Application No: 11/1122M

Location: GAWSWORTH QUARRY, GAWSWORTH, MACCLESFIELD

Proposal: RESTORATION OF GAWSWORTH QUARRY USING INERT EXCAVATION AND CONSTRUCTION/DEMOLITION WASTES

Applicant: MR SIMON O'GARA

Expiry Date: 12-Jul-2011

SUMMARY RECOMMENDATION:

MAIN ISSUES:
Principle of the Development
Ground Stability
Sustainable Management of Waste
Feasibility of High Level Restoration
Control of Imported Material
Drainage
Noise & Air Quality
Highways and Impacts on Footpaths
Landscape and Visual Amenity
Ecology
Impact on RIGs Designation
Local Amenity

REASON FOR REPORT
The application is a major development constituting a former mineral site which is proposed to be restored with inert waste material.

DESCRIPTION OF SITE AND CONTEXT
The site is the former Gawsworth Gritstone Quarry which is located to the east of A523 London Road, approximately 4.5km south of Macclesfield and approximately 1.1km south of the small settlement of Oakgrove.

Gawsworth Quarry, and neighbouring Rough Hey Quarry directly to the north, form part of Gawsworth Common which lies in an elevated position on the western slopes of Croker Hill. Access to both sites is taken from a hardcore track which rises at sharp incline from its junction with A523 in a north east direction up to the quarry and former processing area, and then continues north east around the edge of the quarry and connects to Rough Hey Quarry

approximately 600m north of the site. The track also serves a small number of neighbouring residential properties, the closest of which are approximately 370m from the site.

Gawsworth Quarry consists of the main extraction area, internal access tracks, and the former processing area. The 6.9ha application site is made up of the former quarry extraction zone, stockpiles of quarry overburden and soils, and internal access track. On the north west boundary is a 120m long and 35m high open, exposed quarry face. It is formed of glacial till, exposed rock face and a scree slope which is highly weathered and subject to erosion. The quarry face is actively receding northwards, generating a near vertical slope surface and leading to a loss of adjacent agricultural land. Land beyond the application site on the southeast and northeast boundary has already been subject to low level restoration associated with previous quarrying operations to grassland and linear strips of tree planting.

The site is positioned at approximately 300m in height, some 120m above the level of A523. Despite its elevated and exposed position, the site is screened in part from the majority of nearby sensitive receptors which are located on Croker Hill or from A523 due to the undulating hillside and presence of woodland. Long distance views can be obtained from the nearest sensitive receptors which are also situated at similar elevations, the nearest being Fairyhough House to the east which lies at 330m, Hanging Gate Farm to the north east at 280m and Croker Farm to the north at 270m. Merrihill is situated at 200m and whilst being located on the access road to the site, is screened from views of the site by the undulating hillside and natural vegetation.

Within the Macclesfield Borough Local Plan (MBLP) the site is located within countryside beyond the Green Belt and lies in the Area of Special County Value; and within a Site of Nature Conservation Importance. It is also designated as a Site of Regional Importance for Geology.

DETAILS OF PROPOSAL

This is an application to restore Gawsworth Quarry through the importation of inert excavation, and construction and demolition waste over an 8 year period with restoration to a low grade pasture/upland heath. A total of 435,000m³ (830,000 tonnes) of material is proposed to be imported, which includes approximately 7000m³ of topsoil. A maximum of 250,000 tonnes per annum is proposed to be imported over 8 years, with restoration complete over 7 phases, commencing with the deepest part of the quarry, then the remainder of the site being worked in a north eastern-south western direction.

Waste would be imported using 20 tonne Heavy Goods Vehicles (HGVs), with a maximum of 100 movements per day (50 in and 50 out). Access to the site would be via the existing haul road from the A523. The proposed hours of operation for the restoration activities are 0700 to 1800 hours Monday to Friday and 0730 to 1400 hours Saturday with no activities on Sundays, public or bank holidays. Maintenance of plant and vehicles is proposed from 0700 to 1800 Mondays to Fridays and 0700 to 1400 hours Saturdays.

The scheme aims to achieve a final restoration profile which would generate a natural landform relative to its pre-extraction condition. The existing ground levels would be increased by up to 24m, which would be achieved by spreading existing quarry overburden/subsoils, and the importation of fill material, overlain by 850mm subsoils and 150mm topsoils which reflects the previously consented restoration scheme. This would

create a natural landform with a restoration profile of 1:7. Final restoration to low grade pasture/upland heath is proposed with the use of Gorse and Broom to reflect existing habitats.

Infill material will be sourced from the applicants own construction projects around Macclesfield; and future construction projects at Manchester Airport. Stockpiles of fill material will be stored on those areas awaiting restoration, and re-seeding would be carried out as soon as practicable following placement of topsoil in order to limit the amount of exposed fill left on site.

