

21st January 2020

Matthew Williams
Case Officer
Warwickshire County Council

By email only to matthewwilliams@warwickshire.gov.uk

Dear Matthew



PLANNING APPLICATION: SDC/19CM023 (also referred to as 19/03315/COUNTY on the Stratford on Avon planning portal)
LOCATION: Edgehill Quarry, Edgehill, Banbury, OX15 6DH (also referred to as Hornton Quarry, Edgehill OX15 6DX on the Stratford on Avon planning portal)
PROPOSAL: Infilling of redundant quarry with inert demolition and construction waste to include temporary materials recycling facility and restoration to provide a mixture of residential park homes and recreational eco lodges.

Thank you for consulting the Cotswolds Conservation Board on the above planning application and for allowing additional time for the Board to provide a response.

The Board objects to the proposed development. This is primarily because we consider that it constitutes major development in the context of paragraph 172 and footnote 55 of the National Planning Policy Framework (NPPF). As such, there should be a presumption against granting planning permission.

The reasons for objecting the proposed development (and for considering it to be major development), primarily relate to the proposed infilling of the site, including the associated movement of heavy goods vehicles (HGVs) and the processing of the imported waste. However, we also have concerns about the proposed restoration and after use, including the proposed housing development

In particular, the Board considers that:

- the dual purpose of the proposed development (i.e. the combination of waste operation and housing development) add a high level of complexity to the assessment of the proposal and to the decision-making process;
- the four-fold (400%) increase in maximum permitted HGV movements and 16-fold (1,600%) increase in estimated HGV movements would have a significant adverse impact on the tranquillity of the Cotswolds Area of Outstanding Natural Beauty (AONB), within which the proposed development is located;
- the type and scale of the proposed waste operation (i.e. importing nearly 600,000 tonnes of inert waste and re-exporting nearly 120,000 tonnes of this imported material) is not appropriate in the Cotswolds AONB;
- the scale of the proposed housing scheme, which would increase the number of dwellings in the parish by 20%, is disproportionate to the current number of dwellings in Ratley and Upton Parish;
- on balance, the proposed scheme is likely to have an adverse effect on landscape character (rather than enhancing the landscape character, as suggested by the applicant).

The Board considers that exceptional circumstances do not apply and that the development would not be in the public interest.

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

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In particular, we consider that there is no justifiable need to locate a waste operation of this scale (both in terms of the infilling and the materials recycling facility) in the Cotswolds AONB. The potential benefits to landscape character that the proposed development could potentially provide do not justify the amount of inert waste that would be imported and exported and the associated adverse impacts on tranquillity. These potential landscape character benefits are also undermined by the proposed housing development, which does not contribute to the distinctive character of the AONB's settlements. Furthermore, in the context of the proposed housing, the Board does not consider there to be robust evidence of local need arising from within the AONB. In particular, there is not robust evidence of affordable housing need arising from within Ratley and Upton Parish.

On balance – and in the context of this specific planning application - the Board recommends that the quarry should not be infilled. Instead, the restoration scheme, which is a requirement of current planning conditions, should focus on establishing lowland calcareous grassland habitat and Open Mosaic Habitats on Previously Developed Land.

Additional supporting information is provided in Annex 1, below.

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. SUPPORTING INFORMATION RELATING TO THE COTSWOLDS CONSERVATION BOARD'S OBJECTION TO PLANNING APPLICATION SDC/19CM023

Multi-purpose complexity

The dual purpose of the proposed development (i.e. the combination of two substantial development – a waste operation and a housing development) adds a high level of complexity to the assessment of the proposal and to the decision-making process.

This dual purpose potentially combines the worst of both purposes. For example, it has the effect of complicating and / or precluding alternative options / sites for one or both aspects of the development, in different combinations that ought to be considered. It also requires justification of all aspects of both purposes, including need, the scope for developing outside the AONB, the contribution (or harm) to the local economy and the balance between adverse and beneficial effects.

This multi-purpose complexity itself justifies the proposed development being given major development status.

Impacts on tranquillity

Tranquillity is one of the 'special qualities' of the AONB. In other words, it is one of the features of the Cotswolds that makes the area so outstanding that it is in the nation's interest to safeguard it. The proposed development would have a significant adverse impact on the tranquillity of the AONB as outlined below.

The proposed development would result in a 16-fold (1,600%) increase in the number of estimated HGV movements, compared to the current planning permissions (i.e. 5.2 estimated movements per hour (mph) for the proposed development v. 0.32 mph under the current planning permission). In terms of permitted maximum HGV movements there would be a four-fold (400%) increase from a permitted maximum of 20 HGV movements per day (mpd) to the proposed maximum of 80 mpd. If you compare this proposed maximum to the current estimate of movements (3.24 mpd), this equates to a 24-fold (2,400% increase).

