

| Application Number | Application Type | Ward |
|--------------------|--------------------------------------|--------|
| 11/D54579 | Application to Vary/Remove Condition | Wardle |

APPLICATION TO VARY CONDITIONS 01, 03 AND 08 OF PLANNING APPLICATION D48570 TO INCREASE THE AMOUNT OF STONE THAT CAN BE EXTRACTED, TO ALTER THE PHASING/TIMING OF THAT EXTRACTION, AND TO ALTER THE PROPOSED FUTURE RESTORATION PROPOSALS FOR THE QUARRY: ALL IN CONNECTION WITH THE PROPOSED USE OF THE EXTRACTED STONE MATERIAL FOR THE DEVELOPMENT OF THE APPROVED WINDFARM DEVELOPMENT AT CROOK HILL.

LAND AT MIDDLE HILL QUARRY, WATERGROVE, Wardle, ROCHDALE

For:- EDWARD ROMAINE, CORONATION POWER LIMITED
Received 28-Jun-2011

RECOMMENDATION

Grant Permission subject to conditions

Condition(s) and Reason(s):

1. The quarrying of stone from the site and all operations on the site, other than restoration authorised or required under the terms of this permission, shall end on or before 1 October 2014 and all plant, machinery and buildings/structures not required for the restoration works shall be removed from the site in any event on or before 1 October 2015, unless the local planning authority agrees in writing to the contrary.

Reason: To restrict the period of quarrying operations from the site in the interests of highway safety, the ecological interests of the vicinity and in the interests of the general amenities of the local area, in accordance with policies D/4, RE/5, RE/6, M/2, M/3, M/4, M/5, M/6, M/8, A/9, EM/3, NE/3 and NE/4 of the Council's adopted Unitary Development Plan.

2. This permission relates to the following plans and documents:-

The 1:2500 scale plan, drawing No. Version 1, Middle Hill Quarry CPL01
The report prepared by Blackwell, dated 18 August 2011, entitled: 'Middle Hill Quarry - application to amend conditions -working method statement Drawing No.JR032 - 306 Rev A, prepared by Blackwell

and the development shall not be carried out other than in complete accordance with these drawings hereby approved.

Reason: For the avoidance of any doubt and to ensure a satisfactory standard of development in accordance with policies of the Rochdale Unitary Development Plan as listed below on this decision notice.

3. No further stone extraction or any other works at the site under the terms of this planning permission shall take place until such time as a scheme of

works has been submitted to and approved in writing by the local planning authority for the following matters:-

- a) the amount of stone material to be extracted from the quarry;
- b) the phasing of the extraction of the stone material and the timing of each phase;
- c) details for the future restoration of the quarry and the land around it lying within the application as edged in red, (including the depth of any unwanted/surplus material that is to be tipped back into the quarry);
- d) a landscaping scheme, including details of species, planting programmes, planting distances, mix, numbers and sizes of trees/species to be planted, the protective measures and details of the depths and nature of sub-strata for establishing vegetation to the site;
- e) the timetable for restoration and landscaping works but which shall, in any event, be completed by 1 February 2016;
- f) a programme for the aftercare for the restored quarry for a minimum period of five years.

The extraction of stone and other operations taking place on the site, including the agreed scheme of subsequent restoration and landscaping, shall only be undertaken in accordance with the scheme of works as previously agreed in writing with the local planning authority unless any variation has first been agreed in writing by the local planning authority.

Reason: To ensure an orderly programme of work and the adequate subsequent restoration of the site, in accordance with policies D/4 - Control of development in green belt – general, M/3 – Assessment of proposals, M/5 Restoration and aftercare, M/8 – Lon-standing planning permissions, W/7 – Arrangements for soil disposal, EM/14 – Wind power developments, NE/3 – Biodiversity and new development and NE/6 – Landscape protection and enhancement, of the Council's adopted Unitary Development Plan.

4. Material extracted from the quarry under this permission shall not be taken off the moor and along the existing access track from the A671 adjacent to Moss Side Quarry, Landgate, Shawforth via the old Middle Hill Quarries and shall only be used for either:-

- a) the construction of access roads or for other operations required for the development of the Crook Hill Wind Farm under planning permission 11/D54145; (or a subsequent planning permission, which replaces this consent);
- b) the subsequent remediation/restoration of the quarry if the extracted material is found to be unsuitable for use in the development of the said Crook Hill Wind Farm;

in accordance with details which have first been submitted to and approved in writing by the local planning authority, unless any variation has first been agreed in writing by the local planning authority.

