

CARLTON MAIN BRICKWORKS

Proposed extension to quarry workings
and amendment to restoration proposals

Volume 1

PLANNING APPLICATION STATEMENT



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1. Introduction

Michelmersh Brick Holdings PLC (the ‘applicant’) is seeking planning permission for a small lateral extension to the clay workings at the Carlton Main Brickworks, Grimethorpe, Barnsley. Concurrent with this, a second planning application is being submitted to amend the approved restoration scheme. This document comprises a Planning Application Statement and is submitted to Barnsley Council (as mineral planning authority, ‘MPA’) in support of the planning applications. It has been prepared by SLR Consulting Limited on behalf of the applicant.

- 1.1 In particular, this document introduces the planning application; describes the site to be developed; describes the proposed lateral extension to the workings and changes to the restoration scheme; and finally considers the proposals against the development plan and national planning policy as well as setting out the need for the development.
- 1.2 The Planning Application Statement is accompanied by a series of drawings that show the context of the quarry workings at Carlton Main Brickworks in relation to the surrounding landscape together with how the proposed extension would be developed. The drawings are referenced where appropriate within the Planning Application Statement. It should be noted that the same drawings are included in the Environmental Statement (see below).

Application Submission Package

- 1.3 This document comprises Volume 1 of a larger multi volume submission to accompany the planning application. In addition to the formal planning application forms and certificates, the full submission comprises:
 - **Volume 1: Planning Statement (this document);**
 - Volume 2: Environmental Statement (including Drawings, Appendices and a Non Technical Summary).
- 1.4 The Environmental Statement (ES) aims to provide an objective account of the possible significant environmental effects of the proposed development by setting out the results of the Environmental Impact Assessment (‘EIA’) which has been undertaken. It is intended to provide the MPA with sufficient information to determine the planning application having due regard to the protection of the local amenity and the environment as a whole. The ES has been prepared in line with the framework provided in the Town and Country Planning (Environmental Impact Assessment) Regulations 2017 with cognisance of the guidance set out in the online National Planning Practice Guidance and The Institute of Environmental Management and Assessment’s “*Guidelines for Environmental Impact Assessment*”.
- 1.5 The Non Technical Summary (NTS) provides, in non-technical language, a brief summary of the likely significant effects that the proposed development would have on the environment.

Planning Application

- 1.6 The applicant is submitting two planning applications at Carlton Main Brickworks.

- 1.7 The first planning application is for a small lateral extension to the quarry workings to facilitate the extraction of around 500,000m³ of mudstone/siltstone (gross, not allowing for mineral waste¹) for use in the brickworks. The extension would encompass around 3.5 hectares (ha) of land, which despite being in the ownership of the applicant, comprises part of the neighbouring country park. Clay would be extracted in the same fashion as elsewhere in the quarry using a back hoe hydraulic excavator², which loads the mineral into articulated dump trucks for transfer to the stockpiling area (which is located on the eastern side of the brickworks building). In view of the variable nature of the deposit, it is necessary to work several faces at once to ensure that a suitable 'blend' of raw material is available for the brickworks; in this respect, a series of 3m to 5m high faces have been excavated and progressively advanced in an easterly direction, advancing up the eastern slope. Each face is separated from the next by an access 'bench' upon which the excavator sits.
- 1.8 The applicant currently extracts mudstones and siltstones from the quarry on a campaign basis (i.e. the mineral is extracted over a period of around 12 weeks per year, as opposed to continuously throughout the year). Campaigns are principally undertaken during the drier summer months, as the weak and friable nature of the rocks forming the quarry benches (see below) can lead to problems in maintaining the integrity of haulage routes within the quarry during periods of wet weather. As such, there are periods of activity and periods when there are no operations within the quarry workings.
- 1.9 During annual excavation campaigns, approximately 50,000m³ to 60,000m³ of mudstone, siltstone, and sandstone are excavated and transferred to the stocking area adjacent to the brickworks. This material weathers (break down) in the stockpile over the year; the material is blended during the load out process prior to feeding into factory for crushing and mixing.
- 1.10 The second planning application is being made pursuant to section 73 of the Town and Country Planning Act 1990 (as amended) to 'vary' the approved restoration scheme for the wider quarry workings, as authorised by planning permission ref. 2007/1784 (dated 4 January 2008). The approved restoration scheme envisaged that the void would be filled with biodegradable (non-hazardous) wastes; typically being sourced from household, commercial and industrial premises within the South Yorkshire area. However, in view of European and national policy drivers to divert such waste from landfill (in line with the 'Waste Hierarchy') landfill of non-hazardous wastes is no longer seen as a viable or sustainable means of restoring the site. In view of this, the second aspect of the scheme seeks to amend the restoration scheme, moving away from infilling with non-hazardous wastes and using inert construction and demolition wastes instead to create the restored landform. Moreover, it is proposed to amend the final profile of the restored landform; due to the change in waste type, it is no longer necessary to create a domed profile and so a lower level restoration scheme is being proposed. In so doing the timescale for achieving final restoration is greatly reduced.
- 1.11 The planning applications do not make any changes to the existing brickworks, which are located to the west of the quarry and subject to separate planning permissions.

The Applicant

- 1.12 Established in 1997, Michelmersh Brick Holdings PLC has grown through acquisition and organic growth, producing over 125 million clay bricks and pavers annually. The Group currently owns five

¹ Mineral waste accounts for between 15% and 25% of the gross volume meaning useable reserve for brickmaking ranges between 375,000m³ and 425,000m³

² sandstone seams are pre-crushed adjacent to the face using mobile crushing plant

production units across the UK; Michelmersh, Blockleys, Carlton, Charnwood and Freshfield Lane. Using modernised production methods that emphasise sustainable building solutions and adhere to the most stringent production requirements, Michelmersh is able to produce high quality product standards with a low ecological footprint. The Group remains at the forefront of industry innovation and was the first clay product manufacturer in the UK to offer intuitive Building Information Modelling files, hosted on its dedicated platform bimbricks.com.

- 1.13 Michelmersh strives to be a well invested, long term, sustainable and environmentally responsible business which has evolved from brands that enjoy rich heritages, becoming one of the most trusted names behind today's prestigious built environments.
- 1.14 With over 130 years' experience, Carlton has fine-tuned the production of a broad spectrum of high quality, durable bricks. Carlton boasts the ability to manufacture monotone colour blends in rustic, dragwire, smooth and sand faced textures, which are widely used for contemporary brickwork detailing in commercial, retail and residential developments. The Company produces durable, versatile blends that are renowned for their ability to seamlessly match 20th century brickwork and excel in sensitive conservational specifications for specialised restoration or refurbishment projects. Our collections are ideal for new housing, commercial developments and individual self-build projects, complementing a vast array of vernacular architecture.
- 1.15 Products are currently manufactured in accordance with the requirements of British Standards: BS EN 771-1. In compliance with independently verified ISO 14001 Environmental Management systems.
- 1.16 Michelmersh Brick is the UK's largest producer of traditionally handmade bricks and specials, and produces approximately 38 million bricks each year from the Carlton Main brickworks in South Yorkshire. The works provides employs 63 people on a full time equivalent basis and is a significant user of local goods and services.

SLR Consulting Limited

- 1.17 SLR is a multi-disciplinary consultancy with extensive experience in the preparation of planning applications and providing environmental services for a wide variety of projects, including waste, minerals, renewable energy and infrastructure developments.
- 1.18 Further information on SLR can be found on its corporate website at www.slrconsulting.com.