The applicant's Transport Statement fails to assess this increase in HGV movements in / out of the quarry against the current number of HGV movements on Grange Lane. However, given that the site is located in a very rural area on minor roads, it is highly likely that HGV movements on Grange Lane that are not associated with Edgehill Quarry are likely to be minimal. As such, the Board considers that, in the absence of relevant data being provided by the applicant, the above statistics should apply to HGV movements on Grange Lane as well as to HGV movements in / out of the quarry (e.g. a 16-fold (1,600% increase in the number of estimated HGV movements).

The Board's Tranquillity Position Statement indicates that an increase in HGV movements on local roads of just 10% or more should be considered significant.¹ As such, the 1,600% increase associated with the proposed development is hugely significant and completely inappropriate.

¹ <https://www.cotswoldsaonb.org.uk/wp-content/uploads/2019/06/Tranquillity-Position-Statement-FINAL-June-2019.pdf> (in particular, Section 4.5). The Board's assertion that a 10% increase in HGV movements on local roads should be considered significant is based on the 'rules of thumb' for traffic flows that are provided in the Institute of Environmental Assessment (IEA)'s 'Guidelines for the Environmental Assessment of Road Traffic'.

The type and scale of the proposed waste operation

The proposed development involves importing 585,000 tonnes of inert waste over a six year period, of which approximately 117,000 tonnes would be re-exported. This means that, in total, just over 700,000 tonnes of inert waste would be imported and / or exported. Given that the infilling operation is estimated to take six years, this would mean an average of 117,000 tonnes of inert waste being imported and / or exported each year.

The Warwickshire Waste Local Plan has an objective to ensure that new waste developments are located in the most sustainable and accessible locations, proximate to waste arisings and use the most sustainable transport mode. Core Strategy Policy 3 (Policy CS3) of the Waste Local Plan provides some useful policy context to this objective. For example, Policy CS3 classes waste facilities that manage 50,000 tonnes per annum (or more) as 'large scale'. The proposed development would be dealing with more than twice this amount of waste each year, on average. Policy CS3 clarifies that proposals for such 'large scale' waste developments should be located within approximately 5km of primary settlements such as Stratford-on-Avon. The proposed development does not comply with this requirement. Policy CS3 sets a presumption against permitting large scale developments outside of these zones.

The Cotswolds AONB Landscape Strategy and Guidelines document highlights the potential loss of tranquillity due to noise, dust and vehicle movements associated with waste disposal operations. It recommends: (i) avoiding strategic waste disposal proposals within or adjacent to the AONB; and (ii) avoiding importing waste into the AONB.²

Taking all of these points into account, the Board considers that the type and scale of the proposed development, particularly in relation to the waste operation, is not appropriate in the Cotswolds AONB.

The scale of the proposed housing development

The Cotswolds AONB Landscape Strategy and Guidelines (LSG) seek to ensure that new development is proportionate and does not overwhelm the existing settlement.

The proposed development would increase the number of residential dwellings in Ratley and Upton Parish by 29, from 149 (according to the 2011 census) to 178, which equates to a 20% increase. Purely in numerical terms, such an increase would not be proportionate. Therefore, it would not be consistent with the LSG and, by extension, the Cotswolds AONB Management Plan 2018-2023.

Landscape and Visual Impact

The applicant's Landscape and Visual Impact Assessment (LVIA) asserts that the proposed development would enhance the landscape character of the site and the local area in the longer term (i.e. once the site had been infilled, the housing constructed and the landscaping / planting well established). However, on balance, the Board considers that the proposed development is more likely to have an adverse effect on landscape character in the short, medium and long term.

² <https://www.cotswoldsaonb.org.uk/our-landscape/landscape-strategy-guidelines/>. The proposed development is located in Landscape Character Type (LCT) 7 – High Wold. Section 7.6 outlines the potential landscape implications of - and appropriate strategies and guidelines for – waste disposal operations in this LCT.

Although disused quarries do not necessarily reflect the optimal landscape character for a particular landscape character type (in this instance, Landscape Character Type (LCT) 7 – High Wold), they are, to some, degree, characteristic of this LCT. They also have the potential to positively contribute to this landscape character, particularly where they have developed a valued wildlife resource.

In this particular instance, the site is a proposed Local Wildlife Site and represents an example of '*Open Mosaic Habitats on Previously Developed Land*' (OMHPDL) which is listed as being a habitat of Principal Importance in England. Such habitat is particularly important for rare invertebrate species. The current processing of stockpiles on the site may have reduced or damaged this biodiversity interest to some degree. However, with some appropriate landscaping and appropriate long term management, the site has the potential to become an important and valued example of this habitat type, without significant levels of infilling or restoration.

