

Planning Statement in support of:

Proposed Variation of Conditions 2, 10 and 34 of Planning Permission C8/38/196A/PA and Condition 2 of Planning Permission C8/2016/0873/CPO in respect of Land to the north of Broach Road, Hensall, North Yorkshire.

Applicant:

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1. Introduction

This Planning Statement supports Planning Applications submitted on behalf of Darrington Quarries Limited (subsequently referred to as DQL) for the variation of Conditions 2, 10 and 34 of Planning Permission C8/38/196A/PA (Appendix 1 and drawing ref. DQL/HSS/01) and Condition 2 of Planning Permission C8/2016/0873/CPO (Appendix 2 and drawing ref. DQL/HSS/02).

All of the conditions relate to the working and restoration of Broach Road Quarry and permission is being sought to vary these so as to permit the extraction of sand from an area designated for soils storage, (subsequently referred to in this document as the Area) see drawing ref. DQL/HSS/03.

Planning Permission C8/38/196/PA was the original permission for the Broach Road Quarry. This was amended by Planning Permission C8/38/196A/PA which was granted in 2013. Following subsidence of the site from Kellingley Pit, which drastically reduced the reserves due to flooding, Planning Permission C8/2016/0873/CPO was sought and granted in February 2017. This envisaged a further six years of extraction. Unfortunately a substantial clay inclusion running across the site, which was not apparent from the site investigation, reduced the sand reserves dramatically. At present rates of working the site is due to close by the end of 2020.

Both previous Planning Applications were subject to EIA and were accompanied by ES. The Area was subject to examination/assessment and fell within the original red line boundary. Planning Permission C8/38/196A/PA had an end date of 15 June 2031 and Planning Permission C8/2016/0873/CPO had an end date of February 2023. The current proposal contains a reserve of circa 100,000 tonnes and extraction being complete within 12 months.

It is wholly appropriate to consider both permitted areas as constituting a single quarry entity and, for the purposes of this application, the scope and extent of the two EIA/ES as amounting to a single assessment. For example, the EIA/ES supporting Planning Permission C8/38/196/PA examined the physical aspects of working the larger area containing the Area (which is the subject of this application). Similarly, the EIA/ES which supported Planning Permission C8/2016/0873/CPO considered such matters as Health Impacts, Transport, etc., associated with the Quarry generally. As the timescale for the proposed operations would fall well within the time frame of both previous planning permissions and by implication the scope of the relevant EIA/ES, with the exceptions detailed below, it is wholly appropriate to rely on these documents in support of this application.

There are two principal aspects of development which would fall outside the scope of both of the previous EIA/ES, these being Landscape/Visual Intrusion and Noise and Vibration. Specialist consultants have been appointed to carry out the necessary Assessments and to make appropriate recommendations in respect of quarry design, future working etc. The full Assessments are contained in Appendices 3 and 4 and referred to in the appropriate Sections of this Statement. The remaining aspects of development are also dealt with in the following sections with evidence being drawn from the previous EIA/ES.

2. Background and Proposal

2.1 The Applicant

DQL is a Yorkshire company founded by the Downham family in the 1950s. It produces a wide range of aggregates for the construction industry at a number of quarries across the Yorkshire Region. DQL is a subsidiary of FCC Environment (FCC), a major national Waste Management Company.

2.2 Broach Road Quarry

The Broach Road Quarry covers a total of 26.68ha. It is operated by DQL and produces circa 100,000tpa of sand for sale within the Yorkshire Region. The sand is used within the construction industry and as a soil improver. At current rates of production there are less than 12 months of reserves remaining at the site. A significant proportion of the existing consented reserves have been sterilised due to the site having been undermined from Kellingley Colliery and the water level having risen some 2.4m. Further, anticipated reserves within the recent extension area were not present due to a massive clay inclusion which was not detected during the SI.

