



<u>Committee and Date</u>	<u>Item</u>	<u>Paper</u>
Planning Committee 10.00 am 25 July 2006	<b>B</b>	

**MB05/0336/BR**

**PROPOSAL: CONSTRUCTION OF ACCESS TO B4379, EXTRACTION AND PROCESSING OF SAND AND GRAVEL, RE-PROFILING AND RESTORATION OF THE SITE, RELATED HIGHWAY WORKS TO B4379 AND A41.**

**APPLICANT: CEMEX UK LTD. LOCATION: WOODCOTE WOOD NEAR SHERIFFHALES**

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1. PURPOSE OF THE REPORT

- 1.1 To enable a decision to be taken on the above planning application for the development of a sand and gravel quarry at Woodcote Wood near Sheriffhales.

2. RECOMMENDATION

- 2.1 It is recommended that subject to the completion of a Section 106 Legal Agreement to cover the issues summarised in section 2.2 below the application be GRANTED subject to conditions to include the following:

- definition of the site and the limits of mineral extraction;
- definition of permission;
- completion of mineral extraction within 15 years of Commencement Date and completion of final restoration within 2 years of completion of mineral extraction;
- no access other than by means of the proposed access onto the B4379;
- adherence to a phased sequence of working and progressive restoration which minimises the amount of operational area at any one time;
- controls on traffic entering and leaving the site to avoid waiting outside the site prior to opening;
- details of construction and surface treatment for internal access road leading to plant site to be submitted for approval prior to the Commencement Date;
- scheme for treatment of redundant carriageway to be submitted for approval prior to commencement, including blocking off access to the former road and consideration of the potential to remove redundant carriageway and re-locate services adjacent to the new road alignment;
- scheme for planting up of the triangle of agricultural land severed by the proposed new road alignment with broadleaved trees and shrubs to be submitted for approval prior to commencement, including provision to undertake planting in the first available planting season;
- No working within 100 metres of the boundary of the property known as 'The Keeper's Cottage' east of the extraction unless either (1) the property is vacated, or (2) an acceptable mitigation scheme for working in this stand-off area has been submitted to and approved by the County Planning Authority;
- submission of noise monitoring and mitigation scheme for approval prior to commencement of mineral extraction, including use of attenuated reversing

- alarms;
- the normal daytime noise levels from the proposed quarrying operations shall not exceed a level of background plus 10 dBLA<sub>eq,1h</sub> at the nearest sensitive properties;
  - all vehicles and plant operating within the site to include silencers working in accordance with manufacturer's specifications;
  - submission of a dust control / mitigation / inspection scheme for approval prior to commencement of mineral extraction, including details of availability of water for dust suppression, minimising drop heights and a complaints procedure;
  - control of illumination;
  - use of wheel wash;
  - details of plant / machinery, including crushing plant to be submitted for prior approval of the Mineral Planning Authority;
  - maximum height of fixed plant and mineral stockpiles not to exceed 10 metres above surrounding ground levels unless otherwise first approved;
  - removal of GPDO rights for erection of additional plant and machinery;
  - restricted hours of working for quarrying operations .0700 -1830hrs weekdays, 0730-1300 hrs Saturday and no working on Sundays or Bank Holidays;
  - restricted hours of plant maintenance . 0730-1830 weekdays, 0730-1700 Saturdays;
  - exact details of fencing / boundary treatment for the site during each phase of the development shall be submitted for approval prior to the commencement of each phase;
  - controls on stocking area and height;
  - 200,000 tonnes per annum maximum with output details to be provided at the end of each calendar year;
  - no importation of minerals to the site and no importation of other bulk materials, including soils;
  - scheme of soil bund construction to be submitted for approval, including detailed heights, gradients, working programme and seeding timescales;
  - controls on soil handling and storage and submission of detailed handling strategy, including maximising use of the seedbank of soils in the phase 5 area;
  - mineral shall be worked dry with no artificial dewatering;
  - measures for prevention of surface / groundwater pollution;
  - submission of schemes for surface water drainage works;
  - detailed final drainage scheme to be submitted for approval prior to cessation of mineral extraction, to include interceptor ditches;
  - submission of schemes for foul drainage works;
  - submission of scheme for the monitoring of groundwater levels;
  - submission of scheme for the provision and conservation of water for mineral washing, dust suppression, domestic use, and fire prevention;
  - condition to ensure any liquids are stored in a suitable impervious bunded compound.
  - supplementary survey of protected species, including badgers, to be submitted prior to entry into each new mineral phase;
  - Submission of scheme for consolidation of boundary wall;
  - submission of supplementary archaeological survey of the extent of the earthwork prior to commencement and programme for additional archaeological recording during development along the earthwork;
  - retention, protection and management of peripheral vegetation within the site, including shrubs adjacent to the B4379 frontage;
  - no felling during the bird nesting season;
  - submission of restoration scheme for each mineral working phase prior to entry into that phase, including details of treatment for worked out areas and anticipated timescales for soil replacement and cultivation.

- restoration schemes for each phase shall include detailed planting specifications including provision to plant native trees, shrubs and herbaceous material of local provenance and consideration of the potential to create heathland habitats;
- removal of all buildings, plant, roads and structures not required in connection with afteruse within 12 months of the completion of mineral extraction; submission of a plan defining the different aftercare areas and anticipated aftercare timescales, within one year of the Commencement Date;
- submission of habitat management / maintenance scheme to encourage development of the proposed habitats throughout the aftercare period;
- 5 years aftercare for normal restoration works with additional 5 years for specified habitat enhancement works;
- annual review of operations to include progressive restoration, noise and dust mitigation and related operational controls;
- retention of approved documents on site.

## 2.2 MATTERS TO FORM PART OF AN ASSOCIATED SECTION 106 LEGAL AGREEMENT:

- Traffic routing and management agreements including preventing mineral lorries from using the B4379 west of the site access as a through route, preventing lorries from waiting outside the site entrance prior to the site opening and prior notification of any major short-term contracts which might result in increased vehicle flows;
- Funding by the developer of the highway improvement works linked to a Section 278 Highway Agreement, including the new access and the roundabout on the A41 with completion of these works prior to the commencement of mineral extraction operations;
- Carrying out of noise monitoring at agreed frequencies at the nearest sensitive properties and implementation of a mitigation and complaints procedure;
- Triangle of land severed from agricultural field by diversion of B4379 to be planted and managed as woodland – scheme to be submitted,
- Submission of a scheme to rationalize the redundant stretch of road based upon an evaluation of services and infrastructure works within the existing carriageway, including removal and blocking off of the redundant carriageway, provision of a new low wall or equivalent boundary feature adjacent to the realigned B4379 and a proposed implementation timescale;
- Maintenance / repair of boundary wall on B4379 frontage;
- Retention of woodland providing a screening function around site for the duration of the quarrying operations and submission of a woodland management scheme to maximise screening and establish windfirm edges in strategic areas around the site in advance of felling – written confirmation of woodland management agreement with the landowner to be provided prior to commencement;
- Supplementary ecological survey for Great Crested Newts in the ponds located in the vicinity of Woodcote Hall to the north of the site to be undertaken prior to commencement, with appropriate recommendations for mitigation in the event that GCN are found to be present;
- Provision for 10 years aftercare for specific habitat areas to secure the stated habitat / biodiversity benefits of the proposed afteruse scheme, including replacement of any planting failures and management of proposed woodland glades to prevent weed / shrub encroachment;
- Management fund for local biodiversity enhancement to include provision for enhancement of wildlife habitats within restored quarry areas and consideration of the potential for strengthening links with surrounding wildlife habitats.

### 3. THE PROPOSALS

- 3.1 As background to the application the applicants have indicated that the current quarrying proposals have been submitted in accordance with the phasing principles of the Shropshire Telford and Wrekin Minerals Local Plan (MLP) 1996 – 2006. The current application relates to an area of 18.6 hectares at the centre of Woodcote Wood. Part of the site (6%) falls within the administrative area of Telford & Wrekin Council (see plan) but Shropshire County Council will determine the application as the authority within whose area the greater part of the site (94%) is located.
- 3.2 The proposed scheme would involve the phased extraction of some 2.55 million tonnes of sand and gravel at a rate of approximately 200,000 tonnes per annum, giving an operational life of some 13 years. The site would be progressively restored to broadleaved woodland and grassland at a lower level (without the use of imported fill). The majority of the site is covered by dense coniferous woodland with some mixed plantation woodland. The trees are approaching the age when felling normally commences and the current proposals are integrated into a phased felling programme. Trees would however be retained around the site to ensure that extraction operations are effectively concealed. The mineral processing plant would be located on a platform an average of 8 metres below adjoining ground levels. This measure and perimeter soil storage would also ensure that the plant infrastructure is not visible from any external vantage points.
- 3.3 Access to the site would be obtained via a new junction off the B4379, in the position of an existing forest access, which would be upgraded. The new site access would lie some 300 m to the west of the existing junction of the B4379 and A41. The proposals also include provision for a realigned junction of those highways, incorporating a roundabout. The applicant states that this would considerably improve the highway safety of the junction, providing a long-term benefit to the highway infrastructure of the area.
- 3.4 The applicant has requested hours of working of 07:00 to 18:00 Monday to Friday; and 07:00 - 13:00 Saturdays. No operations would take place on Sundays or Bank/Public Holidays.
- 3.5 The extraction operations would progress in six phases, commencing north of the plant site, and proceeding in a generally clockwise direction. Within each phase the timber would be harvested, stocked and removed off site. Soil stripping would then take place, with soils from initial phases placed in temporary storage for use as part of the restoration works, and soils from later phases stripped and used directly for the restoration of earlier phases. The extraction of the sand and gravel would create a gently sloping void, falling from west to east. The land in advance of the working phases would remain forested until required for felling and subsequent extraction. The land behind the working phase would be progressively restored to a combination of broadleaved woodland, woodland glades and species-rich grassland.
- 3.6 Dried out silt from mineral processing would be used to grade and improve the contours of the void for subsequent restoration. Where possible, restoration would start before the end of quarrying as part of a continuous programme of progressive restoration. The south eastern part of the site, where the mineral thickness is some 20m would be the deepest part of the excavation and would therefore be restored to species rich grassland with areas of wetland on lower lying land. The applicant states that deciduous woodland managed appropriately could create species diverse habitats, allow the continued use of the site for a pheasant shoot and produce a harvestable

crop of timber in the longer term. The applicant proposes that the site would be subject to 5 years of aftercare after planting, including nutrient applications, herbicide treatment or cultivation, to discourage competing vegetation from establishing. Plant failures would be replaced during the first three years. The management of the species rich grassland would aim to encourage species diversity. The area could be mown once or twice a year with the arisings removed to maintain low nutrient levels within the soil. Alternatively, the management techniques could include grazing or hay cropping in order to maintain low nutrient levels. This could be a useful part of the long term after-use, and management of the site. The applicant states that the restoration proposals would significantly enhance the site's current limited nature conservation potential.

- 3.7 The application is accompanied by an Environmental Statement (ES) which considers the environmental implications of the proposed development and puts forward measures to mitigate any impacts. This includes sections on landscape / visual amenity, ecology, noise, dust, geology / hydrology, traffic, soils and cultural heritage. The conclusion of the ES is that there is no single topic or combination of issues which is of such environmental significance to dictate that the scheme should not be allowed to proceed. The ES also concludes that the restoration of the site would result in positive long term biodiversity, landscape and amenity benefits.

#### 4. THE SITE

- 4.1 The application site (area 18.6 ha) is located in an area of woodland some 5km north-east of Telford, 2km north of Sheriffhales, and 400m north of the small settlement of Heath Hill. The woodland is bounded to the east by the A41 and to the south by the B4379 (see plan). The total area of the woodland in which the site is located is some 41 hectares in extent. The majority of the site comprises densely planted coniferous woodland plantation with some mixed plantation woodland. The trees, which have been planted in compartments divided by rides, are between 50 and 55 years old, and are being managed in accordance with conventional forestry practices.

- 4.2 The centre of Heath Hill, a settlement of some 25 properties is located 650m to the south west. The nearest residential properties at Heath Hill - Pine Ridge, Keeper's Cottage and Heath Hill Lodge are located between 220m and 380m south-west of the site, behind a ridge and just beyond the western edge of Woodcote Wood. The buildings of Woodcote Hall Nursing Home (in T&W) are located 520m to the north. A number of nearby properties are also located adjacent to or in the vicinity of the A41, including 4 at Woodcote east of Woodcote Hall, 2 at Lynn 490m north east (T&W) and 6 at Bloomsbury 4-700m to the south. Two properties are also located at Cherry Tree Farm on the minor road known as Hand Lane some 550m to the south. A further tenanted property, known as 'The Keeper's Cottage' is located within the woodland to the immediate east of the site and is in the same ownership as the site. The applicant has stated that the tenancy agreement would allow the property to be temporarily vacated as operations approach. With this exception the site is well screened from the other residential properties.

#### 5. PLANNING POLICY AND HISTORY

- 5.1 Development Plan The development plan for the site area comprises the Regional Spatial Strategy for the West Midlands, The Shropshire Telford & Wrekin Joint Structure Plan (1996-2011), The Shropshire, Telford & Wrekin Minerals Local Plan (1996-2006), The Telford & Wrekin Local Plan and The Bridgnorth Local Plan.

- 5.2 The Regional Spatial Strategy for the West Midlands (Regional Planning Guidance

for the West Midlands - RPG11) was published in June 2004 and seeks to promote the creation and development of sustainable communities across the region. The strategy includes strategic policies in relation to minerals development:

**Policy M1** advises that Development Plans should make provision for release of mineral resources in a sustainable way,

**Policy M2** states that Mineral Planning Authorities should continue to work together to make provision for land won primary aggregates throughout the plan period;

**Policy M3** seeks to reduce the reliance on primary aggregates by increasing the contribution from alternative sources such as secondary aggregates.

5.3 Structure Plan The Structure Plan contains a number of policies of relevance to the proposals, including:

**P15)** Development proposals shall minimise any adverse effects on the environment, taking account of opportunities to enhance the environment, protection/enhancement of the character of the countryside and villages, sustainable transport solutions, the capacity of the road network to accommodate the development traffic, avoiding pollution, and locating vulnerable development close to sources of pollution/hazard, conserving soils, appropriateness to surroundings and availability of the necessary infrastructure.

**P16)** Protecting air quality;

**P35)** Minimising the impact of road freight, amongst other matters by encouraging heavy vehicles to use the primary road network;

**P37)** Improving the highway network, amongst other matters to minimise the impact of heavy goods vehicles;

**P42)** Protecting countryside character, by protecting landscape, agricultural land, settlements and protecting/enhancing conservation and habitats;

**P44)** Encouraging the protection and provision of woodland and hedgerows;

**P48)** Protecting and enhancing biodiversity;

**P49)** Ensuring no adverse effect on protected species;

**P50)** Mitigation for sites of nature conservation value;

**P52)** Protection of best and most versatile agricultural land;

**P53)** Protection of water resources.

**P58)** a sustainable approach will be adopted to minerals development, achieving the best balance of social, environmental and economic costs, benefits and need for mineral, taking into account need to conserve mineral, to minimise adverse environmental impacts, to promote recycling, to prevent sterilisation and to encourage sensitive working, restoration and aftercare practices so as to preserve or enhance the overall quality of the environment;

**P59)** Mineral development will only be permitted where there would be no unacceptably adverse effects on interests of acknowledged importance including good agricultural land, people and communities, landscape character, historic environment, wildlife and water resources.

