

Regulatory Committee - 4 February 2020

Parkfield Road Quarry, Rugby Importation and Deposit of Inert Restoration Material and Implementation of a Comprehensive Restoration Scheme

RBC/18CM017

Application No.: RBC/18CM017

Advertised date: 18 June 2018

Applicant
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Registered by: The Strategic Director for Communities on 11 June 2018

Proposal: The importation of inert restoration material by rail to the rail siding along the southern side of Parkfield Quarry, the offloading of the inert material and transportation to the quarry void for backfill restoration, the construction of a temporary hard standing area for the rail offloading and internal vehicle movements, the construction of temporary acoustic screen walls and screen bunds, the implementation of phased backfill restoration programme, and the implementation of a comprehensive restoration scheme with a range of land uses together with the reinstatement of public rights of way.

Site & location: Parkfield Road Quarry
Rugby Cement Works,
Parkfield Road, Rugby CV21 1QJ.
[Grid ref: 449298.275831].

See plan in Appendix A

Recommendation

That the Regulatory Committee authorises the grant of planning permission to allow the importation of inert restoration material by rail to the rail siding along the southern side of Parkfield Quarry, the offloading of the inert material and transportation to the quarry void for backfill restoration, the construction of a temporary hard standing area for the rail offloading and internal vehicle movements, the construction of temporary acoustic screen walls and screen bunds, the implementation of phased backfill restoration programme, and the implementation of a comprehensive restoration scheme with a range of land uses together with the reinstatement of public rights of way subject to the conditions and for the reasons and with the notices and statements contained within Appendix B of the report of the Strategic Director for Communities.

1. Application Details

- 1.1 The application seeks permission to revise the implemented restoration scheme for Parkfield Road Quarry, Rugby by backfilling the quarry void with inert material sourced from the HS2 (high speed rail) construction project.
- 1.2 Parkfield Road Quarry is a former limestone quarry located adjacent to Rugby Cement Works. The quarry has previously been restored to a nature conservation led use. This in essence has resulted in the site being retained in much the form it would have been upon the cessation of mineral working. The site currently takes the form of a deep (around 50 metres) steeply sided former quarry excavation at the base of which lies a large expanse of water.
- 1.3 The proposed development would utilise surplus excavation materials arising from HS2 construction works (tunnelling, cuttings, etc) to backfill the void to approximate original ground levels. The applicant considers that this would allow the introduction of a more sustainable restoration scheme of greater benefit to nature conservation and amenity after uses.
- 1.4 The application site extends to a little under 11 hectares.
- 1.5 It is proposed to deposit 1.9 million m³ of inert spoil within the quarry void.
- 1.6 It is anticipated that it would take around 4.5 years to complete the development.

- 1.7 It is proposed to transport the fill materials to the application site by rail only. The application site is situated alongside a rail siding which would be utilised to bring the waste material to the site by train. Whilst the rail siding has not been used for some years it is understood that the rail tracks remain operational and functional with no substantive refurbishment required to bring them into use as part of the proposed development. This would include the clearance of scrub vegetation from the rail corridor itself and along its margins. Where practicable vegetation along the southern side of the rail siding would be retained in order to retain its landscape and screening value. The sidings comprise of two running lines with cross over points towards either end.
- 1.8 Operationally, it is anticipated that incoming trains would be split and the wagons shunted to an offloading facility at the south western edge of the quarry for unloading. Initial site setup would include the construction of a concrete working pad next to the rail siding in the south western corner of the site from where a ramp would be constructed from the rail siding down to the base of the quarry void. The concrete pad would be used to facilitate the movement of mobile excavators and dump truck loading and vehicular movements.
- 1.9 Initial site setup would also include the provision of acoustic screening measures at various locations around the periphery of the site. This would include:
- A 5m high soil screen bund constructed along the southern edge of the void, parallel to the rail siding;
 - An 8m high acoustic wall extending 40m in length along the southern edge of the rail offloading area;
 - A 5m high acoustic wall along the southern edge of the western area of the rail siding in the rail locomotive crossover area; and,
 - A 5m high acoustic wall along the south eastern edge of the site, between the boundary and Tank Cottages.
- 1.10 Unloading of incoming trains would be undertaken by a grab excavator which would load materials directly into dump trucks which would then transfer the waste materials down the haul road ramp into the quarry void. Trains would be positioned such that 3 wagons could be offloaded at a time. The train would then be shunted to position the next 3 wagons for offloading and this operation would then continue to complete the offloading operation.
- 1.11 Within the quarry void, the material would be placed in layers and rolled/compacted as required to build up the backfill from the base of the void. Initially, this would focus on building up levels to create a level platform parallel to the rail line, with the remainder of the site then profiled to achieve the final restoration contours. A tracked bulldozer would be used to spread and compact the deposited materials.

1.12 The development would be undertaken over a series of nine phases:

- Phase 1 – would comprise of the construction of a 5m high screen bund along the southern edge of the quarry void as an acoustic barrier to the backfill works.
- Phase 2 – would involve the construction of a ramp from the hardstanding area down into the quarry void.
- Phase 3 – creation of a causeway across the middle of the site which would assist with initial water management between two voids either side of the causeway.
- Phases 4 - 6 – would see the void infilled from the current base of 52m AOD up to 89m AOD along the southern boundary of the site with the filled area gently sloping downwards towards the northern boundary of the site.
- Phase 7 – would involve increasing the height of the southern screen bund from 5m to 7m.
- Phase 8 – would progress the backfill restoration towards the final levels, of 86m AOD in the east and 78m AOD in the west, which corresponds with the level at the tunnel entrance through to the Cement Works.
- Phase 9 – would comprise securing the final restoration levels and the establishment of shallow depressions along the central axis of the site which would accommodate the water features to be created as part of the restoration scheme. The area beside the rail siding would be completed to a relatively flat platform level with the rail siding.

1.13 Water levels within the quarry are currently controlled by pumping on an intermittent basis to a consented discharge point to the Sow Brook, which passes through the Cement Works. The quarry would need to be dewatered in order to undertake the proposed infilling. Dewatering would take around six months to complete.

1.14 It is proposed that the hours of work during which trains would be offloaded and materials deposited within the quarry void would be: 0700 hours to 1900 hours Monday to Friday and 0700 hours to 1300 hours Saturdays with no train offloading or infilling works taking place on Sunday and Bank Holidays.

1.15 It is anticipated that train movements into and out of the sidings would take place over a longer periods of time, between 0700 hours and 2300 hours, 7 days a week. Train movements between 19:00 hours and 23:00 hours would involve at most one train entering the site, stopping and switching off and one train starting up and leaving the site. There would be no other activity such as unloading during this period and the trains would not be allowed to idle on site.

1.16 It is anticipated that 2 – 3 trains per day on average would access the site. Each train would comprise of 20 wagons, each containing 80 tonnes (40m³). Each train would contain 800m³ of material.

- 1.17 Highway access to the site would be gained via an existing access onto Parkfield Road. The access would be required for initial site set up, delivery of plant and machinery, delivery of acoustic fencing and personnel. In the longer-term access into the application site by personnel would also be gained directly from the Cement Works through an existing tunnel beneath Parkfield Road.
- 1.18 A public footpath (RB5) runs along the eastern, southern and western boundaries of Parkfield Road Quarry. The route of the path runs in close proximity to the proposed main rail offloading operational area. For operational and safety reasons it is proposed to divert the footpath temporarily in order to take pedestrians safely away from the operational area via a short diversion. This would increase the length of the footpath by around 45 metres.
- 1.19 A section of public footpath RB5 which runs along the southern boundary of the site has been temporarily closed for a number of years for safety reasons following a landslip on the southern edge of the quarry void. The proposed development includes provision to reinstate this path along an alternative route upon the completion of infilling works.
- 1.20 The restored site would be engineered to create a landscape which would have a high potential for the creation of valuable wildlife habitats which would include: permanent ponds; ephemeral wetland areas; blocks of woodland; scrub; species rich grassland; open areas for natural colonisation. The restoration proposals seek to strike a balance between landscape enhancement and public access, and the opportunities for habitat creation and extending biodiversity value. The southern areas of the site alongside the rail siding would be restored to largely ground suitable for potential future use. The restored site would result in the creation of shallower slopes around the entirety of the site for safety and stability. The restoration proposals would include provision to replace the currently stopped-up footpath with a new footpath link through the centre of the site.
- 1.21 Detail of the backfilling of the quarry void would be regulated by an Environmental Permit, under the Environmental Permitting (England & Wales) Regulations 2016, administered by the Environment Agency.
- 1.22 This project falls within Schedule 2 of the Town and Country Planning (Environmental Impact Assessment)(England and Wales) (EIA) Regulations 2017 for which it may be necessary to accompany a planning application with an Environmental Statement. Due to the nature and scale of the development it was considered appropriate to undertake an EIA and therefore the application includes an Environmental Statement reporting the findings of the EIA. The EIA covered topic areas including: Landscape and Visual Impact; Ecology; Hydrology and Hydrogeology; Noise; Air Quality; and, Traffic.