The applicant does not anticipate the need to screen or crush material on site other than on an occasional basis. The existing wheelwash and weighbridge would be used for the scheme. The existing internal haul road into the application site will be re-aligned and used for HGVs delivering material. The northern access would be broken up following restoration with the southern access retained in-situ for agricultural purposes. The existing surface water drainage system would be retained, with a small extension to the open drainage channel and settlement ponds proposed.

RELEVANT HISTORY

Planning permission for the extraction of gritstone at Gawsworth Quarry was granted in 1951, with a later permission granted for Rough Hey Quarry in 1955. The quarries have been operated intermittently since then, until 1998 when a new set of conditions were imposed on both Gawsworth and Rough Hey Quarries as a 'Review of Old Permissions' (ROMP) under Environment Act 1995, which was granted consent on 9th April 1998 (Ref. 5/97/0961). The ROMP conditions imposed on both quarries permits the extraction of stone from Gawsworth and Rough Hey until February 2041. Since then operations at Gawsworth Quarry have been scaled back and extraction ceased in 2009 due to a slowdown in market conditions.

The restoration scheme proposed under the ROMP in 1998 approved a low level restoration by spreading existing overburden materials and the importation of 850mm of subsoils and 150mm topsoils. It also included for the retention of the existing quarry high wall.

POLICIES

Mineral Planning Statement 1: Planning and Minerals
Minerals Policy Statement 2: Controlling and Mitigating the Environmental Effects of Mineral Extraction in England
Minerals Planning Guidance 2: Applications, Permissions and Conditions
Mineral Planning Guidance 5: Stability in surface mineral workings and tips
Minerals Planning Guidance 7: Reclamation of mineral workings
Draft National Planning Policy Framework
Planning Policy Statement 10: Planning for Sustainable Waste Management
Planning Policy Guidance Note 13: Transport
Planning Policy Guidance Note 14: Development on Unstable Land
Planning Policy Statement 23: Pollution Control
Planning Policy Guidance Note 24: Noise

Local Plan Policy

Cheshire Replacement Minerals Local Plan 1999

Policy 9 Planning Applications
Policy 12 Conditions
Policy 14 Areas of Special County Value
Policy 15 Landscape
Policy 17 Visual Amenity
Policy 22 Nature Conservation – check any allocations designations.
Policy 23 Nature Conservation
Policy 25 Ground Water/Surface Water/Flood Protection
Policy 26 Noise
Policy 27 Noise
Policy 28 Dust
Policy 33 Public Rights of Way
Policy 34 Highways
Policy 37 Hours of Operation
Policy 39 Stability and Support
Policy 41 Restoration
Policy 42 Aftercare

Macclesfield Borough Local Plan 2004

NE1 Landscape Protection and Enhancement
NE2 Landscape Character
NE3 Conservation of Rural Landscape
NE4 Reclaiming and Improving Land
NE11 Nature Conservation Interests
NE12 Local Nature Reserves
NE15 Creation of Habitats
NE17 Nature Conservation for Major Developments
GC5 Countryside beyond the Green Belt
T6 Highway Improvements and Traffic Management
IMP2 Transport
DC3 Amenity
DC6 Circulation and Access
DC9 Tree Protection
DC13 and DC14 Noise
DC17 Water Resources
DC19 Groundwater Resources
DC20 Watercourses
DC63 Contaminated Land
Supplementary Planning Guidance 1 'Code of Practice for the submission of mineral planning applications and general site operations'.

Other Material Considerations
Government Review of Waste Policy in England 2011
Draft National Planning Policy Framework

CONSULTATIONS (External to Planning)

Highways: The existing site access off the A523 is of a good standard and provides adequate visibility in both directions. The existing permission limits movements to an average of 300 per day in connection with both Gawsworth and Rough Hey Quarries. The proposed movements are likely to be 100 per day which will be contained within the 300 trip limit and would not comprise additional trips on the road network. As there is no material increase in traffic associate with this operation over and above that already consented, no highways objections are raised. Existing conditions imposed on consent 5/97/0961 are recommended to be replicated on any new consent; in respect of hours of operation, control of vehicular access to the site, control of mud on the highway, sheeting of vehicles, limit on number of vehicle movements to not exceed 300 movements per day, and records of vehicle movements to be retained.

In respect of the potential cumulative impact of implementing both the existing consent at Rough Hey and the proposed scheme, Highways Officer considers that in the event both sites are worked simultaneously, the vehicle movements over both sites could be adequately controlled to within the 300 trip limit by means of a S106 Legal Agreement.

Environmental Health: Potential noise impacts are associated with mobile site plant, fixed plant and delivery vehicles. The noise assessment makes calculations at sensitive receptors for a worse case scenario of all activities operating concurrently; and these are compared against suggested noise limits set out in Minerals Planning Statement 2 (MPS2). The assessment indicates that the limit values in MPS2 should not be exceeded. In order to take into account any cumulative impacts of both Gawsworth and Rough Hey Quarries operating concurrently, a condition is recommended to restrict noise levels to 48 dB LAeq level, which provides consistency with the existing consented noise levels. In order to control potential noise impacts, planning conditions are recommended in respect of noise limits on normal and temporary operations, control over the duration of temporary operations and submission of a noise monitoring scheme.

