

Regulatory Committee – 08 June 2021

Edgehill Quarry, Edgehill

Infilling of Redundant Quarry to include Temporary Aggregates Recycling Facility and Restoration to provide 10 Recreational EcoPods

SDC/20CM009

Application No.: SDC/20CM009

Advertised date: 18 June 2020

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Registered by: The Strategic Director for Communities on 18 June 2020

Proposal: Infilling of Redundant Quarry with Inert Soils and Clays
to include Temporary Soils and Aggregates Recycling
and Recovery Facility and Restoration of the Quarry to
provide 10 No. Recreational EcoPods

Site & location: Edgehill Quarry, Edgehill, Banbury, OX15 6DH.
[Grid ref: 437128.246922].

See plan in Appendix A

Recommendation

That the Regulatory Committee authorises the grant of planning permission for the Infilling of Redundant Quarry with Inert Soils and Clays to include Temporary Soils and Aggregates Recycling and Recovery Facility and Restoration of the Quarry to provide 10 No. Recreational EcoPods subject to a legal agreement controlling vehicle routing and to the conditions and for the reasons contained within Appendix B of the report of the Strategic Director for Communities.

1. Application Details

- 1.1 This application relates to Edgehill Quarry a former iron stone quarry, which extends to approximately 7.8 hectares, located in the village of Edgehill.
- 1.2 The application is a two-part scheme that initially involves; the infilling of the quarry void, incorporating recycling of imported inert material; followed by a subsequent restoration scheme that includes habitat creation and 10 EcoPods for holiday let/recreational use.
- 1.3 The development proposes the infilling and restoration of Edgehill Quarry with inert soils and clays. The proposed development would include a temporary Soils and Aggregates Recycling and Recovery Facility (SARF) to be operated on site for the duration of the infilling operation.
- 1.4 The site would be restored to previous ground levels that existed prior to quarrying activities taking place across the site to blend into adjoining ground levels. Restoration of the site would be to a mix of nature conservation/ecological benefit whilst also combining 10 Recreational EcoPods and associated infrastructure. The EcoPods have been designed to provide high quality sustainable short-term occupation for holiday makers and tourists.
- 1.5 The application as originally submitted included four affordable dwellings as part of the restoration and after use of the site. Following the receipt of initial consultation responses, and discussions with consultees (Stratford on Avon District Council and Ratley and Upton Parish Council), the four affordable dwellings and associated vehicular access and infrastructure were subsequently removed from the proposal, so no longer form part of the application for consideration.
- 1.6 Infilling of the quarry with inert soils and clays would be carried out over a period of 12 years.
- 1.7 Around 350,000m³ of inert soils and clays would be required to infill the void left by mineral extraction to restore the quarry back to near its pre-quarry ground levels. Infilling of the site would be carried out in four phases, principally working from north to south across the site.

- 1.8 The proposed Soils and Aggregate Recycling and Recovery Facility (SARF) would be located at the southern end of the quarry void and would operate for the duration of the infilling operation. The application states that the SARF is required in order to secure sufficient inert waste clays and soil to complete the infilling operation. The SARF would process construction and demolition waste over a period of twelve years. The imported material is likely to include not only waste soils and clays but also aggregates including concrete, stones, rubble, etc. The processing plant would separate these materials enabling recycled aggregates to be produced. The application states that, the inert waste would be collected from demolition and construction sites within the immediate locality, with the intention to source as much of the material as possible from within the Area of Outstanding Natural Beauty. Some of the recycled materials would be exported from site to be reused elsewhere within the construction industry. The applicant estimates that around 20% of material brought to site would be recycled and exported elsewhere. It is anticipated that the SARF would accept 42,500 tonnes of inert demolition and construction waste per annum (a total of 510,000 tonnes over the 12 years). The remaining clays and soils, which have no further use, would be placed within the quarry void to raise the level back to pre-quarrying ground levels. Following completion of the infilling activity, the SARF would be removed from site.
- 1.9 Initial site set up would involve development of the Soils and Aggregates Recycling and Recovery Facility (SARF). This would be a compound area measuring approximately 100 metres by 100 metres sited on the base of the quarry void surrounded by a 7-metre-high earth bund, which would act as a noise mitigation feature. At this initial stage the existing site access would be widened and reconstructed. The highway access and internal access road would be surfaced with concrete or tarmac. Located within the SARF would be processing plant and equipment (including, screeners, graders, picking tables and a crusher), a weighbridge, a wheel wash, storage bays, single storey welfare facilities and office and parking area for HGV's and staff cars.
- 1.10 Infilling of the quarry void would commence (Phase 1) at the southern end of the site leaving a 2.5-metre-wide gap between the existing quarry face and deposited materials, in effect creating a sloped embankment. This is in order to retain the rock face in the long term and to replicate existing overburden stockpiles to provide suitable habitat for invertebrates. Infilling of the quarry void would then move to the northern end of the site (Phase 2), working gradually in a southerly direction to around the midpoint of the site. Phase 3 of the development would involve infilling the void between Phases 1 and 2, working south to north across the site. The final stage (Phase 4) would involve removal of the SARF and infilling and restoration of this area of the site.

- 1.11 Operation of the SARF and infilling operation would provide employment for five fulltime members of staff.
- 1.12 Access into the site by HGVs associated with infilling of the site and operation of the SARF would be via the existing vehicular site access off the C69 Edgehill Lane. The site access would be reconstructed and improved. Vehicles associated with the infilling and recycling operation would tend to be eight-wheeled bulk tipper HGVs or vehicles carrying skips. Some vehicles would operate on a back-haul basis delivering inert waste and leaving the site with recycled aggregates.
- 1.13 Operation of the SARF and infilling operation would generate a maximum of 11 HGVs (22 vehicle movements) accessing the site per day.
- 1.14 The applicant states that vehicles delivering waste to the site would be instructed to approach from the south by turning off the A422 onto the C69 Edgehill Lane. All vehicles leaving the site would be instructed to turn left out of the site towards the A422 via Edgehill Lane. Thus, avoiding travelling through the village of Edgehill. The application anticipates that any planning permission granted would be subject to a Section 106 Legal Agreement controlling vehicle routing and movements.
- 1.15 It is proposed that the SARF and infilling operation would operate 0800 to 1800 Monday to Friday and 0800 to 1300 on Saturdays with no operations on Sundays and Bank Holidays.
- 1.16 Following infilling of the void with inert material, the proposed restoration would include the construction of a small recreational development comprising 10 EcoPods for short term holiday let. The remainder of the restored area would be planted with a landscaping scheme which has been designed to screen the proposed development and deliver significant biodiversity enhancement. This would include a pedestrian site access at the north-eastern corner of the site and an internal footpath linking the 10 EcoPods to the proposed pedestrian site access at the north-eastern corner of the site. The Applicants also propose to construct a new public footway from the eastern access from the site into the village to link up with existing public footways/pavements within the village of Edgehill. The restored site would include numerous new water bodies, wetland features, substantial tree planting, woodland creation, scrub and landscaping.
- 1.17 Construction of the EcoPods would not commence until the majority of the third stage of infilling is complete which is likely to be between years 8-10. The EcoPods would be based on a caravan type construction, although would be a cabin style in appearance, built on a subframe with wheels having legs at all four corners that would be wound down to stabilise the Pod. Each EcoPod would stand on its own concrete pad and would not be physically attached to the ground.

Each of the 10 EcoPods would have one dedicated parking space in an area alongside the internal access road and lockable bike stands for two cycles next to their Pods. A further 2 parking spaces would be provided for employees/visitors to the site. Access to the restored site and EcoPods in the long term would be via the existing improved vehicular access off the C69 Edgehill Lane used for the SARF and infilling operations. Once the development is complete, the site would need to be managed and this would provide one full time job for a site manager who would be responsible for maintaining the site and managing the 10 EcoPods for holiday let use. Once in use it is envisaged the EcoPods would generate an average of 23 vehicle movements per day.

- 1.18 The application states that the built development element (EcoPods and associated infrastructure) of the restoration proposals comprises no more than 4% of the restored area. Therefore, 96% of the restored area would be set aside for biodiversity and landscape planting providing new habitat creation & ecological enhancement.
- 1.19 The application is a resubmission of a previous application (SDC/19CM023) which was withdrawn in March 2020. Planning application SDC/19CM023 also proposed the infilling of the quarry with inert spoils and operation of a temporary demolition and construction waste recycling facility. The restoration proposals submitted with application SDC/19CM023 proposed a mix of 29 residential park homes, six recreational EcoPods as well as nature conservation/biodiversity enhancements.
- 1.20 The key changes from this original planning application (SDC/19CM023) to the current proposals (SDC/20CM009) are; removal of the 29 park homes proposed, the provision of four conventional dwellings for affordable rented use (now also removed from this current application), an increase in the number of EcoPods from 6 to 10, and the total projected volume of inert soils and clays required for infilling and restoration of the quarry void reduced from 400,000m³ down to 350,000m³. In addition, the timescale for the development has increased from 6 years to 12 years. As a result, the tonnage of material to be imported to the site per annum has reduced from 97,500 tonnes per annum to 42,500 tonnes per annum.
- 1.21 Detail of the backfilling of the quarry void and operation of the SARF would be regulated by an Environmental Permit, under the Environmental Permitting (England & Wales) Regulations 2016, administered by the Environment Agency. The applicant/site operator would need to apply to the Environment Agency for the appropriate Permit(s) to allow for the operation of the soils and aggregate recycling facility and the placement of the waste soils and clays within the quarry void. This would set out in detail the types of waste that would be accepted on site and how the site would operate.

1.22 Prior to submitting the first planning application the applicant met with Ratley and Upton Parish Council to discuss the proposals and also held a public consultation with the local community to present the proposals and obtain feedback on the infill and restoration scheme.

2. Consultation

2.1 **Stratford-on-Avon District Council (Plg)** – based on the amended details and the removal of the proposed dwellings, the District Council withdraws its previous objection to the proposals subject to the imposition of conditions with regards to the EcoPods. This includes; siting, layout, number, landscaping and controls upon external lighting.

The District Council's initial response to the application, when it included four dwellings for affordable rent, was one of objection to the proposed development due to significant conflict with both local and national policy. These objections focused primarily on the affordable dwelling element of the proposals and can be summarised as:

- the site does not fall within or adjacent to a settlement;
- it is not a community led/supported scheme;
- concerns over deliverability and suitability of any scheme given that the dwellings would not be constructed for up to 12 years, by which time, a multitude of changes could have occurred in terms of the local area, policy and the need for such dwellings;
- do not consider that the proposal falls within any of the residential categories of development considered to be acceptable in a countryside location;
- there are little to no facilities within acceptable walking distances, notwithstanding the lack of any footpaths for safe and convenient walking, and therefore the development would be completely reliant on private vehicles trips to undertake simple day-to-day activities; and,
- the design and layout of the dwellings would be extremely poor with little to no consideration as to the context or how they would lie within the site

Given the above, this element of the proposals is considered contrary to Policies CS.15 and AS.10 of the Core Strategy and unacceptable in principle. The development would also fail to achieve the minimum design standards as set out within Policy CS.9 and CS.15 of the Core Strategy, Parts D and E of the Developments Requirements SPD, as well as the NPPF and the National Design Guide.

2.2 **Stratford-on-Avon District Council (EHO)** – the proposed development is likely to require a permit from the Environment Agency and the applicant is advised to contact them directly regarding their permitting requirements.

The site already has noise limit conditions drafted for the current activity on site. The report included shows that the limits can be met with the activities proposed by this application. Central government planning practice guidance dictates the limits that should apply to minerals activities and associated activities such as aggregate recycling. Taking into account this guidance and the fact that there are existing mineral activities and limits on the site, I have no objection in principle. Due to the increased length of time that this operation is proposed to take place, I consider that it would be prudent to apply conditions relating to the noise monitoring of the site.

I have read the submitted dust report - I have no objection subject to the imposition of conditions to control dust.

- 2.3 **Ratley & Upton Parish Council** – RUPC objected to the application but now the four affordable homes have been removed our objection is even stronger.

With the original application there was, at least, some end benefit to the proposal but without the end result of much needed affordable housing in the community the parishioners are now being asked to put up with 10 – 12 years of noise, dust, light pollution and road chaos for no end benefit.

The Parish Council's initial response to the application, when it included four dwellings for affordable rent, was as follows:

Following consultation with the parishioners of Ratley and Upton, Ratley and Upton Parish Council wish to object to the Edgehill Quarry application No. SDC/20CM009 on the following planning grounds:

1. Lorry movement:

A dramatic increase in the number of lorries using the 'main' road on the Western side of the site (sometimes incorrectly referred to as Grange Lane) will serve to significantly increase risks associated with road use by pedestrians, cyclists and horse riders. The residents of Edgehill in particular, who are closest to the proposed development, believe this will be to an unacceptable level and cause additional and excessive wear and tear to the already potholed road surface.