1.23 Prior to submitting the planning application the applicant undertook a community engagement exercise which included undertaking a public exhibition in March 2018 which was supported by a front page article in the Rugby Observer.

2. Consultation

2.1 **Rugby Borough Council (PIg)** – no objection.

2.2 **Rugby Borough Council (EHO)** – whilst not objecting to the proposed development, initially sought clarification on a number of aspects including noise and air quality. Following the submission of additional information recommends that any planning permission granted includes conditions covering: acoustic barrier installation, hours of operation for the site and train movements, noise control and noise monitoring.

2.3 **WCC Flood Risk Management** – no objection.

2.4 **Councillor Maggie O'Rourke** – no comments received as of 21/01/2020.

2.5 **Councillor Alan Webb** – no comments received as of 21/01/2020.

2.6 **Network Rail** – advise that the main contractor for HS2 has a significant volume of excavated material to move from the tunnels in the London area to a variety of destinations across the UK. This material must leave by rail. Cemex have this large void adjacent to a ready-made rail-head which they are offering as a destination for the material. The 'Materials By Rail' or rail logistics for HS2 is critical to its successful delivery and Network Rail is committed to support this nationally significant project. As a minimum the following works will be required to bring the sidings into operational use: remove vegetation throughout the line, structural assessment of an underbridge and retaining wall and any other retaining structure, assessment of impact upon level crossings.

2.7 **WCC Highways** – no objection.

2.8 **WCC Ecology** – initial response acknowledged that the site has no specific nature conservation designation, although it is a pLWS (Potential Local Wildlife Site), and that there is an old record (2000) of a protected species within the application site, namely white-clawed crayfish. In the surrounding area there are records of bats, European hedgehogs, common frog, grass snakes, smooth newt, common lizard and badgers. The County Ecologist initially recommended refusal of the application in the absence of further assessment and information in order to determine the presence of; white-clawed cray fish, reptiles, great crested newts and badgers on the site. A preliminary Biodiversity Impact Assessment (BIA) calculation carried out by the County Ecologist concluded that the development would result in a negative habitat biodiversity score, and therefore required further discussion. Should these matters be resolved the County Ecologist recommended that any planning permission granted include conditions relating to: nesting birds; Construction and Ecological Management Plan; Landscape and Ecological Management Plan; Bat surveys and mitigation; geological exposure protection, lighting; tree protection zones.

Following the submission of further information the County Ecologist confirms the following: a further walkover badger survey revealed negative results – happy with this, but recommend that pre-checks for badger form part of the CEMP; an (Environmental) eDNA crayfish survey revealed negative results – happy with this, no further surveys are required; Great Crested Newt eDNA surveys were carried out which resulted in inconclusive results – satisfied that reasonable attempted were made, and no further surveys are required; surveys revealed a good population of grass snakes and mitigation has been suggested in the form of translocation which is agreed with. A grass snake mitigation strategy can form part of the CEMP.

Following a meeting with the applicant in December 2019, the County Ecologist confirms that enhancements proposed at the nearby Lodge Farm Quarry (also owned by the applicant) are able to offset the losses at Parkfield Road Quarry resulting from the proposed development. Therefore, to ensure a biodiversity net gain it is recommended that a condition is placed on any planning permission granted to secure this gain. It is also agreed that the value of the large water body on the Parkfield Road Quarry site should not be valued as High Distinctiveness, as it had in the original BIA assessment, due to its size and depth.

The County Ecologist therefore withdraws the recommendation for refusal subject to the conditions listed above and an additional condition to secure a scheme to ensure that there is no net biodiversity loss as a result of the development.

2.9 **Natural England** – no objection. Based on the plans submitted Natural England considers that the proposed development will not have significant adverse impacts on designated sites. Natural England notes the landscape plan submitted in support of the proposed restoration and supports those measures intended to enhance the biodiversity interest of the site. Natural England suggest that appropriate measures are employed to protect and manage soils in order to prevent degradation of the restored site.

2.10 **Environment Agency** – no objection in principle. We consider the proposal to be low risk and trust that the details on imported waste types, contaminant concentrations, operational pollution control, final water level, surface water discharge rates and water quality monitoring will be controlled via the Environmental Permit conditions issued in due course. We understand that three new monitoring wells will be constructed (giving a total of five operational monitoring wells around the perimeter of the site) to provide further evidence/reassurance that there will be no significant adverse effects to ground water quality from this revised restoration scheme.

The proposed development will require an Environmental Permit under the Environmental Permitting (England & Wales) Regulations 2016, from the Environment Agency.

2.11 **WCC Director of Public Health** – no comments received.

2.12 **WCC Rights of Way** – no objection in principle to the restoration proposals. The applicant should ensure that they liaise with the Rights of Way Team well in advance of any works directly affecting any public footpaths. Further discussions would be required between the applicant and the Rights of Way Team to agree the final details of the permanent footpath RB5 diversion route. With regard to the temporary public footpath closures and diversions, these would require a Traffic Regulation Order which would also require discussion with the Rights of Way Team.

3. **Representations**

3.1 The application was publicised by way of a press notice within the Rugby Advertiser, the nearest residential properties were individually notified and 19 site notices were posted in the immediate vicinity of Parkfield Road Quarry.

3.2 Representations have been received from four nearby residents and Warwickshire Wildlife Trust which are summarised below.

3.3 Residents from two of the four Tank Cottages (located adjacent to the eastern end of the application site) raise concern about the effect the development may have on their properties and surroundings.

Concerns raised include:

- the number of trains per day;
- vibrations affecting foundations;
- resident of the property requires daily care so the road to the cottage must remain accessible for carers and doctors;
- there will be interruption to wildlife if their habitat is disrupted;
- a screen fence is proposed how high will it be?;
- how long will the project take and will there be prior warning of commencement?;
- the application makes reference to a Quarry Support group being formed, yet no details are given;
- no account has been given to train noise and lights on the approach to the site running along the side of Tank Cottages. All train lights will shine into our bedroom window , which if they are proposing trains run to 11.00pm is unacceptable. No screen fencing is currently proposed;
- we currently experience flooding around the area – infilling the quarry will exacerbate this as the water will not be able to soak into the quarry;
- the railway siding crosses a regularly used footpath and I am unable to see how this will be addressed. Is this to be closed or a crossing installed?;
- there is a proposed new access to the quarry on the north side, this access is on a road which is used by vehicles to Tank Cottages so does not seem a safe ingress and egress to the site for pedestrians;
- the plans fail to identify the Old Bus which is a residential property located adjacent to the quarry;
- the Quarry is currently a large and expansive natural nature reserve and home to many species and turning this into a public area will destroy the habitat and home for many animals;
- though this is not proposed as a public amenity, from the consultation it does not appear to be something that the public had requested or had need for. There are numerous local green spaces which are already not in use (Newbold Playing field) so this is not a required local amenity – it should be left as a natural feature for nature, quarry sides and avoid disruption;
- I feel that Cemex need to do more public consultation and on a wider perspective to gain a true appreciation of peoples feelings on the site. Properties along the approach train line should also be involved and anyone, especially those with children currently use the footpath to get to Avon Valley School so they are aware of the plans and the impact this will have to them.