The Quarry is located approximately 500m south of the village of Hensall and approximately 8.5km south-south west of the town of Selby. It is bounded to the north by the Knottingley to Hull railway line. The village of Hensall lies to the north of the railway line. Agricultural land borders the Quarry to the east, with the Selby to Doncaster railway line located approximately 700m to the east. The Quarry is bounded to the south by the A645 Broach Road, beyond which is agricultural land intersected by the M62 motorway. To the west of the Quarry lies a crossroad intersection between the A645 and two minor roads, Church Lane to the south and Station Road to the north. A number of residential properties, a church and a school are situated close to the intersection and along Station Road. Hensall railway station is situated approximately 100m north west of the Quarry boundary. Eggborough Power Station, now disused, is situated approximately 1.3km to the north west of the Quarry.

The Area has not previously been subject to sand extraction, is currently used solely for soils storage, and is known to contain a reserve of circa 100,000 tonnes which is sufficient for approximately 12 months production.

The nearest residential properties to the Area are Blue Pines, properties on Broach Road and properties along Station Road. Quarry View lies to the north-east of the site.

The Planning History for the Quarry is as follows:

C8/38/196/PA: new quarry for the extraction of sand with the construction of new access and erection of processing plant and equipment – granted 16 June 2006;

C8/38/196A/PA: application for the variation of condition no.10 of planning permission C8/38/196/PA to increase the number of HGV movements

associated with mineral extraction activities - granted 20 June 2013 (expires on the 15 June 2031);

C8/38/41C/PA: importation of compost, mixing of compost and sand, stockpiling and exportation of soil material – granted 20 June 2013 (expires on the 15 June 2031) (not covered by the current application);

NY/2015/0108/A30: application for the approval of details reserved by condition no.4 of planning permission C8/38/41C/PA (relates to a scheme for the storage of materials – application not yet determined);

C8/2016/0873/CPO: extension to existing quarry – granted 7 February 2017.

2.3 Proposed Development

It is proposed to work the Area from the south east to the north-west in a single phase as shown on drawing ref. DQL/HSS/03. The depth of sand extraction at the site has been subject to discussion with the Environment Agency and is subject to Planning Conditions (C8/2016/0873/CPO Conditions 25, 26 and 27 refer). The default position adopted on site is that no working would go deeper than 1.0m above the highest recorded water table (2.9m AoD).

As with existing operations, it is proposed to use a loading shovel for sand extraction and vehicle loading. Processing plant on site will consist of 2 powered screens. Crushing is not required. The Quarry is equipped with a weighbridge, wheel cleaning equipment and a site office. The existing Quarry access has been constructed in accordance with the Authority's requirements and this will continue to be used.

The proposed development involves:

- soil stripping;
- extraction and screening of sand;
- transport of sand to market by road;
- restoration of the Area to agriculture at low level. This will be carried out in accordance with a scheme as required by Condition 32 of Planning Permission C8/2016//0873/CPO.

Whilst recognising that the Company will be seeking to secure Planning Permission on a new site to replace Broach Road Quarry, as an interim measure there are some important benefits of the proposed development:

- the development will safeguard two full-time jobs and help safeguard a further five allied jobs in haulage and support services.
- it would ensure the continued supply of an important construction material/soil improver for use in the Yorkshire Region.

As Planning Permissions have already been granted for mineral extraction at the site, and the anticipated reserves merely seek to replace those reserves not present or sterilised by subsidence/flooding, it is not considered necessary to examine mineral policies in respect of the Proposed Development.

3. Environmental Impact Assessment Findings

3.1 Environmental Impact Assessment

Environmental Impact Assessment (EIA) is a process which identifies potential environmental effects of a development and identifies measures to avoid, reduce or offset these impacts.

Environmental Statements (ES) which report the findings of the EIA have been submitted to North Yorkshire County Council in support of both substantive Planning Applications covering the Quarry. The following Sections detail the findings of new Assessments in respect of Landscape/Visual Intrusion and Noise and Vibration, and refer to the various EIA elements and report on the findings drawn from these previous EIA/ES as they apply to the Proposed Development.