Whilst the overall projected number of lorry movements per day may not appear to be excessive on paper, there is great concern that there will be no safeguards put in place to prevent these numbers being regularly exceeded, but more importantly, that there are no apparent proposals to ensure that vehicles accessing and egressing the site do so between the site entrance and the A422 Banbury to Stratford Road to the South, rather than in the opposite direction via the narrow, and often restricted (by parked vehicles) road through Edgehill towards Ratley. There have been lower level works continuing on the site for many years and, despite very many complaints being made to planning

authorities and the Police, no action has been taken to prevent this unauthorised road use.

Crucially, there is nothing in the application that would suggest anything other than the current road use contraventions continuing but at a far greater volume. Whilst we were told in a recent Parish Council meeting that the intention of the developers was to use their own fleet of vehicles/drivers, he could not rule out contractors or sub-contractors being used at some point during the duration of the development, thus adding to lack of control over traffic movements.

2. Working Hours

Working hours are excessive, given that this operation will continue for many years, unabated.

There is also no indication of what measures will be put in place to ensure that the stated working hours will be adhered to and not be exceeded and importantly how this will be monitored. We believe that it is most likely that there will be no effective restrictions to the hours that operators can access the site, especially as there will be provision for lighting. At worst, residents fear this could potentially become a 24-hour operation. Operating hours during 2017 on the same site by the same operator frequently started very early in the morning and into the evening hours causing intrusive background noise for residents (see below further points on noise). There is no reassurance within the application as to exactly how these working hours will be effectively policed, resourced and monitored, so residents believe the onus will effectively fall to them. This would be entirely unacceptable. The operation on Saturday mornings is also seen by many as excessively intrusive in what is a local beauty spot which is popular with locals and tourists to a peaceful part of the Area of Outstanding Natural Beauty.

3. Pollution

3.1 Noise. Given that the quarry is situated in an area of low ambient noise, a small increase in noise levels will have a dramatic effect. The residents close to the quarry site have first-hand experience of excessive and chronic noise being generated from that site in the recent past (the spring/summer of 2017). Although the fundamental problem was reportedly due to a failing component on a stone crusher, it took many weeks of suffering and complaints before the Operator addressed the problem by replacing a bearing. The Operator presumably knew what the problem was but chose not to proactively address it themselves without the need for Environmental Health prompting action. This sheds understandable concern with residents regarding the ability of the Operator to carry out swift, responsive and effective self-monitoring.

The Parish Council are unconvinced by the effectiveness of the measures being proposed for noise abatement purposes but more

importantly are concerned about the on-site monitoring and that if/when these measures fail to reduce noise to an acceptable level, what could be done to enforce further, more effective measures – we suspect very little.

3.2 Dust. Local residents are already well aware of the effect that the current operation has with regard to dust generation and the prevailing SW wind direction means the majority of residents are directly downwind of the proposed operation. It is possible that the proposed works will generate less dust than has been seen in recent years, but this is considered unlikely given the large number of vehicle movements being projected.

Again, Councillors and residents are concerned that if monitoring is not conducted properly and/or dust-mitigation measures are not adequate then additional retrospective control measures may be difficult or impossible to enforce.

3.3 Light. As the operation of the site is clearly not going to be restricted to daylight hours, the level of site lighting is likely to be considerable, to the point where it must cause a nuisance to local residents.

If, despite suggestions to the contrary, it transpires that light pollution is excessive nuisance / discomfort to residents, it is difficult to envisage retrospective curtailment of site lighting or enforced restriction of site operation to daylight hours.

4. Recycled materials.

Whilst it is acknowledged that it is fully intended to restrict the tipping / recycling operations to inert materials, there is concern that policing of loads will be difficult or impossible. There would appear to be little / no provisions in place to guarantee and carry out regular and rigorous checks on the content of lorries entering the site.

Whilst the Parish Council have no particular concerns regarding the eventual housing proposals per se, it is considered likely that this aspect of the application may change considerably, or perhaps be dropped altogether in due course.

We believe that the extensive and prolonged nature of the development and risks identified (noise, pollution, traffic etc.) and the negative impact on quality of life during the development is unacceptable. This is particularly so given the relatively small gains that the development will bring during its projected 12-year lifespan to the local rural community. Indeed, whilst the plan boasts a 40% uplift in habitat, there will be little or no benefit to the local community to enjoy the space – this would seem to be contrary to recommendations made by the Government's own commissioned review of protected landscapes – the Glover Review. The application fails to give any reassurance of there

being sufficiently robust, reliable monitoring and controls in place. We strongly believe that the scale and nature of the operation would need a significant and guaranteed investment of resource from the local authorities in order to enforce the operation to a level that secures the right standard of safeguards to properly protect the health and wellbeing of locals and visitors.

In conclusion and reflecting carefully on the strong views expressed by the local residents who are most greatly impacted by the proposed developments, the Parish Council cannot support the development.

2.4 **Tysoe Parish Council** – no comments received.

2.5 **Radway Parish Council** – objects to the application for the following planning reasons;

1. Increase in heavy trucks in Edgehill and possibly Ratley, both of which are in the Cotswolds Area of Outstanding Natural Beauty (AONB).
2. Increased noise level pollution in the AONB and Ratley Conservation Area.
3. Increased dust pollution in the AONB and Ratley Conservation Area.
4. Increased light pollution in the AONB and Ratley Conservation Area and wider area.
5. No evidence of regulation of what actually goes into the site.
6. No certainty on how long the activities will actually go on for.

2.6 **Councillor Chris Mills** – no comments received as of 28/05/2021.

2.7 **Environment Agency** – no objections to the proposed development.

We have reviewed the Hydrogeological Risk Assessment submitted in support of this application. We understand this assessment comprised a site walk-over, a detailed desk-based study and a site investigation involving three rotary boreholes down to a depth of 10 metres BGL, with subsequent monitoring confirming resting groundwater levels at approximately 9.5m BGL (below the current depth of the quarry floor). We agree with the conclusions of the report that there are no significant risks to “Controlled Waters” during or following the proposed restoration and development works. As such, we do not see the need for a specific planning condition asking for further detailed calculations, programming or mitigation measures to control possible disturbances to the natural groundwater levels in the area, as there is no case of the groundwater having to fully rebound first to re-establish its normal hydrological continuities and linkages with local surface waters and/or groundwater abstractions. Further to this, if only inert soils and materials are used for infilling, there is no risk of deterioration in the quality of the underlying aquifer due to possible future pollution leaching and migration from those fill materials and thus no need for longer term monitoring.

However, the applicant will need Environmental Permits from our National Permitting Service to backfill, store, treat extractive wastes and restore the current quarry, ensuring only inert and suitable materials will be used in the right volume and with no detrimental effects to the environment. Importation of materials / waste, as proposed, is an activity that is controlled under the Environmental Permitting (England and Wales) Regulations 2016 and therefore an application must be made under this regime. As part of this application, it must be demonstrated with evidence that the deposition of materials will not pose risks to “Controlled Waters”.

- 2.8 **WCC Highways** – no objection subject to the imposition of conditions to secure widening and surfacing of the existing site access onto the C69 Edge Hill Lane and provision of wheel washing facilities prior to infilling of the site commencing. In addition: prior to occupation of the Recreational EcoPods provide improvements to pedestrian footways on public highways D6434 Edge Hill and D6433 Quarry Road so as to provide for footways and footpaths linking the proposed Recreational EcoPods to the existing footway on Quarry Lane; provision of a pair of bus stops on the public highway D6433 Quarry Road; provision of adequate parking on site; and, remodelling of the existing access onto the public highway C69 Edge Hill Lane.
- 2.9 **WCC Ecology** – happy that the affordable homes have been removed and only the EcoPods are proposed which are not a permanent feature. However, compensation is required for loss of habitat for the EcoPods and this is to be enacted through the updated 'Proposed Quarry Restoration Plan and will be carried out through a Landscape and Ecological Management Plan (LEMP) condition. The LEMP should also include a Maintenance and Management Plan for the spoil mounds which are species rich for invertebrates as well as the retention of some bare ground for them. It should also contain a plan to cut the grassland regularly on a varied and rotational basis for invertebrates. Additionally, a maintenance and management plan for the proposed water bodies is required, plus for the geological site.

It is recommended that pre-checks are carried out for badger, reptiles and nesting birds prior to any works taking place including any management and maintenance works. This can be enacted through a Construction and Ecological Management Plan (CEMP) condition.

- 2.10 **WCC Landscape** - comments as follows:

Landscape Impacts

The Warwickshire Landscape Guidelines (WLG) identifies the key factors which characterise each landscape type and provide management guidelines for how the local landscape character may be conserved, restored or enhanced. The application site lies within the Cotswolds - Plateau Redlands landscape type. It sits on a relatively

narrow plateau ridge, with the distinctive marlstone escarpment to the west and Sor Brook valley to the south east. The tableland is of an open character with a large-scale geometric field pattern of hedged arable fields. Woodland cover is generally confined to the steep slopes of the escarpment and valley sides, on the fringes of the nearby villages and around Upton House. However, there is established woodland to the north of the site and on the western and northern boundaries of Edgecombe House which creates a degree of enclosure and reduces the sense of scale of the local area.

Planting additional woodland on a small scale (approximately 1.5ha is proposed) will marginally increase the amount of enclosure on the tableland but would visually tie in with existing blocks of woodland on the fringes of the village of Edgehill. The WLG try to direct new woodland planting along valley sides and steep slopes around the fringe of the tableland to help maintain its open character. Therefore, small scale woodland planting is considered to be a low priority in this landscape type with the emphasis placed on conserving the primary hedgerow boundaries, i.e. along roadsides, bridleways, footpaths and farm and parish boundaries. Strengthening the hedgerow network through maintaining and recreating field hedgerows along the northern boundaries would help to improve the condition of the landscape and tie it in with the wider open farmland setting.

The proposed eco-pods are small scale structures, these would be located within the central part of the site and screened by the new native tree and hedge planting. The proposed recreational use and additional tree planting will change the character of the immediate landscape but since it will cover a relatively small area within the Plateau Redlands Landscape type and is sufficiently set back from the plateau edge this change would not be considered significant.

The site sits within the Cotswolds AONB indicating the national importance of the landscape and its sensitivity to change. Policies for the management of the AONB require development to; *'seek to conserve and enhance the natural and cultural capital of the AONB and the ecosystem services that they provide'* (policy CC4); *'be compatible with and reinforce the landscape character of the location'*, (as described by the Cotswolds Conservation Board's Landscape Character Assessment and Landscape Strategy and Guidelines); and *'have regard to the scenic quality of the location and its setting and ensure that views – including those into and out of the AONB – and visual amenity are conserved and enhanced'*(policy CE1).

The LVIA references the character of the existing Cotswold woodlands. Historically this area would have been cleared for farmland. There are no potential direct links or extensions to ancient woodland.

The site lies within National Character Area (NCA) 95 Northamptonshire Uplands. This NCA is characterised by gently rolling and rounded hills and valleys, with long low ridgelines; generally sparse woodland cover with small, scattered, visually prominent broadleaved woods and coverts; mixed farmland enclosed by high hedgerows with frequent mature hedgerow trees; lowland dry grasslands within the valleys; small nucleated villages; a dense network of narrow lanes with wide grass verges; many historic houses, parks and gardens; long distance paths; and wide long-distance views from the edges and across the ridge tops.

The management guidelines seek to direct the planting of new broadleaved woodland in suitable locations without compromising views from the ridges or the open landscape character of the AONB. The '*existing sheltering planting patterns*' of woodland around the village is seen as contributing to its sense of place and the expansion of broadleaved woodland around the settlement edge, away from ridges and historic features is encouraged. Strengthening the hedgerow network through maintaining, restoring and / or recreating field hedgerows is considered an improvement to the condition of the landscape.

In landscape terms the proposed development and restoration would have minimal impact. The land would be returned to a mix of woodland, scrub, grassland and separated temporary ponds and pools for low key recreational use. Field boundaries would be maintained and added to, helping to tie the development into the wider landscape setting.

Visual Impacts

The site is visually well contained owing to a combination of vegetation along its boundaries and landform. As the site is infilled it is likely that there would be views of machinery working at higher levels from local roads and public footpaths. The widening of the existing access requires the cutting back of the existing boundary hedge and tree canopy for a length of 160.8m to improve the visibility splay and this would potentially increase views into the site from Grange Lane. However, the visual impact is of a temporary nature and of a medium-term duration. According to the Design and Access Statement, restoration is to follow on from the infilling of the void. Whereas paragraph 11.5 of the addendum to the Planning Statement indicates that restoration works (including planting) would take place once stage 2 is completed. If this is the case new planting would begin after 8 years, while the site is still in operation.

The LVIA has assessed where there could potentially be publicly accessible viewpoints of the proposed development, these include from important public rights of way, including the Centenary Way/Macmillan Way. The proposed recycling and infilling operational works would have very little influence on views, being limited to glimpsed filtered views of machinery and buildings through the existing vegetation in winter. Views into the site are most likely from the adjacent roads / lanes and these would be filtered by vegetation along the site boundaries. This complies with policy CE1 of the Cotswold Management Plan.

In time the proposed woodland and hedgerow planting would visually merge with the existing woodland to the north and west of the site, on the periphery of Edgehill and along the escarpment. The eco-pods are small scale structures and would be located within a planted woodland setting and so are unlikely to be visible beyond the site boundary. External lighting would be low-level timber pedestal lights positioned in a staggered arrangement along the access road. Therefore, there would be no potential significant effects on views.

