| Committee and date | Item |
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| **Southern Planning Committee**<br><br>**14th November 2023** | Public |

# Development Management Report

Responsible Officer: Tracy Darke, Assistant Director of Economy & Place

**Summary of Application**

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| **Application Number:** 22/05214/EIA | **Parish:** | Much Wenlock |
| **Proposal:** Restoration of part of Farley Quarry by means of the recycling of construction, demolition and excavation wastes and the engineered placement of the rejects from the recycling process to raise levels in the Quarry to create a restoration landform, together with ancillary activities and improvements to the site access. | | |
| **Site Address:** Farley Quarry, Farley, Much Wenlock, Shropshire, TF13 6NX | | |
| **Applicant:** Mr Jim Cannon | | |
| **Case Officer:** Graham French | **email :** planning.southern@shropshire.gov.uk | |

**Recommendation:- Grant Permission subject to the conditions and legal routing restriction as set out in Appendix 1.**

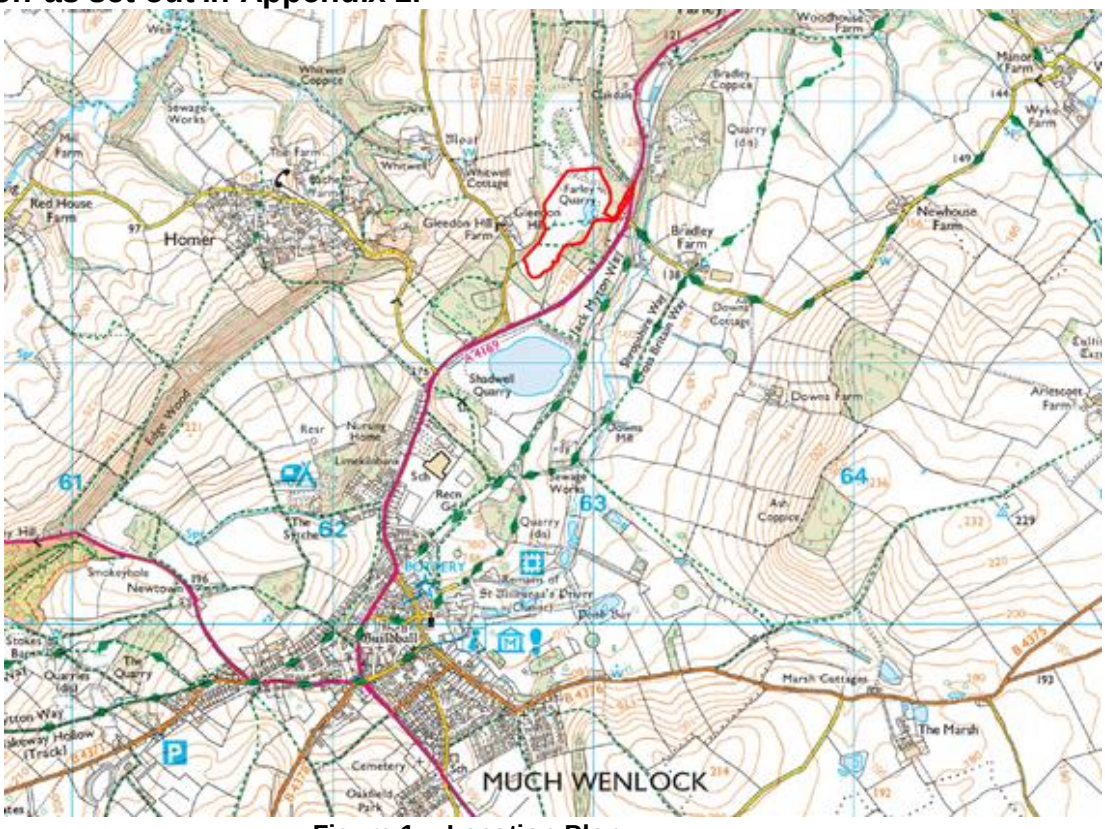


**Figure 1 – Location Plan**

## REPORT

1.0 THE PROPOSAL

1.1 The proposal is for restoration of the southern half of Farley Quarry through the engineered placement of imported inert fill materials. The infill materials would comprise inert residues from the recycling of construction, demolition and excavation wastes. Ground levels in the quarry void would be raised by infilling in 3 phases from south to north to create a gently sloping restoration landform (Fig 2). The proposals also include ancillary recycling activities and improvements to the site access at Farley Quarry.

1.2 The southern part of the Farley Quarry comprising the main quarry void would be restored to a landform suitable for amenity and agricultural use. The restoration landform would have a gently graded north-facing slope, falling by 6m across the site from south (163m AOD) to north (157m AOD). Restoration would be to grassland and woodland and would deliver a significant biodiversity enhancement (Fig 3). The proposed profile would require approximately 300,000m3 of fill which translates into 450,000 tonnes at a density of 1.5 tonnes per m3.


**Figure 2 – Phasing**

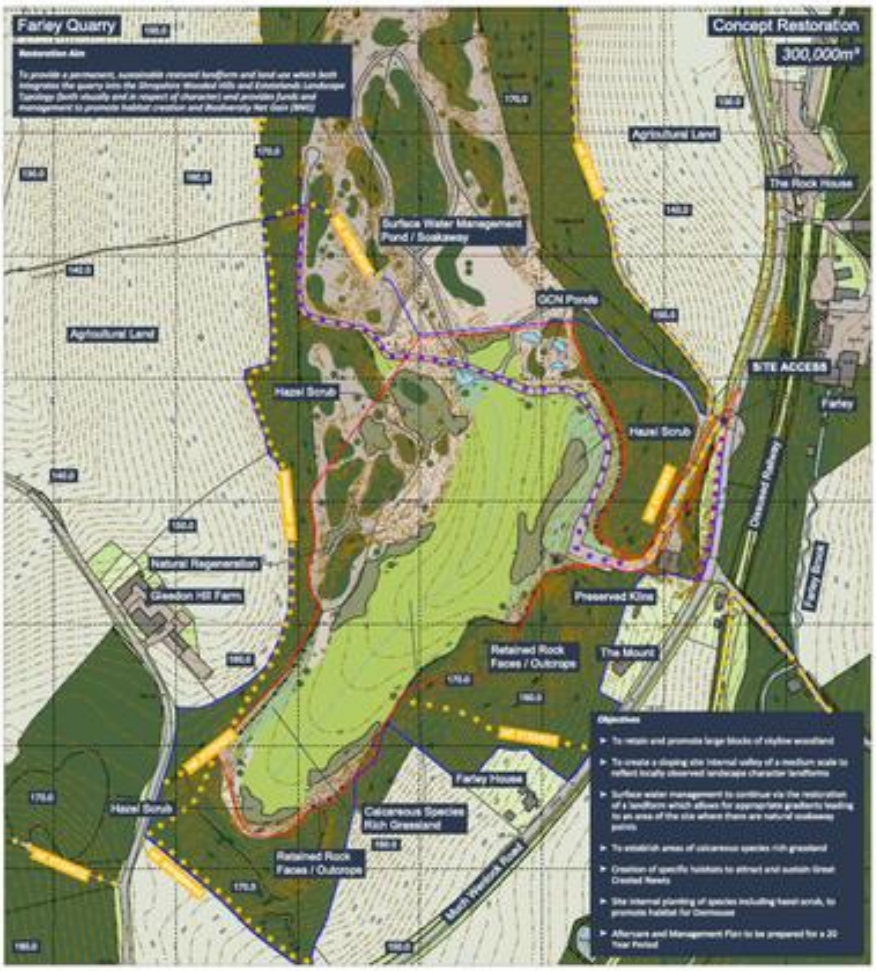


**Figure 3 – Restoration**

1.3 Initial operations would begin with improvements to the Site access from the A4169. This would comprise widening of the access road, the construction of a retaining wall on the upslope side and the improvement of the visibility splays by re-profiling the highway verge and clearing it of vegetation.

1.4 Construction, demolition and excavation wastes and soils would be brought on site and treated to make recycled aggregate which would be stored for export. Any materials which are not suitable for recycling would be placed within the southern and central parts of the quarry to construct the restoration landform. All activity except for the access off the A4169 would remain within the quarry itself and well below the top of the perimeter quarry faces.

1.5 The existing access off the A4169 would be improved by widening and re-profiling. HGV traffic entering and egressing the site would be required to only use the A4169 towards Telford. Site Traffic would not pass through Much Wenlock to the south. It is proposed that approximately 150,000 tonnes of inert construction, demolition and excavation waste would be brought on site each year. The anticipated 70% recycling rate would leave a residue of 45,000 tonnes (30,000m$^3$) of fill material per year. This would be placed annually into the quarry over a period of 10 years to achieve the proposed restoration landform.

1.6 Placement of fill materials would continue northward building up in 1m layers and compacting as operations progressed. Once finished levels had been formed in any

area, soil making materials would be laid to a depth of 250mm covered with a 150mm layer of topsoil reclaimed from the imported wastes. Final operations would see the northern eastern end of the restoration profile constructed together with the slopes down to the access road. A permanent access to the main restoration surface would be provided off the internal haul road, the haul road also being retained permanently.

1.7 The proposed hours of working would be 07:30 to 18:00 on weekdays and 07:30 to 13:00 on Saturdays. No working would take place on Sundays or public and bank holidays.

1.8 The proposed landscaping scheme would protect most of the important habitats within the Quarry such as calcareous grassland and woodland. The development for the most part would take place on the quarry floor which is devoid of vegetation and suffers from disturbance and erosion. The design would include the construction of a replacement footpath.

1.9 Environmental Statement: The proposals comprise EIA development under Schedule 2, Part 11b of the EIA Regulations 2017 (as amended). An Environmental Statement accompanies the application and includes reports on transport, hydrology, ecology, visual impact and other relevant matters.

2.0 SITE LOCATION / DESCRIPTION

2.1 The area covered by the planning application is 7.1 Ha and occupies the central and southern parts of the Quarry, together with the Quarry access onto the A4169 Much Wenlock Road. The majority of the northern part of the quarry lies within a different ownership. The Quarry is situated on the eastern edge of the Shropshire Hills Area of Outstanding Natural Beauty, to the north of the medieval market town of Much Wenlock and is cut into the western side of the valley of Farley Brook. The quarry is designated as a Regionally Important Geological Site.

2.2 The nearest residential properties are Farley House (104m) and The Mount (84m), both on Much Wenlock Road, and 19 Much Wenlock Road (60m).

2.3 Two public rights of way cross the quarry, but no provision has been made to facilitate access along the routes which were blocked by the quarry faces more than several decades ago. These are footpaths 0133/43/1 and 0133/42/01. A third footpath lies on the northern boundary of the site (footpath 0133/UN3/5) but it terminates abruptly where it meets the boundary of the 1949 permission.

2.4 Farley Quarry has a long planning history dating back to an Interim Development Order (IDO) planning permission granted in May 1948 covering an area of 19.6 hectares. This permission was for the "continuance and extension of the workings of the Gleedon and Farley Quarries (Limestone)". A second planning permission to the north was granted in July 1973 for the "extraction and processing of limestone and minerals". A later permission covered improvements to the site access.

