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| Application No: | 21/1727W |
| Location: | BENT FARM QUARRY, WALLHILL LANE, BROWNLOW, CONGLETON, CHESHIRE, CW12 4HW |
| Proposal: | Proposed extension to Silica Sand Extraction with Progressive Restoration at Bent Farm Quarry, Brownlow Farm, Wallhill Lane, Congleton |
| Applicant: | David Walton, Sibelco UK Limited |
| Expiry Date: | 25-Jun-2021 |


**SUMMARY**

The NPPF recognises that minerals are essential to support sustainable economic growth and it is important to ensure that there is an adequate supply of materials to meet the needs of the country.

The proposal presents economic benefits in terms of enabling the remaining mineral reserves to be worked as well as securing additional nationally significant mineral reserves which occur in only a very limited number of locations in the UK and which provide specialist minerals to a wide range of industries. These additional mineral reserves would assist in contributing towards a 10 year supply of industrial mineral at the site as required by national and local planning policy. In addition, the proposal would release reserves of construction sand which would contribute to the maintenance of a 7 year landbank as required by planning policy. It also provides direct and indirect benefits to the local economy by providing raw materials for a wide range of products and maintaining local employment. As such the proposal meets the requirements of the NPPF, policy SE10 of the CELP, and CRMLP Saved Policies 45 and 54.

The principle of further extraction at Bent Farm Quarry on this site has already been demonstrated as acceptable through the previous grant of mineral permission on the site. The small extension to the extraction limit would remain within the consented boundary of the site and also lies within the land allocated as a Preferred Area in the CRMLP. It would therefore accord with saved policy 54 of CRMLP.

The scheme also provides other benefits, in terms of allowing the site to be restored to a high standard with the provision of a range of habitats which would be subject to long term management. Any localised impacts from the proposal including those associated with the extended extraction limit and prolonged timescales for mineral operations such as visual effects, loss of trees and hedgerows, impact on hydrology, noise and dust can be controlled and adequately mitigated through planning conditions. As such, the scheme is considered to accord with policies of the Cheshire East Local Plan Strategy 2017, the saved policies of the Cheshire Replacement Minerals Local Plan and the Congleton Borough Local Plan First Review, policies of the Astbury and Moreton Neighbourhood Plan and the approach of the NPPF.

**RECOMMENDATION: Approve subject to deed of variation and conditions**

## SITE DESCRIPTION AND PLANNING HISTORY

Bent Farm Quarry is located approximately 1.3km from the south western edge of Congleton urban area. The quarry lies in a rural area predominantly surrounded by grazing and arable farmland. Access to the quarry is taken from Wallhill Lane off the A534.

The application site covers an area of 73ha and comprises the active extraction areas, areas currently being restored or subject to previous restoration, other operational land, material stockpiles, overland mineral conveyors, and the processing plant area which contains processing plant, stockpiles of mineral, machinery, silos, buildings and lagoons. The application site is bounded by Wallhill Lane and the curtilage of Quarryside Bungalow to the west. Bridleway BR7a runs alongside the northern operational boundary whilst public footpath FP2 and Bent Farm align the eastern boundary. Footpath FP4 and Brownlow Farm adjoin the southern site boundary.

The nearest residential receptors to this application site are those located adjacent to the western boundary of the quarry, whilst further properties lie to the south west, west, south and north east.

The quarry has an extensive planning history. Relevant planning applications records include:

- 8/23176 - Extension to existing silica sand quarry - Approved Jul 1992
- 8/29697- Extension to existing sand quarry – Approved Apr 2000
- 8/08/0375/CPO - Proposed extension to Silica Sand Extraction with Progressive Restoration – Approved Dec 2009
- 18/5890W – application for continued Extraction of Industrial Sands (together with progressive restoration) – undetermined

A separate planning permission was granted for an extension to the quarry in 2020 on land to the west of Wallhill Lane, known as ‘Bent Farm West’ (reference 19/2173W). The boundary of that permission overlaps with this application site with respect to the area of the plant processing as the mineral extracted from the Bent Farm West extension is processed in the plant site on the main quarry site east of Wallhill Lane. The Bent Farm West permission allows extraction on the extension area until November 2028 and restoration to be completed by November 2030.

Subject to this application being approved it is envisaged that both sites would be worked simultaneously until the main quarry has been fully extracted, then extraction would continue on Bent Farm West for the remainder of the permitted timescales and during that time the plant processing area on the main quarry site would still remain in use to process minerals from Bent Farm West.

## DETAILS OF PROPOSAL

The application proposes to vary planning conditions 3, 5, 6, and 35 of permission 8/08/0375/CPO and remove conditions 31 and 37. These amendments are proposed in order to allow an extension to the timescales for extraction, processing and restoration; a marginal extension to the permitted limit of extraction, an increase in the permitted depth of extraction; and minor revisions to the permitted phasing and restoration plans to reflect operational conditions on site and the proposed timescales for completion of the site. The proposals would lead to an addition extraction of 410,932 tonnes in total.

These amendments are detailed further below:

Condition 6

Condition 6 currently states:

*The winning and working of silica sand authorised by this permission shall cease within nine years following commencement of mineral extraction as notified by condition 2, and the site restored to the approved scheme within 2 years of the cessation of mineral extraction.*

The expiry date for mineral extraction is 4 April 2020. The applicant proposes to vary this condition to enable:

1) Sand extraction to continue until 10th November 2025;
2) Restoration of the main quarry area by 10th November 2026;
3) Processing plant to continue to process and dispatch sand to the timescales approved under 19/2173W.

Condition 3

The applicant proposes to vary the approved plans listed in condition 3 to allow for minor amendments to the approved phasing and restoration plans. This is required to reflect the revised timescales for working the remainder of the site. The revised restoration plan includes a slightly smaller area of open water with a corresponding increase in the land proposed for wildflower planting. This revision is necessary in order to account for increased volumes of clay and soils encountered during the extraction on site.

The approved phasing plans currently show the limit of extraction in the quarry. The applicant proposes to extend the extraction limit to the south by 20m on the southern boundary in order to secure a further 213,932 tonnes of industrial silica sand. Whilst the extraction limit would become slightly larger, it would remain within the current quarry footprint and within the consented area of the planning permission boundary.

Condition 35

Condition 35 currently limits the depth of extraction to 83m AOD. The applicant proposes to amend this to 81m AOD to allow a deeper extraction depth across the remaining areas of extraction in the quarry. This would secure a further 197,000 tonnes of silica sand.

Other proposed amendments

- Condition 5 - this requires a range of schemes to be submitted, which have since been approved. As such this condition is no longer required.
- Condition 31 – this requires material for maintaining the access road/internal haul road to be approved in advance by the Mineral Planning Authority. This condition is proposed for removal as the site roads are maintained without the need for imported materials.
- Condition 37 – this condition removes permitted development rights for the erection or re-siting of any building, plant, machinery or structure. The applicant is applying to remove this condition.

**POLICIES**

The Development Plan comprises the Cheshire East Local Plan Strategy 2010-2030 adopted July 2017 (CELPS), saved policies of the Cheshire Replacement Minerals Local Plan 1999 (CRMLP), the saved policies of the Congleton Borough Local Plan First Review (CBLP) and policies of the Astbury and Moreton Neighbourhood Plan (AMNP).