- 2.11 **WCC Flood Risk Management** - it is noted that the surface water drainage scheme put forward is similar in principle to previous application SDC/19CM023 for which the LLFA (Lead Local Flood Authority) recommended conditions. It is noted that the extent of impermeable areas has reduced in the latest proposals. Based on the information submitted the LLFA has No Objection subject to conditions to secure a detailed surface water drainage scheme and its long-term maintenance.
- 2.12 **WCC Archaeology** – no archaeological comments to make on this application.
- 2.13 **WCC Fire & Rescue** – no objection subject to a condition requiring the submission of a scheme to secure the provision of adequate water supplies and fire hydrants for firefighting purposes.
- 2.14 **Cotswold AONB Conservation Board** – The Board acknowledges that the amended details relate to the removal of the four dwellings and associated vehicular access from the proposed infilling and restoration of Edgehill Quarry. Having reviewed the applicant's 'Addendum to the Planning Statement' document, we understand that this change has been made following discussions between the applicant, Warwickshire County Council and Stratford on Avon District Council in September 2020.

The Board objected to this planning application prior to the removal of the four dwellings. The Board also objected to the previous planning application for this site (Ref: SDC/19CM023).

As you will be aware from those responses, the Board's over-riding concerns regarding the proposed development relate to the landfill operation itself. For example, our previous objection primarily related to:

- (i) the inappropriate nature and scale of the landfill and waste recovery / recycling / export operation, particularly in the context of its location in the Cotswolds National Landscape; and
- (ii) the number of HGV movements that would be involved in transporting waste to and from the site as part of this landfill and waste recovery / recycling / export operation and the impact that these HGV movements would have on the tranquillity of the Cotswolds National Landscape.

The Board acknowledges that the removal of the four dwellings from the proposed development has the potential to reduce the overall adverse impacts of the scheme to a small degree. Removing these dwellings also has the potential to provide some minor benefits, such as the creation of a slightly larger area of lowland calcareous grassland in the restoration scheme.

However, we consider that the potential benefits of removing the four dwellings would be dwarfed by the significant adverse impacts and inappropriate nature and scale of the overall proposed development, particularly the landfill and waste recovery / recycling / export operation.

For these reasons, the Board maintains its strong objection to planning application SDC/20CM009.

The AONB Board's initial response to the application, when it included four dwellings for affordable rent, is summarised as follows:

Objects to the proposed development for the reasons outlined below.

The Board acknowledges that the applicant has taken some steps to reduce the potential adverse impacts of the proposed development, compared to the previous, withdrawn planning application (SC/19CM023). However, we consider that the planning application should be considered on its own merits, rather than in comparison to the previous planning application.

Whilst the Board acknowledges some of the potential benefits of the proposed development, we consider that the nature and scale of the proposed landfill and waste processing operation is completely inappropriate in the highly sensitive landscape of the Cotswolds Area of Outstanding Natural Beauty (AONB).

The Board question the amount of waste required to be imported to the site (and the amount of material that would be exported from the site) believing it to be higher than the figures provided by the applicant.

The Board also considers that the landfill and waste processing operation is likely to have a significant adverse impact on the statutory purpose of AONB designation, which is to conserve and enhance the natural beauty of the AONB. In particular, we consider that the operation is likely to have a significant adverse impact on the relative tranquillity of the AONB, which is one of the AONB's 'special qualities'.

This impact on tranquillity primarily relates to the large number of, and significant increase in, HGV movements that would be required for the landfill and waste processing operation for over a decade. The Board question the applicants stated HGV numbers considering that they would be higher and not accord with the Board's Tranquillity Position Statement.

Given the inappropriate nature and scale of the proposed development, the high sensitivity of the setting and the potential for significant adverse impacts on the purpose of AONB designation, the Board considers the proposed development to be major development, in the context of National Planning Policy Framework (NPPF).

For major development, in this context, the starting point for the decision-making process should be a presumption against granting planning permission. Granting planning permission should only be considered if exceptional circumstances are considered to apply and if the development would be in the public interest. However, the Board does not consider that the applicant has adequately demonstrated: (i) the need for the proposed development; (ii) that there are no suitable, alternative locations for the landfill and waste processing operation outside the AONB; or (iii) that the need for the landfill and waste processing operation could not be met in some other way. We also consider that the adverse effects of the proposed development significantly outweigh the potential beneficial effects.

Based on the points outlined above, we do not consider that exceptional circumstances apply or that the development would be in the public interest. Any public interest that the development may have would need to be weighed against the fact that AONBs are landscapes whose distinctive character and natural beauty are so outstanding that it is in the nation's interest to safeguard them. It is also important to note that the NPPF affords the highest level of protection to AONBs, on par with the level of protection afforded to national parks.

The Board acknowledges that restoring the pre-quarrying landform does have some potential benefits. However, it should be recognised that disused quarries are a key feature / characteristic of the High Wold landscape in which the site is located. So, whilst, from a landscape

perspective, it may have been preferable if the land had not been quarried in the first place, this does not necessarily mean that the original landform should be restored post quarrying. This is particularly true where restoring the proposed landform has not been an integral part of the mineral operation, as is the case with this site.

In particular, it is important to note that unfilled quarries have the potential to provide a valuable wildlife resource in their own right. Indeed, whereas the biodiversity of quarry sites where the original landform has been restored might be compromised by competing land uses such as farming, housing or tourism, unfilled quarries can provide a haven for rare habitats and species. For example, many of the country's important limestone grassland sites are found on former, unfilled quarries that are surrounded by more intensive land uses.

The Board acknowledges that, in this instance, the proposed restoration does have potential to deliver biodiversity net-gain, compared to the current baseline. However, with an appropriate restoration and aftercare scheme, significant gains for biodiversity could also be achieved in the unfilled quarry. Indeed, the Board's recommendation would be that the site should not be filled in and that, instead, it should be restored to primarily lowland calcareous grassland habitat. Restoring the site in this way would make a significant contribution to halting and reversing ongoing declines in this nationally important habitat which is so iconic for the Cotswolds AONB. The restoration should also include an element of Open Mosaic Habitat on Previously Developed Land.

For the reasons outlined above, the Board does not consider that importing hundreds of thousands of tonnes of waste into the AONB and either landfilling it or re-exporting the processed material is justified in terms of: waste management; conserving and enhancing the natural beauty of the AONB; or delivering four dwellings and / or tourism accommodation in this locality.

In addition, the Board recommends that further assessments should be carried out to assess:

- the % increase in HGV movements on local roads and through local settlements
- if the lighting during the operational and after-use phases complies with the obtrusive light limitations,

If planning permission is granted, the Board recommends that conditions should be imposed to limit the amount of waste that can be imported / exported each year and the number of HGV movements per year (and, potentially, for shorter timescales). Limitations should also be imposed on the hours of operation for the landfill and waste processing operation, preferably not to include Saturdays. We also recommend that conditions should be imposed to ensure that the

proposed (now deleted) dwellings reflect the local vernacular architecture, in addition to using Horton Stone cladding.

- 2.15 **Oxfordshire County Council** – Minerals and Waste Policy - we would have liked to see more information on where the infill waste is sourced and exactly how much of what type but other than that, we have no comments to make.

Transport Development Control - This is unlikely to have an impact on our network in terms of road safety or congestion. We would support a routing agreement to protect the villages of Hornton, Horley and Hanwell in particular.

- 2.16 **Cherwell District Council** - has the following observations to make on this proposal:

The use of the redundant quarry as a soil and aggregate recycling and recovery facility is unlikely to significantly impact upon Cherwell District as it is not located within close proximity to residential dwellings within Cherwell District. The potential visual and landscape impact of the scheme upon the area will need to be assessed by Warwickshire County Council.

The proposed affordable dwellings would appear not to be in the most sustainable of locations and should only be supported if there is robust evidence of a local need. Similarly, the proposed EcoPods should be in a sustainable location, so that future users/guests have a realistic choice of means of transport, to reduce the reliance on personal vehicles and minimise impact on the environment.

And on other matters it is considered appropriate for the application to be considered against Warwickshire County Council's own development plan policies and guidance within the National Planning Policy Framework.

- 2.17 **Natural England** - our national landscape specialists currently have a very limited capacity and therefore on this occasion we would be unable to provide bespoke comments in relation to the potential impacts from the proposed development on the Cotswolds Area of Outstanding Natural Beauty (AONB). The Cotswolds Conservation Board have shared with us their concerns about an effect on the tranquillity of the AONB of HGV movements required to fill the quarry. We therefore suggest that their advice on this matter is sought and given full consideration in determining these planning applications.

3. **Representations**

- 3.1 36 letters and emails of representation to the application have been received from local residents (Edgehill and Ratley), the Council for the Protection of Rural England (CPRE), Jeremy Wright MP, the National Trust and the Upton Estate. Whilst there is an acceptance of some

aspects of the proposed development within some of the representations made, the overriding consensus is one of strong objection to the development in principle.

Concerns raised include:

General Observations

- Major long-term nightmare for all Edgehill residents.
- I have lived at this address since 1961, this application is the most worrying prospect that I have had to address.
- Frightening prospect for local residents. I would urge you to decline this application.
- For the residents of Edgehill consent to this application will have the most devastating impact and for at least many years.
- The inevitable noise and dust from the plant, the site and imported materials would be horrendous.
- The quarry is bounded by greenfield agricultural land and there are homes situated within very close proximity.
- Disruption, Distress and Noise.
- The siting and operation of a recycling facility is completely unsuited for an edge of village setting.
- This is quite a large-scale operation in a very rural setting. Many of the elderly population may find themselves living with the situation for the rest of their lives since the proposed period of operation has been extended. For this reason, the decision has to be the right one. I would hope the Planning Department will give this decision the greatest care and consideration in their deliberation.
- It is not a sustainable concept.
- Concerns about the efficacy of the checks and inspections to ensure compliance with the proposed operation.
- I have read the description of the proposed works with great interest; it is clear that many of the objections raised against the last application have been considered and attempts made to address or to mitigate the concerns.
- If the proposals are adhered to, I would certainly be less concerned about the plans this time than I was in their previous form. My concerns remain, however, about the efficacy of the checks and inspections to ensure compliance with the proposed operation. I note how very close the operation is to the nearest neighbours and wonder how bad the effects of breaches of conditions would be on these near neighbours, whatever the effect of day-to-day operation would be to experience.
- Previous experience indicates that this Company do not appear to be too concerned as to the quality of infill being used. It concerns me that this attitude will continue and that any infill will be poor.
- Clearly using this spent quarry to dump waste into is extremely profitable so is easy to see the attraction to the applicant.

Traffic & Transport

- Numbers of HGV movements
- Vehicle movements through the village which is a narrow weight restricted road.
- The highway is already in a poor state of repair and HGVs would wear the road out faster than normal traffic.
- Mud would be spread onto the road and is already a problem.
- No confidence that lorries would stick to designated times and routes.
- The authorities would be virtually powerless to prevent a nuisance – they don't have the resources, or inclination to police the site operation.
- Lorries travelling from Banbury on the A422 would need to turn across fast moving traffic on a dangerous bend. Heavy laden, large lorries travelling from the Stratford direction would have to come up Sun Rising Hill causing a slow-moving traffic hazard.
- The local road network is popular with cyclists. Populating a cycle route with HGV's for the next 12 years is counter to local and national Government cycling initiatives.
- The matter of transportation of waste to and from the site is extremely worrying. It is stated in the planning statement that lorries will use the A422 which is a condition of the extant permission. This is a condition that is currently flouted, vehicles drive straight through Edgehill village. The impact such a number of heavy lorries a day, or even a smaller number, travelling through such a small hamlet will be immense in all respects and devastating to our lives. Unfortunately, the police have confirmed to us that they do not have the resources to track and prosecute lorry drivers for transgressing the weight restriction applied to this area. Any section 106 as referred to in the planning statement will need to be enforced which will come at a cost to the County Council assuming that there is sufficient manpower to deal with any transgressions in a timely manner.
- Many cars parked on the road restricting width of the road to one lane.
- HGV traffic would have a significant damaging effect on the road surface and also the foundations of local houses.
- Has the Council allocated any additional budget to repairing the roads due to increased usage and load?
- Is there a weight restriction on the loaded lorries the applicant can use? Is this consistent with the weight bearing capacity of the roads and is this enforceable?
- There will be 15,000 truck movements per year along a rural B-Road with the consequent noise and diesel fume pollution six days a week.
- Traffic would pass very close to a number of period properties.
- How is the routing of vehicles, stated as 'not through the surrounding villages', to be policed and enforced?

- Could the layout of the entry/exit be designed as to only allow entry/exit from the A422 direction?
- Existing site traffic passes through the village, but there is no attempt by the Police or any other Authority to enforce the weight restriction that exists specifically to prevent this.
- The area is used by walkers who would come into conflict with HGVs.
- Applicant says not going to supervise the number and routing of lorries.
- Vibration from vehicles adversely impact buildings in the village.
- Contrary to the Warwickshire Waste Core Strategy (WWCS) which indicates that in order for a waste processing facility to be considered there is a need for demonstration that such development would provide significant transport, operational and environmental benefits. The proposed MRF does not provide operational or environmental benefits of any description, and certainly does not offer any form of transport benefit.