All areas within the site where excavations take place shall be subsequently remediated/restored in accordance with the scheme submitted to and approved in writing by the local planning authority under the terms of condition 3 of this planning permission, and shall be completed, with all plant/machinery and any buildings/structures associated with the restoration works to be removed from the site, on or before 1 February 2016.

Reason: To control the operations taking place at this quarry in the interests of highway safety and the free flow of traffic along the A671, in the interests of local residential amenity and to ensure an orderly programme of work and the adequate subsequent restoration of the site, in accordance with policies D/4 - Control of development in green belt – general, A/9 - New development - access for general traffic, EM/3 - Noise and new development, M/3 – Assessment of proposals, M/5 Restoration and aftercare, M/8 – Lon-standing planning permissions, W/7 – Arrangements for soil disposal, EM/14 – Wind power developments, NE/3 – Biodiversity & new development and NE/6 – Landscape protection and enhancement, of the Council's adopted Unitary Development Plan.

5. No minerals or other material shall be imported into the site at any time for blending, processing or resale purposes.

Reason: In the interests of highway safety and the free flow of traffic along the A671 and the general amenities of the area, in accordance with policies M/3 - Assessment of proposals, M/4 - Operating conditions, A/9 - New development - access for general traffic and EM/3 - Noise and new development, of the Council's adopted Unitary Development Plan.

6. a) No turf, topsoil or subsoil shall be removed from the site, without the prior written consent of the local planning authority.
b) Subsoils and topsoils shall only be imported onto the site for the purpose of restoring the site in accordance with schemes to have first been submitted to and approved in writing by the local planning authority or required by any conditions of this permission.

Reason: In the interests of the proper restoration of the quarry and the landscape qualities of the site, in accordance with policies M/5- Restoration and aftercare and NE/6 - Landscape protection and enhancement, of the Council's adopted Unitary Development Plan.

7. No further stone extraction or any other works at the site under the terms of this planning permission shall take place unless and until an extraction plan and drainage mitigation plan has been submitted to and approved in writing by the local planning authority. The submitted extraction plan and drainage mitigation plan shall make provision for, and include full details of, the following matters:-

- a) the design of the borrowpit so that water does not naturally run out of the lower level of cut and onto the water catchment area for the

Watergrove reservoir;

- b) the provision of a suitable temporary intercepting drainage ditch, (with rock and silt traps at appropriate intervals), below the quarry edge;
- c) the provision of suitable settlement ponds, in conjunction with the drainage ditch;
- d) the provision of suitable sampling points for the drainage mitigation measures, with a scheme for regular sampling and the reporting of results to the Environment Agency and United Utilities;
- e) the provision of drainage ditches alongside the haul roads serving the quarry and its new borrowpit, with appropriate associated silt and rock traps and settlement ponds.

The scheme of works shall be implemented in full in accordance with the details which have been submitted to and approved in writing by the local planning authority, unless any variation has first been agreed in writing by the local planning authority.

Reason: To mitigate the impact of the site operations upon the quality of surface and ground water feeding into the nearby Watergrove reservoir, in accordance with policies M/3 – Assessment of proposals, M/5 Restoration and aftercare, M/8 – Long-standing planning permissions, W/7 – Arrangements for soil disposal, EM/8 - Protection of surface and ground water, EM/14 – Wind power developments, NE/6 – Landscape protection and enhancement, of the Council's adopted Unitary Development Plan.

8. Expansion of quarrying works into previously unquarried areas shall not take place until a scheme of archaeological investigation and recording has been submitted to and approved in writing by the local planning authority. Any investigation or recording required by the scheme shall be implemented in accordance with the approved details.

Reason: In order to ensure that any archaeological remains on the site are dealt with in an appropriate manner, in accordance with policy BE/10 - Development affecting archaeological sites and ancient monuments, of the Council's adopted Unitary Development Plan.

9. No extraction shall take place below a depth of 8 metres measured from the surrounding undisturbed ground level.

Reason: To avoid any possible adverse impact on water resources including ground water, in accordance with policy EM/8 - Protection of surface and ground water, of the Council's adopted Unitary Development Plan.

10. Notwithstanding the provisions of parts 19 and 21 of schedule 2 of the Town and Country Planning (General Permitted Development) Order, 1995, as amended, (or any Order amending, replacing or re-enacting that Order), no fixed plant or machinery, buildings, structures and erections, or private ways shall be erected, extended, installed, rearranged, replaced, repaired or altered at the site/quarry complex without a full planning

permission in respect thereof being granted on application to the local planning authority.

