

3rd April 2020

Amanda Bayliss
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By email only to planningdc@gloucestershire.gov.uk



Dear Ms Bayliss

19/0072/CWMAJM – Variation of conditions 12 and 13 – Tinkers Barn Quarry, Guiting Power

Thank you for consulting the Cotswolds Conservation Board ('the Board') on the above planning application, which relates to Tinkers Barn Quarry, which is located in the Cotswolds Area of Outstanding Natural Beauty (AONB).

The Board recognises that the proposed variation of conditions has some potential benefits, with regards to the purpose of AONB designation. For example, the proposed variation would help to ensure that the site is restored to pre-quarrying ground levels, as currently planned, rather than at elevated levels. Restoration to pre-quarrying ground levels would be in keeping with the landscape character of the local area.

However, the Board is concerned that:

1. **The potential adverse impacts on the tranquillity of the Cotswolds AONB have not been adequately addressed, particularly with regards to the associated HGV movements.** The applicant has identified that the proposed variation would result '*in a position of no change to operations over the last three years*'. However, this fails to recognise that the proposed variation would represent a change from the current baseline (and the future baseline, if planning permission is not granted) in which the permitted three year period for processing and exporting crushed material has already ended.
2. **The output of the by-product from the quarry (i.e. the crushed material) would continue to exceed the output of the main product (i.e. the tile, wall and building stone) for a further three years.** This calls into question whether the proposed development is consistent with the policies of the Cotswolds AONB Management Plan 2018-2023.

For these reasons, the Board objects to the proposed variation of conditions.

To address these issues the Board recommends that:

1. The applicant should be required to assess the percentage increase in HGV movements, on local roads and through local villages, that would result from the proposed variation of conditions, compared to a baseline in which no further crushed material could be exported from Tinkers Barn
2. Consideration should be given to ensuring that the output of by-product does not exceed the export of the main product. For example, if planning permission is

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granted, consideration should be given to exporting the 60,000t of surplus material over a four to five year period, rather than three years.

With regards to Recommendation 1, the Board would view the proposed variation of conditions in a more positive light if the applicant can demonstrate that the percentage increase in HGV movements is likely to be less than 10%.

Further information relating to these concerns and recommendations is provided in Annex 1.

If you have any queries regarding these comments then please do 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 that extends to the right.

John Mills MRTPI
Planning and Landscape Officer

ANNEX 1. SUPPORTING INFORMATION FOR THE RESPONSE OF THE COTSWOLDS CONSERVATION BOARD TO PLANNING APPLICATION 19/0072/CWMAJM

Cotswolds Area of Outstanding Natural Beauty (AONB) / Cotswolds Conservation Board context

Tinkers Barn is located in the Cotswolds Area of Outstanding Natural Beauty (AONB). The purpose of AONB designated is to conserve and enhance the natural beauty of the AONB. Whilst the Board recognises that the AONB is a living and working landscape, development in the AONB should still be consistent with – and help to deliver – the purpose of designation.

The Board recognises the need 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 (as outlined in Policy CE3, paragraph 4, of the Cotswolds AONB Management Plan 2018-2023). However, as outlined in that policy, any such quarries should be required to demonstrate that they do not have any significant adverse effects on the ‘special qualities’ of the AONB or the integrity of existing wildlife sites.

Tinkers Barn Quarry is one of a cluster of eight active quarries in the vicinity of Buckle Street and the B4077. The Board has some concerns about the potential cumulative impacts of these eight quarries, particularly with regards to impacts on the tranquillity of the AONB resulting for increased levels of HGV movements. We are aware that parish councils in the area have similar concerns, particularly with regards to the impact of these HGV movements through villages such as Ford.

The Board has worked proactively with relevant stakeholders across this cluster, including the mineral operators and the parish councils, to see if there is scope to address these issues across the quarry cluster. For example, the Board organised and co-facilitated a quarry stakeholder meeting in January 2020. The Board therefore has a strong interest in helping to ensure that quarrying in the area is consistent with the purpose of AONB designation and that it does not adversely affect amenity of local communities.

Given the concerns about impacts of HGV movements across this cluster, it is particularly important that any potential increases in HGV movements, over and above what is currently permitted in planning conditions, should be closely scrutinised.

The planning application proposals

Through the proposed variation of planning condition 12, the planning application seeks permission to export a further 60,000t of crushed material, made up of excess, unusable building stone material. This is over and above the 60,000t of crushed material that is currently permitted and which has already been processed and exported. In effect, this would be a doubling of the amount of crushed material that could be exported.

Through the proposed variation of planning condition 13, the planning application also seeks permission to extend processing and exportation of this material beyond the currently permitted timescales.

