assessment that accompanied the original application have been implemented. The control offered by the drainage ditch which has been constructed on the southern boundary of the site, along with the settlement lagoon in the south eastern corner allows for the effective management of surface water runoff.

3.5.3 The potential impact on groundwater and protected sites will also remain as previously assessed as the mineral workings will generally occur above ground level and groundwater will be able to flow through the limestone base of the quarry floor.

3.5.4 On consideration of the above, it is considered that the amended working scheme will not have an adverse impact on water resources and flood risk.

Ecology

3.5.5 The provisions for ecology will remain as per the previous scheme. The amendments to that scheme will not have an adverse impact on ecology and biodiversity.

Archaeology

3.5.6 Policy CMD9 (Historic Environment) in the Control and Management of Development DPD requires proposals for minerals development at sites with heritage assets to include appropriate
desk based and/or field evaluations to identify and determine the nature, extent and level of significance of the assets.

3.5.7 In accordance with the requirements of condition 45 of permission 12/00001/MIN a scheme of intrusive investigation at the site has been undertaken. The results of the investigations have been assessed and no further work is required. The amended scheme will not alter the footprint of the development and it is therefore considered that no further archaeological investigation is required.

3.5.8 The setting of the Lyveden New Bield will not be affected over the extent of which was considered appropriate in the determination of permission 12/00001/WAS.
4 CONCLUSION

4.1.1 The amendments set out in this application will enable the Applicant to operate the quarry at Harley Way in a more efficient manner. The efficiencies will provide operational benefits and increase the chances of long term success in the implementation of the restoration scheme.

4.1.2 In strategic terms, the changes do not alter the nature of the development and the quarry will continue to make a vital contribution to the delivery of Northamptonshire's strategic requirements for mineral development, in accordance with planning permission 12/00001/MIN.

4.1.3 On a site specific level, where required, the impact of the changes has been considered in line with the detail of the appropriate Control and Management of Development DPD policies. It is considered that due to the nature of the changes and the retention of the previous commitments to managing visual and landscape impact, water resources and specific biodiversity mitigation and enhancement measures, there will not be an adverse impact caused by the amendments to the consented scheme on its surroundings.

4.1.4 On the basis of the above it is considered that the proposed amendments to the development are in compliance with the requirements of the appropriate planning policies.