3.4 A resident of Izod Road (located to the south of the application site backing onto the railway siding) wishes to object strongly to many aspects of the proposal. Concerns raised include:

- Constant noise and disturbance from large extremely heavy diesel locomotives and equally heavy duty rolling stock movements throughout the day, from early morning to early evening (and likely late into some evenings) which will disturb my young children and other residents for 4 – 5 years;
- Constant noise from the various items of plant and machinery that will be required as well as significant noise, vibration and disturbance from spoil compacting machines;
- Reversing beepers will be a problem – several years ago when the quarry was being modified the constant beeping and frequent sound of horns caused disturbance;
- Railway siding close to rear of property. An eight metre high wall would be unacceptably close to my house. This proposal would drastically affect the amount of daylight to the kitchen/diner as well as greatly over shadowing our back garden;
- How can a structure (screen wall) 8 metres in height over 60 metres long not be considered an adverse visual impact;
- In winter time with floodlights and other site illumination may affect my house and generate unwanted light pollution;
- I also have concerns over the overpowering smell of diesel emissions from all the train movements and shunting required. Will these trains be sat idling for long periods of time thus giving rise to further air pollution and nitrous oxides and diesel particulates flooding into our back gardens and homes. Will there be any short or long term health implications to both children and adults being exposed to these emissions constantly for 4 or 5 years?;
- Where there are large earthworks there is also large amounts of dust/particulate matter generated, has there been any thought given to the effect on short/long term health of local residents from exposure to this particulate matter? There is nothing in the documentation that mentions dust or particulate mitigation. The appearance of the area will suffer in the same way that it does when the Cement Works has an accidental emission;
- All the images in the submitted documents show thick green dense vegetation. Has any consideration been given to the visual amenity through the Autumn and Winter? The quarry and its surroundings look significantly different in the Winter months;
- Motorcycles illegally ridden on the public footpath was a problem prior to its temporary closure. Barriers did not stop this. When the path reopens will this dangerous activity start again?;
- The footpath that is to be closed/rerouted is used frequently by school children. Existing antisocial behaviour likely to get worse.

- 3.5 A Rugby resident who regularly visits the area/quarry to experience the wildlife the site supports as a Nature Reserve comments that, they are absolutely devastated by the proposed plan to fill in this nature reserve site with waste from HS2. They comment that the flooded quarry at Parkfield Road is home to many rare and endangered species of fauna and flora including Peregrines and great crested newts. They state that we need to retain spaces like this for wildlife. The submitted ecology reports demonstrate that we have something very special down in the quarry with many species of conservation importance as well as habitats of high distinctiveness. The invertebrate study recommends that 'although only of District significance we would recommend that the site and its invertebrate interest would benefit most if the present habitats could be retained'. The invertebrate interest of the site, based on the presence of notable species mentioned above and the fact that there are several such similar sites within the wider area, suggests that the site is possibly of District significance for invertebrate interest. How can they fill the quarry without killing thousands of the inhabitants, from invertebrates to reptiles and amphibians, even small animals? They consider that to intentionally disturb, kill or injure many of the protected species resident at the site is in contravention of the Wildlife Act.

The main purpose of the site was to establish a population of endangered English Crayfish, bringing them in from other threatened populations in the country. What is to become of them now and why all the trouble to build this wildlife haven only to destroy it? The site has previously been restored and a Landscape and Habitat Management Plan has been agreed. Why are Cemex allowed to go back on the previous agreement?

Considering the amount of work, effort and expense that went into the restoration of the site and creation of the Nature Reserve in 2012 and the continuous disturbance and disruption to locals at that time, how can they now justify another 5 years or more of misery for these people during this project for very little benefit to them. Policy GP3 (Protection of Amenity) states that planning permission will not be granted for development if there would not be an unacceptable adverse impact on amenity in the area. The area does not have great potential as a recreation area as proposed. The complete plan is to fill in the pit and top it off with grassland, a small pond and trees. Yet this is habitat we have more than enough of in the surrounding area. The quarry habitat is unique and supports unique species. They also have given Peregrines a home, a species they deliberately wanted to attract to the nature reserve. That in itself is invaluable and a great achievement for the town and its birdlife, yet they intend to take it away from us. It's ironic that Cemex newsletters have previously highlighted that retaining the steep faces of the old quarry means that the reserve could become an even more attractive place for peregrine falcons and kestrels. I can only guess the money Cemex stands to make from taking this waste from HS2 is significant and is the driving factor, so significant

that it seems to outweigh everything else. It is a very sad situation for wildlife, the local residents and it's the end of another one of my favourite places in Rugby, probably the only body of water in the county that is undisturbed by humans.

I honestly hope that this project will be abandoned as it seems to be in no ones interests but Cemex's, whom I am sure can find somewhere else to dispose of HS2 waste without the unnecessary destruction and disruption at Parkfield. Locals I have spoken to had no idea of the timescale involved of just how close to the houses the noise and dust will be emanating.

- 3.6 Warwickshire Wildlife Trust comment that, whilst on the whole, the amended restoration plan will eventually provide enhanced habitats for wildlife than the current situation, there are two species in particular which will lose their habitat or potential habitat. These are the peregrine falcons which have in the past nested on the cliffs, and our native white-clawed crayfish for which the site has been considered as a potential Ark site; a site where new populations can be established in safety.

The Environmental Statement states that the site has been discounted as a potential Ark site for white-clawed crayfish but does not give a reason as to why. Further information should be provided to inform decision making; depending on why the site was thought unsuitable there may be scope to include suitable habitat within the current plans. I would also suggest that more information on the other locations that the peregrines have been nesting and whether as compensation for the loss of this site a platform could be funded on an alternative nearby structure?

I also note that the Biodiversity Impact Assessment has not been filled in correctly, as the time to target condition will not be five years – I understand that there will be at least 5 year gap between the destruction of the current habitat until the new habitats can begin to be created, after which woodland for example would take 30+ years to mature.

4. Assessment & Observations

Background & Planning History

- 4.1 Parkfield Road Quarry is a historical quarry from where limestone and clay was excavated for use as a raw material in the manufacture of cement within the adjoining Rugby Cement Works. The result of the quarrying activities left a deep steep sided quarry void with exposed quarry faces and a deep lake at the base of the void.

- 4.2 Parkfield Road Quarry was used during the 1980's and 1990's for the disposal of production wastes arising from the adjoining Rugby Cement Works. These wastes mainly comprised of Cement Kiln Dust (CKD). Although complying with the relevant legislation and best practice of the time waste materials were deposited with no engineered barriers for the containment of potentially polluting leachate. This was not deemed to be a sustainable long term solution, and in September 2010 a planning application was submitted which sought permission to remove the Parkfield Road Quarry waste and transport it to disposal at an engineered landfill cell at Southam Quarry.
- 4.3 Planning permission (RBC/10CM022) was granted in February 2011 to allow removal of the waste material subject to conditions. This included a requirement to submit details of habitat creation and restoration works for Parkfield Road Quarry. The required scheme was submitted and approved as a Habitat Creation and Restoration Scheme accompanied by a Habitat Restoration Plan.
- 4.4 In summary, following the removal of the waste, the objective of the restoration scheme was based upon enhancing the biodiversity value of the site by creating new land and water based habitats and by encouraging natural re-colonisation by a range of UK Biodiversity Action Plan Species. Groundwater was to be allowed to rise in the quarry to a level of circa 70m AOD (around 25 metres below the rim of the quarry) which would then be maintained at that level by pumping. The steep quarry faces above the water level were to be retained.
- 4.5 In practice, whilst the scheme fulfilled the key purpose of removing the previously deposited waste material and achieving some biodiversity enhancement via the restoration works, in practice, the quarry remains as a deep, steep sided void with semi vertical faces some 25 metres high above the water level of the lake, with the lake some 20 metres deep. Some of the faces along the southern edge of the quarry are showing signs of instability, with localised landslips which point to a longer term stability concerns associated with the exposed faces at the quarry. For these and other safety reasons the quarry remains securely fenced around its full perimeter with no public access.
- 4.6 As part of a separate planning permission granted in November 2010 on a nearby site for the development of a 'Climafuel' manufacturing facility to supply solid recovered fuel (Climafuel) to the Rugby Cement Works, Cemex were required to submit a 'Parkfield Road Landscape and Habitat Management Scheme' and to implement the scheme for a period of 20 years from the completion of removal of the waste from the Parkfield Road site for disposal at Southam Quarry.

