

**AGENDA MANAGEMENT SHEET**

<b><i>Name of Committee</i></b>	<b>Regulatory Committee</b>
<b><i>Date of Committee</i></b>	<b>27th September 2005</b>
<b><i>Report Title</i></b>	<b>Southam Quarry – Extraction of Limestone and Clay</b>
<b><i>Summary</i></b>	<p>This report recommends the grant of planning permission for the extraction of limestone and clay, screening and storage of material for off-site transportation to Rugby Cement Works and associated landscaping, screening and restoration works at Southam Quarry, Southam.</p> <p>The application was deferred at 7th July 2005 meeting of the Regulatory Committee in order to allow further negotiations to take place with the applicant in respect of reducing the proposed area of mineral extraction. These negotiations have now taken place and the applicant has submitted further revised proposals for consideration.</p>
<b><i>For further information please contact</i></b>	<p>Matthew Williams          Planning Officer          Tel. 01926 412822  <a href="mailto:matthewwilliams@warwickshire.gov.uk">matthewwilliams@warwickshire.gov.uk</a></p>
<b><i>Would the recommended decision be contrary to the Budget and Policy Framework?</i></b>	Yes/No

## **Background Papers**

Submitted application, Environmental Statement and plans, received 15/1/2004.

Additional Information and Amended plans, received 20/12/2004 and Review of Dust Issues arising from Southam Quarry Extension dated 7/2/2005 received 14/2/2005.

Letters and attachments received from Wyn Thomas Gordon Lewis, dated 18/6/2004, 6/7/2004, 23/9/2004, 21/10/2004, 7/3/2005, 13/4/2005 and 22/4/2005.

Further revised proposals and letter received from White Young Green dated 27/7/2005 and letter received from Cemex dated 16/8/2005.

32 letters of representation in respect of original proposals.

15 letters of representation in respect of the amended proposals.

8 letters of representation in respect of further revised proposals.

Letter from Warwickshire Wildlife Trust, dated 21/1/2004.

Letter from Department for Environment, Food and Rural Affairs (DEFRA), dated 28/1/2004.

Letters from British Waterways, dated 9/2/2004, 26/1/2005, 16/3/2005 and 5/9/2005

Letters from Long Itchington Parish Council, dated 12/2/2004, 31/1/2005 and 22/8/2005.

Letter from English Nature, dated 13/2/2004.

Letter from John Maples MP, dated 12/2/2004.

Letters from County Museum, dated 23/2/2004, 1/2/2005 and 03/03/2005.

Letter from Strategic Rail Authority, 19/2/2004.

Letter from Coventry Airport, dated 5/3/2005.

Letters from Stockton Parish Council, dated 12/3/2004, 24/1/2005 and 3/2/2005.

Letters from the Environment Agency, dated 25/3/2004, 23/3/2005 and 1/8/2005.

Letters from Stratford on Avon District Council, dated 13/3/2004, 28/1/2005, 3/2/2005 and 22/8/2005 and emails dated 4/3/2005 and 5/9/2005.

Email from Councillor Appleton dated 25/8/2005.

Letters from Southam Town Council dated 14/7/2004 and 13/1/2005.

Letter from Rugby Borough Council dated 4/2/2005.

Letter from Rail Future dated 19/6/04.

**CONSULTATION ALREADY UNDERTAKEN:-** *Details to be specified*

- |   |                                     |   |
|---|-------------------------------------|---|
| Other Committees  | <input checked="" type="checkbox"/> | Regulatory - 7th July 2005  |
| Local Member(s)<br>(With brief comments, if appropriate)                                  | <input checked="" type="checkbox"/> | Councillor J R Appleton – see comments in paragraph 2.7   |
| Other Elected Members   | <input checked="" type="checkbox"/> | Councillor R A Stevens – made representations as local resident   |
| Cabinet Member<br>(Reports to The Cabinet, to be cleared with appropriate Cabinet Member) | <input type="checkbox"/>            | .....   |
| Chief Executive   | <input type="checkbox"/>            | .....   |
| Legal   | <input checked="" type="checkbox"/> | I Marriott – comments incorporated  |
| Finance   | <input type="checkbox"/>            | .....   |
| Other Chief Officers  | <input type="checkbox"/>            | .....   |
| District Councils   | <input checked="" type="checkbox"/> | Stratford on Avon District Council – see paragraph 2<br>Rugby Borough Council – see paragraph 2   |
| Health Authority  | <input type="checkbox"/>            | .....   |
| Police  | <input type="checkbox"/>            | .....   |
| Other Bodies/Individuals  | <input type="checkbox"/>            | Southam Parish Council, Stockton Parish Council, Long Itchington Parish Council, County Museum, Environment Agency, DEFRA, English Nature, Severn Trent Water Ltd, British Waterways, Warwickshire Wildlife Trust – see paragraph 2 |

**FINAL DECISION**

**YES/NO** (If 'No' complete Suggested Next Steps)

**SUGGESTED NEXT STEPS :**

*Details to be specified*

- Further consideration by this Committee  .....
- To Council  .....
- To Cabinet  .....
- To an O & S Committee  .....
- To an Area Committee  .....
- Further Consultation  .....

**Regulatory Committee - 27th September 2005**

**Southam Quarry – Extraction of Limestone and Clay**

**Report of the Director of Planning, Transport and  
Economic Strategy**

**Recommendation**

That the Regulatory Committee authorises the grant of planning permission for the extraction of limestone and clay, screening and storage of material for off-site transportation to Rugby Cement Works and associated landscaping, screening and restoration works at Southam Quarry, Southam subject to the signing of a Section 106 Agreement covering; vehicle routing, comprehensive restoration, long term aftercare, additional screen planting, restriction upon working Griffins Farm and Spiers Farm concurrently, residents liaison group and vehicle routing standards group, surrender of parts of Griffins Farm permitted working area, public access to the restored site and regular review of rail link between Southam and Rugby and to the conditions and for the reasons contained in **Appendix B** of the report of the Director of Planning, Transport and Economic Strategy.

Application No : S965/04CM001

Received by County : 15/1/2004

Advertised Date : 23/1/2004

Applicant(s) : RMC Rugby Limited, C/O RMC House, Coldharbour Lane  
Thorpe, Egham Surrey TW20 8TO

Agent(s) : Graham Jenkins, Wyn Thomas Gordon Lewis Limited, 21 Park  
Place, Cardiff. CF10 3DQ

The Proposal : Extraction of limestone and clay, screening and storage of  
material for off-site transportation to new Rugby Cement  
Works. Associated landscaping, screening and restoration  
works.

Site & Location : 50 Ha. of land at Southam Quarry (former Southam Cement  
Works), Southam, Warwickshire  
[Grid ref: 420.632].

See plan in **Appendix A**.

## 1. Application Details

- 1.1 The originally submitted application proposed the extraction of approximately 18 million tonnes of limestone and clay from 50 hectares of land in 4 phases over a period of 30 years. The site known as Spiers Farm was to be worked as an extension to the existing Southam Quarry at a rate of 600,000 tonnes per annum. Following initial feedback to the proposals from local residents and statutory consultees the applicants submitted revised proposals for consideration. These proposed reducing the area of extraction by 10 hectares which would have resulted in the extraction of 13.85 million tonnes of limestone and clay in 3 phases over a period of 23 years.
- 1.2 Consideration of this application was deferred at the 7th July 2005 meeting of the Regulatory Committee in order to allow further negotiations to take place with the applicant in respect of reducing the proposed area of mineral extraction. Specific reference was made by the Committee to the removal of the whole or part of Phase 3 of the proposed area of mineral extraction. These negotiations have now taken place and the applicant has submitted further revised proposals for consideration.
- 1.3 The further revisions propose a 70% reduction in the working area of Phase 3 from 8.7 hectares to 2.6 hectares. It is proposed that an existing hedgerow across what would have formed Phase 3 would now demarcate the limit of extraction. Consequently, the application now seeks planning permission for the extraction of 11.3 million tonnes of limestone and clay from 34 hectares of the application site. The extension would be worked in two phases with mineral extracted at a rate of 600,000 tonnes per annum over a period of 18 years.
- 1.4 Mineral extraction would proceed in a north-easterly direction as a continuation of the existing quarry void/face. Land in advance of working would remain in agricultural use whilst land behind the working face would be progressively restored to a combination of agricultural land, woodland and nature conservation uses.
- 1.5 Phase 1 would represent a combination of exploiting the remaining reserves within the existing Spiers Farm permitted area, lateral extension in a north-easterly and south-easterly direction and deepening of the void to create a working face across the whole width of the excavation. Soils stripped from Phase 1 would be used to create a 2.5 metre high screen bund along the south-eastern boundary of this initial working area with the remainder stored for use in site restoration.
- 1.6 Phase 2 would see a continuation of mineral extraction in a north-easterly direction. Soils stripped from Phase 2 would be used to continue the screen bunding along the south-eastern boundary and in creation of a 4 metre high bund along the north-eastern boundary of the site with the remainder used to restore Phase 1 or stored for use in restoration of Phase 2. The latter stages of operations in Phase 2 would see soils located in storage and screen bunds utilised upon completion of mineral extraction to complete restoration of the site.