3.2 Landscape and Visual Intrusion

Landscape and Visual Appraisals were carried out in respect of Planning Permissions C8/38/196/PA and C8/2016/0873/CPO. Whilst these covered many aspects of the Proposed Development, neither considered the implications of the current proposals in full. Accordingly, the proposed scheme has been appraised against the original criteria to determine whether it would result in any materially adverse impacts.

The new Appraisal was carried out by Carolyn Gratty CMLI, an experienced Landscape Architect employed by Enzygo, itself an established planning and environmental consultancy, and is given in Appendix 3.

Whilst the Appraisal acknowledged that the Proposed Development would result in sand extraction moving some 100m closer to sensitive receptors, including Blue Pines and residents along Broach Road and Station Road, it also recognised that as these operations would take place at or below ground level, they would be screened by existing trees and hedges. The Assessment also recognised that the existing soil stockpiles would be moved further away from these sensitive receptors and as a consequence would now be largely unseen.

With regard to more distant views of the site, the Assessment concluded that the presence of the stockpiles would not be prominent in the landscape and in all probability such views would be transitory, i.e. the receptor would be driving or travelling by train. With regard to the creation of the additional void as a consequence of sand extraction, the Assessment concluded that this would not alter the scale or nature of the Quarry so significantly such as to result in landscape impacts over and above those that had already been considered.

Simply put, the Assessment concluded that there would be no significant adverse effects resulting from the Proposed Development and no additional effects that have not already been considered in support of the existing Planning Permissions for the site, albeit that activities would be undertaken in different parts of the Quarry.

3.3 Ecology

The 2005 Ecological Assessment which covers the Area and which was carried out by Ecology UK concluded that the impact of development would not be significant. The Area was not protected by any ecological designation, nor were there any statutory nature conservation sites, such as Sites of Special Scientific Interest, Special Protection Areas or Special Areas for Conservation within 2km of the site.

The Assessment identified four locally important nature conservation sites within 2km of the site. These sites were graded for importance with Grade 5 being assigned to the most valuable sites. The sites are as follows:

- Disused pit in Hensall (Grade 3) approximately 700m north west of the site;
- Disused railway line, Great Heck (Grade 3) approximately 900m south east of the site;
- Sand Quarry, Great Heck (Grade 3) approximately 1km south east of the site;
- Balne Moor Ponds, Great Heck (Grade 4/5) approximately 1.5km south of the site.

The Assessment demonstrated that development would not affect the ecological value of any of these sites.

The most recent Ecological Assessment carried out in 2016 examined the potential impacts of development on land adjoining the Area. It similarly concluded that there would be no effects or impacts upon Statutory Sites classified under European legislation, including: Ramsar, SAC, and SPA (International value), HPI Habitats (National value) or Green Infrastructure (Local value).

With regard to Bats and Reptiles, surveys demonstrated that they were not present on site. Should they be found to be present, it was accepted that mitigation measures could be put in place to deal with any potential impacts. To date no Bats or Reptiles have been found on site.

With regard to Great Crested Newts, Badger, Barn Owl, Water Vole, Dore Mouse and other similar protected species, there was no evidence of their presence on site and none have been found to be present since the initial surveys were carried out.

It is important to acknowledge that:

- The most recent surveys considered the area subject to Planning Permission C8/2016/0873/CPO and its immediate environs, i.e. the Area, and found nothing of ecological importance;
- The Area has been significantly disturbed, is in industrial use (soil storage) and historically has not been found to contain anything of ecological interest;

- As per the conditions of Planning Permission C8/38/196/PA, tree and shrub planting has been carried out along the western boundary of the Area. This will not be disturbed during the proposed sand extraction.

