Stairfoot Brickworks

The Re-engineering and Restoration of Yew Tree Quarry Through the Importation of Non-Hazardous Excavated Soil Materials

Environmental Statement

Volume 2 Chapters 1-3

Prepared for Green Earth (Stairfoot) Limited

GREEN EARTH
DEVELOPMENTS GROUP

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FOREWORD

This Environmental Statement (ES) is submitted in support of a planning application made by Green Earth (Stairfoot) Limited, a wholly owned subsidiary of Green Earth Developments (Group) Limited (GEDG) (referred to as the Applicant).

The application relates to the restoration of Yew Tree Quarry (the Site) through the importation of non-hazardous excavated soil materials (the Proposed Development) at land within the Stairfoot Quarry, Wombwell Lane, Stairfoot (the Quarry).

The ES has been prepared in accordance with the Town and Country Planning (Environmental Impact Assessment) Regulations 2017 and comprises the following documents:

i) The Environmental Statement (ES) Main Report (Volume 1) contains the detailed project description; an evaluation of the current environment in the area of the Proposed Development; the likely significant environmental impacts of the scheme; and details of the proposed mitigation measures which would alleviate, compensate for, or remove adverse impacts identified in the study;

ii) Illustrative Figures (Volume 2) which contains all relevant schematics, diagrams and illustrative figures;

i) Technical Appendices (Volume 3) which include details of the methodology and information used in the assessment, detailed technical schedules and, where appropriate, raw data;

ii) A Non-Technical Summary (Volume 4) containing a brief description of the Proposed Development and a summary of the ES, expressed in non-technical language.

Hard copies of the Environmental Statement, as a four-volume set, are available at a cost of £400 by writing to Axis, Well House Barns, Chester Road, Chester, CH4 0DH. Alternatively, the Non-Technical Summary (NTS) can be purchased on its own from the same point of contact for £15, with the entire Environmental Statement available for purchase on a CD for £10.

1.0 INTRODUCTION AND BACKGROUND

1.1 Introduction

1.1.1 This Environmental Statement (ES) has been prepared in support of a planning application made by Green Earth (Stairfoot) Limited, a wholly owned subsidiary of Green Earth Developments (Group) Limited (GEDG) (referred to as the Applicant). The application is for the restoration of Yew Tree Quarry, located at the former Stairfoot Quarry and Brickworks.

1.1.2 The ES has been prepared in accordance with the Town and Country Planning (Environmental Impact Assessment) Regulations 2017 ('the EIA Regulations'). It assesses the likely significant effects of the Proposed Development on the environment, this ES presents the findings of the EIA undertaken for the Scheme in accordance with the EIA Regulations.

1.1.3 This introductory chapter provides an outline description of the Proposed Development, describes the Site and its context, defines the structure of the ES, and identifies the organisation that has undertaken the Environmental Impact Assessment (EIA).

1.2 Proposed Development

1.2.1 The Proposed Development comprises the restoration of the Site through the importation of non-hazardous soil materials, and the introduction of a new restoration scheme. The material that would be imported comprises excavated non-hazardous soils from development sites in the local area. It is estimated that circa 400,000m^3 of non-hazardous soil materials would be imported over a period of 111 weeks. This would equate to circa 80 HGV tippers on average per day.

1.2.2 A detailed Scheme Description is provided at Chapter 3.0.

1.3 The Applicant

1.3.1 The Applicant, Green Earth (Stairfoot) Limited, a wholly owned subsidiary of Green Earth Developments (Group) Limited (GEDG) is a private limited, ethical development company that specialises in brownfield land restoration and re-purposing. With their mission of 're-building nature and re-powering communities', GEDG is a leading developer of renewable energy projects, community assets and

natural capital projects including biodiversity net gain. To deliver their value-added regeneration projects with a strong partnership ethos, GEDG works collaboratively with a number of corporate landowners, government bodies and local authorities across the UK to help bring brownfield sites and underutilised land back into beneficial use.

1.4 The Site and its Surroundings

1.4.1 The former Stairfoot Quarry complex (the Quarry) is circa 18 hectares of land located approximately 2km from the centre of Barnsley on the eastern edge of the town. The location of the Quarry and application site (the Site or the Application Site) is shown on Figure 1.1 (Site Location). The area is largely residential, made up of a mix of semi-detached properties built between 1950 and 1975 (St Paul's Parade; St David's Parade; Roehampton Rise; Winchester Way; St Andrews Way and St Leonards Way). Further north is the A635 Doncaster Road which connects Barnsley in the west to Doncaster in the east. Directly to the northwest of the Quarry (accessed from Doncaster Road) is Oakhill Primary School, adjacent to which are a number of light industrial units and food outlet establishments.

1.4.2 The Stairfoot Roundabout connects the A635 and A633 to the northwest beyond which is the centre of the town. The A633 (Wombwell Lane) runs broadly north/south to the west of the Quarry and is straddled by a number of retail units and industrial buildings, along with a series of terraced properties fronting the eastern side of the main road. Wombwell Lane runs north/south from the A6133/A633 Stairfoot Roundabout to the A6195/A633 Wath Roundabout at Brampton/Wombwell.

1.4.3 The Quarry is a linear feature running from the urban area of Barnsley to the northwest to the open countryside to the southeast. The land to the southeast of the Quarry is within the Metropolitan Green Belt which restricts further development from expanding east and helps prevent Barnsley coalescing with Wombwell, Darfield and Wath upon Dearn.

Background to Stairfoot Brickworks

1.4.4 The Quarry Complex comprises a series of former clay pits used for the manufacture of bricks dating back as far as the turn of the nineteenth century. In the 1920's Squire Micklethwaite built a new brickworks at the site which was subsequently acquired along with the rest of the site by the Yorkshire Brick Company Limited. By the mid-

1970s the majority of the site lay derelict, and the brickworks was closed, with any mineral extracted exported off-site for manufacture elsewhere. The old brickworks located off Wombwell Lane was finally demolished and cleared post acquisition of the site by the Hanson Group in 1994.

1.4.5 The Quarry was developed for clay extraction purposes incrementally across four primary areas as shown on Figure 1.2. The areas are identified as:

1.4.6 **North Quarry** – Located in the northern part of the Quarry from the rear of St David's Drive, south as far as the rear garden of No. 90 St Paul's Parade. This area has been restored following the importation of waste material and comprises a variety of open scrub land and structure planting. This part of the Quarry is relatively well screened from adjoining properties to the north and south. One of the existing large water bodies that has remained at the Quarry resulting from historical quarrying activities is located within this part of the Quarry.

1.4.7 **South Quarry / Yew Tree Quarry** (the Application Site) – Located to the south of North Quarry and adjacent to the rear gardens of St Paul's Parade. The second, larger of the two water filled quarry voids is located in the former Yew Tree Quarry.