2. Site and Surroundings

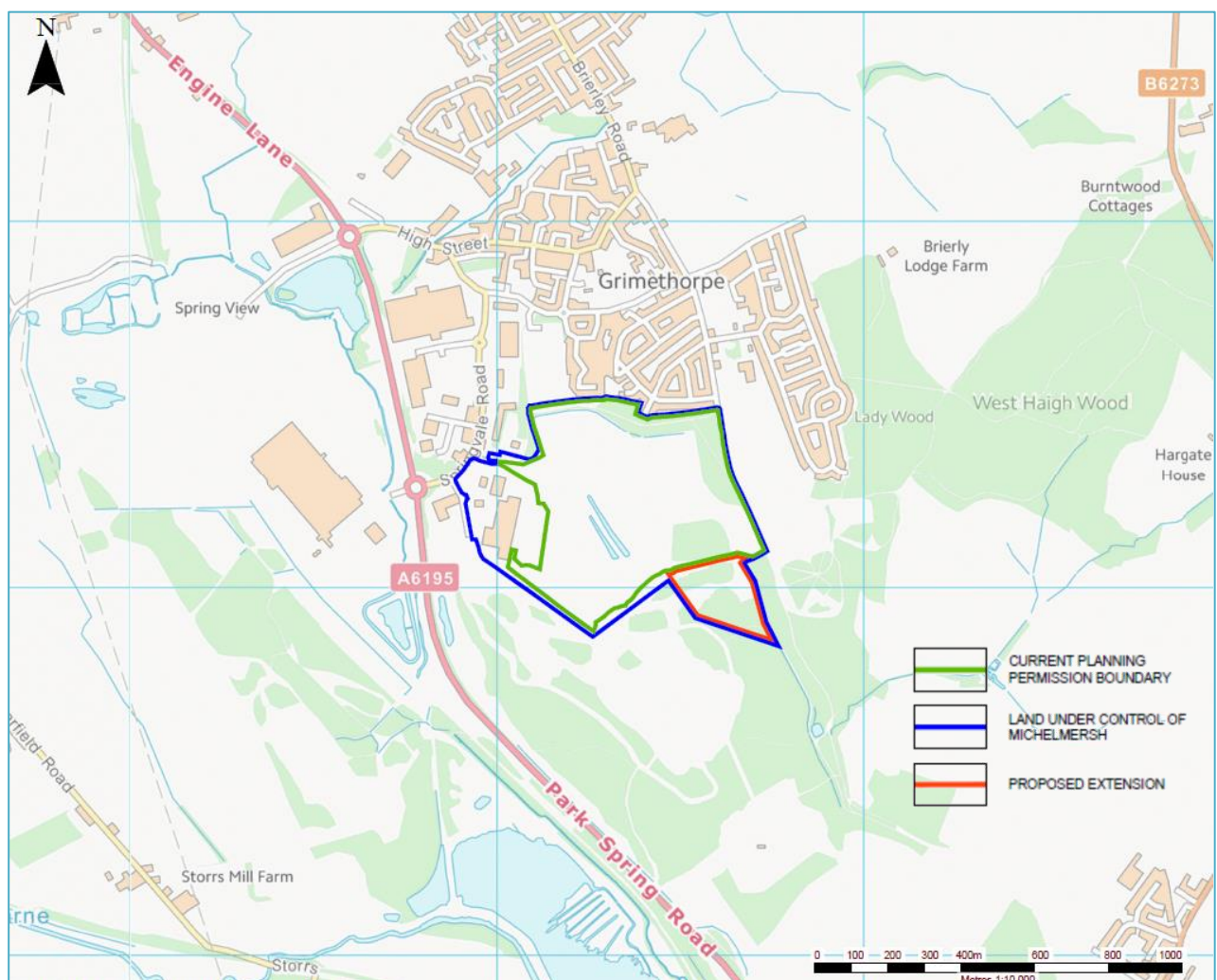
This chapter describes the existing physical and environmental characteristics of the quarry workings at Carlton Main, the proposed Southern Extension and its surrounding environs. A more detailed account is provided in Chapter 2 of the ES, whilst a number of the chapters within ES provide a description of the application site in relation to particular environmental topics.

- 2.1 In the context of the planning application for the changes to the restoration scheme within the existing approved quarry (refer to Chapter 1), it should be noted that there is no application site *per se* as the application seeks to 'vary' extant planning conditions. As such the application site is the same as for the 2008 planning permissions (see end of this section for details of planning history).

Location

- 2.2 The location of Carlton Main Brickworks is illustrated in Figure 2/1 below.

Figure 2-1: Site Location (based on Drawing CM 2/1)



- 2.3 The brickworks is located³ approximately 7km to the east of Barnsley and 4.4km to the south west of South Kirkby, with Wakefield lying 15.5km to the north-northwest. More specifically, it is located immediately to the south of Grimethorpe, in the eastern side of the A6195 Park Spring Road.
- 2.4 The brickworks comprises a brick manufacturing plant and associated stockyards within the western part of the applicant's land holding along with a quarry which provides the raw materials for the plant. The Southern Extension is located at the south-eastern corner of the quarry workings and extends southwards for around 250m.
- 2.5 For identification purposes the extent of the quarry is centred on National Grid Reference (NGR) SE 41319 08218 and illustrated on **Drawing CM 2/1**.

Site Description

Existing Quarry

- 2.6 The approximate extent of the brickworks and quarry is shown edged in blue on **Figure 2-2** below, which is based on aerial imagery produced by Google Earth. In addition, the extent of the proposed extension is edged in red and the current extraction boundary edged in orange. **Drawing CM 2/2** illustrates the extent of the application site in more detail and shows the extent of the extension (edged in red) and land under the control of the prospective applicant (edged in blue).

Figure 2-2
Site Context



³ All distances measured from the centre of the site to centre of the settlement using Google Earth

- 2.7 The existing quarry is broadly rectangular in shape with the northern boundary mainly formed by the southern edge of Grimethorpe and the southern boundary formed by the New Park Springs Country Park (a reclaimed colliery tip). The eastern boundary abuts a cemetery and open land whilst the western boundary is formed by a clay stockpile, buildings and yard areas associated with the brickworks.
- 2.8 The planning permission for the quarry extends to around 27.7ha; however, the extraction limit is around 19ha due to wide landscaped margins being left to the northern and eastern edges of the workings. In this respect, land outside of the extraction limit forms a buffer to the residential area to the north and cemetery to the east, and has been landscaped through tree planting. Within this buffer zone is a footpath. A further landscaped area is located at the south-western corner of the site, where overburden and soils have been placed to create a screen mound. The boundary of the quarry, in common with the adjacent brickworks is securely fenced with 2.4m high palisade fencing.
- 2.9 Within the quarry, the workings have been developed in a series of low faces, ranging from 3m to 5m in height separating intermediate benches used for accessing different strata, resulting in a sequence of north to south trending quarry faces advancing up the hill. Final excavation faces have been formed along sections of the north, west, and east boundaries. The final slope profile achieved in these areas is approximately 33° (1V:1.5H), with face angles of around 45° and intermediate benches of up to 4m.
- 2.10 Within the boundary of the site, the topography takes on an irregular undulating form due to the working of clay. A series of benches have been created rising from around 30m AOD at the base of the quarry workings to a bench at 67m AOD adjacent to the eastern boundary. From this bench, the topography continues to rise towards the site boundary and meet original ground levels. The deepest part of the workings are within the western part, within this area is the main quarry sump, which runs north to south at the eastern toe of the in-pit landfill in the south of the site. The water level recorded in the December 2016 topographic survey was around 27m AOD and sits at the base of the permitted excavation for this part of the site.