Reason: To enable the local planning authority to exercise proper control over future development on the site in the interests of the open character of the Green Belt and the visual amenities of the area, in accordance with policies D/4 - Control of development in green belt - general and NE/6 - Landscape protection and enhancement, of the Council's adopted Unitary Development Plan.

11. Except with the prior written approval of the Local Planning Authority, all site works including deliveries shall be limited to the hours between 08:00 hours and 19:00 hours on Monday to Saturday, with no such works allowed to take place on Sundays and Bank Holidays.

Reason: To safeguard the the general amenities of the area and, in particular, the residential amenities of the occupiers of the nearest residential property of 'Crey Farm', in accordance with policies EM/3 - Noise and new development and M/4 - Operating conditions, of the Council's adopted Unitary Development Plan.

12. No blasting shall be carried out on the site.

Reason: To safeguard the the general amenities of the area and, in particular, the residential amenities of the occupiers of the nearest residential property of 'Crey Farm' and to safeguard the ecological interests of the vicinity, in accordance with policies EM/3 - Noise and new development, M/4 - Operating development, NE/3 - Biodiversity and new development and NE/4 - Protected species, of the Council's adopted Unitary Development Plan.

Reason for Recommendation:

1. The proposal to extract a greater volume of stone from this quarry but within a shorter period of time and for its use only in the development of the approved wind farm nearby on Crook Hill would lessen impacts of the construction of that major construction project upon highway safety and the free flow of traffic along the A671, the general amenities of the area, (but particularly local residential amenity), and the ecological interests of the local area and would also reduce the degree of carbon emissions of HGV movements to and from the site during the construction period. The proposal would have no greater or more harmful effect on the surrounding area than the current permission for quarrying operations at this site. Quarrying would cease and restoration would take place over a shorter time-frame than has been previously been achieved. Vehicular movements from the quarry would no longer utilise the access tracks from the A671. This would have a positive impact on the amenities of the area. The proposal is considered to satisfy each of the relevant policies of the Council's adopted Unitary Development Plan, namely; D/4 (Green Belt) D/4 - Control of development in green belt - general, M/2 - Location of

mineral working, M/3 - Assessment of proposals, M/4 - Operating conditions, M/5 - Restoration and aftercare, M/6 - Transport of minerals, M/8 - Lon-standing planning permissions, W/7 - Arrangements for soil disposal, A/9 - New development - access for general traffic, EM/3 - Noise and new development, EM/14 - Wind power developments, NE/3 - Biodiversity & new development, NE/6 - Landscape protection and enhancement, and M/3 (Assessment of Proposals) of the Rochdale Unitary Development Plan. Furthermore, the conditions imposed on the planning permission would satisfactorily control the quarrying on the site and mitigate against any adverse effects to an acceptable degree.

Report

Site:

This application relates to land at Middle Hill Quarry, near Shawforth. The site area measures approximately 4 hectares and relates to most of the area comprising the existing quarry workings.

The quarry is located to the north of the summit of Middle Hill, at an altitude of between 390 and 400 metres, (approximately 1300 feet), above sea level. The site is 2 miles north-west of Wardle village and 1 mile to the east of Shawforth, which lies within the administrative boundary of Rossendale Borough Council. Watergrove Reservoir lies approximately half a mile to the south-west.

The quarry adjoins the Borough boundary with Rossendale Council.

Much of the quarry has already been worked out although spoil has sometimes been re-worked by the quarry operators. It is believed that there has been quarrying at this site for some two hundred years. There are existing spoil heaps, which are now substantially grassed over. However, the grass cover is thin and the establishment of a proper grass sward has been rendered difficult by both the exposed nature of the site and also by the existence of the commoners' rights to graze their sheep across the moor. The previous quarrying operation at the site was very low key and has only produced a low but steady output.

Vehicular access to the application site is taken from the A671 at Shawforth at Landgate and then along approximately one mile of partially metalled roads and more poorly-surfaced tracks passing other quarries and former refuse sites that lie within Rossendale Borough. The width, gradients and surface treatment of this route generally deteriorates however, the further it leaves the A671. This entire access route lies within Rossendale Borough. The current access route to the quarry passes close by to a number of residential properties off Landgate, near the A671 and passes directly alongside the residential property of Crey Farm, at a point closer to the Rochdale Borough boundary. Crey Farm lies some 570m away to the north of the proposed area of 'cut' within the quarry.

