

Application No: 12/3869W

Location: EATON HALL QUARRY, MANCHESTER ROAD, CONGLETON, CHESHIRE, CW12 2LU

Proposal: Variation of conditions 5 (b), 5 (c) (relating to hours of working) and 6 (relating to traffic movements) of approval 5/06/1782P for the erection of plant, machinery and utilisation of the former garage and lorry parking facilities for bagging and storing dried ready mixed concrete, mortar and turf dressing products

Applicant: Tarmac Building Products Ltd

Expiry Date: 17-Jan-2013

SUMMARY RECOMMENDATION

Approve

MAIN ISSUES

- Principle of development
- Impact upon the existing highway network
- Impact upon amenity in terms of noise
- Impact upon amenity in terms of the creation of dust
- Ecological issues

REASON FOR REPORT

The application is within a major minerals site, and as such the application is brought before the Strategic Planning Board.

DESCRIPTION OF SITE AND CONTEXT

Eaton Hall Quarry is located approximately 1 mile to the north of Congleton and is accessed via the A34.

The site was originally opened in 1973 and in 2005 planning permission was granted for an extension to the quarry, making available a further 5.75 million tonnes of sand reserves to the quarry. In 2006 planning permission was granted for additional plant equipment and machinery on site.

DETAILS OF PROPOSAL

The operator of the site has provided a supporting statement outlining the main reasons for the application being made to vary the condition. Essentially, the dry pack operations have been in use since 2007. Despite the current economic climate and downturn in the construction industry, the dry packing business at Eaton Hall Quarry has grown substantially over the last twelve months. The existing operations on site have seen an increase in demand over the last twelve months and as such, operations are currently at capacity.

In order for the operator, (Tarmac) to meet the current demand for products from the dry packing plant, an additional shift is required on site. The additional shift would enable production levels to be increased in order to meet demand.

In order for the additional shift on site to be available, the existing conditions would need to be altered, consequently the planning application before you is a section 73 application to vary condition 5(b) & (c) attached to planning permission 5/06/1782P.

Condition 5(b) and (c) currently reads;

'The operation of the development hereby approved shall be restricted to the following periods:

- A) for vehicle movements unloading and loading – at all times between 04.00 Monday to 18.00 Saturday;*
- A) for sand processing and drying – 07.30 to 23.00 Monday to Friday, 07.30 to 18.00 Saturday (April to September); 06.30 to 24.00 (midnight) Monday to Friday 06.30 to 18.00, Saturday (October to March)*
- B) for maintenance – 07.30 to 18.00 Monday to Friday, 07.30 to 12.30 Saturday only*

The applicant seeks to vary the condition to the following;

The operation of the development hereby approved shall be restricted to the following periods:

- A) To remain as existing*
- A) For sand processing and drying – 06.00 to 18.00 Monday to Saturday (all year)*
- B) For maintenance 07.00 to 19.00 Monday to Saturday (all year)*

Condition No.6 attached to the existing consent reads as follows;

The permitted vehicle movements related to this development shall not exceed a maximum of 26 (13 in, 13 out) Heavy Goods Vehicles movements on any working day is averaged out over the calendar month. Of these, a daily maximum of 6 (3 in, 3 out) Heavy Goods Vehicles movements shall be permitted for the importation of materials as averaged out over the calendar month. The vehicle movements permitted by this development shall remain within the overall limit of vehicle movements for the site at all times as specified in condition 15 of planning permission 5/APP/2004/0012.

Planning condition 15 attached to permission 5/APP/2004/0012 restricts vehicle movements for both the dry packing plant element of the site, and the original soil / peat / soil mixes that originated at the quarry.

The application seeks to amend condition No.6 as follows;

The permitted vehicles movements related to this development shall not exceed a maximum of 42 (21 in, 21 out) Heavy Goods Vehicles movements on any working day is averaged out over the calendar month. Of these, a permitted daily maximum of 14 (7 in, 7 out).