It was concluded in both Ecological Assessments that sand extraction would not result in a significant impact on the ecological value of the Area or on important ecological sites in the locality and these conclusions remain valid.

3.4 Hydrology

The Hydrological Assessment carried out in respect of Planning Permission C8/2016/0873/CPO considered the hydrological characteristics of the site and sand extraction. Its conclusions are applicable to the area which is the subject of this application.

The baseline assessment identified one potential receptor which could be vulnerable to impacts from development at the Quarry. The receptor was identified under 'changes to flow rate and water volume', whereby sand extraction might impact on the floodplain associated with the River Aire (Main River). However, this was classed as having a negligible sensitivity to environmental impacts, given that the potential loss of floodplain through the construction of earth bunds (for acoustic and visual impact mitigation) would be negligible within the wider floodplain.

Proposed mitigation measures were proposed to reduce the potential effects on hydrology, flood risk and surface water runoff both to the site and to the surrounding environment. With regard to mitigating site flooding, these measures included setting welfare facilities 0.6m above ground level and anchoring them to the ground, and preparing a Flood Evacuations and Management Plan (FEMP) for the wider quarry. With regard to mitigating site drainage, these measures included managing any surface water through infiltration and a settling pond and ensuring that foul water from the welfare facilities was removed from site. With regard to mitigating potential pollution, these measures included preparing a Construction Environmental Management Plan to ensure that the operational phase of the Proposed Development was carried out in accordance with CIRIA and Environment Agency recommended practices.

The assessment concluded that subject to the implementation of the mitigation measures, sand extraction and relocation of the soil storage stockpiles would have no significant impacts on hydrology, flood risk, drainage, water quantity and quality.

3.5 Hydrogeology

The Hydrogeological Assessment carried out in respect of Planning Permission C8/2016/0873/CPO considered the existing hydrogeological characteristics of the site and the potential impacts of sand extraction. Its conclusions are applicable to the area which is the subject of this application

A desk based review of the historical land-use showed that the site and surrounding area had not been subjected to past development and was,

therefore, highly unlikely to contain substances that could pose a significant risk to human health or the surrounding environment. The nature of the hydrogeological conditions at the site does, however, render the geology and hydrogeology vulnerable to contamination. The permeable superficial deposits are classified as a secondary aquifer and are underlain by the Sherwood Sandstone, a principal aquifer used for the supply of drinking water.

Any potential existing contamination is likely to be localised. The magnitude of the effect was considered to be of minor significance. No hazardous chemicals are to be used on site, other than plant and machinery fuel/lubricants. The risks related to contamination can be easily mitigated against by ensuring adherence to Industry Best Practice and as such the risk of accidental spillage of chemicals was and is considered to be low. If it should occur, the potential effect is considered to be of moderate significance.

The residual effects following the adoption of the mitigation measures are considered to be negligible and the assessment concluded that sand extraction is unlikely to have any significant effects on geology and hydrogeology.

3.6 Noise and Vibration

Noise and Vibration Assessments were carried out in respect of Planning Permissions C8/38/196/PA and C8/2016/0873/CPO. Whilst these covered many aspects of the Proposed Development, neither considered the implications of the current proposals in full. Accordingly, the proposed scheme has been assessed against the original criteria to determine whether it would result in any materially adverse impacts.

The new Assessment was carried out by Steven Edwards and Darren Lafon-Anthony, experienced Acoustic Engineers employed by Enzygo, itself an established planning and environmental consultancy, and is given in Appendix 4.

The new Assessment considered the potential for worst-case operational noise levels to give rise to impacts at the nearest noise-sensitive receptor locations to the proposed extension and relocated soils stockpile storage areas. The Assessment concluded that screen mound removal, soil stripping and soils and overburden handling operations, which would be undertaken for a period of approximately three weeks, would remain well within the 70dB LAeq,1hr nominal noise limit for temporary operations described in the PPGM.