A number of public rights of way, including the Rosendale Way, pass in close proximity to the quarry, although none pass through the application site itself.

Proposal:

This application seeks to vary the terms of conditions 3 and 8 of planning permission D48570, which relates to this site. In summary, the applicants wish to extract a larger quantity of stone from the quarry per week, (but for a temporary and much more intensive/shorter period of time), and to use that stone material to construct the haul/access roads required for the approved wind farm at Crook Hill nearby. That would significantly reduce the amount of stone needed at the site, which would have various combined highway safety, residential amenity and ecological/sustainability benefits.

Condition 3 currently reads as follows:-

That the method of working shall not be carried out other than in accordance with the general principles set out in the statement of methods and phase of working submitted with planning application D12114 on 12th February 1981, together with Plans A, 1, 2 and 3, and, in particular, this shall include that :-

- a) Within 6 months prior to or 3 months after of the cessation of extraction within each phase full details of the proposals for the restoration of that phase shall be submitted to the Mineral Planning Authority. The restoration shall be carried out in accordance with the approved details and to an agreed timescale unless otherwise agreed in writing by the Mineral Planning Authority.
- b) Phases 3 to 6 shall be worked systematically as shown on plan No.2.
- c) The restoration of each phase shall be carried out progressively following as closely as possible behind the advance of working in accordance with the approved details referred to in 3(a) above.
- d) No phase shall remain un-restored after a period of 18 months following the cessation of extraction within that phase.
- e) No more than 2 phases shall be the subject of extraction and/or restoration at any time. For the avoidance of doubt, extraction here includes the stripping of topsoil and overburden from any phase.

Final restoration of the sixth phase shall be completed within 13 years six months of the date of this permission and in any event by 1 February 2021.

The reason for this condition is "to ensure an orderly programme of work and adequate restoration of the site."

Condition 8 currently reads as follows:-

The total amount of material leaving the site shall not exceed a level of 100 tonnes per week.

The reason for this condition is "in the interests of amenity."

In summary, the proposal is to vary condition 3 to:-

- a) Allow the amount of stone material to be extracted to be increased, (but with the exact amount to be agreed with the local planning authority);
- b) Allow the phasing of extraction of material and the timing of each phase to be agreed with the local planning authority;
- c) Allow the details of the restoration of the quarry to be agreed with the local planning authority

In summary, the proposal is to vary condition 8 to require all the stone extracted only to be used for either:-

- a) the construction of the Crook Hill wind farm, (reference 11/D54145); or
- b) the remediation of the quarry if extracted material is found to be unsuitable for the construction of the access roads to the wind farm.

The revised proposals also have a consequent effect on Condition 1 of permission 07/D48570. This condition allowed quarrying until August 2019, with only restoration works allowed thereafter. The applicant expects that quarrying under the terms of this permission would cease no later than October 2014, with all associated plant and structures removed by October 2015 and restoration completed by October 2016. As such, with the agreement of the applicant, the variation of Condition 1 has been included within the description of development.

Background to this proposal

Planning permission for the 12 turbine wind farm development at Crook Hill was granted on appeal in 2009, taking its vehicular means of access from a point on Higher Calderbrook Road, in Littleborough, (reference D48920). The applicant now wishes to take a completely different route to reach the wind farm site from the A671 and Landgate, at Shawforth. Respective planning applications have since been submitted to the three local planning authorities involved; Rochdale Council, Rossendale Borough Council and Calderdale Metropolitan Borough Council. The application for this work received by Rochdale Council, (reference D54145), has been approved and it is understood that Calderdale Council have also approved their application. The application received by Rossendale Council has not yet been determined however; it has apparently been deferred until the decision on this current application has been taken. Whilst this is a matter for Rossendale it is clear that this proposal, if granted, would reduce construction traffic using the Shawforth access to reach the wind farm.

The applicant's proposed new access route from the A671 passes along Landgate, and along an access track passing Crey Farm, through Middle Hill Quarry, past Hades Quarry and over more elevated land a Rough Hill to reach the turbines on the highest parts of the moor.