The Southern Extension

- 2.11 The proposed Southern Extension to the quarry workings is located at, and contiguous with, the south-eastern corner of the existing workings. It is rhomboid in shape with a pronounced apex at the southern tip, and covers an area of around 3.5ha. The northern part of the Southern Extension lies within the current quarry boundary and comprises the current quarry margin between the top of the excavation and the site boundary.
- 2.12 The eastern part of the Southern Extension gently slopes downwards from the eastern boundary before becoming more level. It forms the north eastern-corner of the country park and is characterised by open areas of grassland and recent woodland planting. The area is crossed by several informal paths.
- 2.13 As noted above **Drawing CM 2/2** shows the extent of the proposed Southern Extension edged in red, with land under the control of the applicant edged in blue.

Access

- 2.14 Access into the brickworks is off the eastern side of Clayburn Road at NGR SE 40918 08247. Clayburn Road joins Springvale Road which is the main road through a small industrial area to the north. To the west, Springvale Road joins the A6195 at a four arm roundabout.

- 2.15 Whilst access into the quarry workings can be gained from within the brickworks, a secondary access is located at NGR SE 41061 08341, off a short industrial estate road which joins Springvale Road.

Land Use

- 2.16 Within the quarry land use is mainly associated with the mineral workings. In particular it includes the following:
- mineral extraction;
 - overburden and soils storage;
 - mineral stockpiling;
 - restoration works, including areas restored by landfill;
 - ancillary infrastructure including fuel storage, surface water management lagoons and haul roads.
- 2.17 There are no public rights of way through the operational areas of the existing permitted quarry; public rights of way have been diverted around the periphery of the workings.

Site and Planning History

- 2.18 Carlton Main Quarry is a long established mineral operation understood to have operated since c. 1950, supplying raw materials to the adjacent brickworks.
- 2.19 The quarry workings were subject to reviews under the Planning and Compulsory Purchase Act 1991 (for an Interim Development Order) and the Environment Act 1995 (Review of Old Mineral Permission). Consents have been granted since the reviews in 1999, 2003 and 2008. Table 2-1 below summarises the planning history for the quarry.

Table 2-1
Schedule of Planning Permissions

Date	Ref	Description
28/06/1994	B/93/1053/HR	Determination of Conditions on an Interim Development Order Permission - Winning and Working of Minerals, Carlton Main Brickworks Quarry,
20/06/1994	s.106 Agreement	To apply conditions determined under IDO permission to other planning permission
05/06/1997	B/97/0215/HR	Approval of operating conditions pursuant to Environment Act 1995: Review of Planning Permission.
19/10/1999	B/99/0678/HR	Extension to existing quarry for brick making reserves
05/08/2003	B/02/1669/HR	Extension to existing brick clay quarry followed by phased infilling with non-hazardous wastes and restoration
04/01/2008	2007/1784	Section 73 application to not comply with Conditions 7 and 13 of planning permission B/02/1669/HR.

- 2.20 Whilst the 2003 permission is described as an extension to the workings it is understood that the application site covered the whole of the quarry workings; this is corroborated by the information on the council's website relating to the 2008 permission. As such, despite the earlier permissions, planning permission B/02/1669/HR brought the workings under the umbrella of a single planning permission, effectively superseding the earlier permissions. As the 2003 planning permission was amended in 2008 (planning permission ref 2007/1784 refers) by an application under s.73 of the Town and Country Planning Act 1990 then it is the 2008 planning permission that now regulate quarry operations⁴.

⁴ A planning permission issued under s.73 is a full permission in its own right.

3. The Proposed Development

The applicant is submitting a planning application for a small lateral extension to the clay workings at the Carlton Main Brickworks. Concurrent with this, a second planning application is being submitted to amend the restoration scheme.

Overview

3.1 The applicant is submitting two planning applications relating to land at its Carlton Main Brickworks:

- 1) a small lateral extension to the quarry workings to facilitate the extraction of around 375,000m³ of mudstone/siltstone (allowing for extraction losses)⁵ for use in the brickworks.
- 2) An application pursuant to section 73 of the Town and Country Planning Act 1990 (as amended) to 'vary' the approved restoration scheme for the wider quarry workings, as authorised by planning permission ref. 2007/1784 (dated 4 January 2008).

3.2 Overall, the applications address holistically the following aspects:

- the Southern Extension, to include *inter alia*
 - Re-alignment of the perimeter fence;
 - Tree clearance;
 - Soil stripping and storage/use within the quarry site for restoration;
 - Stripping of overburden from the development footprint and use in landform screening and restoration works;
 - Extraction of clay/shale and transfer to the stocking area.
- peripheral landscaping works and boundary treatment works (in the form of a landscape planting) to create a landscaped corridor around the periphery of the quarry;
- amend the extant working scheme for the Quarry to assimilate the proposed Southern Extension; and
- amend the extant restoration scheme to remove the reliance on landfill of biodegradable (non-hazardous waste) to raise levels within the mineral void to re-create the hillside topography.

3.3 The planning applications do not make any changes to the existing brickworks, which are located to the west of the Quarry.

⁵ The gross volume to be extracted is around 500,000m³ and extraction losses range between 15% and 25%.

Mineral Development

General

- 3.4 The quarry at Carlton Main works mudstones and siltstone deposits from the Carboniferous (Westphalian) strata of the Middle and Upper Pennine Coal Measures lying close to the surface. Mineral extraction is undertaken on a campaign basis lasting typically twelve weeks per year as opposed to continuously throughout the year. The extracted material is then stockpiled adjacent to the brickworks.
- 3.5 The extension would encompass around 3.5 ha of land, which despite being in the ownership of the applicant comprises part of the neighbouring country park. Clay would be extracted in the same fashion as elsewhere in the quarry. Campaigns are principally undertaken during the drier summer months, as the weak and friable nature of the rocks forming the quarry benches (see below) can lead to problems in maintaining the integrity of haulage routes within the quarry during periods of wet weather. As such, there are periods of activity and periods when there are no operations within the quarry workings.
- 3.6 During annual excavation campaigns mudstone, siltstone, and sandstone are excavated and transferred to the stocking area adjacent to the brickworks. This material weathers (break down) in the stockpile over the year; the material is blended during the load out process prior to feeding into factory for crushing and mixing. In view of the variable nature of the deposit, it is necessary to work several faces at once to ensure that a suitable raw material is available for the brickworks.
- 3.7 The proposals would result in a small lateral extension to the footprint of the current form of the quarry (by around 18%); however, the proposals would not lead to any changes to processes undertaken at the site; or intensify any operations over those already approved.
- 3.8 As with the existing operations the proposed development can be divided into the following key stages:
- site preparation – including clearance of vegetation and stripping of soils and overburden;
 - mineral extraction;
 - mineral transfer and stockpiling; and
 - restoration.
- 3.9 To provide a holistic approach to the submission, the development scheme shows the progression of the quarry faces within the existing quarry (covered by planning permission 2007/1784) and how the workings would advance into the Southern Extension.
- 3.10 The extant planning permission for the quarry workings allows for the operations to continue until *circa* August 2043 by which time the site is to have been fully restored⁶. Consequently, in the absence of the proposed development such authorised operations would continue.

⁶ In accordance with Fig. 5.13 Landscape Restoration Masterplan and Fig. 5.2 Proposed Post Settlement contours.