Noise

- Noise and polluting effects would be from morning until early evening six days per week for a period of 12 years.
- Noise would be constant.
- In 2017 residents of Edgehill were subjected to at least two months excessive noise from the site machinery. It took complaints and the intervention of SDC and WCC to enforce action on the operator to address the problem.
- Already had 2 years unacceptable environmental noise from crushing.
- As detailed in the WWCS, such sites are likely to produce noise from vehicles and heavy machinery including reversing alarms as well as from recycling plant and machinery, particularly those managing waste recycling and materials recovery. There will also be noise generation and vibration originating from vehicles and heavy machinery particularly from those plants concerned with construction and demolition waste – there is no such thing as a quiet bulldozer.
- The fencing as proposed to mitigate noise will have negligible effect on noise levels and we as residents will find our lives greatly disturbed.

Dust

- Dust would be blown from the site.
- Concern about the material to be used and recycled. We understand that it would be inert waste but as the applicant has a licence to deal with asbestos can the residents be assured that there will be no toxic material liable to cause health hazard.
- Would be surprised if the material brought to the site would be inert.

- Demolition material would be more than just masonry and concrete.
- How do we know that the waste material being transported to the site does not contain contaminants such as asbestos, silica dust and low-level radioactive waste?
- Would vehicles be covered?
- Fragments of contaminants could become airborne adversely impacting health.
- Who will check material deposited on site?
- The workings that are done in the quarry produce so much dust in the summer months it is unbearable. How much dust is being consumed in everyone's lungs? This cannot have a health benefit long term.
- In the dust and noise assessments supplied it is clear that there is a considerable responsibility placed on the applicant to employ best practice and also fulfil requirements. I am unclear as to what level of inspecting, monitoring and enforcement the various authorities will be able to provide.
- The impact upon local air quality through emissions (both from on-site operations and vehicle movements on and off-site), dust and odour are all matters of great concern especially bearing in mind that Edgehill is situated downwind of the prevailing wind from the southwest. It is a most unsuitable position for a SARF.

Landscape & AONB

- The SARF will not protect or enhance the quality and character of our local countryside and valued landscape or offer any benefit to residents in this AONB. It is an inappropriate development for Edgehill and contrary to the Warwickshire Waste Local Plan.
- I do not regard that there will be any benefit for any resident in this AONB by creating a SARF and enduring 12+ years of disruption to our lives and environment simply to infill a quarry void which could be left as it is to become reclaimed by nature as has occurred at other quarry sites.
- AONB not an appropriate location for the development.
- Whilst I accept that infilling of the site may (or may not) be necessary, the proposed processing plant is an intense concern.
- This is an AONB and the development of this quarry can only have a detrimental effect on this landscape. I question why this quarry needs infilling and I believe if it does there are proven methods in harmony with this beautiful area.

Hours of Operation

- Hours of operation already excessive. How will this be monitored and enforced?
- Saturday working not acceptable.

- Are the proposed hours of operation absolute or can they be varied? If so, who would police and control activity outside of the stated hours?
- The stated hours of site operation are more than daunting but there is every reason to expect those hours to be greatly exceeded.

Timeframe of Development

- Time frame, 12 years, excessive.
- Duration of the development cannot rely on the timeframe being realistic, no assurance that activities will cease by the date specified.

Lighting

- If recycling done during the hours of darkness there would be light pollution, the area is notable for being a Dark Place.

Ecology

- Ecology – The area is rich in wildlife and would have been even richer but for the miscellaneous commercial activities that have been taking place over recent years have had a detrimental effect. The site provides a haven for wildlife which the proposed development would destroy totally.
- Had the applicant really been concerned about the natural environment and the encouragement of nature then I would have thought that some sympathetic landscaping and giving the site over to nature would have been a more positive solution.
- We ask that the application is refused, and that the site is returned to agriculture, with possibly a small nature area.

Flooding

- The site is prone to flooding, concern that as waters dissipate through the strata it would release the toxins contained in the fill material leaching into ground waters and local streams and rivers.

Tourism

- This area is a hub for visitors who wish to enjoy its many walks through rolling countryside and wooded pathways. How can this unfortunate proposed development do anything to benefit? Quite the opposite must surely be the case.

Historic Environment

- The proposed site is in the centre of an historic triangle that makes up the National Trust property Upton House and the villages of Edgehill (with civil war history) and Ratley (16th century church and coaching inn).
- Edgehill is a small historic hamlet situated in an AONB with the registered Edgehill Battlefield being within close proximity. The

neighbouring villages of Ratley and Radway are equally small and historic and consist mainly of stone-built homes, a number of which are listed. The area is completely rural and natural.

EcoPods

- The EcoPods financial viability questioned.
- The 10 EcoPods represent a glorified holiday site.
- The eco-cabins and affordable bungalows would be totally out of keeping within an AONB and does not in any way conform to the construction, architecture or style of local properties.
- As regards the 'eco-pods' I can see no benefit to the community, nor the landscape, nor the environment by such construction. They would be totally out of keeping with the nature of this AONB.
- Any such housing/holiday accommodation on this site would be a large expansion of the village of Edgehill and contrary to Stratford's Planning Policy.
- Affordable homes and eco-pods effectively a trailer park on top of a former waste disposal site.
- Infilled site liable to subsidence
- The proposed Eco-Pods would be completely out of keeping with the AONB and local properties.

Observations made in respect of the four affordable residential dwellings (which have now been deleted from the application):

- No need for affordable housing.
- Only Four affordable units proposed.
- Doubt houses would ever be built.
- Would support high quality housing in the local vernacular.
- Dwellings in open countryside not welcome.
- Cannot understand why social housing is being proposed – this location, with no facilities, is completely unsuitable for low income families.
- Just landscape the quarry without filling it in, as has happened to other sites locally, and then build the proposed houses will be the best outcome.
- No assurance affordable homes would be for local people.
- The proposed EcoPods and affordable homes will have little positive impact on the local needs identified in the report offered in support of the application and are incompatible with an AONB. The residential aspects of this application could reasonably be regarded as a cynical irrelevance to the primary objectives of the application and may or may not materialise in the form described.
- The development of the site as an eco-friendly site with affordable housing could be a positive asset to the area and environment. However, with the potential impact to ourselves and our community, our concerns are mainly focused on adherence to commitment, policing and enforcement.

- The quarry does not need to be filled in to be built on. I have no objection to the lodge/bungalows being built. This could be achieved in sympathy with the existing quarry structure. I note that the affordable housing had now been removed. It is difficult to predict what housing needs the local area will have in 12 years' time but there are a number of families with teenage children who may feasibly require affordable housing in 12 years' time.
- I do not feel that the affordable houses and EcoPods will ever be built and if they are starting to be built in 2024, while the quarry is still being infilled, as we were told, surely there is a great chance these houses will develop subsidence.

3.2 **CPRE** - CPRE Warwickshire objects to this application.

Concerns raised include: noise, dust, traffic, highway network not suitable, nature of waste material, impact on village, light, adherence with rules, harm the open countryside and the neighbouring villages, unsuited to this Area of Outstanding Natural Beauty, timescale and the four houses and glamping pods could hardly be built within a decade after the infilling had ceased because they would sink into the ground and we are inclined to think that this part of the application, along with the proposed enhancement of the site may be a sop to public opinion.

Be that as it may, CPRE Warwickshire is of the firm opinion that this application should be refused.

3.3 **Jeremy Wright MP** - I am writing on behalf of my constituents in Edgehill who recently contacted me regarding the proposed development of Edgehill Quarry. I have a number of concerns about the proposed development:

- The length of operation from the previous application has been extended from six to twelve years, allowing for lorry movement and disruption to the community over a longer term.
- The narrow road in Edgehill is not suitable for 18-ton capacity lorries to transport materials.
- The potential for dust and noise, which will be self-monitored by the applicant. The limited capacity to monitor and enforce the proposed hours of operation for the project.
- The type of materials that will be processed on site.
- The development of this quarry and potential detrimental effect it will have on the area's landscape.
- Limited number of homes created from this project.

I would be most grateful if you could take these points and others made by my constituents into consideration in your current consultation.

3.4 **Upton Estate** - which comprises of various land and property adjoining the application site object to the proposals.

Concerns raised include highway and noise impact; and, lack of compliance with the development plan, particularly in respect of the residential element of the application not being compliant with Stratford-on-Avon District Council's growth strategy. Object to the provision of dwellings and ecolodges on this site. Notwithstanding the restoration part of the proposals, the provision of residential dwellings in this location is wholly inappropriate. The site is not a sustainable location being located next to Edgehill which is a small village with only a pub available. Furthermore, the site is located within the AONB beyond a settlement boundary, which is not considered a sustainable location for development within the Core Strategy. The ecolodges would have a detrimental impact on the visual amenity and value of the AONB and should be resisted. The proposed dwelling houses and ecolodges would give rise to an urbanising effect on the AONB and the site should instead be restored appropriately using lowland calcareous grassland habitat and Open Mosaic. The development would adversely impact on Cotswold Area of Outstanding Natural Beauty which should be conserved and enhanced. The conservation and enhancement of wildlife and cultural heritage are also important considerations in these areas. We are of the view that the highway and visual impact that would arise from the proposals outweigh any public benefit that may arise from the provision of ecolodges that would contribute to some extent to the tourism economy. The traffic movements associated with the restoration of the quarry would have an adverse impact on the quietude of the AONB and would significantly affect the landscape character of the immediate and wider area. We also have concerns about the level of noise impact that would arise, particularly during the restoration works. The noise generated would severely affect the tranquillity of the AONB for a significant amount of time. Overall, there would be long term significant highway and noise impacts as a result of the proposals that can by no means be considered temporary against a 12-year restoration timeframe.

To conclude, we strongly object to the proposals on the basis of the highway and noise impact that would arise from the proposals, and the severe affect that this will have on the quietude and visual amenity of the AONB. Furthermore, the residential element of the scheme does not comply with the development plan in that it is not in a sustainable location and would give rise to an increase in the use of the private car. The dwellings proposed cannot be considered deliverable given that it could take some 15 years to complete them, and the residents of the affordable units may have a reduced level of amenity and quality of life from living in dwellings in this location, given that the site is extremely isolated and services cannot be easily accessed on foot or by bicycle.

3.5 **National Trust** – previously provided a response to application SDC/19CM023 for a larger development on this site, to which we objected. We note that this scheme incorporates a number of changes including the omission of 29 park homes in favour of 4 bungalows (dwellings for affordable rent), an increase in the number of Eco camping pods for recreational use from 6 to 10, more space for habitat creation, an extension of the period of infilling from 6-12 years and a reduction in the volume of inert materials required for restoration.

We continue to challenge the argument within the Planning Statement that the land within the site is classified as previously developed land.

We welcome the removal of 29 park homes from the proposal. We believe that the replacement with 4 stone bungalows represents a more appropriate scale and type of development for the area, subject to the proposals meeting national and local policies and guidance relating to the location and design of affordable houses. Notwithstanding the above comments, we are concerned about the proposed layout of the bungalows.

National Trust recognises that the installation of 10 Eco camping pods may support sustainable tourism and access to the AONB in a relatively low-key way. However, it is important that these are not allowed to impact detrimentally on the landscape of the AONB and we consider that the potential for light-spill is a key consideration. Should the Council be minded to approve this application we strongly suggest that there is a planning condition specifying either that there is no external lighting, or requiring detailed lighting proposals to be submitted and approved

We note that the amended material volumes and timescales in respect of the infilling and recycling operation. It will be for the County Council to decide whether this is a suitable location for processing of construction and demolition waste at the scale proposed. It should be noted that filling the void is not the only or necessarily the best means of restoring the site. Should the Council be minded to approve this application we suggest that the reduced HGV movements are secured by planning condition as a means of reducing the impact of noise and disturbance on Radway Grange Grade II* Registered Historic Park and Gardens (amongst other things). If the Council is minded to approve this application then we consider that appropriate vehicle travel routing, taking account of heritage impacts and residential amenity, should be secured by planning condition.

The amended scheme for restoration of Edgehill quarry will need to be determined taking account of a wide range of policies including those relating to impacts on the AONB landscape, heritage impacts, residential amenity, affordable housing and the appropriate location of materials recycling. National Trust has raised a number of key concerns that we consider need to be addressed: - The proposed

layout of residential bungalows represents a poor response to the local landscape and an inefficient use of land. - Light-spill from the proposed Eco camping pods and surrounding site should be avoided or minimised. - Impacts of HGV movements on the Registered Historic Park and Gardens at Radway Grange and on local residents should be avoided or minimised.

3.6 **Amended Plans (following deletion of the proposed four affordable dwellings)**

Consultation on the amended plans resulted in four further representations from local residents generally reaffirming their objection to the proposed development.