Noise impacts associated with the operation of the sorting trommel are shown to be significantly dependant on the effectiveness of the mitigation provided. A planning condition is recommended to ensure full details of the location, sound levels, proposed mitigation and predicted impacts at sensitive receptors of all plant is submitted for approval prior to any activities commencing. Noise limits of processing plant should not exceed the background level by more than 5dB(A). The proposed hours of operation for accepting deliveries should be revised to 0800 hours to 1800 hours Monday to Friday and 0800 hours to 1300 hours on Saturdays. The number of vehicle numbers should also be restricted by means of planning condition, along with maintenance of the access road to an acceptable standard so as to minimise impact noises from vehicles throughout the lifetime of the development. Further planning conditions should be imposed in respect of controls for the use of 'white noise' reverse alarms for site based mobile plant.

The dust management plan outlined in the environmental assessment adequately addresses most of the potential issues relating to dust emissions. In addition to these measures, the re-seeding of restored levels at the earliest practical opportunity, the management of any earth bunds and consideration of weather conditions should also be covered in the control of dust emissions. A dust management plan should be approved as a condition of this proposal. A planning condition is also recommended to ensure the fill material is chemically and physically

suitable for use in restoration on this site so as to ensure the material will not cause contamination of controlled waters.

Environment Agency: No objection is raised. Advice is provided in respect of handling waste and protection of water resources.

Natural England: This application is within 3km of the Danes Moss SSSI. However, given the nature and scale of this proposal, no objection raised on account of the impact on designated sites. Standing advice is provided in respect of protected species which includes considering the potential for biodiversity enhancements for bats in accordance with PPS9 and Section 40 of the NERC Act.

In terms of soil handling and reclamation, the scheme is considered to be acceptable and the applicant proposes to follow Defra's Construction Code of Practice for sustainable use of soils. The guidance contained in 'Good Practice Guide for Handling Soils' should also be followed. The requirement for 850mm subsoils and 150mm topsoil being laid over fill material as consented, remains appropriate for a rough pasture afteruse. It is recommended that both pre and post settlement plans should be prepared to ensure contours on restoration plan would be successfully achieved. Natural England wish to be consulted on final restoration details.

Cheshire RIGs: Initial objection lodged due to the loss of geological features of the site. Further discussions have reached agreement that a section of upper quarry face in the north west would be left exposed, and that the bottom of the face should be cleared to expose the base of the rock face in order to retain the important exposures of the Middle Churnet Shale Formation. This would leave a section that would still be suitable for use by educational groups and would still be suitable for its RIGS designation.

Cheshire Wildlife Trust: In view of the potential for much of the area to be classified as a UK BAP priority habitat, request provision of the full Target Notes that are referred to but not included in the Environmental Assessment. Would have also expected the site to be assessed with this classification in mind, with ecologists conclusions included in the report. Request full species list arising from the invertebrate survey to be provided, in view of the importance of previously-developed land for insects. Overall consider the recommendations made by the ecologists for restoration of the landfill do not reflect the potential of the restored site for natural succession on low-nutrient substrates.

Landscape Officer: no objections subject to conditions requiring the submission of a landscape scheme and implementation programme.

Ecology officer: Following submission of the additional ecological surveys, consider that there are no reasonable likely adverse impacts upon protected species or the SBI. The restoration proposals lack specific details on ecological objectives of the proposed restoration. The intention at Gawsworth Quarry would be to create grassland habitats that would be of sufficient quality to contribute to local BAP targets for habitat creation. Grassland habitats only retain their interest if they are subject to some form of management which usually takes the form of grazing or cutting. In the absence of intervention grassland habitats have a tendency to become rank and will eventually develop into woodland habitats of lower nature

conservation value. To ensure that any habitats created maintain their ecological interest in the long term, it is recommended that more detailed restoration and aftercare management proposals are secured, along with long term management either a condition or s106 legal agreement.

Forestry Officer: No comments

Heritage (Archaeology and Conservation): No archaeological features of significance likely to be affected by the proposals. Earlier features will have been removed by the extraction process. Conservation Officer has no comments.

Public Rights of Way: The property is adjacent to public footpath Gawsworth No. 34 as recorded on the Definitive Map. It appears unlikely, however, that the proposal would affect the public right of way. PROW would expect advice note attached to any permission to ensure applicant is aware of their obligations in respect of works near or affecting public rights of way.

Health and Safety Executive: The supporting information, including the bank stability assessment appears to cover most of the information and analysis HSE would expect to be in place. No specific detail is provided in relation to the specific design & construction of the backfill; however HSE would seek such information as part of the overall compliance required for Regulation 31 in Health & safety at quarries, Approved Code of Practice ref L118. In essence this would be rules coming out of the assessment & design which should be in place prior to commencement of the works and contain information on matters such as the overall final profiles; how this is to be achieved in terms of layer thicknesses & compaction; the types of equipment used and the necessary inspection and supervision etc.