**P60)** A landbank will be maintained for aggregate minerals including sand and gravel.

**P61)** Shropshire's share of the regional aggregates apportionment will be met by the allocation of sufficient sites in the Minerals Local Plan and by maintaining a landbank.

**P69)** Proposals for mineral or waste development must incorporate a satisfactory scheme for reclamation of the site, progressively wherever possible, to a beneficial afteruse. Restoration schemes which provide new wildlife habitats, improve landscape character, enhance public access or make use of waste from mineral working will be encouraged.

- 5.4 The Shropshire Telford and Wrekin Minerals Local Plan 1996 - 2006 (MLP) aims to ensure that there is provision for a sufficient landbank of sand and gravel throughout the plan period (up to 2006) and for a period of 7 years beyond the Plan (to 2013) (Policy M12). It is intended that this would be achieved (in Policy M14) through a combination of production from existing permitted sites and from the development of three allocated sites and a further preferred area (the latter being Woodcote Wood). When determining the landbank, the MPAs will have regard to the balance of real need and real supply, in accordance with MPG6 para 80. There is a preference for extensions to existing sites (Phase 1 allocated sites) over new sites (Phase 2 allocated site and Phase 3 preferred area). Extensions generally tend to have less environmental impact than new sites.
- 5.5 In respect of the First Phase Allocated Sites, Tern Hill Extension is permitted. Negotiations are being finalized in relation to the deepening of the present permitted area of Wood Lane Quarry, linked to a consolidated approach to mineral working from a further IDO (Interim Development Order) area within the overall quarry boundaries. The Second Phase Allocated Site at Barnsley Lane near Bridgnorth was resolved to be granted permission in July 2004, subject to completion of a Legal Agreement regulating such matters as highway improvements and vehicle routing. The remaining allocated site is Woodcote Wood, which is identified as a 'Third Phase' preferred area which may be required for release at the end of the Plan period (2006). The Mineral Local Plan states that preferred areas are those areas of known resource, proven by survey information, where planning permission might reasonably be anticipated, subject to all other considerations being met. The identification of a preferred area indicates that, should it be necessary to develop a new site, then the first area of search should be within the preferred area. The full wording of policy M14 governing the future working of sand and gravel is set out below:

**M14 The future working of sand and gravel**

The supply of sand and gravel during the Plan period should be provided in the first instance from existing permitted resources and then from the development of new workings within the following allocated sites and preferred areas:-

The First Phase Allocated Sites:

- i) Wood Lane Deepening, near Ellesmere  
(*negotiations are continuing regarding a consolidated application*)
- ii) Tern Hill Extension, near Market Drayton

The Second Phase Allocated Site:

- iii) Barnsley Lane, near Bridgnorth

The Third Phase Preferred Area:

- iv) Woodcote Wood, near Sherrifhales

Applications involving the above areas will need to address a number of environmental issues which will be considered against the policies in the Minerals Local Plan. Applications for earlier working of first phase extension sites in conjunction with already consented areas may be considered where it can be demonstrated that a more sustainable approach to mineral development can be achieved (Policy M1 ).

In the event that difficulties arise with the production from sites either with planning permission or in the first phase, the Mineral Planning Authorities will consider an application for earlier development of the second phase on its merits. It is unlikely that the third phase site will be required during the Plan

period. However, should circumstances arise which prevent the required production rate being achieved from existing sites with planning permission, or those in the first and second phases, the Mineral Planning Authorities will consider a proposal to develop the third phase site on its merits.

5.6 The Minerals Local Plan contains a number of other policies which are also of relevance to the current proposals:

- M1)** A more sustainable approach to mineral development, protecting communities, amenities and environment, incorporating sensitive working practices and conserving minerals.
- M2)** Account will be taken of the need for the mineral.
- M3)** Account will be taken of the effect of the proposals on settlements/property, sensitive sites and species, the countryside and rural economy, the transport network, water resources, best and most versatile agricultural land, any cumulative impact arising from past, present and future working, derelict/contaminated land, stability, rights of way and public access.
- M4)** Account will be taken of phasing / working proposals, ancillary uses, site access and traffic, reclamation / afteruse and measures to protect people and the environment from adverse effects.
- M5)** Protecting sensitive sites and species.
- M6)** Archaeological evaluation.
- M7)** Benefits to the countryside and the rural economy.
- M8)** Planning obligations.
- M11)** Measures will be taken to protect people and the environment from any adverse effects of transporting minerals.
- M13)** The annual sub-regional apportionment agreed with the West Midlands Regional Aggregates Working Party will be considered as guidance in calculating the landbank and in determining the need to consider future development of primary aggregate resources.
- M15)** Sand and gravel working outside the allocated sites and preferred area
- M27)** Planning applications for mineral working should incorporate satisfactory schemes for restoration and afteruse including ensuring that the scheme is practical and achievable.
- M30)** Comprehensive working of mineral resources.

5.7 The MLP includes a Site Profile for the preferred area at Woodcote Wood. This identifies the following key issues:

1. The implications of the proposals for surrounding properties will need to be carefully examined (Policy M3(i)). The established woodland should ensure that the working site could be effectively screened by retaining peripheral screening belts. At the application stage, the MPAs would need to be satisfied that the proposed extent of the retained screening belts, along with any other measures put forward to minimise the impact on the surrounding properties and countryside, would be effective (Policy M3(i) and M4(i)).
2. Particular attention needs to be given to highway issues, water resources and archaeological safeguards. Consideration should also be given to general amenity and the provision of enhanced public access.
3. The after use proposals should preserve or enhance the local environment (Policy M1). An applicant will need to provide a satisfactory reclamation scheme at the application stage and must be able to demonstrate that long term management objectives have been carefully considered (Policy M27). In



this case, it would be appropriate to reinstate the woodland following mineral extraction. The applicant will therefore need to consider the standard of reclamation likely to be required by the Forestry Authority prior to drawing up detailed proposals and should consider the practical requirements specified in the Forestry Commission Guidelines<sup>28</sup>. An applicant should also discuss the wildlife implications with local wildlife groups.

- 5.8 The Plan is currently being reviewed (see sections 5.11 and 5.12). The formal review process will take into account the level of permitted reserves, production levels, the latest agreed sub-regional apportionment, Government guidelines and environmental issues.
- 5.9 Telford & Wrekin Unitary Plan There is no area designation for Woodcote Wood on the proposals maps of the adopted Wrekin Local Plan, 1995-2006 or the draft Local Development Framework for the Borough of Telford & Wrekin, 2005-2021.
- 5.10 Bridgnorth District Local Plan The site is not subject to any specific allocation in the existing Bridgnorth Local Plan (adopted 1994). Policies of relevance include CN15 and CN17 (protecting/enhancing trees and woodlands); CN18 and CN19 (nature conservation interest); CE1,CE2 and CE3 (landscape character) and D3 (protecting landscape / nature conservation features and habitats). The District Council has resolved to proceed to adopt the replacement Bridgnorth Local Plan (1996-2011) following a Council meeting in June 2006. Therefore the policies of the replacement Plan have to be accorded appropriate weight. Sites for different types of development are allocated in the Plan and the Plan also encourages and facilitates development to meet local needs, particularly for housing and employment. One of the main aims of the Plan is to ensure that development is of a high quality and that proposals are developed in such a way as to protect and enhance the quality and character of the main towns and villages of the District. The Plan also aims to protect the countryside and natural environment from unacceptable development throughout the District.
- 5.11 The Planning and Compensation Act 2004 sets out a process leading to the progressive replacement of Local Plans by Local Development Frameworks, abolition of Structure Plans and the creation of Regional Spatial Strategies. It is intended that the Shropshire Minerals and Waste Local Plans will be updated and incorporated into a new Minerals and Waste Development Framework as part of this process. Preferred options reports for the Core Strategy and Mineral Resources documents were published in February 2006. Both the Minerals and Waste Local Plans will remain as extant parts of the Development Plan until the new Development Framework is adopted (estimated 2007).
- 5.12 The Mineral Resources Development Plan Document (Draft Minerals DPD) (Feb 06) The Minerals DPD is a material consideration for the current application. A timescale has been set out leading to its adoption in late 2007, at which stage it will supersede the current Minerals Local Plan. The MLP will remain as extant guidance until that stage under the transitional provisions set out in the Planning and Compensation Act 2004. The Draft Mineral Resources DPD sets out policy objectives for sand and gravel working which are similar to those of the current Minerals Local Plan, including provision for maintenance of a 7 year sand and gravel landbank. It is proposed that the landbank calculation should be specified for the first 5 years initially, with provision to roll this forward for the next 5 years when the plan is reviewed. The landbank calculations in the Draft Mineral Resources DPD have taken account of the designation of Woodcote Wood as a preferred site in the current MLP. Draft policy M9 (Sand and Gravel Resources) is of particular relevance:

**M9) Sand & Gravel Resources** (Draft Minerals DPD - Feb 06)

The supply of sand and gravel during the Plan period should be provided from existing permitted reserves. Proposals for new sand and gravel sites outside these areas will therefore only be granted planning permission if one or more of the following exceptional circumstances apply:

- a. there is a justifiable need for the mineral to meet annual production targets derived from the sub-regional apportionment; or
- b. there is a need to provide specialised materials which cannot be supplied from existing permitted reserves; or
- c. working would prevent the sterilisation of the resource; or
- d. significant environmental benefits would be obtained as a result of the exchange or surrender of existing permissions.

Proposals for new or extended sites for sand and gravel should demonstrate that they are consistent with Policy 1: Identification and Assessment of Potential Mineral Development Sites and any other relevant policies of the Development Plan. Subject to these considerations, there will usually be a preference for extensions to existing sites rather than greenfield sites.

5.12 Other policies of relevance in the Draft Mineral Resources DPD include:

- M1)** Identification and assessment of potential mineral development sites;
- M2)** Comprehensive working;
- M4)** Ancillary development;
- M8)** Landbanks for aggregates.

5.13 Draft Core Strategy Development Plan Document (Feb 2006)

The draft Core Strategy DPD includes strategic policies relating to minerals and waste development and related environmental issues. These provide a context for the more detailed policies of the Draft Mineral Resources DPD.

- CP1)** Sustainable resource management;
- CP2)** Protecting and enhancing Shropshire's environment and communities;
- CP3)** General development control considerations;
- CP5)** Site restoration and after-use;
- CP6)** Planning obligations;
- CP7)** Reducing the impact of transporting materials;
- CP8)** Transport assessment;
- CP11)** Protecting and enhancing Shropshire's biodiversity and geology;
- CP12)** Protecting and enhancing Shropshire's air quality and soil and water resources;
- CP13)** Protecting and enhancing landscape character;
- CP14)** Protecting and enhancing archaeology and the historic environment;
- CP15)** Protecting and enhancing Shropshire's trees and woodlands;
- CP16)** Developing and diversifying the rural economy.

5.14 Minerals Policy Guidance Central government has prepared minerals planning guidance notes (MPG's) covering the main elements of mineral extraction. These will be updated as Minerals Planning Statements (MPS's) in accordance with the provisions of the Planning and Compensation Act 2004 (see 5.15 below). MPG's of particular relevance to the current application include:

- MPG1:** General considerations, (Published June 1996);
- MPG2:** Applications, permissions and conditions, (July 1998);

**MPG5:** Stability in surface mineral workings and tips (Jan 2000);  
**MPG6:** Guidelines for aggregates provision in England (April 1994);  
**MPG7:** Reclamation of mineral workings (Nov 1996).

- 5.15 Revised Guidance on Aggregate Provision In June 2003 Central Government produced revised guidance on aggregate provision. The National and Regional Guidelines for Aggregates Provision in England, 2001-2016 updates the predicted levels of demand for sand and gravel set out in MPG6. Levels of sand and gravel consumption have reduced since the preparation of MPG6 and this has resulted in an overall 17% reduction in the predicted demand for sand and gravel nationally. Shropshire County Council is a member of the West Midlands Regional Aggregates Working Party (WMRAWP) which comprises representatives from all Mineral Planning Authorities within the region. The WMRAWP seeks, through liaison with Central Government to apportion future production of aggregate within the West Midlands Region in order to secure aggregate supplies. Taking account of the revised guidance the WMRAWP has indicated that the apportionment of sand and gravel production for the Shropshire, Telford & Wrekin sub-region in the period from 2001 to 2016 will be 0.82 million tonnes per annum. This is as opposed to the level of 1.1 million tonnes per annum set out in MPG6. Central Government acknowledges that 'this reduction in the national guidelines for primary aggregates compared to those issued in 1994 should, in most cases, lead to less additional land being allocated for aggregates extraction in local authorities' Minerals Development Plans. The implications of the revised aggregate figures for the current application are discussed in section 8 of this report. The new aggregates guidance will be incorporated in the forthcoming Minerals Policy Statement 1 which will replace MPG1 and MPG6.
- 5.16 Draft Minerals Policy Statement 1 - 2005 (MPS1) Annex 1 of the draft MPS1 contains guidance on aggregates provision which is intended to replace MPG6. MPS1 contains similar guidance to MPG6, although the process of forecasting aggregate demand has been detached from the guidance. MPS1 stipulates that the minimum length of a sand and gravel landbank should be 7 years which is the same as the current MPG6 guidance. It emphasises that that the size of the landbank is a key indicator in determining an aggregate application, and that landbanks comprise the sum of all permitted reserves, including from dormant sites. MPS1 advises that steps should be taken to avoid or reduce excessive landbanks, including the following measures:
- Where landbanks are more than twice the minimum (i.e. 14 years) new permissions should only be given where it can be shown demand could not be met from the existing permitted reserves, for example, for reasons of quality and/or distance to market.
  - The industry is encouraged to agree voluntarily to the revocation of planning permissions at sites that are unlikely to be worked again.
  - In consultation with the RAWPs, MPAs should carry out, and publish the results of, regular reviews of those sites which have not been worked for 10 years to assess whether production is likely to begin again.
- 5.17 Although the length of landbank is the key indicator, other evidence and factors that may influence phasing of sand and gravel supply are:
- the actual levels of production in recent years compared to the average provision included in the development plan;
  - significant future increases in local demand that can be forecast with reasonable

- certainty; and
- constraints on the availability of the consented reserves that would significantly limit output for the period of the landbank.
- Where there is a distinct and separate market for a specific type or quality of aggregate, for example, high specification aggregate, a separate landbank calculation may be justified.”