- 1.7 Mineral extraction would be undertaken by 360 degree excavators. Extracted limestone and clay would be screened and crushed by mobile plant before being loaded into dump trucks for transport to a storage building within the former Cement Works. From here the material is loaded into articulated road haulage vehicles for onward transportation to the Rugby Cement Works.
- 1.8 Access to the site would be gained via the existing Southam Quarry access (access into former Cement Works) onto the A423 Southam Road. The development would generate 90 loads (180 vehicle movements) per day. It is proposed that HGVs would continue to use the current informal vehicle routing arrangements when travelling between Southam Quarry and the Rugby Works. (Loaded vehicles travel north along the A432 to Princethorpe, with 50% of traffic then routed via the B4455 to Lawford Heath, and 50% via the B4455 Fosse Way. The return trips from Rugby Cement Works to Southam are via the A426 from Dunchurch). It is proposed to formalise these routing arrangements within a formal vehicle routing agreement.
- 1.9 Working hours of the quarry are proposed to be 0700 hours to 1900 hours Monday to Friday and 0700 hours and 1600 hours Saturdays with distribution of processed material off site outside these hours.
- 1.10 The proposed restoration concept remains unchanged from that originally proposed, albeit on a smaller scale with a reduction in size of the main water feature. The site would be progressively restored to a mix of water features designed to be of nature conservation and biodiversity value and agriculture. The northern/north-eastern area of the site would be re-established to agricultural use with hedgerows to create a field pattern. The southern area of the site would see the creation of two lakes, wetland habitats, ephemeral ponds, species rich grassland, scrub woodland and exposed geological faces.
- 1.11 The further revised proposals submitted also include proposals to relinquish rights to work mineral from parts of the permitted Griffins Farm site and to also undertake further advance screen planting around the boundaries of Griffins Farm in order to limit the impact of future mineral extraction upon nearby residents. This includes surrendering rights to work mineral at the northern and southern extremities of the site, nearest residential areas of Stockton and Southam respectively, and undertaking advance planting to act as a visual buffer. Reduction in the working area of Griffins Farm would reduce its permitted reserves from 17 million tonnes (28 years landbank) to 13 million tonnes (21.5 years landbank).

## 2. Consultations

- 2.1 **Stratford on Avon District Council** – (comments made in respect of further revised proposals) no objection to the latest amended proposals subject to the signing of a legal agreement to secure a reduction to the permitted working area of the Griffins Farm site and the establishment of advance screen planting to the south-eastern boundary of the Griffins Farm site as proposed by the applicant.
- 2.2 **Southam Parish Council** – has concerns regarding the transportation arrangements and would like the current routes to be maintained. The Town

Council would also like to see a commitment to ensure that the sump levels are maintained to ensure water flow in the Holy Well is not affected.

- 2.3 **Stockton Parish Council** – maintain unequivocal and strongest **objection** to the proposals. Raise concern regarding the proximity of properties to both the Spiers Farm (application site) and Griffins Farm (consented site) sites. Consider that this is one of the most important planning decisions ever likely to involve Stockton Parish and therefore request that the Regulatory Committee make a site visit before making a decision on the application.
- 2.4 The Parish Council's grounds for **objection** are under three main grounds: need – existing permitted reserves adequate to meet the needs of RMC to supply the Rugby Works; environmental impact – raise concerns regarding dust, hydrology and visual amenity impacts; and, restoration – poor history of site restoration locally which gives little confidence in restoration proposals being secured. In addition the Parish Council raise the following concerns:- amended plans do not delete the whole of Phase 4; dust concerns have not been addressed; hours of working; traffic generation; and, extent of Griffins Farm working area.
- 2.5 Should the County Council be minded to grant planning permission for the development the Parish Council would wish to see the following matters addressed by condition/legal agreement: use of fixed crushing plant located within the old Southam Cement Works, use reversing beepers that do not cause a nuisance, adequate measures/monitoring to prevent dust nuisance, limit hours of operation to 0700 – 1700 Monday to Friday, measures to secure adequate restoration of the site, screen planting and soils bunds provided within Phase III not Phase IV, a commitment that Phase IV will never be worked in the future, limit vehicle numbers to pre 2003 levels, secure a formal vehicle routing agreement, undertake screen planting on north-eastern boundary of Griffins Farm immediately so that it has time to mature before quarrying starts and reduce permitted working area of Griffins Farm.
- 2.6 **Long Itchington Parish Council** – (comments made in respect of further revised proposals) welcome further limit the extent of the proposed quarrying. However, remain concerned about the use of mobile crushing equipment on site and considers that the operational hours should be restricted and should exclude night time and weekend work.
- 2.7 **Councillor J R Appleton** - (comments made in respect of further revised proposals) welcomes the latest proposals which finally recognise the need for some distance to be maintained between the quarrying operations and the expanded Stockton. Both the extra distance and revised planting proposals need to be reflected in binding legal agreements as a condition of approving the application.
- 2.8 **Councillor R A Stevens** – Prejudicial interest, commented in capacity as local resident only.
- 2.9 **County Museum** – (comments made in respect of further revised proposals) welcome revisions that would result in retention of further hedgerows. Comments remain no objection subject to conditions being imposed to secure;



archaeological investigation, environmental protection plan, satisfactory site restoration and geological investigation.

- 2.10 **Environment Agency** – (comments made in respect of further revised proposals) no objection to the further revised proposals subject to the imposition of conditions and legal agreement to protect the water environment, prevent pollution of the water environment and prevent the increased risk of flooding and pollution by ensuring the provision of a satisfactory means of surface water disposal.
- 2.11 **DEFRA** – no comment on the principle of the proposals. Suggests appropriate restoration and aftercare condition should planning permission be granted.
- 2.12 **English Nature** – would like to see restoration proposals include opportunities for the creation of habitat suitable for specialist insects and creation of species-rich limestone grassland that occur in the existing quarry. It would be beneficial to the Local Biodiversity Action Plan if all possible opportunities for habitat re-creation are taken in the restoration plan.
- 2.13 **Severn Trent Water** – no comments received.
- 2.14 **British Waterways** – (comments made in respect of further revised proposals) acknowledge that the further revised proposals may reduce the impact of the proposal but maintain previous comments. Consider that existing quarrying activities have resulted in silting up of Stockton Reservoir therefore should planning permission be granted request that, measures are secured to prevent the development resulting in silting up of Stockton Reservoir and a commitment from Rugby Cement to dredge the reservoir should it become silted as a result of the development.
- 2.15 **Warwickshire Wildlife Trust** – not concerned about the principle of the development. Would wish to see adequate measures secured in respect of protected species and restoration to include species rich grassland and natural regeneration.
- 2.16 **John Maples MP** – does not want to oppose an extension of quarrying, but raises the following concerns for consideration:- proximity to dwellings in terms of noise and dust; impact on hydrology; vehicle numbers and landscape screening. Considers that these concerns arise from the proximity of the new proposed quarrying to residential properties and all this could be avoided by quarrying at the Griffins Farm Site (comments made in respect of the original proposals).
- 2.17 **Coventry Airport** – do not envisage proposals affecting commercial aircraft operations at Coventry Airport.

### 3. Representations

#### Original Proposals

- 3.1 Thirty two letters of representation were received in respect of the original proposals.