1.4.8 **Marine Band Quarry** – Located to the south of Yew Tree Quarry and north of a former railway line that is now designated a Green Corridor. It is understood that this area was historically used for water management during the operational phase of the quarry.

1.4.9 **Area 3 Quarry (also referred to as 'Area B')** – Located to the east of Yew Tree Quarry and Marine Band Quarry. This is an area that is not described on the public file, and consequently the history of it is unclear. It is illustrated on a number of historical plans and aerial photography which suggest that clay has never been extracted in this area.

The Site

1.4.10 The Site comprises the former Yew Tree Quarry, shown on Figure 1.3 (Application Boundary) which is approximately 5ha and broadly triangular in shape. The rear gardens of the properties on St Pauls Parade form the northern boundary of the Application Site. To the east of the Application Site is an area of woodland, part of which is covered by TPO 7. There are a number of footpaths which surround the Site, these are shown on Figure 1.4. Footpath 234 runs to the south from the

southeast to the northwest of the Application Site, beyond which is South Quarry and the former Stairfoot Brickworks site. The Trans Pennine Trail (TPT) (a 370-mile long, multi-use recreational route spanning Northern England, connecting the Irish Sea in the west and the North Sea in the east) runs from east to west between South Quarry and the former Brickworks site.

1.4.11 Access to the Site would be taken from the historical access into the former Stairfoot Brickworks site, off the A633 Wombwell Lane. An enabling works planning application was approved by Barnsley Metropolitan Borough Council (BMBC or the Council) in September 2023 (ref. 2022/1218), which allows for a series of improvements to the existing access junction off Wombwell Lane. This enabling works application relates to a more recent full planning application, submitted by Potters Ballotini Limited, for the redevelopment of the former Stairfoot Brickworks site to comprise a glass recycling and repurposing facility (ref. 2024/0373) which was approved in November 2024.

1.4.12 According to the Flood Map for Planning, the Application Site is located within Flood Zone 1 which represents an area of lowest risk of flooding[1]. The nearest heritage assets are 3 Grade II Listed Buildings located approximately 600m to the north off Doncaster Road.

1.5 This Document

1.5.1 As set out above, this document is the Environmental Statement (ES), which has been prepared to support the planning application for the Proposed Development.

1.5.2 In brief, Chapter 2.0 of the ES outlines the approach to the assessment describing the scope and structure of the ES, whilst Chapter 3.0 provides a detailed scheme description. Chapters 4.0 to 7.0 assess the potential for the Proposed Development to result in likely significant environmental effects.

1.6 Assessment Team

[1] Defined as land with less than a 0.1% annual probability of flooding from rivers or the sea (less than a 1 in 1000 year return period).

1.6.1 In accordance with Regulation 18(5) of the EIA Regulations 2017, the Applicant has engaged competent experts to prepare the ES.

1.6.2 The ES was compiled and coordinated by Axis, a multi-disciplinary planning, environmental and transportation consultancy. Axis is an established planning and environmental consultancy specialising in providing multidisciplinary planning support on major infrastructure development projects. Axis' project team includes: Chartered Town Planners; Members of the Chartered Institute of Ecology and Environmental Management; Members of the Chartered Institute of Highways and Transportation; Chartered Engineers; and Chartered Landscape Architects.

1.6.3 ES Chapters 1 to 3, and the ES Vol 4 Non-Technical Summary have been prepared by a Chartered Member of the Royal Town Planning Institute (RTPI) with 13 years post qualification experience in EIA and assessment of major projects. The ES was directed and reviewed by a second RTPI chartered town planner with over 25 years' similar experience. The topic chapters (Chapters 4-7), and other supporting assessments, have been prepared by a number of expert consultants. Each topic chapter provides a summary of the author's experience in their topic area. The companies responsible for preparing the chapters of the ES, and the other supporting assessments, are summarised in Table 1.1 below.

Table 1.1 Competent Experts

ES Chapter / Supporting Assessment	Author
Chapter 1: Introduction	Axis
Chapter 2: Approach to the Environmental Statement	Axis
Chapter 3: Scheme Description and Alternatives	Axis
Chapter 4: Ecology	Urban Green
Chapter 5: Transport	Axis
Chapter 6: Noise	Noise and Vibration Consultants
Chapter 7: Geology, Hydrology and Ground Conditions	Sirius Environmental Ltd

1.7 Structure of the Environmental Statement

1.7.1 **Volume 1 (Main Report)** provides an introduction to the project, scope of the assessment, summary of alternatives considered, a description of the Proposed Development and details the technical assessments that have been undertaken to

determine the likely impacts of the project. The chapters of the Main Report are as follows:

Chapter 1.0	Introduction and Background
Chapter 2.0	Approach to the Environmental Impact Assessment
Chapter 3.0	Scheme Description and Alternatives
Chapter 4.0	Ecology
Chapter 5.0	Traffic
Chapter 6.0	Noise
Chapter 7.0	Geology, Hydrology and Ground Conditions

1.7.2 The Illustrative Figures that that support the Main Report are contained within **Volume 2**.

1.7.3 A series of **Technical Appendices (Volume 3)** are provided where appropriate to provide additional background information to the technical chapters.

1.7.4 All the chapters of the Main Report are summarised in a **Non-Technical Summary (Volume 4)** to provide a review of the development proposals, and the possible environmental implications, in concise lay terms.

2.0 APPROACH TO THE ENVIRONMENTAL STATEMENT

2.1 Introduction

2.1.1 This Chapter of the Environmental Statement (ES) describes the overarching Environmental Impact Assessment (EIA) methodology used in the production of the ES. This chapter sets out the following:

i) the legislative requirement for the Proposed Development planning application to be accompanied by an ES;
ii) how the ES complies with the requirements of the EIA Regulations;
iii) the scoping process undertaken; and
iv) the broad assessment approach that has been undertaken in relation to the topics that have been identified as being likely to result in significant environmental effects.

2.1.2 EIA is the process of identifying, evaluating, and mitigating the likely significant environmental effects of a development. Early identification of significant effects enables appropriate mitigation to be incorporated into the design of development to avoid, reduce, or offset those effects.

2.1.3 The EIA of the Proposed Development has been undertaken in parallel with the design process, thereby maximising opportunities to mitigate likely significant effects as they were identified. This approach ensures mitigation is embedded in the design of the Proposed Development, wherever possible, and forms an integral component of it.

2.2 Need for EIA

2.2.1 The requirement for Environmental Impact Assessment (EIA) was prescribed by European law under Council Directive 85/337/EEC. This Directive has been amended four times, with the latest amendment, the EIA Directive (2014/52/EU) entering into force on 15th May 2014.