The draft MPS states further that “the length of the landbank should be used as a guide to the phasing of provision, and not as a determinant of provision”. MPAs should review the adequacy of the landbank on an ongoing basis linked to their annual aggregates monitoring report, and should update Minerals Development Documents before the remaining provision approaches the minimum landbank.

5.18 Minerals Policy Statement 2 (March 2005) (Mitigating the environmental effects of mineral working). MPS2 is the first of a series of Minerals Policy Statements which will replace MPG’s, reflecting the new approach set out in the Planning and Compensation Act 2004. MPS2 sets out the policies and considerations in relation to the environmental effects of minerals extraction that the Government expects Mineral Planning Authorities (MPAs) in England to follow when preparing Development Plans and in considering applications for minerals development. Guidance on individual environmental effects is provided, including appendices on noise (superseding MPG11) and dust. MPS2 advises that Mineral Planning Authorities (MPA’s) should incorporate the objectives of sustainable development in minerals planning which recognise the potential conflict between the exploitation of resources and environmental aims. The need for careful mitigation is acknowledged where mineral working is in close proximity to residential properties. MPA’s should take particular care in respect of any conditions they attach to a grant of permission for working in such circumstances. Restriction or refusal of the proposal may be appropriate where it is judged that mitigation measures are not sufficient to safeguard the quality of the local environment, as experienced by neighbouring communities.

5.19 Planning Policy Guidance Notes and Statements (PPG’s and PPS’s)  
Central Government has also produced a series of Planning Policy Guidance Notes (PPG’s), some of which are of relevance to the current proposals. These are being progressively updated as Planning Policy Statements (PPS’s) in line with the provisions of the Planning and Compensation Act 2004. PPG’s of relevance include:

**PPG13:** Transport (March 2001).

**PPG15:** Planning and the historic environment (Sept 1994) (as amended by Circulars 01/2001 and 09/2005)

**PPG16:** Archaeology and planning (Nov 1990).

**PPG24:** Planning and noise (Sept 1994).

**PPG25:** Development and flood risk (July 2001).

5.20 PPS’s of particular relevance to the current application include:

**PPS1:** Delivering Sustainable Development (Feb 2005).

(Replaces PPG1: General Policies and Principles - Feb 1997).

**PPS7:** Sustainable Development in Rural Areas (Aug 2004).

(Replaces PPG7: *The Countryside* - Feb 1997).

**PPS9:** Biodiversity and Geological Conservation (August 2005).

(Replaces PPG9: *Nature conservation* - Oct 1994).

**PPS11:** Regional Spatial Strategies (Sep 2004).

(replaces PPG11: *Regional Planning*).

**PPS12:** Local Development Frameworks (Sept 2004)

(replaces PPG12: Development Plans).

- 5.21 History The site is not affected by any previous planning permissions for mineral working or other development.

## 6. FINDINGS OF CONSULTATIONS

- 6.1 The following planning consultation responses have been jointly shared by Shropshire County Council and Telford & Wrekin Council:

### Telford & Wrekin Council

- 6.2 A small part of the application site is located within the area of Telford & Wrekin Council. In its role as a Mineral Planning Authority the corporate views of the Unitary Council will be forwarded to the County Council as the as the final determining body for the whole application site. These views will be reported verbally to the Planning Committee. However, as part of the initial consultation and processing of the application undertaken by the County Council, comments were received from particular groups within Telford & Wrekin Council and these are summarised below:

- i. Ecology - If there is loss of hedgerows this should be mitigated / compensated for by the creation of at least the same length and quality of replacement hedgerow. Both the Telford and Shropshire Local Biodiversity Action Plans (LBAPs) include Hedgerows and Field Margins as Priority habitats. The ecological report lists the Common Toad as present in the Shropshire part of the site. Whilst this is not a priority species UK Biodiversity Action Plan (UK BAP) it is listed in the Shropshire LBAP as a species of concern. On a more general point the loss of woodland in the long term should be avoided and restoration/reinstatement should follow Biodiversity Action Plan guidance e.g. broadleaved, native, deciduous, etc and should include a ground/herb layer.
- ii. Landscape – In general terms Woodcote Wood is a distinctive element of the countryside in this area the loss of woodland would have an aesthetic and cultural impact. Coniferous plantations are not generally regarded as having high ecological value (although recent evidence is suggesting that some species e.g. Dormice are now using this habitat type). A restoration scheme that saw the retention of woodland and increasing the proportion of native deciduous would seem preferable. Enhancing connectivity with nearby (ancient) woodland sites such as Green's Wood (to the North West) and Lynn Wood (to the East) would be beneficial. Such measures would be supported by chapter 8 of the Regional Spatial Strategy.
- iii. Woodcote Wood lies in the "Mid Severn Sandstone Plateau" where The Countryside Agency has identified the following characteristics and objectives:
  - Part of the area lies within the Forest of Mercia which gives a high priority to landscape improvement, particularly through reclamation of derelict land and regeneration of areas of green belt and open urban land.
  - The protection and enhancement of sites for nature conservation, historic and archaeological value needs to be addressed.
  - There are excellent opportunities for the creation of heathland on marginal and reclaimed land.
  - Where conifer, plantations are reaching maturity there are opportunities for creating mixed plantations and increasing wildlife and amenity benefits.
  - Many parklands would benefit from conservation and management.
  - There is high industrial archaeological interest throughout the area and

- particularly at Ironbridge. This merits conservation and interpretation.
  - The management of intensive arable areas is increasingly likely to address nitrate pollution.
  - Links between fragmented waterside habitats along rivers, streams and canals should be considered.
- iv. The EIA has omitted to include significant horizon views of Woodcote Wood from the A518 from Swan Pit Nursery back towards Newport. The area of high land at Windmill Bank, Albrighton, upon which Hill Top House stands, also has long views on to Woodcote Wood, as have a terrace of cottages on high ground by Moreton Park. Both of these will probably overlook plant and operations in the quarry area. In the context of the visual amenity rising to a high point of Woodcote Wood as seen in the wider landscape, the shape of Woodcote Wood gives it visual impact from many directions. The impact is heightened by the dark green colour of most of most of the conifers in winter time. The highest area of Woodcote Wood is obviously the most visually significant and the proposals retain this as existing. The applicants have responded relatively sensitively to most of the potential visual problems which would be caused by quarrying Woodcote Wood. However, the restoration proposals will result in a different horizon shape to the land. The quarried area of the wood will be 16m lower at its eastern end than previously, which will give quite a dip in the tree line. The fact that the restoration proposals also propose open glades, some of significant size, will also change the visual mass of the wood and it will appear as broken woodland rather than a solid shape.
- v. With regard to the restoration proposals, sensitivity has been used in proposing replanting with native tree species, which presumably will eventually apply to the whole of the wood, through planned forestry management. The winter colour of the wood will change. There is some concern with the proposal to introduce species rich grassland in the woodland glades. Mowing twice a year will be required to retain the grassland areas which would otherwise be quickly colonised by hawthorn, willow and wild rose, which is proposed as underplanting to the tree planting. Who will inspect to check that the maintenance is being carried out during the first 5 year period? The long term maintenance of these areas needs to be assured otherwise it would just as well be tree planted.
- vi. Cultural Heritage: Woodcote Hall appears in Shropshire County Council Historic Parks and Gardens publication (1997) as a "Site of Local Importance". The Woodcote Wood EIA acknowledges the site's SMR listing but does not add any further research information. The SCC Parks and Gardens document advises that "because parkland was sometimes insulated from agricultural and other pressures, the survival of archaeological sites and features unrelated to garden history can also be significant". This has relevance for the chapelry boundary on the northern side of the wood. The EIA states that "feature is of local importance, but it is not considered to be of sufficient interest to warrant preservation in situ". It is recommended that further consultation is carried out with the County Archaeologist to establish the extent to which this conclusion can be supported.
- vii. Highway Engineer: From the proposed rate of extraction, the applicants expect up to 90 Heavy Goods Vehicles (HGVs) each way to and from the site during the working day. All HGV traffic will enter and leave from the A41 via a new roundabout with the B4379, rather than use the B4379 through Sherriffhales. There will also be employee's cars, though in terms of impact these will not be significant. The main destination of the excavated material is predicted to be Telford, as the nearest large built-up area. There are three potential routes available – the A518, the A41 south and thence the A5, and the A41 south to the M54. Each route has its merits

depending on the final destination within Telford and so traffic is likely to be spread over all three, with probably no more than 40 loaded trips daily using any individual one. These are strategic routes already carrying a number of HGVs and so the relative impact will be small. For example, the A518 carries about 750 HGV movements a day east of Trench Lock and the A5 about 500 HGVs a day at Redhill. In fact the applicant expects most movements to use the A41 south to the M54, which although the longest is the best route for HGVs. A length of approximately 4km of the A41 north of the site lies within the Borough of Telford and Wrekin. This carries about 1350 HGVs/day so again, the addition of quarry traffic should not represent a significant increase. Accordingly, it is considered there are no highway grounds on which the Borough could object to the application.

- viii. Environmental Health. The EIA makes assessments for both noise and dust. The methodologies used in the EIA have assumed stable metrological conditions with non-existent winds. Using these conditions, no allowance has been made for the effects that any wind may have on the dispersal of noise and dust. The strength of the wind in the area is unknown but the wind direction will be predominantly from the south west. It is quite feasible for wind direction to affect noise dispersal by +-3dB. Dust dispersal will also be subject to differential dispersion, being subject to wind direction. A major source of noise and dust will be from stripping of any overburden from the site. Noise during the operation can be minimised by ensuring that all plant is contained inside the area designated by the soil bunds that re proposed to be formed around the perimeter of the site.
- ix. During the initial stripping operation dust will be a major concern as it will be so close to the surrounding surfaces. Wind equipment will be the predominant source of this dust. It is suggested that this operation is only carried out as periods where the likelihood of the stripped soil containing sufficient moisture to control dust can be assured. Until consolidated of the bunds is achieved the surface drying of the bund will release dust into the atmosphere. Dust control measures are not mentioned for this stage but it can be effectively achieved by spraying at the end of each working day with a liquid which is capable of forming a crust at the surface. One of the suggested measures for the control of dust is to put the plant into the ground. This is stated to be up to 8m below the adjoining ground level. It is assumed that this 8m is the base of the plant. As most of the dust will not be generated at the base level but at some higher point up to the highest point of the plant and m/c, it is important that the top of the plant remains below the surrounding ground levels. It is suggested that the top of any plant or machinery used for sand and gravel extraction and/r grading is at a height which is at least 3m below the surrounding ground levels. Similarly, stockpiles should have a maximum height that is at least 3m below the surrounding ground levels.
- x. Vehicle movements will also be a likely source of dust arising from vehicle movements. Either road surfaces which can be swept must be employed or the surface must be constantly kept in a state (dampened) where dust is not allowed to be generated. Dust from the grading and screening operations, but not necessarily the quarrying process, will be controlled by the Pollution , Prevention and Control Act. It is important therefore that all the necessary controls for dust and noise are imposed by other means. The applicant's have suggested that the noise levels at residential properties are set at background +-10dB. The background levels move throughout the 24 hour period and unless the background at any time is known, the enforcement of such a condition will be impossible. It is suggested therefore that the background needs to be fixed and the 10dB from site activities added to this figure. The background level will be fixed at the appropriate level for the most sensitive period of the operations, probably first thing in the morning when site operations will be

commencing.

- xi. As with the dust problems, noise will not emanate from the lowest part of the machinery but at varying heights of the plant. To control the noise (like the dust) it is suggested that the top of any plant or machinery used on the site must be at least 3m below the surrounding ground levels.
- xii. Engineering Maintenance No objections.

6.3 Bridgorth District Council:

- i) Planning – This Council has concerns at the effect of the proposal on Woodcote Hall and other nearby residential properties and the loss of high quality agricultural land. The County Council should only grant permission if it is satisfied that:

- justifiable circumstances exist to warrant permission for this third phase site under policy M14 in the Minerals Local Plan;
- satisfactory mitigation measures and operational controls are conditioned to environmentally protect the public and the ecology/archaeology of the site and area;
- satisfactory concurrent restoration and after use conditions are attached; that access should be solely from the A41 and not from the B4379;
- satisfactory legal controls are in place to ensure that vehicular traffic does not go along the B4379 through Heath Hill and Sheriffhales;
- no blasting takes place.

- ii) Environmental Health – In order to ensure that noise levels from the proposed development do not exceed noise limits recommended in Minerals Planning Guidance 11: The Control of Noise at Surface Mineral Workings at the nearest noise sensitive premises it is recommended that a condition is applied to any permission requiring noise monitoring to be undertaken on a regular basis at all four sites mentioned in the applicant's report, to ensure that noise levels do not exceed the above noise limits. A condition should also be imposed to ensure that noise from the proposed activities do not exceed 10dB above the measured background level up to a maximum of 55DbL<sub>Aeq,1hr</sub>, as measured at the facade of The cock Inn, Pine Ridge and the Sacred Heart Church. This condition is in line with the proposed noise limits of chapter 5 of the environmental assessment and in accordance with MPG11.

6.4 Sheriffhales Parish Council: Concerns are expressed on the following points:

- i. Traffic The Parish Council is concerned about the traffic impact of the proposals and the potential for cumulative traffic impacts. Already there is deep concern in the Parish about the volume, nature and speed of traffic on the B4379, especially that traffic which uses the road as a short cut off Newport bypass to South Telford in busy periods. The provision of an island at the A41/B4379 junction would serve to increase the attraction to motorists of the short cut through Sheriffhales. A scheme is already drawn up for work to be carried out on the B4379 in Sheriffhales village towards pedestrian safety, and those plans include a reduction in the speed limit from 40 to 30mph. Separately, there are plans for traffic lights at the Crackley Bank junction of the A5 and B4370. The Parish Council considers that if this application were to be approved, it would be essential for both of these schemes to be carried out also, concurrent with the new A41/B4379 junction work. There is already a weight limit on the B4379 and the Parish Council takes it from the description, that the intention is for all traffic associated with the proposed working to use the short stretch of the B4379 to the A41. The Parish Council will absolutely



- oppose the use of the B4379 through Sheriffhales to and from the site, even if unladen and below the existing weight restriction. The Council is alarmed that despite the description of proposed traffic movements, the arrows seem to show some mineral traffic moving from Sheriffhales towards the site.
- ii. Separately the Parish Council has deep concerns about the prospect of more HGV's on the A41 in view of the bends and undulations from the King's Street junction northwards through Bloomsbury beyond Woodcote Hall as far as New Lodge. This application needs to be viewed together with:
- the dangerous nature of this length of the road
  - the prevailing increase in traffic, especially lorries
  - the absolute standstill that has happened from time to time recently when it seems that traffic has been re-directed here when the M6 is closed.
  - the prospect of increased traffic connected with the envisaged expansion of operations at Muller, Market Drayton.
- iii. The Parish Council wish serious consideration to be given to a scheme to improve and update this stretch of the A41 in view of the factors shown above. So far as the A5 is concerned, the Parish Council considers Red Hill completely unsuitable for traffic associated with this proposed development. What measures would be taken to ensure that such traffic using the A41 Southwards from the site would actually use the M54 to Telford and not the A5? All of the highway concerns apply equally in respect of the tree felling and removal of the trees from the site.
- iv. Working Hours The declared working hours (0700 to 1800) would involve traffic movements in the hours of darkness in winter months. What would the effect be for the neighbourhood of the associated working and traffic movements?
- v. Noise More details are requested on current and predicted noise levels, including extraction and plant and confirmation of what would be an acceptable limit. There is also concern about the nature of individual sounds, such as reversing beepers. What account is taken of this factor in considering an application, and what can the applicant do to reduce the impact of the irritation element? Will the County Council please make it a condition-of any planning consent that regular and frequent noise monitoring be undertaken in order to ensure that noise levels are within specified limits?
- vi. Dust Assurance is sought that the proposed operations would be able to proceed without dust nuisance to residents. The Parish Council wishes the County Council to consider a planning condition requiring the applicants to monitor dust levels and eliminate dust nuisance.
- vii. Light Pollution Assurance is sought that there would be no light pollution, for instance from inappropriately positioned lights.
- viii. Hydrology Assurance is sought that the proposed workings would have no detrimental effect on the surrounding area and its water resources.
- ix. Reinstatement The Parish Council wish to have absolute reassurance that if this application were to be granted, the site would indeed be reinstated according to the application and not be used for waste disposal of any description.