Ramblers Association: Concern is raised over the potential effects of the scheme on Gawsworth Footpath 34 which lies within 50 metres of the site. It is not clear what proportion of the vehicle movements to achieve phases 1, 3 & 4 in the north eastern section of the site might require use of the section of the track shared by the footpath, which is outside the site boundary but within the owners land boundary. The main concern is to ensure that the footpath continues to be available and unobstructed during the development. In terms of nuisance and dust impacts, it seems likely that parts of the footpath (i.e. those within 50-100m of the site during phases 3 & 4) would be in an area where the 'magnitude of the impact' was 'moderate' - albeit the exposure would only be temporary. The effects might be mitigated by the proposed control measures although these will be monitored by receptors more distant from the site.

Manchester Airport: No objections

United Utilities: No objections

VIEWS OF THE PARISH / TOWN COUNCIL

Gawsworth Parish Council – recommend refusal on the basis of impacts on the local environment, particularly upheaval and disruption.

OTHER REPRESENTATIONS

8 letters of objection have been received from local residents. The principal matters of concern relate to nature of infill material and potential to cause contamination; length of time taken to restore the site and capability of restoration; ecological concerns and potential opportunities for wildlife enhancement; hours of operation; highway safety and vehicular access; noise and disturbance; landscape and visual impacts; air and water pollution; land stability issues.

APPLICANT'S SUPPORTING INFORMATION

Environmental Appraisal
Bank Stability Assessment
Planning Design and Access Statement
Additional Supporting Information

OFFICER APPRAISAL

Principle of Development
The existing consent (5/97/0961) permits a final restoration to pasture; which would be achieved by spreading the existing overburden, and importing sufficient material to layer 850mm subsoils and 150mm topsoils across the site. As such, the principle of restoring the site using imported fill material, and a final restoration to pasture has previously been consented. These elements are retained within the proposed scheme; however the key difference is the level of fill material proposed to complete the restoration which is higher than originally permitted.

The restoration of the site will result in the sterilisation of a proportion of gritstone. Nationally, there is a requirement to maintain a 10 year landbank for crushed rock, whilst the CRMLP requires maintenance of a 7 year landbank (Policy 53). The latest monitoring figures from 2009 suggest a landbank of 34 years for Cheshire which is well within policy requirements. As such the loss of this element of gritstone is not considered to conflict with Policy 53 of CRMLP and MPS1.

The applicant justifies a high level restoration proposed on the basis that the approved scheme would not have sufficient material to stabilise the quarry face which is receding onto third party land and presents a health and safety risk. As a secondary benefit, the applicant maintains this restoration scheme provides a sustainable outlet for managing construction, demolition and excavation (CD&E) waste; in order to drive waste up the waste hierarchy and divert it from landfill.

Ground Stability
The exposed 36m high quarry face is currently eroding onto third party land; which is visually apparent as a fenceline now hangs suspended in mid-air, where the quarry wall once was. The applicant maintains that the consented low level restoration would result in an unstable wall rim which would progressively erode and which would leave sections of the site inaccessible in the long term due to health and safety risks.

The stability of both the restoration scheme and adjacent quarry land has been raised as a concern by local residents. MPG5 makes clear that proposals should include appropriate technical assessments to demonstrate stability of any slopes created. The Bank Stability

Assessment considers both the stability of the existing quarry wall, and that of the final restoration profile. It identifies that the existing scree slope is at the point at which the material has reached the limit of its stability. The glacial till stands vertically and is over-steepened whilst the shaly mudstone is highly susceptible to weathering. All elements of the slope are noted to be at the limit of their stability. The assessment concludes that without stabilisation, the slope will continue to unravel and deeper seated failures could occur. In regards to the stability of the proposed scheme, the assessment identifies that, at a final restoration profile of 1:7, this would be satisfactory in securing the stability of the site.

HSE confirm that the Bank Stability Assessment contains all necessary information. The engineering details of the scheme in terms of its design and construction, and the compaction of the fill material and layer thicknesses would be addressed by HSE under separate controls as the Quarries Regulator. Equally issues associated with creation of unstable zones in the fill material associated with impeded flow of groundwater due the proposed compaction and soil layering techniques are addressed in the Waste Recovery Plan submitted to Environment Agency (EA) to accompany the Environmental Permit. The scheme is therefore considered to accord with policies 9 and 39 of CRMLP, policy 12 of CRWLP, MPG5 and MPG7

Sustainable Management of Waste
The scheme is proposed as a waste recovery activity where the CD&E waste would be recovered and re-used as part of the quarry restoration. CD&E waste makes up the largest waste stream in Cheshire; comprising 49% of the overall waste arisings; and this is expected to increase to approximately 1.5m tonnes by 2020. A large proportion of CD&E waste is currently sent to landfill, and The Waste (England and Wales) Regulations 2011 recently introduced, set a target to recover at least 70% of CD&E waste by 2020.