- 4.7 The required scheme was submitted in 2013 as a 'Landscape and Habitat Management Plan' which included details of land based reed beds, floating reed beds, calcareous grassland habitat around the fringes of the site as butterfly habitat, ground mining bee habitat, exposed cliff faces, and crayfish habitat (albeit no white clawed crayfish had at that time been found on the site). The plan also included management and work schedules designed to maintain the respective habitats for the required 20 year management period, with provision for reviews of the scheme at 5 year intervals.
- 4.8 The restoration scheme and management plan has been implemented, and reflects the current circumstances at the site. However, whilst the site has revegetated, and retained vegetation has continued to mature, the visual amenity value of the site has remained low, and the site does not provide any form of recreational value.
- 4.9 It is also the case that after more than five years post restoration remediation the site does not support such a diverse range of species as envisaged by the 2011 proposals. The Floating Reedbeds have had limited success and the open water which is deep and unvegetated offers limited biodiversity enhancements.
- 4.10 The applicant therefore proposes to revise the restoration scheme by backfilling the void to create, in their view, a more sustainable long term landform and range of restoration land uses.

Site and Surroundings

- 4.11 Parkfield Road Quarry is located adjacent to the Rugby Cement Works approximately 2 kilometres to the west of Rugby town centre. The site is located within an area of mixed residential and industrial uses dissected by transport routes. The London to Birmingham railway runs along the northern boundary of the site and a disused railway line/siding (part of the former Rugby to Leamington railway line) runs along the south-eastern boundary. Parkfield Road adjoins the western boundary of the site and separates the site from the Cement Works.
- 4.12 Beyond the railway to the north lies an industrial unit, sewage treatment works and a scrapyards. Immediately to the east lies redundant allotment land and four properties known as Tank Cottages. Beyond the rail line to the south is located a relatively new residential development, Izod and Follager Road beyond which lies an allotment and the older residential areas of New Bilton. To the west lies the Cement Works
- 4.13 The site is immediately adjoined on all sides by public rights of way, one of which is temporarily closed due to a landslide/instability.

- 4.14 Access to Parkfield Road Quarry is via a tunnel under Parkfield Road from the Cement Works from where access to the public highway network is gained at the main Cement Works access onto the A428 Lawford Road. Parkfield Road Quarry can also be accessed directly via an existing highway access off Parkfield Road.
- 4.15 Parkfield Road Quarry is a very deep steeply sided former limestone and clay quarry with a large expanse of water at its base. The lake at the base of the quarry is some 20m deep with quarry faces at the sides of the void extending to 25m in height above the lake level. There is a small plateau of ground some 10m above the water level situated at the south-western area of the site. A large circular liquid chalk storage tank and associated pumping equipment which forms part of the Cement Works infrastructure is located adjacent to the south-western corner of the site.
- 4.16 Vegetation within the quarry is limited to predominantly self-setting scrub predominantly restricted to the higher levels and rim of the quarry.

Planning Policy Context

- 4.17 Section 38(6) of the 2004 Planning and Compensation Act requires that planning applications are determined in accordance with the provisions of the Development Plan 'unless material considerations indicate otherwise'.
- 4.18 The Development Plan relevant to the proposal consists of the Rugby Borough Local Plan 2011-2031 adopted June 2019, the saved policies of the Minerals Local Plan for Warwickshire adopted 1995, the emerging policies of the replacement Warwickshire Minerals Plan which is at Publication Consultation stage – October 2018 and the adopted Warwickshire Waste Core Strategy Local Plan 2013 – 2028 adopted July 2013.

National Planning Policy

- 4.19 The National Planning Policy Framework (NPPF) confirms that planning law requires planning applications to be determined in accordance with the development plan, unless material considerations indicate otherwise. The document also makes it clear that the purpose of the planning system is to contribute to the achievement of sustainable development. At the heart of the NPPF is a presumption in favour of sustainable development. When making decisions the NPPF states that local planning authorities should look for solutions rather than problems. The NPPF makes it clear that significant weight should be placed on the need to support economic growth and productivity.

- 4.20 When considering the transport aspects of a development proposal the NPPF seeks to promote the use of sustainable transport modes where appropriate. Planning decisions should, amongst other things, ensure that developments: will function well and add to the overall quality of the area, not just in the short term but over the lifetime of the development; is visually attractive as a result of layout and appropriate and effective landscaping; and, is sympathetic to local character and history, including the surrounding built environment and landscape setting. In meeting development needs the NPPF acknowledges the importance of minimising adverse effects on the local and natural environment, including protecting and enhancing sites of biodiversity value. Turning to mineral extraction the NPPF seeks to provide for restoration and aftercare at the earliest opportunity, to be carried out to high environmental standards.
- 4.21 The National Planning Policy for Waste (NPPW) sets out detailed planning policies in respect of waste development. The NPPW sets out the Government's ambition to work towards a more sustainable and efficient approach to resource reuse and management, including driving waste management up the waste hierarchy. The policy also reaffirms that waste planning authorities should also work on the assumption that the relevant pollution control regime will be properly applied and enforced. When determining waste planning applications, the NPPW requires waste planning authorities to consider the likely impact on the local environment and on amenity against criteria including; visual impact, traffic and access, air emissions including dust, odours, noise, litter, potential landuse conflict, etc.

Warwickshire Waste Core Strategy

- 4.22 The adopted Waste Core Strategy sets out policies in respect of directing future waste development. The policies contained within this document reflect the national government planning policy of producing less waste, and to reuse it as a resource where possible.
- 4.23 Policy CS1 (Waste Management Capacity) of the Waste Core Strategy seeks to ensure that there is sufficient waste management capacity provided to manage the equivalent of the waste arisings in Warwickshire and, as a minimum, achieve the County's targets for recycling, composting, reuse and landfill diversion. The Council will seek to meet identified capacity gaps for each waste stream where a shortfall is indicated. Where it is demonstrated that there is no identified capacity gap, or where the capacity gap has been exceeded, then any planning application will be assessed against the Core Strategy policies and the principles of proximity and driving waste up the Waste Hierarchy.

- 4.24 The Waste Plan identifies broad locations where waste development will be supported within the County. Policy CS2 (The Spatial Waste Planning Strategy for Warwickshire) states that preference will be given to new waste management facilities within these broad locations, where individual sites are well located to sources of waste and the strategic transport infrastructure. Rugby is identified as a primary settlement within the Plan where such development should be focused. The policy identifies the kinds of sites where new waste developments should be located within these broad locations. This includes: sites operating under an existing waste management use; active mineral sites or landfills; and, previously developed land. The policy also states that proposals should comply with all other relevant Core Strategy and Development Management Policies.
- 4.25 Policy CS7 (Proposals for disposal facilities) states that disposal facilities (meaning facilities primarily consisting of disposal by landfill or incineration) will only be approved where the applicant can demonstrate that the proposed facility is needed and will not prejudice the management of waste further up the Waste Hierarchy. The policy states that proposals for the landfilling of waste will not be acceptable unless it is demonstrated that:
- (i) The waste cannot be managed by alternative methods that are higher up the Waste Hierarchy; and
 - (ii) There is an overriding need for waste to be disposed of through landfilling or landraising; and
 - (iii) Significant environmental benefits would result from the proposal; and
 - (iv) It does not divert significant quantities of material away from the restoration of mineral workings or permitted landfill sites.