2.5 An application to infill the southern part of Farley using inert recycling residues was refused on 13/1/22 (ref 20/01751/EIA). The proposals differ from the current scheme in that the restoration proposals involved the construction of a platform to accommodate future development. This is in contrast to the current application which proposed a

biodiversity-based restoration. The reasons for the previous refusal can be summarised as follows:

Reason 1 – unacceptable location

i. The site is located within the Shropshire Hills Area of Outstanding Natural Beauty (AONB) and no clearly identified need has been established for the waste recycling facility
ii. The proposed use, including the construction of the development platform for future development would both prejudice the restoration of the existing mineral working contrary to the Site Allocations and Management of Development (SAMDev) Plan (2015) Policy MD14 and be contrary to the Much Wenlock Neighbourhood Plan which makes clear that industrial and commercial uses will not be supported
iii. Contrary to Core Strategy Policies CS5, CS13 and CS16, SAMDev Policy MD11 and paragraphs 176 and 177 of the NPPF insofar as it would facilitate new commercial development in a rural area outside of any sustainable settlements

Reason 2 – Inadequate Transport Statement / highway safety

i. Valid baseline of potential quarry movements has not been demonstrated
ii. Inadequate assessment of forward visibility on the A4169 and traffic impacts at other key road junctions in the area

Reason 3 – Visual impact within AONB

i. The development, comprising both the waste recycling facility and the construction of the future development platform, would be significantly detrimental to the character and appearance of the area as a feature of historical landscape interest within the Shropshire Hills Area of Outstanding Natural Beauty

Reason 4 – Public footpaths

i. The proposals do not include details to show how the closed footpaths that form part of the Public Rights of Way Network will be addressed to ensure its protection and enhancement （Core Strategy Policies CS6, CS7 and CS17, Much Wenlock Neighbourhood Plan Policies LL1, and LL3, NPPF, Chapter 8, paragraph 100)

3.0 REASON FOR COMMITTEE DETERMINATION OF APPLICATION

3.1 The proposals have been referred to committee by the local Member following objection from Much Wenlock Town Council.

4.0 COMMUNITY REPRESENTATIONS

Consultee Comments

4.1a Much Wenlock Town Council – Objection

1. The application is contrary to policies LL1 and LL2 of the Much Wenlock Neighbourhood Plan:
2. The traffic statement provided is inadequate and the time frames used are not representative of the proposed working hours.

3. The application will have a detrimental effect on the Shropshire Hills AONB and is contrary to SamDev policies MD12 and MD17 and Core Strategy Policies CS17 and CS20.
4. Councillors are concerned about noise and dust emanating from the site.
5. Councillors do not support the use of permissive paths on the site due to the lack of legal certainty and add that existing footpaths should be re-opened.

4.1b Much Wenlock Town Council – Transport Objection - Much Wenlock Town Council would like to submit the following additional comments with regard to the Transport Statement accompanying Planning Application No. 22/05214/EIA for the use of Farley Quarry for recycling and depositing waste.

1. The first comment relates to para 3.8 of the Transport Statement: the figure of 36 has been derived from subtracting the lowest flow from the average and not the highest. This figure should be corrected to 54.
2. Councillors object to the use of the expression daily variation when describing the differences between the lowest and the highest flows. This is misleading and should be described more accurately as maximum daily difference.
3. Regarding traffic accidents, para 4.5 claims 'it is also apparent that there have been no recorded injury accidents at the site access.' This is incorrect; para 4.3 of the report describes the accident resulting in serious injury that occurred at the access in 2014.
4. The overriding concern with this development is the increased number of heavy vehicle movements that will be generated by the proposed activities at the quarry, throughout the day, and the impact these vehicles will have on the existing users of the road and residents along the A4169.
5. Councillors are concerned that (except for peak periods) the HGV traffic flows quoted in the Transport Statement are based on 24-hour Automatic Traffic Counts at two sites (the same applies to the total daily flows provided.) This means that whilst the quarry operation will be between 0730-1800 hours (10.5 hours), the HGV flows quoted in the Statement are for 24 hours. This makes comparisons misleading.
6. For example, taking the quoted 24-hour five-day average HGV flow at Site1 of 170, then adding the 100 HGVs generated by the proposed operation, gives a daily increase of heavy vehicles on the A4169 of 59%. This alone is a very significant and alarming increase; therefore, if the Statement's quoted 24 hour HGV flows are reduced to match the same time period as the proposed Quarry operation, then the percentage increase becomes even greater!
7. To give another example, if the Statement's 24 hour five-day average of 170 is reduced by say, 25, to bring it in line with the proposed Quarry operating hours, the additional 100 HGVs would now represent an increase of 69%.
8. The same applies to what the Statement calls daily variations and what Councillors believe should be called maximum daily difference. The proposed 100 additional HGVs are already greater than the quoted maximum daily differences at both Site 1 (54) and Site 2 (91) and it is possible that the differences will increase when the flows coinciding with the operating hours are used.
9. Moving on to the swept-path analysis. The Transport Statement demonstrates that the largest HGV's can successfully negotiate the revised access arrangement to and from the north. Whilst this is encouraging, it is only half the story. Councillors would expect to see a swept-path analysis that clearly demonstrates that HGVs of all sizes are unable to physically turn in to, or out of the site from the

south. This should be provided in support of the applicant's claim that lorries will not travel through Much Wenlock.

10. In fact, Councillors believe that the application is too silent on the details of how, exactly, it is proposed to prevent HGV's travelling to and from Much Wenlock to gain access to Farley Quarry. Routing agreements are commonplace and applications should be emphatic on this subject if they expect to receive local support.
11. Examples of the contents of routing agreements include:-
    - Physical junction constraints
    - Cameras
    - Easy, fast reporting of observed offenders
    - Banning serial offenders (three strikes)

12. Councillors believe that, as part of the physical junction constraints, the informal lay-by opposite the existing quarry access should be closed to prevent overrunning.
13. Due to the lack of proper detail of the junction operation or routing agreement, Councillors consider that the application does not satisfy NPPF para 108b, which requires that, 'safe and suitable access to the site can be achieved for all users'.
14. Councillors also believe that an additional 100 vehicles during a limited period of the day, representing a possible increase of 69% can only be described as significant. They are concerned that no form of mitigation of this impact has been proposed by the applicant.

4.3a Buildwas Parish Council – Objection. The Parish Council supports the points raised, particularly by Much Wenlock Town Council. Vehicle movements along the A4169 and potentially the B4380 will have further impact on our road network which is already under significant stress and has had a number of RTA's in recent years.

4.3bi. Buildwas Parish Council – Objection (9/10/23). Concern that while these proposals view that there could be an increase of more than 80 extra HGV movements through Buildwas, there is reference to there being "no reason to conclude restrictions to prevent the use of the B4380 are necessary in this case, as the impact of the proposed development would not be significant in the local context"... We wholeheartedly disagree with this statement as the affects would be significant to our community.

ii. Road safety is one of our highest priorities as a Parish Council, it is the single most reported issue we receive from local residents and data available through West Mercia Police or "Crashmap" would confirm that there is a significant issue along this route and accident, some near significant, occur on the route of the junction of the A4169 and the B4380 on a daily basis. The Parish Council works closely with Shropshire Council and West Mercia Police to address these issues.

iii. We support the view of Shropshire Highways and Leighton and Eaton Constantine Parish Council that a legal 106 agreement be attached to any planning permission to prevent HGV traffic using the B4380.

4.4 Leighton and Eaton Constantine Parish Council (neighbouring parish): Objection.

i. Highways: The scope of the Transport Assessment by Hurlstone Partnership, September 2019, only covers the Access to the Site and the A4169 corridor. There is

no impact assessment on the B4380 even though this is a possible route for the proposed HGV traffic. Based on the worst-case scenario, there would be an average of 100 HGV movements and 10 staff movements per full working day (ref 6.9) to and from the Site. The Parish council must urge that any HGV traffic from this application should not use the B4380 for the reasons stated below:

ii. In previous planning applications for the former Ironbridge Power Station Development and the Buildwas Leisure Park, the following principals have been established with Shropshire Council in relation to the B4380 through Leighton.

1. It is not appropriate for heavy vehicles (e.g. aggregate trucks) to utilise this route for reasons of safety. Therefore, as per the other developments, a condition should be attached that all such vehicles MUST be routed up Buildwas Bank.
2. Any other vehicles will add to the pre-existing safety issues along the B4380; the Parish Council is not in support of increased traffic loading due to the pre-existing safety issues. However, if such is approved by Shropshire Council, the developer must provide a suitable sum for the additional traffic mitigation measures (as established for the Ironbridge development).

iii. The safety reasons for not using the B4380 are listed below:

- The B4380 is a rural road, a National Cycle Route with vulnerable road users. It has many properties exiting onto it along with several side roads. The road is narrow in places and has many blind bends making it dangerous particularly concerning wide or HGV traffic. There are already identified traffic problems all along this route. Speeding traffic and pedestrian safety is a real problem, particularly in the villages of Buildwas and Leighton. Traffic Calming Measures have been identified as being needed already by Shropshire Council. Due to the development at the former Ironbridge Power Station the village of Leighton will be implementing Traffic Calming Measures by the completion of the 50th property on the Ironbridge Site. This is some time away and the Parish already has issues with HGV traffic speeding through the village of Leighton. The noise of the empty HGVs hurtling through the village very early in the morning has caused many complaints from residents to the Parish Council. The possibility that up to 100 extra HGV movements per day could pass through our village with the proposed application is extremely worrying.
- Safety issues concerning speeding motorcyclists all along the B4380, particularly at weekends, are a real problem. Adding more HGV traffic to this road particularly at weekends (Saturday work hours predicted 7.30am till 1 pm) will only add to the safety issues.
- The Parish of Leighton and Eaton Constantine has 37 listed buildings recorded. Two properties are Grade 2 star. One of these Grade 2 star buildings, Baxters House, is sited on the road through Eaton Constantine and could possibly be damaged by the vibrations of HGV traffic. The Mill Public House is an important heritage building dating back to the Domesday Book. We are concerned that an increase in HGV traffic might cause damage to these important historic buildings.
- The road through Eaton Constantine is often used as a ‘rat run’ for traffic travelling towards Wellington and the A5. Quarry traffic from the A5 does sometimes use this route and has caused local problems due to speeding, dust, noise and vibrations. Traffic Calming Measures are in place and have helped to some extent. However, the road is not suitable for HGV traffic and SatNavs do not always recognise this.

iv. Cumulative Impact of other Planning Applications: Two planning applications have recently been approved at the former Ironbridge Power station site. One for sand and gravel extraction and one outline permission for up to 1000 homes and work space, primary school and leisure facilities. There has also been approval for 106 static caravans along with 48 lodges and associated traffic at Buildwas Leisure Park . Neither of these applications have been considered in the Transport Assessment. The Environmental Statement (14.4.17 Harworth Plc), suggests up to 68 individual lorry movements a day could be generated to remove 100,000 tonnes of sand and gravel from the Ironbridge Site. The overlap of the operations with the Farley Quarry application could possibly be for up to 5 years. This could mean 168 extra HGV movements per day on the A4169. This is a totally unacceptable increase on the local area. The cumulative impact of the traffic from these applications must be considered.