Additional observations made include:

- Justification for the proposed recycling centre is flawed. The applicant justifies the need for a recycling centre by stating that there is a lack of processing capacity in the area but this fails to take account of planning permission MW.0084/19 that was approved earlier in 2020 by Oxfordshire County Council for the development of a Aggregates recycling facility five miles away at Wroxton Quarry, OX16 6EZ. Where existing offices, welfare facilities and a weighbridge can be used. The site at Wroxton is approved to operate until 31st December 2042. This site has a specific highway suitable for HGVs with access to the A422.
- The site is classed as previously developed land within the Planning Statement yet is not listed on the brown field register.
- There is no need to fully return the quarry to original levels. The South Warwickshire / North Oxfordshire area and, in particular, land between the Edgehill Escarpment and Banbury, is littered with former quarries. The majority have been returned successfully to agriculture with some finished several metres lower than the highway, as can be seen each side of the A422 between Upton and Wroxton. The same could be done at Edgehill Quarry using clays, unusable soils and recovery material from Wroxton Recycling Centre, which is just five miles away along the A422 and without need to pass through any settlements. This solution would restore the land as required by WCC whilst limiting impact / disturbance on the residents and wildlife of Edgehill.

4. **Assessment and Observations**

Background and Planning History

- 4.1 Edgehill Quarry has been the subject of a number of planning permissions over the years allowing the extraction of stone from the site. The most recent of which (S535/882294) dates back to the late 1980's.

- 4.2 Mineral extraction was carried out most recently by Hornton Masonry Company Limited who also operated a stone masonry yard on a site located to the north of the quarry. Mineral extraction ceased on site in around 2004. The planning permission allowing mineral extraction on site lapsed before a restoration scheme was secured. There has therefore only been limited restoration undertaken within the quarry void to date.
- 4.3 Planning permission (S535/882687) was granted in 1989 to allow the tipping of inert waste into part of the quarry void to return the land to original levels. This planning permission was not implemented and subsequently lapsed. A number of other planning applications have been submitted to Stratford-on-Avon District Council over the years proposing various developments on the site. This includes; creation of a new highway access (06/02293/FUL – approved 2006), conversion of a stone barn situated on the edge of the site to offices (04/03662/FUL – approved Jan 2005), construction of a stone masonry workshop (04/03626/FUL – not determined 2005), lorry storage (06/2730/FUL – refused 2006) and change of use to allow machinery storage, testing and demonstration of crushing and recycling machinery (12/02953/FUL – declined to determine 2013).
- 4.4 Subsequent to mineral extraction ceasing on site the quarry was sold with the site split up into a number of ownerships, although the site is now largely within the ownership of the applicant. Part of the site was restored to pony paddocks and is not included within the current application site.
- 4.5 The landowner/applicant commenced activities on site in 2017 to screen existing stockpiles of overburden to produce secondary aggregate suitable for construction purposes. A temporary planning permission (SDC/17CM022) was granted to regularise this activity in February 2018. A subsequent planning permission (SDC/19CM001) was granted in June 2019 to allow this aggregate recovery and recycling operation to continue for an extended period of time until November 2019 with the removal of processed material to be completed by November 2020. A further planning permission (SDC/20CM008) was granted on November 2020 to allow the aggregate recovery and recycling operation to continue for a further extended period until 31st March 2021 with the removal of processed material from the site to be completed by 31st November 2021 and the date by which a detailed restoration scheme for the site must be submitted for approval extended to 31st November 2021. A large proportion of the overburden on site has now been processed although a significant quantity of the aggregates produced to date remain to be removed from the site. Screening and processing of the existing stockpiles of overburden involves the operation of a mobile screen and loading shovels as well as the movement of HGV's within the quarry site collecting graded stone for delivery elsewhere.

- 4.6 A planning application (SDC/19CM023) was submitted in 2019 proposing the infilling of the quarry with inert spoils and operation of a temporary demolition and construction waste recycling facility. The proposals submitted with application SDC/19CM023 included infilling the site with 400,000m³ of inert soils and clays over a period of 6 years, alongside a restoration scheme which proposed a mix of 29 residential park homes, six recreational EcoPods as well as nature conservation/biodiversity enhancements. This application was withdrawn in March 2020.
- 4.7 The current application (SDC/20CM009) is a resubmission and amended version of the previous application (SDC/19CM023). The key changes from this original planning application (SDC/19CM023) to the current proposals (SDC/20CM009) are; removal of the 29 park homes proposed, the provision of four conventional dwellings for affordable rented use (now also removed from this current application), an increase in the number of EcoPods from 6 to 10, and the total projected volume of inert soils and clays required for infilling and restoration of the quarry void reduced from 400,000m³ down to 350,000m³. In addition, the timescale for the development has increased from 6 years to 12 years. As a result, the tonnage of material to be imported to the site per annum has reduced from 97,500 tonnes per annum to 42,500 tonnes per annum.
- 4.8 The quarry site is also the subject of a planning Enforcement Notice issued by the Stratford-on-Avon District Council in 2012. The Notice relates to the unauthorised storage of vehicles, trailers and parts; storage of plant and machinery; storage of skips and storage vessels; storage of construction materials; and stationing of construction materials; and the stationing of caravans and a portable building. This remains an active matter. It is understood that the quarry has also been used in recent years for motorcycle scrambling.

Site and Surroundings

- 4.9 Edgehill Quarry lies immediately to the south/west of the village of Edgehill with residential properties situated very close to the site. The nearest of these dwellings to the quarry are separated by a distance of around 120 metres. A number of individual dwellings lying outside of the village are situated in close proximity to the quarry. Edgecombe House lies around 130 metres to the north-east, White Bottoms Farm is situated directly to the east of the quarry and is separated by a distance of around 30 metres and Grove End lies around 75 metres to the west of the quarry site on the opposite side of Edgehill Lane.
- 4.10 The worked out quarry, which is loosely an L-shaped site, generally has a level quarry floor which lies up to 5 metres below the adjoining land levels. The quarry has not been restored and the excavation comprises a mix of bare ground and stockpiles of processed and unprocessed materials. Various items of plant, machinery, vehicles,

portacabin style structures and a caravan are located within the quarry. The edges of the quarry range from near vertical rock faces to battered slopes. The boundary of the site is delineated by mature hedgerows, trees and vegetation which restrict views into the site. An old stone barn is situated on the eastern side of the quarry. The site forms part of a Local Geological Site designated for its exposed faces of Lower Jurassic Marlstone Rock Formation.

- 4.11 The quarry is situated at the top of Edgehill. The surrounding landscape is very much rolling countryside with agriculture the predominant land use. A number of buildings and structures located in the vicinity of the quarry are of historic interest including: listed buildings Upton House and Radway Grange (which is also a registered historic park and garden), as well as some listed buildings within the village itself and a registered battlefield (Battle of Edgehill 1642).
- 4.12 The application site is accessed via an existing highway access off Edgehill Lane (C69).

Planning Policy Context

- 4.13 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'.
- 4.14 Paragraph 11 of the National Planning Policy Framework (NPPF) February 2019 explains that there is a presumption in favour of sustainable development and what that means. What the presumption means in relation to a planning application is that:
- (a) proposals which accord with an up-to-date development plan should be approved without delay; and
- (b) where there are no relevant development plan policies or the policies most important for determining the application are out-of-date, then permission should be granted unless:
- the application of policies in the Framework that protect areas or assets of particular importance provides a clear reason for refusing the development proposed or
 - any adverse impacts of doing so would significantly and demonstrably outweigh the benefits, when assessed against the policies in this Framework taken as a whole.

Where the presumption in (b) applies, it is often referred to as the "tilted balance" in favour of the application.

- 4.15 Paragraph 12 goes on to explain that the presumption in favour of sustainable development does not change the statutory status of the development plan as the starting point for decision making. Where a planning application conflicts with an up-to-date development plan (including any neighbourhood plans that form part of the development plan), permission should not usually be granted. Local planning authorities may take decisions that depart from an up-to-date development plan, but only if material considerations in a particular case indicate that the plan should not be followed.
- 4.16 Paragraph 48 explains that authorities may give weight to relevant policies in emerging development plans according to: a) the stage of preparation of the emerging plan; b) the extent to which there are unresolved objections to relevant policies; and c) the degree of consistency of the relevant policies in the emerging plan to this Framework.
- 4.17 In this case, there is a development plan in place which has relevant policies that are considered to be up to date so far as they relate to this proposal. Therefore, the application should be determined (as required by Section 38(6) of the Planning and Compulsory Purchase Act 2004) in accordance with those policies unless material considerations indicate otherwise. The Development Plan relevant to the proposal consists of the [name plan]. The Development Plan relevant to the proposal consists of the Stratford-on-Avon District Core Strategy 2011 to 2031 adopted July 2016, the adopted Warwickshire Waste Core Strategy Local Plan 2013 – 2028 adopted July 2013, the saved policies of the Minerals Local Plan for Warwickshire adopted 1995, and the emerging policies of the replacement Warwickshire Minerals Plan which is at the Submission document stage – November 2019. The emerging Plan has now been submitted to the Planning Inspectorate for assessment and review and has been the subject of an Examination in Public in October 2020, it is now at the modifications stage. Until the new Local Plan is adopted it can only be given limited weight.
- 4.18 The courts have made it clear that for the purposes of section 38(6) it is enough that the proposal accords with the development plan considered as a whole. It does not have to accord with each and every policy in the plan. It is a matter of judgement for your Committee whether the proposal accords with the plan, considered as a whole, bearing in mind such factors as the importance of the policies which are complied with or infringed, and the extent of compliance or breach.

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 development: 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.
- 4.21 With reference to conserving and enhancing the natural environment paragraph 170 of the NPPF states that planning policies and decisions should contribute to and enhance the natural and local environment by:
- a) protecting and enhancing valued landscapes, sites of biodiversity or geological value and soils (in a manner commensurate with their statutory status or identified quality in the development plan);
 - b) recognising the intrinsic character and beauty of the countryside, and the wider benefits from natural capital and ecosystem services – including the economic and other benefits of the best and most versatile agricultural land, and of trees and woodland;
 - c) maintaining the character of the undeveloped coast, while improving public access to it where appropriate;
 - d) minimising impacts on and providing net gains for biodiversity, including by establishing coherent ecological networks that are more resilient to current and future pressures;
 - e) preventing new and existing development from contributing to, being put at unacceptable risk from, or being adversely affected by, unacceptable levels of soil, air, water or noise pollution or land instability. Development should, wherever possible, help to improve local environmental conditions such as air and water quality, taking into account relevant information such as river basin management plans; and
 - f) remediating and mitigating despoiled, degraded, derelict, contaminated and unstable land, where appropriate.
- 4.22 Paragraph 172 states that, Great weight should be given to conserving and enhancing landscape and scenic beauty in National Parks, the Broads and Areas of Outstanding Natural Beauty, which have the highest status of protection in relation to these issues. The

conservation and enhancement of wildlife and cultural heritage are also important considerations in these areas and should be given great weight in National Parks and the Broads. The scale and extent of development within these designated areas should be limited. Planning permission should be refused for major development other than in exceptional circumstances, and where it can be demonstrated that the development is in the public interest. Consideration of such applications should include an assessment of:

a) the need for the development, including in terms of any national considerations, and the impact of permitting it, or refusing it, upon the local economy;

b) the cost of, and scope for, developing outside the designated area, or meeting the need for it in some other way; and

c) any detrimental effect on the environment, the landscape and recreational opportunities, and the extent to which that could be moderated.

- 4.23 This guidance reflects Section 85(1) of the Countryside and Rights of Way Act 2000 which states that, 'in exercising or performing any functions in relation to, or so as to affect, land in an area of outstanding natural beauty, a relevant authority shall have regard to the purpose of conserving and enhancing the natural beauty of the area of outstanding natural beauty.'
- 4.24 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.
- 4.25 The NPPF makes it clear that local planning authorities should focus on whether the development itself is an acceptable use of the land, and the impact of the use, rather than the control of the processes or emissions themselves where these are subject to approval under pollution control regimes. Local planning authorities should assume that these regimes will operate effectively.
- 4.26 It goes on to state that, planning policies and decisions should, amongst other things, aim to avoid noise from giving rise to significant adverse impacts on health and quality of life as a result of new development and mitigate and reduce such impacts, including through the use of conditions.

National Planning Policy for Waste (NPPW)

- 4.27 Regulation 18 of the Waste (England and Wales) Regulations 2011 requires that planning authorities shall have regard to certain provisions in Articles 13 and 16 of the EU Waste Framework Directive when exercising their planning functions. This requirement continues to

apply notwithstanding the departure of the United Kingdom from the European Union. Article 13 concerns the protection of human health and the environment. Article 16 sets the objective of establishing an adequate and integrated network of installations which enable waste to be disposed of or recovered in one of the nearest appropriate installations, by means of one of the most appropriate methods and technologies, to ensure high level of protection for the environment and public health.

4.28 To help deliver these objectives, the Government published the National Planning Policy for Waste (NPPW) in 2014 to be read in conjunction with the NPPF and the Waste Management Plan for England. The NPPW sets out detailed planning policies in respect of waste development. Its Introduction explains that it is the Government's ambition to work towards a more sustainable and efficient approach to resource use and management and that positive planning has a pivotal role in delivering these ambitions.