2.2.2 In England, the Directive has been transposed most recently into law by the Town and Country Planning (Environmental Impact Assessment) Regulations 2017 [SI 2017 No. 571] (EIA Regulations). These regulations came into force on the 16th May 2017.

2.2.3 As a result of C-72/95 Kraaijeveld and others v Gedeputeerde staten van zuid-Holland (colloquially known as the "Dutch Dykes" case) the European Court of Justice concluded that the wording of the directive indicates that it has a "wide scope and broad purpose". This has been relied upon steadily ever since to mean that when determining whether a development should be subject to EIA, but if it does not fall within a particular category or development type, one should consider it against a development description listed that most closely resembles that in question.

2.2.4 Schedule 1 of the EIA Regulations 2017 lists categories of developments for which EIA is mandatory, whilst Schedule 2 lists categories of development for which EIA may be required depending upon, inter alia, whether the development is likely to have significant environmental effects. The Proposed Development is not Schedule 1 development and mandatory EIA is consequently not required.

2.2.5 The Proposed Development is for the restoration of Yew Tree Quarry through the importation of 400,000m^3 of non-hazardous soils. The most similar equivalent development listed within Schedule 2 would be 11 (b) *Installation for the disposal of waste.* In this case, the threshold for whether or not the development would comprise a Schedule 2 Project is a footprint of 0.5 hectares. Development above such a threshold would need to be screened to determine whether or not it would be likely to give rise to significant environmental effects in order to determine if it were an EIA Project.

2.2.6 The Applicant did not seek a formal Screening Opinion of the Council to determine their view as whether significant environmental effects are likely to arise from the Proposed Development. However, pre-application consultation was undertaken with the Council on a similar (albeit much larger) scheme to the Proposed Development. Whilst the pre-application consultation did not represent a full screening assessment[2], the Council concluded that the development had the potential to give rise to a series of environmental effects, some of which could be significant in the context of the local environment. Whilst the scale and duration of the Proposed Development has reduced since the pre-application consultation was undertaken, it is acknowledged the development could give rise to similar environmental effects. It is on this basis that the Applicant has volunteered an Environmental Statement

[2] *Under Regulation 6 of the EIA Regulations*

prepared in accordance with the EIA Regs, and consequently the project is EIA development for planning purposes.

2.3 Scope of the ES

2.3.1 Regulation 15 of the EIA Regulations 2017 states that prospective applicants may request a Scoping Opinion from the relevant planning authority, in this instance BMBC. This is a written confirmation as to the scope and methodology of impact assessments and the information that, in the opinion of the planning authority, ought to be provided within the ES.

2.3.2 On 5 December 2024, the Applicant requested a formal Scoping Opinion under Regulation 15 of the EIA Regulations (Appendix 2.1). On 31 January 2025, BMBC provided the Applicant with a formal Scoping Opinion (Appendix 2.2) reference 2024/ENQ00517). The Scoping Opinion confirmed that BMBC agreed with the matters proposed to be scoped into the ES which were:

i) Ecology
ii) Transport
iii) Noise

2.3.3 Following receipt of the Environment Agency's (EA) consultee response, the Council also requested a full assessment of geology, hydrogeology, hydrology and ground conditions. It was agreed that the following topics could be scoped out of the ES:

i) Landscape and Visual Impact
ii) Air Quality
iii) Heritage and Archaeology
iv) Major incidents and disasters
v) Population, human health and climate change

2.3.4 The Scoping Opinion has been used to inform the approach taken to each of the topics addressed within the ES.

2.3.5 The information and knowledge required to produce this ES was acquired from a number of sources to ensure that all effects, whether explicit from the outset, or coming to light during the project's development, were appropriately assessed. These sources included:

i) Review of public files and records.
ii) Discussions with the Council.
iii) Review of historical mapping and aerial photography.
iv) Site surveys undertaken by the Applicant.
v) Surveys and assessments undertaken previously on the Site.
vi) Specialist studies.
vii) Expert knowledge from the consultancy team.

2.3.6 The information to be included in an ES is set out in Schedule 4 of the EIA Regulations. References to chapters in the ES where information relevant to the requirements of Schedule 4 can be found are listed within Table 2.1 below.

Table 2.1 – Review of Schedule 4 Requirements

Para	Requirement	Where Addressed Within the ES
1.	A description of the development, including in particular: (a) a description of the location of the development; (b) a description of the physical characteristics of the whole development, including, where relevant, requisite demolition works, and the land-use requirements during the construction and operational phases; (c) a description of the main characteristics of the operational phase of the development (in particular any production process), for instance, energy demand and energy used, nature and quantity of the materials and natural resources (including water, land, soil and biodiversity) used; (d) an estimate, by type and quantity, of expected residues and emissions (such as water, air, soil and subsoil pollution, noise, vibration, light, heat, radiation and quantities and types of waste produced during the construction and operation phases.	(a) Chapter 1.0 (b & c) Chapter 3.0. (d) Chapter 3.0 as it relates to the scheme description, within Chapter 6.0 in relation to noise.
2.	A description of the reasonable alternatives (for example in terms of development design, technology, location, size and scale) studied by the developer, which are relevant to the proposed project and its specific characteristics, and an indication of the main reasons for selecting the chosen option, including a comparison of the environmental effects.	Chapter 3.0
3.	A description of the relevant aspects of the current state of the environment (baseline scenario) and an outline of the likely evolution thereof without implementation of the development as far as natural changes from the baseline scenario can be assessed with reasonable effort on the basis of the availability of environmental information and scientific knowledge.	Chapters 4.0 to 7.0 as it relates to individual topic areas
4.	A description of the factors specified in regulation 4(2) likely to be significantly affected by the development: population, human health, biodiversity (for example fauna and flora), land (for example land take), soil (for example	Chapters 4.0 to 7.0 as they relate to individual topic areas. As set out previously the only factors deemed likely to have