v. Highway Safety:

- The Impact of adding HGV traffic from the Farley Quarry application on the proposed two new road junctions onto the A4169 from the Ironbridge Power Station Site and the proposed Roundabout at the Buildwas Juction of the A4169 and Buildwas Bank has not been assessed. A road safety audit must be completed.
- The noise, dust and vibrations from the proposed HGV traffic changing gears at the new junctions and accelerating away could impact negatively on the residential amenity of residents along the A4169. The extra HGV vehicles could also cause traffic delay on the road through these junctions and up the narrow road through Farley Dingle causing driver stress and possible road safety issues.
- The safety of pupils travelling on the route through Farley Dingle from the Ironbridge Power Station development to the William Brookes School in Much Wenlock will be a concern with an increase in HGV traffic. There is a need to encourage more active modes of transport such a walking and cycling and to improve road safety. Pedestrian and cyclist safety would be compromised by the proposed increase in HGV traffic. Children's safety must be a priority.
- Crashmap data shows that there have been recently one fatal and two serious accidents at the Buildwas junction onto Buildwas Bank (21.3.20, 16.4.21, 10.12.21). There is no data for 2022 but it is known from local knowledge that there have been further serious accidents. A full road safety audit needs to be completed before any permission is given to increase HGV traffic on this route.

vi. Planning Policy: Shropshire Hills Area of Outstanding Natural Beauty. The recycling of waste on this site would impact on the character and appearance of the countryside within the AONB. The noise and dust from such operations would also affect the peace and tranquillity of the countryside. The AONB Management Plan states 'The special qualities of the AONB landscape underpins the area's economy. Activities which undermine the area's natural capital will have a long-term detrimental effect on the economy'. The National Planning policy framework states' Development should only be prevented or refused on highways grounds if there would be an unacceptable impact on highway safety or the residual cumulative impacts on the road network would be severe'. We feel that there is a strong safety case to refuse this application

4.5 Environment Agency – No objection.

i. In relation to the Hydro-geological Risk Assessment, it is considered that the information provided is sufficient to confirm that the adjacent properties have no

recorded private water supplies and a lower risk to controlled waters. For completeness, a comprehensive Water Features Survey has established that there are no licensed groundwater abstractions within a 1km radius of the application site. There are five private water supplies located within a 1km radius of the application site.

ii. The proposed landfill/deposit site for recovery will require a 'Bespoke permit' under Schedule Regulation 12 of the Environmental Permitting Regulations (England and Wales) 2016. We have no objection in principle to the proposed development and would consider that the required Environmental Permit (EP) would control future landfilling/deposit for recovery operations along with associated emission to land air and water as part of that regulatory regime. See note below. Notwithstanding the conclusion of 'low risk' to controlled waters receptors as stated in the Hydrogeological Risk Assessment, it is likely that the EP will require the underlying aquifer and controlled water receptors to be protected by placement of an engineered low permeability barrier, to separate the deposited material from the underlying natural limestone geology. For an inert landfill this would normally be equivalent to 1m thickness of clay with permeability.

iii. Pollution Prevention: Developers should incorporate pollution prevention measures to protect ground and surface water. Pollution prevention guidance can be viewed at: https://www.gov.uk/government/collections/pollution-prevention-guidance-ppg

*A condition on liquid storage and informative notes on Environmental Permitting are recommended (included in Appendix 1).*

4.6 AONB Partnership – The planning authority has a legal duty to take into account the purposes of the AONB designation in making this decision, and should take account of planning policies which protect the AONB, and the statutory AONB Management Plan. Our standard response here does not indicate either an objection or 'no objection' to the current application.

4.7 Natural England – No response received.

Internal Comments

4.8a SC Ecology (25/04/23): Objection

i. Biodiversity Net Gain and Open Mosaic Habitat on Previously Developed Land:
Since the earlier comments in December 2022, a DEFRA Biodiversity Metric 3.1 workbook has been submitted. No corresponding report to explain how the figures and categories entered into the spreadsheet have been derived has been submitted and so I am unable to confirm that the development will result in the purported 10,25% net gain for area-based habitats. For instance:

- How have condition assessment been reached (note the use of the 'fairly' categories-how and why have these been used)?
- How has strategic significance been derived?
- All habitat creation will not commence from year one; there will inevitably be a delay in starting habitat creation due to the proposed infilling taking place over a decade - this has not been taken into account in the metric.
- Plans showing the habitat included in the metric should be supplied

- OMHPDL is a priority habitat but has not been included in the metric-see my previous comments regarding this habitat (copied below for clarity).

ii. Priority Habitats Having read the submitted EcIA it appears that the site may comprise of the UK priority habitat 'open mosaic habitat on previously developed land' (OMHPDL). Section 6.2.7.1 of the EcIA states 'Areas of bare ground and ephemeral/short perennial vegetation are mixed in complex habitat associations too small and intimate to map accurately and are best described together.' Section 6.2.4.1 of the EcIA states 'Around the periphery of the quarry are small patches of sparse grassland with characteristics of both neutral and calcareous grassland. Those described in this category are those which contain species more typical of calcareous grassland or indicator species (Axiophytes ' as included in the SEDN database of Axiophyte species of Shropshire 2018). Many of the patches appear to be complex mosaics and intergrades of vegetation resulting from the mixing of soils during previous quarrying operations and support both calcareous and neutral grassland types. Having also analysed the species lists provided, it does seem to suggest that the site is composed of this UK priority habitat. There is no analysis of this in the EcIA, which should be provided. If it is a priority habitat, this has implications for the restoration proposals (and biodiversity enhancement).

iii. Invertebrates: As stated in the UK priority habitat description for OMHPDL, this habitat is often associated with a rich and diverse invertebrate assemblage, however, there is no assessment of the site for invertebrates in the EcIA. This should be provided alongside an impact assessment and any required avoidance, mitigation and enhancement measures.

iv. Geology: The proposed development site consists of a Local Geological Site (LGS). A geological survey of the site including recommendations on protection of the LGS will be required. Damage to a Local Site would not normally be accepted and SAMDev Plan MD12 applies. See here for further information:
www.shropshiregeology.org.uk/rigs/RIGSmap.html
The reason for designation is: 'This part of the quarry shows the strata disturbed by faulting and is very instructive for any visiting groups who also may appreciate the relationship between Wenlock Reef Facies and the tabular limestone'.
There is no consideration of the presence of the LGS in any documentation accompanying the application and this should be provided.

4.8b. SC Ecology (25/04/23) Objection. More information is required with regards to:
1. Open Mosaic Habitat on Previously Developed Land;
2. Invertebrates;
3. Biodiversity Net Gain; and
4. Geology.

In the absence of the requested information there is objection as it is not possible to confirm that the development accords with NPPF, MD12 and CS17 regarding the protection and enhancement of biodiversity and other natural (geological) assets.

ii. Biodiversity Net Gain and Open Mosaic Habitat on Previously Developed Land:
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- How have condition assessment been reached (I note the use of the 'fairly' categories-how and why have these been used)?
- How has strategic significance been derived?
- All habitat creation will not commence from year one; there will inevitably be a delay in starting habitat creation due to the proposed infilling taking place over a decade - this has not been taken into account in the metric.
- Plans showing the habitat included in the metric should be supplied
- OMHPDL is a priority habitat but has not been included in the metric-see my previous comments regarding this habitat (copied below for clarity).

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www.shropshiregeology.org.uk/rigs/RIGSmap.html
The reason for designation is: 'This part of the quarry shows the strata disturbed by faulting and is very instructive for any visiting groups who also may appreciate the relationship between Wenlock Reef Facies and the tabular limestone'. There is no consideration of the presence of the LGS in any documentation accompanying the application and this should be provided.

4.8ci. SC Ecology (25/04/23) No objection subject to conditions to protect and enhance biodiversity and other natural (geological) assets in accordance with NPPF, MD12, CS17 and policies LL1, LL2 and LL3 of the Much Wenlock Neighbourhood Plan. Since the comments in April 2023 a revised DEFRA Biodiversity Metric 4.0 workbook has been submitted alongside a report explaining how the figures, areas etc have been

derived. Condition assessment sheets for the habitats on site pre-development have also been submitted.

ii. The submitted metric and corresponding information is acceptable. The metric has accounted for the time delays which will occur on the site due to the phased restoration and has also adopted an acceptable approach regarding open mosaic habitat on previously developed land, so that it is now accounted for in the metric. It is agreed that the development has demonstrated how it can achieve enhancement of biodiversity. Area-based habitats will have an increase of 11.28% biodiversity units from the baseline and the scheme will deliver calcareous grassland priority habitat, as well as hazel scrub for dormouse and ponds for great crested newt. Conditions are recommended to secure the creation, aftercare and long-term management and monitoring of the semi-natural habitats post operation, so that it does deliver the long-term enhancement of biodiversity as demonstrated can be achieved in the metric.

iii. Invertebrates: The applicants' ecological consultant has provided further information and justification as to why they consider that invertebrates would not be a significant receptor on this site and therefore why further survey is not required. I accept their justification and do not therefore require invertebrate surveys.

iv. Geology: It is understood that the proposed infilling with retain the majority of the exposures and the applicant¿s agent has confirmed that the applicant can agree to allow access on request to the geological exposures in the retained quarry faces once the site has been restored. Access could be granted whilst the site is active, but this will have to be more restrictive for health and safety reasons. A condition to secure the submittal of a geology access scheme should be applied, to ensure that access to geological features is possible both during and post restoration for interested individuals or groups.

4.9 SC Highways Development Control – It is confirmed that Shropshire Council as Highway Authority would raise no objection to the granting of consent for the above-mentioned planning application. The following comments are made in response to the attached correspondence dated 20th September 2023.

i. Extant Permission and Committed Developments: The applicants transport consultant has acknowledged the redevelopment of the Ironbridge Power Station and made an assessment with regard to the likely impact of the redevelopment and the cumulative impact of the application under consideration. It is accepted that in terms of likely impact Ironbridge Power Station development will have significant impact on the surrounding road network in comparison to the proposed development. It is also acknowledge that based on the current programme for each site, the infilling of Farley Quarry is likely to be completed prior to the full occupation of the Ironbridge Power Station development. Whilst not a consideration as part of this application, it is acknowledged that there is potential benefit to the close-proximity of the two development and there is potential partnership working. This application has been assessed on its own merits and not on the assumption the two developments will work in partnership.

ii. Visibility: The comments and observation by the applicants Transport Consultant are accepted. In view of the surrounding highway network condition, the number and type of vehicles accessing the site, it is considered appropriate that the applicant implements access improvements as outlined within their response with regard to vegetation clearance and advance signing. It is recommended that a planning condition

is placed upon any permission granted that requires these details to be approved and constructed prior to commencement.

iii. Traffic Movements: The comments and observations outlined by the applicant's transport consultant are acknowledged, and Shropshire Council as Highway Authority have no further comments in relation to details submitted. As previously outlined it is recommended that the applicant should submit a Traffic Management Plan prior to commencement that details how vehicle movements will be managed and remain in place, unless otherwise agreed for the lifetime of the development.

iv. HGV Routes: As previously outlined, It is recommended that the applicant enters into a formal Section 106 legal agreement that controls the routing of vehicles. It is not considered sufficient that this is controlled by Planning Condition as suggested by the applicants Highways Consultant (Section 4). It is also consistent with other quarry operations within the area, namely Ironbridge Power Station.

v. Access design: The applicant transport consultant has confirmed the following;

- A planning condition requiring details to be submitted, approved and for construction to be completed prior to commencement of the proposed infilling is expected and invited. It is understood this will involve a S278 agreement with the Highway Authority based on the proposed access design, which forms part of the planning application.