Where any landfill or landraise proposals do not clearly meet all four criteria, the proposal will only be permitted if it is demonstrated that landfilling or landraising at that location will deliver overriding community or environmental benefits to justify granting planning permission.

- 4.26 Policy DM1 (Protection of the Natural and Built Environment) seeks new waste development to conserve, and where possible enhance, the natural and built environment by ensuring that there are no unacceptable adverse impacts upon: amongst other things: natural resources (including water, air and soil); biodiversity; the quality and character of the landscape; adjacent land uses or occupiers. Proposals should also maintain or, where possible, enhance biodiversity and recognised sites, species, habitats and heritage assets of sub-regional or local importance. If it is considered that the development is justified against these criteria, proposals will only be permitted where the adverse impacts will be:

- i) Avoided; or,
 - ii) Satisfactorily mitigated (where it is demonstrated that adverse impacts have been avoided as far as possible); or
 - iii) Adequately compensated or offset as a last resort where any adverse impacts cannot be avoided or satisfactorily mitigated.
- 4.27 Policy DM2 (Managing Health, Economic and Amenity Impacts of Waste Development) states that planning permission will not be granted for waste management proposals which have unacceptable adverse impacts on the local environment, economy or communities through matters including: noise; light/illumination; visual intrusion; vibration; odour; dust; emissions; contamination; water quality; road traffic; and, land instability. Proposals will only be permitted where the adverse impacts will be: avoided; or, satisfactorily mitigated where an adverse impact cannot be avoided or the adverse impacts have been avoided as far as possible.
- 4.28 Policy DM3 (Sustainable Transportation) seek waste management proposals to use alternatives to road transport where feasible.
- 4.29 Policy DM8 (Reinstatement, restoration and aftercare) states that planning permission will not be granted unless satisfactory provision has been made for high quality reinstatement or restoration of the site and the long term management of its after use.

Minerals Local Plan for Warwickshire

- 4.30 The saved policies of the adopted Minerals Local Plan set out specific policies relating to the winning and working of minerals. Policy M9 supports the restoration of mineral workings to a high standard and a beneficial afteruse.

Emerging Warwickshire Minerals Plan

- 4.31 The emerging Warwickshire Minerals Plan similarly seeks to secure high quality restoration and aftercare of sites including the future management of its afteruse (Policy DM9 - Reinstatement, reclamation, restoration and aftercare).

Rugby Borough Local Plan 2011 – 2031 adopted June 2019

- 4.32 The Rugby Borough Local Plan contains policies specific to the area. Policy GP1 (Securing Sustainable Development) reflects the presumption in favour of sustainable development and seeks to secure development that improves the economic, social and environmental conditions in the area. It goes on to state that planning applications that accord with the policies in the Local Plan will be approved without delay unless material considerations indicate otherwise.

- 4.33 Policy GP2 (Settlement Hierarchy) sets out a settlement hierarchy with Rugby town being the main focus for all development in the Borough.
- 4.34 Policy HS1 (Healthy, Safe & Inclusive Communities) seeks to create healthy, safe and inclusive communities. This includes improving the quality and quantity of green infrastructure networks, including public rights of way to open space. Whilst, policy HS4 (Open Space, Sports Facilities and Recreation) seeks to enhance the quality and accessibility of existing open space whilst avoiding any significant loss of amenity to resident, neighbouring uses or biodiversity.
- 4.35 Policy D1 (Transport) seeks development to prioritise sustainable modes of transport. Whilst, policy HS5 (Traffic Generation & Air Quality, Noise & Vibration) encourages a move towards the use of sustainable transport modes, to minimise the impact on air quality, noise and vibration caused by traffic generation.
- 4.36 Policy NE1 (Protecting Designated Biodiversity & Geodiversity Assets) seeks to protect designated areas and species of international, national and local importance for biodiversity and geodiversity. Development will be expected to deliver a net gain in biodiversity. Planning permission will be refused if significant harm resulting from development affecting biodiversity cannot be: avoided, and where this is not possible; mitigated, and if it cannot be fully mitigated, as a last resort; compensated for. Development likely to result in the loss, deterioration or harm of habitats or species of local importance to biodiversity, geological or geomorphological conservation interest, either directly or indirectly, will not be permitted for Local Wildlife Sites and protected species unless, amongst other things, measures can be provided (and secured through planning conditions or legal agreements). The level of protection and mitigation should be proportionate to the status of the habitat or species and its importance individually and as part of a wider network.
- 4.37 Policy NE2 (Strategic Green and Blue Infrastructure) seeks to support the creation of a comprehensive Borough wide Strategic Green and Blue Infrastructure Network. This will include; protection, restoration and enhancement of existing and potential Green and Blue infrastructure assets.
- 4.38 Policy NE3 (Landscape Protection and Enhancement) seeks development to positively contribute to landscape character. Whilst, policy SDC2 (Landscaping) requires the landscape aspects of a development proposal to form an integral part of the overall design.

- 4.39 Policy SDC1 (Sustainable Design) seeks development to demonstrate high quality, inclusive and sustainable design and new development will only be supported where the proposals are of a scale, density and design that respond to the character of the area in which they are situated. All developments should aim to add to the overall quality of the area in which they are situated.
- 4.40 Policy SDC5 (Flood Risk Management) seeks to minimise flood risk to people and property and manage any residual risk.

Policy Considerations

- 4.41 The aim of the proposed development is two-fold. Firstly, to provide a facility to dispose of waste materials derived from the construction of HS2; and secondly, from the applicants perspective, to provide a long term sustainable restoration scheme for the management of a historical mineral working.
- 4.42 The general theme running through policies contained within the development plan is to achieve high quality development that is sustainable in the long term. In respect of mineral workings and waste sites development proposals are expected to secure high quality site restoration and beneficial afteruses with appropriate management plans. Whilst Parkfield Road Quarry has undergone a previous restoration scheme the site remains a deep steeply sided quarry void. In order to manage water levels within the site so that they do not adversely impact on the adjoining Cement Works it is necessary to pump water out of the site on a regular basis. Additionally, in recent times the steep quarry faces have experienced some localised slippages and stability problems resulting in the need to close an adjacent public footpath. This in itself creates long term management issues. The nature of the quarry void is such that for health and safety reasons the site remains securely fenced with no public access. Furthermore the ecological restoration scheme implemented on the site has, arguably, not been as successful as envisaged in terms of biodiversity gains. The proposed restoration scheme, once complete, would provide a more sustainable restored landform and afteruse of the former mineral working in terms of long term management and biodiversity benefits. This, in general terms, is supported by planning policy.

- 4.43 A key theme of planning for the management of waste is to drive waste management up the 'Waste Hierarchy'. 'Prevention' and the reduction in waste generation are the most effective environmental solution and is at the top of the 'Waste Hierarchy' with 'disposal' very much the least desirable solution at the bottom of the 'Hierarchy'. The applicant considers that the infilling of Parkfield Road Quarry should be considered to be 'other recovery' in the context of the 'Waste Hierarchy'. This is defined as 'waste which can serve a useful purpose by replacing other materials that would otherwise have been used' and in this case the waste would be serving a 'useful purpose' in providing for the restoration of Parkfield Road Quarry. 'Other recovery' is above 'disposal' in the 'Waste Hierarchy' in terms of priority. In essence the applicant is saying that the waste material would be put to a beneficial use in order to secure restoration of Parkfield Road Quarry, avoiding the need to use primary minerals to achieve the same goal, and is thus supported by planning policy. This is a debateable argument as it hinges on whether or not there is an overriding need to infill the quarry void in order to secure a sustainable site restoration in the long term. There are arguments for and against this but, on balance, it is considered that infilling of the quarry void would be beneficial in the long term and is therefore supported in general terms by planning policy.
- 4.44 Excavation waste arising from the construction of HS2 will be low grade materials with limited scope for alternative methods of reuse further up the 'Waste Hierarchy'. Use of these excavation wastes as fill and restoration material is likely to be the most realistic option. Construction of HS2 is expected to generate around 130 million tonnes (65 million cubic metres) of excavation materials. Much of this will be used within the HS2 construction project for engineering and environmental mitigation. There will however be a need to dispose of around 18 million tonnes (9 million cubic metres) of waste excavation materials arising from the construction of HS2. This proposal to infill Parkfield Road Quarry with a proportion of HS2 excavation waste arisings would utilise waste materials arising from a specific national construction project rather than drawing in inert waste materials from the local market. Thus the proposed development would not divert material away from the restoration of active mineral sites within the County.