Disused limestone quarries also have the potential to develop as precious lowland calcareous grassland habitat (which is under-represented in this part of the Cotswolds AONB), particularly where seed harvesting from nearby 'donor sites' can help to speed up the establishment of this habitat.

So, whilst restoring the quarry to pre-existing ground levels may have some benefits for landscape character, this benefit could potentially be significantly outweighed by making minimal changes to ground levels and, instead, providing the conditions in which OMHPDL and calcareous grassland habitats could thrive.

Additionally, or alternatively, if housing remains the desired end use, this could potentially be delivered without significant infilling of the quarry. This option could provide the added benefit of further reducing the visual impact of this housing, as the housing would be less visible to receptors beyond the site boundary. Avoiding infilling, or reducing the amount of infilling, would also have the benefit of retaining any interesting / important geological features that may currently be exposed in the quarry walls.

On the topic of visual impact, the Board acknowledges that the visual impacts of the 'end product' are likely to be relatively modest, as indicated in the LVIA. However, it would be useful (and more consistent with LVIA guidelines) if the applicant could strengthen their evidence base, in this regard, by providing photomontages with wire frame outlines of the proposed buildings (even if this is just a dotted line to show where the buildings would be, behind any intervening vegetation). It would also be useful to have a more thorough assessment of the visual impacts in winter when all phases of the development would be more visible.

If the quarry was to be infilled, then a more appropriate after use, in terms of landscape character, would be to retain the site as an agricultural field. This would be more characteristic of this LCT than a park home development which bears no, or very limited, relation to the distinctive character of the historic settlements of the AONB (and which would most probably detract from the landscape character).

The need for the development (waste operation)

Given the comments made above, in relation to landscape and visual impact, there is very little justification for the proposed infilling in terms of enhancing landscape character or in terms of the housing development, especially when you take into account the significant adverse effects of the infilling operation.

The policy context outlined above, in relation to the scale of the waste operation, also means that there is very little justification for establishing such a significant waste operation in this location within the Cotswolds AONB.

As part of the major development assessment required under paragraph 172 of the NPPF, the applicant should be required to assess the cost of, and scope for disposing of the inert waste outside the AONB or meeting the need for disposing of this waste in some other way.

The need for the development (housing)

Policy CE12 of the Cotswolds AONB Management Plan 2018-2023 recommends that (housing) development in the Cotswolds AONB should be based on robust evidence of need arising from within the AONB, with priority being given to affordable housing. In practice, the Board recommends that housing development proposals should be based on robust evidence of affordable housing need arising within the specific settlement / parish where the development is being proposed (for example, a Housing Needs Survey).³

The Housing Needs Survey (HNS) for Ratley and Upton Parish identifies just two households as being in need of affordable housing within the parish. It also identifies four households as being registered on the Home Choice Plus register. However, it is not clear if the HNS households and the Home Choice Plus households overlap. Also, the Board considers that caution should be used when considering data, such as that provided by Home Choice Plus, as evidence of housing need. For example, the option of being able to express preferences for multiple locations on this system can potentially lead to double, or even triple, counting. Based on this evidence, the Board would question the need for 29 dwellings in this particular location (or even the need for significantly fewer dwellings).

The Board acknowledges that there is evidence of additional affordable housing need in the Warwickshire section of the AONB (for example, in the HNS for the parishes of Radley and Tysoe. However, this should be a secondary to the need arising in Ratley and Upton Parish. Also, this evidence does not provide justification for accommodating a large proportion of this affordable housing need on this particular site.

The Board's recommendation

On balance – and in the context of this specific planning application - the Board recommends that the quarry should not be infilled. Instead, under the current planning permission, the applicant should be required to restore the quarry, without infilling and in line with current planning conditions, in a way that:

- retains important ecological features;
- focuses on – and prioritises - the establishment of lowland calcareous grassland habitat and Open Mosaic Habitats on Previously Developed Land, aided by appropriate landscaping and the spreading of seeds from suitable, local calcareous grassland 'donor' sites (whilst allowing for some natural regeneration);
- makes provision for longer term habitat management;
- avoids 'habitat packing' (i.e. creating multiple habitats in a relatively small area);
- retains features of geological interest;
- would, post-restoration, make the quarry site safe for informal, non-motorised recreational use.

³ In the context of the wider Cotswolds AONB, this is a requirement of the West Oxfordshire Local Plan – the Board advocates this as best practice across the whole of the AONB.