The relevant policies of the **Cheshire East Local Plan Strategy (CELP)** are:
MP1 Presumption in favour of sustainable development
PG6 Open countryside
EG2 Rural economy
SC3 Heath and well being
SD1 Sustainable development
SD2 Sustainable development principles
SE2 Efficient use of land
SE3 Biodiversity and geodiversity
SE4 The landscape
SE5 Trees, hedgerows and woodland
SE7 The historic environment
SE10 Sustainable provision of minerals
SE12 Pollution, land contamination and land instability
SE13 Flood risk and water management
SE14 Jodrell bank
CO1 Sustainable travel and transport
CO4 Travel plans and transport assessments

The relevant Saved Polices are:

**Cheshire Replacement Minerals Local Plan (CRMLP)**

Policy 2 Need
Policy 9 Planning applications
Policy 10 Geological content of planning applications
Policy 12 Conditions
Policy 13 Planning obligations/Legal agreements
Policy 15 Landscape
Policy 16 Plant and Buildings
Policy 17 Visual amenity
Policy 20 Archaeology
Policy 21 Archaeology

Policy 25 Ground water/surface water/flood protection
Policy 26 - 27 Noise
Policy 28 Dust
Policy 31 Cumulative impact
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
Policy 43 Liaison committees
Policy 45 Sand and gravel landbank
Policy 54 Future Silica Sand Extraction

The relevant saved policies of the **Congleton Borough Local Plan First Review (CBLP)** are:

PS8 Open Countryside
PS10 Jodrell Bank Radio Telescope Consultation Zone
GR6 Amenity and Health
GR7 Environmental Effects
GR8 Pollution
GR9 Access
GR10 Traffic
GR14 Cycling
GR15 Pedestrians
GR18 Traffic Generation
NR3 Habitats
NR4 Non-Statutory Wildlife Sites
NR5 Habitat Conservation
NR6 Reclamation of Land

**Astbury and Moreton Neighbourhood Plan**

P9 Scale, design, amenity
P11 Countryside and open views
P12 Woodland, trees and hedgerows
P13 Open countryside
P17 Buffer zones and wildlife corridors
P18 Historic environment
P19 Footpaths
P21 Traffic
P23 Public rights of way
P26 Landscape quality

National Policy:

National Planning Policy Framework (NPPF)
National Planning Practice Guidance (NPPG)

**CONSULTATIONS**

**Environmental Health** – no objections

**Archaeology** – no objections

**Highways** – no objections.

**Spatial planning** – Advice is provided in respect of mineral resource provision.

**Nature Conservation** - no objection

**Forestry** – no objection. Conditions are recommended in respect of tree and hedgerow protection and retention, compliance with mitigation in the arboricultural assessment, implementation of the restoration scheme.

**Public Right of Way** – no objections. Advice is provided in respect of developer obligations concerns rights of way.

**Flood risk management -** No objections subject to strict adherence with the Flood Risk Assessment and Hydrogeological assessment, and the inclusion of the extension within the groundwater monitoring arrangements.

**Landscape** – no objections

**Natural England** – no comment

**Environment Agency** – no objection subject to condition restricting importation of material for deposition to land without approval of the LPA and restriction on dewatering. Advice is provided in respect of slope stability and groundwater monitoring.

**Jodrell Bank** – no comments received

**Cheshire Wildlife Trust** – no comments received

**Health and Safety Executive (Quarries Inspector)** – no comments received

**National Grid** – no comments received

**VIEWS OF THE PARISH/TOWN COUNCIL**

**Congleton Town Council** – no comments received

**Newbold Astbury cum Moreton Parish Council** – no objection

**OTHER REPRESENTATIONS**

None received

**APPLICANTS SUPPORTING INFORMATION**

The application is supported by a Planning Statement, including drawings and appendices containing a number of schemes, technical assessments, and an Environmental Statement and Non-Technical Summary dated February 2021.

## OFFICER APPRAISAL

### Principle of the Development

The proposed small extension to the extraction limit would remain within the permitted boundary of Bent Farm Quarry and lies within a Preferred Area identified for future silica sand extraction in the Cheshire Replacement Minerals Local Plan (CRMLP). As such the principle of mineral extraction in this location has already been deemed acceptable.

The site also lies within the open countryside to which Cheshire East Local Plan Strategy (CELPS) policy PG6 and Congleton Borough Local Plan First Review (CBLP) saved policy PS8 applies. The Preferred Areas for future silica sand and Areas of Search for sand and gravel identified in the CRMLP are all located within the open countryside and the principle of mineral extraction in the open countryside has been accepted by virtue of the mineral permissions granted on the site. As such it is considered that the proposal does not conflict with policies PG6 of CELPS and PS8 of CBLP.

### Mineral supply

The NPPF (paragraph 209) identifies that it is essential that there is a sufficient supply of minerals to provide the infrastructure, buildings, energy and goods that the country needs. Since minerals are a finite natural resource and can only be worked where they are found, NPPF states that it is important to make the best use of them to secure their long-term conservation. Paragraph 211 requires Local Planning Authorities to give great weight to the benefits of mineral extraction, including to the economy.

Silica sand is recognised in the NPPF as an important industrial mineral, to which particular national planning policies apply. Planning Practice Guidance notes that, because industrial minerals provide essential raw materials for a wide range of downstream manufacturing industries, their economic importance extends well beyond the sites from which they are extracted. Silica sand is therefore treated differently from more general construction aggregate materials in terms of mineral planning.

Silica sand occurs in only a limited number of locations within the UK and is unevenly distributed. It is used in a range of specialist (non-aggregate) applications. The characteristics of silica sand deposits vary at different locations with respect to sand grain size distribution, grain shape and sharpness, chemical purity and the presence of contaminants. The application and use of silica sand from a given deposit therefore cannot always be substituted by other deposits.

Cheshire East contains nationally important deposits of silica sand which are of economic importance, and the British Geological Survey identifies that Cheshire's silica sand resources are some of the most important in the UK accounting for approximately 40% of total output in Great Britain (BGS, 2020).

CELPS Policy SE10 and the NPPF Para 214 states that Minerals Planning Authorities (MPAs) should plan for a steady and adequate supply of industrial minerals (which includes silica sand)

and ensure these are maintained. NPPF Paragraph 214c (footnote 74 refers) states that reserves *at individual industrial silica sand sites* should be *at least* 10 years, and at least 15 years where significant new capital investment is required. Likewise, saved Policy 54 of the Cheshire Replacement Minerals Local Plan 1999, seeks to maintain landbanks of at least 10 years *at each silica sand site* throughout the plan period.

The latest available data collected by the authority in December 2020 identifies that, based on the average 10 years sales at the site, the remaining silica sand reserves at Bent Farm Quarry provide less than 10 years stock of permitted reserves as is required by the NPPF and CELPS policy SE10. Since that data was collected, there has been another year of sales which has further reduced the stock of permitted reserves. As such the current reserves of silica sand at Bent Farm Quarry are now below the 10 years supply required by planning policy.