RELEVANT HISTORY

5/06/1782p Erection of plant, machinery and utilisation of the former garage and lorry parking facilities for bagging and storing dried ready mixed concrete, mortar and turf dressing products

5/2004/0012 Extension to quarry

POLICIES

North West of England Plan Regional Spatial Strategy to 2021

DP4: Make the Best Use of Existing Resources and Infrastructure

DP7: Promote Environmental Equality

EM7: Minerals Extraction

Local Plan Policy

Cheshire Replacement Minerals Local Plan (1999)

Policy 12: Conditions

Policy 15: Landscape

Policy 16: Plant and Buildings

Policy 17: Visual Amenity

Policy 26: Noise

Policy 27: Noise

Policy 28: Dust

Policy 34: Highways

Policy 36: Secondary Operations

Policy 37: Hours of Operation

Macclesfield Borough Local Plan (2004)

NE11: Nature Conservation

GC5: Countryside Beyond Green Belt

DC3: Amenity

DC8: Design and Amenity – Landscaping

DC13: Noise

Other Material Considerations

National Planning Policy and Guidance

National Planning Policy Framework (2012)

CONSULTATIONS (External to Planning)

Highways:

The current permission (5/06/1782P) limits HGV movements to an average 26 per day (13 each way), of which no more than 6 are for the importation of materials. These are totals for both directions. These movements are included for the overall vehicular limits conditioned under permission 5/APP/2004/0012 of 400 (200 each way) per week during March to May and August to October and 200 (100 each way) during other months.

This application request an extension of working hours, and increase in permitted vehicle movements. If granted this would increase the maximum HGV movements to 42 (21 each way) daily and a daily maximum for the importing of materials of 14 (7 each way) These totals would exceed the total movements permitted of 200 per week during six months of the year. The applicant therefore requests that the movements for the dry pack operation (which is responsible for the increase) be treated separately from those for the sand/soil/peat blending business in terms of setting movement ceilings. They consider there to be no capacity issues at the access of the site onto the A34.

The requested hours of operation and extended working times into hours when traffic is lighter. Access is taken from a modern purpose built junction on the A34 which has sufficient capacity to handle greater turning flows.

Environmental Health:

Have had the opportunity to examine the application and confirm that the service has no objections to the proposal – subject to the details contained within the submitted Noise Assessment document which was undertaken and produced by AMEC Environment & Infrastructure UK Limited (2/10/12) in relation to the proposal – to extend the production hours for the Eaton Hall Quarry dry pack plant.

In section 6 (6.2) of the report, it is stated that Tarmac Building products have proposed the following noise mitigation measures as a means to further decrease the effect of the proposals on the local environment. The service would therefore recommend that the proposed options are included as conditions of a planning approval :-

- 1) Background adjusting reversing beepers or the use of broadband or 'white noise' reversing beepers shall be used during the night time hours on mobile plant which manoeuvres around the Eaton Hall plant.
- 2) An acoustic booth will be erected around the dust extraction unit within the dry pack plant.

The University of Manchester

No comments to make

VIEWS OF THE PARISH / TOWN COUNCIL

Eaton PC: The Parish Council has no major planning objections to raise they would wish to stress that any noise, particularly outside social hours, should be kept to an absolute minimum - particularly reversing beepers

OTHER REPRESENTATIONS

None received

APPLICANT'S SUPPORTING INFORMATION

A noise assessment was submitted as part of the application and can be viewed on file.

OFFICER APPRAISAL

Principle of Development

The proposal relates to varying two conditions attached to 5/06/1782p which is associated with the dry plant facilities on site. The principle of the quarry has been long established. As such, the main focus of the report is whether the variation of the conditions is acceptable.

The proposal seeks to vary condition No.5(b) & (c) and condition 6 relating to the number of vehicle movements into an out of the site, and also the working hours for the dry plant packing and processing.

Policy

Policy 36 within the Cheshire Replacement Minerals Plan (1999) seeks to ensure that products produced within mineral sites are predominantly from the mineral site itself, a measure of 50%. The proposal would ensure that more than 50% of the products produced on site are from the quarry itself. As such the proposal would comply with the policy.

Highways

The original application was for the dry packing function of the site was granted in 2006. At this point in time, the operator was able to operate within the limits on vehicle numbers proposed. From looking into the planning history and consultation responses received during this application, no reasons were given for the restrictions to be in place around vehicle movements.

The supporting statement received along with the application identifies that the operator of the site: Tarmac, have seen an increase in business over recent months, to the degree that the existing restrictions on the vehicle movements into the site have become restrictive. The operator has seen a large increase in orders for the dry packing element of the business consequently they seek an increase in HGV movements into and out of the site from 26 (13 each way; 6 importation of materials) to 42 (21 each way; 14 for the importation and exportation of materials). As such, the total number of vehicle movements would be 400 per week between March and May, and 200 movements between August and October. June, July, November and February are limited to 100 vehicle movements.

The Strategic Highways manager has viewed the proposal, and does not envisage the increase in the number of HGV vehicle movements causing any adverse impact upon the existing access from the A34, or the wider highway network.