It further concluded that if day to day operations were to be undertaken behind the working face wherever possible, then worst-case predicted noise levels would meet the noise limits derived in accordance with the PPGM, i.e. background plus 10dB, at all receptors assessed.

Based on the operational activities described and the application of good site management practices, the Assessment considered that the Proposed Development can be carried out without causing significant adverse impacts at the nearby receptors.

3.7 Transport, Traffic and Public Rights of Way

The Transport, Traffic and Public Rights of Way Assessment carried out in respect of the Planning Permission C8/2016/0873/CPO considered the potential traffic and transportation impacts of sand extraction. For the purpose of the Assessment a maximum quarry production of 100,000tpa was assumed and the principal focus was on Heavy Goods Vehicles (HGVs). For the purposes of this application, these assumptions are still appropriate. Given that the timeframe of the Assessment extended until February 2023 and that the proposed sand extraction would be completed before then, it is considered that the Assessment's conclusions remain valid.

Following a summary of relevant guidance, the Assessment outlined the data gathering methodology (two automatic traffic counters) and baseline conditions to be adopted. The Assessment then considered the environmental measures to be incorporated into the scheme and the scope and methodology employed. It also looked at the cumulative traffic impacts of the Proposed Development alongside the proposed Knottingley Power Station and Southmoor Energy Centre. The Assessment concluded that the access from New Road onto Broach Road meets the appropriate standards and is fit for purpose. It examined traffic accident data for the local road network and found that there had been no recent accidents involving HGV traffic. The Assessment also concluded that the contribution to traffic flows at the most congested local intersections was insignificant. As a consequence the Assessment concluded that the potential impacts of the Proposed Development were negligible.

The Assessment examined the impact of the Proposed Development on Public Rights of Way and none will be affected by the current proposal.

3.8 Air Quality

The conclusions of the Dust Assessment carried out in respect of Planning Permission C8/38/196/PA are applicable to the area which is the subject of this application.

The Assessment identified three potential sources of dust generation:

- Movement of vehicles along unsurfaced roads;
- Excavation and screening of mineral prior to export off site, and;
- Soil stripping and spreading.

It is acknowledged that all three of the above elements of the Proposed Development will approach closer to receptors, principally Blue Pines and properties on Broach Road and Station Road. The Assessment concluded that these receptors would experience a moderate magnitude of effect when the wind was blowing towards them. However, meteorological data for the site shows that the number of days when this is likely to occur is typically two per year. Given the infrequency of this event, the significance of the impact of dust is assessed to be low or minor.

The Dust Assessment carried out in respect of Planning Permission C8/2016/0873/CPO considered dust emissions from quarrying operations and exhaust gas emissions from haulage vehicles. The assessment looked at existing background emissions levels, local meteorological data and identified local sensitive receptors. The Proposed Development will not affect the conclusions of this Assessment. For example, with regard to vehicle exhaust emissions, the assessment found that the low level of predicted vehicle movements (which will continue) was below the EPUK screening threshold and therefore as the impact was deemed to be insignificant, no detailed assessment was necessary.

Both Assessments concluded that, with mitigation applied, the impacts were predicted to be negligible and therefore insignificant and it is considered that these conclusions are applicable to the Proposed Development.

3.9 Archaeology/Cultural Heritage

The conclusions of the Archaeology/Cultural Assessment carried out in respect of Planning Permission C8/38/196/PA are applicable to the area which is the subject of this application, as are the findings of the WYAS Archaeological Services Archaeological Investigations Report 2771 dated July 2015 (and which reports the findings of investigations carried out between 2007 and 2015) and the findings of the 2019 Report prepared by York Archaeological Trust.