It is noted that the actual amount of silica sand reserves available for industrial uses at this site could also be lower as the applicant estimates that up to 10% of the stock of sand at the main quarry, and up to 30% of the consented reserves in the Bent Farm West extension comprises low quality silica sand which is suitable for use as an aggregate sand.

The applicant identifies that Bent Farm Quarry is one of a limited number of deposits which can produce high grade foundry sand to the foundry industry. Whilst the additional tonnage which would be secured by this proposal is modest (410,932 tonnes in total), it would nonetheless contribute towards a 10-year stock of permitted reserves of industrial mineral at the site as required by national and local planning policy and allows for this nationally important resource to be maximised especially given the delays that the mineral operator has experienced in the implementation of the Bent Farm West extension during the pandemic.

The NPPF (paragraph 213 f) also requires mineral planning authorities to plan for a steady and adequate supply of aggregates by maintaining landbanks of at least 7 years for sand & gravel. All the operational silica sand sites in Cheshire East also produce some aggregate sand & gravel as a by-product of silica sand production in varying quantities. The Cheshire East Local Aggregate Assessment (LAA) 2021 (covering data for 2019 and 2020) identifies that the aggregate sand and gravel landbank is 5.45 years (based on the 10-year sales average + 2% annual growth figure), which falls short of the 'at least 7 years' required by the NPPF and CELPS Policy SE10.

There are currently four operational silica sand quarries in Cheshire East. Whilst extensions have been granted at Bent Farm and Arclid Quarry in the past two years, and permission was granted for a new quarry at Rudheath Lodge in 2019, these only provide sand and gravel as a by-product of silica sand production and even with these additions, further reserves of sand and gravel are required to maintain the 7-year landbank required by planning policy. This application would therefore provide a small contribution towards the 7-year landbank required for sand and gravel in Cheshire East.

<u>Mineral Resource Assessment</u>

NPPG requires calculations of mineral reserves to have regard to the quality of sand and the use to which it will be put. CRMLP Saved Policy 10 also requires applications to be supported by adequate evidence to demonstrate both the quality and quantity of the mineral reserve, whilst CRMLP Saved Policy 5 emphasises that an application for mineral extraction will not be permitted where it would involve the use of high quality materials for low grade purposes.

Silica sand is defined as sand which normally has a silica content of more than 95% (British Geological Survey (BGS) minerals planning factsheet, 2020). The available data demonstrates that the silica sand resource extends beyond 81m AOD and extends to the permission boundary covering the area of the proposed 20m extension. This data is considered sufficient to accord with CRMLP Saved Policies 5 and 10, and the approach of the NPPF.

**Water Resources, Flood Risk and Drainage**

A drainage channel lies 600m west of the site boundary which is a tributary of the River Croco, and becomes the River Croco approximately 2km west of the site. 350m to the north east is Loach Brook (and its tributary Dairy Brook), whilst Arclid Brook lies 1km south of the site. Astbury Lake lies 1km to the north east and a fishing pond is located approximately 800m to the south east.

At present, during extraction groundwater (and surface water runoff) from the extraction areas is pumped to just below the quarry floor level, a process known as 'dewatering'. The water is then transferred to a lagoon where it is discharged to Loach Brook or used in the processing plant for mineral washing before being returned via a series of silt lagoons to the water management system and discharged.

<u>Impacts during mineral extraction</u>

- *Groundwater*

The process of dewatering currently results in groundwater levels being lowered both in the extraction area and beyond the limits of extraction, with the effects decreasing with increasing distance from the excavation. The increased depth of extraction proposed by this application would result in groundwater being lowered to 81m AOD (as opposed to 83m AOD at present) and over a slightly larger area due to the 20m southern extension proposed. Furthermore the time extension would mean that the site would be dewatered for a longer period. As such there would be a greater overlap between the dewatering carried out at this site and in the recently consented Bent Farm West extension with extraction in both areas continuing until 2025, instead of 2023 as is presently consented.

The hydrological assessment identifies that the existing dewatering activities are predicted to lower the groundwater levels by up to 9m over a distance of up to 500m. As a result of this proposal, this predicted groundwater drawdown would increase to 11m and have a larger radius of influence of 611m. The cumulative impacts of the two areas of extraction operating simultaneously is predicted to present some greater groundwater drawdowns at some stages of the operations in the area of overlap around Wallhill Lane, however no increase in the spread of drawdown is predicted and there no water receptors in the area likely to be impacted.

- *Neighbouring abstractions, water features and ecological designated sites.*

No licenced groundwater abstractions are predicted to be affected by the proposal. No sites designed for nature conservation importance lie within the surface water catchment of the site. Arclid Brook runs through the Brookhouse Swamp SBI. The predicted impact on flow to the brook is identified to have only a minor degree of impact. All other designated sites are located outside of the immediate surface water catchment of the site and are not connected to the sand

that is potentially affected by dewatering at the site. The fishing lake is located 800m to the south east and is outside of the extent of sand aquifer and predicted radius of influence.

- *Impact on watercourses during operation of the site*

The hydrological assessment identifies that any loss of flow on Loach Brook/Dairy Brook would be compensated for by the consented quarry discharge into Loach Brook. Discharge to Loach Brook would continue to be undertaken in accordance with the existing discharge permit and there would therefore be no impacts on flows in Loach Brook.

The radius of influence of quarry dewatering is not predicted to reach Arclid Brook as groundwater levels below the streambed would not be impacted. The brook flow could be impacted due to a loss in the groundwater catchment feeding the brook however the impact is assessed as minor.

The hydrological assessment identifies that there is unlikely to be any hydraulic connection between the site and the small brooks that support River Croco and the proposal is therefore not predicted to have any significant impacts.

- *Water quality*

There are no changes proposed to the current water management system implemented on site and no adverse impacts from the proposal on groundwater quality is anticipated. The existing site environmental management systems would ensure that any spills are addressed in accordance with best practice procedures and the existing planning conditions relating to control of pollution on site could be replicated on any new permission. The quarry will continue to discharge water into Loach Brook in accordance with the relevant permit and discharge would be suspended if high suspended sediment concentrations are identified. The effects on the quality of Loach Brook from suspended solids are therefore assesses as negligible.

<u>Long term impact on groundwater levels and baseflow</u>

On cessation of mineral activities, groundwater levels are expected to recover to their original levels. Any small changes in groundwater levels resulting from the formation of waterbodies as part of the restoration are expected to be small and insignificant. Equally the groundwater baseflow to Arclid Brook would return to its pre-existing levels.

There would be a small loss of water to the local hydrological system due to evaporation from the lake however the rate of evapotranspiration is relatively small in comparison to the total catchment of the neighbouring watercourses therefore the impact is predicted to be negligible. Overall the hydrological assessment identifies that the proposal would result in impacts that are broadly similar to that identified for the consented mineral extraction and these changes are not expected to lead to any significant increase in impacts to receptors.

The current mineral permission includes planning conditions requiring annual monitoring of stream flows in Dairy Brook and Loach Brook, along with quarterly monitoring of groundwater levels around the site and annual monitoring of groundwater quality which could be replicated on any new permission. The applicant has agreed to extend the groundwater monitoring regime to ensure it reflects this proposal as per the advice of the Environment Agency and this

can be secured by planning condition. The Flood Risk Management Officer raises no objection subject to compliance with the recommendations of the hydrological assessment and the replication of the existing conditions requiring water monitoring.

