

31st January 2019

Case Officer
Planning and Development
Gloucestershire County Council
Shire Hall
Gloucester
GL1 2TG



FAO Marcus Sparrow

By email only to planningdc@gloucestershire.gov.uk

Dear Mr Sparrow

18/0074/CWMAJM - Extension of existing quarry and associated ancillary development - Grange Hill Quarry, Naunton, Gloucestershire, GL54 3AY

Thank you for consulting the Cotswolds Conservation Board ('the Board') on the above planning application. The Board **OBJECTS** to this planning application.

The Board's main objectives in responding to this consultation are to ensure that:

- The local planning authority (LPA):
 - fulfils its statutory duty, under Section 85 of the Countryside and Rights of Way (CROW) Act 2000, to have regard to the purpose of conserving and enhancing the natural beauty of the Cotswolds Area of Outstanding Natural Beauty (AONB) when making a decision on this planning application; and
 - implements its statutory power, under Section 84 of the CROW Act, to take all such action as appears expedient for the accomplishment of the purpose of conserving and enhancing the natural beauty of the AONB.
- The policies of the National Planning Policy Framework (NPPF), in relation to AONBs, are rigorously applied.
- Development is consistent with the policies of the Cotswolds AONB Management Plan 2018-2023 and associated guidance produced by the Board.
- Development does not adversely affect the purposes of:
 - conserving and enhancing the natural beauty of the Cotswolds AONB; and
 - increasing the understanding and enjoyment of the special qualities of the AONB.
- If development is permitted, it makes a positive contribution to these purposes.

The main reasons for the Board's objection are outlined below.

The Board recognises that provision should be made for the quarrying of limestone in the Cotswolds AONB, at an appropriate scale, in order to provide building materials that help maintain and enhance the local distinctiveness of the AONB. However, this provision should not be at the expense of the AONB's natural beauty and special qualities. As the planning application itself has identified, the proposed development at Grange Hill Quarry *would* have some significant adverse impacts, including some localised significant cumulative effects as a result of the proposed development being considered in combination with the extension at Naunton Quarry. Cumulative effects are a particularly important consideration given the large number of quarries within close proximity and the number of lorry movements that these quarries generate.

Conserving, enhancing, understanding and enjoying the Cotswolds Area of Outstanding Natural Beauty

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The proposed development would constitute major development, in the context of paragraph 172 of the NPPF. As such, in order to be granted planning permission, the applicant must demonstrate that exceptional circumstances apply and that the development would be in the public interest. Although the planning application argues that these criteria have been met, the Board is of the opinion that the applicant has not adequately proven that this is the case.

Key issues, in this regard, include:

- **Timescale for the proposed development and amount of limestone to be extracted:** The planning application seeks permission for the extraction of 674,000 tonnes of limestone. As the planning application seeks to comply with the current maximum permitted output of 12,000 tonnes per two year period (i.e. an average 6,000 tonnes per annum), the timescale for extracting all of the limestone would be a minimum of 112 years. This is nearly double the maximum legal time limit for a mineral working of 60 years. As such, the amount of mineral extraction being proposed is far in excess of anything that could be considered to equate to 'exceptional circumstances' or being 'in the public interest'.
- **Evidence of need:** Limestone and other minerals that are extracted in the AONB should primarily be used for purposes that conserve and enhance the natural beauty and special qualities of the AONB, for example, the provision of locally distinctive building stone. However, the applicant has not adequately identified the amount (or proportion) of the limestone that would be used for these purposes within the AONB. Nor has the applicant adequately demonstrated that the proposed development is the only option (or the most suitable option) for meeting any shortfall in supply.

Further information regarding the Board's objection is provided in Annex 1, below, including guidance on the additional information that should be provided to demonstrate evidence of need, exceptional circumstances and that the development would be in the public interest.

If you have any queries regarding the Board's response, please do not hesitate to get in touch.

Yours sincerely,

A handwritten signature in black ink that reads "John Mills". The signature is written in a cursive style with a long, sweeping underline.

John Mills MRTPI
Planning and Landscape Officer

ANNEX 1. ADDITIONAL INFORMATION SUPPORTING THE OBJECTION OF THE COTSWOLDS CONSERVATION BOARD TO PLANNING APPLICATION 18/0074/CWMAJM

Major Development – Exceptional Circumstances and Public Interest

As the planning application itself identifies, the proposed development constitutes ‘major development’ in the context of paragraph 172 of the National Planning Policy Framework (NPPF). As such, planning permission should be refused unless the applicant can demonstrate that exceptional circumstances apply and that the development is in the public interest.

The applicant states that the use of limestone in the vernacular of buildings and walls is essential to the historically important local distinctiveness of the Cotswold area. The Board agrees with this statement. In fact the unifying character of the limestone geology, resulting from its visible presence in the landscape and its use as a building material, is one of the special qualities of the Cotswolds AONB. As outlined in Policy CE3 (Local Distinctiveness) of the Cotswolds AONB Management Plan 2013-2018, the Board recognises that *‘provision should be made for the quarrying of limestone, at an appropriate scale, in order to provide building materials that help maintain and enhance the local distinctiveness of the AONB’*.