Within the locality of the Quarry there are no Scheduled Monuments, World Heritage Sites, Registered Battlefields or Registered Parks and Gardens. Similarly there are no Grade 1 Listed buildings, although there are two Grade II* Listed buildings; St Paul's Church, Hensall, (1854) and the former vicarage (now The Red House), both of 1854. There are three Grade II Listed buildings, comprising the Primary school and headmaster's house, Hensall (1854), Hensall House (late 18th Century) and Hensall signal box (1875). There are a number of undesignated cultural heritage assets present within the study area.

The archaeological excavations associated with previous phases of quarrying at the Quarry have found evidence of the presence of prehistoric settlements. The assessment considered it likely that this extends into the Proposed Development area. Appropriate mitigation would be the implementation of an archaeological strip, map and record operation to be undertaken in conjunction with topsoil stripping.

3.10 Socio-Economic Impacts

The conclusions of the Socio-Economic Assessment carried out in respect of Planning Permission C8/2016/0873/CPO are applicable to the Proposed Development.

The Assessment used a variety of background information sources and examined the potential impacts against a number of specific aspects. It concluded that there are both positive and negative impacts; positive in terms of employment and provision of a valuable resource to the local construction industry, negative in terms of potential impacts of the Proposed Development

on the health and wellbeing of local residents were mitigation measures not put in place.

3.11 Cumulative Impacts

The conclusions of the Cumulative Impacts Assessment carried out in respect of Planning Permission C8/2016/0873/CPO are applicable to the Proposed Development.

The findings of the Assessment were based on the outcomes of the various chapters in the EIA/ES and show that there are no material adverse combined or cumulative impacts associated with the Proposed Development.

3.12 Soil Resources, Conservation and Management

The conclusions of the Agricultural Quality, Use and Soil Resources Assessment in respect of Planning Permission C8/38/196/PA and the Soil Resources, Conservation and Management Assessment carried out in respect of Planning Permission C8/2016/0873/CPO are applicable to the Proposed Development.

The Assessments were carried out in accordance with relevant legislation and guidance. They recognised that land that is used for quarrying is usually reinstated or turned to alternative uses and as such it is not lost completely, although in terms of quality it could be down-graded.

The later Assessment noted that DEFRA regard the loss of 20ha of the ‘Best and Most Versatile Land’ as a requirement for consultation. The Area, whilst is comprised in part of Grade 3a land, does not exceed this threshold and as such can be regarded as ‘not significant’ in national terms.

Detailed ALC surveys of the area, shown on the Government’s MAGIC website, reveal that the land throughout the area is a mix of 3a and 3b. As such the Proposed Development is unlikely to be a significant loss of the “Best and Most Versatile Land” locally.

It is also important to recognise that whilst the Area was initially considered to comprise in part “Best and Most Versatile Land”, it has been used for soil stockpiling for well over ten years and as such the 3a classification may no longer be appropriate

Mitigation measures which can be highly effective in reducing the damage to soils and which can result in higher standards of land restoration are particularly important given the nature of this proposal and would be implemented. These will consist of:

- Correct Soils Handling. Soil generally gains strength and becomes more resistant to damage as it dries. Consequently, soils will be handled in the appropriate conditions of weather and soil moisture and using suitable machinery in an appropriate way. Soil that is wet or very moist (wetter than the plastic limit) will ideally be allowed to dry further. Multiple handling of soil materials increases the risk of damage to soil structure

and so will be minimised. If sustained heavy rainfall (e.g. >10mm in 24 hours) occurs during soil stripping operations, work will be suspended and not restarted until the ground has had at least a full dry day.