The Environment Agency raised concerns regarding the proposed increased depth of dewatering and the potential for this to derogate or divert existing water interests, as well potentially increasing diversion of groundwater flow from the wider Bent Farm Quarry, depriving natural contribution to Arclid Brook, and transferring it all to Loach Brook. In order to ensure there are no adverse impacts, they recommend that a condition is imposed to ensure that any mineral extracted below 83m AOD is worked wet so that dewatering is only carried out to 81m AOD unless the necessary dewatering permit is obtained from the Environment Agency. Subject to this condition being imposed the Environment Agency are satisfied with the proposal. The applicant has agreed to this requirement and therefore propose to extract the last 2 metres wet using a long reach excavator and propose the use of a bathymetric survey (which maps the depths and shapes of underwater terrain) to ensure compliance. These measures can be secured by planning condition.

Flood risk and drainage

The site lies within Flood Zone 1. Mineral extraction sites are identified in the NPPF as being a water compatible development and therefore no exception test is required.

At present, surface water runoff is captured and attenuated within the active quarry voids and then pumped to the off-site lagoon under controlled conditions prior to discharge to Loach Brook under the existing discharge permit. The catchment areas and runoff regimes will continue to be controlled by the on-site surface water management arrangements in place as part of the proposed development.

Following restoration, runoff would be attenuated in the restored lake. The off-site lagoon and restored lake will both drain towards the freshwater lagoon where if necessary a pipe will be installed to maintain an outflow to Loach Brook. Given that the off-site runoff will remain unchanged during the operation of the site and will reduce post restoration, there are no predicated risks to off-site receptors.

The lake has been designed to ensure that there is sufficient available capacity for the anticipated runoff volumes and any storm water attenuation capacity without causing any off-site flooding. During times of high rainfall, the restored lake water level may become temporarily elevated causing an increase in discharge to the ground via infiltration. The flood risk assessment identifies that, given the high permeability of the sands and the overflow from the connected freshwater lagoon, such elevated water levels would be for short periods only and would remain local to the lake area without extending beyond the site boundary.

The flood risk management officer raises no objection subject to implementation of the measures identified in the flood risk assessment which can be secured by condition. On the basis of the above it is considered that the proposal accords with CELPS policy SE13, CMRLP policy 25, CBLP policy GR8 and the approach of the NPPF and is acceptable in terms of impacts to water resources.

**Stability**

The proposed 20m extension of the extraction area on the southern boundary would take the edge of the excavation right up to permission boundary. The mineral operator currently maintains appropriate standoffs on the site from the boundary demarcating the extraction limit and they advise this same approach will be applied to the new extraction area. Generally, a 5m standoff from the extraction limit to the first quarry bench is allowed for on the site to ensure safe working and geotechnical stability when operational and to allow backfilling as part of the progressive restoration of the Site and this will be applied in the extended extraction area. This is considered acceptable and it is also noted that the geotechnical stability of the mineral working is addressed by relevant quarry legislation and falls under the remit of the Health and Safety Quarry Executive.

## Control of Pollution

### Noise and Vibration

CELPS Policy SE 12 and CBLP policy GR7 aims to ensure there are no harmful or cumulative impacts upon (amongst others) noise and vibration. CRMLP Policy 26 states that proposals for the working of minerals will not be permitted where it would give rise to unacceptable levels of noise pollution.

The proposed extension would bring the extraction area approximately 15m closer to Brownlow Farm (allowing for a 5m standoff), with the farmhouse approximately 115m from the boundary of the quarry working area. It would also result in mineral activities being carried out over a longer timescale than previously permitted.

The noise assessment prepared to accompany the previous mineral permission on this site predicted that during both site preparation activities and the main quarry working (sand extraction, backfilling etc), maximum noise levels at Bent Farm and Brownlow Farm would remain well below the levels recommended in national planning policy and planning conditions on the permission require noise to remain within the stated levels at those receptors.

Quarterly noise monitoring has been carried out since 2000 and this demonstrates that the activities on site remain within the required limits. The latest monitoring data from October 2021 identifies that the noise levels at Brownlow Farm were 27.4 dB (average of 24.05 dB over the 12 month prior to that). Without the acoustic bund in place on the southern boundary, the predicted noise level at that receptor is 34.05 dB which remains significantly below the 55 dB level limit permitted in the planning condition and set out in planning policy.

It is also noted that there have been no history of regular noise complaints from the site. There is also a range of other mitigation in place including working sequentially to reduce the impact of operations on nearby sensitive receptors, with particularly noise generative activities (soil stripping, engineering works, backfilling etc) being carried out in short targeted manner rather than on a continual basis, and use of soil mounds where necessary to screen receptors. The existing conditions for noise mitigation, noise levels, restrictions on hours of operation and noise monitoring could be reimposed on any new permission.

With respect to the proposed extension of time, there are no anticipated changes to the operational working methods used on site so the conclusions reached in the previous noise assessment remain applicable to this proposal, and the cumulative impacts of operations from

both this site and the Bent Farm West extension was considered and assessed as part of the Bent Farm West application.

With respect to the proposed encroachment of mineral working closer to Brownlow Farm, this 20m strip of land is identified on the current approved plan as being used for an acoustic bund, therefore noise impacts from engineering activities in this location has previously been deemed acceptable. At the request of the landowner, the acoustic bund is no longer proposed and it is noted that the receptor would still be subject to maximum noise limits on their boundary as required by the planning condition (and subject to noise monitoring). The applicant advises that the proposal has been discussed with the landowner and no concerns were raised.

Equally no concerns are raised by the Environmental Health Officer. Subject to the imposition of the existing planning conditions requiring adherence with maximum noise levels and the noise monitoring scheme, it is considered that the potential for noise and disruption during the proposed development would be controlled to an acceptable level and would not result in significant adverse impacts on local receptors, and no cumulative adverse impacts from existing and proposed operations are anticipated. As such the proposal is considered to accord with CELPS policy SE12, CBLP policy GR7 and CRMLP policy 26, along with the approach of the NPPF.

Air Quality

CELPS policy SE12 and CBLP policy GR6 requires new development to ensure it does not result in a harmful or cumulative impact on air quality. CRMLP policy 28 also requires development to minimise dust emissions during the operational life of the site.

*Vehicle emissions*

The site is located within 2.5km of the nearest Air Quality Management Area (AQMA) adjacent to West Road, Congleton. There would be no change to the number of vehicle movements or their routing from the site with the majority of vehicles travelling west along the A534 towards the M6 motorway, therefore no increase in road traffic emissions or impacts on the AQMA are anticipated as a result of this proposal.

*Dust*

The air quality assessment prepared to accompany the previous mineral permission identifies that there are a number of mineral activities undertaken in the vicinity of the two sensitive receptors close to the site (Bent Farm and Brownlow Farm) which have the potential to generate dust emissions (such as site preparation, soil removal, sand extraction, material handling, restoration etc). The assessment identifies however that the existing quarry operations do not result in any significant adverse air quality impacts as the distances from the quarry working area means that any concentrations of particulates are reduced by dispersal with large particles falling out of suspension within the quarry boundary, and therefore no significant adverse impacts on sensitive receptors including Bent Farm and Brownlow Farm are predicted from the continued mineral activities on the site.