Site Preparation

- 3.11 As an established mineral operation site infrastructure is already in place. This includes:
- site access (for bringing in plant and machinery, as well as importing restoration materials);
 - internal haul roads between working faces and stockpile;
 - surface water management infrastructure; and
 - stockpiling area.
- 3.12 The majority of the footprint of the extant extraction area has been stripped of soils, with a small area located at the south-eastern corner still to be stripped (currently stripped soils are stockpiled in this location). The site preparation works within the Southern Extension would be similar to other areas of the quarry. This would involve stripping of soils and overburden to expose the mineral deposit. There are small areas of immature woodland within the proposed extension, planted as part of the reclamation of the colliery tip and it would also be necessary to undertake felling works.
- 3.13 Both topsoil and subsoil would be stripped (as separate horizons where possible) using a hydraulic excavator (such as a CAT 375 or similar) and loaded into an articulated dump truck (such as a Volvo A40 or similar) for transportation to storage areas, where the soils would be formed into screen mounds and/or stockpiles. In view of the limited scale of the proposed extension, it is proposed to strip soils as a single unit; top soil and sub soil would be stripped and stored separately.
- 3.14 Soils would only be moved when they are dry and friable in order to ensure that their structures are not compromised. All soil stripping, handling and storage operations would be carried out in accordance with MAFF's Good Practice Guide for Handling Soils, published in 2000, as updated by the Institute of Quarrying "*Good Practice Guide for Handling Soils in Mineral Workings*"⁷. The key points being as follows:
- no topsoil would be removed from the site;
 - topsoil, subsoil and overburden would be stripped separately;
 - all soils would be handled when in a dry and friable condition by monitoring the lower plastic limit before works commence;
 - topsoil, subsoil and overburden would be stored "like on like", so that for example, overburden storage areas would be stripped of soils in advance;
 - loose-tipping and grading of soil materials, to specified restoration profiles, would be carried out using tracked excavator or low ground pressure bulldozer;
 - no heavy wheeled earthmoving vehicles or machines to run over un-stripped or replaced soils to minimise compaction;

⁷ [Soils Guidance \(quarrying.org\)](https://www.quarrying.org/Soils-Guidance)

- during restoration, following mechanical de-compaction, all stones and rocks exceeding 0.15m in any dimension and other deleterious material would be removed from the topsoil; and
- soils would be placed early enough in the year to allow grassland vegetation to be established before the winter and reduce the risk of erosion.

3.15 Following the removal of soils, the overburden can be stripped. The overburden is removed using an excavator and loaded onto dump trucks. Where possible, overburden is placed directly within the quarry void as part of the restoration works; the overburden is tipped within the void and then graded using a bulldozer. This helps to decrease the ‘bulking’ factor⁸ of the material. Where this is not possible, it is placed into store located on the base of the workings.

Clay Extraction

3.16 Once the overburden has been removed the mineral deposit can be worked. As previously noted clay is extracted on a ‘campaign’ basis typically lasting around twelve per annum. As such, there are periods of activity and periods when there are no operations within the quarry workings.

3.17 Clay is extracted from a series of 3m to 5m high faces using a back hoe hydraulic excavator, which loads the mineral into articulated dump trucks for transfer to the stockpiling area. Notwithstanding this, sandstone seams are pre-crushed adjacent to the face using mobile crushing plant prior to being loaded onto dump trucks. The quarry faces are being progressively advanced in an easterly direction, advancing up the slope. Each face is separated from the next by an access ‘bench’ upon which the excavator sits.

3.18 During annual excavation campaigns, approximately 50,000m³ to 60,000m³ of mudstone, siltstone, and sandstone are excavated and transferred to the stocking area adjacent to the brickworks. This material weathers (break down) in the stockpile over the year; the material is blended during the load out process prior to feeding into factory for crushing and mixing.

3.19 The Southern Extension would be worked in a similar fashion to the current workings and would be amalgamated into the wider quarry workings. To illustrate how the quarry would be developed, integrating the proposed extension, a series of drawings (reference **CM 3/1 to CM 3/4;**) have been prepared illustrating the progression of the quarry faces. The four ‘phases’ are not chronologically equal but represent key points in the overall development.

- Phase 1 shows the faces progressing in an easterly direction into the north-eastern corner of the quarry workings, gradually turning in a clockwise fashion to maintain long term access from the south. The phase also shows the deepening of the quarry workings to around 25m AOD. Quarry wastes would be placed into the north-western corner of the workings once it had been worked out.
- Phase 2 shows the quarry faces advancing in a southerly direction towards the Southern Extension, with quarry wastes continuing to be placed into the north-western corner of the workings. This would also be the first area for the deposit of inert wastes as part of the

⁸ Extracted overburden and interburden increase in volume when tipped due to bulking as a result of handling. The percentage increase in volume required is known as the bulking factor.

progressive restoration of the workings. During this phase, soils would be stripped from the footprint of the Southern Extension in readiness for mineral extraction.

- Phase 3 shows the quarry faces continuing to advance to the south, into the Southern Extension, with the establishment of a new access ramp from the base of the workings to the south-eastern corner of the Quarry. This new ramp would provide access to the working faces. Towards the end of the phase, stockpiles of soils located in the southern-eastern corner of the quarry would need to be relocated to the quarry floor pending use in restoration. During the phase, all clay reserves within the Southern Extension would be worked.
- Phase 4 shows the extraction of the remaining reserves within the south-eastern corner of the Quarry. The upper working benches would continue to be accessed from the quarry floor via the ramp created in Phase 3. As development progresses the ramp is removed.

3.20 As previously noted, it is intended to restore the workings using imported inert materials. Where possible the infilling operations would be phased, following behind the advancing clay extraction. This is set out in more detail in the Section titled Restoration below. In this respect, infilling operations would commence within the north-western corner and advance in a general easterly and southerly direction.

3.21 It is anticipated that up to 150,000t of inert materials would be imported per annum as part of the restoration works. Unlike the clay extraction operations, infill operations would occur throughout the year much in the same way that the approved proposals for non-hazardous landfilling would.

Mineral Stockpiling

3.22 For the duration of the extraction operations the clay would continue to be stockpiled within the existing stocking area located on the western side of the quarry, adjacent to the brickworks. Access to the stocking area is gained via an established haul road on the southern side of the quarry.

3.23 Clay is removed from the stockpile throughout the year and transferred to the brickworks. The clay is removed from the stockpile using a Hyundai 520 360° Excavator and/or a CAT 950 Front End wheeled shovel loading into a small dump truck for transfer to the clay store within the main brickworks building.

Reserves, Outputs and Site Life

3.24 The proposed extension would yield around 375,000m³ of mudstone/siltstone (allowing for production losses). It is estimated that there would be around 444,000m³ of overburden and interburden (quarry waste) based on a recovery rate of 75%. Based on an extraction rate of 60,000m³ per annum, the proposed extension would increase the life of the site by around 6 years.

3.25 In terms of the reserves in the existing quarry, the total amount of mudstone/siltstone recoverable (net of quarry waste) would be around 950,000m³. This equates to a life of around 16 years (based on an extraction rate of 60,000m³ per annum).

3.26 Table 3-1 below provides a summary of the materials balance based on a recovery rate of 75%.

Table 3-1
Materials Balance

	Total vol. (m ³)	Waste Vol. (m ³)	Mineral Vol. (m ³)	Years (#)
Phase 1	217,908	54,777	163,431	2.7
Phase 2	199,500	49,875	149,625	2.2
Phase 3	807,900	201,975	605,925	10.1
Phase 4	551,000	137,750	413,250	6.9
TOTAL	1,776,308	444,377	1,332,231	21.9

Based on annual extraction rate of 60,000m³

Operating Hours

3.27 It is proposed that operations would continue to follow the approved operating hours. In this respect, the following hours are observed for extraction operations:

- 0730 – 1800 hours Monday to Friday; and
- 0800 – 1300 hours on Saturday

3.28 Stripping operations are not allowed to commence until 0800 hours.

3.29 There are no workings on Sundays and Bank Holidays.

Vehicle Movements

3.30 The clay extraction does not result in any road vehicle movements save the delivery and removal of plant and machines to quarry workings.