PPS10 and CRWLP both seek to deliver the waste hierarchy with the onus on re-use, recycling and recovery before disposal. In view of the rising costs of landfill, and the need to look for alternative sustainable ways to transport and manage waste; this scheme provides an outlet for inert excavation and construction/demolition waste arisings for construction projects in the north of the authority and from adjacent authorities. There are few similar facilities that are able to accept CD&E waste in the north of Cheshire and this offers a sustainable means of diverting waste from landfill. Equally MPG7 supports the use of inert material to restore mineral workings as it helps to achieve the reclamation of mineral workings. As such this is considered to accord with the overall approach of CRWLP, PPS10 and MPG7.

Feasibility of High Level Restoration
Concern from local residents relates to the proposed level of restoration, timescale proposed and ability to complete the scheme. The existing quarry void which has been created varies in depth from approximately 280m AOD to 313m AOD. In order to achieve a natural restoration profile, the scheme would increase ground levels across the site by up to 24m (approximately) through layering soil making material, subsoils and topsoils. A total of 830,000 tonnes is proposed to complete the restoration proposals, with 250,000 tonnes of fill material imported per annum over 8 years. The fill material would be sourced from the applicants own construction projects and major infrastructure projects in the north of the authority and adjacent authorities including developments at Manchester Airport.

The 8 year timeframe is considered reasonable given the scale of the restoration activities proposed; and builds in an allowance for potential downturns in the availability of fill material

from construction projects. A 7 phase scheme is proposed, with restoration working south from the north eastern boundary. Planning conditions could be imposed to ensure that re-seeding is undertaken following completion of each phase so as to limit visual impact. Conditions could also be imposed to ensure that, in the event of any cessation of infilling prior to completion of the development, a revised restoration scheme can be secured. As such this is considered to accord with policies 15 and 17 of CRMLP, policy DC1 of MBLP and MPG7.

Control of Imported Material

Concern has been raised over the nature of fill material proposed and the potential for contaminants to harm human health or groundwater. Inert soil making materials, subsoils and topsoils are proposed to restore the site. Inert material is defined in the Landfill Directive as material which does not undergo any physical, chemical or biological transformations. It does not dissolve, burn or otherwise physically or chemically react, biodegrade or adversely affect other matter with which it comes into contact in a way likely to give rise to environmental pollution or harm human health. In addition the total leachability and pollutant content must be insignificant, and in particular must not endanger the quality of surface water and/or groundwater.

PPS23 is clear that planning authorities should work on the assumption that the relevant pollution control regime will be properly applied and enforced. The Environmental Permitting regulations include adequate measures to control the type of waste and any associated pollution impacts. This includes procedures regarding the receipt and acceptance of waste, recording and monitoring movements of waste, and inspection/testing requirements. It also assesses the appropriateness of the soil making material, the physical or chemical properties, and whether this could adversely affect groundwater or human health.

The Environmental Health Officer does not raise any objection to the scheme and recommends imposition of a condition to ensure all restoration material is chemically analysed to demonstrate that the material is not contaminated, which could include leachate testing to ensure that the material will not cause contamination of controlled waters at, around or below the application site. The scheme is considered to accord with policy 18 of CRWLP, policies 9 and 25 of CRMLP, policies DC63, DC19, and DC20 of MBLP and MPG1, MPG2 and MPG7.

Drainage

An aquifer lies to the south and east of the site which supports a very small number of extractions for individual domestic and farm use. The nature of fill material is not anticipated to have any potential adverse impact on the quality of ground and surface water. The Environmental Assessment identifies that the scheme may lead to a slight increase in percolation into the ground rather than drainage to surface water, but this is not anticipated to have a significant impact on ground or surface water features in the area. The quarry currently discharges to surface water at Bosley Brook via a series of existing ditches and silt catchment sumps. An extension to one of the existing open drainage channels is proposed to incorporate additional silt catchment sumps which will ensure water is controlled during rainfall to prevent flooding. Full details of the drainage scheme proposed can be required by planning condition and approved in conjunction with Environment Agency. The scheme is considered to accord with policies 18 of CRWLP, policies 9 and 25 of CRMLP policies DC17, and DC20 of MBLP; and PPS23.

Noise and air quality
Concern has been raised from local residents regarding noise and dust impacts of the scheme, particularly associated with the use of the haul road. The main source of noise generation from the scheme is anticipated to be from mobile/fixed plant, and delivery of vehicles. The noise assessment demonstrates that the noise levels generated by the scheme will remain within levels set in MPS2 and will be consistent with those previously consented on the site for quarrying operations. The cumulative noise impacts of both Gawsworth and Rough Hey Quarries operating concurrently have been assessed, and planning conditions can be imposed which would limit noise levels to 48 dB(A) LAeq on the site. This would provide consistency with consented noise levels at Rough Hey, and provide mitigation to any sensitive receptors. There may be a need for occasional use of plant to screen or crush material on site to screen out larger particles or for soil blending. The details of such equipment, including its location, predicted noise impacts and details of any mitigation can be secured by planning condition prior to its use to ensure noise levels do not exceed the background level by more than 5dB(A) in accordance with relevant guidelines. A number of conditions are recommended to control noise levels from temporary works, submission of noise monitoring scheme, and silencing of vehicles to ensure there is no adverse impact on residential amenity associated with noise impacts.