22 letters of **objection** have been received from residents of:-

12 Laurel Drive, Stockton  
8 Laurel Drive, Stockton  
27 Tuckwell Close, Stockton  
31 Tuckwell Close, Stockton  
3 Sycamore Close, Stockton  
Mercia House, Stockton Road Stockton  
1 Greaves Cottages, Stockton Road, Stockton  
2 Greaves Cottages, Stockton Road, Stockton  
6 Greaves Cottages, Stockton Road, Stockton  
8 Greaves Cottages, Stockton Road, Stockton  
9 Greaves Cottages, Stockton Road, Stockton (2 respondents)  
15 Greaves Cottages, Stockton Road, Stockton  
Railway Cottage, 16 Stockton Road, Stockton (2 respondents)  
Tollgate House, Rugby Road, Stockton (2 respondents)  
Old Police House, Napton Road, Stockton  
Resident of Model Village, Long Itchington  
4 Model Village, Long Itchington  
Barn Cottage, Stockton Road, Stockton  
Stockton Fields Farm, Stockton Road, Stockton

Concerns/observations:

- Proximity to dwellings
- Phases III and IV should be omitted from the proposal
- Noise - previous problems with noise and dust from quarrying operations
- Working hours
- Use of mobile crushing and screening operations
- Vehicle reversing beepers
- Dust/air quality/health implications – lack of dust/PM10 assessment
- Impact on ecology of area
- Impact on wildlife of area
- Loss of countryside
- Impact of dewatering upon surface and ground water
- Subsidence of properties
- Impact on British Waterways reservoir
- Visual/landscape impact
- Existing screen planting failing
- Visual impact/views
- Impact upon country pursuits and local footpaths – Blue Lias Ring
- Vehicle numbers
- Vehicle routing

- Traffic – heavy lorries using local highway network
- Rail link should be reinstated to transport raw material to Rugby Cement Works
- No need as there are sufficient existing permitted reserves at Griffins Farm to supply needs of Rugby Cement Works.
- Not aware of the existence of planning permission to extract limestone and clay from the Griffins Farm Site
- Griffins Farm further away from residential properties
- Working Griffins Farm would have less impact on residential amenity than working application area
- No further permissions should be granted until existed permitted reserves exhausted
- The Griffins Farm consented area should be modified to exclude areas nearest to Stockton and Southam
- Not offering to give up working Griffins Farm – not an either or option
- RMC want proposed extension for commercial reasons only, profit – cheaper option than moving operations into Griffins Farm
- Environmental impact assessment not independent/biased
- Proposals breach Human Rights
- Impact upon quality of life of local residents
- Blight on properties/impact on values
- No benefit to area/community
- Intensity of mineral extraction in area
- No consideration of alternatives
- Alternative raw materials Pulverised Fuel Ash (PFA etc) are available to negate the need for additional clay reserves to be permitted
- Restoration not an adequate trade off for years of disturbance
- Poor restoration record in area
- Landfilling of the site
- Public access to restored site

3.2 Bourton and Draycote and Frankton Parish Councils, Dunchurch Parish Council, Birdingbury Parish Council, Leamington Hastings Parish Council, Marton Parish Council, Wolfhampcote Parish Council, Stretton-on-Dunsmore Parish Council and Dunchurch Electoral Division Panel raise concerns that the proposals would prolong and increase the number of HGVs using the highway network between Southam and Rugby. All would like to see alternative forms of transport investigated and in particular expressed support for the rail link between Southam and Rugby being re-established in order that Rugby Cement can transport the raw materials from Southam Quarry to the Rugby Works by rail in order to reduce the amount of lorry traffic on the local highway network.

3.3 District Councillor Nigel Rock recognised the need for mineral extraction in some shape or form and accepts that Stockton lies in an area of clay deposits. However, believes that the proposal should be amended in a way that produces a more acceptable development for the local community whilst still allowing economic quarrying. His concerns include:- need, visual impact, residential amenity, traffic, life time of development, hydrology, noise and dust. Suggested alterations:- omit phases III and IV, adjust permitted working area of Griffins Farm, undertake screen planting around Griffins Farm now, begin restoration of

existing workings, restrict hours of operation, use static crushing and screening plant and consider alternative transport methods.

- 3.4 Campaign to Protect Rural England object to the development due to impact on the landscape and the large number of lorry movements generated.

### **Amended Proposals**

- 3.5 15 further letters of representation were received in respect of the amended proposals.

- 3.6 13 letters of **objection** have been received from residents of:-

Tollgate Cottage, Rugby Road, Stockton (2 respondents)  
Mercia House, Stockton Road, Stockton  
2 Greaves Cottages, Stockton Road, Stockton  
6 Greaves Cottages, Stockton Road, Stockton  
8 Greaves Cottages, Stockton Road, Stockton  
9 Greaves Cottages, Stockton Road, Stockton (2 respondents)  
15 Greaves Cottages, Stockton Road, Stockton  
Old Police House, Napton Road, Stockton  
Stockton Fields Farm, Stockton Road, Stockton  
Railway Cottage, 16 Stockton Road, Stockton  
Barn Cottage, Stockton Road, Stockton

- 3.7 Some respondents recognise that the amended proposals are a concession/improvement/make the proposal more acceptable whilst others feel that the amendments make no difference. They all maintain their **objection** to the proposals. Concerns are raised that the Comparative Impact Assessment is not convincing/is biased in favour of the proposed development. Whilst giving up Phase IV now concerns exist that they will come back to this at a later date with an application to quarry the remainder. Objections/concerns largely remained as detailed in 3.1 above.

- 3.8 District Councillor Nigel Rock recognised that the revisions to the applicants earlier submission are undoubtedly improvements, but feels that they could go further. Considers that, his principal **objections** and those of the District Council and British Waterways are not addressed by the alterations and therefore maintains **objection** to the proposal. Reaffirmed his suggested alterations outlined in 3.1 above.

- 3.9 Campaign to Protect Rural England maintain previous **objections** and feel that the amendments made very little concession.

### **Further Revised Proposals**

- 3.10 Eight letters of representation have been received in respect of the further revised proposals.

- 3.11 Six letters of representation have been received from residents of:-

Stockton Fields Farm, Stockton Road, Stockton  
Barn Cottage, Stockton Road, Stockton  
6 Greaves Cottages, Stockton Road, Stockton  
8 Greaves Cottages, Stockton Road, Stockton  
9 Greaves Cottages, Stockton Road, Stockton  
15 Greaves Cottages, Stockton Road, Stockton

- 3.12 Four respondents feel that there is no need to extend the quarry when there are sufficient reserves at Griffins Farm and therefore maintain their original **objections** to the proposal. One respondent remains concerned about the impact of quarrying activities on the landscape around Stockton because of the scale and extent of the operations, but accepts that in practicality a compromise has been reached in the latest revisions to the application. Another respondent feels that the proposals are now acceptable subject to conditions previously recommended in respect of noise, hours of operation, groundwater monitoring and dust being imposed on any planning permission granted.
- 3.13 District Councillor Nigel Rock welcomes the changes that have been made which go a considerable way to improving the acceptability of the scheme. Withdraws previous **objections** subject to the following issues being addressed: implementation of programme to landscape Spires Farm Workings; legal agreement to preclude landfill with refuse and prevent future exploitation of Phases 3 and 4; restrict hours of working; restrict crushing operations to a fully engineered and enclosed plant in the interests of noise and dust control; protection of any fossil finds; adequate measures to prevent noise from vehicles – particularly reversing sensors; connecting tunnel to Griffins Farm being as far as operationally possible from dwellings; continued review of rail transport; and, works undertaken to improve Stockton crossroads.
- 3.14 Campaign to Protect Rural England remain opposed to the development although welcome the further concessions contained in the revised proposals to reduce the area to be worked, duration of operations and increase the distance between the workings and the nearest dwellings.

## 4. Observations

### Site and Surroundings

- 4.1 The application site covers 50 hectares of agricultural land (only 34 hectares of which would now be subject to mineral extraction as the result of the further revised proposals) located between Southam, Long Itchington and Stockton. The site comprises of 8 fields (3.5 of which would be subject to mineral extraction as a result of the further revised proposals) currently in arable agricultural production. The fields are delineated by hedgerows and hedgerow trees. The site also includes a small copse and belts of advance screen tree planting. A stone barn is located midway along the south-eastern boundary of the site adjacent to the A426 Rugby Road. The site slopes gently from south to north.

- 4.2 The site is situated approximately 1.2 kilometres to the north-east of Southam, 120 metres to the north-west of Stockton and 500 metres to the south-east of Long Itchington.
- 4.3 The application site immediately adjoins the eastern boundary of the existing Southam Quarry Workings and site and buildings of the former Southam Cement Works. Phase 1 of the proposed development incorporates the eastern extent of the existing workings. The northern boundary of the site adjoins the route of the former Leamington Spa to Daventry Railway Line beyond which lies Stockton Reservoir and Grand Union Canal. The north-eastern boundary of the site adjoins agricultural fields and dwellings at Stockton Fields Farm. The south-eastern boundary of the site adjoins the A426 Rugby Road.
- 4.4 Whilst the site and its surroundings are rural in nature there are also residential properties in close proximity to the site. These are focused to the north-east and east of the site around Greaves Cottages and Stockton Fields farm, Stockton Road and Tollgate House, Rugby Road.
- 4.5 The nearest property to the site is Tollgate House, Rugby Road which is situated at the eastern extremity of the application site. The dwelling is situated on the opposite side of the A426 Rugby Road, a little under 10 metres from the boundary of the application site. Beyond Tollgate House lies Stockton House and properties fronting onto Napton Road. Stockton Fields Farm, Stockton Road is a group of three dwellings the grounds of which adjoin the eastern boundary of the site. The properties themselves lie approximately 30 metres from the boundary of the application site. Greaves Cottages are a row of 17 dwellings fronting onto the eastern side of Stockton Road a little over 115 metres from the eastern boundary of the application site. Beyond the canal feeder reservoir to the north of the site lies the Blue Lias Pub. A group of houses known as Model Village are situated in excess of 250 metres to the west of the application site, beyond the former cement works.
- 4.6 The distances detailed above relate to the distance between the boundary of the application site and nearby dwellings and not the distance between mineral extraction and dwellings. Changes to the development proposed within the further revised proposals would result in greater distances between mineral extraction and nearby dwellings. These distances are explained under residential amenity below.
- 4.7 The area in the vicinity to the application site has been and continues to be subject to mineral extraction. Over the years there have been a number of quarries in the area. Mineral extraction in the area is now concentrated/focused at Southam Quarry.