3.31 The inert tipping proposals would not alter the number of HGVs delivering imported materials than already permitted as part of the Non-hazardous landfill. In this respect, the rate of infilling is governed by the void created through clay extraction.

Public Rights of Way

3.32 As noted from Chapter 2, there are no formal public rights of way within the Southern Extension; however it is crossed by a couple of informal paths associated with the country park. As these paths are not formal rights of way no stopping up or diversion orders need to be made. The scheme makes provision for the paths to be diverted around the periphery of the workings. [improvements].

Surface Water Management

3.33 All surface water drainage would be managed using existing infrastructure within the confines of the quarry workings. Surface water would be directed towards the existing surface sump, located within the base of the quarry workings. Surface water is periodically pumped from the sump to a settlement pond located to the south of the stocking area prior to being discharged from the site via a common

outlet into the Grimethorpe Dyke at NGR SE4076 0805 under the authority of a discharge consent (Consent ref. 3774 dated 24 March 2004). This is considered further in Chapter 8 below.

- 3.34 The final restoration profile would provide for a free draining landform, with surface water draining to a low point located within the Southern Extension. Surface water would infiltrate into the sandstone strata underlying the extension.

Employment

- 3.35 Currently 63 people are directly employed at the brickworks and quarry site with a mixture of skills, age and experience. In addition, numerous other people rely on the indirect employment generated by the brick factory including suppliers of goods and services.
- 3.36 The proposals would not alter this.

Restoration

- 3.37 The approved restoration scheme is listed within Condition 3 of planning permission 2007/1784. The second planning application seeks to amend condition 3 by deleting the reference to the approved restoration plan and replace it with the plans within this submission along with the description in the following paragraphs. To provide a holistic approach to restoration, the new scheme encompasses both the proposed Southern Extension and the existing quarry workings.

Summary of Restoration Scheme

- 3.38 The approved restoration scheme envisaged that the void would be filled with biodegradable (non-hazardous) wastes; typically being sourced from household, commercial and industrial premises within the South Yorkshire area. However, in view of European and national policy drivers to divert such waste from landfill (in line with the 'Waste Hierarchy') landfill of non-hazardous wastes is no longer seen as a viable or sustainable means of restoring the site. In view of this, the second aspect of the scheme seeks to amend the restoration scheme, moving away from infilling with non-hazardous wastes and using inert construction and demolition wastes instead to create the restored landform. Moreover, it is proposed to amend the final profile of the restored landform; due to the change in waste type, it is no longer necessary to create a domed profile and so a lower level restoration scheme is being proposed.

Proposed Restoration Concept

- 3.39 The proposed development on **Drawing CM 3/5** would alter the approved final restoration scheme for the existing quarry, with a reduction in the volumes of imported waste and consequential lower-level final landform, retained steep slopes, rock faces and benches, along with the incorporation of the additional area of worked land to the south (the quarry extension area).
- 3.40 The brickmaking raw materials stockpiling areas to the west of the site would continue after the final restoration of the (existing and extended) quarry as it is intended this area would utilise imported materials to support the brickworks.
- 3.41 Some of the Coal Measures strata which has been exposed by the extraction of clay (and is subject to the Carlton Main SSSI designation) would be retained and available for inspection by interested parties for educational purposes.

- 3.42 The lower-level valley feature would be to elevations of 36m AOD, with an area of wetland (with waterbody and reedbed), surrounded by conservation grassland, open mosaic and woodland habitats.
- 3.43 New footpaths would also be introduced through the site to connect to the existing footpath network.

Restoration Areas

- 3.44 The proposed restoration scheme would be to a mix of habitats similar to the approved scheme and the mosaic of grassland, trees and shrubs in the adjacent areas to the north, east and south. This would include new areas of mixed native woodland planting (7.7ha) with retained woodland areas (1ha), areas of species-rich grassland (2.7ha), with retained existing grassland (1.7ha), open mosaic habitat (9.1ha) and the addition of rock faces and benches (4.7ha), which would support natural regeneration of grassland, trees and shrubs, as well as waterbody (0.8ha) and reedbed (0.2ha).
- 3.45 The 2.4ha brick-making raw materials stockpile would continue in the west of the site.

Soil Handling

- 3.46 All available soils / soil-forming materials would be stripped from the proposed extension area in accordance with the Institute of Quarrying's Good Practice Guide for Handling Soils in Mineral Workings. This would help the operator achieve a good standard of restoration when using various combinations of earth-moving machinery for soil stripping, temporary storage and replacement.
- 3.47 In accordance with the approved scheme, the depth of restoration soils to be spread on any specific completed landfill phase would be prior agreed with the Local Planning Authority and be dependent upon the amounts of soils available from the stripping areas, selected soil-making materials recovered from the imported inert landfill and the future end use.
- 3.48 Typically areas for woodland planting would have a minimum of 1.5m thickness, whilst grassland and reedbed would have a minimum 0.5m thickness of restoration soils.
- 3.49 The open mosaic habitat areas would be finished with a layer of suitable low fertility substrates, that would support sparse, early successional plant communities and areas of bare ground.
- 3.50 The waterbody would receive compacted clays or other suitable materials, in accordance with an engineers specification and following an assessment of ground conditions within the vicinity of the sandstone bedrock, to determine rates of infiltration and likely resting waterlevels.
- 3.51 All stones larger than 150mm would be picked and removed from the subsoil layers, whilst any stone larger than 75mm would be removed from topsoil layers.

Woodland Planting Specification

- 3.52 All plant handling and planting operations would comply with relevant clauses of CPSE 'Handling and Establishing of Landscape Plants'

- 3.53 The tree and shrub planting specification would match the previously approved scheme and include:
- 30% Grey Alder
 - 15% Oak
 - 15% Silver Birch
 - 10% Field Maple
 - 10% Rowan
 - 10% Wild Cherry
 - 10% Goat Willow
- 3.54 All specimens to be 45-60cm bare rooted transplants, planted at 2.0m spacing (2,500 plants/ha), with a random mixture. Trees and shrubs would be individually protected with guards and canes.
- 3.55 A 10m woodland edge mix around the periphery of woodland areas, to create a transitional zone into grassland areas, would comprise the following mixture planted at 1.5m spacing (4,400 plants/ha):
- 24% Hazel
 - 24% Guelder Rose
 - 24% Hawthorn
 - 24% Blackthorn
 - 4% Dog Rose
- 3.56 All planting would be carried out during suitable conditions, typically between Mid-October to April. The precise extent of planting block to be based on an assessment of safe standoffs to rock faces on an area-by-area basis. Unplanted areas for natural regeneration would provide opportunity for further diversity along the benches.
- 3.57 All plants would be planted using notch- or pit planting techniques. Soil amelioration is not proposed within areas to be planted at this stage, although an inspection would be carried out at the time of planting.
- 3.58 Stockproof fencing would be used to delineate all proposed woodland areas, with incorporation of field gates or stiles as appropriate to allow maintenance access.