- x. Cultural Confirmation is requested that all references to the chapelry boundary relate to the boundary of the Parish and not to the boundary of the property of the Sacred Heart Church. The ancient Church referred to in the noise report is St Peter's Church Woodcote. Sacred Heart is the name which attached to the modern building at the back of Woodcote Hall, when it was built as a Chapel.
- xi. Plant Design The Parish Council wishes to have an opportunity to comment on the detailed design of the proposed plant.
- Xii. Redundant Carriageway The Parish Council hopes that the applicant will be required to plant the severed triangle of land as suggested.

6.5 Chetwynd Aston & Woodcote Parish Council (Telford & Wrekin) - The following observations are made:

- i. Is there a better site elsewhere?
- ii. In view of the proximity to an Old People's Home Councillors consider that the working hours should be restricted to 8-5 on weekdays, with no weekend or Bank Holiday noise.
- iii. Woodcote already has a problem with surface water from this site causing flooding at Cock Hollow. Provision must be made for the disposal of surface water from the immediate entrance and the improved Island to be routed to Bolams Brook.
- iv. Councillors would like a guarantee that the landscape will be restored. 5. Telford and Wrekin Council should strictly monitor environment issues.

6.6 Staffordshire County Council (neighbouring Mineral Planning Authority) – Staffordshire County Council has taken into account the details of the application and has noted that the proposed site is identified as a 'preferred area' for sand and gravel extraction in the Shropshire, Telford and Wrekin Minerals Local Plan 1996-2006. This site is understood to be allocated within this Plan as a 'Third Phase' preferred area and therefore should not be brought forward and developed until the end of the current Plan period (e.g. 2006). The submitted application therefore seeks the working of an allocated site in accordance with the phasing principles set out in an existing adopted development plan and therefore in respect to minerals planning policy issues Staffordshire County Council has no objections to the development.

6.7 Environment Agency – An initial holding objection has been withdrawn following the receipt of additional information from the applicant.

a. Comments in relation to initial planning consultation:

- i. There is a need to ensure adequate drainage and wash/dust suppression/domestic water for the site.
- ii. Mineral extraction will only take place above natural groundwater level and therefore no active dewatering will be required. However, reducing the unsaturated zone thickness and vegetation cover may lead to ponding at the lowest point during periods of high rainfall. There is a need to know where water will be obtained for the processing plant. There are no abstraction licences in the vicinity and the site lies within the Aqualate groundwater unit

where there is a presumption against any large new abstraction proposals. Any dewatering/abstraction proposals may need to be tied to a S106 obligation covering monitoring of existing sources and/or water features and actions to be followed if derogation outside predetermined parameters is found.

- iii. The ES has not addressed the issues of foul drainage or presented any statement regarding the refuelling and maintenance of vehicles. Due to the nature of the development, soakaways are not recommended for the disposal of foul drainage. The plans show the existence of a settlement lagoon, however no mention is made of whether any discharge to controlled waters will take place. The prior written consent of the Agency is normally required for any discharge of sewage or trade effluent into controlled waters, and may also be required for any discharge of surface water, sewage or trade effluent.
- iv. The submitted EIA does not address the impact of the proposals on the general drainage of the site or the surface water drainage method of the roads. There must be no interruption to the surface water drainage system of the surrounding land and all existing drainage systems should continue to operate effectively. Provided satisfactory revised/amended details (possibly including legal agreement under Section 106 Town and Country Planning Act 1990) are submitted, it is unlikely the Agency would raise further objections subject to imposition of detailed planning conditions covering drainage and pollution matters.
- v. The objectives in the restoration proposal are supported. The mix of native broad-leaved woodland and species rich grassland will constitute a significant ecological improvement. However, a number of additional habitats and features could be created to further enhance the ecological value of the restoration scheme. Principle among these is the creation of wetland/pond habitats through areas of ephemeral or longer standing water. These would provide valuable habitat for aquatic flora and fauna including dragonflies, damselflies and amphibians which could potentially include Great Crested Newts. With regard to the other habitats of value, nutrient poor sandy gravelly soils often left after quarrying has finished, provide the opportunity to develop heathland and acid grassland mosaics. If the drainage is such that wet and dry heath develops this will be even more ecologically valuable. Waste materials produced from timber removal such as old stumps, and rock and stone from quarry activities, can be used to form habitat piles for hibernating amphibians and reptiles and a home to invertebrate species. Woodland edges should be maximised by use of glades and rides. A varied structure including shrubs and different tree species provides a richer habitat for woodland birds and foraging bat species. With regard to the creation of a species rich grassland habitat, there may be the potential to source seed/hay from a local Wildlife Trust Nature Reserve or a SSSI. Finally, during the working phases of the site certain species may colonise or habitats form of operational features such as the lagoons. A watching brief, and the flexibility to incorporate such features in the final design, will enable the restored sites ecology to be maximised. Species such as Great Crested Newts, wading birds may often make use of such features.

b. Comments of Environment Agency in relation to additional information:

The additional information includes a series of options which the developer could incorporate in order to satisfy the Agency's concerns. Whilst it has been demonstrated that the issues can be addressed, details will have to be agreed, which can be covered in negative conditions including the following.

- submission of schemes for surface water and foul drainage works;
- submission of a scheme for the monitoring of groundwater levels;
- submission of a scheme for the provision and conservation of water for mineral washing, dust suppression, domestic use, etc;
- submission of a scheme for dust suppression;
- condition to ensure any liquids are stored in a suitable impervious bunded compound;
- Mitigation measures in the event that Cessation of development contamination not previously identified, is found to be present at the site;
- submission of a scheme for restoration has been approved by the Local Planning Authority.

6.8 Department for the Environment, Food and Rural Affairs – No objection in view of the fact that the site is woodland. Soils should be stripped, stored and restored using low ground pressure equipment. Trees require deep, un-compacted soil and it is vital that the soil condition meets this restoration requirement. Further guidance for the handling of soil is given in the MAFF Code of Good Practice for the Protection of Soil. The sustainable use of the available topsoil, subsoil and soil making materials in the restoration of the site is welcomed. It is noted that approximately 0.245 hectares of best and most versatile agricultural land currently in agricultural production would be lost. Additionally, a triangular area will be severed from the main field. The following comments are made:

- a) The shape and size of the small triangular field north of the road realignment will limit its agricultural uses, as the use of modern agricultural field cultivation equipment in such a small awkwardly shaped area will not be practicable or viable. However, the views and preferences of the landowner of the severed land will be key to its future use and management.
- b) The topsoil from the net loss of 0.25hectares of land could be utilised to restore new road verges and other deficient areas (subject to landownership issues and agreements). Moreover, surplus topsoil could be utilised to augment the restoration inside the quarry, particularly as soil depth is a little shallow in some areas. However, best and most versatile soil should ideally be used to restore land to this quality and maintain the principle of sustainable development. The depth of topsoil should not exceed approximately 40cm.

DEFRA have provided a schedule of detailed agricultural conditions which they request are imposed on any subsequent planning permission.

6.9 Campaign to Protect Rural England – Objection on the following grounds:

- i. Notwithstanding the status of Woodcote Wood as a Phase 3 site in the 1996-2006 Minerals Local Plan, we object to the application at this stage, believing it to be contrary to MLP Policy M1 on a more sustainable approach to mineral development and Policy M14 on the development of new workings. Policy M1 seeks to conserve minerals within the county as far as possible in pursuit of the Council's firm commitment to sustainable development, managing its resources to minimise the use of primary minerals to the level actually needed by society. There is clearly no need for the development in strict planning policy terms - the landbank of currently permitted sand and gravel reserves maintained under Policy M13 being quite sufficient to meet the county's requirements to 2013 and beyond at the agreed sub-regional apportionment of 0.82 million tonne/year.
- ii. There remains a question over the 7 million tones of already permitted reserves at

Sleap Airfield. However, we believe, it is disingenuous of the applicant (as well as extremely dangerous in sustainability terms) to suggest that this reserve can effectively be discounted from the currently available landbank. The fact remains that Sleap Airfield has been granted permission. So, unless the MPA revokes the Sleap permission (which the CPRE believe warrants serious consideration given the repeated delays in its development), it must remain a valid element of the official landbank; especially since it could be developed at any time by its owners to contribute some 0.25 tonnes of sand and gravel per year (more than a quarter of the County's annual supply requirement).

- iii. Certainly, there is no case to be made for a shortage of mineral supply within the immediate future. All the more so, as permission granted for the Barnsley Lane site adds a further 1.5 million tones to the permitted reserves, and 0.18 million tones/year to the supply from 2009. Under these circumstances, we feel it would be premature in the extreme to add a further 0.20 million tonnes of supply in the immediate future just to address a possible shortfall in the 'usable' medium-term landbank. In fact, the CPRE considers that to do so would contravene MLP Policy M14, which advises that the MPA will consider a proposal to develop the Phase III site only in the event of circumstances which prevent the required production rate being achieved from existing sites, or those in the first and second phases.
  - iv. While the applicant advances a complex of 'need' arguments based upon considerations of the extent of and prospects for the landbank (both theoretical and real) the CPRE considers that these are irrelevant to M14. The CPRE considers that there remains no problem with the production rate, nor is there likely to be within the foreseeable future. At the same time, there has been no problem with the development of either the Phase I or II sites. Under these circumstances, we feel very strongly that any issues as far as both a possible decline in production rates in the next decade and the landbank beyond it are concerned at this very late stage in the 1996-2006 Plan period are more properly addressed through the replacement Minerals Local Plan process currently underway. This will allow a full and detailed examination of the complexities of the current landbank status and supply issues in public with the accent firmly on the sustainability of County's mineral resources, so ensuring reserves are brought on stream strictly in line with agreed need rather than the commercial requirements of rival mineral operators.
  - v. We consider such an approach vital to avoid any unnecessary over-exploitation of the county's minerals, while minimising the annual impact of mineral developments on our countryside. With the priority clearly on minerals sustainability, we urge the County Council to reject the present application as contrary to important current MLP policies and defer consideration of it pending development of the new minerals planning policies covering the period over which the extraction will take place.
- 6.10 Shropshire Wildlife Trust – No objection. It is recommended that the ponds to the north of the site are assessed for the presence of great crested newts (GCN). Newts require an extensive area of terrestrial habitat around a breeding pond to forage and hibernate (they spend 2/3 of their lives on land) and therefore with regard to the proposed extraction, any newt populations close to the site would probably colonise the lagoons excavated as part of the proposed works. Therefore if GCN are identified mitigation measures would need to be included into any scheme to prevent harm to this protected species.
- 6.11 English Nature – On the basis of the information provided, English Nature has no comment to make on this application. The proposal does not appear to have an adverse effect on a Sites of Special Scientific Interest (SSSI). English Nature's

records do not indicate the likely presence of a protected species on the site but the applicant must ensure that the development does not conflict with the legal protection of species as set out in ODPM Circular 06/2005.

- 6.12 Shropshire Badger Group – No response received.
- 6.13 Health and Safety Executive - No response received.
- 6.14 Severn Trent Water PLC - No response received.
- 6.15 Government Office for the West Midlands - No objections received.
- 6.16 Chief Fire Officer - No response received.
- 6.17 Forestry Commission - No objections. The main interest of the Forestry Commission lies with the restoration proposals, which would represent a net gain in public benefit. It is assumed that the restoration to woodland would be a condition under which permission is granted. The Forestry Commission would prefer that the restoration is to 'locally native broadleaves' rather than the wider title of 'broadleaves' as this would prevent the restocking using species such as Beech and Sweet Chestnut which are not native to Shropshire.
- 6.18 The Coal Authority – No objection. According to the Coal Authority's records the property is not within the zone of likely physical influence on the 'face from past underground coal workings.

Internal Consultations:

Sustainability Group

- 6.19i. Archaeology - Comments on initial planning consultation - The archaeological assessment undertaken as part of the EIA for the application has demonstrated the existence on the site of a linear earthwork postulated as defining part of the boundary of Woodcote chapelry. An approximately 450m length of this earthwork would be removed by the proposed sand and gravel extraction. Further historical research indicates that the boundary along which the earthwork runs was, in the 11th century, the actual county boundary between Shropshire and Staffordshire and also the boundary of the administrative unit of Bradford Hundred. Therefore, in the late Anglo-Saxon period this boundary was one of considerable regional importance. This fact has been overlooked, or at least not mentioned, by the consultants in their assessment of the earthwork in the Cultural Heritage section of the EIA. This significantly alters the potential historical and archaeological importance of the linear earthwork, especially if in origin it dates to the Anglo-Saxon period, as now seems a strong possibility. Consequently, a further archaeological evaluation and assessment of this earthwork should be carried out prior to the determination of the minerals application and in accordance with PPG 16. This evaluation would seek to further clarify the date, nature and function of the earthwork in order for a fully informed assessment of its significance to be made and an informed planning decision taken.
- ii. Archaeology - Further observations - The revised archaeological evaluation report relating to the above which has now been submitted has satisfactorily addressed the weakness of the original report. In view of this, the archaeological evaluation is now considered to have been satisfactorily completed. On the basis of the information provided by the evaluation, it is not considered that preservation in situ would be essential for the section of linear earthwork to be impacted on by the proposed

quarry. Clearly though, it would be preferable if the earthwork could be retained in its entirety. If however removal of the section of earthwork is unavoidable should the quarry proceed, it would then be necessary for further archaeological work to be undertaken to mitigate the impact. Accordingly, any planning permission for the proposed extraction should be made subject to a condition requiring a further programme of archaeological work to be undertaken in accordance with an agreed scheme.