Middle Hill Quarry is currently an inactive and largely worked-out quarry, although it enjoys planning permission to extract up to 100 tonnes of stone material per week. The applicants wish to use stone from the quarry to construct the access roads to the site. In summary, the applicants have stated that this would have the following benefits:-

- The number of HGV's hauling stone material to the wind farm site would be reduced. If all the stone needed for the construction of the wind farm access roads could be sourced from Middle Hill quarry, this would mean an estimated fewer 3916 vehicle loads would be needed to import the stone material. This would equate to a reduction of 66% of the total number of large haul vehicles needed to visit the site to construct the access roads for the wind farm;
- Such a reduction in this amount of delivery traffic would significantly reduce the number of HGV's turning off and back onto the A671 at Landgate. This would have less impact on road safety, the free flow of traffic along the A671 and it would have impact upon local residential amenity around that junction and along Landgate;
- The fewer and shorter HGV movements both to the site and within the site would reduce carbon emissions, which would have general environmental benefits.

The applicants have made the further following summarised comments in support of this current proposal:-

The proposed alternative wording for condition 8 would allow a greater quantity of stone to be extracted from the quarry per week, but for a much shorter period of time. The proposed new wording would restrict the transfer and use of the stone for use at the adjacent Crook Hill wind farm development project. It could therefore not be transported from the quarry and along Landgate and the residential properties near the junction of Landgate with the A671, for use at other locations. There would therefore be no greater or more harmful impact upon road safety, the free flow of traffic on the A671 or the amenities of those residents.

The application is accompanied by a report and working method statement prepared by Blackwell, a specialist earthworks contractor, with substantial experience in undertaking wind farm construction works.

In summary, the report states:-

Rock quantities required

It is estimated that there is a minimum volume of some 32,000 cu.m of rock at the quarry. It would be intended that it would all be used for the wind farm construction, (if it were found to all be suitable). Assuming the normal 20 tonnes per lorry load, and a density of 2.2 tonnes per cu.m, this would reduce the no. of lorry movements into and out of the wind farm site for the construction of its access roads by 7,040.

Current estimates are that approximately a total of 45,000 cu.m of rock will be needed to construct the access roads to the wind farm.

It is anticipated that the wind farm would be constructed in a single period of no more than 12 months. Within this 12 month construction period the rock extraction from the quarry would take approximately 6-8 months and restoration would start within the first 3-4 months after the first stone extraction.

Construction methodology

Until such time as all the geotechnical investigation works are completed and a detailed design is finalised for the 'borrow pit', it is not possible to produce an extraction and restoration plan. It is possible however, to identify measures that have been adopted on similar schemes and which would be appropriate for this project. It is normal for a detailed method statement and supporting plans to be provided after the grant of planning permission but before any extraction works begin on site.

United Utilities have raised concern about the danger of the proposal introducing suspended solids into the watercourses within the catchment of the Watergrove Reservoir. This is an understandable and legitimate concern but is one that it is intended to deal with by using the following mitigating measures:-

- The 'borrow pit' will be designed so that water does not naturally run out of the lower level and onto the catchment area. The area of excavation is to be provided with a 'lip' on the outer edge of the quarry, with the quarry floor falling back away from the catchment area to ensure all water collects in the operating footprint of the quarry, instead of draining out onto the adjacent land.
- The water would naturally collect at the lower rear area of the quarry, where it would be subject to a robust settling and clarification process before being tested before final discharge under a consented licence. This settling process would comprise a series of settlement ponds with filtration measures using straw bales/silt netting etc.
- Before any extraction works begin, a drainage mitigation plan would be submitted for the approval of the local planning authority. This would provide for suitable temporary drainage ditches around the quarry area and alongside the temporary haul roads, with rock traps every 100m, (designed to slow the flow of water so silt can settle

out) and silt traps at 200m intervals. Water collected in these ditches would drain into settlement ponds

- The existing water courses within the catchment area and immediately downhill of the quarry would have silt netting installed.

Phasing proposals

Again, until all the geotechnical investigation works are completed and a detailed design finalised for the 'borrow pit', it is not possible to produce a full phasing plan. However, it is anticipated that the works would have the following sequence:-

Any heath land topsoil would be stripped and set aside for restoration works, with the underlying overburden removed from the identified work area and also set aside in stockpiles. (These stockpiles would be subject to a maximum agreed height and shaped and sealed to prevent deterioration due to weathering).

The quarry-working area would be divided into a number of strips over the full width of the quarry. Progressing with the initial strip, the rock would be extracted from front to back. The lifts would be undertaken in approximate 3-5m layers, (to maximise the efficiencies of the plant used to extract the rock). The rock would be crushed and processed within the consented quarry area using mobile plant. Once the upper lift has been completed to the first strip, the next 'bench' would be worked. This technique means that:-

- The minimum area of quarry is worked, because once a sufficient quantity of rock has been extracted, there would be no need to open up further strips;
- On completion of the first strip to the designed depth, restoration can begin. This would minimise the area of quarry that is being worked at any one time;
- The water management of the whole site is made easier by limiting the exposed working area.