- 4.45 In the context of Policy CS7 (Proposals for disposal facilities) of the Warwickshire Waste Core Strategy these factors do tend to weigh in favour of the proposed development. Parkfield Road Quarry however is somewhat remote from the main source of the waste materials expected to be utilised to infill the site. Surplus excavation wastes are most likely to be sourced from tunnelling works towards the southern end (London and suburbs) of the HS2 construction project. Thus it would be difficult to say that there is an overriding need to dispose of this waste material in this specific location. That said Parkfield Road Quarry benefits from a rail link, thus enabling the waste materials to be transported to the site by rail. In policy terms this is supported as a sustainable form of transport. Once transport by rail becomes a viable option, it is not unusual for waste can be transported over greater distances for disposal than if transported by road.
- 4.46 Set against this are a number of wider policy constraints within the development plan which seek to ensure a satisfactory pattern of development in order to protect the natural and built environment and amenity of neighbouring occupiers from any adverse impacts resulting from development. These matters are discussed below.
- 4.47 The proposed development by its very nature would undoubtedly have environmental effects and impacts during the infilling and restoration of the site. This is inevitable given the nature and scale of the operations which would be involved. Existing habitats and biodiversity within the quarry void would either be destroyed or dramatically altered by the development. Parkfield Road Quarry is located within an urban area in very close proximity to residential properties which are very much sensitive receptors. The activities associated with infilling the quarry void would generate new sources of noise and disturbance to the area. The submitted Environmental Statement concludes that with the implementation of mitigation measures the proposed development could be undertaken without resulting in significant adverse impacts upon the living environment of nearby residents or the biodiversity of the site and surroundings in the long term. Advice and guidance has been sought from various technical consultees on the proposed development. This advice indicates that subject to the mitigation measures proposed and with the use of suitably worded conditions the effects and impacts of the development on the built and natural environment and residential amenity would be controlled to an acceptable level. It is therefore concluded that the proposed development accords with the policies contained within the Development Plan.

Amenity Issues

4.48 Parkfield Road Quarry is located within the urban area of Rugby in very close proximity to residential properties. Residential dwellings are focused around the southern side of the quarry and immediately adjacent to the rail siding. This includes properties at; Tank Cottages, Izod Road, Follager Road, Jubilee Close, Bridle Road and Lawford Bridge Close. Tank Cottages located to the eastern end of the site lie within 15 metres of the rail siding and 18 metres of the quarry void. Properties located within Izod Road and Follager Road located to the south are situated around 15 metres from the rail siding and 40 metres of the quarry void. Dwellings within Avenue Road are situated a little more than 30 metres from the rail siding and 60 metres from the working pad and quarry void. Dwellings located within Jubilee Street are located approximately 80 metres from the rail siding. Dwellings within Bridle Road are located within 30 metres of the rail siding. Properties within Lawford Bridge Close are located within 15 metres of the rail siding.

Noise

- 4.49 Initial site set up, operation of plant and machinery; unloading of trains, the transfer of waste material into the quarry void and the spreading and compacting of deposited material within the site would all be sources of noise. Additionally, and perhaps most significantly for residents living close to the rail siding, the operation and movement of trains into and out of the rail sidings as well as the shunting of wagons and rollingstock during unloading would also be noise generators.
- 4.50 The rail sidings have not been used for many years and similarly no activity has taken place within the quarry void itself since works to remove previously deposited Cement Kiln Dust were completed several years ago. Thus, the proposed development would very much result in the introduction of new sources of noise to the immediate vicinity.
- 4.51 In order to limit any potential adverse impacts, initial site setup would include the provision of acoustic screening measures at various locations around the periphery of the site. This would include:
- A 5m high soil screen bund constructed along the southern edge of the void, parallel to the rail siding;
 - An 8m high acoustic wall extending 40m in length along the southern edge of the rail offloading area;
 - A 5m high acoustic wall along the southern edge of the western area of the rail siding in the rail locomotive crossover area; and,
 - A 5m high acoustic wall along the south eastern edge of the site, between the boundary and Tank Cottages.

- 4.52 The submitted planning application included a noise assessment to; establish baseline noise levels, suggest site noise limits and to test compliance with the noise limits to examine the potential noise impact of the proposals. The assessment acknowledged existing background noise sources within the vicinity, including those generated by the West Coast Main rail line, the Rugby Western Relief Road and Rugby Cement Works. The Assessment also included noise calculations for the proposed development. The calculated noise levels, for both the initial temporary site preparation works and the train unloading and site infilling operations, indicate that the development could be undertaken in compliance with the suggested site noise limits at all of the assessment locations. The assessment therefore concludes that with the use of the acoustic screening measures proposed and the imposition of suitably worded conditions to control hours of operation and limit noise emissions, the proposed development could be carried out without resulting in significant adverse impact upon nearby residents. The applicant proposes to undertake noise monitoring at key stages during the development in order to ensure compliance with noise conditions.
- 4.53 A key concern raised by residents is noise and disturbance resulting from the movement of trains, particularly those extending into the later evenings. The main hours of operation within which the majority of activity would take place on site, including train movements, would be 0700 hours to 1900 hours Monday to Friday and 0700 hours to 1300 hours on Saturdays. It is however proposed that train movements would take place over a longer timescale, between 07:00 hours and 23:00 hours, 7 days a week. The applicant advises that this would involve at most one train entering the site, stopping and switching off and one train starting up and leaving the site. There would be no other activity such as unloading during this period and the trains would not be allowed to idle on site. The submitted noise assessment also examined noise from trains and demonstrated that train movements could be undertaken within the proposed noise limits. Whilst such movements would involve heavy slow-moving diesel locomotives, evening and night time movements would be carried out over relatively short time periods thus further reducing overall impact.
- 4.54 The Environmental Health Officer from Rugby Borough Council has reviewed the noise assessment and further supporting details submitted and accepts their conclusions. The EHO recommends that a series of conditions be included within any planning permission granted. This would include for the provision of; acoustic barriers, noise limits, noise monitoring and hours of operation. Suitably worded conditions are proposed.

Air Quality/Dust

- 4.55 The operation and movement of plant, machinery and trains would result in emissions to air. Additionally, the unloading, transport and deposit of waste materials on the site has the potential to generate dust emissions.
- 4.56 The submitted planning application included an air quality assessment. This covered existing air quality conditions in proximity of the application site and assessed the likely effect that dust generated during the restoration works would have on local air quality and amenity of receptors close to the application site.
- 4.57 In order to reduce the potential for dust emissions, handling of waste materials would be kept to a minimum by transferring directly from trains into dump trucks for transfer down into the landfill. The unloading area would be concrete surfaced and water suppression would be used to minimise potential dust emissions. Acoustic screens proposed to be erected along key boundaries would further serve to reduce dust emissions from the site. Site operations close to sensitive receptors where there is a risk of slight adverse effects would be suspended if visible dust emissions cannot be controlled. If required, a water misting system would be installed, alongside the acoustic barriers, if visible dust were to become an issue.
- 4.58 The submitted air quality assessment concludes that, with the designed in mitigation measures, there is a risk of slight effects due to dust deposition at residential receptors close to the southern and eastern site boundary. However, additional dust control measures would be implemented should visible dust occur beyond the application site boundary close to residential receptors, and site operations would be suspended if visible dust emissions cannot be controlled. With these additional dust controls, the air quality assessment concludes that, adverse effects are likely to be negligible. The effect of dust has therefore been determined to be not significant.
- 4.59 A further technical note assessed impacts upon air quality resulting from rail movements and operation of plant and equipment on site in more detail. This concludes that exposure from emissions to air would result in negligible impact and in the case of dust the risk from on-site transportation is considered to be medium after mitigation.