There are no further comments with regard to this, as outlined above the submission of details and timing of construction should be subject to a planning condition attached to any permission granted.

vi. Tracking: There are no further comments with regard to the tracking details submitted.

vii. Speed Flow Measurements: We have no further comments with regard to the details submitted

viii. CTMP: The applicant transport consultant has confirmed the following;

- A condition requiring submission of a Construction Traffic Management Plan to be submitted and approved prior to commencement is expected and acceptable.

There are no further comments with regard to this, as previously outlined should be subject to a planning condition attached to any permission granted, that requires the applicant to submit a Traffic Management Plan prior to commencement that details how vehicle movements will be managed and remain in place, unless otherwise agreed for the lifetime of the development.

4.10i. SC Trees – No objection on arboricultural grounds, given suitable precautions being taken to ensure no direct damage (for example tree felling) or indirect damage (for example dust, noise or light pollution) is sustained to the broadleaf woodland that surrounds parts of the application site. Particularly important in this regard are the two southerly projections of Trapps Coppice - areas of designated ancient-replanted woodland which extend towards and are contiguous with the woodland at the northern end of the site.

ii. The submitted concept restoration plan is supported in the range and types of habitats to be created, subject also to similar support from colleagues in the Council's Ecology Team but would recommend that detailed habitat creation specifications and maintenance schedules are prepared to ensure the long-term sustainable management of the restored site. Maintenance roles and responsibilities should be clearly defined, along with a viable mechanism for funding and implementing the approved management plan.

iii. Woodland and scrub habitat creation and maintenance prescriptions should be based upon sound silvicultural principles, in accordance with the UK Forestry Standard (Forestry Commission, 2017). Ideally woodland creation and management within the site of this application would be expanded to include surrounding woodland within the ownership of the applicant, to ensure maximum benefit for biodiversity. Management objectives and prescriptions should be based upon surveys of both ecological characteristics (such as NVC woodland type) and forest mensuration (assessing stocking levels, yield class, standing volumes etc), in order to prepare a comprehensive, long-term woodland management plan.

iv. The necessary habitat creation specifications, maintenance schedules and long-term management plans could be secured by condition, should permission be granted. Suitable arboricultural and silvicultural conditions could be recommended upon request, once the points of geological and ecological concern raised in the Ecology Team's consultation response of 16th December 2022 are satisfactorily addressed.

4.11 SC Rights of Way – No comments received.

4.12 Regulatory Services - No objection. It is recommended that if permission is granted the following conditions are attached:

i. Prior to use of the development a dust management scheme that details what measures shall be employed to control and monitor dust emissions from the site shall be submitted for written approval to the Planning Authority. Upon approval the scheme shall be fully implemented at all times.

ii. Site operation shall be restricted to Monday to Friday 7:30am till 6pm, Saturday 7:30am till 1pm and not at all on a Sunday or Bank Holiday

4.13i. SC Conservation - No objection. The proposal affects Farley Quarry where it is noted that this quarry has been operation since the nineteenth century in the extraction of limestone with intermittent operations during the twentieth century. The quarry contains two lime kilns which are considered to be non-designated heritage assets, where these lie towards the east of the site. Other heritage assets lie in the vicinity of the site including Whitwell (Scheduled Monument), Bradley Farm that contains four grade II listed buildings (including the principal farmhouse and barns and two stables which are listed in their own right), Old Windmill (grade II listed), Gleedon Hill Farm (non-designated) and Farley Halt (non-designated). In considering the proposal due regard to the following local and national policies and guidance has been taken, when applicable: policies CS5, CS6 and CS17 of the Core Strategy and policies MD2 and MD13 of SAMDev, along with emerging policies SP1 and DP23 of the Submission Local Plan, and with national policies and guidance, National Planning Policy

Framework (NPPF) revised and published in July 2021 and the relevant Planning Practice Guidance. Sections 16, 66 and 72 of the Planning (Listed Building and Conservation Areas) Act 1990 (as amended).

ii. The submitted Heritage Impact Assessment (HIA) by Peter Cardwell is noted along with the LVIA. The main consideration is that of the existing kilns being that they are sited within the existing quarry where they shall be preserved in-situ. The HIA states that the construction of the platform would lead to 'less than substantial harm', where it is considered that such harm could be mitigated through further future restoration of the site, along with Level 3 recording. The platform shall have some impact on the kilns, but as the platform shall be removed as part of the full long-term restoration of the site, where it is considered that this harm would be temporary. Also the nineteenth century spoil tip shall be completely covered where there is agreement that this shall result in what would effectively be complete loss of this fabric, though it is agreed that the spoil tip has overall little significance, where it shall at least remain insitu and could potentially be subject to further archaeological analysis in the future.

iii. It is considered that there would be negligible harm upon the setting of the listed heritage assets at Bradley Farm, taking account of the topography of the site and the siting of existing trees and landscaping, where mitigation should include consolidatory planting so that the visual buffer is maintained, using appropriate native broadleaf species.

iv. Overall, it is considered that the proposal would have 'negligible' to 'slight adverse' harm, but overall it is considered that it would not stray into 'less than substantial' territory, as defined under paragraph 202 of the NPPF, though the relevant mitigation measures such as further recording and landscaping is generally supported.

4.14i. SC Archaeology – No objection. The proposed development site lies within an area of former limestone quarries with associated limekilns (Shropshire Historic Environment Record [HER] No PRN 07309). One such limekiln is depicted on historic Ordnance Survey mapping at the southwestern edge of the proposed development site, and recent aerial photography had suggested that some remains of this feature might survive. Other similar features may also survive around the edges of the more recently quarried areas. The proposed development site therefore has some archaeological interest.

ii. An Archaeological and Heritage Assessment (P Cardwell, April 2020, Report 63/1) has been produced in support of this application. The heritage assessment concludes that indirect effects on the setting of heritage assets outside the development boundary would be minimal. The archaeological assessment included a site walk-over survey and concluded that the lime kiln mapped on the south-western edge has been removed by later extraction, but that a pair of lime kilns, one of them largely intact, probably dating to the mid- to late 19th century, survive on the eastern edge of the proposed development area. These lime kilns probably represent the principal surviving historic structures within the quarry. The current proposals include the preservation in situ of the two surviving lime kilns, including provision for their recording and any necessary remedial consolidation works.

iii. The archaeological and heritage assessment concludes that subject to the implementation of the proposed outline mitigation strategy the predicted effects of the

proposed development would lead to less than substantial harm to those heritage assets affected by the development. We would concur with this assessment.

iv. In the light of the above, and in relation to Paragraph 205 of the NPPF (July 2021) and Policy MD13 of the SAMDev component of the Shropshire Local Plan, it is recommended that the area of the lime kilns on the eastern edge of the proposed development site noted by the archaeological assessment be excluded from the development area. It is further advised that a programme of archaeological work be made a condition of any planning permission for the proposed development. This programme of archaeological work should comprise a Level 3 building and photographic record (as defined in Historic England's 'Understanding Historic Buildings: A guide to good recording practice', 2016), to be made of the surviving lime kilns and associated features, to be carried out before significant works associated with the development commence.

4.15i. SC Drainage – Evidence should be provided of the soakaway tests carried out at the 3 locations.

ii. No details of the attenuation pond or its outflow control have been provided and therefore must be submitted for approval.

iii. An open channel drain is shown to be leaving the development site at the top of the site entrance. Confirmation is required that this is a valid existing point of discharge and details of its route should be provided.

iv. No drainage details for the access road have been provided for the bottom of the access. A drainage system to intercept water prior to flowing on to the public highway must be submitted for approval.

v. Shropshire Council's Local Standard D of the SUDS Handbook requires that exceedance flows for events up to and including the 1% AEP plus CC should not result in the surface water flooding of more vulnerable areas (as defined below) within the development site or contribute to surface water flooding of any area outside of the development site. An exceedance route plan should be submitted for approval demonstrating that in the event of the soakaways and attenuation pond being exceeded, surface water will remain within the confines of the development boundary.

4.16 Councillor Dan Thomas (Local Member) – Has been informed of the proposals and has referred the application to committee.

Public Comments

4.17 The application has been advertised in the press and by site notice. The application has attracted objections from 6 individuals, one neutral comment and comments from 2 groups. These can be inspected on the Council's online planning register (see link in section 11 of this report). The main concerns of individuals can be summarised as follows:

i. Effect on AONB: Farley Quarry is wholly within the AONB. There is still no adequate demonstration of exceptional circumstances requiring the

implementation of an industrial facility within the Shropshire Hills Area of Outstanding National Beauty.

ii. Traffic: HGV impact. Cumulative traffic impact on A4169 from increasing amounts of planned development in the local area. There has already been another quarry application approved along the Much Wenlock Road and vehicle movements will already be set to increase with construction traffic for the former power station site Concern about inability to enforce routing restriction to avoid Much Wenlock. There should be no HGV's waiting to access the site. The site entrance is at a point where there is poor visibility regarding oncoming traffic which may be travelling at up to 50 mph.

iii. Pollution of water supply: Many locally are solely reliant upon springs for their water supply. Current works do not provide any level of certainty that suitably inert materials will be used to fill the quarry.

iv. Noise and dust impact: Noise emanating from the site from previous operations can be more noticeable at residential properties up to a mile distant and on higher ground than on those on lower ground in the immediate vicinity. Excessive dust clouds from unloading materials have already been noticed when travelling along the A4169.

v. Policy: Infilling operation is an industrial use and, as such, is not supported by Neighbourhood Plan Policies LL1 and LL2. All four refusal points from the original refused application 20/01751/EIA remain valid for this current revised application.

vi. Rights of Way: This developer has blocked rights of way for a number of years and by replacing public rights of way with a permissive path the landowner will soon be able to stop all public access, as permissive rights of way can be withdrawn. It is understand that many years ago when the quarry was being developed the undesignated footpath to the west of the site from the Sheinton road to the Farley road was created and it is important that this now becomes a designated footpath. However, the footpath is unsatisfactory over about 20 metres of it's length near its mid-point because its exceptional steepness poses a real risk to walkers of slippage and injury. It is requested that as a condition of the requested planning approval the developer, for safety reasons, be required to install a fight of steps with handrail at this location.

vii. Other: Devaluation of properties in the local area. Some activities within the application have been witnessed to have already begun and traffic movements along the A4169 ending at the Farley Quarry have been noticed over the last few years. Industrial noise from 0730hrs to 1800hrs each weekday and 0730hrs to 1300hrs stretching over 11 to 12 years will completely destroy a local family business based on quiet rural getaways within the Shropshire Hills AONB. Concern about lighting and loss of dark sky tranquillity. This new application seeks to fill a smaller area over the same length of time as the previous refusal with the same hours of work which seems wrong.