There are no significant changes anticipated to the operational working methods at the site therefore the conclusions of the previous air quality assessment remain valid.

It is noted that directional dust monitoring has been carried out for in excess of 12 years. The monitoring is carried out in accordance with a dust monitoring scheme which is a requirement

of a planning condition on the current permission and which could be replicated on any new consent.

The data identifies that dust levels have remained significantly below the limit where dust is considered a nuisance and there have been no long term complaints relating to dust. Equally the existing planning conditions requiring application of best practicable means for dust suppression such as storage of minerals in enclosed silos, use of road sweepers, limitations on dust generative activities during adverse weather conditions, along with planning conditions requiring sheeting of vehicles and use of a water bowser where necessary could be replicated on any new permission.

As such it is not considered that the proposed time extension for the operation of the quarry would give rise to any additional air quality impacts over that already deemed acceptable given the conclusions of the previous air quality assessment and given that there is no change proposed to the existing method of working.

The proposal would bring the extraction area marginally closer to a receptor, however the dust monitoring would enable any potential issue to be effectively identified and addressed and the other mitigation adopted on site would assist in reducing any potential air quality impacts. The Environmental Health Officer also raises no concerns over the impacts of dust emissions from this proposal.

Given these points, it is considered that the proposal would not present any significant adverse impacts relating to air quality and would accord with the above planning policies subject to the replication of planning conditions from the previous permission with respect to:

- Continued implementation of the dust monitoring scheme approved under permission 8/08/0375/CPO
- Sheeting of vehicles and control of material deposited on the highway
- Best practicable means to suppress the emission of dust
- Use of water bowser where necessary

**Highway Impacts**

The existing access point on Wallhill Lane would continue to be used for vehicular access which is designed with suitable width to accommodate simultaneous HGV arrivals and departures. There is a 7.5 tonne weight limit on Wallhill Lane south of the quarry entrance so HGVs from the site would continue to be directed along Wallhill Lane towards A534. The transport assessment undertaken for the previous mineral permission demonstrated that the capacity and environmental limitations of the A534 and Wallhill Lane were not exceeded and the development flow was a negligible proportion to the base flow. Whilst the proposal will result in vehicle movements continuing for a longer period than originally assessed, there are no changes proposed to the current level of traffic generation.

No amendments are proposed to the current planning conditions which allow HGV movement and loading/unloading over 24 hours a day, 7 days a week (with no movements on Christmas Day, Boxing Day or New Years Day) and night-time HGV movements are restricted to an average of 27 per day permitted between 00:01 and 06:00 hours Tuesday to Saturday; and 10 per day between 22:00 and 04:00 Saturday to Monday. Despite these provisions, it is noted

that the quarry does not operate the HGV weighbridge outside of 0600 and 2200 hours for HGV arrivals and departures.

These controls could be replicated on any new permission and the Strategic Infrastructure Manager advises that as there are no material changes in the operation of the quarry as a result of this application, no highway objections to the application are raised. The proposal is therefore considered to comply with CELPS policy CO4, CRMLP policy 34, and policies GR9, GR10 and GR18 of CBLP.

**Forestry**

CELPS policy SE5 states that development proposals which will result in the loss of, or threat to the continued health and life expectancy of trees, hedgerows or woodlands that provide a significant contribution to the amenity, biodiversity, landscape or historic character of the surrounding area will not normally be permitted except where there are clear overriding reasons for allowing the development and there are no suitable alternatives. Where such impacts are unavoidable, proposals must satisfactorily demonstrate a net environmental gain by appropriate mitigation, compensation or offsetting. AMNP policy P12 states that any new development involving the loss or damage to (amongst others) local woodland, trees and hedgerows that contribute to the character and amenity of the plan area must demonstrate the need for the development proposed and provide for appropriate replacement planting of native species on the site together proposals for its ongoing care and maintenance.

The proposed extension to the extraction area would result in the loss of a category A mature oak tree. The arboricultural assessment concludes that this loss would not present an impact on the wider tree population and setting which could not be feasibly mitigated through successional tree growth or new planting. The Forestry Officer considers that the loss of this tree is regrettable although it is accepted that on balance the loss of one tree would present a relatively low impact on the wider landscape aspect. The arboricultural assessment recommends a scheme of tree planting in tandem with the proposed restoration scheme in order to offset the adverse effects associated with the proposed tree loss which could be secured by planning condition. Other mitigation identified in the arboricultural assessment includes erection of tree protection fencing at sufficient distance from the retained trees and prevention of any storage, excavation and access within this area. Overall therefore the loss of the mature oak tree is considered acceptable given the above mitigation and the significant economic benefits arising from the proposal and this would accord with CELPS policy SE5, and AMNP policy P12.

The proposed development will also require the removal of 15m of hedgerow which is assessed as being in fair condition. The applicant proposes to replace this hedgerow with an additional 68m of hedgerow planting which the Forestry Officer considers acceptable as mitigation and recommends conditions in respect of tree and hedgerow protection and retention, compliance with mitigation in the arboricultural assessment, and implementation of the restoration scheme.

With respect to the proposed loss of hedgerow and whether it qualifies as ‘Important’ under the Hedgerow Regulations, a review of the Environmental Statement and relevant historical maps identifies that the hedgerow does not meet the criteria in the Regulations and is not considered ‘Important’ for its historical value. As such the proposal is considered to accord with CELPS policy SE5, AMNP policy P12 and the NPPF.

**Nature Conservation**

The site lies within the impact zone of a Site of Special Scientific Interest (SSSI). The statutory and non-statutory designated sites are all located over 1km from the site, the closest being 1.4km to the north. Relevant technical guidance advises that dust from extraction and soil movement is expected to extend to a maximum of 250m from the site boundary therefore no adverse dust impacts on any statutory or non-statutory designated sites are anticipated. The potential for adverse impacts on these sites from changes to hydrology are considered in the water resources section of this report. Natural England have raised no concerns with the proposal.

The submitted ecological assessment identifies that the majority of habitats at the site have been created as part of the current permitted mineral development and the proposed extension of time would not result in any significant effect on these existing habitats. There would be no additional land take to that already consented aside from the proposed 20m extension onto arable land contained within the quarry boundary. The loss of this small strip of land is not assessed as having any significant effects, likewise the same is concluded for the proposed loss of one additional mature tree resulting from this extension. The Nature Conservation Officer advises that the associated loss of hedgerow is a priority species and a material consideration however the replacement provision would be considered sufficient to compensate for the loss.

The proposal is not assessed to have any additional impacts in addition to those already accepted in the grant of the previous mineral permission at the site with respect to impacts on breeding birds, wintering birds, badgers, bats, invertebrates and reptiles.

With respect to impacts on roosting bats from the loss of the mature tree, the tree was assessed as having negative suitability for bat roost potential due to the lack of suitable roosting features. The Nature Conservation Officer accepts the findings of that assessment.