- 4.60 The Environmental Health Officer from Rugby Borough Council has reviewed the air quality assessment and technical note and accepts their conclusions. The EHO accepts that should visible dust emissions occur mitigation measures could be stepped up to tackle various levels of dust emission. The applicant advises that this would be covered in more detail within a Dust Management Plan which would form part of the Environmental Permit. The EHO accepts that continuous particulate monitoring is not considered necessary. However, they remain concerned that the existing background is low, so any increase would be more likely to be noticed and be a cause for complaints. The EHO accepts that visual monitoring may be undertaken initially but in the event of complaints combined with evidence of dust leaving the site/dust deposition on sensitive receptors requires other forms of monitoring.
- 4.61 The proposed Dust Management Plan would form part of the Environmental Permit administered and monitored by the Environment Agency. Planning guidance advises that planning authorities should not concern themselves with the control of processes which are a matter for the pollution control authorities. Waste planning authorities should work on the assumption that the relevant pollution control regime will be properly applied and enforced. Notwithstanding this, it is accepted that additional dust mitigation measures may be required. In addition, dust has been raised as a concern by nearby residents. In order to ensure that appropriate measures are put in place to control dust emissions it would not be unreasonable to secure a Dust Management Plan via development management procedures. A Dust Management Plan and dust monitoring scheme could be secured by planning conditions. Suitably worded conditions are proposed.
- 4.62 Parkfield Road Quarry is located within a declared Air Quality Management Area, which covers the whole of the urban area of Rugby and beyond. Designation of the AQMA follows a review of air quality in the Borough finding places within the urban area where air quality was likely to be below national quality objectives. Significantly, the AQMA has been declared in respect of nitrogen dioxide resulting from road traffic pollution in the centre of Rugby. The proposed development would not generate significant additional road traffic, with waste materials all transported by rail. Rail freight relies on diesel powered locomotives which clearly generate emissions to air. However, three rail freight deliveries per day would not be a significant number. Nitrogen dioxide concentrations and effects of the number of locomotives proposed are considered to pose no risk of exceeding DEFRA Air Quality Guidance in this respect. The EHO accepts these conclusions.

Landscape & Visual Impact

- 4.63 Parkfield Road Quarry currently appears as a large, deep, steeply sided former quarry. The steep rock faces are partially vegetated with a large deep waterbody at its base. Visually the site very much appears as a former mineral working. However, views of the site are limited and localised. This includes from points on; the West Coast Mainline, Parkfield Road, adjoining footpaths and adjacent residential properties.
- 4.64 The application site is located within the urban area of Rugby with no statutory landscape designation. The surroundings are very much a mixed industrial landscape and residential setting dissected by transport corridors. The immediate vicinity would not be considered to be of high landscape value.
- 4.65 Visual impact of the proposed development needs to be considered in both the short and long term.
- 4.66 In the short term, operations to infill the site, including operation of plant and machinery and movement of trains and shunting of wagons, would all be visible from various points outside of the site. Initial works would involve draining the waterbody from the void and the removal of vegetation cover from the southern boundary of the site and quarry sides, which would potentially open up views into the site. Early works would also involve the construction of a 5 metre high (rising up to 7 metres) noise bund between the quarry void and siding as well as acoustic fencing standing between 5 and 8 metres in height at various points along the boundary of the site. These features would assist with visually screening operations undertaken on site, although clearly, these features would in themselves have a visual impact. The height and proximity of these features to nearby residential properties have been raised by near neighbours as a concern in terms of visual impact.
- 4.67 The operational phase of the development would introduce a period of relatively intense industrial activity to a site which in recent years has been relatively tranquil and visually inactive. The operational phase of the develop would undoubtedly have a visual impact, particularly for the nearest neighbours. Many of whom may consider this to be an unacceptable visual intrusion. However, this needs to be considered in the context of the overall development and aim in terms of restoring the former mineral working. The operational phase of the development would be undertaken over a relatively short timeframe of five years. Although, again near neighbours of the site may disagree that five years is a short timescale. These operations would be carried out within an area where industrial activities and processes take place in close proximity to residential areas. Thus, in this respect industrial activities are not unusual in this location and the proposed development would be seen in this context. Upon completion of the operational phase of the development, the plant and machinery, rail

traffic and screening features would be removed from the site. Thus, the perceived negative impacts would be reversible.

- 4.68 In the long term, the infilling and restoration of the site is itself the primary means of mitigating adverse landscape and visual impacts. The infilled site would be returned to near original ground levels tying into the surrounding topography. The restored site, incorporating native woodland planting, waterbodies, marginal planting and species rich grassland, would result in a more sympathetic natural landform, appropriate to the surrounding landscape. This in time would compensate for the trees and vegetation lost during the operational phase of the development. Whilst the application site is situated within a heavily developed area, green corridors and smaller parcels of green space punctuate the surroundings. The restored site would integrate into this patchwork of green space. In the long term the restoration scheme would enhance the visual and landscape impact of the site in the context of the overall setting and on local receptors. This would be an overall benefit in the long term.

Ecology

- 4.69 Parkfield Road Quarry underwent a restoration and aftercare scheme a number of years ago following the removal of previously deposited Cement Kiln Dust from the site. The previous restoration and aftercare schemes were very much designed around and tailored to the nature of the landform, being a deep steeply sided void with a large expanse of deep water at its base. Vegetation is essentially restricted to the margins of the site. The previous restoration scheme included floating reedbeds and marginal planting. Whilst this scheme has been complete for a number of years the applicant is of the view that it has not been as successful as hoped and as a result does not support such a diverse range of species as envisaged. The floating reedbeds have had limited success and the open waterbody is deep and unvegetated offering limited biodiversity benefit. That said Parkfield Road Quarry is not devoid of wildlife and habitats and both the quarry and the adjoining rail siding have both been identified as potential Local Wildlife Sites.
- 4.70 The submitted planning application included an Ecological Impact Assessment. This included a baseline survey of the ecological conditions of the site and immediate surroundings and identified the ecological features with the potential to be affected by the proposed revised restoration. It assessed the potential impacts that the proposed works could have upon the flora and fauna and considered mitigation measures required to reduce, compensate or avoid these impacts. The assessment identified the potential presence of notable habitats and protected species. In respect of Peregrine Falcon Parkfield Road Quarry has been known to support a breeding pair in the past. However, site surveys carried out in 2017 identified no breeding presence at that time, but that the cliffs provided suitable

habitat. The applicant subsequently undertook further assessment which confirmed negative results for the presence of badger, white clawed crayfish and Great Crested Newts on site. The further surveys revealed a good population of grass snakes on site and suggested mitigation in the form of translocation.

- 4.71 The County Ecologist accepts the findings of the extended surveys and recommended that any planning permission granted should include conditions relating to: nesting birds; Construction and Ecological Management Plan; Landscape and Ecological Management Plan; Bat surveys and mitigation; geological exposure protection, lighting; tree protection zones.
- 4.72 A preliminary Biodiversity Impact Assessment (BIA) calculation carried out by the County Ecologist concluded that the development would result in a negative habitat biodiversity score. Following further discussion with the applicant it was agreed that the nature of the large deep water body within Parkfield Road Quarry was such that its ecological value is not as high as first thought. Thus, potential biodiversity losses would not be as high as first envisaged. Furthermore, the applicant has proposed to make ecological enhancements to the nearby Lodge Farm Quarry (also owned by the applicant) which would be able to offset the losses at Parkfield Road Quarry resulting from the proposed development. Thus, overall biodiversity net gains could be secured which in the long term is positive. The County Ecologist accepts these findings and recommends that a condition is placed on any planning permission granted to secure this gain. It is therefore considered that through the implementation of a comprehensive restoration scheme biodiversity losses can be mitigated and result in gains in the long term.