Similarly, the proposal seeks to increase the working hours of the plant into off-peak hours. It is not considered that the proposal would have any adverse impact upon the highway network on these grounds either.

Overall the proposal would comply with the guidance within Policy 34 (Highways) of the Cheshire Replacement Minerals Local Plan (1999)

Amenity

Noise

A noise assessment was submitted as part of the application. The noise assessment concentrates on how the additional night time working on site would impact upon the amenity of the area.

The noise assessment has concentrated its findings on the closest sensitive receptors, the Wagon and Horses (345m north of the plant), and the two nearest neighbouring dwellings: Oakley (275m west) and Midway House Farm (475m south west). The noise report submitted states that the proposed extension to working hours would not result in an adverse impact to the amenity of these receptors.

The following measures would be taken in order to mitigate any potential adverse noise disturbance as a result of the development;

- Aggregate drier – the equipment would only work between 0700 – 1900
- Sand supplies – Between the hours of 2300 – 0700 only two lorry loads of sand would be transported from the Quarry to the dry pack plant
- Dust extractor – An acoustic booth would be fitted
- Fork lift trucks - Noise suppressors to be fitted

The Environmental Protection Officer has viewed the proposal, and raises no objections to the additional working hours, subject to the acoustic booth being erected around the dust extractor, and restrictions being in place around reversing beepers for vehicles within the site.

It is considered that whilst the proposal includes additional working hours during anti-social periods (0600 – 1800 all year) the proposal would not result in an adverse impact upon the nearest residential properties. The existing measures in place on site, plus the additional mitigation measures proposed as part of the application, would prevent any noise disturbance.

Overall the proposal is considered to comply with policies 26 & 27 within the Cheshire Replacement Mineral Plan (1999) and policy DC3 within the Macclesfield Borough Council Local Plan (2004).

Dust

Whilst the proposal would result in an increase in operations at the site, it is considered that the existing controls and mitigation measures would prevent any adverse impact in terms of the creation of dust at the site. The existing storage silos on site are equipped with protection systems to ensure that no dust egress into the atmosphere.

In these circumstances the proposal would comply with the guidance within Policy 28 (Dust) of the Cheshire Replacement Minerals Local Plan (1999) & DC3 (Amenity) within the Macclesfield Borough Council Local Plan (2004).

Visual Amenity / Landscape Impact

The proposal to increase the number of vehicle movements into and out of the site, and to alter the working hours at the site, would have no impact upon the visual amenity of the area. The proposal would have no impact upon the existing landscape. It is of merit to note that the dry packing plant aspect of the quarry is located well into the site, and sufficient planting is in place around the, site thus preventing any views from public vantage points.

Ecology

The site is known to provide a habitat for great crested newts. Under application 5/06/1782p a protection and mitigation assessment was provided as part of the application, and a Natural England license is in effect at the site. The previous controls implemented at the site are considered sufficient to prevent any adverse impact to the protected species on site.

CONCLUSIONS AND REASON(S) FOR THE DECISION

This section 73 application seeks to vary conditions covering the number of vehicle movements from the site, and the operating hours of the dry packing part of the quarry.

The appraisal of the development plan and other material planning considerations demonstrates that the proposed development at Eaton Hall Quarry is in accordance with the Development Plan, RSS, CRMLP and MBLP.

The key issues for consideration relate to the prolonged impacts of traffic and transportation, impact upon residential amenity from operations issues such as noise and dust. The previously attached conditions to 5/06/1782p would also remain in place.

It is considered that the proposal would have an acceptable impact on any sensitive party. As such, planning permission should be granted.

Approve; subject to conditions attached to 5/06/1782p, and varied conditions as follows;

- **The operation of the development hereby approved shall be restricted to the following periods;**
 - a) **for vehicle movements unloading and loading – at all times between 04.00 Monday to 18.00 Saturday.**
 - a) **For sand processing and drying – 06.00 to 18.00 Monday to Saturday (all year)**
 - b) **For maintenance 07.00 to 19.00 Monday to Saturday (all year)**
- **The permitted vehicles movements related to this development shall not exceed a maximum of 42 (21 in, 21 out) Heavy Goods Vehicles movements on any working day is averaged out over the calendar month. Of these, a permitted daily maximum of 14 (7 in, 7 out).**

And additional conditions;

- **Background adjusting reversing beepers or the use of broadband or ‘white noise’ reversing beepers shall not be used during the night time hours on mobile plant which manoeuvres around the Eaton Hall plant.**
- **An acoustic booth will be erected around the dust extraction unit within the dry pack plant.**

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