6.20i Ecology The SCC Environmental Record shows no nature conservation site designations or records of protected species within 1 kilometre of the proposed quarry site. Records of species rely on chance finds and are far from complete. Hence absence of records should not be taken to show absence of a species. Woodcote Wood is not listed as being an ancient woodland or a plantation on an ancient woodland site. The majority of the proposal area is shown as open or with scattered trees on the 15<sup>th</sup> edition OS map of 1891. However, the southern boundary adjacent to the B4379 appears to have been well wooded, as was a band along the northern edge of the proposal area, on the slopes of the hill. These older wooded areas are more likely to support a better woodland flora and ideally as much as possible should be retained for landscape as well as ecological reasons. The southern boundary is described in the proposals as being retained as a screen. The further up the slopes of Woodcote Hill the extraction progresses, the more visible the workings will be from a distance. The high proportion of conifers and even, relatively young age (50 years) of the plantation trees tend to produce a less diverse woodland habitat. The small triangle of farmland which will be isolated by construction of the access route should be planted up with native tree species of local provenance. Where possible the existing hedges should be retained and snowberry should be eradicated if possible because of its highly invasive nature.

ii. Ecology - Comments on protected species: Amphibians - There are no ponds suitable for breeding amphibians in the woodland although a toad was found under a refuge during the reptile survey. The nearest ponds are between 350 and 400m away from the closest part of the proposed quarry, on farmland to the west and in another small block of woodland to the north-west, separated by agricultural land. Great Crested Newts are the only protected amphibians. The current English Nature guidance states that a survey may be indicated when there are:

- Any historical records for GCNs on the site, or in the general area.
- A pond on or near the site (within around 500m), even if it holds water only seasonally.
- Sites with refuges (such as piles of logs or rubble), grassland, scrub, woodland or hedgerows within 500m of a pond.

iii. However, recent research commissioned by English Nature (Research Report 576) has shown that during mitigation work, by far the most captures are within 50m of ponds and few animals are captured at distances greater than 100m. The report goes on to say 'the most comprehensive mitigation, in relation to avoiding disturbance, killing or injury is appropriate within 50m of a breeding pond. It will also, almost always be necessary to actively capture newts 50 - 100m away. However, at distances greater than 100m, there should be careful consideration as to whether attempts to capture newts are necessary or the most effective option to avoid incidental mortality. At distances greater than 200 - 250m, capture operations will hardly ever be appropriate'. In view of the above, the current proposal is very unlikely to impact on any existing population of Great Crested Newts. However, under certain conditions the proposed lagoons might develop into suitable habitat for newts in the future. If permission is granted, the two ponds should be checked for

GCNs in spring of 2007 following English Nature guidelines. Should GCNs be found, before each phase of the work commences, the likelihood of GCNs being attracted to the site should be assessed and any suitable mitigation plans should be drawn up, and be submitted for the planning authority's approval.

- iv. *Reptiles* - the supplementary survey has adequately shown that there should not be a significant impact on populations of reptiles in the area.  
*Badgers* - similarly the additional badger survey indicates that the woodland is not being used by badgers to any great extent. Badgers are very mobile and free ranging animals and again there should be a resurvey before each new phase of the work.  
*Birds* - a condition should be imposed to prevent felling of trees, scrub or hedgerow removal during the nesting season (mid February to late August). Diversification of habitats during the restoration phases should increase the range of birds present.  
*Bats* - the relatively recent age of the trees make the presence of bat roosts less likely but felling contractors should be made aware of relevant legislation and, where possible, trees with cavities should be checked before felling.
  - v. Ecology - Comments on restoration: A phased approach to the work will allow restoration to begin early in the scheme and reduce negative impacts on landscape and biodiversity. The seed and bulb bank in the woodland topsoil will be extremely important for the restoration. Where possible, soil stripped to start a new phase should be spread immediately on the finished land form of the old one, to optimize the viable seed bank. Any topsoil which has to be stored should be treated according to the relevant British Standard. Native broadleaved woodland, glades and rides with species rich grassland and heathland could be created through the restoration, together with ponds if the hydrology permits. Smaller scale features such as cliffs, amphibian/reptile hibernacula, bird or bat boxes could also be installed. Any areas to be left as glades, rides or heathland should not be covered in topsoil as a nutrient poor substrate is essential. Nutrient poor soil will also reduce the management input after restoration. Topsoil should not be imported from other sites as inappropriate seeds etc may be imported with it.
  - vi. If permission is granted, a condition should be made requiring a detailed landscape and biodiversity mitigation plan to be submitted to the planning authority for approval before each phase of the work. Resurvey for particular species may be necessary due to the lapse of time and mobility of protected species. This phased approach will allow the restoration to address up to date targets in the national, Regional and Shropshire Biodiversity Action Plans. Measures should be considered to ensure management of the restored habitats beyond the ten year period as this would be essential for long term biodiversity gain.
- 6.21 Highways – The current junction between the A41 and the B4379 is poor in terms of its geometry, visibility and vertical alignment on its approach from the north direction. The proposed new traffic island on the A41 and realignment of the B4379 is considered to be a welcome feature. Given however that there is also an accident record a Stage 1 Safety Audit should be undertaken for the proposed roundabout scheme. The alignment of the new section of the B4379 to the site access should be to a minimum of 6.5 metres and kerbed and appropriately drained. The new section is relatively straight and may attract vehicles to overtake on exiting the roundabout traveling towards the site access. Given the nature of slow moving HGV's associated with the sand and gravel extraction this is a highway safety concern. Forward visibility for drivers travelling from the east to west direction could be restricted unless adequate land is acquired to provide the requisite forward visibility when approaching the junction, potentially behind a waiting right turning vehicle into the access. A Stage 1 Safety Audit is also therefore requested on the new section of the B4379. The



proposed new site access provides visibility splays of 9 x 215 metres and junction radii of 20 metres. I have reservations on a number of counts.

1. The realignment of the B4379 and site access visibility splays will attract high vehicle speeds and may induce overtaking manoeuvres to take place in the vicinity of the site access. There is some reservation about the merits of providing 20 metre junction radii. There is clearly no need to provide such a radius on the western side since no HGV's are to turn in that direction. The 20 metre radius on the eastern side together with a 9.0 metre 'X' distance may induce HGV's to exit onto the B4379 at a faster approach speed than is desirable. An 'X' distance of 4.5 metres is considered acceptable and a 15 metre radius on the eastern side should be considered.
2. A Stage 1 Safety Audit is requested for the new junction as with the new section of the B4379 and new roundabout. The audit should recognise the nature of the proposal for sand and gravel extraction and the types of vehicles associated with this activity. I would anticipate that as part of the Safety Audit, consideration would be given to any proposals for the provision of advance signing and road markings to alert drivers of the access ahead and slow moving turning vehicles.
3. The current weight restriction on the B4379 clearly would not prohibit the use of the B4379 past Sherriffhales by mineral HGV's. However the junction with the site access could be designed so as to direct HGV's to the east via kerbed islands within the junction, whilst allowing exiting cars to turn right.

Note: The applicant has carried out safety audits of the proposed highway scheme as required. The results of this exercise are considered in section 8 of this report.

6.22 County Councillor Mr S.West has been informed of the proposals.

6.23 In addition to the above the proposals have been advertised in accordance with statutory provisions and the 131 nearest residential properties have been individually notified. The County Council has received letters of objection from 14 local residents. The principal concerns are as follows:

- Traffic safety – the A41 is already dangerous – traffic will approach the proposed roundabout too fast – particularly southbound. The number of heavy vehicles on the A41 is already too high. Will speed cameras and traffic lights be employed on the approach to the roundabout?
- The increased levels of heavy traffic from the proposed quarry will have an adverse impact on noise levels, road safety and pollution;
- Traffic increases massively on the A41 when there is an accident on the M6;
- A roundabout on the A41 would be a disaster – at rush hour there would be extensive queues and slow moving lorries on the B4379 and turning onto the busy A41 would lead to accidents;
- Drivers would become impatient behind slow moving heavy quarry vehicles, leading to accidents;
- Concern that because the site is allocated in the Minerals Local Plan it will be difficult to refuse. Why cant the permitted site at Sleaf Airfield be worked instead?
- It is already impossible to gain access to the A41 at junctions north of the B4379 at certain times of the day and the addition of more slow-moving heavy traffic would make this situation worse;

- The speed of some drivers using the B4379 is excessive - what assessment has been made of this? – A speed limit should be imposed on the B4379 between Heath Hill and the A41;
- How will vehicle movements be controlled / enforced?
- Concern that vehicles will queue on the B4379 to enter the site;
- No assessment has been undertaken of the speed of traffic on the B4379 west of the proposed site entrance though the recent accident record indicates quite a problem on this stretch;
- There are regular flooding problems on the A41 at Cock Hollow which may have contributed to traffic accidents. There is concern that the quarrying proposals may exacerbate this by changing local drainage / hydrology and adding silt / mud to the highway drainage system;
- Concern about the length of the proposed hours of working (0700-18.00 weekdays, 07.00-13.00 Saturdays). No other forms of operation such as maintenance should take place outside of the specified hours;
- Questioning the need for the sand and gravel at the site at this stage rather than towards the end of the post-plan landbank. – There is a need to consider whether demand could be met from existing quarries.
- The application is premature and changes in demand should be addressed through the emerging development plan framework;
- Concern that the proposals may be linked to future quarrying proposals at Pave Lane north of Woodcote Hall;
- Will adversely affect the environment and general feel of the historic town of Newport. This quiet area is an amenity for the people of Newport and Telford;
- Invasion of greenbelt land / impact on countryside;
- Devaluation of properties – will there be compensation?
- Proposed hours of working would be an intrusion;
- Concern about health damage including respiratory problems from dust;
- Noise nuisance – will noise be monitored? The noise report has set a noise limit of background plus 10 decibels. Only by adopting this relatively high increase has the report been able to include that the development may proceed. This is an exceptionally quiet rural area and a 10dB increase will be easily heard;
- Noise from wheel cleaning;
- Dust nuisance – no specific assessment has been undertaken of the effect of dust on nearest properties – only potential sources of dust have been listed – the air is very pure in the vicinity of the site at present;
- Where will the required water come from? Many small pools providing important habitats have dried out. Mineral working could exacerbate this;
- Damage to ecology of woodland – an wildlife survey should be undertaken – has the site been surveyed for badgers – buzzards live in the trees around this area and would be upset by quarrying disturbance;
- The corner plot of trees nearest to Woodcote Hall should be retained for screening;
- The retained tree belt around the site will not have sufficient density to provide a screening function as foliage is restricted to upper branches. New tree planting should be undertaken around the site as early as possible to strengthen screening;
- Flowering trees such as rhododendrons should be replaced with the same species – rhododendrons give a beautiful display on the B4379 frontage in late spring;
- Will archaeological sites be affected (including burial mound and ice house)?
- Visual impact - the landscape would be damaged by removal of so many trees which would not need to all be felled as part of conventional forestry operations

- The estate boundary wall is looking unkempt and should be repaired.
- 6.24 A letter has been received from a consultant acting on behalf of local residents making the following observations:
- No assessment has been undertaken of the speed of traffic on the B4379 and the accident record relating to this area.
  - No assessment has been undertaken of the effect of vehicle speed and the sharp right-hand bend just north of Heath Hil when traveling along the B4379 to the A41;
  - Why has the need for a speed restriction on the B4379 not been considered given the speed of vehicles and the volume of slow mineral traffic turning onto the B4379?
  - The main potential sources of dust have been listed but there has been no assessment of the potential effects of dust deposition. In the absence of this, the assessment of effects cannot be relied upon. Dust is listed as an effect which could be controlled to an acceptable level, but there needs to be a firm commitment that such levels of control will be achieved.
  - BS4142 acknowledges that complaints are likely to arise where a specific noise source exceeds background levels by more than 10dB. In view of this, why have noise limits been set for nearby properties on the basis of background plus 10dB? Surely additional noise mitigation measures should be considered to achieve greater noise attenuation.
- 6.25 The Lilleshall Resident's Association has objected to the proposals on the following grounds:
- The Applicant has not shown that a justifiable need exists for additional sand and gravel reserves to come forward at this time. To this end, the proposed development will result in an excessive provision of land-won aggregates.
  - The over provision of primary won aggregates will discourage initiatives to promote secondary and recycled aggregates i.e. aggregate recycling facilities, and may discourage the efficient use of mineral. Both of which are fundamental facets in the delivery of sustainable mineral development.
  - The Site at Woodcote Wood represents a new extraction operation rather than an extension to an established Site. As noted in paragraph 69 of MPG6 and paragraph 6.63 of the Adopted Local Plan, extensions generally tend to have less environmental impact than new sites. To this end, the favoured approach should be to bring forward extensions to current operations in preference to new sites.
- 6.26 The owners of Woodcote Hall have objected to the proposals on the following grounds:
- This is a large proposal for a long period and needs rigorous scrutiny, notwithstanding the site's allocation in the Minerals Local Plan;
  - A lot of vulnerable people live at the nearby Woodcote Hall nursing home which is a particularly sensitive location;
  - The effect of noise and dust on Woodcote Hall needs to be evaluated scientifically before any approval;
  - The cumulative impact of noise and dust generated by the operation could mean unacceptable effects on the amenity and well-being of Woodcote Hall residents who are restricted in their movements and thus could not escape the impacts of the workings;

- Questioning need for the mineral given the opportunity for use of secondary aggregates;
- Potential ecological impacts need thorough examination.

6.27 The following objection has been received from Lilleshall Golf Club:

The Golf Club has been in its present location since 1937 and has benefited from being part of a serene countryside environment. The planning application for the extraction and processing of sand and gravel in the vicinity of our course is unacceptable for the following reasons:

- The level of noise that will be generated by mechanical equipment, safety warning devices and heavy haulage is going to have a dramatic adverse affect on the pleasure we derive from the game of golf at Lilleshall.
- The species of bird and animals that thrive in the vicinity are going to be disrupted and redistributed as a result of this action with the removal of trees and fauna in the affected area.
- Heavily laden lorries will commence their journey by way of the A41, an already busy road. This will lead to vehicles being slowed down even more and increasing the risk of traffic accidents due to higher volumes.
- Mineral traffic will give the hedgerows a dirty, grimey and lifeless appearance, not only in the immediate vicinity of the site but over a much wider area due the heavy haulage making their way to Shifnal , Telford , Newport, and Donnington.
- The dust that will be created by these workings will carry on the prevailing winds towards Lilleshall Hall Golf Club, harming and choking our environment. It can be said that there is a potential risk to health over the long term to our members.
- Elderly residents being comforted in their last years would have to endure discomfort by way of noise and dust. Why should they have to endure such conditions for the benefit of corporate profit?
- The golf course presents a facility for both members and visitors. If the plans go ahead it could have a negative effect on the revenue that we receive due to a reduction in green fees and resignations from members. Ultimately this will have an adverse effect on infrastructure and forward planning.
- As a golf club management committee we are empowered to make representation on behalf of 700 members and therefore wish to register our objection to the proposal and application that will scar our beautiful Shropshire countryside.