The impacts of the quarry on great crested newts were considered when the original consent was granted. Further surveys undertaken in 2020 recorded great crested newts at a pond where they were not previously recorded however repeat surveys in 2021 recorded great crested newts as being absent. The proposed extension to time would expose this species to continued noise, dust, light and disturbance, and would also result in a delay to the provision of habitat proposed as part of the site restoration. The ecological assessment recommends that an environmental management plan is prepared to identify measures to control and minimise disturbance to great crested newts which can be secured by planning condition. The delay in restoration of the site is both temporary and short term and given that it is being carried out in a phased manner, the existing restored areas would provide sufficient suitable habitat for this species in the short term. The Nature Conservation Officer advises that the proposal would not result in an additional impact upon great crested newts.

<u>Site restoration and long term management</u>

The revisions to the restoration scheme would decrease the area of open water marginally and increase the amount of land available for wildflower meadow planting. This allows an increased buffer between the main lake and the lagoon and provides increased biodiversity from the restoration to wildflower meadow which the Nature Conservation Officer considers to be acceptable.

The increased timescale for the cessation of extraction and restoration would result in delays to the biodiversity benefits brought about by the final restoration of the site, however the phased nature of the extraction and associated restoration would assist in reducing any impacts associated with this and the Nature Conservation Officer raises no concerns over the extended timescales.

The current planning permission is subject to a s106 legal agreement requiring the long term management of the habitats created on site on completion of the restoration for a period of 15 years. The legal agreement requires the restored land to be managed in accordance with a habitat management plan which is subject to periodic review with the planning authority throughout that period. Should planning permission be granted for this scheme, the requirements of the s106 legal agreement could be replicated on any new consent.

Subject to the mitigation outlined above being secured by planning conditions and the replication of the requirements of the legal agreement it is considered that the proposal would accord with CELPS Policy SE3, CRMLP policy 23, and CBLP policy NR3.

**Impacts on public right of way**

CRMLP saved policy 33 states that mineral development would not be permitted unless:

i) it would not have an unacceptable adverse impact on public rights of way within, adjacent to and abutting the proposed development;
ii) it would not lead to a net loss of public right of way;
iii) the restoration would, where appropriate, make a positive contribution to the public right of way

A number of public rights of way (PROW) run along the site boundary however none would be adversely affected by the development, and there would be no net loss as a result of this proposal.

The currently approved restoration scheme does not include any further PROW provision on the site, and this scheme has previously been deemed acceptable in the grant of the current mineral permission. This application does not propose to make any substantial changes to the approved restoration scheme other than to take account of ground conditions encountered on site and additional ecological mitigation considered necessary to mitigate losses to biodiversity resulting from the proposal. This is considered acceptable given that there is already a network of footpaths surrounding and adjoining the site and the proposed restoration scheme is for a mixture of habitats including a series of waterbodies which would be subject to long term management to ensure the biodiversity value is maximised. The value of the restored quarry as a habitat will be directly influenced by the degree of disturbance and in order to maximise the nature conservation gains from the restoration, it is considered appropriate to continue to limit public access on the site. It is also noted that the Public Rights of Way Officer raises no concerns over the proposal.

Mineral planning policy requires a positive contribution to public access ‘where appropriate’; but also requires there to be a positive contribution to nature conservation; clearly a delicate balance needs to be achieved between any public access and the protection of sensitive wildlife habitats. In this instance, given the biodiversity value of the site both now and on completion of the restoration, and the habitat management measures proposed which would ensure long

term delivery of a significant net gain for biodiversity, it is considered appropriate in this circumstance to restrict further public access due to the potential adverse impact on biodiversity on the site, especially given that the site is already surrounded by a network of PROWs. As such the proposal is considered to accord with CRMLP saved policy 33 and AMNP policy P23.

**Landscape and Visual**

CELPS policy SE4 requires new development to conserve the quality and character of the landscape and incorporate appropriate landscaping which reflects the character of the area. AMNP policy P11 requires all new development to respect and enhance the countryside and states that existing open views will be protected as a matter of priority from unnecessary or inappropriate development. Equally CRMLP policy 15 states that applications for mineral development will not be permitted unless during the operational life and on restoration it would not have an unacceptable impact on the landscape and on restoration would make a positive contribution.

The application site does not lie within any landscape designations. The site currently encompasses areas of mineral extraction, mineral reserves, areas of restored or partially restored land and operational quarry land including the processing plant site and overland conveyors.

Mineral extraction activities are not a wholly uncharacteristic element in the landscape having been present at the quarry site for a significant length of time and given the nature of the quarry operations, landscape impacts are unavoidable. The proposals would result in these activities taking place over a longer timescale than is currently permitted and would result in delays to final the restoration of the site. The existing boundary screening provided by the vegetation and bunds would however remain in place throughout this extended timescale which would partially mitigate any landscape and visual impacts.

The proposal would also extend the boundary of the extraction area 20m in the south eastern corner of the site. There would be a temporary change to landscape character in this area as this area is worked, however this would not be out of context in the landscape given the backdrop of the wider quarry. The site is well enclosed by existing vegetation and screening which limits views into the extraction area and on completion, the land would be restored.

The landscape assessment identifies that overall there would be a negligible effect on the landscape character and on the landscape character area. On completion of the restoration works, there would be a moderate beneficial effect on the landscape character in the long term.

Visual impacts

The working area is already well screened from many external viewpoints due to existing vegetation and mounds and there would only be limited views of the mineral activities. As such the effect on the majority of receptors during the operational phase would be negligible.

There are partial views towards the site from a number of public rights of way around the site, from surrounding roads (Wallhill Lane, Childs Lane and Newcastle Road) and from nearby receptors, each with varying views depending on elevation, degree of vegetative screening and proximity to the site. During some phases, the proposed extension to the extraction area on the south eastern corner would be visible from some areas of Brownlow Farm due to the lack

of screen mound on that section of the southern boundary however this was not erected at the request of that landowner. The visual impacts arising from the marginal encroachment of mineral extraction and associated activities towards that receptor would present only temporary minor adverse effects and would reflect the views already experienced of the wider quarry landscape. On completion of the restoration however, there would be a beneficial effect on views for the majority of receptors. As such, the landscape assessment concludes that the proposed extension to the extraction area and the extended timescales for mineral extraction and associated activities would not present any significant landscape or visual effects.

The Landscape Officer accepts the conclusions of the landscape assessment and does not raise any objection. On the basis of these considerations, the proposal would accord with CELPS policy SE4, AMNP policy P11 and CRMLP policy 15.

**Heritage**

A Scheduled Monument (the Roman Camp) is located on the north western site boundary and a further two Scheduled Monuments are located approximately 0.9km and 1km from the site. The nearest listed building is the Grade II listed building at Brownlow Cottages approximately 185m to the south of the site. A further three listed buildings are located between 230m and 520m from the northern boundary. There is also a Conservation Area at Newbold Astbury.