The final restoration profiles would be determined by the volume of material for restoration fills, so again this cannot be finalised at this stage. Restoration works would include spreading the stripped top soil in order to replicate the surrounding heath land habitat. An ecological consultant would advise on the most appropriate landscape planting etc for the restoration.

The route of the approved new access road to reach the wind farm passes very close by to the north of the quarry. A new short section of temporary access track, (of an approximate length of 50m), is to be constructed to link that access road with the quarry.

With this access arrangement, there would be no stone extracted from the quarry being taken along the existing access track to the quarry directly past the nearest residential property of Crey Farm.

Site History:

- 1977 - Quarrying of sandstone, (ref: D4544). Approved.
- 1981 - Quarrying of sandstone, (ref: D12114). Approved
- 1984 - Continuance of quarrying operations without compliance with conditions 3 & 4 of D12114, (ref: D30277). Approved.
- 2007 - Variation of conditions 3 & 4 of D30277, to extend the periods of compliance by 12 years, (ref: D48570). Approved.

Policy Background:

Relevant UDP Part One policies:-

- G/D/1 Defined urban area, green belt and protected open land
- G/M/1 Protection and prudent use of resources
- G/A/1 Accessibility
- G/EM/1 Environmental management
- G/NE/1 Nature conservation

Relevant UDP Part Two policies:-

- D/4 - Control of development in green belt – general
- M/2 – Location of mineral working
- M/3 – Assessment of proposals
- M/4 – Operating conditions
- M/5 – Restoration and aftercare
- M/6 – Transport of minerals
- M/8 – Lon-standing planning permissions
- W/7 – Arrangements for soil disposal
- A/9 – New development – access for general traffic
- EM/3 – Noise and new development
- EM/14 – Wind power developments
- NE/3 – Biodiversity & new development
- NE/6 – Landscape protection and enhancement

National planning policies:-

- Minerals Policy Statement 1: Planning and minerals
- Minerals Policy Statement 2: Controlling and mitigating the environmental effects of mineral extraction in England

- Minerals Planning Guidance 3: Applications, permissions and conditions
- Minerals Planning Guidance 5: Stability in surface mineral workings and tips
- Minerals Planning Guidance 7: Reclamation of mineral workings

The Draft National Planning Policy Framework document:

On 25 July 2011, the government published a consultation draft of the National Planning Policy Framework (NPPF). The NPPF is intended to bring together Planning Policy Statements, Guidance Notes and Circulars into a single consolidated document setting out national planning advice. It contains a number of references to the presumption in favour of sustainable development. Significant weight is placed on the need to support economic growth through the planning system. Local authorities should approve developments that accord with development plan policies without delay and grant planning permission where the plan is absent, silent or where relevant policies out of date.

Whilst the NPPF is a consultation document, and therefore subject to potential amendment, it gives a clear indication of the Government's 'direction of travel.'

The draft NPPF is therefore capable of being a material consideration, and will be given weight by Planning Inspectors and the Secretary of State on appeal, although the weight to be given to it will be a matter of judgement in each particular case.

Publicity Responses:

The nearest neighbouring property of Crey Farm, (actually lying within Rossendale BC), was notified of the application, a site notice was posted and a notice of the application has also appeared in the local press.

No representations have been received.

Consultation Responses:

Head of Highways & Engineering:- no objections.

Chief Environmental Health Officer:- no objections. There will inevitably be noise generated at the site through the operation of the plant to extract the stone and crush it before its use on the wind farm site. The nearest residential property, Crey Farm, is more 570m away from the proposed area of 'cut' in the quarry. Over that relatively long distance, it is not considered that the proposed quarrying operations would have an unreasonable impact on the residential amenities enjoyed by the occupiers of that property.

A planning condition should imposed however, to limit the operating hours of the quarrying to be between 8am and 7pm Mondays to Saturdays with no quarrying operations allowable on Sundays or Bank Holidays.

Greater Manchester Minerals & Waste Planning Unit:-

Have the following summarised comments to make:-

The applicant considers that the following benefits would arise:

- A reduction by 66% of the total vehicle movements for construction purposes, 3,916 fewer vehicle movements would be needed;
- A reduction in the number of HGV movements turning off the A671 onto Landgate;
- Less harmful effects on the amenities of local residents in Shawforth;
- A reduction in carbon emissions, because far fewer vehicles would have to travel a much shorter distance from the quarry to construct the access roads to the wind farm.