Grassland and Open Mosaic Specifications

- 3.59 The species-rich grassland mixture is yet to be determined and would be based on the final soil conditions. Potential mix under consideration is as follows, sown at a seed rate of 50kg/ha:
- 20% Meadow Red Fescue;

- 15% Smooth Meadowgrass;
- 15% Sheeps Fescue;
- 15% Slender Fescue;
- 10% Rough Stalked Meadowgrass;
- 10% Smaller Catstail;
- 10% Crested Dogstail;
- 5% Bentgrass

3.60 An assessment of the need to apply herbicide in advance of cultivations and sowing within grassland areas would be carried out to remove any weeds. Sowing would then be carried out when growing conditions are good and sufficiently warm and moist (not too early in the Spring before the soil is warm or late in Autumn) and once sown, areas would be rolled to ensure good soil-to-seed contact.

3.61 The open mosaic habitat areas would be left to natural regeneration.

Wetland (Waterbody and Reedbed)

3.62 The reedbed areas would be planted using Common Reed (*Phragmites australis*) pot-grown nursery seedlings. However, it would not be necessary to plant up all areas shown on the restoration plan, but to provide a source of reeds that can spread in subsequent years, for example planting initially only 5% of the area indicated.

3.63 Reed planting densities of 4/m² would be carried out in June, following the last frosts, with the protection of newly sprouting reed growth from natural grazing by way of appropriate fencing.

3.64 The waterbody itself would be left to natural regeneration.

Outline Aftercare

3.65 Aftercare would be carried out for a period of 5 years from final restoration in accordance with an Outline Aftercare Scheme, which shall be submitted for the approval of the MPA.

3.66 The aftercare scheme would set out the overall objectives for the different habitat types, and guidance for the treatment of the vegetation to ensure desirable species are encouraged and undesirable species are prevented from becoming established. All areas would be closely monitored throughout the aftercare period so that the most suitable management regime can be defined on an area-by-area basis.

3.67 Annual, detailed schemes would then be submitted to the planning authority in the autumn of each aftercare year, recording actions undertaken and those proposed for the forthcoming year.

3.68 Typical aftercare of the woodland planting areas is as follows:

- Following the 1st growing season, a ‘beating up’ inspection would take place and replacement of dead / diseased or dying plant stock, to ensure an 85% overall stocking density by year 5;
- Herbicide application to 1m diameter around the bases of the trees and shrubs would be required to reduce competing vegetation (typically 1 visit at beginning of the growing season);
- Inter-row strimming as necessary to reduce competing vegetation (typically 1 or 2 visits a year for first 3 years);
- Fertilisers may be used in Year 1 or 2 to aid establishment;
- Tree/shrub ties, canes and guards would be checked, adjusted or replaced; and
- In year 5, and if plants have grown to a suitable level, selective thinning of the planting block and coppicing of hazel may be carried out to encourage structural diversity. All protective tree / shrub guards to be removed during the winter of Year 5 unless agreed otherwise.

3.69 Management of the species-rich grassland areas would typically include the following:

- Mow all plant growth (sown grasses and weeds) regularly to 40-60mm throughout the first growing season to prevent weeds smothering the slower-growing grasses;
- Species-rich grassland areas to be managed as a meadow allowing the grasses to grow tall, flower and seed from May through to July/August. The grass meadow should be cut back and mowing resumed in late summer; and
- Requirements for artificial fertiliser to be reviewed, although assumed not necessarily required to encourage floristic diversity.

3.70 Open mosaic habitat areas would be monitored for weeds, however the management would be in frequent cutting or disturbance of the surface to create bare ground and early successional plant communities.

3.71 The requirements for secondary treatments would be reviewed on an annual basis, in order to identify and remedy any localised problems. The following conditions would be assessed:

- Poor Drainage - would be assessed by recording areas of standing water in the winter, with possible remedy to be moling, subsoiling or installation of land drainage, subject to severity. Drainage would be reviewed generally and any existing field drainage or replacement ditches would be maintained as required to control surface water;;
- Compaction - would be assessed by recording areas of standing water in winter, with possible remedy to be subsoiling or other mechanical means, subject to severity;
- Settlement - would be assessed by visual inspection or topographical survey where necessary, with possible remedy to be localised re-grading, subject to severity;
- Vegetation Failure - would be assessed by visual inspection, with possible remedy to be cultivation and re-seeding, subject to severity;

- Stone-picking - would be assessed by visual inspection and any stones lying on the surface that are larger than 75 mm diameter, together with other objects likely to obstruct future cultivation, would be removed from the site; and
- Weed control may include spot spraying using a suitable herbicide, as necessary.

3.72 The general aims of aftercare management for the waterbody would be to provide general biodiversity value. Monitoring of the waterbodies would be by visual inspection, to include erosion, odour, plant and animal deaths. Freshwater algae would also be monitored for excessive accumulations of foams, scums and discolouration of the water.

3.73 Stability and erosion would also be assessed during the aftercare period. The quarry faces and banks would be checked to establish their overall condition and attempt to identify any loose / unstable areas that may be liable to collapse. If any such areas are identified that may endanger subsequent operations then further investigation works would be carried out to establish an appropriate response / mitigation measures

4. Planning Policy

This section sets out the planning policy that is considered to be relevant to the proposed development. The relevant policies are highlighted and an analysis provided of the extent to which the proposed development complies with policy.

- 4.1 It is a fundamental principle of the planning system that in dealing with a planning application, the planning authority should determine it in accordance with the Development Plan unless other material considerations indicate otherwise⁹. Therefore, this section also considers other material considerations. The process of ‘weighing up’ the relevant factors is often described as the ‘planning balance’, and will take all the relevant factors into account.

National Policy

General

- 4.2 National Planning Policy guidance is set out in the National Planning Policy Framework (NPPF). The NPPF is accompanied by the internet based Planning Practice Guidance (PPG).
- 4.3 As noted in Chapter 2, in terms of land use planning constraints, the application site is not located within a National Park or Area of Outstanding Natural Beauty (AONB). Neither does it directly impinge upon any archaeological or ecological designations of international or national importance. It is though located within a Green Belt and the existing mineral workings are designated as a geological Site of Special Scientific Interest. As a result of the clear lack of many land use planning constraints, many sections of national guidance are not relevant to the planning application.

The NPPF

- 4.4 The NPPF does not change the fundamental premise of Section 38(6) of the Planning and Compulsory Purchase Act 2004.
- 4.5 Beyond the general principles of the plan-led system, sustainable development and the approach to decision making, much of the main guidance relates to the development of the built environment. Those parts relevant to the proposed development are considered within the subsequent sections.

Sustainable Development

- 4.6 At the heart of the NPPF is a presumption in favour of sustainable development, for which three ‘objectives’ are identified:
- “An economic role”, which NPPF requires as contributing to building a strong responsive and competitive economy by ensuring that sufficient land of the right type is available in the right place and at the right time to support growth. The extension site is “the right type” in terms of the high quality mineral resource which it contains, and it is in “the right place” in the context of its proximity to the existing brickworks which minimises the carbon footprint associated with the delivery of materials. Allied to this, being a logical extension to the exiting workings allows existing infrastructure to be utilised. In the case of this application the prudent use of natural

⁹ See Section 38(6) of the Planning and Compulsory Purchase Act 2004

resources has primacy in the planning argument. Moreover, there is an inevitable principle that guides proposals for the extraction of mineral reserves in that they can only be won where they occur (see below). As noted at paragraph 81, *“Planning policies and decisions should help create the conditions in which businesses can invest, expand and adapt. Significant weight should be placed on the need to support economic growth and productivity, taking into account both local business needs and wider opportunities for development”*. The NPPF also refers to the *“location of permitted reserves relative to markets”* (footnote 73); the underlying requirement to move to a low carbon economy (paragraph 7); the role which the planning system can play in guiding development to sustainable locations (paragraph 8). In this context, the location of the application site close to the brickworks is of note. This all points to a conclusion that the development is strategically and sustainably *“in the right place”*. Its release would also be at the *“right time”* to allow the applicant to incorporate the development into the wider quarry workings.