Whilst the area in the vicinity of the quarry contains several listed buildings and a conservation area none of these would be directly affected by the quarry operations. The setting of Brownlow Cottage is protected by embedded mitigation in place at the site including tree and shrub planting as well as the intervening trees, hedgerows and buildings. Whilst the mineral extraction and related activities would be undertaken over a longer time period and would now come 20m closer to the listed building, there would be no change in the nature of views experienced in this location given the backdrop of mineral extraction already being undertaken in this area and there remains sufficient distance for the mineral activities to prevent any significant impacts on the setting of this heritage asset. The proposal would not have any further adverse impact on this heritage asset than has been assessed and considered acceptable in the previous grant of permission for mineral extraction at the site.

With respect to any potential for buried remains, a non-designated post-medieval agricultural feature has been recorded immediately to the east of Wallhill Lane within the site boundary; however this feature has been destroyed by subsequent mineral extraction.

With respect to the Scheduled Monument (the Roman Camp) located on the north western site boundary, it is noted that the quarry has already been subject to significant ground disturbance from previous mineral extraction with no archaeological activity revealed, and the setting of the heritage asset has already been largely modified, therefore this proposed extension to the time for mineral activities would not affect its setting any further. Equally there would be no impact from the proposed extension given its location on the southern boundary. The Archaeology Officer also raises no concerns with the proposal.

On this basis the proposals are considered to accord with CELPS Policy SE7, CRMLP policies 19, 20, 24 and CBLP policy BH5 along with the approach of the NPPF.

**Loss of PD rights**

The applicant seeks to remove planning condition 37 which currently restricts permitted development rights for the erection or re-siting of any building, plant, machinery or structure. The reason stated for condition 37 is 'for the avoidance of doubt and to protect amenity'.

The General Permitted Development Order 1995 Schedule 2 Part 17 permits the development of any plant or machinery, buildings, structures or erections on mineral sites where the principle purpose of the development is in connection with the operation of the quarry subject to restrictions on the height and scale of the development. Additionally for the development of plant, machinery, buildings structures and erections that are ancillary to mining operations, the prior approval of the mineral planning authority is required for its siting, design and external appearance and this can be refused where the development would injure the amenity of the neighbourhood and modifications can reasonably be made or conditions reasonably imposed in order to avoid or reduce that injury; or the proposed development ought to be, and could reasonably be, sited elsewhere.

The NPPF is clear in that permitted development rights should not be restricted unless there is a clear justification to do so. In this instance, it is noted that the quarry is generally very well enclosed by screening mounds, and a layer of mature trees on all sides with only limited views into the site from the public highway and nearby receptors. The rural nature of the area also means there are very few receptors in close proximity to the site which would be subject to potential amenity impacts. The removal of this condition would provide consistency with the other permission on the mineral site and given the nature of controls included in the legislation and the advice of the NPPF, it is considered that the removal of this condition would be acceptable and there would be sufficient controls in place under the legislation to ensure there is no potential for adverse impacts on local amenity and the landscape.

**Other impacts**

The proposed 20m extension lies within the planning permission boundary of the previous mineral permission and the loss of agricultural land has previously been assessed as acceptable. Additionally, the area in question was proposed as acoustic screen bund so was already lost to the mineral development, therefore there is no new additional impact.

No additional adverse impacts are anticipated with respect to light pollution as there are no changes proposed to the existing arrangements on the site.

The northern extent of the application site lies within the Jodrell Bank Telescope Consultation Zone. CELPS Policy SE14 and CBLP Policy PS 10 state that within the consultation zone, development will not be permitted if it impairs the efficiency of the telescope. No comments have been received from Jodrell Bank Observatory and it is noted that no comments were made on the previous time extension application 18/5890W and no concerns were raised on the proposed western extension (19/2173W). No significant adverse impacts are anticipated from this proposal given there are no changes proposed to the method of working, machinery used on site or changes to the overall planning permission boundary.

The proposal seeks to remove condition number 31 which requires the type and quantity of material used for the access road maintenance to be agreed in advance with the planning authority. The site roads on the quarry are maintained sufficiently without the need for additional material to be imported therefore is it consider that this condition is unnecessary and does not meet the 'tests' in the legislation. Its removal is considered acceptable. Equally the proposed removal of condition 5 is considered acceptable as the condition is no longer

necessary given that the schemes that were required to be submitted have now been approved. These are now included on the list of approved documents and plans and there is a corresponding planning condition requiring compliance with these documents.

**CONCLUSION**

The NPPF recognises that minerals are essential to support sustainable economic growth and it is important to ensure that there is an adequate supply of materials to meet the needs of the country. Since minerals are a finite resource and can only be worked where they are found, and where there is land available to work them, this limits the locations available for extraction at any point in time. It is therefore important to make the best use of then in order to secure their long-term conservation, and Local Planning Authorities should give great weight to the benefits of mineral extraction, including to the economy, and as far as practical, provide for the maintenance of landbanks.

There are significant economic benefits to the scheme as it would release additional nationally significant mineral reserves which occur in only a very limited number of locations in the UK and provides specialist mineral to a wide range of industries. This would help contribute towards a 10 year supply of industrial mineral at the site as required by national and local planning policy. In addition, the proposal would release reserves of construction sand which would help contribute to the maintenance of a 7 year landbank as required by planning policy.

The proposed extended timescales would also ensure that the existing consented mineral reserves can be worked in full and the site can be adequately restored to a high standard. The proposal would also provide direct and indirect benefits to the local economy by providing raw materials for a wide range of products and maintaining employment in the local area. As such the proposal meets the requirements of the NPPF, policy SE10 of the CELP, and CRMLP Saved Policies 45 and 54.

The proposed extension of the extraction limit would remain within the consented permission boundary therefore the principle of extraction in this area has already been accepted, and the proposed extension is on land that is allocated as a Preferred Area where future silica sand reserves should be located in accordance with CRMLP policy 54.

The scheme also provides other benefits, in terms of securing the provision of a range of habitats in the site restoration and providing for their long term management. Any localised impacts from the proposed extension to the extraction limit and those associated with the prolonged timescales for mineral operations at the site such as visual effects, loss of trees and hedgerows, impact on hydrology, noise and dust can be controlled and adequately mitigated through planning conditions.

As such, the scheme is considered to accord with policies of the Cheshire East Local Plan Strategy 2017, policies of the Astbury and Moreton Neighbourhood Plan, and the saved policies of the Cheshire Replacement Minerals Local Plan and the Congleton Borough Local Plan First Review, and the approach of the NPPF

**RECOMMENDATION**

**That the application be APPROVED subject to:**

1. **Deed of variation of the Section 106 agreement attached to permission 8/08/0375/CPO to replicate the requirements of the legal agreement to this permission**