Para	Requirement	Where Addressed Within the ES
	organic matter, erosion, compaction, sealing), water (for example hydromorphological changes, quantity and quality), air, climate (for example greenhouse gas emissions, impacts relevant to adaptation), material assets, cultural heritage, including architectural and archaeological aspects, and landscape.	the potential to be significantly affected by the development were population in respect of noise, ecology and biodiversity, traffic and transport and geology, hydrology and ground conditions
5.	A description of the likely significant effects of the development on the environment resulting from, inter alia: (a) the construction and existence of the development, including, where relevant, demolition works; (b) the use of natural resources, in particular land, soil, water and biodiversity, considering as far as possible the sustainable availability of these resource (c) the emission of pollutants, noise, vibration, light, heat and radiation, the creation of nuisances, and the disposal and recovery of waste; (d) the risks to human health, cultural heritage or the environment (for example due to accidents or disasters); (e) the cumulation of effects with other existing and/or approved projects, taking into account any existing environmental problems relating to areas of particular environmental importance likely to be affected or the use of natural resources; (f) the impact of the project on climate (for example the nature and magnitude of greenhouse gas emissions) and the vulnerability of the project to climate change; (g) the technologies and the substances used. The description of the likely significant effects on the factors specified in regulation 4(2) should cover the direct effects and any indirect, secondary, cumulative, transboundary, short-term, medium-term and long-term, permanent and temporary, positive and negative effects of the development. This description should take into account the environmental protection objectives established at Union or Member State level which are relevant to the project, including in particular those established under Council Directive 92/43/EEC and Directive 2009/147/EC	Chapter 2.0 sets out the impact of the project on the climate and the vulnerability of the project to climate change, Chapter 3.0 as it relates to the scheme description and within Chapters 4.0 to 7.0 as it relates to individual topic areas.
6.	A description of the forecasting methods or evidence, used to identify and assess the significant effects on the environment, including details of difficulties (for example technical deficiencies or lack of knowledge) encountered compiling the required information and the main uncertainties involved.	The overall EIA methodology and approach to assessment is described in Chapter 2.0. The specific technical methodologies used to identify and assess effects are fully described (or referenced) within Chapters 4.0 to 7.0 as they relate to individual topic areas.
7.	A description of the measures envisaged to avoid, prevent, reduce or, if possible, offset any identified significant adverse effects on the environment and, where	'Incorporated Mitigation' which forms part of the scheme design is described in the

Para	Requirement	Where Addressed Within the ES
	appropriate, of any proposed monitoring arrangements (for example the preparation of a post-project analysis). That description should explain the extent, to which significant adverse effects on the environment are avoided, prevented, reduced or offset, and should cover both the construction and operational phases.	detailed scheme description provided in Chapter 3.0. Mitigation measures, as they apply to individual environmental topic areas, are described in Chapters 4.0 to 7.0 as they relate to each topic.
8.	A description of the expected significant adverse effects of the development on the environment deriving from the vulnerability of the development to risks of major accidents and/or disasters which are relevant to the project concerned. Relevant information available and obtained through risk assessments pursuant to EU legislation such as Directive 2012/18/EU of the European Parliament and of the Council or Council Directive 2009/71/Euratom or UK environmental assessments may be used for this purpose provided that the requirements of this Directive are met. Where appropriate, this description should include measures envisaged to prevent or mitigate the significant adverse effects of such events on the environment and details of the preparedness for and proposed response to such emergencies.	The vulnerability of the development to risks of major accidents and/or disasters which are relevant to the project is considered in Chapter 2.0.
9.	A non-technical summary of the information provided under paragraphs 1 to 8.	A separate Non-Technical Summary is contained as ES Volume 4.
10.	A reference list detailing the sources used for the descriptions and assessments included in the environmental statement.	References are provided as footnotes and / or reference document lists within, or at the end of each ES Chapter, as appropriate.

2.3.7 In addition to this ES a series of supporting technical assessments have been provided as appendices to the Planning Statement, which accompanies the planning application. These assessments provide information to the planning authority on matters which were not considered likely to result in significant effects on the environment, but which could be material planning considerations in the determination of the planning application. These assessments include:

i) Landscape and Visual Appraisal
ii) Arboricultural Report.
iii) Heritage Assessment.
iv) Air Quality Assessment
v) Flood Risk and Drainage Assessment

2.4 Relationship with Other Regulatory Regimes

2.4.1 In addition to obtaining planning permission a series of other regulatory consents and approvals would be required to undertake the Proposed Development.

2.4.2 The applicant has confirmed with the Environment Agency (EA) that the operational permit required alongside any planning permission would either be a 'recovery permit' or be registered as CL:AIRE (Contaminated Land: Applications in Real Environments). "CL:AIRE waste" refers to the reuse of excavated soils and materials on a development site by following the CL:AIRE Definition of Waste: Development Industry Code of Practice (DoW CoP). This code of practice provides a clear and consistent process to enable materials to be considered a "material" rather than a "waste", avoiding the need for an environmental permit and streamlining the development process.

2.4.3 The legislation that governs the environmental permitting regime is in place to protect human health and the environment. In order to obtain an Environmental Permit sufficient information must be provided to the EA to satisfy them that the Proposed Development can be operated within the regulatory requirements established by UK and European legislation. As such, likely significant environmental effects would not occur as a result of emissions to air and water, due to this regulatory control.

2.4.4 Once the Environmental Permit has been issued the Proposed Development would be required to operate within the limits and conditions set out in the Permit. The Environmental Permitting process is a separate consenting regime to planning and the Applicant has commenced positive discussions with the EA in respect of the permit and the information to be submitted.

2.4.5 Paragraph 201 of the National Planning Policy Framework (NPPF) sets out that:

"The focus of planning policies and decisions should be on whether proposed development is an acceptable use of land, rather than the control of processes or emissions (where these are subject to separate pollution control regimes). Planning decisions should assume that these regimes will operate effectively. Equally, where a planning decision has been made on a particular development, the planning issues should not be revisited through the permitting regimes operated by pollution control authorities".

2.5 EIA Methodology

2.5.1 The approach to environmental impact assessment is not standardised, but there are established and recognised approaches set out by professional institutions as to methods to be used for the assessment of environmental effects. Where appropriate, the environmental effects of the Proposed Development have been assessed using definitive standards, legislation, and guidance applicable to each of the technical areas covered within this ES.

2.5.2 In order to provide a clear and robust assessment each of the technical chapters presented within the ES follows the structure set out in the subsequent paragraphs. The structure below only applies to those ES topics where further assessment has been deemed necessary to determine the likelihood of significant environmental effects arising from the Proposed Development. If no further assessment is required for a specific topic, a summary of the previous ES findings is provided, along with a justification for this approach.

Introduction

2.5.3 A brief summary of the approach to the topic is provided outlining any key issues relevant to the subject area being assessed.

Methodology

2.5.4 This section provides details of the assessment method followed and provides the following information:

i) a description of any relevant legislation, policy or guidance which has been taken into account in the assessment;
ii) the findings from any consultations undertaken when compiling the assessment;
iii) the approach taken to gathering of any desk based or field data. When specific surveys have been undertaken an outline of the assessment methodology is provided;
iv) the approach to the impacts assessment is defined. This includes how the particular topic has defined impact magnitude, receptor sensitivity and how these relate to the overall level effect / significance; and
v) any limitations or assumptions made in the assessment.