Representations have also been received from the following:

4.18 Much Wenlock Civic Society: Objection on the following grounds:

i. Access and Road Safety: The Much Wenlock Civic Society notes the extensive assessment undertaken by the consultants acting for the applicant. A key phrase deriving from this assessment is a claim that "an acceptable level of highway safety" could be assured, for example, by the steps proposed to improve visibility. Such claims

are subjective rather than objective and do not take into account the relative speed of the passing traffic and of the traffic emerging from the site. Whether the risk level is acceptable in the light of those element remains in doubt. The Civic Society is concerned about whether the proposals comply with the policies detailed by Shropshire Council in paragraph 2 of the decision to reject the previous application in January 2022.

ii. AONB: The Much Wenlock Civic Society fully supports the objections detailed in Item 3 in the decision to reject the previous application in January 2022. The record specifies the basis in policy of the decision. Nothing in the new application would justify a change in the decision made at that time on this issue.

iii. Archaeology: The Much Wenlock Civic Society strongly supports the concerns and policy base now expressed by the Historic Environment team of Shropshire Council as a statutory consultee.

iv. Drainage and Groundwater: The Much Wenlock Civic Society has a strong record of examining and assessing the risks that local developments present both in respect of groundwater contamination and in respect of the existing flooding designation of the area. In an area where geology is complex, fault systems have been identified and slopes are significant, the reliability of assurances about groundwater protection need careful examination. Moreover, the designation of the area as a Rapid Response Catchment means that a highly cautionary approach ought to be adopted in assessing flood risk, especially in the light of climate change. It is a matter of concern that an otherwise very thorough report prepared by consultants for the applicant does not mention the Rapid Response Catchment Designation of the area by the Environment Agency.

v. Rights of Way: The Much Wenlock Civic Society has long been aware of the widespread and persistent local concern about a failure to observe, legally divert or make good the access embodied in the historical record of Rights of Way in and around the Farley Quarry. These have long been of local importance and their significance has increased as walking groups contribute increasingly to local tourism. These concerns were embodied in item 4 within the decision of Shropshire Council in January 2022 to reject the previous application relating to this site. There does not seem to have been any subsequent attempt to address and remedy these concerns. While the applicant sets out proposals to do so in future, the opportunity to make good on these obligations has already been available for some years.

4.19i. Much Wenlock Walkers are Welcome: The application is superficially attractive from the point of view of recreational walking. There are brief references to designating footpaths on the NW and W boundaries of the site as PROWs, the creation of a walking route within the site and the provision of a footway for 150-200 m along the west side of the A4169. The latter would allow walkers to cross from the Wyke road or the footway from Wenlock to safely access 0133/45/1. Unfortunately, the application is silent on implementation and timescales. If consented as currently applied for, it would be within the applicant's rights to defer implementation until 'restoration' has been completed, 12 years hence. Furthermore, the treatment of pedestrian access issues is so rudimentary that the legal position for walkers could substantially worsen for the foreseeable future. On this basis there is objection to the application as submitted.

ii. As the Transport Statement (TS) observes there are three rights of way within the application site - two traverse the quarry and the third ceases in the middle of the site - probably a defect of the 1948 consent. If this application is granted, it is implicit that these PROWs will be removed. The promised 'Permissive Path' which would create a circular walk is likely to appear, if at all, at the end of the 12 years of 'restoration' activity. This loss of public rights of way is unacceptable. It perpetuates an error in law whereby the Council has chosen to ignore the comparatively recent fencing off of all three rights of way from the west of the site. It has also tolerated the rather longer-term gating of the access/egress at the Farley Road end which prevents any public access on to the PROW 0133/43/1.

iii. It is proposed that the Council requests from the applicant a more detailed set of proposals than those which appear as a single sentence in para 1.7 of the TS and which are repeated a number of times in the documentation. The following measures are required prior to the work commencing which we suggest are prescribed by means of a Grampian condition:

1) The designation of the current gap between 0133/42/2 and 0433/5/2 as a PROW. REASON: there is no legal route for traversing Gleedon Hill at present
2) The creation of a 1m wide path between 0133/42/2 and 0433/5/3. REASON: the recently erected fence, topped by barbed wire, makes the current path unusable safely for any but the most agile
3) The designation as a PROW of the informal north/south route at the western end of the application site. REASON: the applicant wishes to extinguish nearby rights of way
4) Construction of a footway from the Wyke Road to the site entrance on the west side of the A4169. REASON: walkers at present have to cross the A4169 to access 0133/45/1 opposite the vehicular entrance to the quarry. The existing sight lines for pedestrians looking towards the Telford direction are poor and with 58 HGVs a day estimated to be using this access in the future, this will be potentially an accident site if pedestrians continue crossing where they do now.
5) Phasing of 'restoration' to be such that the route across the site is maintained throughout the 'restoration', albeit that its location may be revised by a 'lift' and shift clause. REASON: the blocking of all Public Rights of Way through the quarry is both illegal and a substantial diminution of amenity.
6) A footway to be provided along the HGV access road from the A4169 to separate HGVs and pedestrians. REASON: Highway Safety

iv. At the completion of 'restoration' the planned circular footpath must be an adopted PROW - it is not acceptable that three existing PROWs are surrendered in exchange for a Permissive Path. A Permissive Path can be closed at the whim of the landowner. A legal agreement (section 106) which, it is assumed, will be needed to guarantee the quality of the restoration work should include the provision (by the applicant) of this route as a PROW. It is disappointing that, despite a number of representations to the Council over several years about the blocking of PROWs by the landowner, our concerns are not reflected in the detail of the application which is largely silent on pedestrian amenity, access and safety.

5.0 THE MAIN ISSUES

i. Planning policy and need

ii. Environmental implications of the proposals, including with respect to highways, ecology noise, dust, working hours, hydrology, agriculture, restoration and afteruse including rights of way.

6.0 OFFICER APPRAISAL

Planning policy

6.1 Introduction: The previous proposals for the site comprised:

1) recycling of construction, demolition and excavation wastes to produce secondary aggregates and soils for export / sale and
2) use of non-recyclable residues from the recycling operation to construct a development platform for the future commercial or recreational development.

The second element was considered to conflict with the Much Wenlock Neighbourhood Plan which does not support business use at Farley Quarry.

6.2 The current proposals are similar but involve infilling a smaller area in the southern half of the quarry. Importantly, they do not involve the formation of a level platform to accommodate subsequent commercial development. Instead, the infilled area is proposed to be restored to a gentle gradient suitable for a biodiversity use. There would still be inert material recycling for a period of 10 years, though this would cease on completion of infilling. The proposals do not involve mineral working so policies for control of new mineral workings are not relevant, though policies covering restoration of quarry sites are.

6.3 Much Wenlock Neighbourhood Plan: The Much Wenlock Neighbourhood Plan, Policies LL1 and LL2, advise that proposals for the restoration and aftercare of former quarries will be permitted where they deliver restoration for wildlife, biodiversity and public access, and in the case of Farley Quarry advise that industrial and commercial uses will not be supported.

6.4 Core Strategy and SAMDev Plan: Core Strategy Policy CS19 seeks to ensure the delivery of sustainable waste management facilities and services that will help to deliver greater resource efficiency. The policy supports proposals for additional capacity to divert waste away from landfill in a way that is consistent with the waste hierarchy. Proposals should also support the principle of 'equivalent self-sufficiency' where Local Authority areas take responsibility for their share of the regional requirement for waste management facilities. At the time of adoption of the policy in 2010 there was waste management capacity gap of about 150,000 tonnes per year in Shropshire. The intention was that sites would be allocated as in the SAMDev in accessible locations close to the main urban areas within the broad locations identified in Figure 9 of the Core Strategy. Farley Quarry is located in one of the 'Broad Locations for Additional Waste Management Facilities' which are identified in Figure 9.

6.5 SAMDev Policy MD14 states that proposals for the development of waste transfer, recycling and recovery facilities will be supported where applicants can demonstrate that potential adverse impacts on the local community and Shropshire's natural and historic environment can be satisfactorily controlled. Consideration should be given to measures to protect people and the environment, including with respect to visual

impact; noise; vibration; dust; litter; vermin and birds; air and water pollution; odour; and traffic impacts. Consideration also needs to be given to the site access and traffic movements, including the impact of heavy lorry traffic on the transport network, and in particular the quality of the proposed access to the Primary Route Network. The Policy states that proposals for inert recycling facilities may be acceptable on existing landfill and mineral working sites provided that the agreed restoration of the site is not unduly prejudiced and that waste recovery operations are linked to its agreed operational life.

6.6 Status of quarrying operations: The ROMP (Review of Old Mineral Permissions) procedures require owners of quarry sites with historical planning permissions to register these sites and permissions and to divide the quarries into active and statutorily dormant sites. There is a requirement for the periodic review of planning permissions for active sites every 15 years to ensure planning conditions remain up to date. For statutorily dormant sites the owner must obtain a periodic review approval from the Mineral Planning Authority before the quarry can resume production. Approval of a periodic review cannot be unreasonably withheld, and compensation may be payable if new conditions affect profitability. Farley Quarry was given the status of a statutorily dormant site in the early 1990's.

6.7 The current applicant advises that the possibility of a future resumption of mineral working should be seen as a valid baseline for consideration of the current application. Were the quarry to receive a ROMP approval to resume working then there would be the potential for additional disturbance, including HGV movements via the existing access.

6.8 The potential to resume mineral extraction is considered limited at this stage and technically, the quarry is in a restoration phase. However, the previous quarrying permissions do not contain detailed restoration conditions and it would be difficult to enforce additional restoration works at this stage. In contrast, the current proposals offer the ability to resolve a number of land use complications and achieve a higher quality restoration with the potential to deliver quantifiable habitat gains.

6.9 Justification for infilling: The former quarry operations have left steep slopes which are susceptible to erosion and potentially unstable. Attempts could be made to further reinstate the quarry using in-situ materials, but this would be less sustainable in the longer term. The steep topography would complicate future land management, leaving greater potential for erosion and instability. Opportunities to manage the site for biodiversity would be compromised due to poorer access to some areas. There would also be practical and health and safety complications with the objective of reinstating some public access.

6.10 The restoration levels differ from the previous scheme as the quarry void area would not be flat but would instead have a gentle gradient to facilitate drainage and biodiversity use. Only the lower part of the former quarry void would be infilled. The upper faces would be retained, thereby limiting the total amount of fill needed. This would also preserve some exposed faces and slopes for the benefits of biodiversity and to facilitate access for geological study. It is considered that the amount of infilling proposed strikes an appropriate balance between the requirements for a safe and accessible restored site and the need to secure a timely and progressive restoration.