### **Site History**

- 4.8 Quarrying for limestone and clay at Southam has been undertaken since the early 1800's. Initially, the extracted mineral was used in the production of agricultural lime and then from around the 1840's for use in the manufacture of cement. Southam Cement works was established around this time.

- 4.9 Formal planning history in respect of mineral extraction at Southam Quarry dates back to 1947 when an 'Interim Development Order' planning permission was issued by the former Southam Rural District Council. This permission related to the mining and working of minerals from 97 hectares of land, both to the north and south of the A426. To date quarrying has focused on the land to the north of the A426 with no quarrying having taken place on the southern side of this road.
- 4.10 A review of the old planning permissions was undertaken in 1993 under the provisions of the Planning and Compensation Act 1991 (S965/93CM032). This was subsequently superseded by a review undertaken under the provisions of the Environment Act 1995 which approved a modern set of working conditions for the whole of the permitted working area (S965/97CM028). The permitted working areas are split into five working areas/phases. Areas 1,2,3 and 5 are located on the northern side of the A426. Areas 1,2 and 3 have been worked but remain unrestored, Area 5 (Spiers Farm) is largely exhausted, whilst mineral extraction has yet to commence within Area 4 (Griffins Farm) which is located on the southern side of the A426. Griffins Farm is a 56 hectare site currently in agricultural use which contains sufficient reserves to supply the Rugby Cement Works for approximately 28 years. The 1997 consent allows mineral extraction to continue until 2042.
- 4.11 Limestone and clay extracted from Southam Quarry has been used in the manufacture of cement at both the Southam Works and Rugby Cement Works. Since the closure of Southam Cement Works in 1999 all limestone and clay extracted from Southam Quarry has been transported to the Rugby Works for use in the production of cement.
- 4.12 Since late 2003 mineral extraction at Southam Quarry has been effectively suspended whilst limestone and clay used in the manufacture of cement at the Rugby Works has been sourced from a site known as Lodge Farm, situated adjacent to the Rugby Works. Lodge Farm is a relatively small site and is likely to be nearing exhaustion by late 2005. At this time mineral extraction will resume at Southam Quarry.

## **Policy**

- 4.13 Minerals Planning Guidance (MPG) Note 10 : Provision of Raw Material for the Cement Industry sets out government policy in respect of the factors that need to be taken into account when determining applications for planning permission. It recognises that the cement industry is of major importance to the national economy as it supplies an essential product to the construction and civil engineering industries. Paragraph 4 of MPG10 states that, 'the Government therefore looks to mineral planning authorities to make provision for adequate supplies of raw material for the industry as it endeavours to meet future domestic demand'. However, at the same time the Government recognises that cement production and the quarrying of raw materials for the industry can have a significant environmental impact and often takes place in areas of attractive and outstanding countryside.

- 4.14 MPG10 makes it clear that mineral planning authorities should maintain landbanks of permitted reserves of raw materials for cement plants. Paragraph 54 states that, 'mineral planning authorities should normally aim to maintain cement plant with a stock of permitted reserves of at least 15 years. Where significant new investment (such as a new kiln) is agreed with the mineral planning authority, the plant should be provided with a stock of permitted reserves to provide for at least 25 years'.
- 4.15 The West Midlands Regional Spatial Strategy recognises the need for appropriate provision to be made in the Region for the supply of nationally and regionally significant minerals. In making this provision, account will need to be taken of amongst other things, the need to secure the best balance of community, social, environmental and economic interests, consistent with the principles of sustainable development.
- 4.16 Policy GD.1 of the Warwickshire Structure Plan makes it clear that the overriding purpose of the plan is to provide for a pattern of development which, amongst other things, nurtures Warwickshire's legacy of distinctive towns and villages, countryside, environmental wealth and heritage which continue to make it an attractive place in which to live, work and visit. Policy ER.1 states that development will only be permitted where it is consistent with protection of the environmental assets of the County and respect for the character and quality of the its towns and countryside. Policy ER.2 states that, the environmental impact of all proposed development on human beings, soil, fauna, flora, water, air, climate, the landscape, geology, cultural heritage and material assets must be thoroughly assessed and measures secured to mitigate adverse environmental effects to acceptable levels.
- 4.17 Specific policies relating to mineral extraction are found within the Mineral Local Plan for Warwickshire. Policy M6 states that, applications for the extraction of minerals whether within or outside the identified areas of search and preferred areas will be considered on the basis of the provisions of the development plan and their likely overall impact on:- operational and economic needs; physical restraints, including, existing and proposed developments in the area, areas of woodland, conservation, geological and ecological value, sites and landscapes of historical and archaeological importance. Other considerations include; transport, agricultural land quality, surface and ground water, subsidence, living conditions for people, restoration and policy considerations.
- 4.18 Policy M9 of the Minerals Local Plan requires mineral workings to be restored to a high standard and beneficial after use in accordance with the development plan. Satisfactory arrangements for aftercare will also be sought.
- 4.19 Policy PR.4 of the Stratford on Avon District Local Plan Review states that, the permanent loss of the best and most versatile agricultural land for development will not be permitted unless; there is an overriding need for the development and suitable land of lower quality is not available or, where the use of lower grade land would conflict with other policies of the Local Plan.
- 4.20 Policy PR.5 of the District Local Plan states that, all development proposals should seek to minimise the depletion of finite or irreplaceable resources, such



as energy, ground water, soils, habitats and historical features. A thorough assessment of proposals will be carried out to gauge:- the extent to which such resources are affected; the availability of appropriate alternative sites of the proposed form of development; the scope to minimise impact through design of the development and to mitigate any proven impact; and, the opportunity to compensate effectively for any apparent loss of resources.

- 4.21 Policy PR.8 makes it clear that planning permission will not be granted for development which could give rise to air, noise, light or water pollution or soil contamination where the level of discharges or emissions is significant enough to cause harm to other land uses, health or natural environment. The effectiveness of proposed mitigation measures will be fully taken into account.
- 4.22 Policy EF.6 seeks the protection of features of nature conservation and geological value by:- not permitting development likely to destroy or damage sites designated for their ecological or geological value/importance. Policy EF.7 seeks the retention, protection, management and where appropriate, creation of wildlife habitats and geological features in order to improve ecological diversity, contribute to geological science and assist in achieving Biodiversity Action Plan Targets.
- 4.23 Policy DEV.2 states that landscape aspects of a development proposal will be required to form an integral part of the overall design. A high standard of appropriate hard and soft landscape will be required. All proposals should ensure that:- important site features have been identified for retention through a detailed site survey; the landscape character of the area is retained and, where possible, enhanced; features of ecological, geological, and archaeological significance are retained and protected and opportunities for enhancing these features are utilised; opportunities for utilising sustainable drainage methods are incorporated; new planting comprises species which are of ecological value and appropriate to the area; in appropriate cases, there is sufficient provision for planting within and around the perimeter of the site to minimise visual intrusion on neighbouring uses or the countryside; and, detailed arrangements are incorporated for the long-term management and maintenance of landscape features.
- 4.24 Policy CTY.1 states that, all forms of development in the countryside, other than those in accordance with provisions elsewhere in the Local Plan, will be resisted in order to preserve its character and to ensure that resources are protected.

### **Principle of the Development**

- 4.25 Southam Quarry has a landbank of permitted reserves within the Griffins Farm/Area IV site, located to the south of the A426, of approximately 28 years. This is in excess of the 25 years recommended by government guidance within MPG10. It would be entirely feasible to commence mineral extraction within Griffins Farm almost immediately subject to satisfying the requirements of a number of pre-commencement conditions and constructing an access (tunnel). Therefore, taken in isolation the proposal clearly fails any need argument.