## 7. ASSESSMENT OF THE PROPOSED DEVELOPMENT

### PLANNING POLICY CONTEXT

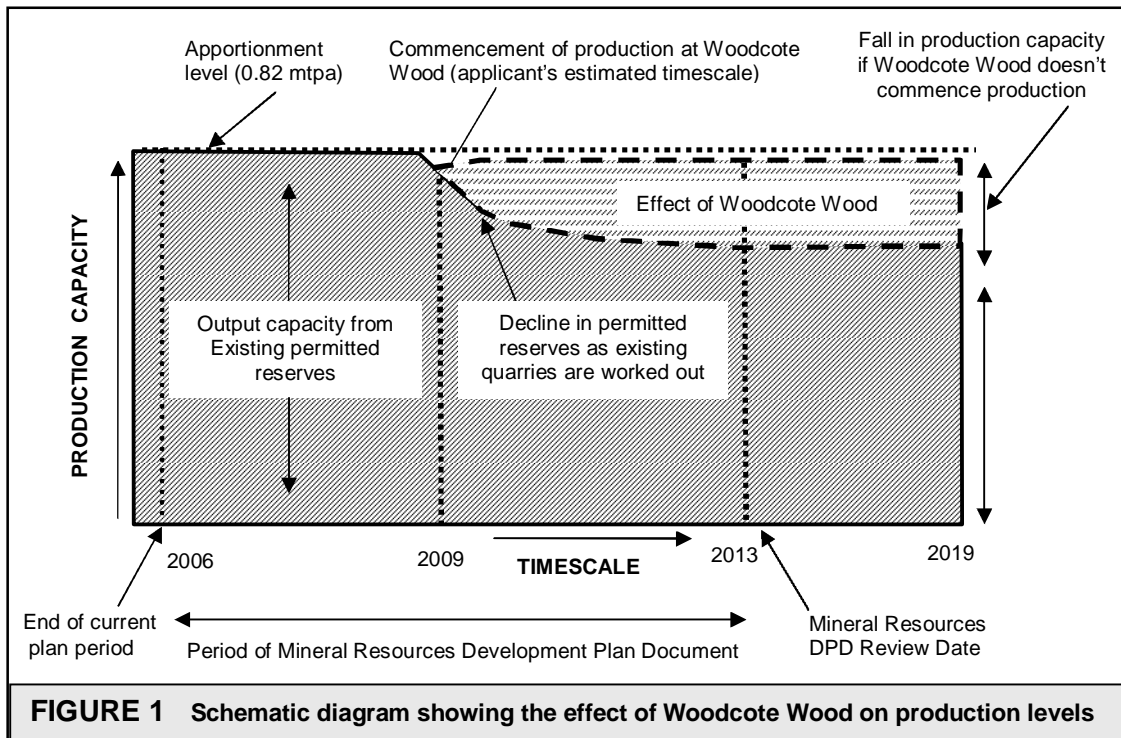
7.1 Development Plan Considerations Planning applications must be determined in accordance with the policies of the Development Plan, unless material considerations indicate otherwise (Section 54A, Town and Country Planning Act 1990). The Minerals Local Plan (MLP), which forms part of the Development Plan, identifies the site as potentially suitable for mineral working. This is provided that the much greater level of detail in the current application shows that the proposals are capable of satisfactorily addressing land use issues, local factors and other material considerations. The MLP identifies the site as the Third Phase Preferred Area for mineral working (Policy M14) following the Plan's site selection and assessment process.

- 7.2 Need for the Mineral - Introduction Policy M2 of the Minerals Local Plan states that in the context of a sustainable approach to mineral development (Policy M1), where proposals for mineral working give rise to material planning objections which are not outweighed by the planning benefits, or when an Environmental Statement is necessary, the applicant will be required to demonstrate that there is a need for the mineral. Whilst recognizing that Woodcote Wood is a Preferred Site in the MLP, the applicants have provided further information to substantiate the need for the mineral from the site. They have also indicated the potential timescale for actual mineral extraction and production from the site in keeping with a managed approach. In addition, they have produced within the Environmental Statement and other supporting information details to demonstrate that any material planning objections can be satisfactorily mitigated and confirming other potential benefits arising from the overall scheme. These matters are addressed in subsequent sections.
- 7.3 The CPRE and some local residents have questioned the need and justification for working of the Woodcote Wood site at this stage. It is accepted that sand and gravel sales have reduced relative to the levels assumed in the MLP and that consequently, permitted reserves in the total landbank have not been used up at the levels anticipated. However, there are a number of factors which also have a bearing on this situation. In particular, issues related to individual sites mean that only a proportion of the total permitted landbank reserve will be available for production within the next Plan period (i.e. to 2019). At the same time reserves at some permitted quarries are becoming depleted, whilst Telford's role as a sub-regional growth centre is likely to ensure a sustained demand for local supplies of sand and gravel. All these factors will influence the need for sand and gravel in the new Plan period, including from the current application site. The following sections describe how the Shropshire, Telford & Wrekin sub-region contributes to the supply of sand and gravel for the West Midlands, including agreed output levels and the implications of this has for the current proposals. The section concludes that, based on current information, if the Woodcote Wood site were not to be released at present, with extraction operations planned for approximately 3 years time, the Shropshire, Telford & Wrekin sub-region may well encounter difficulties in achieving its agreed annual apportionment at that stage.
- 7.4 Need – Detailed Considerations Shropshire Telford & Wrekin are members of the West Midlands Regional Aggregates Working Party (WMRAWP) which takes account of recent output and production trends in order to provide guidance on the demand for aggregates (the 'apportionment') across the region. The WMRAWP is part of a national network of Working Parties providing the basis for the national guidance on aggregates provision. The apportionment determines the size of the sand and gravel landbank for individual sub-regions. The current Minerals Local Plan advises that a landbank will be maintained sufficient for 7 years supply of sand and gravel, in accordance with the guidance in MPG6. The period of the landbank reflects the lead-in times that may be involved in obtaining planning permission and bringing a site into full production.
- 7.5 The levels of sand and gravel demand assumed in the current Minerals Local Plan are based on the production levels which applied at the time of the 1989 aggregates survey. There has however been a reduction in aggregate output relative to predicted demand since the publication of MPG6, as was acknowledged by the publication of revised aggregate forecasts by central government in 2003. This reduction means that the existing sand and gravel reserves have depleted less rapidly than was anticipated, and more mineral therefore remains in the landbank. The latest published annual report of the WMRAWP (2003) states that in December 2003, Shropshire had approximately 14.8 million tonnes of permitted sand and gravel

reserves (including active and dormant sites). Sales of sand and gravel in 2003 amounted to 822,000 tonnes which was 9.0% of regional sales for sand and gravel. A similar trend has been recorded for the Aggregates Monitoring report in 2004, publication of which is imminent.

- 7.6 Since 2003, production of sand and gravel in Shropshire has averaged around 0.82 million tonnes per annum. No new sand and gravel sites have been permitted, but the County Planning Committee resolved in July 2004 to permit a 1.5 million tonne site at Barnsley Lane near Bridgnorth (the phase 2 site in the Minerals Local Plan) which will replenish landbank reserves. The planning permission will be issued when the associated legal agreement has been completed. Whilst in simple arithmetic terms, the level of reserves is significantly above that required to maintain a 7 year landbank as specified in the present MLP, a number of other detailed factors also need to be taken into account.
- 7.7 The draft MPS1 recognises that there is a need to avoid overprovision of aggregate, but also acknowledges that detailed factors may influence the supply of sand and gravel and the ability to achieve agreed apportionment levels. This includes constraints on the availability of consented reserves, significant anticipated future increases in local demand and where there is a distinct and separate market for a specific type or quality of aggregate. The current Minerals Local Plan includes a commitment to provide a landbank for 7 years beyond the current plan period extending to 2013. In the case of the Shropshire, Telford & Wrekin sub-region three significant factors which will limit the ability to achieve the agreed apportionment in the period between 2006 and 2013:
- i) One site still to commence full production (Sleep near Wem) has 7 million tonnes of permitted reserves (i.e. half the current landbank) but is limited by planning conditions to a maximum output of 250,000 tonnes per annum. The company in question already operates another sand and gravel quarry south of Shrewsbury with permitted reserves extending beyond the current Plan period.
  - ii) Available information indicates that other currently permitted sand and gravel sites are likely to have exhausted present reserves in the 2006-2013 period.
  - iii) Two dormant sites are included in the current sand and gravel landbank. The operator has indicated that there are unlikely to be any circumstances in which these sites would re-commence production in the period between 2006 and 2013.

When these factors are taken into account it is evident that there are considerable limitations in terms of the reserves in the current sand and gravel landbank which will actually be available for production of mineral in the period between 2006 and 2013. As such, the Shropshire Telford & Wrekin sub-region may have difficulty in maintaining agreed apportionment levels unless new reserves are permitted. Figure 1 illustrates this situation. A decline in output capacity is likely to be experienced in the period commencing after the end of the current Plan, as reserves at existing quarries become depleted. Output potential from the remaining quarries is likely to fall below the agreed apportionment level of 0.82 million tonnes per annum if no new reserves are permitted. The effect of Woodcote Wood site is to add up to 200,000 tonnes per annum of new production capacity, assisting in maintaining the apportionment figure attributed to Shropshire, Telford & Wrekin.



7.8 The CPRE has argued that whether or not the Sleaf site becomes fully operational within the post-plan landbank period is a strictly a commercial issue and should not be a material consideration with regard to the current application. However, the possibility that permitted reserves may not achieve full production within the current plan period was one of the reasons why the Inspector at the Minerals Local Plan Inquiry accepted the allocation of the Woodcote Wood site. It is now clear that the Sleaf site is unlikely to commence full production in the early post-plan landbank period. At the same time, recent increased housing demand forecasts and the status of Telford as a sub-regional growth-centre could place further requirements on the demand for sand and gravel at sites in proximity to Telford. There are currently no sand and gravel sites within Telford & Wrekin and the majority of this demand is therefore supplied by sites in Shropshire. However, the permitted reserves at some of these sites are becoming depleted. The application site is located on the border of Telford & Wrekin and would be capable of producing a wide range of construction aggregates. It would therefore be well placed to supply a proportion of Telford's future demand for sand and gravel in terms of proximity and access considerations. The applicant has confirmed that if the site were permitted it would be at least 2 years before production would commence, given the lead-in time required to provide the necessary infrastructure (see 7.10 below).

7.9 The main purpose of the aggregates forecast and apportionment system set out in MPG6 and the draft MPS1 is to ensure a stability of aggregate supply for construction purposes based upon an equitable system of apportionment. The sand and gravel landbank is not an end in itself but a mechanism for ensuring that this stability of supply is maintained. MPS1 recognises that even where the landbank may appear sufficient, detailed factors may affect the ability to supply mineral at agreed production levels. In such circumstances MPS1 acknowledges that the release of additional reserves may be appropriate. The County Council's analysis of detailed landbank and supply factors indicates that difficulties will be encountered in maintaining agreed production levels unless additional reserves are released. The current site would provide added confidence regarding the ability of the subregion to meet its share of regional aggregate production, and to supply the requirements of

the Telford market at a time when reserves at other sites are becoming depleted. In these circumstances it is concluded that the current proposals are consistent with the advice in MPG6 and draft MPS1 and the phased release provisions of the Mineral Local Plan. (Minerals Local Plan Policy M2 (need), M14 (future sand and gravel working; MPG6).

7.10 Commencement Date The applicant has confirmed that the quarrying proposals would be associated with significant pre-development works, including:

- implementation of the highway improvement scheme to the A41/B4379;
- realignment of the B4379 from the A41 to the vicinity of the site entrance;
- construction of the site entrance and associated works to reconstruct the boundary wall along the B4379 visibility splay;
- implementation of a tree felling programme for the plant site, stockpile area and Phase 1 mineral extraction area;
- stripping of soils from initial operational areas;
- preparation of the plant site, stockpile areas and construction of the silt lagoons.

In view of this, the applicants consider it unlikely that actual mineral extraction/sales would commence for at least two years after the date of issue of any planning permission. Thus, any mineral extraction/sales would be unlikely before the summer of 2008 (i.e. outside the period of the current Minerals Local Plan).

7.11 Minerals Development Plan Document (20007-2017) The Preferred Options Draft Minerals Development Plan Document was published in February 2006. It is anticipated that this document will be adopted (and will replace the Minerals Local Plan) as part of the minerals and waste development framework by the end of 2007. The calculations of sand and gravel demand used to prepare the Draft Minerals DPD reinforce the need for the mineral at Woodcote Wood, to ensure that the Shropshire-Telford & Wrekin sub-region is capable of continuing to maintain its agreed supply of sand and gravel throughout the new plan period. These calculations take account of the allocated status of Woodcote Wood in the current Minerals Local Plan.

## CONSIDERATION OF ENVIRONMENTAL ISSUES

7.12 The extent to which the application is capable of addressing detailed technical / land use issues and offering environmental benefits is considered in the following sections. These sections take into account Structure Plan Policy P58 (sustainable minerals development) and P59 (the need to protect interests of acknowledged importance) and the policies of the Minerals Local Plan, including M1 (sustainable approach), M2 (need for minerals), M3 (development control considerations), M4 (operational considerations), M7 (benefits to countryside), M11 (transport) and M27 (Reclamation / afteruse).

7.13 Highways The Development Plan contains policies designed to ensure that proposals likely to generate significant levels of vehicle movements do not give rise to an unacceptably adverse impact on the local highway system. The quarry proposals would generate a significant number of heavy vehicle movements. The anticipated output of 200,000 tonnes per annum would equate to between 32 and 36 loads (64 – 72 movements) for 20 tonne loads assuming a working year of between 275 and 305 days. The principal market for the mineral would be the Telford area. It has therefore been assumed that some 80% of the traffic would travel south along the A41 towards the A5 and A54, with some 20% of the traffic traveling north along the A41 towards



the A518. With the exception of strictly local deliveries, all HGV traffic would be routed from the site entrance to the new A41 junction. The applicant recognises that the geometry of the existing A41 / B4379 junction has limitations and would benefit from being realigned to improve visibility and safety. Accordingly, the development includes proposals for the creation of a new roundabout junction off the A41/B4379. The applicant considers that this would more than adequately cater for the traffic generated by the development, and would be a positive benefit of the scheme which would improve the highway infrastructure of the locality.