Potential adverse impacts

The Board’s key consideration is the potential adverse impacts of the proposed development on the tranquillity of the AONB, primarily in relation to the HGV movements associated with the proposed development. The tranquillity of the Cotswolds AONB is one of the ‘special

qualities' of the AONB. In other words it is one of the features of the AONB that makes the area so outstanding that it is in the nation's interest to safeguard the area.

As indicated in the Board's Tranquillity Position Statement, the Board would regard an increase in HGV movements, on local roads, of 10% or more as a 'trigger for concern'.¹ Such an increase would potentially constitute major development, in the context of paragraph 172 and footnote 55 of the NPPF, and would potentially require an Environmental Impact Assessment (EIA).

Paragraph 6.6 of the applicant's Supporting Statement states that '*the proposals will result in a position of no change to operations over the last three years*' and '*the level and nature of traffic generated from the site will be unchanged*'. As such, it could potentially be argued that proposed development does not exceed the 10% 'trigger of concern'.

However, as indicated in the applicant's Supporting Statement (paragraph 4.3), the three year period provided for in the current planning permission has now expired. As such, the current baseline is one in which crushed waste material should no longer be processed and exported. Therefore, it would also be appropriate to compare the proposed development with this current baseline.

The Supporting Statement provides no details of the number of HGV movements that would be required to export the 60,000t of material. However, the Board has reviewed the County Council's Environmental Impact Assessment (EIA) screening opinion for the previous planning application (16/0012/CWMAJM), which sought to export the same amount of material over the same period of time (i.e. up to 60,000t over a three year period). The screening opinion refers to there being an '*additional four 10 cubic metres HGV loads over a 5 day working week for a period of 4 weeks of the campaign*'.

The Board has also reviewed the Transport Statement for the previous planning application, which provides a slightly different scenario in which '*exporting crushed stone will generate around four laden trips per day*' (paragraph 5.4 – underlining added for emphasis). This would equate to eight HGV movement per day. Therefore, it is assumed that the current planning application would also entail an average of eight HGV movements per day during each 'campaign' for the processing and exportation of crushed material.

As indicated above, this is equivalent to the baseline conditions over the last 3 years. However, it is also equivalent to eight extra HGV movements per day compared to the current baseline in which the three year period has expired (and / or compared to a scenario in which planning permission is not granted).

To address this issue, the Board recommends that the applicant should be required to:

- i. explicitly state the number of anticipated HGV movements per day during each 'campaign', including separate figures for the HGV movements associated with: (i) the export of the crushed material; and (ii) the export of the main tile / wall / building stone;
- ii. identify the likely baseline HGV movements per day on local roads (e.g. Buckle Street and B4077) and through local villages (e.g. Ford) during these 'campaign

¹ <https://www.cotswoldsaonb.org.uk/wp-content/uploads/2019/06/Tranquillity-Position-Statement-FINAL-June-2019.pdf> (Section 4.5). The 10% figure is based on the 'rules of thumb' outlined in the Institute of Environmental Assessment's '*Guidelines for the Environmental Assessment of Road Traffic*'.

- periods', not including HGV movements associated with the export of the crushed material from Tinkers Barn;
- iii. from (i) and (ii), calculate the HGV movements associated with the export of crushed material from Tinkers Barn as a percentage of the total HGV movements.

The Board would regard the proposed variation of conditions in a more positive light if the percentage calculated in (iii) is robustly demonstrated to be less than 10%.

The planning application proposal refers to the excess material as 'waste'. However, the applicant's supporting statement (paragraph 4.5) makes it clear that the surplus material would be processed into a useable (and presumably saleable) aggregate product. The Board is concerned that, if planning permission was granted, the output of saleable by-product from the quarry (i.e. the 'useable aggregate') would continue to exceed the main product (i.e. tile, wall and building stone) by approximately 50% for a further three years (i.e. 60,000t over three years, compared to 42,000t over three years, respectively). This calls into question whether the quarry is consistent with Policy CE4 (paragraph 4) of the Cotswolds AONB Management Plan 2018-2023, as outlined above.

Therefore, if planning permission *is* granted, the Board recommends that consideration should be given to ensuring that the output of by-product from the quarry does not exceed the output of the main product over the proposed three year period. For example, it may be more appropriate to spread the export of the 60,000t over four to five years, rather than three years.

Potential benefits

The Board acknowledges that the currently agreed restoration scheme would restore ground levels back to pre-quarry contours. We also acknowledge that keeping the surplus material on site could require restoration to higher ground contour levels. We agree that this would not be in keeping with the surrounding landscape.