- 4.26 The Griffins Farm planning permission dates back to 1947 when less emphasis would have been given to the consideration of the environmental impacts of the development. In addition since this planning permission was granted the settlements of Southam and Stockton have both expanded towards the Griffins Farm site. Whilst, some advance screen planting was undertaken around the boundaries of Griffins Farm the site is relatively open.
- 4.27 The applicants contention throughout consideration of this application has been that the proposed extension would have less impact than working Griffins Farm at this time and would allow further mitigation measures to be implemented to limit the impact of mineral extraction at Griffins Farm when it is eventually worked. The Environmental Statement submitted with the application concluded that, 'the extension development is a more logical, sustainable, and environmentally prudent means of securing access to additional reserves. The discrete block of land which makes up the application site lends itself to a self contained and straight forward extension operation which would complete the exploitation of reserves north of the A426. For these reasons, it has been preferred to the main alternative which has been considered (Griffins Farm)'.
- 4.28 In order to substantiate this statement and allow an informed view to be taken on the matter a Comparative Impact Assessment of working the two sites (Griffins Farm and Spiers Farm) was requested. Comparative assessment of the two sites demonstrated that there are similarities between the sites in terms of issues such as size of site, existing land use and nature of impacts like noise, hydrology and ecology. It also highlighted distinctions in terms of proximity to settlements and dwellings, character of the site and impacts such as ability to assimilate the development into the landscape setting, quality of restoration and archaeology of the area. In consideration of the impacts and implications of working each site it is fair to say that there are arguments for and against both but that there is probably not a clear argument in favour of one over the other. It is to a large degree subjective. However, the exercise highlighted that there were potential improvements/amendments that could be made to both the Spiers Farm and Griffins Farm developments that would limit the impact of quarrying in each area and result in a more satisfactory standard of development overall.
- 4.29 Consultation on the original Spiers Farm proposals highlighted concerns in respect of the proximity of the development to residential properties. This resulted in the submission of amended proposals for consideration which:- reduced the area of the application site over which it was proposed to extract mineral, limited the working area of the Griffins Farm site by excluding the 'south eastern limb' of the site and undertook to implement addition screen planting around the boundary of Griffins Farm. These amended proposals were considered sufficient to make the Spiers Farm development acceptable and offered an opportunity to secure improvements to the Griffins Farm development. Significantly, the amended proposals were considered of sufficient weight to outweigh the presumption against the proposal on need grounds.
- 4.30 Following a request by Members at the 7th July 2005 meeting of the Regulatory Committee for the applicant to further reduce the proposed area of mineral

extraction further revised proposals have been submitted for consideration. The further revisions result in additional reductions to the working area of both Spiers Farm (application site) and Griffins Farm (permitted site) and include additional screen planting around Griffins Farm, which would further reduce the impacts of the development and achieve a satisfactory standard of development overall in the long term.

### **Residential Amenity**

- 4.31 The nearest properties to the site are those located to the north-east and east of the site at Greaves Cottages, Stockton Fields Farm and Tollgate House. The original proposals, including Phase 4, would have resulted in mineral extraction taking place within 250 metres of Greaves Cottages, 100 metres of Stockton Fields Farm and 70 metres of Tollgate Cottage. The revised proposals, including Phase 3, would have taken the limit of extraction to 350 metres from Greaves Cottages, 250 metres from Stockton Fields Farm and 200 metres from Tollgate House. The further revised proposals now for consideration would result in the limit of extraction being 500 metres from Greaves Cottages, 350 metres from Stockton Fields Farm and a little under 300 metres from Tollgate House.
- 4.32 Greaves Cottages front onto Stockton Road and have clear views across the application site. Stockton Fields Farm adjoins the eastern boundary of the site adjacent to a small woodland copse. The woodland forms a dense screen effectively screening views of the site from these properties. Tollgate House stands at a high point at the eastern corner of the application site. Whilst, there are mature trees around the dwelling the property has clear views across the application site and beyond.
- 4.33 The substantially reduced area of mineral extraction now proposed would be worked in two phases over a 18 year period. The first phase is at the further point from these properties and incorporates part of the existing workings. The existing Spiers Farm workings are essentially hidden from view by the topography of the land. It is considered that the working of Phase 1 is unlikely to result in any greater impact when viewed from these properties. The applicant has undertaken a programme of 15 metre wide belts of advance perimeter tree planting to the south-eastern and north-eastern boundaries of the site. Whilst, these are currently small it is considered that they will in time help to screen operations as they progress easterly across the site. In addition it is proposed to provide a 4 metre high screen bund along the eastern extremity of the extraction area which will also restrict views of operations on site from these properties. The further revised proposals would result in a substantially reduced working area at greater distance from residential properties than originally proposed which would limit the visual impact of the proposed development.
- 4.34 Mineral extraction is clearly different and more intensive in nature than the relatively intermittent operations associated with arable farming. Therefore, there is potential for the operations to be undertaken on site to result in an increase in noise disturbance as the extension would be closer to dwellings than the existing quarrying operations. A noise assessment submitted with the application indicates that the development could be undertaken within

government guidelines contained within MPG11 – The control of noise at surface mineral workings. The predicted noise disturbance would be of an acceptable level for mineral working. The Environmental Health Officer at Stratford on Avon District Council broadly agrees with the conclusions of the assessment but considers that a condition should be imposed on any planning permission granted to ensure that the development is undertaken in compliance with MPG11. A suitably worded condition is suggested.

- 4.35 Concern has been expressed regarding the potential noise impacts associated with the use of mobile processing plant within the quarry void. It has been suggested that the use of static plant within the vicinity of the former cement works buildings would prevent this from becoming a problem. In the past crushing and screening operations have been undertaken outside of the building on the cement works site used for the storage of raw material. The applicants have indicated that they would not wish to be tied to the use of static plant in one location for operational reasons. The Environmental Health Officer has not raised concern with the use of mobile plant on site. However, it is recognised that mobile processing plant can generate noise impacts if not adequately managed. Therefore, it is suggested that a condition is imposed requiring the detail of type, location and noise emissions from processing plant to be approved before operations commence on site.
- 4.36 Concern has been raised regarding the proposed hours of operation of the site. The existing planning permission controlling operations on site, including Griffins Farm, contains no control over hours of operation. Therefore, in that respect the proposed hours of 0700 hours to 1900 hours Monday to Friday and 0700 hours and 1600 hours Saturdays are an improvement. However, the Minerals Local indicates that hours of working will not, in general, be expected to exceed 0700 hours to 1800 hours Monday to Friday and 0700 hours and 1300 hours Saturdays. RMC/Rugby Cement's Lodge Farm Quarry (current source of limestone and clay for the Rugby Works) is subject to these hours of operation. Therefore, it is considered appropriate to impose similar controls on hours of operation on the proposed development. The application proposes the distribution of processed material off site outside of these hours from a building located within the former cement works complex of buildings. This is a continuation of the existing situation and would be the situation if Griffins Farm was worked now. Therefore, this would result in no greater impact.
- 4.37 Dust could potentially be raised by soil stripping operations, mineral extraction, vehicles traversing the site and from crushing and screening operations. The limestone and clay strata are inherently moist resulting in the need to dewater the site. However, poor management of operations at quarries can result in the raising of dust, particularly in the summer months, from vehicles travelling on internal haul roads and the operation of crushing and screening operations. The application proposes a series of measures to prevent dust from becoming a nuisance. The applicant has submitted a dust assessment report which concludes that attempting to predict future impact is difficult but that dust control and mitigation measures proposed are sufficient to adequately control dust on site. The Environmental Health Officer has previously agreed that the working of Phases 1 and 2 would not give rise to problems with dust emissions, but considered that further work was necessary to show that air quality standards

could be met if Phase 3 was to be worked. The exclusion of a substantial part of Phase 3 from the proposal largely overcomes this issue. However, the Environmental Health Officer recommends that a condition is attached to any planning permission granted requiring air quality monitoring to be undertaken to ensure that the development is undertaken in compliance with PM10 Air Quality Standards. A suitably worded condition is suggested.

### **Visual Amenity**

- 4.38 There are two issues to be addressed in terms of visual amenity, the impact during operations and visual impact of the proposed restoration scheme.
- 4.39 The application site gently slopes from south to north and there are currently clear unrestricted views across the site from locations including along the A426 Rugby Road, Stockton Road and Footpath SM12 which skirts the north-eastern boundary of the site. However, the applicant has undertaken a programme of 15 metre wide belts of advance perimeter tree planting to the south-eastern and north-eastern boundaries of the site. Initial planting adjacent to the A426 has been established for over 10 years and is maturing well. When combined with a screen bund this will effectively screen operations within Phase 1. The remaining trees were planted in 2000/2001 in 15 metre wide belts. Whilst, they are currently small they should provide sufficient screen, when combined with screen bunding, of operations on site by the time mineral extraction reaches Phase 2. Therefore, it is considered that views of the site would be restricted except during the initial site/phase setup and during construction of screen bunds.
- 4.40 Restoration of the site would be to a mix of water features and agriculture and would appear very much different to the current landscape. The restoration scheme would result from an increase in native tree, shrub and hedgerow cover to reinforce existing boundaries, reinstate former field boundaries to reflect the surroundings and integrate the restored site into the landscape. It is considered that the proposed restoration would enhance the existing landscape in the long term. Restoration of the site would be undertaken progressively behind mineral extraction which would help to reduce the overall visual impact of the development.
- 4.41 The further revised proposals would result in a substantially reduced area of land being effected by the development than originally proposed. Therefore, in terms of visual impact both the operational phase and restored site would have a reduced visual impact. Reductions to the permitted working area of Griffins Farm could be secured by Section 106 Agreement. Any future proposals to extract mineral from Phases 3 and 4 would require the submission of a formal planning application. A legal agreement in respect of this matter is therefore considered unnecessary.
- 4.42 In supporting the proposal to work Spiers Farm before Griffins Farm it would be desirable to place a restriction upon operations to ensure that both sites are not worked at the same time. Therefore, restricting the visual impact of the development. This could be secured by Section 106 agreement.