The applicant asserts that the proposed development would play a vital role in ensuring the continuing supply of this stone. The applicant uses this assertion as the basis for claiming that exceptional circumstances apply and that the development would be in the public interest. However, the planning application provides very little evidence to back up this argument. For example, the supporting evidence appears to simply consist of the statement that there is a proven need for the Cotswold Stone found within the site and that the applicant is unaware of any alternative non-AONB sources of the mineral in the County. This falls well short of the requirements of the NPPF, the Minerals Local Plan for Gloucestershire (Publication (Pre-Submission) Plan) and the Cotswolds AONB Management Plan 2018-2023.

Paragraph 172 of the NPPF requires, inter alia, an assessment of the need for the development and the scope for meeting the need for the development in some other way. The Minerals Local Plan for Gloucestershire (Publication (Pre-Submission) Plan) expands on these requirements. For example, Policy MW02 (Natural Building Stone) specifies that mineral development proposals for natural building stone should be able to demonstrate that *‘there are no alternative suitable supplies available to meet demand that are viable and represent a more sustainable source’*. The supporting text for Policy MW02 specifies that:

- *Proposals for natural building working will need to be accompanied by a sufficiently detailed Building Stone Assessment (BSA), which must set out what the forecast demand is for the natural building stone types under consideration, backed by robust and credible evidence. The BSA will need to provide a comprehensive analysis of current supplies and an explanation as to why these are likely to be insufficient and / or inappropriate to meet the forecast demand. An appreciation of the environmental and economic attributes of alternative supplies will be vital, particularly when attempting to consider their comparative disadvantage to the proposed minerals development.*

Policy CE12 (Development Priorities and Evidence of Need) of the Cotswolds AONB Management Plan 2018-2023 states that *‘development in the Cotswolds AONB should be based on robust evidence of local need arising from within the AONB’*. Therefore, in addition to the requirements of the Minerals Local Plan, the Board recommends that the applicant

should be required to provide the following evidence, in relation to the limestone that would be extracted from the quarry (using data from the existing quarry operations if required):

- % used for building stone within the AONB;
- % used for dry stone walling within the AONB;
- % used for other purposes within the AONB;
- % used outside the AONB.

It is worth noting that the particular colour of building stone being produced at this site would only be appropriate for use as building stone across a relatively limited part of the AONB, given that other parts of the AONB have different colour stone. This should be reflected in the evidence provided by the applicant.

Given the potential lifetime of the proposed development, the applicant should also provide evidence of likely demand and supply trends in the longer term.

The applicant should be required to provide all of this evidence base in order for a valid assessment to be made of whether exceptional circumstances apply and whether the development would be in the public interest.

Timescales for the development and the amount of mineral to be extracted

The planning application seeks permission for the extraction of 674,000 tonnes of limestone. As the planning application seeks to comply with the current maximum permitted output of 12,000 tonnes per two year period (i.e. an average 6,000 tonnes per annum), the timescale for extracting all of the limestone would be a minimum of 112 years. This is nearly double the maximum legal time limit for a mineral working of 60 years. As such, the amount of mineral extraction being proposed is far in excess of anything that could be considered to equate to 'exceptional circumstances'.

At most, the quarry would only be able produce a maximum of 361,000 tonnes within a 60 year period (54% of the amount proposed in the planning application). However, allowing the quarry to operate for 60 years would be exceedingly generous. The proposed extension at the neighbouring Naunton Quarry, for example, would allow for supplies for up to a period of just 20 years beyond that currently permitted. If a 20 year time limit was imposed on the Grange Hill Quarry proposal, the maximum amount of limestone that could be extracted would be only 120,000 tonnes (18% of the amount proposed in the planning application). Presumably, the area of land-take would be proportionally less as well.

Adverse Impact of the proposed development

The Landscape and Visual Impact Assessment identifies that there would be **some localised negative landscape and visual effects** arising respectively from the loss of some open agricultural land and views from the track along the western boundary, as well as **some localised significant cumulative effects** as a result of the proposed development being considered in combination with the extension at Naunton Quarry.

Cumulative effects are a particularly important consideration given the large number of quarries within close proximity and the number of lorry movements that these quarries generate. This applies to a range of issues, including traffic. With regards to traffic, the planning application states that:

- The proposed development would not result in any changes when compared with the existing operations at Grange Hill Quarry which the network has safely

accommodated for many years. This is because the development will not change the current access to the site and it will also keep the existing hours of operation.

However, as well as considering the proposed development in the context of the current baseline, an assessment should be undertaken which compares the traffic levels on the surrounding roads if the development is permitted with the traffic levels if development is not permitted (and the current quarry is worked out). The cumulative impact of traffic from nearby quarries, including the proposed extension of the neighbouring Naunton Quarry, should also be considered.

With regards to traffic and other aural and visual disturbance, the applicant should be required to demonstrate how it will be consistent with Policy CE4 (Tranquillity) of the Cotswolds AONB Management Plan:

1. Proposals that are likely to impact on the tranquillity of the Cotswolds AONB should have regard to this tranquillity, by seeking to (i) avoid and (ii) minimise noise pollution and other aural and visual disturbance.
2. Measures should be taken to enhance the tranquillity of the Cotswolds AONB by (i) removing and (ii) reducing existing sources of noise pollution and other aural and visual disturbance.