4.29 The NPPW requires that in determining planning applications waste planning authorities should:

- only expect applicants to demonstrate the quantitative or market need for new or enhanced waste management facilities where proposals are not consistent with an up-to-date local plan;
- consider the likely impact on the local environment and on amenity against the criteria set out in Appendix B of the NPPW and the locational implications of any advice on health from the relevant health bodies;
- ensure that waste management facilities in themselves are well-designed, so that they contribute positively to the character and quality of the area in which they are located;
- concern themselves with implementing the planning strategy in the local plan and not with the control of processes which are a matter for the pollution control authorities;
- ensure that land raising or landfill sites are restored to beneficial after uses at the earliest opportunity and to high environmental standards through the application of appropriate conditions where necessary.

The criteria in Appendix B of the NPPW are:

- a) protection of water quality and resources and flood risk management
- b) land instability
- c) landscape and visual impacts
- d) nature conservation

- e) conserving the historic environment
- f) traffic and access
- g) air emissions, including dust
- h) odours
- i) vermin and birds
- j) noise, light and vibration
- k) litter
- l) potential land use conflict.

Regulation 20(1) of The Waste (England and Wales) Regulations 2011 states that a planning authority must not grant planning permission for a landfill unless it has taken into consideration certain requirements in Annex I of the EU Landfill Directive. The requirements include a requirement that the location of a landfill must take into consideration requirements relating to:

- a) the distances from the boundary of the site to residential and recreation areas, waterways, water bodies, and other agricultural or urban sites
- b) the existence of groundwater, coastal water or nature protection zones in the area
- c) the geological and hydrogeological conditions in the area
- d) the risk of flooding subsidence, landslides or avalanches on the site,
- e) the protection of the nature of cultural patrimony in the area.

Local Planning Policies

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 after use.

Emerging Warwickshire Minerals Plan

- 4.31 The emerging Warwickshire Minerals Plan seeks to maximise the use of alternative sources of materials (recycled and secondary materials and mineral wastes) in order to manage more sustainably the supply of land won minerals. The issue regarding recycled and secondary aggregates is ensuring that the maximum amount of this material is

reused in the construction process which can then be substituted for primary aggregates. By recycling more aggregate to a standard whereby it can be re-used in new construction projects, it ensures that less primary aggregate is required and hence fewer quarries are needed. This is more sustainable than relying wholly on primary aggregates. Draft policy MCS 4 states that, proposals for the reception, processing, treatment and distribution of waste materials in order to produce recycled and secondary aggregates will be supported where the proposal will promote the sustainable management of waste in accordance with the principles of the Waste Hierarchy and will facilitate a reduction in the need for primary aggregate.

Warwickshire Waste Core Strategy

- 4.32 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.
- 4.33 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.
- 4.34 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. 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.
- 4.35 Policy CS4 – (Strategy for locating small scale waste sites – facilities managing less than 50,000 tonnes of waste per annum) identifies broad locations where such facilities will be located:
- (i) priority to sites within or in close proximity to the primary or secondary settlements; or 5km of the Coventry MUA

- (ii) outside these areas only where it is demonstrated that the proposal is better suited to such locations through providing greater operational, transport, environmental and community benefits.

The supporting text to this policy states that facilities could be located outside of Primary and Secondary settlements subject to any proposal being in accordance with all other relevant policies.

4.36 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.

4.37 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.

- 4.38 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.
- 4.39 Policy DM3 (Sustainable Transportation) seeks waste management proposals to use alternatives to road transport where feasible.
- 4.40 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.

Stratford-on-Avon District Core Strategy

- 4.41 The Stratford-on-Avon District Core Strategy contains general development management policies which all development proposals must be assessed against. Policy CS.1 – Sustainable Development makes it clear that planning to secure a high-quality environment, managed economic growth and social equity are of equal importance. The policy goes on to say that all development proposals should contribute towards the character and quality of the District and to the well-being of those who live and work in and visit the District. Development should be located and designed so that it contributes towards the maintenance of sustainable communities within the district.
- 4.42 Policy CS.4 seeks to protect and improve water quality and minimise flood risk. Policy CS.5 seeks to maintain landscape character and quality of the District by ensuring that development takes place in a manner that minimises and mitigates its impact whilst Policy CS.6 seeks to protect the natural environment. Policy CS.8 seeks to protect and enhance the historic environment.
- 4.43 Policy CS.9 – Design and Distinctiveness seeks to secure high quality sensitive design within development. The policy requires development proposals to be, amongst other things, sensitive to the setting, existing built form and neighbouring uses. The policy seeks to maintain healthy environments with the occupants of neighbouring sites protected from unacceptable levels of noise, contamination and pollution and adverse surroundings.
- 4.44 Policy CS.11 relates specifically to the Cotswolds Area of Outstanding Natural Beauty. The policy states that development proposals within the Cotswold AONB should conserve and enhance the special

landscape qualities and scenic beauty of the AONB and be consistent with the objectives set out in the Cotswolds AONB Management Plan.

- 4.45 Policy CS.22 relates to economic development and provides for a wide range of business and commercial activity to be promoted in sustainable locations. The policy states that opportunities for development will be provided in the countryside, in accordance with Policy AS.10 Countryside and Villages. Policy AS.10 seeks to maintain the vitality of rural communities and a strong rural economy by providing a wide range of activities and development in rural parts of the District, including tourism and leisure, in accordance with the principles of sustainable development. This includes: minimising impact on the character of the local landscape, communities and environmental features; minimising impact on the occupiers and users of existing properties in the area; avoiding a level of increase in traffic on rural roads that would be harmful to the local area; and, prioritising the re-use of brownfield land and existing buildings.
- 4.46 Policy CS.24 relates to tourism and leisure development and recognises its role within the local economy. Small scale tourism and visitor based schemes will be supported where they are appropriate to the size and role of the settlement and/or to the specific nature of the location. All forms of tourism and leisure development should be sensitive to the character of the area and designed to maximise the benefits for the communities affected in terms of job opportunities and support for local services. Wherever possible, tourist and visitor facilities should be located in existing or replacement buildings if they are suitable for the purpose, particularly where they are located outside settlements. Facilities requiring new buildings in the countryside should, where possible, be provided within or close to a settlement but may be justified in other locations where the facilities are required in conjunction with a particular countryside attraction and there are no suitable existing buildings or developed sites available to re-use. In areas that are statutorily designated for their natural and cultural heritage qualities, there will be scope for tourist and leisure related developments, subject to appropriate control over their number, form and location to ensure the particular qualities or features that justify the designation are conserved.

Cotswolds' Area of Outstanding Natural Beauty – Management Plan 2018-2023

- 4.47 The Management Plan sets out the vision, outcomes, ambitions and policies to guide the management of the AONB for the period 2018-2023 and has two primary purposes: to conserve and enhance the natural beauty of the Cotswolds' AONB; and, to increase the understanding and enjoyment of the special qualities of the Cotswolds' AONB.

General Policy Considerations

- 4.48 The aim of the proposed development is two-fold. Firstly, the infilling of the quarry void, incorporating recycling of imported inert material; and secondly, a subsequent restoration scheme that includes habitat creation and 10 EcoPods and associated site infrastructure for holiday let/recreational use. This section considers the policies containing criteria for the location of such developments and the justification for permitting landfill.
- 4.49 The key issues to be considered can be summarised as:
- whether the development will conserve or enhance the AONB in the short and the long term
 - whether the development meets the criteria for the location of waste facilities
 - whether a need and justification for landfill has been made out and the development optimises the waste hierarchy
 - whether the development meets the locational criteria for tourism and recreation
 - whether objections can be met by reasonable and enforceable conditions.
- 4.50 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. Edgehill Quarry currently very much takes the form of a worked out unrestored quarry void with operations to reprocess and screen existing stockpiles of overburden to produce secondary aggregate suitable for construction purposes ongoing. The proposed restoration scheme, once complete, would provide a sustainable restored landform and afteruse of the former mineral working including long term management and biodiversity benefits. This, in general terms, is supported by planning policy.
- 4.51 Mineral extraction ceased on site in around 2004. The planning permission allowing mineral extraction on site lapsed before a restoration scheme was secured. There has therefore only been limited restoration undertaken within the wider quarry site to date and none within the current application site. In the context of the National Planning Policy Framework (NPPF) the application site would therefore be considered to be 'previously developed land' as no provision existed to secure restoration of the site through development management procedures. Notwithstanding this, planning permission SDC/17CM022

(since renewed under planning permission reference SDC/20CM008) granted in 2018 to allow the screening of existing stockpiles of overburden to produce secondary aggregate does contain a condition requiring that should the applicant's future proposals (the current application) not be supported, an alternative restoration scheme must be submitted for approval. It could therefore be argued that provision does now exist to secure restoration of the site through development management procedures. In which case the site would not constitute 'previously developed land'. The restoration condition imposed on planning permission SDC/20CM008 is however very much a backstop position and is designed to be a catchall should the comprehensive restoration scheme now submitted for consideration with this application not be supported. Any restoration scheme secured via planning permission SDC/20CM008 would be a very minimal scheme relying on any mineral spoil remaining on site only for use as restoration materials. The quarry site would therefore substantially remain in its current form as a void left in the landscape following mineral extraction.

- 4.52 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'. That said many excavation, construction and demolition wastes are low grade materials with limited scope for alternative methods of reuse further up the 'Waste Hierarchy'. There will always be a need for such waste materials to be disposed of by landfill.
- 4.53 The application proposes to incorporate a Soils and Aggregate Recycling and Recovery Facility (SARF) within the development. This would enable waste materials arriving at the site to be pre-treated prior to deposit within the quarry void thus allowing recovery and reuse of any recyclable materials with only inert materials with no scope for reuse deposited within the quarry void. Had the SARF been proposed as a stand-alone facility in this location it would not comply with the locational criteria set out within Policy CS4 and therefore would be unlikely to gain support. However, as an integral part of an overall waste management facility, allowing reusable materials to be recovered and reused as a resource prior to the residue inert waste being deposited on site, it presents operational benefits and therefore does gain policy support.
- 4.54 In the context of Policy CS7 (Proposals for disposal facilities) of the Warwickshire Waste Core Strategy it can be seen that only inert waste materials that have no alternative viable use would be deposited within the quarry void to secure restoration of the former mineral working. In addition, infilling of the redundant quarry void with inert waste materials restoring this former mineral working to previous ground levels that existed prior to quarrying activities taking place across the site and

incorporating habitat creation and biodiversity gains would result in environmental benefits and enhancement. The proposed development therefore accords with the aims of Policy CS7. This is however perhaps 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 and habitat creation proposed would be beneficial in the long term and is therefore supported in general terms by planning policy. A number of representations received suggest that the quarry could be left unfilled and restored at a low level. The AONB Board highlights that disused quarries are a feature and characteristic of the local landscape in which the site is located. There are examples of quarries in the locality that have been restored by both infilling and those that have been restored without the being infilled. There are probably merits for each option and opinion on the landscape impact of each will vary. In this case it is considered that the restoration proposals, including infilling of the site would provide an overall landscape enhancement in the long term.

- 4.55 In terms of waste management capacity and the aim of Policy CS1 (Waste Management Capacity) to provide sufficient waste management capacity to manage the equivalent of all waste arisings in the County, the Waste Core Strategy acknowledges that data relating to construction and demolition waste arisings may not be comprehensive. Data contained within the last Minerals and Waste Authority Monitoring Report covering the period 2013/14 through to 2018/19 identifies that there was at that time more management capacity for this waste stream than waste arising in the County. Much of this waste management capacity will however be located in the north of the County and the Monitoring Report acknowledges that a significant proportion of this permitted capacity is time limited. Furthermore, Policy CS1 seeks a minimum waste management capacity provision and not a maximum limit. Where there is no identified capacity gap, or where the capacity gap has been exceeded, planning applications will be assessed against the Core Strategy and Development Management policies and the principles of proximity and driving waste up the Waste Hierarchy.
- 4.56 The application envisages that the inert waste would be collected from demolition and construction sites within the immediate locality, with the intention to source as much of the material as possible from within the Area of Outstanding Natural Beauty. Whilst this cannot be guaranteed, inert wastes and recycled aggregates are low value and as a result do not tend to travel significant distances. In this respect the proposals would accord with the principles of proximity.
- 4.57 Edgehill Quarry is situated within a rural location within the Cotswold Area of Outstanding Natural Beauty. AONBs (along with national parks and the Broads) have the highest status of protection in relation to

landscape and scenic beauty and planning policies require that great weight should be given to their conservation and enhancement. The site is an existing worked out quarry void so in this respect makes no positive contribution to the landscape or enhance the quality of the landscape in its current form. The proposed development would secure infilling of the quarry void restoring the site to ground levels that existed prior to quarrying activities taking place across the site. Combined with the proposed restoration landscaping scheme and habitat creation the proposals would, in the long-term, be beneficial and result in permanent enhancement of the landscape and beauty of the AONB.