- 4.43 The proposed advance screen planting to the boundaries of Griffins Farm could be secured by a suitably worded clause within a Section 106 Agreement.

### **Transport/Highway Issues**

- 4.44 It is proposed that the application site would be operated as an extension of the existing Southam Quarry with production/output continuing at previous levels (pre temporary suspension of mineral extraction in 2003). Therefore, the proposal would not result in an increase in vehicle movements from the site associated with the transport of limestone and clay to the Rugby Cement Works. Vehicles would continue to access the site via the existing site access onto the A423, Southam Road.
- 4.45 Vehicles transporting limestone and clay between Southam Quarry and the Rugby Works have in the past followed an informal vehicle routing arrangement. Loaded vehicles travel north along the A432 to Princethorpe, with 50% of traffic then routed via the B4455 to Lawford Heath, and 50% via the B4455 Fosse Way. Return trips are made via the A426 from Dunchurch. Vehicle movements between the two sites have in the past caused concern and it is therefore considered appropriate to set the routing arrangements on a more formal footing. This could be achieved via a formal vehicle routing agreement secured via a Section 106 Agreement.
- 4.46 Southam Cement Works and the Rugby Cement Works were in the past connected via a rail link. This was removed some years ago. It has been suggested that it would be appropriate to reinstate this link in order to secure an alternative form of transport to the road haulage proposed. The applicant and the County Council have undertaken an investigation into the potential re-establishment of the rail link between Southam and the Rugby Works. Following detailed investigation it is clear that reinstatement and operation of the rail link would be prohibitively expensive. Therefore, the investigations conclude that there is currently no realistic alternative to road transport of quarried material from Southam to Rugby. The applicants have agreed to reconsider the possibility of reinstating the Rugby to Southam Rail Link at regular intervals and this could be formally secured via a Section 106 Agreement.
- 4.47 Concerns have been raised regarding highway safety at the Stockton Crossroads, junction of Rugby Road/Stockton Road/Napton Road. However, the proposed development would not generate vehicle movements above those already permitted and accordingly the development would have no greater impact on this junction. Therefore, it would be unreasonable to require any improvements to this junction in connection with this development.
- 4.48 The applicants currently convene a Residents Liaison Group and Vehicle Routing and Standards Group on an informal basis. These groups provide an important interface between the Company and local residents and it is considered that they should be continued throughout the life of the Quarry. This could be formalised through a legal agreement.

## Ecology

- 4.49 The application site is predominantly agricultural land in arable production and is currently of limited nature conservation value. However, existing hedgerows which provide habitat connectivity and Great Crested Newt are known to occur within 500 metres of the site and badgers are also in the area. The further revised proposals would result in the retention of a number of existing hedgerows reducing habitat loss.
- 4.50 The application proposes a mitigation package to include habitat protection and habitat creation measures along with appropriate measures related to protected species. The County Ecologist considers that the proposed mitigation measures, restoration and long term management proposed has the potential to be of positive biodiversity value and beneficial in the long term. The measures proposed need to be backed up by conditions to ensure habitat and species protection and a section 106 Agreement to ensure long term management of the restored site. Suitably worded conditions are suggested.

## Hydrology

- 4.51 In order to undertake the mineral extraction it will be necessary to dewater the site as is the case with existing operations at Southam Quarry. Concerns were initially raised by:- British Waterways in respect of the impact this may have on Stockton Reservoir; local residents in respect of possible subsidence of properties, Southam Town Council in respect of impact upon the Holy Well, Southam; and, the Environment Agency in respect of impacts on the water regime.
- 4.52 British Waterways advise that the application site falls within the catchment area for water flows into the reservoir and indicate previous silting problems associated with mineral extraction. Whilst recognising that the omission of Phases 3 and 4 from the proposed development would reduce the impact of the quarrying operations British Waterways request that measures are secured to prevent the development resulting in the silting up of Stockton Reservoir and a commitment from Rugby Cement to dredge the reservoir should it become silted as a result of the development. This could be addressed by suitably worded condition.
- 4.53 The further revised proposals would result in the extraction area being in excess of 300 metres from the nearest properties which should limit any concerns regarding subsidence. The Environment Agency have raised no concern in respect of this matter.
- 4.54 The Holy Well is located on the western side of Southam a little over 2 kilometres from the application site. The Well has dried up for extended periods in recent years. The applicants acknowledge the potential for the dewatering of Southam Quarry to affect the Holy Well. In order to monitor and mitigate any impacts the applicants propose to allow the existing excavation at Southam Quarry to flood, dewatering water from Spier's Farm to be fed into the flooded excavation, installation of a monitoring borehole to the south of the existing

quarry and carry out additional mitigation if required. This could be addressed via a Section 106 Agreement.

- 4.55 The Environment Agency initially raised concern regarding potential impacts the development may have on the water environment. The Environment Agency advise that additional supporting information submitted by the applicant satisfactorily addresses their concerns in relation to groundwater and water quality, subject to the imposition of appropriately worded conditions and a legal agreement to ensure the protection of the water environment. The Agency wish to see the existing excavation to be allowed to flood and measures put in place to monitor ground water at the boundary of the site and provisions made to enable any negative impact to groundwater levels and flows to adjacent water courses to be mitigated. This could be addressed by suitably worded conditions and a Section 106 Agreement. The Agency raise no objection to the further revised proposals.

### **Archaeology**

- 4.56 The application site is relatively undisturbed and accordingly there is a lack of archaeological information available on the site. The proposed development would result in the loss of any archaeological interest that might be present on the site. It is considered appropriate for a programme of archaeological investigation to be undertaken in order to fully assess the archaeological interest and site. A suitably worded condition is suggested.

### **Geology**

- 4.57 Over the last thirty years Southam Quarry has been the source of many unique and outstanding fossils of regional and national importance. The potential for finds within the application site is considerable. Therefore, the County Geologist has requested access to the site and geological investigation during operations. A suitably worded condition is suggested.

### **Restoration**

- 4.58 Restoration of the site has been designed to maximise the nature conservation and biodiversity value of the site through the creation of lakes, wetland habitats, ephemeral ponds, species rich grassland, scrub woodland and exposed geological faces. It is considered that this would be of benefit in the long term.
- 4.59 Whilst there is a requirement to restore the existing quarry void under the provision of planning permission S965/97CM028 this has not yet commenced. The current application offers an opportunity to secure a comprehensive holistic restoration and aftercare scheme for the whole of the quarry workings which would enhance the nature conservation and biodiversity value of the site. The applicant is agreeable to this and a comprehensive restoration and aftercare scheme could be secured via a Section 106 Agreement.
- 4.60 The proposed restoration offers an opportunity to incorporate controlled public access to all or part of the restored site. There is also scope to dedicate a new



public footpath across the site to provide a link between public footpaths SM12 and SM29. These matters could be addressed via a Section 106 Agreement.

### **Landfill**

- 4.61 The applicant has stated that they are not interested in developing the site upon completion of mineral extraction as a municipal waste landfill and this does not form part of the current application. It has been suggested that this should form part a legal agreement. However, any proposal to develop the site as a landfill would require the submission of a planning application for formal consideration. Therefore, it is considered unnecessary and unreasonable to include this matter within a legal agreement.

### **Access to Griffins Farm**

- 4.62 Concern has been raised that access (Tunnel) to the Griffins Farm site should be located as far as possible from dwellings. The approval of details in respect of access to Griffins Farm prior to the development of the site is a requirement of planning permission S965/97CM028. Therefore, this is not for consideration at this time.