- *“A social role”* including the *“need to provide the supply of housing required to meet the needs of present and future generations”*. This will be dependent upon a *“steady and adequate supply”* of raw materials to the construction industry, including bricks. The social role also relies upon *“creating a high quality built environment”* which will be assisted by the supply of clay to produce bricks; and
- *“An environmental role”* which contributes to *“protecting and enhancing our natural, built and historic environment; and, as part of this, helping to improve biodiversity, use natural resources prudently, minimise waste and pollution, and mitigate and adapt to climate change including moving to a low carbon economy”*. The relevance of this objective to the proposed development relates to the ability to extract clay without having a significant effect on the environment; the enhancement of the biodiversity of the restored site; the protection and enhancement of the built environment via the availability of clay to produce bricks; and the minimisation of waste from the production process.

4.7 These roles should not be undertaken in isolation, because they are mutually dependent. To achieve sustainable development, economic, social and environmental gains should be sought jointly and simultaneously through the planning system.

Green Belt Policy

- 4.8 National planning policy on the approach to the Green Belt within both plan-making and decision-taking is set out in Section 13. The protection of the Green Belt is a component of the purpose of the planning system to contribute to the achievement of sustainable development.
- 4.9 Paragraph 137 indicates that the Government attaches great importance to Green Belts. The fundamental aim of Green Belt policy is to prevent urban sprawl by keeping land permanently open; the essential characteristics of Green Belts are their openness and their permanence.
- 4.10 Inappropriate development is, by definition, harmful to the Green Belt and should not be approved except in very special circumstances (VSC). However, at paragraph 150, the NPPF identifies certain operations that are not inappropriate in the Green Belt provided they preserve its openness and do not conflict with the purposes of including land within it. These include mineral extraction and engineering operations (such as formation of screen bunds). This does not mean that a minerals development is automatically allowable in Green Belt as consideration needs to be given to how it affects openness for example. However, the temporary nature of minerals developments weighs in

favour as the effects are reversible (i.e. they are not a permanent effect, even if considered long term).

Mineral Policy

4.11 Paragraph 13 of MPS1 stated that “*Minerals can only be worked where they naturally occur*”. This long established concept is retained in the NPPF at paragraph 209, which states:

“Minerals are essential to support sustainable economic growth and our quality of life. It is therefore important that there is a sufficient supply of material to provide the infrastructure, buildings, energy and goods that the country needs. However, since minerals are a finite natural resource, and can only be worked where they are found, it is important to make the best use of them to secure their long term conservation.”

4.12 All mineral proposals also need to be considered in the light of paragraph 211 of the NPPF, and in particular, those aspects which are relevant to the EIA are (emphasis added):

- **give great weight to the benefits of mineral extraction**, including to the economy (i.e. socio-economic aspects);
- as far as is practical, **provide for the maintenance of landbanks** of non-energy minerals from **outside National Parks**, the Broads, Areas of Outstanding Natural Beauty and World Heritage Sites, Scheduled Monuments and Conservation Areas;
- ensure that in granting planning permission for mineral development that **there are no unacceptable adverse impacts** on the natural and historic environment, human health or aviation safety, and to take into account the cumulative effect of multiple impacts from individual sites and/or from a number of sites in the locality;
- ensure that **any unavoidable noise, dust and particle emissions and any blasting vibrations are controlled, mitigated or removed at source**, and establish appropriate noise limits for extraction in proximity to noise sensitive properties;
- **provide for restoration and aftercare at the earliest opportunity** to be carried out to the highest environmental standards, through the application of appropriate conditions, where necessary. Bonds or other financial guarantees to underpin planning conditions should only be sought in exceptional circumstances; and
- not normally permit other development proposals in mineral safeguarding areas where they may constrain potential future uses for these purposes.

Environmental Considerations

4.13 The NPPF, together with the web based PPG, sets out the overarching national policy and associated guidance respectively aimed at protecting the environment and local communities. This is further considered under the heading of ‘*Protection of the Environment*’ later in this chapter.

National Planning Policy for Waste

4.14 National Planning Policy for Waste (NPPW) is the latest Government policy on planning for waste management facilities and objectives for sustainable waste management, replacing Planning Policy

Statement 10¹⁰. NPPW sets out the key planning objectives, decision making principles and advice on determining planning applications.

4.15 Paragraph 1 of the NPPW links it to the Waste Management Plan for England emphasising the role planning can play in providing a more sustainable and efficient approach to resource use and management. In this respect, the key points relating to the proposed development are:

- recognising the positive contribution waste management can make to the development of sustainable communities;
- providing a framework in which communities and businesses are engaged with and take more responsibility for their own waste including by enabling waste to be disposed of in line with the proximity principle; and
- helping secure the disposal of waste without endangering human health and without harming the environment.

4.16 The NPPW carries forward from PPS10 the concept of the waste hierarchy, which indicates that landfill is the least desirable solution, to be used where none of the options higher up the hierarchy are appropriate. Paragraphs 4 and 5 of the NPPW set out the policy considerations for the location of waste management facilities, referring to the ‘proximity principle’ and going on to consider¹¹ the extent to which the site supports other policies in the NPPW; the physical and environmental constraints on the development; the capacity of the transport infrastructure and the cumulative impact of existing and proposed waste facilities. It is important to note that planning permission already exists for the deposit of non-hazardous wastes within the mineral workings and so the principle of ‘landfill’ is accepted. By only using inert wastes, it is possible to change the final restoration scheme to accommodate the minimum amount of material required to provide a satisfactory restoration scheme that would benefit the Quarry and surrounding area. This not only removes the environmental effects associated with non-hazardous landfill, but also reduces the timescale for restoration.

4.17 As noted from Chapter 4 in the ES, in the context of the physical and environmental constraints a formal scoping exercise has been undertaken which has identified the areas that need to be considered as part of the EIA. The issues contained in Annex B of the NPPW have been fully addressed in Chapters 6 to 10 of the ES in the context of land use planning. In this regard:

- *“protection of water quality and resources and flood risk management: Considerations will include the proximity of vulnerable surface and groundwater or aquifers. For landfill or land-raising, geological conditions and the behaviour of surface water and groundwater should be assessed both for the site under consideration and the surrounding area. The suitability of locations subject to flooding, with consequent issues relating to the management of potential risk posed to water quality from waste contamination, will also need particular care”* – This is considered through Chapter 8 of the ES.
- *“land instability: Locations, and/or the environs of locations, that are liable to be affected by land instability, will not normally be suitable for waste management facilities”* – there are no such stability issues at the site (This has been scoped out of the EIA; see Chapter 10 of this volume).

¹⁰ Planning Policy Statement 10: Planning for Sustainable Waste Management. 2005

¹¹ Paragraph 5, NPPW.