6.11 The proposals facilitate an improved restoration and after use relative to a no-infilling scenario. If, however, the availability of suitable infill material proves to be less than is currently anticipated then the applicant has agreed to accept a planning condition providing for a suitable lower-level restoration profile, to ensure that restoration is not delayed.

6.12 Conclusion on policy and need: In summary the current proposals would allow an improved final afteruse relative to a no-infilling scenario. The amount of infilling is considered appropriate to deliver a sustainable afteruse in a timely and progressive way. The applicant has however agreed to accept a fallback condition if the amount of inert waste available for infilling proves to be less in practice than currently assumed. The need for inert infilling can be accepted on this basis and is aligned in this instance with the quarry restoration requirements of Core Strategy Policy CS20 and SAMDev policy MD17.

6.13 The site is within an area identified as suitable for waste management uses under Core Strategy Policy CS19, accepting that waste processing operations would be conditioned to cease when infilling to the proposed levels is complete. The proposals must however also meet other relevant policy tests with respect to the environmental matters discussed below.

Environment and amenity

6.14 Traffic: Much Wenlock Town Council and Buildwas Parish Council have objected about the effect of HGV traffic from the proposals on the local road network, with this concern supported by other local residents and Parish Councils.

6.15 A transport statement advises that traffic surveys have revealed that the speeds on the A4169 in the vicinity of the site are below the applicable speed limit of 50 mph. The measured traffic volumes also have a day to day and hour to hour variation that exceeds the flows predicted to occur because of the proposed development. It is further stated that the road network accommodates regular HGV activity on a daily basis, which has not led to unacceptable safety impacts. Recent collision data does not involve any recorded incidents in the vicinity of the site access. The proposals involve a number of measures to improve visibility at the site entrance. The report concludes that the proposed development traffic would not breach the capacity of the local highway network and would therefore not result in an unacceptable impact on highway safety or a severe residual cumulative impact on the road network. Objectors advise that there has been a serious accident on this stretch of the Much Wenlock Road. The applicant's highway consultant has however confirmed that there are no accidents attributable to HGV movements from the site junction.

6.16 Paragraph 111 of the NPPF advises that "development should only be prevented or refused on highways grounds if there would be an unacceptable impact on highway safety, or the residual cumulative impacts on the road network would be severe".

6.17 The Highway Authority has not objected subject to a legal routing restriction and conditions to provide a traffic management plan and details of the proposed access improvements. It is considered that the proposed conditions and legal agreement would ensure that there would be no severe residual highway impacts after mitigation.

The proposals can therefore be accepted in highway terms subject to the recommended planning condition and legal routing agreement.

6.18 Noise: A noise assessment concludes that the impact of noise generated by site activities would be acceptably low. The site plant would emit sound levels below the lowest observable adverse effect level at any noise-sensitive location around the perimeter of the Quarry. In addition, the movements of heavy goods vehicles into and out of the site would not give rise to any significant additional noise impact. The overall conclusion is that the proposed development would not give rise to a noise nuisance or loss of amenity at the nearest residential properties. A condition controlling noise has been recommended in Appendix 1. The proposals are considered acceptable in relation to noise on this basis. SAMDev Policy MD2, MD17.

6.19 Dust / Air Quality: The environmental statement contains an assessment of dust and air quality. Exhaust emissions from site plant and road transport have been screened out as not significant, due to the low level of site activity. The assessment therefore concentrated on dust emissions from the recycling / restoration operations as a potentially significant source of nuisance dust. Dust sensitive receptors in the locality are limited to a small number of dwellings on Much Wenlock Road immediately to the east of the Quarry, together with Gleedon Hill Farm to the west. All of these properties are screened by topography and the woodland around the Site perimeter. There are no ecologically designated sites within 500m of the Quarry, but it is bounded by deciduous woodland. There are a number of public footpaths in the vicinity. The woodland, footpaths and surrounding agricultural land are considered as low sensitivity receptors.

6.20 Dust control will be concentrated on the prevention of dust emissions beyond the site boundary and will be centred on the use of water to condition materials and damp down running surfaces. However, in dry windy conditions it can become difficult to maintain effective dust controls. When local wind speeds exceed 20m per second in dry conditions, all site operations would be suspended that have the potential to give rise to fugitive dust emissions beyond the Site boundaries. Effective dust control should ensure that no nuisance dust leaves the site boundary. Regulatory Services have not objected but advise that a robust dust management plan will be required detailing routine control and additional control measures. This has been conditioned. SAMDev Policy MD2, MD17.

6.21 Area of Outstanding Natural Beauty: The site is within the AONB which extends to the west of the A4169 in this location. NPPF Paragraph 176 advises that 'great weight should be given to conserving and enhancing landscape and scenic beauty in National Parks, the Broads and Areas of Outstanding Natural Beauty which have the highest status of protection in relation to these issues. The conservation and enhancement of wildlife and cultural heritage are also important considerations in these areas'… 'The scale and extent of development within all these designated areas should be limited, while development within their setting should be sensitively located and designed to avoid or minimise adverse impacts on the designated areas'.

6.22 Paragraph 177 requires that 'when considering applications for development within National Parks, the Broads and Areas of Outstanding Natural Beauty, permission should be refused for major development other than in exceptional circumstances, and where it can be demonstrated that the development is in the public interest. Consideration of such applications should include an assessment of:

a) the need for the development, including in terms of any national considerations, and the impact of permitting it, or refusing it, upon the local economy;
b) the cost of, and scope for, developing outside the designated area, or meeting the need for it in some other way; and
c) any detrimental effect on the environment, the landscape and recreational opportunities, and the extent to which that could be moderated.

The proposals comprise major development within the AONB. Therefore, the tests set in Paragraph 177 apply and are considered below.

6.23 Is the proposal justified by an exceptional circumstance? – The key objective of the application is to secure a sustainable restoration and afteruse for the former quarry site. This would be more difficult if ground levels in the quarry void remain as they currently are. Steep slopes and unstable rock faces would continue to impose limitations, risks and potential liabilities to future management of the site. Infilling to the proposed level would remove the lower slopes, leaving an area which is not as susceptible to erosion and is easier to manage due to easier access for people and land management plant. It is considered that this amounts to an exceptional circumstance which justifies the infilling proposals.

6.24 The proposed inert waste recycling operation would generate residual wastes which would be used to infill the quarry void. The recycling operation does not in itself have an exceptional circumstance justification. However, it would facilitate the infilling operation which can benefit from such a justification. It is also noted in this regard that the recycling operation is temporary only and would cease when infilling is complete.

6.24 Is the development in the public interest? – It is in the public interest to secure a sustainable restoration for the quarry void at Farley which will deliver biodiversity gains and facilitate a degree of public access. If the void is not infilled then steeper slopes and rockfaces would remain as a limitation to the future afteruse and a potential health and safety concern.

6.25 What is the need for the development and what is the impact on the local economy? The proposals can be justified as facilitating a more sustainable afteruse for the former quarry site. Additionally, the proposals would provide a valuable facility for inert waste recycling and disposal of residual inert wastes for the duration of the proposed infilling operation. This will have positive effects on the local economy by supporting employment and reducing transport distances and hence costs for inert waste management services.

6.26 Can the need met by the development be met elsewhere outside of the AONB? By definition, the proposal can only occur at this particular site if the afteruse benefits of inert tipping are to be realised. Recycling operations could occur elsewhere, outside of the AONB. However, the non-recyclable residues would not be available on-site for infilling of the quarry void.

6.27 Are there any detrimental environmental effects and can they be moderated? A number of potential environmental impacts are identified and are considered further in succeeding sections. However, given the absence of objection from statutory

consultees it is not considered that any environmental effects resulting from the proposed development would be sufficiently adverse to justify refusal.

6.28 Landscape and Visual Impact (LVIA): An LVIA accompanies the application in accordance with Landscape Institute methodology. It concludes that the proposed operational development will not result in any Significant Adverse Effects on any of the regional / local landscape character types identified. The development itself is located within Wooded Hills & Estatelands landscape character type. None of the landscape features and elements which define it will be physically lost as a result of the proposed development. Recycling and restoration activities relating to this specific application are considered capable of physical integration and absorption into the local landscape setting, with potential disruption contained within the existing quarry void. At post restoration the proposed valley landform and wildlife enhanced land use habitat have the potential to result in a moderate beneficial effect to both the site itself and the Woodland Hills and Estatelands character unit.

6.29 A Zone of Theoretical Visibility assessment confirms that the existing quarry area is generally contained and enclosed by natural landforms and topography which in reality, is further contained by vegetation structure which is not included within the computer ZTVI models. Hence the proposed development will have only a very limited potential change in visual effect on local receptors. Of 12 visual receptors it is assessed 5 will experience a Slight Adverse Effect, 1 a Very Slight Adverse Effect, 1 a Minimal Adverse Effect and for 6 there would be Neutral Effects. The main potential sources of visual disturbance would be vehicles entering and leaving the site with main receptors to these vehicles being transient users of the A4169. It will be possible to see the upper elevations of part of a temporary stockpile pre-sorting for recycling. The stockpile being potentially glimpsed, set within the middle ground of the quarry partially screened by either landform and / or vegetation structure. This being, visually, a very small scale and size element within a general wider panoramic view. At post restoration, all representative visual receptors will receive a Neutral assessed level of significance.

6.30 It is considered overall that the design and temporary nature of the proposals and the contained nature of the site should ensure acceptability in relation to landscape and visual impacts in accordance with Core Strategy Policy CS17 and SAMDev policies MD12 and MD13.

6.31 Archaeology: An assessment concludes that the impact on archaeological features is limited and this has been accepted by the Council's historic environment team leader. However, a planning condition is proposed to ensure that monitoring is carried out in liaison with the Council's Archaeology section as extraction operations are undertaken.

6.32 Built Heritage: Due to the proposed development being within the existing quarry and surrounded by woodland, there would be no intervisibility with the designated heritage assets within the vicinity. Mitigation of the predicted effects of the development, and specifically the preservation of the two surviving lime kilns, has been built into the proposals in order to preserve the structures in situ.

6.33 Should the development be granted consent then it is proposed that it should be preceded by a detailed measured and photographic survey of the kilns, together with any remedial consolidation works identified to ensure their continued survival. The

details of the scale and scope of this proposed mitigation would be set out in a Written Scheme of Investigation and agreed with the Shropshire Historic Environment Team.

6.34 The Historic Environment team advise that overall the proposal would have 'negligible' to 'slight adverse' harm to heritage assets and would not stray into 'less than substantial' territory, as defined under paragraph 202 of the NPPF. Relevant mitigation measures such as further recording and landscaping are supported. It is concluded that the proposals can be accepted in relation to relevant policies and guidance on built heritage including SAMDev policy MD13.

6.35 Ecology: An ecological survey advises that the site comprises an abandoned quarry with extensive areas of bare and disturbed ground habitats, areas of developing calcareous grassland, scrub, ruderal vegetation and a pond whose size varies significantly during the year and dries out annually and other small seasonal wetland areas. No impacts upon designated sites are predicted. The majority of habitats within the site have no significant or intrinsic botanical value and the loss of an area of bare and disturbed ground and ruderal vegetation would have negligible ecological effects. The loss of small areas of developing calcareous grassland is assessed and compensation and mitigation measures are proposed.