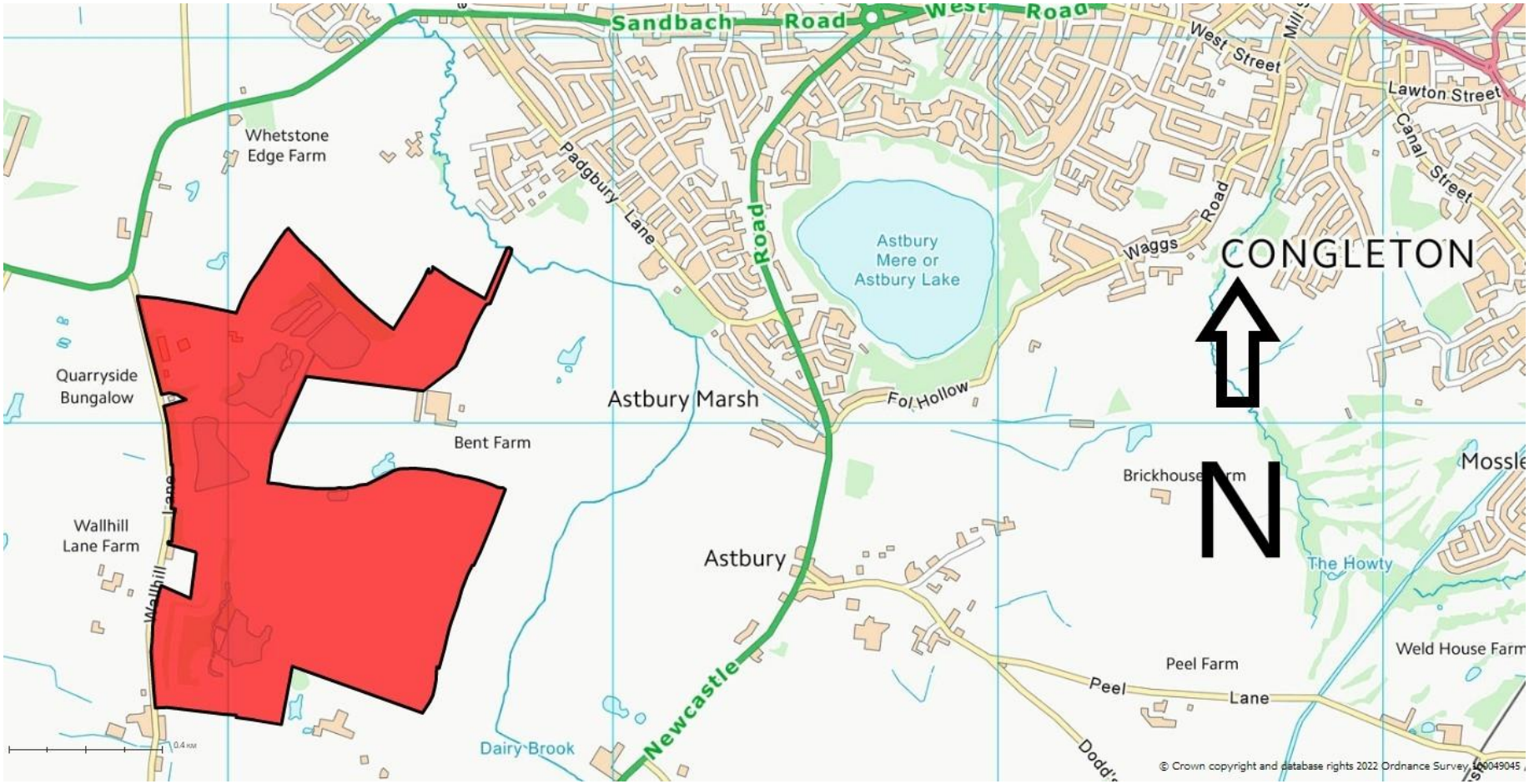
**And subject to the following conditions:**

1. Timescales for commencement and notification of commencement
1. Approved plans and documents
2. Copy of approved plans to be made available for inspection on site
3. Timescales for cessation and restoration of the site
4. Hours of operation for general mineral activities
5. Hours of operation for noise generative activities
6. Hours of operation for the processing plant
7. Hours of operation for loading, unloading and movements of HGVs
8. Vehicles arriving and leaving the site restricted to using the existing access only, and maintenance of a notice advising drivers to turn right out of the site
9. Wheel cleaning and no deposit of material on the highway
10. Sheeting of vehicles
11. Restrictions on HGV numbers and timing of movements
12. Records of vehicle movements
13. Protection of nesting birds
14. Advance notice of soil stripping
15. Soil to be stripped prior to being used for extraction or associated activities and controls over the use of heavy machinery on soils
16. Soil handling
17. No export of soils without prior approval of the local planning authority
18. Seeding of all soil mounds
19. Weed control
20. 3m height control on soil mounds
21. No importation of waste
22. Surveys prior to any ponds being disturbed and where necessary scheme of translocation of species
23. Implementation of mitigation identified in the ecological impact assessment
24. Water levels of retained ponds to be monitored throughout the life of the site
25. Mounds to be located away from existing trees and hedgerows
26. Limits to depth of extraction
27. Limits on the amount of vegetation to be cleared in advance of sand extraction
28. Colour for any new buildings, plant or machinery on site to match those on site
29. Noise levels for normal mineral operations
30. Noise levels for noise generative activities and limits on timescales of these activities
31. Application of best practicable means for controlling noise on site
32. Noise levels from processing plant
33. Best practicable means for suppression of dust
34. Use of water bowser
35. Monitoring of stream flows within Dairy Brook and Loach Brook
36. Quarterly monitoring of groundwater levels

37. Extension of the groundwater monitoring scheme to include the extended extraction area and increase in extraction depth
38. No dewatering of the site below 81m AOD
39. Compliance with the mitigation in the Flood Risk Assessment and Hydrological Impact Assessment
40. Monitoring of water quality
41. Surface water from plant site to be discharged into the settlement lagoon prior to discharge into a watercourse
42. Procedures for storage of contaminants
43. No contaminants allowed to enter any watercourse
44. No open fires
45. All landscape works and planted areas to be maintained and losses replaced
46. No disturbance to any existing vegetation, waterbodies or watercourses within the site outside of the extraction areas
47. Tree and hedgerow protection and retention
48. Compliance with mitigation in the arboricultural assessment
49. Maintenance of haul roads, fences and other boundary treatments
50. Soil replacement and handling in line with technical guidelines
51. Removal of all plant, machinery, buildings and hardstanding within 24 months of cessation of mineral extraction and restoration of the site in accordance with the approved scheme
52. Lakes to be shaped and battered according to approved documents
53. Bank of the lakes to be grass seeded within three months of them being formed or in the first planting season.
54. Implementation of the restoration scheme and aftercare of the restored habitat for 5 years

In order to give proper effect to the Committee's intentions and without changing the substance of the decision, authority is delegated to the Head of Planning, in consultation with the Chair (or in their absence the Vice Chair) of Strategic Planning Board, to correct any technical slip or omission in the wording of the resolution, between approval of the minutes and issue of the decision notice.

Should this application be the subject of an appeal, authority be delegated to the Head of Planning in consultation with the Chair (or in their absence Vice Chair) of the Strategic Planning Board to enter into a planning agreement in accordance with the S106 Town and Country Planning Act to secure the Heads of Terms for a S106 Agreement.


Sandbach Road
West Road
West Street
Lawton Street
Canal Street
Whetstone Edge Farm
Padgbury Lane
Road
Astbury Mere or Astbury Lake
Waggs Road
CONGLETON
N
Quarryside Bungalow
Astbury Marsh
Fol Hollow
Bent Farm
Brickhouse Farm
Mossle
Wallhill Lane Farm
Wallhill Lane
Astbury
The Howty
Weld House Farm
Peel Farm
Peel Lane
Newcastle
Dairy Brook
0.4 KM
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