Concern has been raised by local residents over the potential noise generated by HGVs traversing the 1100m access track to and from the A523. The track is tarmaced for an initial 150m, beyond which is hardcore which is in poor condition with pot holes. The potential to tarmac the full length of track to the processing area has been discounted on safety grounds as the track is on a steep incline for most of its length, which could be hazardous in wintery conditions if tarmaced. An agreement has been reached with the applicant to repair the access track prior to use and maintain this for the duration of the works, which can be secured by planning condition.

Impacts in terms of dust can be controlled by means of a dust management plan required by condition. This will include the proposals for re-seeding, management of earth bunds and implementation of mitigation for dust encountered on site or the public highway. As such the scheme is considered to accord with policies 26, 27 and 28 of CRMLP, DC3, DC13 of MBLP, MPS2 and PPG24.

Highways and Impacts on Footpaths
Concerns have been raised over the impact of the scheme on the safety and operation of the local highway network, along with the suitability of the haul road to accommodate two passing HGVs. Access to the site is taken from A523 via the existing consented haul road which previously served the quarrying activities. The Highway Officer considers that the existing access is of a good standard with adequate visibility and is sufficiently wide to accommodate two HGVs.

The existing consent allows for an average of 300 heavy goods vehicle (HGV) movements per day (150 in and out) when measured over a year; with movements not to exceed 540 (270 in and out) in any single day. The existing consent permits mineral operations until 2040. Proposed vehicle movements would remain well within this level at a maximum of 100 movements a day (50 in and out). Where necessary, and as an exception to normal workings, the applicant is seeking an allowance for increasing vehicle numbers for a temporary short period on occasions where this is required to meet a particular contract e.g.

where large quantities of infill material are generated by a major construction project. It is proposed that this would be a temporary specified period only and could be controlled by suitable planning condition to ensure any increase still remains within the allowance of the existing consent.

The restrictions on consented vehicle movements apply to both Gawsworth and adjacent Rough Hey Quarry, both of which are served by the same haul road to A523. It is necessary to control vehicle movements from both quarries by means of a S106 agreement to ensure that, in the event quarrying at Rough Hey Quarry re-commences, any cumulative level of HGVs associated with both sites would remain within the existing 300 consented. The Highways Officer considers that as the overall number of vehicle movements would be contained within the 300 trips limit, there would be no additional trips on the road network. As such no material increase in traffic is anticipated over and above consented levels. The proposal is therefore considered acceptable subject to planning conditions as specified above and restricting the hours of operation as per the existing consent.

Concern has been raised regarding potential conflict between users of footpath No.34 and the existing haul road in the north east of the site. The access into the infill area is situated to the south of the footpath so there would be no conflict with users of the footpath. There are existing signs in place on site to warn drivers of the risk of pedestrians, and suitable planning conditions can be imposed to ensure HGVs are restricted to use of the haul road south of the footpath.

The scheme is considered to accord with policies 33 and 34 of CRMLP, policies T1, T3, and T6 of MBLP, PPG13 and MPS2.

Landscape and Visual Amenity

The visual impact of the scheme and the ability of the restoration proposals to integrate into the landscape have been raised as a concern. The site is partly screened from the majority of nearby sensitive receptors on Croker Hill and A523 due to the undulating hillside on which it sits and surrounding woodland. However the exposed quarry face creates a void in the landscape which offers a detrimental visual impact to those properties with views of the site.

Whilst the restoration scheme would raise the ground levels significantly from that consented previously; the final scheme would improve the overall visual impact of the site and create a natural end profile. The site has few visual receptors and any visual impacts associated with restoration operations prior to completion are not anticipated to differ in scale or nature of impact from those presented during previous consented quarrying activities. The phasing scheme proposed would also ensure that early restoration is achieved which would bring benefits in terms of visual impacts.

The proposed restoration to pasture/upland heath can be achieved with relatively poor quality topsoils. The dominant habitat type in this location is upland heath, with gorse, broom, bracken and bramble. The restoration scheme will enhance this habitat with 20m wide strips of gorse and broom planted along the edge of the existing habitat and a further 30m strip left to regenerate naturally with grass and gorse, which is intended to soften the ‘hard edges’ of the quarry. The remaining areas will be re-seeded with a grass seed mix. Full landscape proposals will be secured by planning condition and a detailed long term 10 year management plan will be secured by means of a s106 legal agreement. This will include for

appropriate management and monitoring of the flora and identification of areas to be enhanced to ensure both initial establishment, and longer term management of vegetation. The Landscape Officer considers the restoration scheme and habitat enhancement measures to be acceptable and would not have an adverse impact on the ASCV designation. The scheme improves the visual amenity of the area, and offers potential for landscape enhancement. As such the scheme is considered to accord with policies 15 and 17 of CRMLP, Policies NE1, NE2, NE3, NE11, DC8, and DC9 of MBLP, and MPG7.