6.36 The assessment concludes that the development will not have significant negative ecological affects with regard to the habitats and plant species present on site. No impacts upon protected species including bats, reptiles, hazel dormice, water voles and breeding birds are predicted, and no further survey or assessment work is recommended. The site contains ponds used by GCN and breeding GCN populations were recorded in ponds to the north of the site boundary. The final assessment concludes that the development will not have significant negative ecological affects upon GCN or other amphibians. A Natural England development licence will be required to implement the proposed GCN mitigation strategy, based on additional survey work.

6.37 The applicant has provided subsequent clarification on a number of issues raised by the Council's ecologist. A full biodiversity net gain (BNG) assessment has been undertaken and predicts that the development would deliver a biodiversity net gain of 21.16%. It is confirmed that:

i. Calcareous grassland habitats are all being protected and retained and would not be impacted directly by the restoration works. These areas are predominantly located on the western flank of the quarry on the higher ground.

ii. The main area impacted by the restoration works within the base of the former quarry (over 80%) comprises almost entirely of bare ground with sporadic vegetation patches and is of limited habitat value.

iii. The poor quality of the bare ground habitats in the base of the quarry affected by the proposed restoration works did not indicate that invertebrate surveys would be required. Habitats of higher potential value for invertebrates including the developing calcareous and neutral grassland around the quarry perimeter would not be affected directly by the proposed quarry restoration.

iv. The proposed restoration will utilise existing soils within the site for the final restoration layer to promote the development of calcareous grasslands and to utilise any existing seed source that they contain. These restoration materials would be carefully selected, removed and stored (where necessary) for use in the final restoration. As the restoration is phased, it is anticipated that surface material from phase 1 would be selected and stored for used in the restoration of the final phase of the development.

v. Any permission would be subject to a legal agreement to secure enhancement of biodiversity and that an approved Habitat Management and Monitoring Plan would need to be secured and implemented over a 30 year period via a S106 agreement or through a Conservation Covenant.

6.38 The above measures are acceptable to the Council's ecology team. Planning Conditions attached to any Decision will ensure that the proposal operates in a sustainable manner keeping any environmental effects to an acceptable minimum. It is concluded that the proposals can be accepted in relation to relevant policies and guidance covering ecology, including Core Strategy Policy CS17 and SAMDev Policy MD12. This is provided robust mechanisms are put in place to ensure that the proposed ecological mitigation measures are delivered in practice. Appropriate ecological conditions and a legal agreement clause covering longer-term management are recommended in Appendix 1.

6.39 Slope stability: Regulation 32 of The Quarries Regulations 1999 states that 'the operator shall ensure that a suitable and sufficient appraisal of all proposed or existing excavations or tips at the quarry is undertaken by a competent person in order to determine whether any such excavation or tip is a significant hazard'. This matter can be dealt with by inclusion of a ground stability monitoring condition (included in Appendix 1). Under this condition any evidence of ground stability would be picked up by routine inspection by site operatives and / or by a slope stability specialist. Tree / shrub planting parallel to the contours of the slope should add further stability to the slope over time. It is concluded that the proposals can be managed acceptably with respect to slope stability.

6.40 Geology: The quarry is a Regionally Important Geological Site. The Council's natural environment section (Ecology) has sought confirmation of the measures which would be employed to secure continued access to the site for geological study. The applicant has agreed to accept a suitably worded condition. The proposals are for partial infilling and a number of representative rock faces would remain at a higher level around the quarry void. The infilling would potentially offer improved access to some retained faces. It is considered that the proposals can be accepted in relation to Geological conservation objectives, subject to the recommended condition (Core Strategy Policy CS17)

6.41 Drainage: A flood risk assessment confirms that the site is fully located in Flood Zone 1 and therefore at low risk of fluvial flooding. The development is classed as 'less vulnerable' and is therefore 'appropriate development' in Flood Zone 1. The development is at low risk of flooding from groundwater or sewer sources. The proposed SuDS-based surface water drainage scheme will ensure that all surface water is contained within the site boundary and discharged to underground strata with no increase in flood risk at the site or elsewhere.

6.42 The applicant's drainage consultant has responded to queries from the Council's drainage team. It is stated that the Flood Risk Assessment confirms that at location 1 there was no recordable infiltration and that at locations 2 & 3 the infiltration rate into fracture limestone was almost instantaneous and so there was no potential to record drainage rates. Both soakaway systems are designed to accommodate a 1:30yr+climate change flood flow without the requirement for additional attenuation. Neither would be affected by the infilling proposals in the centre of the quarry.

6.43 Notwithstanding this, the flood attenuation pond has 400m$^3$ capacity which on its own exceeds the capacity required for a 1:30yr+climate change flood flow. The drain near the site access flows to the second soakaway and not down the access road. There would be no change to access drainage. The surface drainage scheme is entirely contained within the site boundary. Exceedance flows would be directed to the unworked northern areas of the site where there is high temporary storage capacity. It is considered an appropriate reassurance has been provided with respect to drainage within the site (Core Strategy Policy CS18).

6.43 Water Resources: A Hydrogeological Risk Assessment advises that due to an absence of superficial cover, the area has high vulnerability to groundwater contamination. Site investigation has demonstrated that groundwater is present within the limestone beneath the site at an elevation of 145mAOD to 130mAOD from south to north. Groundwater flow is towards the north-east with a local hydraulic gradient of approximately 0.04. Groundwater flowing beneath the quarry site has the potential to provide baseflow to Farley Brook and may support spring flow. There are five private water supplies located within a 1km radius of the application site and no licensed groundwater abstractions within this radius. Risk assessment has demonstrated that the proposals would not represent a significant risk to local ground or surface water resources.

6.44 The Environment Agency has not objected. They advise that any Environmental Permit for the site would require the provision of an engineered low permeability barrier, to separate the deposited material from the underlying natural limestone geology. They also recommend a condition covering bunded storage of fuels / oils. It is noted that any materials imported to the site would be subject to recycling first and this would ensure that only suitable inert materials were used for the restoration infilling works. It is considered that appropriate safeguards are available to prevent pollution to local ground and surface water resources. Any planning and operational controls would be supported by controls under the Environmental Permitting system (Core Strategy Policy CS18).

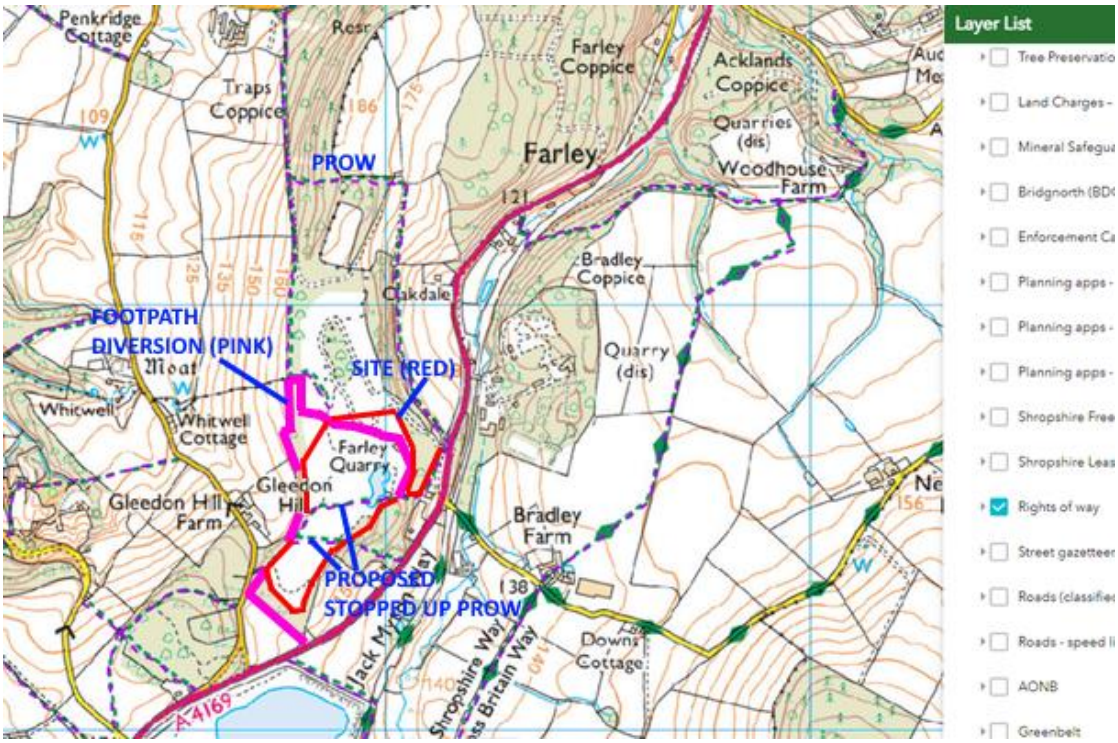


**Fig 4 – Proposed Footpath Diversion**

6.45 Rights of Way: Two existing footpaths run west to east across the middle of the site, passing across the steep inclines of the quarry void. The applicant proposes to divert these to provide an alternative safe, secure and less steep route around the proposed development, linking to the existing rights of way network (See Fig 4). The Rights of Way team is aware of this and will consider an application for the diversion at the appropriate time. This can be covered as a legal agreement clause. There is concern from objectors that the path should be a definitive right of way rather than a permissive route. As it would replace definitive rights of way any legal agreement clause would stipulate that the replacement route should also be a definitive right of way. The applicant has been made aware of this requirement. rIf a formal diversion is approved then a permissive route would not be required.

6.46 Socio-economic: The recycling and infill operations would contribute to the economy by providing an additional source of recycled construction materials into a competitive marketplace, and also providing a recovery facility for construction wastes that cannot be recycled. The Quarry operations would provide direct employment initially for 3 people rising to 6 as the operation develops. There would be additional indirect employment in administrative and regulatory support, maintenance, supplies and contractors. In addition, there would be long term benefits for biodiversity and the provision of a landform capable of beneficial use.

6.47 Interactions and cumulative effects: The Environmental Statement concludes that the proposals are unlikely to give rise to unacceptable levels of environmental or local amenity impact including cumulative impacts. This is taking account of the temporary and phased nature of the operations with inbuilt protections and the additional controls which can be imposed by conditions and under the proposed legal agreement.

6.48 Consideration of alternatives: It is considered that the option of not infilling the quarry void would result in a poorer and less sustainable afteruse for the site due to the

retention of steep slopes with the potential for erosion, slope stability and public safety issues. Additionally, maintaining steeper slopes within the void would complicate future management of the site and there would be no incentive for the landowner to deliver the ecological enhancements which the current proposals would deliver, including over 20% net biodiversity gain.