### **Conclusion**

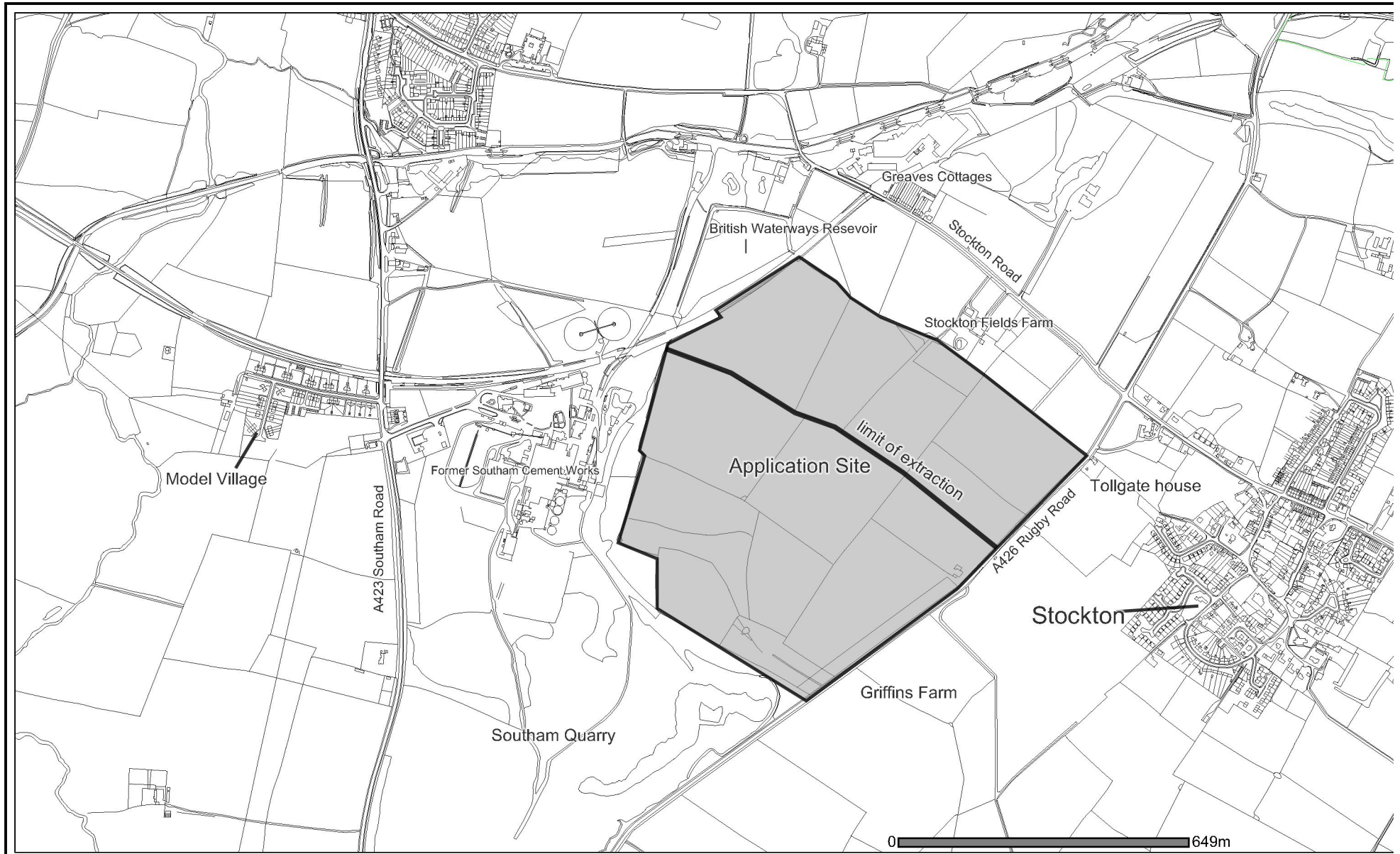
- 4.63 The further revised proposals would result in:- a reduced area of land within the proposed quarry extension (Spiers Farm) being subject to mineral extraction, a reduced area of land within the permitted Griffins Farm site being subject to mineral extraction, advance screen planting to the boundaries of Griffins Farm, postponement of mineral extraction at Griffins Farm, a comprehensive restoration for the whole of the quarry workings.
- 4.64 The current proposal is arguably a more logical extension of the existing quarry, being a continuation of the existing working face. Griffins Farm, however, would be a new working area separated from the existing quarry by the A426. Working the proposed extension first would allow advance screen planting to be undertaken around Griffins Farm and allowed to mature into an effective screen. Therefore, on balance it is considered that the proposal is in overall accordance with the development plan and would secure the most satisfactory standard of development overall and can be supported.

## **5. Environmental Implications**

- 5.1 It is considered that further revised proposals would further limit any negative impact associated with mineral extraction in the area.

JOHN DEEGAN  
Director of Planning, Transport and Economic Strategy  
Shire Hall  
Warwick

15th September 2005



Scale 1: 12000

Ref No. S965/04CM001

Drawn Matthew Williams



Regulatory Committee 27th September 2005

Subject

**Proposed Southam Quarry Extension**

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John Deegan  
Director of Plann  
and Economic St  
Shire Hall, Warwi

**Regulatory Committee – 27th September 2005**

**Southam Quarry -  
Extraction of Limestone and Clay**

**Application No : S965/04CM001**

**Commencement Date**

1. The development hereby permitted shall be begun not later than 5 years from the date of this permission.

**Reason:** Pursuant to the requirements of Section 91 of the Town and Country Planning Act 1990.

**Pre-Commencement**

2. The development hereby permitted shall not be commenced until a programme of archaeological work, in accordance with a written scheme of investigation, which has first been submitted to and approved in writing by the Mineral Planning Authority has been completed.

**Reason:** To protect and record features of archaeological importance.

3. The development hereby permitted shall not be commenced until full details of the type, location and noise emissions of processing plant to be used on site have been submitted to and approved in writing by the Mineral Planning Authority.

**Reason:** In order to protect the amenities of nearby residents.

4. The development hereby permitted shall not be commenced until a scheme of protection and maintenance during operations of the boundary hedges and trees to be retained has been submitted to and approved in writing by the Mineral Planning Authority. Following approval the scheme shall be implemented accordingly for the duration of operations.

**Reason:** In the interest of landscape character and ecology.

5. The development hereby permitted shall not be commenced until an Ecological Scheme to include habitat and species protection measures, habitat creation and landscaping measures has been submitted to and approved in writing by the Mineral Planning Authority.

**Reason:** To ensure protection of habitats and species of ecological value.

6. The development hereby permitted shall not be commenced until a scheme for the provision of surface water drainage works has been submitted to and approved in writing by the Mineral Planning Authority. Following approval the drainage works shall be completed in accordance with the details and time table agreed.

**Reason:** To prevent the increased risk of flooding and pollution by ensuring the provision of a satisfactory means of surface water disposal.

7. The development hereby permitted shall not be commenced until details of measures to prevent water discharged from the site silting up the feeder/top end of Stockton Reservoir. Details submitted should include, baseline survey of feeder and reservoir, monitoring measures throughout the development and, mitigation measures should the Reservoir become silted.

**Reason:** To prevent the development resulting in the silting up of Stockton Reservoir.

### **General Operations**

8. Unless otherwise agreed in writing by the Mineral Planning Authority the development hereby permitted shall be carried out other than in accordance with the submitted application ref. S965/04CM001, Environmental Statement, plans ref. 5658/SQE/1, SOUT0212/SQE/2/B, SOUT0212/SQE/3/B, SOUT0212/SQE/4/B, SOUT0212/SQE/5/B, SOUT0212/SQE/6/B, 5658/SQE/7/A, 5658/SQE/8/C, 5658/SQE/9/C, 5658/SQE/11/C, 5658/14/C, and conditions set out below.

**Reason:** To ensure a satisfactory standard of development.

9. Within six months of the date of this permission full details of a maintenance programme for the advance screen planting to the south-eastern and north-eastern boundaries of the site shall be submitted to and approved in writing by the Mineral Planning Authority. Submitted details shall include, where appropriate, details of replacement plants, locations, species, sizes and densities.

**Reason:** In the interests of the visual amenity of the area.

10. Within six months of the date of this permission full details of advance planting to be undertaken, including hedgerow to the eastern boundary of Phase 2, shall be submitted to and approved in writing by the Mineral Planning Authority. Submitted details shall include, locations, species, sizes, densities and maintenance programme.

**Reason:** In the interests of the visual amenity of the area.

11. No limestone and clay extraction shall take place later than the expiration of the period of 18 years beginning with the date of this permission.

**Reason:** In order to safeguard the visual amenity of the area.

12. Notwithstanding the provisions of the Town and Country Planning (General Permitted Development) Order 1995 no buildings, work or equipment shall be erected or installed on site without the prior approval of the local planning authority.