- 7.14 The Environmental Statement includes a Traffic Impact Assessment (TIA) which considers the effect of the proposed quarry traffic on the local road system. The development would result in an increase in daily traffic of approximately 1.4% on the A41, and 9.6% on the B4379. The TIA concludes that the predicted increase in HGV traffic on the A41 would be minimal in the context of the likely day-to-day fluctuations in traffic flows on this road. The predicted percentage increase in traffic on the B4379 is greater due to the low volume of base traffic, but would be limited to a short 300m length of this road between the site and the A41. The results of the junction capacity assessments indicate that the proposed site access onto the B4379 would operate well below capacity in the morning peak hour. The proposed A41/B4379 roundabout junction would also operate below capacity in the morning peak hour of both the 2006 and 2016 assessment years, although some minor queuing delay is predicted on the A41 north arm in the 2016 design year.
- 7.15 The Highways (Development Control) team has acknowledged that in capacity terms there are no overriding objections to the anticipated level of quarry traffic. The proposal to construct a new traffic island on the A41 and to realign the B4379 junction is acknowledged as a highway improvement. The need for 20 metre junction radii as originally proposed has been questioned as this may lead to increased lorry speeds. In particular, the wider radius would not be needed on the western (Sherrifhales) side as quarry traffic would not be dispatched in this direction. The B4379 west of the site access is not considered to be suitable for use by quarry hgv's. The location of the current weight restriction on the B4379 would not prohibit this but relocation of the weight restriction to the immediate west of the site access would achieve this objective and the Highway Authority would support such a measure. It is also considered that the junction should be designed so as to direct hgv's to the east via kerbed islands within the junction, whilst allowing exiting cars to turn right. The applicant has submitted a revised junction layout which is acceptable to the Highway Authority and these matters could be covered by a Highways Legal (S278) Agreement. The applicant has also carried out Stage 1 Safety Audits on the new access and the highway improvement scheme. These Audits make recommendations regarding detailed design measures such as signage but indicate that slow moving quarry traffic is capable in principle of safely joining the B4379 and the A41.
- 7.16 Highways – Conclusion The site is well placed to serve local markets and the proposed highway improvements will allow good access links to the primary road network. It is considered that, provided the proposals are subject to appropriate planning conditions and a Legal Agreement to cover traffic management, routing and highway improvements they are capable of complying with Development Plan policy relating to highway and access considerations. (Mineral Local Plan Policy M8 (planning obligations), M3 (Development Control Considerations); M11 (Transport of Minerals); Structure Plan Policy P15 (protecting the environment), P31 (sustainable transport), P35 (Road Freight) and P37 (the highway network).
- 7.17 Redundant carriageway and agriculture The proposed highway improvements would

lead to a 220m stretch of carriageway becoming redundant along the old course of the B4379 (area 0.14ha). The new road realignment would also sever part of the existing best and most versatile quality agricultural field and produce a small triangular field (0.8 ha) to the north of the realigned B4379. DEFRA has not objected to any overall loss or severance of agricultural land associated with the proposed highway improvement, and is aware of the highway benefits of the scheme as put forward by the applicant. DEFRA do advise verbally however that the small size and awkward shape of the severed field area will limit its agricultural versatility. The applicant has agreed to plant up the severed field area as deciduous woodland to reinforce the retained woodland area of the eastern side of Woodcote Wood and would accept a condition on any planning permission requiring the submission of a woodland planting scheme for this area. The applicant has also agreed in principle to incorporate removal of the redundant carriageway into the overall scheme. Subject to the imposition of appropriate conditions it is concluded that the proposals can be accommodated in relation to the relevant development plan policies. (Structure Plan Policy P52, P59; Minerals Local Plan Policy M3)

### General Amenities

- 7.18 Noise Central Government has provided advice on the control of noise from mineral workings in Minerals Planning Statement 2 (MPS2). The guidance states that in areas with typical background noise characteristics of 45 decibels an upper limit of 55dBLA90 is appropriate for normal quarrying operations. In quieter rural areas however noise from quarrying should not exceed background levels by more than 10 decibels. The Environmental Statement contains a noise assessment which identifies the main sources of noise within the site, predicts noise levels at four sensitive receptor locations around the site and puts forward noise mitigation proposals. Background noise levels for the area around the site are measured at between 35 and 38dBLA90 and noise limits have therefore been defined on the basis of the 'background plus 10' noise criteria. This gives appropriate daytime noise limits of between 45 and 48dBLA90. The noise assessment contains predictions of noise levels associated with mineral extraction based upon factors such as the anticipated type/level of plant activity. These predictions establish that the 'background plus 10' limit for normal quarrying operations would not be exceeded at the four nearest properties. The study concludes that the development could proceed in accordance with the noise limits set out at each noise sensitive property.
- 7.19 Temporary operations such as soil stripping can generate more noise than normal quarrying operations and MPS2 allows for this by temporarily relaxing the recommended noise limits. The applicant states that such operations would however be undertaken only occasionally at the site with typically one such episode a year lasting for a period of less than two weeks. During such periods the applicant states that noise level may marginally exceed the normal working criterion of 45 dBL<sub>aeq</sub>. However, they would remain well below the temporary limit for such operations of 70 dBLA<sub>eq</sub> specified by MPS2 which applies for up to 8 weeks a year.
- 7.20 The applicant has confirmed that the noise predictions are based on a 'worst case' scenario. This assumes that all mobile plant involved in the extraction operation would be working on the surface of the land, in direct line of sight of the existing receivers (i.e. the four properties assessed as part of the noise study). In practice, whilst operations would take place on the surface for short periods during soil stripping and initial excavation, the vast majority of extraction and haulage would take place at increasing depths below ground level, and would thereby benefit from the acoustic attenuation of working at such depths. The noise calculations also assume that activities are taking place at the Woodcote Wood site boundary, rather than the

more distant extraction site boundary within the confines of the wood. In addition, the calculations of noise emissions from the processing plant assume that the plant would benefit from a barrier of only 3 metres whereas, in practice, the plant would benefit far more substantially from existing topography due to the slope of the land. There is no 'direct line of sight' to the closest property to the southeast (Pine Ridge), which is separated by an intervening ridge some 20 metres higher than the highest part of the application site. Nevertheless, even on the basis of these 'worst case' assumptions, all noise calculations are within the criteria levels which have been set at the four properties. In these circumstances, it is considered unlikely that the predicted noise levels at the respective properties will be realised and that in reality, lower noise levels will be experienced.

- 7.21 The applicant has agreed to accept a planning condition requiring noise monitoring to be undertaken at periodic intervals in order to check compliance with the noise limits, and to verify that, in practice, the noise levels are considerably lower than predicted. A number of established control measures are also available in order to minimise noise disturbance. In particular, the provision of smart reversing alarms on plant / vehicles operating within the site can reduce the noise impact of reversing sirens. Internal haul roads can also be designed for circular vehicle flow, thereby minimising the need for reversing movements. Maintenance of an even running surface can reduce 'body slap' caused when vehicles run over potholes. The applicant has agreed in principle to incorporate these and other noise mitigation provisions and such measures can be conditioned in the event of planning permission.
- 7.22 Noise & Working Hours The Environmental Statement confirms that background noise levels in all 4 monitoring locations (and particularly the 3 roadside locations) are significantly quieter at 7.00am than 8.00am, presumably as traffic related noise increases. The quieter conditions at 7.00am underscore concerns raised by local residents regarding the proposal to commence working at this time. In particular the predicted noise is close to exceeding the 'background plus 10' criteria of MPS2 at Pine Ridge between 7.00am and 8.00am. The company has indicated that it would be necessary to dispatch some vehicles shortly after 7.00am in order to supply local markets. The company has however emphasized that the noise predictions are based on the worst case scenario (see preceding section) and has agreed that measures would be employed to ensure that noise was minimised during the early morning period – such as loading vehicles the day before. The noise predictions suggest that the indicative levels set out in MPS2 would not be exceeded at 7.00am and the company's requirement to dispatch vehicles at this time to supply local markets is acknowledged. Notwithstanding this, any quarrying activity would be linked to a requirement to undertake noise monitoring at the nearest properties. If such monitoring indicates heightened noise sensitivities associated with 7.00am working then appropriate noise mitigation measures would be required.
- 7.23 In conclusion, the noise predictions in the Environmental Statement demonstrate that the proposals are capable of complying with the noise limit criteria for quieter rural areas set out in MPS2. The recorded background noise levels comply with the methodology in MPS2 and are considered to form an acceptable basis for the noise predictions. It is accepted that the noise predictions are based on realistic assumptions about the levels of plant and activity within the site. The topography of the site relative to the nearest properties will also provide a significant amount of natural attenuation and the design of the site does not require a high intensity of plant use. Conditions can be imposed on any planning permission to ensure that noise mitigation complies fully with best practice throughout the proposed quarrying and restoration operations. To provide added reassurance however, it is also recommended that any planning permission includes a requirement for submission of

a scheme to monitor noise from quarrying, with identification of additional detailed noise mitigation measures where appropriate. This is acceptable to the applicant. Noise control would also be evaluated as part of an annual review process linked to any permission, which would allow for the implementation of any further improvements which may be identified as workings progress. Subject to these provisions it is concluded that the proposals can be accepted in relation to Development Plan policy relating to noise issues. (Mineral Local Plan Policies M3 and M4; Structure Plan policies P58 and P59; MPG11).

- 7.24 Dust The Environmental Statement recognises that mineral extraction has the potential for dust generation. The principal sources of dust are identified and a number of dust mitigation measures are described. The report concludes that, with the adoption of these measures the proposed mineral working is unlikely to have a significant effect on local air quality. The company states that the dust section of the ES is based upon practical experience of dust emissions and controls. The type of activities likely to give rise to dust emissions can be readily predicted based upon experience at other sand and gravel quarries, and conventional dust controls would be an integral part of day to day site management. The specific dust controls highlighted in the ES would be assisted by the overall design of the development which seeks to confine quarrying activities within the retained woodland fringe. Whilst the principal purpose of that design is to minimise/eliminate visual impact, the retained woodland fringe would assist in attenuating dust emission. The majority of the mineral workings would be set down relative to surrounding ground levels, thereby providing further attenuation. The sand and gravel strata within the site have relatively high moisture content and can therefore be worked and processed without significant dust emission. Stockpiles of sand and gravel would not contain dust or silt as this would have been removed by washing and processing. The progressive nature of the working and restoration would also minimise the areas of bare ground capable of generating dust. The Applicants have similar experience of dust control at their Rugeley Quarry in Staffordshire, which is working a similar deposit within a woodland area, and where no dust emission problems are apparent.
- 7.25 Water would be required for use in the washing and screening plant (see item 9 below), and there would therefore be a readily available supply of water for use in a bowser. The haul roads to the plant site would generally be located in the central area of the quarry and would be below adjoining ground level which would assist in controlling dust. The internal access into the processing plant would also be located towards the centre of the site. It is concluded that, provided the proposals are subject to appropriate dust control measures they should not give rise to any unacceptably adverse dust impact. The effectiveness of dust control measures would be monitored on an ongoing basis throughout the operational life of the site. Dust control would also be evaluated as part of an annual review process linked to any permission, which would allow for the implementation of any further improvements which may be identified as workings progress. Subject to these provisions and submission of a detailed Dust Management Scheme it is concluded that the proposals can be accepted in relation to Development Plan policy relating to dust issues, including Mineral Local Plan Policies M3 and M4 and Structure Plan policies P58 and P59.
- 7.26 Landscape and Visual Amenity The wooded scarp of Woodcote Hill provides a setting for the historic Woodcote Park. The landscape around the site is potentially sensitive to change as a result of mineral proposals and there are a number of sensitive visual receptors in the surrounding area, including the Woodcote Hall Nursing Home. Structure Plan policy 42 seeks amongst other matters to ensure that change is sympathetic to landscape character and quality. The Minerals Local Plan

recognises that the site's woodland setting offers screening benefits for a minerals operation and the proposals have been designed to maximise these benefits. The site is centrally located within the area of search identified in Minerals Local Plan, allowing surrounding trees to be retained for screening. Extraction would be phased to limit the amount of land subject to quarrying disturbance at any one time and would be preceded by phased woodland felling. The mineral extraction phases have been designed, where practicable, to follow existing forest rides and woodland compartments. The processing plant and stocking area would also be cut into the gently sloping topography to further enhance screening of these areas. The applicant has confirmed that the agreement with the landowner will allow woodland to be retained in the area around the site for as long as it is required in order to screen the site. It has also been confirmed that localised planting would be undertaken if necessary at the north east corner of the site to ensure that there is no visual gap in this area where mineral extraction would come close to the woodland edge. It is recommended that these provisions are incorporated as conditions in the event of planning permission being granted.

- 7.27 The Environmental Statement includes a visual impact assessment. This acknowledges that the change in landscape character from existing woodland to an area of mineral extraction would have a temporary adverse effect, notably associated with the woodland felling. However, felling would occur as part of conventional forestry operations and would take place irrespective of any minerals development. The phased nature of the felling, working and restoration proposals means that only a limited proportion of the overall site would be subject to disturbance at any one time. The changes to the topography associated with mineral working would only be slightly perceptible from outside the site, as the ground level around the periphery would not change. The visual impact assessment concludes that the site would be generally obscured from view by the retained plantation around the site. The main source of visual impact would be associated with the felling of a narrow strip of plantation on the B4379 to create the site access. With that exception, the visual impacts from the appraisal viewpoints are assessed as either slight or as no change. The extent of woodland clearance would however be minimised due to the proposed realignment of the B4379 and also the revised site access design which takes account of the comments of the Highways Authority. Whilst rhododendron is not a native species, it does provide good low-level screening on the B4379 frontage and emphasise the parkland landscape. Local residents have remarked upon the attractive roadside display when the flowers are in bloom. The applicant has agreed to conserve the rhododendron edge adjacent to the B4379.
- 7.28 The stone walls and stone piers at access points are features which contribute to the landscape character of Woodcote Wood and the surrounding area. The boundary walls would be retained intact with the exception of a short section at the proposed site access where the existing wall would be removed. New walls would be constructed to form the site access using similar style and material to existing walls. This would result in a slight adverse impact. The impact on the proposed quarry on scheduled ancient monuments would be insignificant due to their distance from the site. Woodcote Wood is a recognisable landscape element in the setting of listed buildings at Woodcote hall, Heath Hill and Chadwell Mill. There would be an impact upon the landscape setting of these listed buildings but this impact is not significantly greater as a result of the proposed quarry. The felling and re-planting of the plantation would lead to a dramatic change in the landscape with or without the proposed quarry.
- 7.29 The visual appraisal advises that positive impacts would result in the longer-term from the proposed restoration scheme which would increase the diversity of the

landscape and vegetation. In the longer term the area would be returned to woodland which it is considered would blend well with the surrounding landscape and land uses. The restoration proposals would complement the ridge feature of Woodcote Wood. The Sustainability Group has put forward suggestions regarding detailed measures for enhancing the biodiversity of the site within the overall restoration / afteruse proposals. It is concluded that provided the proposals are subject to appropriate planning conditions governing screening, restoration and planting they can be accommodated in relation to Development Plan policy relating to landscape / visual impact. It is recommended that this includes a condition requiring prior approval of plant and stockpile design and location and restricting the maximum height of stockpiles and plant to 10 metres above surrounding ground levels unless otherwise approved, in order protect the visual amenities of the area. (Minerals Local Plan Policies M1v, M3, M5Ci; Structure Plan Policies P15, P42; Bridgnorth Local Plan policy CE1).