- 4.58 The development would, however, require landfilling and waste processing to take place for up to 12 years. The quarry site is reasonably well screened by existing mature vegetation. The existing stockpiles of overburden and recycling operations take place at a lower level than the surrounding ground levels/landscape. As a result, the operations currently being undertaken within the quarry site have a visual impact only in the immediate surrounding of the quarry and not the wider landscape of the AONB. The proposed SARF would be developed on the base of the quarry void and similarly have a very limited visual impact upon the AONB. Infilling of the quarry void would be undertaken at a lower level for significant parts of the infilling operation, although parts of the infilling would need to take place at the level of surrounding land, thus visual impacts upon the AONB from operations within the site during this operational phase of the development would be minimised and would enable the eventual restoration of the quarry. (A more detailed assessment of permanent and temporary visual impact is given in paragraphs 4.59 to 4.64 below.) Vehicle movements generated by the infilling operation would in themselves create a visual impact within the AONB. Quarries and the associated traffic have been a feature of the area thus such vehicle movements are not out of character with the area. The development would generate a maximum of 11 HGVs (22 vehicle movements) accessing the site per day and this can be controlled by condition.
- 4.59 One of the 'special qualities' of the Cotswold AONB identified by the Cotswold Conservation Board is 'Tranquillity', which it considers to be one of the features that makes the area so outstanding. The Board's Position Statement on Tranquillity defines it as a state of calm and quietude associated with peace, experienced in places with mainly natural features and / or historic character, free from man made noise and other aural and visual disturbance. It goes on to states that, the Cotswold AONB has relatively high levels of tranquillity, especially when compared with surrounding urban areas. However, it considers that there is serious risk that the tranquillity of the AONB could decline as a result of increasing levels of development, infrastructure and visitor numbers. Set against this the statement acknowledges that some level of noise and other aural and visual disturbance from development is inevitable, although adverse impacts on tranquillity

should be avoided and minimised as far as possible. In this respect vehicle numbers and routing, as well as noise generated on site can be controlled by condition in order to minimise impacts upon tranquillity.

- 4.60 Policies within the Stratford-on-Avon District Core Strategy seek to support the rural economy, including tourism and leisure. Policy CS.24 supports small scale tourism and leisure schemes where they are appropriate in size and scale to the setting and character of the area. This includes within areas that are statutorily designated for their natural and cultural heritage qualities. The application site is located within an area that is acknowledged to be attractive to visitors and tourists and which includes visitor attractions. The proposed EcoPod development is small in scale and has been designed to be sensitive to the setting in terms of the style of cabin proposed and layout of the site, including landscape planting. Furthermore, the form and design of the EcoPod recreational development would not result in adverse impact upon the landscape qualities and scenic beauty of the AONB in the long-term. This aspect of the proposed restoration and after use of the site is therefore supported in general terms by planning policy.
- 4.61 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. All developments, including those involving the management of waste, have potential environmental effects and impacts. Subject to such effects and impacts being appropriately mitigated and managed the proposed development would accord with the policies contained within each of the applicable Development Plans and the NPPF. These matters are discussed below.

Amenity Issues

- 4.62 Edgehill Quarry is located in a rural area on the edge of the village of Edgehill in close proximity to residential properties. The village itself lies immediately to the north-east of the quarry with nearest of this group of dwellings to the quarry separated by a distance of around 120 metres. A number of individual dwellings lying outside of the village are situated in close proximity to the quarry. Edgecombe House lies around 130 metres to the north-east, White Bottoms Farm is situated directly to the east of the quarry and is separated by a distance of around 30 metres and Grove End lies around 75 metres to the west of the quarry site on the opposite side of Edgehill Lane.

Noise

- 4.63 The initial site setup, activities and equipment (operation of plant and equipment, movement of machinery and vehicles, etc) involved with processing materials within the SARF and infilling and compacting of

deposited material within the quarry void by their nature would all be sources of noise.

- 4.64 Activities undertaken to screen and grade the stockpiles of overburden on site have now been taking place for over three years. It is clear that activities undertaken on site in the summer of 2017 did create noise disturbance locally and resulted in complaints from nearby residents. The noise disturbance at that time was attributed to a defect within the screening machinery, which appears to have been resolved following repairs. Screening operations undertaken in more recent time are not believed to have resulted in specific noise complaint.
- 4.65 In order to limit any potential adverse noise impacts, initial site setup would include the construction of a 7-metre-high earth bund around the recycling area within the quarry void to provide noise mitigation. In addition, the application states that appropriate noise control measures would be adopted to ensure noise associated with the operation of the site was minimised. These measures would include ensuring all plant is kept well maintained with any defects rectified promptly; ensuring silencers on plant are effective; minimising drop heights; and, turning off plant when not in use.
- 4.66 Concern has been expressed by nearby residents about the proposed hours of operation during infilling of the site and operation of the SARF. It is proposed that the SARF and infilling operation would operate 0800 to 1800 Monday to Friday and 0800 to 1300 on Saturdays with no operations on Sundays and Bank Holidays. These are standard operating hours for this type of operation and accord with those imposed on the existing overburden recycling works taking place on site. Hours of operation can be secured by condition and a suitably worded condition is proposed.
- 4.67 The submitted planning application included a noise assessment which included taking noise measurements at nearby properties and calculating the estimated noise levels from the proposed recycling operation and the placement of infill material within the quarry void. The assessment concludes that noise levels associated with the working of the site would be acceptable with appropriate working methods and the earth bund provided around the recycling area. The Environmental Health Officer at Stratford-on-Avon District Council has raised no objection to the proposed development subject to the existing noise limit conditions being repeated and noise monitoring being required. Suitably worded conditions are proposed.

Air Quality/Dust

- 4.68 The operation and movement of plant, machinery and HGVs would result in emissions to air. Additionally, handling and processing as well as the deposit and compaction of inert waste materials has the potential to generate dust.

- 4.69 The application sets out measures that could be used to minimise dust generation including; minimising the working of material in very dry windy conditions, reducing drop heights, controlling vehicle speeds, use of water sprays and wetting down with a bowser when necessary, site haulage kept to designated haul routes and unmade access roads should be kept in good repair.
- 4.70 The submitted application included a dust and air quality assessment which focused on potential air quality and dust impacts from the proposed SARF and infilling operation. The report concluded that provided the suggested dust mitigation measures are formally adopted into a Dust Management Plan, there would be no more than slight adverse effects as a result of the proposed development at, or near, receptors with the vast majority of receptors expected to experience no more than negligible effects. The generic dust mitigation measures could be enhanced by site specific controls thus further reducing the risk of adverse impacts. The assessment concludes that the proposed development can be operated in a manner unlikely to cause significantly adverse air quality or dust impacts.
- 4.71 The Environmental Health Officer at Stratford-on-Avon District Council has reviewed the dust and air quality assessment and accepts its conclusions and has no objection subject to the imposition of conditions to control dust. Suitably worded conditions are proposed.
- 7.72 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.

Wind Blown Litter

- 7.73 The application states that strict management procedures would be employed to ensure the effective management of wind-blown litter, in accordance with the conditions of the Environmental Permit for the operations, issued and monitored for compliance by the Environment Agency. Soils and aggregates from construction and demolition sites is unlikely to contain materials that would be susceptible to wind blow, however, any loads that are delivered containing lighter fractions of

material such as papers or plastics not immediately visible to the operators prior to tipping of the load, would be immediately covered to prevent any wind-blown litter. If the material does not comply with the Environmental Permit issued by the Environment Agency the materials would be removed from the site. If the load does comply and there is potential for lighter fractions to become wind-blown, the operators would ensure that the material is processed in calm conditions and the lighter fractions, once removed, would be stored appropriately to ensure that there is no risk of them becoming wind-blown.

Landscape & Visual Impact

- 4.74 Edgehill Quarry currently appears as a quarry void in the landscape. Whilst the external boundaries are delineated by mature hedgerows the quarry void very much remains a despoiled or damaged landform. Visually the site appears as a former mineral working. Notwithstanding this, views of and into the site are relatively limited and localised. The existing overburden reprocessing operations taking place on site are reasonably well screened from view by the topography and boundary vegetation which limits visual and landscape impact.
- 4.75 Edgehill Quarry is situated on the edge of the village of Edgehill and is located at a highpoint in the landscape with a steep wooded escarpment to the west and a rolling landscape to the east. Agriculture is the dominant land use interspersed with distinctive local settlements. The site is located on the northern fringe of the Cotswolds AONB which is a recognition of its high landscape value and special qualities. The immediate surroundings are of high landscape value.
- 4.76 Visual impact of the proposed development needs to be considered in both the short and long term.
- 4.77 In the short term, initial site setup, including creation of the bunded SARF area, operation of the SARF and infilling of the quarry void, including operation of plant and machinery, all have the potential to be visible from outside of the quarry site. The SARF would however be located at the base of the quarry and enclosed by earth bunds and the quarry face which would effectively screen this operation. The infilling operation would be similar in nature to the overburden recycling activities currently taking place on site as well as the processes and activities involved with the creation of the quarry. Visually the impacts of these operations would be evident in the immediate surroundings of the site, particularly as the quarry void is progressively infilled, resulting in machines operating at near surrounding ground levels, but would quickly dissipate with distance. Upon completion of the operational infilling phase of the development, the SARF and plant and machinery would be removed from the site as the final restoration is completed. Thus, the negative impacts of this aspect of the development would be towards the low end of visual impact and time limited.

- 4.78 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, removing the after-effects of previous mineral extraction. The restored site would include new water bodies, wetland features, substantial tree planting, woodland creation, scrub and landscaping which would also assist with linking the restored site into the surrounding landscape. The EcoPod development would be located towards the southern end of the site and enclosed by landscape planting which has been designed to screen this element of the development. The EcoPods would be low profile and of a design and construction appropriate to the rural setting. The restored site would result in a more sympathetic natural landform, appropriate to the setting and surrounding landscape. The restored site would integrate into the surroundings and in the long term the restoration scheme would enhance the visual and landscape impact of the site. This would be an overall benefit in the long term to the character of the landscape and visual amenity of the area.
- 4.79 The submitted planning application included a Landscape and Visual Impact Assessment (LVIA). The LVIA assessed the number of viewpoints that represent the main key publicly accessible locations where there could potentially be views of the proposed development. The proposed recycling and infilling operational works and completed restoration proposals were assessed to either be not visible, or would have very little influence on views, being limited to glimpsed filtered views through the existing vegetation in winter. The LVIA also considered that the proposed woodland would strengthen the existing tree belts within the site and within views to the east and south would visually merge with other existing woodland on the fringes of Edgehill and along the escarpment. The LVIA therefore concludes that there would be no significant effects on views and that the proposed development would be appropriate in relation to landscape and visual matters. The County Council's Landscape Team have assessed the development and conclude that in landscape and visual terms the proposed development and restoration would have minimal impact with the restoration proposals helping to tie the development into the wider landscape setting.

Lighting

- 4.80 Lighting and potential light pollution has been expressed as a concern in respect of both the short and long term aspects of the development proposals. The application states that some lighting would be required within the recycling facility for health, safety and security reasons. This will be designed to prevent the dispersal of the light beyond the site wherever possible. During the infilling phase, downward facing floodlights with shields would be set below the surrounding landform within the recycling facility which would only be lit when necessary during operational hours. The EcoPod development would incorporate

external lighting. The application states that low level pedestal lights would be used around the EcoPods incorporating timed use of lights and PIR sensors would also restrict light use to times when lighting is necessary. These measures would all be designed to help to preserve the existing level of dark skies at Edgehill and the surroundings. Details of lighting to be used in connection with both aspects of the development could be secured by condition. Appropriately worded conditions are suggested.

Transport, Highways & Vehicle Movements

- 4.81 Traffic generation and vehicle movements and the consequent impact upon the lives of residents and visitors to the area as well as to the buildings and fabric of the historic village is a significant concern to the local community. HGV traffic associated with infilling of the quarry void and operation of the SARF is the key concern in this respect with the narrow nature of the road through Edgehill highlighted.
- 4.82 The existing overburden recycling operation taking place on site generates HGV vehicle movements. The planning permission permitting this activity restricts the numbers of HGVs accessing the quarry to 10 per day and requires that vehicles are routed away from the village of Edgehill. Although representations received mention vehicles travelling through the village no details have been provided to enable this to be verified. More recently however an incident has occurred whereby agricultural vehicles were used to transport stone from the quarry to a nearby site which resulted in these vehicles being routed through the village.
- 4.83 Access into the site by HGVs associated with infilling of the site and operation of the SARF would be via the existing vehicular site access off the C69 Edgehill Lane. The site access would be reconstructed and improved to a standard that would be acceptable in terms of highway standards.
- 4.84 The application states that operation of the SARF and infilling operation would generate a maximum of 11 HGVs (22 vehicle movements) accessing the site per day. This amounts to one more HGV per day than is currently permitted to access the site in association with the existing overburden recycling operation, which is not a significant increase. A maximum of 11 HGVs a day in itself is not a substantial number and can be controlled by condition. A suitably worded condition is suggested.
- 4.85 The application states that vehicles delivering waste to the site would be instructed to approach from the south by turning off the A422 onto the C69 Edgehill Lane. All vehicles leaving the site would be instructed to turn left out of the site towards the A422 via Edgehill Lane. On this basis none of the HGVs accessing the site would travel through the village of Edgehill. The application anticipates that any planning

permission granted would be subject to a Section 106 Legal Agreement controlling vehicle routing and movements. A formal vehicle routing agreement of this nature can specify in detail routes permitted to be used by vehicles accessing sites and any sanctions that may be appropriate should vehicles/drivers breach the approved routing. The routing of vehicles is clearly a key concern for the residents of Edgehill. A formal vehicle routing agreement would therefore be appropriate and would be legally enforceable.