Ecology

The site forms part of Gawsworth Common, Whitemoor Hill and Ratcliffe Wood Grade B Site of Biological Importance (SBI). The Environmental Assessment identifies that there will be no reasonable likely adverse impacts upon protected species or the SBI. The site at present offers limited ecological value. Cheshire Wildlife Trust raised objections over the scope of the environmental assessment which they did not consider sufficient and considered that the restoration proposals do not reflect the ecological potential of the site, although it is noted no comments were made following re-consultation on further restoration scheme details submitted.

The Council Ecologist is satisfied that there are no reasonable likely adverse impacts upon protected species or the SBI. The proposed restoration plan details a mosaic of acid grassland and heathland. Whilst limited details are provided on the final restoration habitats proposed and their subsequent management, the creation of grassland and heathland is considered appropriate in the context of the surrounding habitats and would contribute to BAP targets for habitat creation. Grassland habitats require a suitable grazing regime to prevent them from developing into woodland habitats of lower nature conservation value. To ensure that the habitats created maintain their ecological interest in the long term, the Council Ecologist recommends that an ecological and landscape management plan is submitted outlining the management of the habitat for a period of 10 years following completion of the scheme, the details of which and subsequent implementation can be secured by means of a S106 legal agreement to ensure long term maintenance of the site. As such the scheme is considered to accord with MPG 7, PPS9 and policies 13, 22 and 23 of CRMLP, and policies NE3, NE11, NE13, NE14, and NE15 of MBLP, in that it makes a positive contribution to nature conservation value of the area.

Impact on RIGs Designation

The site is subject to a RIGS (Regionally Important Geological Site) designation, being an important Namurian site, and having exposures of the Middle Churnet Shale Formation. Cheshire RIGs initially objected to the scheme due to the loss of geological interest of the quarry resulting from the restoration of the site. The applicant acknowledged that, in its unstable condition, the quarry face is not suitable for use by Cheshire RIGs as educational visits. An area of stable quarry wall is located directly to the south of the application site which contains sufficient exposures of the strata. This area has previously been retained as this part of the quarry was restored, and is under the control of the applicant, who has agreed to retain this in-situ and remove material from the quarry wall base. This is considered acceptable to Cheshire RIGs and can be secured by planning condition. As such the scheme is considered to accord with MPS1 and PPS9.

Local Amenity

Concern has been expressed by local residents regarding the impacts of the scheme on local amenity, including potential for disruption. The application proposes hours of operation to be 0700 hours to 1800 hours Monday to Friday and 0730 hours to 1400 hours Saturdays with no working on Sundays, Bank or Public Holidays. The proposed hours of operation are broadly consistent with consented quarrying operations for the site. Following negotiation with the applicant, revised hours of operation are proposed, with all operations (including vehicle movements and maintenance of plant/vehicles) commencing from 0800 hours to 1800 hours Monday to Friday; and 0800 hours to 1300 hours Saturday. This is envisaged to provide additional mitigation to the amenity of closest residential properties. Other planning conditions as outlined in this report will provide further protection of local amenity. The implementation of a local liaison committee can also be secured by means of planning committee to enable local amenity issues to be discussed and addressed by the operator. The scheme is therefore considered to accord with policies 37 and 43 of CRMLP, DC1, DC3, DC13 of MBLP and MPS2.

CONCLUSIONS AND REASON(S) FOR THE DECISION

The scheme presents a sustainable means of diverting construction, demolition and excavation waste away from landfill and enables an unstable quarry face to be stabilised and restored to a viable end use. The site has consent for quarrying and the impacts associated with this scheme largely reflect in scale and nature those previously consented.

Impacts associated with highways, amenity issues, contamination, visual impacts and environmental health can be adequately controlled by means of planning conditions. Suitable controls are also in place under other environmental legislation to control the processes and pollution control aspects of the scheme.

The alternative to restoring the site is to continue quarrying activities which prolongs local environmental impacts associated with this land use and leaves the site unrestored in its current state. The scheme not only restores the site to a beneficial end use but also provides value in terms of landscape and ecology. It is considered that all potential environmental impacts can be adequately mitigated and the scheme offers an overall benefit in terms of landscape and ecological enhancement, and in sustainable waste management which accords with the approach of MPS1, PPS10 and PPS9.