- Correct Choice of Earth Moving Equipment and Avoiding Compaction. The selection of appropriate equipment and working practices is important because mishandling soil can have an adverse effect on its properties, not only fertility and permeability, but also ecological diversity, the performance and visual quality of vegetated areas and recharge of underlying aquifers. Soils will not be moved by box-scraper. Soils will be excavated by a suitable 360-degree back actor and loaded onto haulage vehicles. Haulage vehicles will not run on topsoils and will adhere to approved internal haul routes so as to avoid unnecessary damage to subsoils. The operations will be supervised, and a detailed plan showing soil units to be stripped, haul routes and the phasing of vehicle movements will be prepared and followed.
- Correct Storage of Soils. When soil is stored for longer than a few weeks, the soil in the core of the stockpile becomes anaerobic and certain temporary chemical and biological changes take place. These changes are usually reversible when the soil is replaced to normal depths. Handling soil to create stockpiles invariably damages the physical condition of the soil to a greater or lesser extent, and if stockpiling is done incorrectly the soil can be irreversibly damaged. The main aim when storing soil in stockpiles will be to maintain soil quality and minimise damage to its structural condition so that it can be easily reinstated once replaced. The principle causes of structural damage to soils are high moisture contents (higher than the plastic limit) and compaction. As a general rule, if the soil is dry (e.g. drier than the plastic limit) when it goes into the stockpile, the vast majority of it should remain dry during storage, and thereby enable dry soil to be excavated and replaced satisfactorily. Soil stockpiled wet or when plastic in consistency is easily compacted by the weight of soil above it and from the machinery handling it. In a compacted state, soil in the core of the stockpile remains wet and anaerobic for the duration of the storage period, is difficult to handle and replace and does not usually break down into a suitable tilth. Compaction can also be caused by inappropriate use of earth moving and placement machinery. In addition, steps will be taken to ensure that stockpiles will not cause soil erosion, pollution to watercourses or increase flooding risk to the surrounding area.
- Correct Management of Soil Storage Bunds. Once a stockpile has been completed it will be seeded with a grass/clover mix to minimise erosion and to help reduce infestation by nuisance weeds that might spread seed onto adjacent land. Weeds that do appear will be managed during the summer months either by spraying or by mowing or strimming.

In light of the above, the proposal will not result in a material loss of “Best and Most Versatile Land” and it is therefore considered that the impact of soils movement/stockpiling and sand extraction will be minor and not significant.

3.13 EIA Conclusion

As can be seen from the above, all aspects of the Proposed Development have been considered either by way of the original EIA/ES submitted in support of the two substantive Planning Permission for the Quarry or by way of new Assessments carried out in respect of Landscape/Visual Intrusion and Noise and Vibration.

The conclusions of the Assessments are that the Proposed Development will not have a material adverse impact in any respect.

4. Proposed Planning Conditions to Be Amended

4.1 General

All of the Planning Conditions to which these applications refer are concerned with soils storage and area of extraction/method of working.

4.2 Planning Permission C8/38/196A/PA

The current working scheme and soil stockpiling areas are shown on drawings/details covered by Planning Conditions 2, 10 and 34. These state:

Planning Condition 2

“The development hereby permitted shall be carried out in accordance with the application details dated 29 March 2005 and as amended by the following correspondence and submissions:

*Letter from Robert Long dated 12th January 2006
Letter from Robert Long dated 23rd November 2005
Letter from Robert Long dated 11th November 2005
Letter from Robert Long dated 3rd November 2005
Letter from Robert Long dated 24th October 2005*

and the following conditions which at all times shall take precedence or in accordance with such other details as may be subsequently approved in writing by the County Planning Authority.”

Planning Condition 10

“Excavation of the quarry shall take place in accordance with details contained in drawing number H/DAR/HEN/LAY/01 Revision B to ensure sufficient standoff from the public highway, any resulting embankment shall have a maximum gradient of 1 in 3 to the horizontal unless otherwise agreed in writing by the County Planning Authority.”

Planning Condition 34

“All topsoil and subsoil shall be stored in separate mounds which do not overlap. Such mounds:

- a) shall be located in the positions identified on drawing number H/DAR/HEN/LAY/01 Revision B.*
- b) shall not exceed 3m in height.*
- c) shall be constructed with a minimum of soil compaction necessary to ensure stability and so shaped so as to avoid collection of water in surface undulations*
- d) shall have a minimum 3.0 metre stand off which shall be undisturbed around storage mounds.*

Unless otherwise agreed in writing by the County Planning Authority.”