Transport & Vehicle Movements

- 4.73 All waste materials utilised to infill Parkfield Road Quarry would be delivered to the site by rail to the existing rail siding adjoining the quarry void. This is clearly a significant benefit in terms of reducing potential impacts upon the surrounding highway network. A suitably worded condition is proposed to ensure that all waste materials are delivered to the site by train only.
- 4.74 Highway access to the site would be gained via an existing access onto Parkfield Road. The access would be required for initial site set up, delivery of plant and machinery, delivery of acoustic fencing and personnel. In the longer-term access into the application site by personnel would also be gained directly from the Cement Works, which is accessed off Lawford Road, through an existing tunnel beneath Parkfield Road. Both of these highway accesses are designed and constructed to accommodate the type of traffic the development would generate. In terms of numbers, the level of highway traffic generated

by the development would not be significant. WCC Highways therefore raise no objection to the proposal.

Ground & Surface Water

- 4.75 Parkfield Road Quarry currently contains a large deep waterbody which requires constant management in order to maintain water levels below that of the tunnel access through into the adjacent Cement Works. In order to undertake the proposed development it would be necessary to first de-water the site and continue pumping throughout the infilling works. Pumped waters would be discharged to the Sow Brook as they are currently. The restored site would comprise of a landform gently sloping down into an attenuation pond. In the long term it would be necessary to continue to manage water levels by pumping water from the site to a discharge point at the nearby Sow Brook.
- 4.76 The submitted planning application included an assessment of the hydrological and hydrogeological aspects of the development as well as a Flood Risk Assessment. These assessments conclude that, impacts to groundwater would be negligible during filling phases and post restoration as groundwater would be lower at the site compared to the surrounding area. It is therefore concluded the site is hydraulically contained which would prevent the outward migration of contaminants from the site. The assessment does not anticipate de-watering of the site to result in adverse impacts. The site has historically been de-watered with no adverse impacts. Surface water from the restored site would be managed and pumped to the Sow Brook for discharge as it is currently. Despite the low sensitivity groundwater environment and the fact that the site is hydraulically contained, the applicant proposes to increase the number of groundwater monitoring wells from the current two to five in order to monitor groundwater going forward.
- 4.77 The Environment Agency and Lead Local Flood Authority have been consulted on the planning application and have raised no objection to the proposed development.

Restoration

- 4.78 The previously implemented scheme was focused on habitat creation and advancing the ecology of the site. The implemented scheme was however very much designed around the constraints of the site. As a result, the site remains a deep steeply sided quarry void with a large expanse of water at it's base. The steep quarry faces have experienced some localised stability problems, resulting in the closure of an adjoining public footpath, and for health and safety reasons the site remains securely fenced with no public access. The previously implemented ecological restoration scheme has also not resulted in the envisaged biodiversity gains or variety.

- 4.79 The proposed restoration scheme would result in the site being infilled to near original ground levels, removing the deep void and steep quarry faces. The restored landform would link into the surrounding topography, appearing more natural and integrated. The restoration proposals seek to strike a balance between landscape enhancement, habitat creation and public access, including reinstating a currently stopped-up footpath link. The restored site would include a mosaic of habitats and landscape features which in the long term would be more sympathetic and an enhancement to the surroundings. The restored landform would enhance the landscape character of the site and improve visual amenity for adjacent receptors. The proposed restoration scheme would deliver a more diverse habitat mosaic which would result in wider biodiversity benefits.

Rights of Way

- 4.80 Parkfield Road Quarry is adjoined on practically all boundaries by public rights of way. Public footpath RB5 runs along the eastern, southern and western boundaries of the void. Whilst public footpath RB4 runs along the norther boundary of the site.
- 4.81 The section of public footpath RB5 which runs along the southern boundary of the site has been stopped up for a number of years for reasons of safety following a landslip on the southern edge of the void, in relative proximity to the alignment of the footpath. The restoration proposals include provision to reinstate this path along an alternative route centrally through the site. This would be a benefit in terms of improving connectivity within the local rights of way network and overall public access to green space within the urban area.
- 4.82 The route of public footpath RB5 along the south western boundary of the void runs between an existing footbridge over the rail siding and the Western Relief Road (Parkfield Road) and provides a link from Jubilee Street/the residential area to the south of the rail siding to the Western Relief Road and a pelican crossing at the junction of the footpath with the road. The route of the footpath runs in close proximity to the proposed main rail offloading operational area, and for operational and safety reasons, it is proposed that the footpath be temporarily diverted to the west to take pedestrians safely away from the operational area via a short diversion. It would run in a westerly direction from the northern side of the footbridge west, and then around the eastern edge of the existing circular chalk storage tank which forms part of the cement works infrastructure. It would then reconnect into the existing route of footpath RB5 some 20m south of the relief road where it would continue to run to the existing pelican crossing. This would increase the length of the footpath by around 45m. This would enable the footpath link to be safely maintained between the residential area to the south of the rail siding and Parkfield Road for the duration of the development. The footpath would be reinstated to its existing route

upon completion of the restoration works. This temporary diversion would be acceptable for the duration of the development.

- 4.83 WCC Rights of Way Team have been consulted on the development proposals in respect of impacts on the public rights of way network and raise no objections.

Conclusion

- 4.84 The proposed infilling and restoration of Parkfield Road Quarry would introduce a period of intense activity to a site that has largely remained undisturbed for a number of years. Parkfield Road Quarry is located within an urban area in close proximity to residential properties. Tank Cottages located to the east of the site and dwellings within Izod Road, Follager Road, Jubilee Road, Bridle Road, and Lawford Bridge Close located to the south are situated in very close proximity to the site.
- 4.85 The proposed development by its very nature would undoubtedly have environmental effects and impacts during the infilling and restoration of the site. This would be inevitable given the nature and scale of the operations which would be involved.
- 4.86 Existing habitats and biodiversity within the quarry void would either be destroyed or dramatically altered by the development. The nature of the site, a deep steeply sided quarry void with large expanse of deep water at its base, has resulted in the previously implemented restoration scheme not achieving the biodiversity gains or diversity envisaged. The proposed restoration scheme, along with enhancements made to the nearby Lodge Farm Quarry site, would result in a more ecologically diverse site with enhanced biodiversity gains.
- 4.87 Parkfield Road Quarry is located within an urban area in very close proximity to residential properties which are very much sensitive receptors. The activities associated with infilling the quarry void would generate new sources of noise and disturbance to the area as well as potential sources of dust and emissions to air. However, with the implementation of mitigation measures, including acoustic fencing, and compliance with operating conditions the proposed development could be undertaken without resulting in significant adverse impacts upon the living environment of nearby residents. Impacts upon residential amenity could therefore be controlled to an acceptable level.

- 4.88 The operational phase of the development would introduce a period of relatively intense industrial activity to the site and vicinity. The operational phase of the development would undoubtedly have a visual impact, particularly for the nearest neighbours. Mitigation measures, including the acoustic screen fencing and bund, would assist with visually screening operations on site. These features would however not totally screen the site and operational phase. This is however a mixed use area where heavy industrial activities are not unusual. The operational phase would also be relatively short in timeframe, with the negative impacts reversible. In the long term the infilling and restoration scheme is in itself the primary means of mitigating adverse landscape visual impacts. The restored site would integrate into the surrounding topography and result in a more sympathetic natural landscaped landform. This would be an overall benefit in the long term.
- 4.89 The development proposals would enable a waste product arising from construction of the HS2 rail project to be put to a positive use infilling and restoring a void remaining following mineral extraction, which gains general policy support. Furthermore, the application site benefits from a rail link enabling the fill materials to be transported by rail which which also gains policy support as a sustainable form of transport.
- 4.90 Advice and guidance has been sought from various technical consultees on the proposed development. The advice received indicates that subject to the mitigation measures proposed and with the implementation of suitably worded conditions the effects and impacts of the development on the built and natural environment and residential amenity would be controlled to acceptable level.
- 4.91 It is therefore concluded that the proposed development accords with the policies contained within the Development Plan and on balance is a proposal that can be supported.

5. Background Papers

- 5.1 Submitted Planning Application – Planning reference RBC/18CM017
- 5.2 Appendix A – Map of site and location.
- 5.3 Appendix B – Planning Conditions.

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