As the proposal is to extract stone from the quarry and use it solely for the construction of the access roads for the wind farm, then this proposal would seem to be appropriate. The consequence would also be that the currently permitted movement of 100 tonnes of stone per week off the moor along Landgate and onto the A671, (for use elsewhere), would no longer take place.

It is recommended that if permission is to be granted, then the conditions should be amended to require a new and shorter end date for extraction, as the quarry would be worked out much sooner under this proposal. It is suggested that the quarrying be limited to 18 months from the date of commencement and that a progressive restoration be required to be completed within 12 months after the quarrying ceases. Appropriate conditions should also be imposed to cover the restoration and aftercare proposals.

Greater Manchester Ecological Unit:- views awaited.

Environment Agency:- no comment to make.

Rossendale Borough Council:- views awaited

United Utilities:- Object to the proposed variation of conditions 3 and 8 of planning permission 07/D48570 to allow stone to be sourced from Middle Hill Quarry for construction of Crook Hill Wind Farm.

The intention to re-open and quarry stone from Middle Hill Quarry further adds to the water quality risk of the wind farm construction due to the impact of increased turbidity and siltation from quarrying activities. It is recognised that the quarrying activity will reduce vehicle movements to and from the construction site however this will create a significant increase both in heavy construction traffic and quarrying vehicles on the Watergrove Reservoir Catchment leading to increased erosion and higher risk of pollution through spillage of hydrocarbons.

The proposals do not recognise that the quarrying activity would take place on a water catchment and there is no evidence of enhanced surface water management plans over and above the original Written Statement to ensure that quarrying would have no detrimental impact on the quality of water feeding Watergrove Reservoir. Reservoir feeder streams border the quarry site and provide a direct route to Watergrove Reservoir for any pollutants or

poor quality water. Without suitable settlement or mitigation ponds this would impact directly on the quality of drinking water produced at Watergrove Treatment Works and, in turn, the water supplied to customers.

Views of Officer:

The current limitation on the amount of stone that can be extracted from this quarry is to safeguard local amenity and also highway safety along the A671 and particularly in the vicinity of its junction with Landgate, in Rossendale.

It is clear that the use of stone from this existing quarry to construct the access roads for the wind farm, which lies so close by, would have significant benefits. It would mean a smaller number of HGV movements delivering stone to the site to construct the haul roads. It should also allow unwanted/surplus material from the project to be deposited in the quarry, as part of its restoration programme. This should all reduce the impact of the construction of the wind farm upon road safety, local residential amenity. It would also result in the full restoration of the quarry within a much shorter time period than is required under the current quarry permission.

In response to some of the original queries about the proposal that were raised by the G.M Minerals & Waste Planning Unit early on in the consideration of the application, the applicants have made the following summarised additional comments to clarify certain points:-

- It is not proposed to extend the operational life of the quarry. In actual fact, the proposal would considerably shorten the operational life of the quarry, because the proposed alternative wording to condition 8 would mean that the stone extracted could only be used for the construction of the access roads for the Crook Hill Wind Farm, whose construction period would end well before the 2019 date of D48570. Basically, if approved, the quarrying at the site would be reduced to a much shorter time scale and it would be restored sooner.
- If necessary, the applicants are prepared to accept a maximum limit on the quantity of stone that can be extracted from the quarry. However, the applicants' preliminary investigations show there to be more than enough stone available at the quarry to meet the demands of the whole of the wind farm access roads. The more stone that could be sourced from the Middle Hill Quarry means the fewer haul vehicle movements to and from the wind farm site via Shawforth. This would have a less harmful effect on road safety and local residential amenity.

The volume of stone to be extracted from the quarry:

The current planning permission D54870 expires on 1 August 2019. At the time of the preparation of this report, this would mean there are approximately a remaining permitted 411 weeks of quarrying. At the permitted extraction rate of 100 tonnes of stone per week, this would equate to a total of 41,100 tonnes of stone that can still be legally extracted from the quarry under the current quarry planning permissions. Using the normal ratio of 2.2 tonnes per cubic

metre of stone, then this would represent an approximate total of 18,681 cu.m.

From the grant of planning permission D48570 in 2007 and until its expiry in 2013, a total of some 62,400 tonnes of stone would have been permitted to be extracted from the quarry, (at the maximum limit of 100 tonnes per week). To date, it is believed that only a tiny fraction of that total amount has yet been extracted however.