7.30 Woodcote Hall Nursing Home The owners of the Woodcote Hall Nursing Home located 500 metres to the north of the proposed quarry have objected to the proposals. They state that the proposals are large scale and for a long period and that a lot of vulnerable people live at the nursing home. Concern is expressed that the cumulative impact of noise and dust generated by the operation could mean unacceptable effects on the amenity and well-being of Woodcote Hall residents who are restricted in their movements and thus could not escape the impacts of the workings. Rigorous scrutiny should therefore be given to the effect of noise and dust on Woodcote Hall. The noise assessment accompanying the Environmental Statement confirms that predicted 'worst case' noise levels at the Hall would remain within the 'background plus 10 decibel' recommended level set out by MPS2. The site would be screened behind the retained woodland edge and located behind a ridge of higher ground. As such, the quarrying operations should not be visible from the hall. The felling of trees may have some impact on the appearance of the ridgeline as viewed from Woodcote Hall, but such felling would need to occur in any event as part of a normal forestry management regime. Given the location of the site, the screening effect of intervening topography and vegetation and the detailed noise and dust control measures which would be applied it is concluded that the quarrying proposals would be capable of proceeding without any unacceptably adverse impact on the occupiers of Woodcote Hall. This is provided that the operations are subject to appropriate operational controls. An ongoing review of noise and dust mitigation would take place during quarrying operations, including further noise monitoring at Woodcote Hall. This would provide an opportunity to identify the scope for any further improvements to noise and dust control measures.

7.31 Lilleshall Golf Club Lilleshall Golf Club has objected to the proposals citing concerns in relation to noise, dust, heavy vehicle movements and ecology. Concerns are also cited that there will be a general negative effect on the environment which will affect the Club's revenue. The Golf Club is set in a wooded area 1km to the west of the proposed site. The quarry would be totally screened from the golf course by the intervening wooded ridge of Woodcote Hill. It is not considered that noise or dust would be an issue for the golf club, given distance, the screening effect of the ridge and intervening woodland and the detailed controls which mitigation measures which are proposed for the quarrying operations. In terms of vehicle movements it is not proposed to use the two roads nearest to the golf course for quarry traffic (the B4379 west of the proposed site access and Lilyhurst Road). Access to the golf course and the National Sports Centre is obtained via a turning off the A41 at Church Aston to the north of the site and the A41 would be used by quarry traffic. However, the Transport Assessment accompanying the environmental statement confirms that the volume of heavy vehicle traffic which would result from the quarrying proposals would

be insignificant in relation to the general levels of heavy vehicle traffic on the A41. The proposed roundabout at the B4379 / A41 junction would also represent a significant improvement to A41 in this vicinity. In conclusion, provided the quarrying proposals are subject to appropriate controls it is not considered that there would be any unacceptably adverse effect on the golf course.

- 7.32 Conclusions on general amenity Concerns have been expressed by local residents, the Parish Council and the CPRE that the proposals could lead to adverse amenity impacts in relation to traffic, noise, dust, and visual impact. These issues have been considered and it is concluded that the potential effects of working are capable of being controlled satisfactorily by good management practices and conditions controlling site operations.
- 7.33 Ecology Development Plan policies seek to protect features of ecological / habitat interest and to conserve and enhance biodiversity (e.g. Structure Plan Policy P48, P49). The application site covers approximately 16ha of plantation woodland, mainly conifers, all of which are approximately 50 years old. Much of the woodland is subject to rhododendron invasion. Based on the results of survey and habitat quality assessment, there are no grounds to predict the presence of uncommon or important plant species or fauna. The removal of the woodland would result in the loss of a limited assemblage of common plants and fauna, the effect of which would be small and not significant. A supplementary survey has not identified the presence of any reptiles or badgers within the site. The applicant states that appropriate restrictions would ensure no negative effects on nesting birds. It is proposed to restore the site to woodland and this is consistent with the restoration concept set out in the Minerals Local Plan. However, the opportunity has been taken to introduce a more diverse range of woodland and complementary land uses (woodland glades, rides and open areas) and limited exposures of sandstone faces. The applicant states that this would contribute to a number of UK and local BAP objectives and have the potential to considerably enhance the nature conservation value of the area.
- 7.34 A supplementary survey of protected species including badgers would be required prior to entry into each mineral working phase. The phase 5 area comprises beech and sweet chestnut trees which have greater potential habitat value than other coniferous woodland within the site (i.e. in terms of nesting birds and ground flora including bluebells). It is considered that an additional habitat survey should take place prior to entry into phase 5 and specific safeguards should be put in place to conserve the soil resource in this area and its associated seed bank. The Environment Agency has highlighted the potential for additional ecological benefit associated with the production of wetland or ephemeral wetland habitats using silt from settlement lagoons. The applicant has agreed to incorporate these suggestions into the detailed site design. The Agency has also highlighted the potential for establishment of heathland and acid grassland habitats through use of nutrient poor sandy soils. This has been queried by the applicant as such a habitat may not flourish as it would be divorced from other such habitats.
- 7.35 The Shropshire Wildlife Trust has requested that a survey of Great Crested Newts is undertaken in the ponds around Woodcote Hall which are located 350-500m north of the site. This is requested because GCN may forage as much as 500m away from a potential habitat, although recent research by English Nature indicates that the vast majority of foraging takes place within 50 metres of the main wetland habitat. The ponds are described as fish ponds on historical Ordnance Survey maps and fish are known to eat newt eggs. The applicant has however agreed to undertake a newt survey of the ponds prior to commencement and appropriate newt exclusion measures are capable of being imposed in principle around key areas of the site

such as silt lagoons in the event that newts are found to be present in the ponds. Subject to the above provisions and to appropriate restoration / afteruse conditions it is concluded that the proposals can be accepted in relation to Development Plan policy regarding ecology and wildlife. (Minerals Local Plan policies M1v, M3ii, M5c, M27; Structure Plan policies P44, P48, P49).

#### Technical / Operational Issues

- 7.36 Mineral Resource The current application site defines the full extent of the identified mineral resource. The site is located on Triassic sandstones and conglomerates which the applicant states are widely worked as a source of sand and gravel in the Midlands. The mineral resource which has been proven by drilling boreholes and trial pits is principally soft sandstone and gravel which can be dug by a hydraulic excavator. Silt present within the sand and derived from mineral washing would be used to restore the site. The mineral occurs below a thin soil cover with no intervening overburden and the low ratio of overburden to mineral compares favourably with the ration at other sand quarries. The site also benefits operationally from the fact that it is above the groundwater table and can therefore be worked dry. The company has provided borehole data which supports the above conclusions. The Applicants are confident that the anticipated output of 200,000 tonnes per annum will be realised. This is based upon the intention to market some 120,000 tonnes per annum to existing CEMEX batching plants within the defined market area. Cemex consider that the external market would readily consume some 80,000 tonnes per annum for concrete aggregates, concrete products and drainage gravels. In those terms the Applicants are satisfied that there will be a strong and sustained market for the aggregate from the site, and that the intended output of 200,000 tonnes per annum is a reasonable and readily achievable figure. The site is strategically well located to provide aggregate raw material to construction projects in Telford, which is identified in the Joint Structure Plan as a key location for economic growth.
- 7.37 Water Resources The site is located on the Aqualate groundwater unit, a major aquifer where there is a presumption against new groundwater abstraction licenses (Structure Plan Policy P53, Minerals Local Plan Policy M3). There are no groundwater abstraction licenses within 1km of the site but a number are located within 5km. Although there are some ponds/watercourses within 1km of the site boundary but no surface water features within Woodcote Wood itself. The applicant states that groundwater levels are between 129mAOD in the western corner and 97mAOD in the eastern corner of the site. As groundwater would not be intercepted during excavation there would be no impact on groundwater resources. The applicant has confirmed that a minimum freeboard of 3m would be maintained above the groundwater table. The Environmental Statement recommends that before starting phases 3 and 5, additional borehole installations and monitoring are undertaken to determine the exact level of the groundwater in these phases.
- 7.38 The Environment Agency have not objected to the proposals. However, the site's location on an aquifer means that particular care will be required to prevent leaks of oil / fuel associated with site plant. The applicant's boreholes confirm that the mineral would be worked dry and the nature and thickness of dry strata between the base of the working/restored area and the water table is such that silt would not be carried into the groundwater. The absence of streams / brooks within or in the vicinity of the site significantly reduces the risk of pollution to surface water resources. The phased nature of the working and restoration proposals should minimise the surface area subject to disturbance at any one time. Therefore it is not considered that the current proposals would pose any significant risk to groundwater quality. The applicant's hydrologist has provided further information in relation to a



number of detailed hydrological issues, including the source of water for washing and dust suppression, measures to prevent ponding at the lowest part of the site (Phase 5) during high rainfall, measures for dealing with foul drainage and proposals for discharge from settlement lagoons. The Environment Agency has confirmed that these and related drainage / hydrological issues are capable of being dealt with satisfactorily by appropriately worded planning conditions.

#### Restoration / Afteruse

- 7.39 Reclamation and Afteruse Development Plan policy states that proposals for mineral development must incorporate a satisfactory scheme for reclamation of the site, progressively wherever possible, to a beneficial afteruse (Structure Plan Policy P69; Mineral Local Plan Policy M27). Schemes which provide new wildlife habitats, improve landscape character, enhance public access or make use of waste from mineral working will be encouraged and restoration and afteruse schemes should be practical and achievable (SP P69). It is considered that the proposals would allow restoration to a landscape and afteruse which is complementary with the surrounding area, and would facilitate significant ecological enhancement. The nature of working and restoration proposals ensures that much restoration would be achieved progressively throughout the working timescale. This is preferable to undertaking the majority of restoration after mineral extraction has ceased, and would allow the Mineral Planning Authority to undertake an ongoing review of the progress of restoration works throughout the operational life of the proposed site. However, the largest area of restoration would be restored following the cessation of mineral working and the proposed restoration habitats will take some time to become properly established. During this timescale management will be required for instance to replace planting failures and arrest any scrub incursion into the proposed glades. It is considered that proper establishment of the proposed afteruse will necessitate a 10 year aftercare period for restored areas rather than the normal 5 year period given the nature of the proposed restoration habitats. The applicant has confirmed that this would be acceptable in principle. Any planning permission would incorporate conditions governing restoration works to ensure that progressive restoration objectives were achieved and the aftercare became properly established. It is concluded that provided the proposals are subject to appropriate planning conditions they are capable of complying with development plan policy relating to reclamation and afteruse. (Structure Plan Policy P69; Mineral Local Plan Policy M27)
- 7.40 Archaeology The only archaeological resource likely to be affected by the proposed development is a length of some 450m of the linear earthworks along the line of the chapelry boundary. No further previously unknown archaeological remains were encountered within this area and there was no evidence for metalworking activity. Those features identified such as the ice-house and the avenue etc all lie outside the extraction area and therefore would remain unaffected by the development. The Historic Environment Officer has recommended that a condition is imposed on any planning permission, requiring a programme of archaeological works to be undertaken, including monitoring of all topsoil stripping, with provision for the recording of any archaeological features which may be encountered. This is acceptable to the applicant and can be addressed by means of an appropriately worded planning condition. (SP P25).

## 8. CONCLUSION

- 8.1 The proposed site is allocated for sand and gravel extraction in the Minerals Local Plan (1996-2006), for release at the end of the Plan period. It is not considered inappropriate for the current application for the next site in line in the Plan to come

forward at this stage. Objections have been received in relation to the proposals from local residents and some planning consultees, in particular in relation to environmental and amenity matters such as noise, dust, visual impact and HGV movements. These matters have been considered in the Environmental Statement and are assessed in this report. It is concluded that appropriate safeguards are available in all circumstances to allow the effects of any impacts to be satisfactorily mitigated.

- 8.2 The location of the site on a wooded hilltop, above the water table, with good access to the principal roads and major markets offers inherent advantages in terms of technical and amenity issues, which were recognised when the decision was taken to identify the site in the Minerals Local Plan. The progressive nature of the proposals should also serve to restrict the area subject to disturbance at any one time, and would allow close control to be exercised over mineral extraction and restoration operations. A scheme of highway improvement works and management measures to accommodate the development has been agreed with the Highways Development Control Group. The afteruse proposals are also considered to be in keeping with the landscape character of the area and environmental criteria listed in Structure Plan Policy P59. Provided the proposals are subject to appropriate planning conditions and a Legal agreement to cover the matters listed in section 2 above it is concluded that the proposed development can be accommodated in relation to Development Plan policies and other relevant local considerations.

### **Human Rights Act Appraisal**

1) The application needs to be considered in the context of the Human Rights Act 1998 generally, and the provisions of Article 1 of the First Protocol, and Article 8 of the Convention in particular. These provide as follows :-

a) Article 1 - "Every natural or legal person is entitled to the peaceful enjoyment of his possessions. No one shall be deprived of his possessions except in the public interest and subject to the conditions provided for by law and by the general principles of international law. The preceding provisions shall not, however, in any way impair the right of a State to enforce such laws as it deems necessary to control the use of property in accordance with the general interest or to secure the payment of taxes or other contributions or penalties."

b) Article 8 - "Everyone has the right to respect for his private and family life, his home and his correspondence. There should be no interference by a public authority with the exercise of this right except such as in accordance with the law and is necessary in a democratic society in the interests of national security, public safety or the economic well-being of the country, for the prevention of disorder or crime, for the protection of health or morals, or for the protection of the rights and freedoms of others."

2) The HRA effectively introduces a statutory obligation on public authorities such as the County Council to act consistently with the Convention rights. At the same time, it needs to be appreciated that the rights set out above are conditional rather than absolute, and that individual rights can be justifiably interfered with if this is in the interests of the public generally. In deciding whether or not private rights can be justifiably interfered with on the basis of public interests, it is necessary to reach a fair balance between private/ personal rights and the consequences for the wider public of a planning application being approved (or refused). The "fair balance" test is really another way of recognising that decisions which a public authority takes have to be proportionate.

3) In this particular case, a number of individuals and organizations are objecting to the proposed development. However, it is concluded that the individual environmental and amenity issues raised by the proposals are capable of being satisfactorily addressed in principle by detailed planning controls and that the need for the mineral in the site has been satisfactorily demonstrated. It is also considered that the proposed highway improvements and restoration proposals would result in wider benefits to the local community. On balance, it is felt that approval of the application would be consistent with the concept of proportionality, and would therefore not be contrary to the Human Rights Act.

**Financial Appraisal** This report is based on land use planning considerations in accordance with the provisions of the Town and Country Planning Act 1990 and does not include a financial appraisal.

**Environmental Appraisal** The main environmental considerations in relation to the current extension of time proposals are discussed above.

**Community / Consultations Appraisal** Included in the report.

**Local Member** SHIFNAL Mr S.J.West  
**District Council** Bridgnorth District Council

**Appendices** None