4.3 Planning Permission C8/2016/0873/CPO

The current working scheme is shown on drawings/details covered by Planning Condition 2 which states:

Planning Condition 2

“The development hereby permitted shall be carried out in accordance with the application dated 24 June 2016 and the ‘Approved Documents’ as listed at the end of this Decision Notice together with the conditions attached to this Decision Notice which shall in all cases take precedence or in accordance with such other details as may be subsequently approved in writing by the County Planning Authority.”

4.4 Other Conditions

With regard to the wider environmental impacts of the Proposed Development, for example, dust, traffic, etc., these have been considered by virtue of previous Planning Applications/ES/Supporting Statements. It is, therefore, considered that sand extraction from the Area and the relocation of the current soils stockpiles will not present any additional adverse environmental impacts or aspects of development which have not been previously considered and found acceptable. Consequently it is not considered necessary to address any other Planning Conditions attached to either of the two material Planning Permissions.

5. Proposed Replacement Planning Conditions

With reference to and as justified by the above, the following replacement conditions are proposed (amendments to original condition shown in red for clarity):

5.1 Planning Permission C8/38/196A/PA

Planning Condition 2

“The development hereby permitted shall be carried out in accordance with the application details dated 29 March 2005 and as amended by the following correspondence and submissions:

Letter from Robert Long dated 12th January 2006

Letter from Robert Long dated 23rd November 2005

Letter from Robert Long dated 11th November 2005

Letter from Robert Long dated 3rd November 2005

Letter from Robert Long dated 24th October 2005

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and the following conditions which at all times shall take precedence or in accordance with such other details as may be subsequently approved in writing by the County Planning Authority.”

Planning Condition 10

*“Excavation of the quarry shall take place in accordance with details contained in drawing number **DQL/HSS/03** to ensure sufficient standoff from the public highway, any resulting embankment shall have a maximum gradient of 1 in 3 to the horizontal unless otherwise agreed in writing by the County Planning Authority.”*

Planning Condition 34

“All topsoil and subsoil shall be stored in separate mounds which do not overlap. Such mounds:

- a) shall be located in the positions identified on drawing number **DQL/HSS/03**.*
- b) shall not exceed 3m in height.*
- c) shall be constructed with a minimum of soil compaction necessary to ensure stability and so shaped so as to avoid collection of water in surface undulations*
- d) shall have a minimum 3.0 metre stand off which shall be undisturbed around storage mounds.*

Unless otherwise agreed in writing by the County Planning Authority.”

4.3 Planning Permission C8/2016/0873/CPO

The current working scheme is shown on drawings/details covered by Planning Condition 2. This states:

*“The development hereby permitted shall be carried out in accordance with the application dated 24 June 2016 **as amended by the Planning Application dated February 2020** and the ‘Approved Documents’ as listed at the end of this Decision Notice together with the conditions attached to this Decision Notice which shall in all cases take precedence or in accordance with such other details as may be subsequently approved in writing by the County Planning Authority.”*

6. Summary and Conclusions

DQL is seeking Planning Permissions to relocate soils stockpiles and extract sand from a previously unworked part of the existing Broach Road Quarry. The Proposed Development will ensure continuity of production so as to enable the identification of, and grant of Planning Permission for, an alternative sand quarry in the Hensall Area.

The Planning Applications involve the variation of Planning Conditions 2, 10 and 34 of Planning Permission C8/38/196APA and Planning Condition 2 of Planning Permission C8/2016/0873/CPO. The Proposed Development has been subject to Appraisal and it is considered acceptable in all respects. Further, it is considered that the proposed amended Planning Conditions permit the development and also provide the Authority with the necessary controls.

There are no material considerations that would indicate that Planning Permission should not be given and it is therefore requested that consent be granted in a timely fashion.