6.49 Conclusion on AONB policy: A key policy test for major development within AONB's is whether there are any detrimental environmental effects and, if so, whether they can they be moderated. This report has considered the environmental issues associated with the proposals. The recycling and infilling operations would be set down within a well-contained area surrounded by retained quarry faces / slopes and woodland. The phased and temporary nature of the scheme includes inbuilt environmental safeguards. These would be supported by detailed planning conditions and further supplemented by strict operational controls exercised under the Environmental Permitting. There are no outstanding objections from technical consultees. It is concluded that there are no issues which are sufficiently adverse after mitigation as to justify refusal on grounds of impact within the AONB.

7. CONCLUSION

7.1 It is considered that the proposals would help to secure an improved afteruse for the former quarry site by removing steep gradients which currently limit the potential of the site, raising concerns about erosion, slope stability and public safety. Saved calcareous subsoils would be placed on the infill area, allowing the establishment of a valuable calcareous grassland habitat. The applicant has agreed to accept a Legal Agreement clause providing funding to secure the longer-term sustainable management of the site to promote biodiversity.

7.2 A legal agreement covering the proposals would also secure controls over HGV routing to avoid Much Wenlock and the B4380 Atcham Road. Additionally, it would formally divert two existing rights of way so that they pass around the edges of the quarry site where there are gentler slopes.

7.3 The refusal reasons of the previous application have been addressed through submission of further information including on highways and through removal of the proposal to use the restored infilled area as a platform for future employment or leisure development. Instead, the area is now proposed for a biodiversity use which aligns with the Much Wenlock Neighbourhood Plan policies referred to above.

7.4 The potential environmental and amenity effects of the proposals have been assessed in detail as part of the applicant's Environmental Statement. Further information has been formally requested and provided. There are no sustained objections from technical consultees which would suggest that the proposals should not proceed. Additional information on ecology confirms that no species or designations would experience unacceptable adverse effects after mitigation has been provided and there would be a significant uplift in biodiversity. Highway officers have not objected. Further information on hydrology has been provided in response to comments from the land drainage team. Conditions requiring water management and monitoring are included in Appendix 1.

7.5 Any effects on heritage assets would be below the 'less than substantial' threshold. The location of two former lime kilns within the site would remain undisturbed. The phased nature and design of the development and associated landscaping proposals mean that any visual effects would be minimised.

7.6 No issues have been identified which would be likely to give rise to unacceptable impacts on the local environment or amenities which would justify refusal once the proposed mitigation measures are accounted for. It is concluded on balance that proposals are sustainable and can be accepted in relation to relevant development plan policies and guidance and other material planning considerations.

8.0 RISK ASSESSMENT AND OPPORTUNITIES APPRAISAL

8.1 Risk Management

There are two principal risks associated with this recommendation as follows:

- As with any planning decision the applicant has a right of appeal if they disagree with the decision and/or the imposition of conditions. Costs can be awarded irrespective of the mechanism for hearing the appeal, i.e. written representations, hearing or inquiry.
- The decision may be challenged by way of a Judicial Review by a third party. The courts become involved when there is a misinterpretation or misapplication of policy or some breach of the rules of procedure or the principles of natural justice. However, their role is to review the way the authorities reach decisions, rather than to make a decision on the planning issues themselves, although they will interfere where the decision is so unreasonable as to be irrational or perverse. Therefore, they are concerned with the legality of the decision, not its planning merits. A challenge by way of Judicial Review must be made a) promptly and b) in any event not later than three months after the grounds to make the claim first arose.

Both of these risks need to be balanced against the risk of not proceeding to determine the application. In this scenario there is also a right of appeal against non-determination for application for which costs can also be awarded.

8.2 Human Rights: Article 8 give the right to respect for private and family life and First Protocol Article 1 allows for the peaceful enjoyment of possessions. These have to be balanced against the rights and freedoms of others and the orderly development of the County in the interests of the Community. First Protocol Article 1 requires that the desires of landowners must be balanced against the impact on residents. This legislation has been taken into account in arriving at the above recommendation.

8.3 Equalities: The concern of planning law is to regulate the use of land in the interests of the public at large, rather than those of any particular group. Equality will be one of a number of 'relevant considerations' that need to be weighed in Planning Committee members' minds under section 70(2) of the Town and Country Planning Act 1970. The officer has reviewed available information to establish whether the proposals might potentially raise issues with the Equalities Act 2010. No such issues have been identified.

8.4 Financial Implications: There are likely financial implications of the decision and/or imposition of conditions if challenged by a planning appeal or judicial review. The costs of defending any decision will be met by the authority and will vary dependant on the scale and nature of the proposal. Local financial considerations are capable of being taken into account when determining this planning application – in so far as they are material to the application. The weight given to this issue is a matter for the decision maker.

9. BACKGROUND

Relevant Guidance and Planning Policies

National Planning Policy Framework: Summary of relevant minerals guidance:

9.1 Shropshire Core Strategy

- Policy CS5 (Countryside and Green Belt) – allowing for development on appropriate sites within the countryside that maintain and enhance countryside vitality and character where they improve the sustainability of rural communities by bringing local economic and community benefits, particularly where they relate to specified proposals including: required community uses and infrastructure which cannot be accommodated within settlements;
- Policy CS6 (Sustainable Design and Development Principles) – requiring designs of a high quality to respect and enhance local distinctiveness, mitigating and adapting to climate change
- Policy CS8 (Facilities, Services and Infrastructure Provision) – seeking the development of sustainable places by preserving and improving facilities and services; facilitating the timely provision of additional facilities, services and infrastructure to meet identified needs in locations that are appropriate and accessible; positively encouraging infrastructure where this has no significant adverse impact on recognised environmental assets
- Policy CS9 (Infrastructure Contribution);
- Policy CS16 (Tourism, Culture and Leisure);
- Policy CS17 (Environmental Networks) – to identify, protect, enhance, expand and connect Shropshire's environmental assets;
- Policy CS18 (Sustainable Water Management) – to reduce flood risk; to avoid an adverse impact on water quality and quantity
- Policy CS20 (Strategic planning for Minerals) Note: Gonsal Quarry associated with the current application is within an area identified as a broad location for future mineral working in the plan accompanying policy CS20.

9.2 SAMDev Plan:

- MD2: Sustainable Design
- MD5: Sites for Sand and Gravel Working
- MD7b: General Management of Development in the Countryside
- MD12: The Natural Environment
- MD13: The Historic Environment
- MD15: Landfill and Landraising Sites
- MD16: Mineral Safeguarding
- MD17: Managing the Development and Operation of Mineral Sites
- S13: Much Wenlock Area

10. RELEVANT PLANNING HISTORY:

- 10/02079/FUL Application under Section 73a of the Town and Country Planning Act 1990 for the erection of a 1800mm high retaining wall and associated works (Retrospective) GRANT 16th July 2010
- 18/05729/SCO Request for a scoping opinion under regulation 13 of the Town & Country Planning (Environmental Impact Assessment) (England & Wales) Regulations 2011 SCO 7th March 2019
- 20/01751/EIA The recycling of construction, demolition and excavation wastes and the construction of a development platform in the quarry by means of the placement of materials and soils that cannot be recycled, together with ancillary activities and improvements to the site access REFUSE 13th January 2022
- 20/03850/SCO Scoping opinion for the continuance and extension of the workings of the Gleedon and Farley Quarries (limestone) SCO 9th December 2020
- 22/05214/EIA Restoration of part of Farley Quarry by means of the recycling of construction, demolition and excavation wastes and the engineered placement of the rejects from the recycling process to raise levels in the Quarry to create a restoration landform, together with ancillary activities and improvements to the site access. PDE
- SC/MB1990/0895/BR Alterations to access, stablisation & improvements NPW 1st December 2004
- SC/MB1977/0492/BR Extraction of limestone REFUSE 7th February 1978
- SC/MB1992/0246/BR The continuation and extension of the workings NPW 26th April 2018 SA/90/1311 Improvements to the access onto the B4378, stabilisation to the northern face, replacement of office buildings and improved hardstanding for cars (part application). NOOBJC 10th January 1991
- BR/87/0348 Use of land as haulage depot for two heavy goods vehicles GRANT 20th July 1987
- BR/90/0895 Alteration to access and improvements to existing buildings OBS 19th December 1990

Appeal

- BR/APP/FUL/04/0028 Development Appeal DISMIS 15th September 2005

11. ADDITIONAL INFORMATION

Link to application documents:
https://pa.shropshire.gov.uk/online-applications/applicationDetails.do?activeTab=documents&keyVal=RLIA5JTDKIK00

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| List of Background Papers: Planning application reference 22/05214/EIA and the related Environmental Impact Assessment, plans and supplementary reports. |
| Cabinet Member (Portfolio Holder) Councillor Chris Schofield |
| Local Member Cllr. Dan Thomas (Much Wenlock)<br>Adjoining Ward Cllr Claire Wilde (Severn Valley) |
| Appendices: APPENDIX 1 - Legal obligation heads of terms and recommended conditions |

## APPENDIX 1

***Legal Agreement Clauses***

1) Routing restriction for HGV's to avoid Much Wenlock, Buildwas and Ironbridge. Repeat offenders to be banned from the site.
2) Scheme to secure formal diversion of existing rights of way within the site.
3) Scheme to fund longer-term ecological management of the site following expiry of the aftercare period. Indicative value £50k minimum, Index-linked.

***Conditions to include***

1. Standard commencement condition including notification of commencement date
2. Definition of site
3. Definition of permission documents
4 10 year time limit for infilling operation with 2 years subsequently for completion of final restoration
5. Submission of schedule indicating plant operating within the site with prior approval for new plant types, notwithstanding rights under the GPDO
6. Submission of archaeological written scheme of investigation for prior approval.
7. Control of liquid storage in the interests of pollution prevention.
8. Scheme of access design and improvements with regard to vegetation clearance and advance signing to be submitted for prior approval and implementation.
9. Submission of Construction Traffic Management Plan prior to commencement
10. Wheel / access road cleaning system to be employed.
11. Landscaping / tree planting plan to be submitted for prior approval including planting specifications and maintenance schedules. Woodland creation and management to include surrounding woodland within the ownership of the applicant.
12. Submission of site-specific noise and dust management plan including measures to control and monitor noise and dust emissions from the site.
13. Site operation shall be restricted to Monday to Friday 7:30am till 6pm, Saturday 7:30am till 1pm and not on Sundays or Bank Holidays. Access gates to be kept locked outside of these times.
14. Protection of retained vegetation including appropriate stand-offs.
15. Total material imported to the site shall not exceed 200,000 tonnes per annum. Records to be maintained.
16. Review of restoration infill rates from year 5 onwards with provision for amended lower-level restoration scheme in the event that the level of inert infilling is materially less than that specified in the approved details.
17. Submission of final drainage scheme for the site.
18. Prior approval for any fixed lighting.
19. Scheme setting out measures for reviewing and ensuring slope stability to be submitted for prior approval.
20. Submission of scheme securing access for geological study.
21. Submission of soil handling strategy including measures for saving of indigenous calcareous subsoils for use in final restoration.
22. Operations to take place in strict accordance with a European Protected Species (EPS) Mitigation Licence with respect to Great Crested Newts.
23. Submission of detailed habitat management plan for prior approval.

24. Provision of 5 years aftercare for all restored areas (notwithstanding the habitat management clause in the legal agreement).