RECOMMENDATIONS

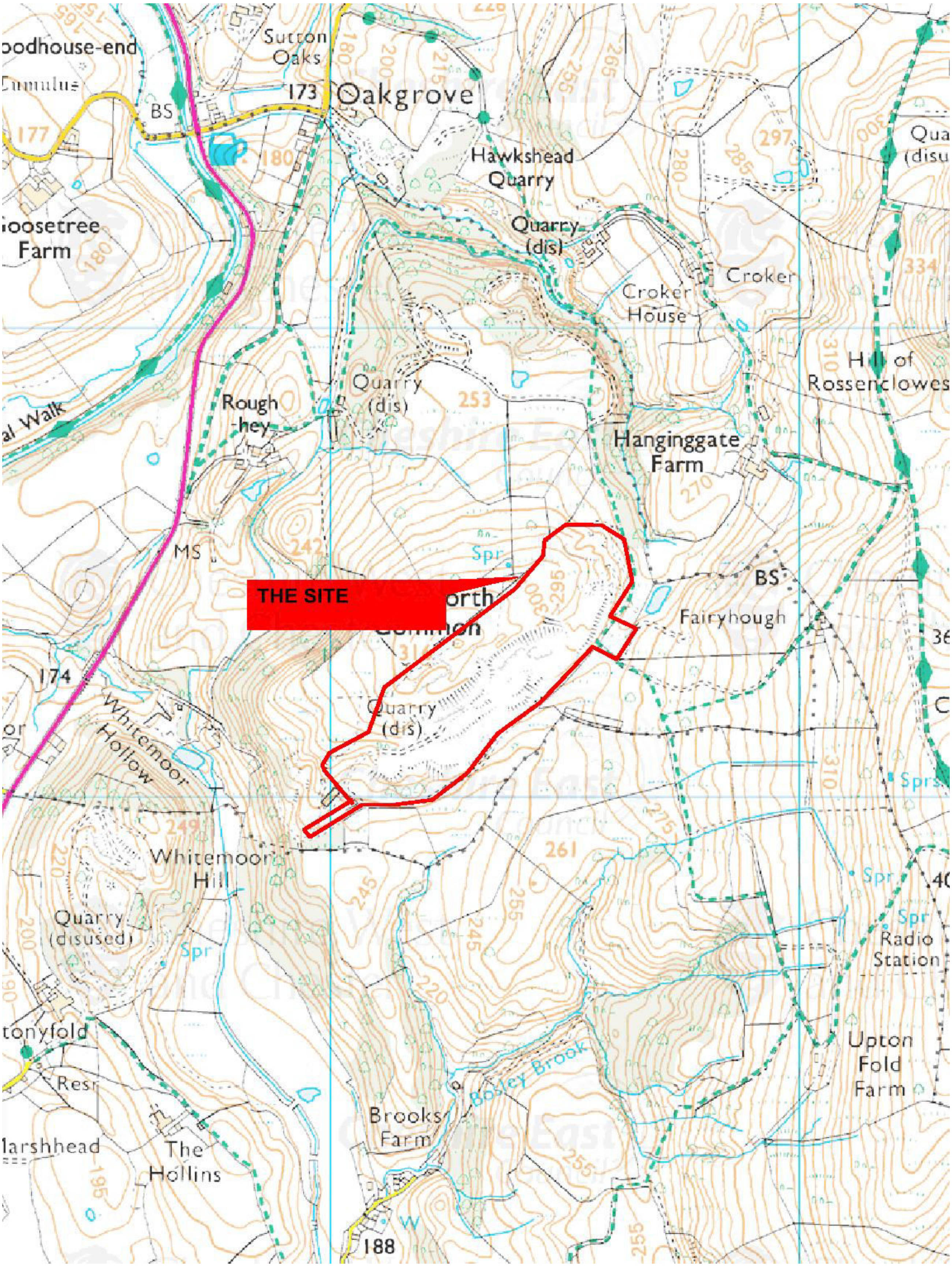
APPROVE subject to entering into a Section 106 agreement to secure:

1. a 10 year extended landscape and nature conservation management scheme;
2. restriction on HGV movements associated with the scheme to an average of 300 movements a day in the event that both Gawsworth and Rough Hey Quarries are worked concurrently;

and subject to the following conditions:-

Duration and sequence of working
Phased restoration
Hours of operation
Control over type of material imported

Highway vehicle movements
Control over noise and dust
Plant and machinery
Pollution control
Drainage scheme
Protection of footpath
Protection of trees
Soil storage and handling
Site maintenance
Submission of detailed landscape and nature conservation management plan
Establishment of a Liaison Committee


THE SITE
Oakgrove
Sutton Oaks
173
Hawkshead Quarry
Quarry (dis)
Croker
Croker House
Hill of Rossenclowes
Hanginggate Farm
Fairyhough
BS
Rough-hey
Quarry (dis)
253
MS
242
Goosetree Farm
Cumulus
177
180
174
Whitemoor Hollow
249
Whitemoor Hill
Quarry (disused)
Spr
261
Radio Station
Upton Fold Farm
Bosley Brook
Brooks Farm
Marshhead
The Hollins
Resr
188
297
334
310