Baseline

2.5.5 This section provides a description of the baseline conditions of the Site relevant to the topic being assessed. The baseline conditions have been established through consultation, collation and analysis of existing datasets and reports, and gathering of site-specific field data. The baseline assessment identifies any particular sensitive receptors that will need to be evaluated in the effects assessment.

2.5.6 Where relevant, and in accordance with Paragraph 3 of Schedule 4 of the EIA Regulations an outline of the likely evolution of the environment is set out by predicting future natural change in the baseline conditions in the absence of the Proposed Development. The future baseline is then considered when assessing the likely effects of the project over its operational lifetime.

Assessment of Effects

2.5.7 This section of each chapter describes the likely significant environmental effects of the Proposed Development on the baseline condition of the Site and the surrounding area relevant to the assessment topic. The assessment includes a description of the nature, extent and significance of these effects. The assessment takes into account any mitigation measures that have been specifically incorporated into the Proposed Development to reduce environmental effects of the project.

2.5.8 The EIA Regulations do not provide definitive methods for the assessment of significance and a variety of methods are employed within Environmental Statements. The method used to assess the effects is specific to each discipline. Where available and appropriate, the assessments follow impact assessment criteria and methodology set out by relevant professional institutions, British Standards or non-statutory guidance e.g. Landscape Institute, Historic England, BS4142 A1:2019: Methods for rating and assessing industrial and commercial sound. Where such guidance is not available, or prescriptive methods are not set out by the relevant professional body, then assessment criteria have been developed by the technical specialists to enable a clear and structured assessment to be undertaken.

2.5.9 The level of the effect of the Proposed Development is, in general, derived by considering the magnitude of the impact and the sensitivity of the receptor to a change resulting from the Proposed Development.

2.5.10 Depending on the discipline there are a number of factors that need to be taken into account when establishing the type and magnitude of an impact, including:

i) whether the impact is adverse or beneficial;
ii) whether it is temporary or permanent;
iii) extent or spatial scale of the impact;
iv) duration of the impact;
v) whether the impact is reversible; and
vi) probability / likelihood of the impact.

2.5.11 Similarly, the sensitivity of a receptor is the function of a number of elements dependent on the discipline and effect being assessed, these could include;

i) designation and legal status;
ii) quality;
iii) rarity; and
iv) ability to adapt to change.

2.5.12 Having established the magnitude of the impact and the sensitivity of the receptor, the level of the effect is then defined. For some disciplines a matrix is used to classify the level of effect by correlating magnitude of impact and sensitivity.

2.5.13 Where a matrix is not used the magnitude of impact and the sensitivity of the receptor is described and these factors are used to make a reasoned professional judgement to establish the level of the effect and whether it is considered to be significant or not significant.

2.5.14 There is no statutory definition of what level of effect is to be regarded as significant and there is often not a single, definitive, correct answer as to whether an effect is significant or not. A significant effect does not necessarily mean that such an effect is unacceptable to decision-makers nor necessarily results in a breach of any particular planning policy. This is a matter to be weighed in the planning judgement / balance alongside other material considerations. What is important is that the likely significant environmental effects of any proposal are transparently assessed and described in sufficient detail to enable the determining authority to make a balanced and well-informed judgement as part of the decision-making process.

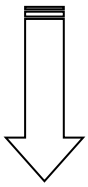
2.5.15 Where the findings of an assessment are set out as different levels of effect (e.g. major, moderate, minor, etc) the assessment clearly sets out where an effect is considered to be significant. This may vary between disciplines and the threshold is defined within each chapter. This approach is used to assist the decision maker,

consultees and other interested parties in establishing the most important environmental effects of the Proposed Development.

2.5.16 In all instances the assessment sets out the basis of the judgements made so that the readers of the ES can see the weight attached to the different factors and can understand the rationale of the assessment. In this sense the ES clearly explains how the significance of effects has been derived.

Mitigation

2.5.17 It is a requirement of the EIA Regulations to describe the measures envisaged to prevent, reduce and where possible offset any significant effects on the environment. Mitigation measures can be used to reduce or avoid any adverse effect, whether or not that effect is deemed to be 'significant'. Mitigation can be achieved in a number of ways as listed below; this approach is often referred to as the mitigation hierarchy with mitigation being selected as high up the hierarchy as possible.



Avoid
Reduce
Remediate
Offset / Compensate

2.5.18 Many of the mitigation measures within the Proposed Development have been incorporated as a result of decisions undertaken during the design of the scheme. Key 'incorporated' mitigation measures relevant to the technical assessments are described in each technical chapter. On the basis that these mitigation measures are considered to be embedded into the project they have been taken into account when coming to a judgement of the significance of the effects of the Proposed Development.

2.5.19 Where additional mitigation, compensation or enhancement measures are proposed to prevent, reduce or offset adverse effects unavoidable through design, or to provide benefits to the scheme/ local environment these are described separately within the mitigation section of each chapter. Where such measures have been defined an explanation is provided of how these measures will mitigate / reduce the identified effects of the Proposed Development.

Cumulative Effects

2.5.20 The EIA Regulations do not define cumulative effects; however, a commonly accepted description is:

"Impacts that result from incremental changes caused by other past, present or reasonably foreseeable actions together with the project" (European Commission, 1999)

2.5.21 There is no defined methodology in the UK as to how cumulative effects should be assessed. In determining the approach to be adopted to this element of the assessment reference is made to the following guidance:

i) Guidelines for the Assessment of Indirect and Cumulative Impacts as well as Impact Interactions (European Commission 1999);
ii) Cumulative Effects Assessment Practitioners Guide (Canadian Environmental Assessment Agency 1999);
iii) Guidelines for Environmental Impact Assessment (Institute of Environmental Management and Assessment 2006); and
iv) The State of the Environmental Impact Assessment Practice in the UK (Institute of Environmental Management and Assessment 2011).

2.5.22 Paragraph 5(e) of Schedule 4 of the EIA Regulations require a *"description of the likely significant effects of the development on the environment resulting from …. the culmination of effects with other existing and/or approved projects"*. In this regard the regulations are specific about the projects that should be considered to result in cumulative effects i.e. existing and/or approved projects. However, it is proposed to also include projects that are currently awaiting determination within the cumulative assessment as there is a possibility that these projects could be approved whilst the application for the Proposed Development is being determined. Accordingly, the assessment of cumulative impacts will encompass the effects of the Proposed Development in combination with:

i) approved development under construction;
ii) approved development, awaiting implementation; and
iii) proposals awaiting determination within the planning process with design information in the public domain.

2.5.23 The presence of existing operational schemes (and for some disciplines, schemes that are under construction, but not yet operational) is an established influence upon

the environment, that will be taken into account when determining the baseline for the non-cumulative assessment for each discipline chapter. The assessment of effects section of each chapter has had full regard to the presence of such schemes when arriving at any conclusions.