It is important to remember that the reason for the limitation on the weekly extraction rate was to safeguard local amenity and also highway safety along the A671 and particularly in the vicinity of its junction. The access route to reach the quarry is not very satisfactory, having a poor junction with the A671, and a greater number of quarry haul vehicles passing along Landgate and through Shawforth would have significantly harmful impacts on road safety and local amenity.

The current proposal however, would involve the majority of stone haul vehicle movements only between the quarry and the wind farm construction site. There would be no movement of stone extracted from the quarry along Landgate and through Shawforth.

There will inevitably be noise caused through the stone extraction and it's processing at the site before it can be used for the construction of the access roads. This would also be significantly intensified above the current permitted situation, (with only 100 tonnes currently allowed to be quarried per week). However, it is not considered that this would have a significantly harmful effect on the residents at Crey Farm. In any case however, it is considered that the overall environmental benefits of the proposal, (mainly in reducing the number of haul vehicles going to and from the wind farm site), would outweigh any such harm to the occupants of that property.

It is not considered necessary to specifically limit by planning condition the total amount of stone that can be extracted from the quarry. This is because of the following reasons:-

- The stone extracted from the quarry would only be used to construct the necessary access roads for the wind farm;
- There would therefore be no stone extracted from the quarry taken off the moor and via Landgate and onto the A671 to be taken elsewhere.
- The more stone that can be taken out of the quarry, the fewer movements of haul vehicles to and from the wind farm from the A671 and then along Landgate etc would be needed.

The objection raised by United Utilities based on the possible greater adverse impact upon the quality of the water supply to Watergrove reservoir

It should be noted that United Utilities originally raised their objection on the effect of the wind farm on the quality of water supply at the public inquiry held

in 2009 and also to the more recent application D54145, for the revised means of access to the wind farm from Shawforth.

In essence, it is the danger of peat oxidisation, (caused by disturbance to the peat, its drying out and changes in its drainage), that can change/increase turbidity. Turbidity is the cloudiness or haziness of a fluid caused by individual particles (suspended solids) that are generally invisible to the naked eye, similar to smoke in air. The measurement of turbidity is a key test of water quality.

Water arising from land with deep peat, good vegetation cover and with little man made drainage (i.e. a well functioning blanket bog) will be of good quality with relatively low colour and turbidity. In contrast, a similar site which has been drained and eroded will be drier and will generate significantly more colour and turbidity in the raw water.

United Utilities have stated that this proposal, to extract stone from Middle Hill Quarry, would have an even more harmful effect on the water supply to the Watergrove reservoir. If water quality deteriorates significantly, then it would be necessary to divert water away from the Watergrove reservoir, which would have implications for water supply during dry or drought periods.

In summary, in his appeal decision letter, the Inspector did not consider that the degree of risk to the harm of water supplies to the Watergrove Reservoir was so severe as to justify the refusal of either of the planning applications for the 8 & 12 turbine wind farm schemes at Crook Hill. He commented that the development would only affect a very small part of the overall Watergrove Catchment Area. He recognised that the problem of peat oxidisation affecting water supplies already exists and he concluded that, subject to the imposition of suitable conditions, strict management by the developer/contractor and rigorous monitoring, the schemes at Crook Hill would not unacceptably worsen that situation.

It is possible that this proposal may have a more harmful impact upon the quality and therefore the quantity of public water supplies. However, it would still only affect 27% of the overall yield supplying Watergrove reservoir. It should also be possible to mitigate such a risk by the use of careful drainage strategy throughout the period of extraction from the quarry. The applicants' Blackwell report addresses this issue and proposes various mitigation measures to prevent increased water turbidity and the officer's recommendation includes a planning condition to deal with this detail.

It is therefore not considered that this application should be refused on this water quality argument being made by United Utilities.

Conclusions

It is considered that there are significant benefits for both road safety and local residential amenity in Shawforth if this proposal were to be approved. The concerns raised by United Utilities over the potential more harmful impact

on the quality of the water supply to Watergrove reservoir could also be successfully mitigated by the adoption of a careful drainage scheme. But in any case, the other significant benefits of the proposal are considered to more than outweigh any potential temporary effects on the quality of the water supply to the reservoir.

As the proposal would make possible a more sustainable way of constructing the Crook Hill wind farm, it would also seem to be supported by the general guidance contained in the draft NPPF.

Delegation Scheme:

Members have delegated powers to determine this application either way using reasonable planning grounds.