- 4.86 The potential for mud and detritus to be deposited on the highway from vehicles accessing the site has also been highlighted as a concern. The application proposes the construction of an improved access into the site which would be hard surfaced with concrete or tarmac, the internal roadway into the SARF would be similarly hard surfaced and a wheel wash would be provided on site. These features would ensure that potential adverse impact upon the condition of the highway would be minimised. Appropriately worded conditions are suggested to ensure that these elements of the development are provided and maintained throughout this part of the development.
- 4.87 Access to the site in the longer term in connection with the leisure after use would also be via the existing highway access off the C69 Edgehill Lane. The 10 EcoPods would generate an average of 23 vehicle movements per day which is considered to be acceptable in highway terms.
- 4.88 The submitted application included a Transport Statement which assessed the traffic and access aspects of the development. WCC Highways raise no objection to the proposals subject to the imposition of suitably worded conditions. The proposed development therefore accords with planning policy in this respect.

Ecology

- 4.89 Prior to works commencing on site to reprocess the overburden stockpiles, currently being carried out under the existing planning permission, large parts of Edgehill Quarry had remained undisturbed for a number of years. As a result, many areas of the quarry had naturally revegetated with evidence of activity by a number of notable species within the site. As a result, the site has been identified as a potential Local Wildlife Site. The works undertaken to date on site over the past three years have resulted in most of the overburden being disturbed and processed with vegetation removed. Existing vegetation and potential habitats are restricted to the boundaries of the site.
- 4.90 Prior to submission of the application the applicant commissioned an ecological appraisal of the site. The entire site was assessed for its potential to support protected species. The assessment found the site to be of limited ecological value with the development proposals unlikely to result in significant adverse effects on habitats and protected

species. However, due to the timescale and phased nature of the development it recommends that a precautionary approach be taken to the potential presence of protected species going forward, including a combination of update walkover and protected species surveys if necessary.

- 4.91 The development design and restoration proposals seek to enhance the Site's current ecological values and interests. Within the development proposals all boundary trees and hedgerows would be retained and protected, as would the quarry face at the southern end of the site. The restoration proposals include new habitat creation, wildlife friendly landscaping and other ecological enhancements. This includes the creation of new areas of native marginal woodland, combined with woody scrub and rough grassland, new hedgerows and wildflower grassland and a series of water bodies.
- 4.92 The application included a Biodiversity Impact Assessment (BIA) in order to establish baseline data and the potential enhancement that would be delivered following completion of the development. With the extensive new areas of ecologically valuable habitat proposed, much of which has been designed to deliver biodiversity enhancement, as part of the site restoration the BIA confirms that the post-restoration scheme has the potential to deliver 40% enhancement to habitats and 176% to linear features when compared to the existing baseline.
- 4.92 The County Ecologist accepts the findings of the BIA and of the ecological appraisal and recommends that any planning permission granted should include conditions to secure a Construction and Ecological Management Plan (CEMP) and a Landscape and Ecological Management Plan (LEMP) in order to ensure that any protected species encountered are protected and that the full benefits of the restoration scheme are secured and managed.

Historic Environment

- 4.93 The history of mineral extraction across the site is such that the area to be infilled and used for the operation of the SARF is very much disturbed. A Heritage Assessment submitted with the application found that the site had no potential for archaeology of any significance and therefore the potential impact on below ground archaeology would not be harmful.
- 4.94 A number of buildings, structures and landscapes in and around Edgehill Quarry are of historic significance. The closest of which, Radway Grange Grade II* Registered Park and Garden is located only a short distance to the north of the quarry on the opposite side of Edgehill Lane. The nearest listed building is separated from the quarry by in excess of 300 metres. A number of properties within the village, including the Castle Inn, are also listed for their historic significance.

- 4.95 The existing recycling and reprocessing operation being undertaken within the quarry void has resulted in no substantial impact on these heritage assets. Activities associated with the proposed development, including infilling of the quarry void and operation of the SARF, would be similar in nature to those currently taking place on site and therefore would result in no greater impact upon the off-site heritage assets. The operational part of the development would be temporary and time limited and would secure the restoration of the site in the longer term.
- 4.96 The restoration scheme would be predominantly nature conservation lead and in keeping with the rural environment. The EcoPod aspect of the development would be low-key, low-profile and predominantly visually contained within the site. Thus, in the long term the restoration proposals would not adversely impact upon the nearby heritage assets.
- 4.97 Potential damage to the historic village and heritage assets/properties located close to the highway resulting from HGVs accessing the application site through Edgehill itself has been raised as a key concern by residents. The application makes it clear that vehicles accessing the site would be instructed to approach and leave from/to the south via the A422 onto the C69 Edgehill Lane. On this basis none of the HGVs accessing the site would travel through the village of Edgehill. It is proposed that this is formalised and secured by a Section 106 Legal Agreement controlling vehicle routing and movements.

Geology

- 4.98 Edgehill Quarry is designated a Local Geological Site. This designation recognises the presence of representative rock exposures from the Lower Jurassic Marlstone Rock Formation. The remaining rock faces are located around the periphery of the quarry and are in varying condition. The quarry face along the southern boundary of the void remains in the best undisturbed state. The restoration plans propose to retain this face undisturbed as a representative geological feature for educational purposes in the long term.

Flood Risk, Drainage & Water Quality

- 4.99 Initial site investigations included a hydrogeological risk assessment. The assessment comprised an initial walkover survey of the site and its immediate surroundings, a detailed desk-based assessment and onsite exploration and testing which involved drilling three rotary boreholes. The underlying Marlstone rock formation and the Dyrham formation are classified as secondary aquifers, however, the site is not within a designated Source Protection Zone (SPZ) for potable water supply. Ground water was not encountered during the drilling of the boreholes which were drilled to a depth of 10 metres BGL. The hydrological report concluded that there are no significant risks to controlled waters during or following the proposed restoration and development works.

- 4.100 The Environment Agency have reviewed the Hydrogeological Risk Assessment submitted and agree with the conclusions of the report that there are no significant risks to “Controlled Waters” during or following the proposed restoration and development works. The Environment Agency also foresee no risk of deterioration in the quality of the underlying aquifer resulting from the development. The Environment Agency therefore raise no objection to the development.
- 4.101 The application site is located within Flood Zone 1, thus is an area least likely to flood. A Flood Risk Assessment and SuDs drainage report was submitted with the application. The assessment demonstrated how surface water would be monitored and managed during the infilling stage of the development and that the proposed restoration scheme, including wetland and water features would provide adequate attenuation for all events up to and including the 1:100 year plus 40% climate change event.
- 4.102 The Lead Local Flood Authority agree with the findings of the Flood Risk Assessment subject to conditions to secure a detailed surface water drainage scheme and its long-term maintenance. Suitably worded conditions are suggested.

Environmental Permitting

- 4.103 The proposed facility falls under the remit of the Environmental Permitting Regulations (England and Wales) 2016. The applicant would therefore need to secure Environmental Permits from the Environment Agency in advance of the infilling commencing and the SARF operating. The Permit would contain conditions to protect the environment and human health. Typically, conditions would cover; waste inputs, process controls, waste types (ensuring only inert and suitable materials will be used in the right volume and with no detrimental effects to the environment), etc. As part of the permit application, it must be demonstrated with evidence that the deposition of materials will not pose risks to “Controlled Waters”.
- 4.104 Both the NPPF and NPPW (National Planning Policy for Waste) make it clear that Waste Planning Authorities should concern themselves with implementing the planning strategy in the Local Plan and not with the control of processes which are a matter for the pollution control authorities. Both documents make it clear that Waste Planning Authorities should work on the assumption that the relevant pollution control regime will be properly applied and enforced.
- 4.105 The Environment Agency has indicated no concerns in respect of the site securing a permit and being able to operate within the provisions of the Permitting regime.

Waste Types

- 4.106 Concern has been raised about the waste types that would be accepted, processed and deposited on site. The concern is that the imported materials could potentially be wider than the inert waste specified in the application, possibly including hazardous wastes. The application states that the SARF would recycle inert construction and demolition wastes and that the quarry void would be infilled with inert waste only. The application states that the site would not accept hazardous wastes. The application however acknowledges that waste materials arriving at the site may contain elements of timber, glass, metal and plastic components mixed in small quantities within the soils, clays and rubbles. These materials will be screened out through the recycling and recovery process and removed from site to be re-used or disposed of elsewhere.
- 4.107 The Environmental Permit required to be in place before operations could commence on site would include a Waste Recovery Plan. This would set out in detail the types of waste that would be accepted at the site, the processes that would be involved in its recycling and the methodology for placing the recovered waste soils and clays into the void in order to restore the quarry. The Environmental Permit would set out in detail the types of material that can be accepted at the site and how the site would operate. Whilst there would be overlap with the Permitting regime, this is clearly a concern to the local community. It would therefore not be unreasonable to impose a condition specifying that only inert waste is deposited on site. A suitably worded condition is suggested.

Restoration

- 4.108 The proposed restoration scheme would result in the site being infilled to near original ground levels. 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 and habitat creation, whilst incorporating a leisure use in the form of a small recreational development comprising 10 EcoPods for short term holiday let. The restored site would include a mosaic of habitats and landscape features which in the long term would be an enhancement to the surroundings. The restored landform would enhance the landscape character of the site and surroundings. The proposed restoration scheme would deliver a more diverse habitat mosaic which would result in wider biodiversity benefits in the long term.

5. Conclusion

- 5.1 The proposed infilling and restoration of Edgehill Quarry would be carried out over a period of 12 years. The application site is located in close proximity to the village of Edgehill and residential properties. The

proposed development by its very nature could potentially have adverse environmental effects and impacts during operation of the Soils and Aggregates Recycling and Recovery Facility and infilling and restoration of the site if not operated and managed appropriately.

- 5.2 Consultation with statutory consultees however demonstrates that appropriate controls and conditions could be imposed to allow the development to be carried out in this location. The advice received indicates that subject to mitigation measures proposed, including screen bunds around the SARF, and with the implementation of suitably worded conditions the effects and impacts of the development on the built and natural environment and residential amenity could be controlled to acceptable level.
- 5.3 The proposed development would allow Edgehill Quarry to be infilled and restored. The site is visually well contained due to the influence of landform, vegetation on the fringes of and within the vicinity of the site. The site would be returned to near original ground levels. The restored landform would link into the surrounding topography, appearing more natural and integrated. The proposed restoration scheme, once complete, would provide a sustainable restored landform and afteruse of the former mineral working including long term management and biodiversity benefits. This would be an overall benefit in the long term.
- 5.4 Edgehill Quarry is situated within a rural location within the Cotswold Area of Outstanding Natural Beauty. Within the AONB planning policies seek development proposals to conserve and enhance the special landscape qualities and scenic beauty of the area. The site is an existing worked out quarry void so in this respect does not conserve or enhance the quality of the landscape in its current form. The proposed Soils and Aggregates Recycling and Recovery Facility (SARF) would be developed on the base of the quarry void and infilling of the quarry void would be undertaken at a lower level for significant parts of the infilling operation, thus impacts upon the AONB during this operational phase of the development would be minimised and would enable the eventual restoration of the quarry. The proposed development would secure infilling of the quarry void restoring the site to previous ground levels that existed prior to quarrying activities taking place across the site. Combined with the proposed restoration landscaping scheme and habitat creation the proposals would, in the long-term, be beneficial and result in enhancement of a former mineral working within the AONB.
- 5.5 The Soils and Aggregates Recycling and Recovery Facility would enable waste materials arriving at the site to be pre-treated prior to deposit within the quarry void thus allowing recovery and reuse of any recyclable materials with only inert materials with no scope for reuse deposited within the quarry void. Allowing reusable materials to be recovered and reused as a resource prior to the residue inert waste being deposited on site, has sustainability benefits and is supported by

planning policy. The development proposals would enable a waste material to be put to a positive use infilling and restoring a void remaining following mineral extraction, which gains general policy support.

5.6 The restoration scheme includes a small recreational development of 10 EcoPods for short term holiday let. Small scale tourism and leisure schemes are supported by planning policy where they are appropriate in size and scale to the setting and character of the area. This includes within areas that are statutorily designated for their natural and cultural heritage qualities. The application site is located within an area that is acknowledged to be attractive to visitors and tourists and which includes visitor attractions. The proposed EcoPod development is small in scale and has been designed to be sensitive to the setting in terms of the style of cabin proposed and layout of the site, including landscape planting. The form and design of the EcoPod recreational development would not result in adverse impact upon the landscape qualities and scenic beauty of the AONB in the long-term. This aspect of the proposed restoration and after use of the site is therefore supported in general terms.

5.7 It is therefore concluded that the proposed development accords with the policies contained within the relevant Development Plans and on balance is a proposal that can be supported.

6. Supporting Documents

6.1 Submitted Planning Application – Planning reference SDC/20CM009

6.2 Appendix A – Map of site and location.

6.3 Appendix B – Planning Conditions.

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