2.5.24 Projects to be considered for inclusion in the cumulative assessment are major projects falling within the above categories. Major projects are developments of 10,000m^2 in size or greater, 1,000 homes and developments that have been subject to EIA. Projects that fall outside the above criteria will only be included in the assessment if specifically identified by the Council or other statutory consultees.

2.5.25 The Zone of Influence (ZoI) will vary depending on discipline. However, it is considered unlikely that there would be any significant cumulative effects beyond 2km for any discipline. As such this is the distance at which the initial screening of projects for potential cumulative effects will be undertaken. A review of developments and planning applications within Barnsley indicates that there are a number of large scale strategic projects either under construction or pending determination, this indicates that there would be suitable infill material within the borough. These projects are over 2km away from the Site and would therefore not give rise to cumulative effects requiring further consideration within this ES.

Residual Effects and Conclusions

2.5.26 This section of each technical chapter provides a description of the likely residual effects of the Proposed Development following the implementation of any additional mitigation or enhancement measures.

2.5.27 The conclusions summarise the key elements of the assessment and include a statement on whether the Proposed Development is likely to result in any significant environmental effects.

2.6 Indirect Effects

2.6.1 In order to comply with Regulation 5(2) and Schedule 4 of the EIA Regulations, specifically in relation to the provision of a description of the likely significant direct and ‘indirect’ effects, the EIA process must consider any likely upstream and

downstream effects of the Proposed Development[3]. Upstream and downstream environmental impacts (impacts arising from development that exits purely to service the Proposed Development either prior to the operation of the Proposed Development, or following and as a consequence of, the Proposed Development) should be considered where:

i) the impact would be an inevitable causation of the Proposed Development (i.e. it is inevitable that the cause of the impact would arise due to the Proposed Development); and
ii) the impact would give rise to likely significant effects that are capable of evidence-based meaningful assessment.

2.6.2 With respect to criterion (i); in order to determine whether the impact arising would be inevitably caused as a result of the Proposed Development, , it is necessary to define the purpose and function of the Proposed Development and what occurs upstream and downstream of the proposal that might give rise to significant effects. As discussed above, the only topics likely to give rise to significant effects are ecology, noise, transport and geology, hydrology and ground conditions. There are no likely significant effects, direct or indirect, resulting from any other environmental disciplines.

2.6.3 With regards to traffic and transportation, HGVs delivering material to the Site would generate CO^2 emissions, a potent greenhouse gas. However all the HGVs access the Site would be on the road network irrespective of the Proposed Development transporting the surplus material from source to point of disposal. If this were not to the proposed Site, then it would be to an alternative Site elsewhere. Given the inherent cost of transporting disposal material, the applicant will be sourcing appropriate soils from local construction projects, and consequently it is likely that the effect of the Proposed Development not coming forward would be to have a net increase in CO2 given that material would need to be transported further to its point of disposal. The fact remains that the Site would accept inputs from a range of sources determined by the market availability, and contracts in place at any one point in time, and not fixed source or sources. As such, the impacts would not be capable

[3] *i.e. the effects of development that is required to service the proposed development, and would only arise as a direct result of the proposed development.*

of evidence-based meaningful assessment, in addition to this, given that these vehicles would already be using the road network, they would not give rise significant effects.

2.6.4 It is not considered likely that the Proposed Development would result in any other indirect upstream or downstream impacts that are an inevitable result of the Scheme and could give rise to significant effects.

2.7 Project Vulnerability to Major Accidents / Disasters

2.7.1 The 2017 EIA regulations introduced specific requirements relating to major accidents or disasters. Schedule 4 paragraph 8 of the EIA Regulations requires that the ES includes a description of the expected significant adverse effects of the development on the environment deriving from the vulnerability of the development to risks of major accidents and / or disasters which are relevant to the project concerned. Further, that where appropriate, this description should include measures envisaged to prevent or mitigate the significant adverse effects of such events and the approach to managing emergencies.

2.7.2 The reference to disasters is interpreted to relate to natural events, as indicated by the preamble to the 2014 Directive (2014/52/EU) which states at paragraph 15:

"In order to ensure a high level of protection of the environment, precautionary actions need to be taken for certain projects which, because of their vulnerability to major accidents, and/or natural disasters (such as flooding, sea level rise, or earthquakes) are likely to have significant adverse effects on the environment".

2.7.3 Nonetheless, it is recognised that disasters can occur as a result of human intervention e.g., conflict and war, political influences etc.

2.7.4 In relation to major accidents the EIA Regulations refer to Directive 2012/18/EU (the control of major-accident hazards involving dangerous substances). This directive defines major accidents as:

"an occurrence such as a major emission, fire, or explosion resulting from uncontrolled developments in the course of the operation of any establishment covered by this Directive, and leading to serious danger to human health or the environment, immediate or delayed, inside or outside the establishment, and involving one or more dangerous substances."

2.7.5 The Proposed Development is located within a politically, geologically, and meteorologically stable part of Europe. Accordingly, the Proposed Development is not at material risk from, for example, civil unrest, war, earthquakes, or extreme weather conditions (hurricanes etc.).

2.7.6 In terms of any vulnerabilities specific in this location (i.e., on the Site) it does not lie in an area prone to river or tidal flooding. The Proposed Development is not considered to be vulnerable to any other potential 'natural' events that could result in significant environmental effects.

2.7.7 With regard to major accidents the 2014 Directive describes that:

"it is important to consider their [i.e., the Proposed Development] vulnerability (exposure and resilience) to major accidents and/or disasters, the risk of those accidents and/or disasters occurring and the implications for the likelihood of significant adverse effects on the environment."

2.7.8 The focus here, as it is within the EIA Regulations, is on the vulnerability of the Proposed Development to major accidents and/or disasters and the likelihood of significant adverse effects occurring.

2.7.9 The Proposed Development is for the restoration of the existing quarry, it is a type of development that has been undertaken across the UK and Europe for many decades without, to the Applicant's knowledge, any major accidents and / or disasters. Operations at the Site would be managed to ensure site stability and low risk of slippage during the infill works. The material would be of a qualifying nature, checked on arrival and managed correctly in accordance with permit conditions.

2.7.10 Based upon the foregoing, the Proposed Development would not give rise to significant adverse effects on the environment deriving from the vulnerability of the development to risks of major accidents and / or disasters.

2.8 Climate Change

2.8.1 The 2017 EIA regulations introduced specific requirements for considering the implications of climate change, Schedule 4 paragraph 5(f) of the EIA Regulations requires that applicants provide a description of the likely significant effects of development on the environment resulting from the impact of the project on climate

(for example the nature and magnitude of greenhouse gas emissions) and the vulnerability of the project to climate change.