**Reason:** To ensure a satisfactory standard of development.

### **Environmental Protection**

13. Except with the previous written agreement with the Local planning Authority, no operations authorised or required by this permission (including the maintenance of vehicles and plant) shall be carried out and plant shall not be operated other than during the following times:-

0700 – 1800 hours Monday to Friday  
0700 – 1300 hours Saturday

No such operations shall take place on Sundays or on Bank or Public Holidays.

**Reason:** In the interests of the amenities of nearby residents.

14. The development hereby permitted shall not be carried out unless undertaken in compliance with MPG11 – the Control of Noise within Surface Mineral Workings. The operating company shall monitor noise levels at six monthly intervals at noise sensitive locations, when site equipment is operating normally. The location and duration of noise monitoring shall be agreed in writing in advance with the Mineral Planning Authority. Noise monitoring records shall be made available to the Mineral Planning Authority upon request.

**Reason:** In order to protect the amenities of nearby residents.

15. Plant and machinery shall not be used at the site unless it is silenced at all times in accordance with the best practicable standards.

**Reason:** In order to safeguard the amenities of the nearby residents.

16. Unless otherwise agreed in writing by the local Planning Authority in writing, no pumps shall be used on the site unless they are either electrically powered or encased in acoustic cladding.

**Reason:** To safeguard the amenities of nearby residents.

17. Reversing alarms shall not be used unless they are of a bell tone type or are of the directional type or are capable of adjusting their noise level automatically to 5dB(A) above the ambient noise level or are of a type otherwise approved in writing by the Local Planning Authority.

**Reason:** To safeguard the amenities of nearby residents.

18. No development shall take place unless all necessary measures to prevent or minimise the raising of dust have been adopted. These measures shall include:
- (i) The use of water bowsers on haul roads and other operational areas of the site;
  - (ii) The use of water sprays or other methods of controlling dust from mineral extraction and landfilling operations;
  - (iii) Methods for controlling dust during soil and overburden movement, including the suspension of operations during weather conditions likely to give rise to uncontrollable dust generation which would be likely to be carried beyond the boundary of the site.

**Reason:** In order to safeguard the amenities of nearby residents.

19. The development hereby permitted shall not be carried out unless undertaken in compliance with the National Air Quality Objectives for particulate matter (PM10). The operating company shall monitor air quality at six monthly intervals when site equipment is operating normally. The location and duration of air quality monitoring shall be agreed in writing in advance with the Mineral Planning Authority. Air quality monitoring records shall be made available to the Mineral Planning Authority upon request.

**Reason:** In order to safeguard the amenities of neighbouring residents.

20. There shall be no discharge of any foul or contaminated surface water from the site into either the ground water system or any surface water course.

**Reason:** To prevent pollution of the water environment.

21. Any facilities for the storage of oils, fuels or chemicals shall be sited on impervious bases and surrounded by impervious bund walls. The volume of the bunded compound should be at least equivalent to the capacity of the tank plus 10%. If there is multiple tankage, the compound should be at least equivalent to the capacity of the largest tank, or the combined capacity of interconnected tanks, plus 10%. All filling points, vents, gauges and sight glasses must be located within the bund. The drainage system of the bund shall be sealed with no discharge to any watercourse, land or underground strata. Associated pipework should be located above ground and protected from accidental damage. All filling points and tank overflow pipe outlets should be detailed to discharge downwards into the bund.

**Reason:** To prevent pollution of the water environment.

22. Prior to being discharged into any watercourse, surface water sewer or soakaway system, all surface drainage from parking areas and hardstandings

shall be passed through an oil interceptor designed and constructed to have a capacity and details compatible with the site being drained.

**Reason:** To prevent pollution of the water environment.

## **Soils**

23. No topsoil, subsoil or overburden shall be removed from the site.

**Reason:** To ensure a satisfactory standard of restoration.

24. Unless otherwise approved in writing by the Local Plan Authority the full depth of the topsoil and subsoil shall be stripped and stored for use in restoration of the site.

**Reason:** To ensure a satisfactory standard of restoration.

25. No soils shall be stripped or removed except when the full depth of soil to be stripped or otherwise transported is in a suitably dry and friable condition. Conditions shall be sufficiently dry for the top soil to be separated from the subsoil without difficulty and the ground is suitably dry to allow the passage of heavy goods vehicles and machinery over it without damage to the soils.

**Reason:** In order to ensure proper separation of soils and preserve soil quality.

26. Top and subsoils shall be stripped and stored separately. Any overlap of soil types within a mound shall be the minimum necessary to form that mound and the interface shall be clearly recorded on a plan.

**Reason:** To ensure the integrity of the soils.

27. Prior to any part of the site being excavated or traversed by heavy machinery (except for the purpose of stripping that part or storing topsoil on that part) or used for the stacking of subsoil, all available top soil shall be stripped from that part.

**Reason:** To ensure the integrity of the soils.

28. Topsoil and subsoil mounds shall be constructed with the minimum amount of compaction necessary to ensure stability and shall not be traversed by heavy vehicles or machinery whilst in storage.

**Reason:** To ensure the integrity of the soils.

## **Access and Protection of the Public Highway**

29. No mineral shall be exported from the site other than via the main Southam Cement Works site access off the A423, Southam Road.

**Reason:** In the interests of highway safety and residential amenity.



30. The site access shall be maintained in a good state of repair and kept clean and free of mud and other deleterious material at all times.

**Reason:** In the interests of highway safety.

31. No mud or deleterious material shall be deposited on the public highway. In the event that material is inadvertently deposited it shall be removed immediately.

**Reason:** In the interests of highway safety.

32. The wheel wash which is installed at the site shall be maintained in a clean and functional condition at all times and shall be used as necessary by all lorries leaving the site.

**Reason:** In the interests of highway safety.

33. No loaded lorries shall enter or leave the site unless they are sheeted or the load is otherwise adequately secured.

**Reason:** In the interests of highway safety.

### **Geology**

34. No mineral working shall take place unless, throughout the life of the site, the County Museum Geologist (or his named representative) is given access to the site by prior appointment, for the purposes of monitoring and recording features of geological interest, and collecting representative geological specimens for the County Museum Collections.

**Reason:** To protect and record features of geological importance.

### **Restoration Conditions**

35. Notwithstanding the restoration concept detailed in drawing number 5658/SQE/14/C, 6 months prior to restoration commencing on any part of the application site a detailed restoration scheme shall be submitted to and approved in writing by the Minerals Planning Authority. Following approval site restoration shall be completed in accordance with the approved scheme.

**Reason:** To ensure satisfactory restoration of the site.

36. All operations involving soil replacement and treatments shall be carried out when the full volume of soil involved is in a suitable dry and friable condition to minimise soil damage.

**Reason:** To ensure the integrity of soils.

37. All reasonable precautions shall be taken so as to prevent the mixture of topsoil and subsoils with other material.

**Reason:** To ensure the integrity of soils.

38. Within 6 months of the completion of limestone and clay extraction all equipment, plant, machinery and site roads not required for restoration shall be removed from the site unless otherwise agreed in writing by the Local Planning Authority.

**Reason:** To ensure satisfactory and early restoration of the site.

### **Aftercare**

39. Three months prior to the replacement of any top soil, final soil cover or the completion of restoration works, whichever is the sooner, a detailed aftercare scheme for that area shall be submitted to the Local Planning Authority for approval. The scheme shall specify the steps to be taken and the five year period in which they are to be taken. Following approval in writing by the Local Planning Authority the scheme shall be implemented accordingly.

**Reason:** To ensure satisfactory restoration and aftercare of the site.

### **Development Plan Policies Relevant to this Decision**

- a) Warwickshire Structure Plan – 1996-2011 – **Policies GD.1, GD.2, GD.3, GD.4, GD.5, RA.1, ER.1, ER.2, ER.4, ER.5 and ER.8.**
- b) Stratford on Avon District Local Plan Review 1996-2011 (Revised Deposit Draft January 2003) – **Policies PR.4, PR.5, PR.8, EF.2, EF.4, EF.6, EF.7, EF.11, DEV.1, DEV.2 and CTY.1.**
- c) Minerals Local Plan for Warwickshire 1995 – **Policies M6, M7 and M9.**
- d) West Midlands Spatial Strategy – **Policies QE1 and M1.**

### **Reasons for the Decision to Grant Permission**

The development hereby permitted is in accordance with the relevant provisions of the development plan and would secure the most satisfactory standard of development overall and there are no contrary material considerations sufficient to require refusal.

In accordance with Article 22(2) of the Town and Country Planning (General Development Procedure) Order 1995 and Article 3(3) of the Town and Country Planning (Environmental Impact Assessment)(England and Wales) Regulations 1999 (EIA Regulations) notice is hereby given that the county Council in determining the above application has taken into consideration an environmental statement and environmental information (as defined by the EIA Regulations).

**(Note:** The policies, proposals and reasons given above are only summaries of the considerations set out more fully in the committee report).