2.8.2 The effects of climate change and increased global warming are already being witnessed around the world. The result is increased sea levels, warmer and wetter winters, hotter and drier summers, and more frequent and intense weather extremes. In the UK this means that areas prone to flood risk are more likely to be inundated by extreme flood events, and consequently development is required to be designed cognisant of these effects.

2.8.3 In June 2019 the UK Government became the first major economy in the world to pass laws to end its contribution to global warming by 2050. The Climate Change Act 2008 (2050 Target Amendment) Order 2019 (the Climate Change Act) requires the UK to bring all greenhouse gas emissions to net zero by 2050, compared with the previous target of at least 80% reduction from 1990 levels. On 20 April 2021, the UK Government announced that it would set in law a more ambitious target of cutting carbon emissions by 78% by 2035 compared to 1990 levels.

2.8.4 There are two aspects to a climate change assessment under the EIA Regulations:

i) The resilience of the development to the effects of climate change; and
ii) The impact of the development on climate change.

2.8.5 With regards to resilience, this should consider each projected effect of climate change (i.e. increased temperature, changes to precipitation rates) and whether the project is resilient to the effect. If it is identified that the project is not resilient, additional mitigation measures should be identified which can be incorporated into the project.

2.8.6 With regards to increased precipitation rates, the Proposed Development would result in the existing void being filled and the removal of the existing waterbody. At present the void is regularly dewatered through pumping to ensure the depth of water is kept to a minimum for safety reasons. Without the restoration of the Site, and due to increased extreme rainfall events, the Site would need to be pumped more frequently which is not a sustainable long term solution for the Site. Following completion of the restoration works, the Site would be returned to permeable greenfield, which includes the seeding of land to promote vegetation. As such, surface water would be disposed of naturally by a combination of infiltration and

evapotranspiration, with any off site flows discharging at greenfield runoff rates. This is a more sustainable long term solution to manage water within the Site.

2.8.7 The Flood Risk and Drainage Assessment (Appendix G to the Planning Statement) provided in support of the application has been undertaken with regard to the provisions in the NPPF and local planning policy. The Site is not at risk of flooding in up to a 1 in 100 annual exceedance probability fluvial event including an allowance for climate change. Therefore, the Proposed Development is already located in an area unlikely to be significantly impacted by the future impacts of climate change on flooding.

2.8.8 In relation to the Proposed Development's impact on climate change, the restoration scheme proposed (Figure 3.6) would include habitats and species which can adapt to changing weather patterns. The final landscape scheme would offer far greater climate change benefits than the existing site as trees and shrubs capture and store carbon, helping to offset greenhouse gas emissions.

2.8.9 As discussed above, CO2 emissions from HGVs could contribute to the effects of climate change. However, the vehicles delivering material to the Site would already been using the road network and are not directly generated by the Proposed Development. The Proposed Development would offer a local Site for the material, potentially reducing CO2 emissions by eliminating the need for HGVs to travel greater distanced to alternative sites. As a result, no significant effects are anticipated.

3.0 SCHEME DESCRIPTION

3.1 Introduction

3.1.1 This Chapter of the ES provides a description of the Proposed Development.

3.1.2 As set out in Chapter 1.0, the Proposed Development comprises the restoration of Yew Tree Quarry. The Proposed Development would ensure the comprehensive restoration of the Quarry delivering biodiversity benefits and removing health and safety risks associated with the large waterbody.

3.2 Description of the Restoration Works

3.2.1 The current void and waterbody at the Site has, for a number of years, attracted the presence of unauthorised people, particularly in warmer weather. Trespassers have historically got into the Site and looked to swim in the unmanaged and uncontrolled water, and use the Site for a variety of unsociable activities. The Site has a series a deep quarry voids, and consequently the sides of the void are steep and the water extremely cold. They represent a serious risk to life for those who are unaware of the risks involved. In order to deter people from entering the water, the waterbody is regularly dewatered through pumping to ensure the depth of water is kept to a minimum. Over the years a number of other measures have been employed to try and prevent unauthorised access, including the erection of fencing and the planting of reeds and other peripheral growth.

3.2.2 In order to improve the long-term safety of the Site, and to provide an opportunity for improved biodiversity, the Applicant proposes to re-engineer the landform of the Site through the importation of non-hazardous soil materials, and then introduce a new restoration scheme.

3.2.3 The current topography of the Site is shown on Figure 3.1, to achieve appropriate restoration levels, approximately 400,000m^3 of non-hazardous soil materials would be imported over a period of 111 weeks. The material would comprise construction and excavation material with low polluting potential. All incoming material would be subject to strict acceptance criteria that would be set out within the Environmental Permit for the Site. The material would not include biodegradable waste and would therefore not require management of landfill gas, leachate or other general contaminant control.

3.2.4 Restoration works would only take place between 07:00 to 17:00, during weekdays, with movement of vehicles importing restoration materials occurring between 07:30 to 16:30. Saturday operations would be limited from 08:00 – 13:00, there would be no material deliveries during this time.

3.2.5 To estimate the traffic generating potential of the proposal, the following assumptions have been made:

i) The infilling scheme is forecast to involve the importation of circa 400,000m^3 of suitable, non-hazardous restoration material;
ii) It is assumed that material will be imported over a 111-week period;
iii) It is assumed that the typical payload of HGVs used to move the restoration material to the Site will be 9m^3;
iv) It is assumed that restoration work will be operating 5 days a week (Monday – Friday) throughout the year, and that importation of restoration materials would only occur on weekdays.

3.2.6 Using the above assumptions, the average number of two-way HGV movements on weekdays would be approximately 160 per day, or 18 two-way movements per hour.

3.2.7 The distance from which material would be imported to the Site would be dictated by market forces given that the cost of transporting soils by road makes it unviable over long distances. The Site would accept surplus soils generated from construction projects, under contract. These sites from where material would be sourced would be located within general proximity to the Site (typically closer than 30 miles from the site). It would simply not be economical to import material to the Site from beyond Barnsley, Doncaster, Sheffield and the southern hinterland of Huddersfield and Leeds.

3.2.8 It should be noted that import material would be sourced on a 'campaign basis[4]' and would therefore be variable and determined by the market and the availability of material. As such, there is likely to be some variability from the average daily HGV traffic forecasts set out above. However, it is anticipated that the number of HGVs to

[4] Sites from where material would be sourced across the entirety of the operation will not be placed under contract ahead of commencement of work, rather major projects will come forward across the 111-week construction period within close enough proximity to the site for which contracts will be sought on a case-by-case basis. Whilst one or two construction sites are active, all material to the application site will be received from that site.

the Site per day would not exceed 200 two-way trips (i.e. 100 arrivals + 100 departures) as a maximum. Volumetrically, this would equate to 22 two-way HGVs per hour, on average. Such a level of trip generation would not be sustained over a long period of time and would be offset by days which are less intensive.

3.3 Access

3.3.1 Access into the Site would be taken from the access used historically at the Site into the former Stairfoot Brickworks. This is taken directly via the A633 Wombwell Lane. As set out above, an enabling works planning application was approved by BMBC in September 2023 (ref. 2022/1218), which allows for a series of improvements to the existing access junction off Wombwell Lane. This enabling works application relates to a more recent full planning application, submitted by Potters Ballotini Limited, for the redevelopment of the former Stairfoot Brickworks site to comprise a glass recycling and repurposing facility (ref. 2024/0373).

3.3.2 Axis has liaised with the applicant team for the former Brickworks scheme in order to ensure that their redevelopment plans do not prejudice the right of way that the Site currently benefits from through this site, and to therefore ensure that safe and suitable means of access can be achieved to facilitate the Proposed Development. The proposed site access arrangements are illustrated in Figure 3.2.

3.4 Operations, Plant and Equipment

3.4.1 The phasing of the restoration works is shown on Figure 3.3. Restoration material would be tipped directly into the void and stockpiling of materials would not typically be expected to occur. Should site operations result in the requirement for stockpiling, this would only be for very short periods whilst works are in progress. This limited stockpiling, alongside the implementation of an Environmental Management Plan (EMP) which would set out appropriate measures to control and minimise windblown fugitive dust emissions, will safeguard the risk of dust and noise migrating off site. It is anticipated that the details of the EMP could be sought by Condition, and be provided post the grant of planning permission.

3.4.2 The Proposed Development would require the construction of a new temporary site compound (Figure 3.4) which would include a wheelwash, parking and welfare facilities (Figure 3.5).

3.4.3 It is proposed to use the following items of plant and machinery on site:

i) Dozers
ii) Roller
iii) 8 wheel road tipper HGVs

3.4.4 The mobile plant requirements would be reviewed in accordance with the site management requirements.

3.4.5 An acoustic fence is also proposed along the northern boundary with properties off St Pauls Parade. This would be a 2.1m to 2.4m high close-boarded screen along the boundary as indicated on Figure 6.5. The screen would have a minimum mass of 10kg/m2 and all gaps sealed below the screen and between panels, or panels and posts to minimise noise `break-out'.

3.5 Restoration

3.5.1 A restoration concept has been designed that delivers an appropriate level of Biodiversity Net Gain (BNG) i.e. development of the land so that it leaves biodiversity and ecological habitat in a measurably better state than before the development took place. It has also been designed to ensure that restored site provides the opportunity for improved public access and creates a long-term solution that is not incongruous with the local area. By removing the risk trespassers accessing the site and drowning, it allows for a new restoration scheme to be designed that both improves the wider appearance of the area and allows for structured and functional public amenity.

3.5.2 The Proposed Restoration scheme (Figure 3.6) would include neutral grassland, woodland and scrub planting.

3.6 Public Rights of Way

3.6.1 As described in Chapter 1, the TPT and Public Footpaths 323 and 324 are all located within or along the boundary of the Site (Figure 1.4).

3.6.2 The route of Footpath 323 crosses the Site in the vicinity of the compound area before running south-west along the eastern side of the access track. Footpath 324 splits off from Footpath 323 to the south of the Site compound area and routes in a south-eastward direction along the southern edge of the Site boundary to connect to the TPT. The route of the TPT crosses the Site access track approximately 150m

south-west of the Site compound area but otherwise is remote from the Proposed Development.

3.6.3 In order to safely manage the impact of the Proposed Development on these Public rights of Way (PRoW) routes, and to and ensure that the PRoWs can remain open to all users throughout the restoration period, it is proposed that a temporary diversion of Footpaths 323 and 324 would be implemented[5]. The route of Footpath 323 where it crosses the northern end of the Site access track would be fenced off to either side of the access track. The route of the temporary footpath diversion would follow existing footpaths through the woodland and fields to the west of the access track, as shown illustratively on Figure 3.7. Signage would be placed at key junction points along the PRoW network to advise of the temporary footpath diversion route.

3.6.4 The temporary PRoW diversion route would impact on users of Footpath 324, as they would be required to re-route along the TPT. However, as confirmed by the footpath survey undertaken (see Transport Assessment - Appendix 6.1) when having regard to the limited user numbers observed along this Public Footpath (i.e. 15 two-way movements per day) and the temporary nature of the diversion, this is considered to result in minimal disruption to users, and would be no less commodious that the current route option. It should also be noted that the TPT also provides users with a more user-friendly, and well surfaced route.

3.7 Alternatives

3.7.1 Schedule 4 of the EIA Regulations identifies the information for inclusion in Environmental Statements. Paragraph 2 requires the following:

"A description of the reasonable alternatives (for example in terms of design, technology, location, size and scale) studied by the developer, which are relevant to the proposed project and its specific characteristics, and an indication of the main reasons for selecting the chosen option, including comparison of the environmental effects".

[5] *A temporary Traffic Regulation Order under the Road Traffic Regulations Act would be sought following the grant of planning permission*

3.7.2 It should be noted that the EIA Regulations place no statutory obligation on a developer to provide or exclude alternatives, but simply to describe the main alternatives that have been considered in the manner specified.

Reasonable Alternatives

3.7.3 There is no definition within the EIA Regulations as to what constitutes a "reasonable" alternative. The Cambridge English Dictionary defines "reasonable" as being; "…based on or using good judgement and therefore fair and practical."

Alternative Design Options

3.7.4 The Proposed Development has evolved since the pre-application stage. The initial proposals intended to restore both Yew Tree Quarry and North Quarry in order to address historical health and safety concerns associated with unauthorised access to the site. This would have required the importation of 800,000m^3 of material to be imported over a 4-year period. Following discussions with the local community and on receipt of pre-application advice, it was decided to remove the North Quarry restoration from the proposals[6].

Conclusion

3.7.5 The application has not been subject to formal screening; however, an ES has been volunteered by the applicant (and consequently the project is EIA Development). An ES has therefore been prepared in accordance with the EIA Regulations that provides a description of the reasonable alternatives studied by the developer, and an indication of the main reasons for selecting the chosen option. The Applicant has considered a number of potential alternative options and has confirmed why these have been discounted. The application site is considered to be the most appropriate option from a deliverability and environmental perspective, that can deliver the project objectives.

[6] North Quarry does not suffer from the same historical access by trespassers, and consequently could be excluded from the design whilst still allowing Yew Tree Quarry to be re-designed.