- *“landscape and visual impacts: Considerations will include (i) the potential for design-led solutions to produce acceptable development which respects landscape character; (ii) the need to protect landscapes or designated areas of national importance (National Parks, the Broads, Areas of Outstanding Natural Beauty and Heritage Coasts) (iii) localised height restrictions.”* – This is considered through Chapter 6 of the ES.
- *“nature conservation: Considerations will include any adverse effect on a site of international importance for nature conservation (Special Protected Areas, Special Areas of conservation and RAMSAR sites), a site with a nationally recognised designation (Sites of Special Scientific Interest, National Nature Reserves), Nature Improvement Areas and ecological networks and protected species”* – This is considered through Chapter 7 of the ES).
- *“conserving the historic environment: Considerations will include the potential effects on the significance of heritage assets, whether designated or not, including any contribution made by their setting.”* – This has been scoped out of the EIA; see Chapter 10 of the ES).
- *“traffic and access: Considerations will include the suitability of the road network and the extent to which access would require reliance on local roads, the rail network and transport links to ports”* – This has been scoped out of the EIA; see Chapter 10 of the ES).
- *“air emissions, including dust: Consideration will include the proximity of sensitive receptors, including ecological as well as human receptors. and the extent to which adverse emissions can be controlled through the use of appropriate and well-maintained and managed equipment and vehicles”* – air quality has been assessed in detail as part of the EIA and the existing approved mitigation measures will be continued to ensure there would be no adverse impacts on air quality - This has been scoped out of the EIA; see Chapter 10 of the ES.
- *“Odours: Considerations will include the proximity of sensitive receptors and the extent to which adverse odours can be controlled through the use of appropriate and well-maintained and managed equipment”* – the nature of the waste is not odorous and so odour is not an issue that needs to be assessed through the EIA. This has been scoped out of the EIA; see Chapter 10 of the ES.
- *“vermin and birds: Considerations will include the proximity of sensitive receptors. Some waste management facilities, especially landfills which accept putrescible waste, can attract vermin and birds. The numbers, and movements of some species of birds, may be influenced by the distribution of landfill sites. Where birds congregate in large numbers, they may be a major nuisance to people living nearby. They can also provide a hazard to aircraft at locations close to aerodromes or low flying areas. As part of the aerodrome safeguarding procedure (ODPM Circular 1/2003) local planning authorities are required to consult aerodrome operators on proposed developments likely to attract birds. Consultation arrangements apply within safeguarded areas (which should be shown on the policies map in the Local Plan). The primary aim is to guard against new or increased hazards caused by development. The most important types of development in this respect include facilities intended for the handling, compaction, treatment or disposal of household or commercial wastes.”* - Such matters are normally addressed through the Environmental Permit. Again, the nature of the waste is such that vermin and birds are not a significant issue that needs to be addressed through the EIA process. This has been scoped out of the EIA; see Chapter 10 of the ES.
- *“noise, light and vibration: Considerations will include the proximity of sensitive receptors. The operation of large waste management facilities in particular can produce noise affecting both the inside and outside of buildings, including noise and vibration from goods vehicle traffic movements to and from a site. Intermittent and sustained operating noise may be a problem if not properly managed particularly if night-time working is involved. Potential light pollution aspects will also need to be considered.”* - This has been scoped out of the EIA; see Chapter 10 of this volume.

- “litter: Litter can be a concern at some waste management facilities” – a litter management system will be maintained as part of the Environmental Permit. This has been scoped out of the EIA; see Chapter 10 of the ES; and
- “potential land use conflict: Likely proposed development in the vicinity of the location under consideration should be taken into account in considering site suitability and the envisaged waste management facility” – this is considered through each assessment and summarised in Chapter 11 of the ES (Cumulative Impacts).

The Development Plan

Legislative Background

4.18 The Development Plan for the area within which the proposed southern extension is situated comprises the:

- Barnsley Local Plan (adopted January 2019); and
- Barnsley Doncaster and Rotherham Joint Waste Local Plan (March 2012).

Barnsley Local Plan

4.19 The Local Plan was adopted in January 2019 and thus can be considered to be an ‘up to date’ plan in the context of the NPPF. The Plan covers the period up to 2033.

4.20 **Policy SD1** provides a presumption in favour of sustainable development indicating that the council will “take a positive approach that reflects the presumption in favour of sustainable development contained in the National Planning Policy Framework. We will work proactively with applicants jointly to find solutions which mean that proposals can be approved wherever possible, and to secure development that improves the economic, social and environmental conditions in the area”. The provisions for sustainable development in the context of the NPPF have been discussed above in paragraph 4.6a and so are not repeated.

4.21 In terms of general development **Policy GD1** is applied to all development. This policy is the starting point for making decisions on all proposals. The policy, which is positive in its framing, provides that development **will be approved** if:

- *there will be no significant adverse effect on the living conditions and residential amenity of existing and future residents;* the proposed extension takes the workings away from the residential receptors and thus would not have any detrimental effect on amenity. This is explained in Chapter 10 of the ES.
- *they are compatible with neighbouring land and will not significantly prejudice the current or future use of the neighbouring land;* The extension neighbours the existing quarry workings and the country park and so would not significantly prejudice the current or future use of either. In this respect the quarry workings pre-date the creation of the country park, but since the establishment of the country park the two land uses have co-existed without any significant effects on either being realised.
- *they will not adversely affect the potential development of a wider area of land which could otherwise be available for development and safeguards access to adjacent land. They include landscaping to provide a high quality setting for buildings, incorporating existing landscape features and ensuring that plant species and the way they are planted, hard surfaces, boundary*

treatments and other features appropriately reflect, protect and improve the character of the local landscape; Again, the proposals would not affect any future development of the wider area and does not affect access to adjoining land.

- *any adverse impact on the environment, natural resources, waste and pollution is minimised and mitigated; This has been demonstrated through the various assessments undertaken as part of the EIA.*
- *adequate access and internal road layouts are provided to allow the complete development of the entire site for residential purposes, and to provide appropriate vehicular and pedestrian links throughout the site and into adjacent areas; this is not relevant to the proposals.*
- *any drains, culverts and other surface water bodies that may cross the site are considered; This has been addressed in Chapter 8 of the ES which considers the water environment.*
- *appropriate landscaped boundaries are provided where sites are adjacent to open countryside. This has been addressed in Chapter 6 of the ES which considers Landscape and Visual Impact.*

4.22 In view of the nature of the planning application the main policy considerations can be found in Chapter 22 on Minerals. **Policy MIN1** forms the strategic approach towards mineral resources and their extraction. It indicates that provision will be made for non-aggregate mineral resources including primary and secondary resources as follows:

- Existing sites with planning permission for the extraction of minerals will be shown on the Policies Map which accompanies this Local Plan and will be protected from inappropriate development that could result in their sterilisation.
- Areas of Search are identified in this Local Plan.
- Areas of Safeguarding are identified in this Local Plan.
- It is expected that future extraction of minerals will normally take place within existing quarries or by site extensions rather than new sites.

4.23 The policy then goes on to add that all minerals proposals should:

- Be of limited duration.
- Have no unacceptable adverse environmental or amenity impacts.
- Be subject to high quality and appropriate reclamation and afteruse within a reasonable timescale; and
- Result in a net increase in biodiversity and/or geodiversity interests

4.24 At paragraph 22.20 it is noted that Carlton Main Brickworks has been allocated (Site MIN1) as an existing site with planning permission for the extraction of minerals. The policy notes that “*Carlton Main Brickworks which was originally part of the Grimethorpe Colliery complex but is now a separate operation. Clays and shales are extracted from an area to the east of the works to produce bricks, and*

the plant is a significant local employer". Paragraph 22.21 and policy MINAS1 addresses areas of search for minerals identifying an area on the policies map for new minerals for Carlton Main. The policy states:

"The future reserves for the brickworks are in the form of the existing area of permission which contains as yet unworked reserves and an adjacent Area of Search. A planning permission granted in 1993 includes the restoration of the quarry and the retention of a geological exposure which forms a Site of Special Scientific Interest within the quarry".

- 4.25 It is therefore clear that the proposed extension accords with the locational aims of the policy. Turning to the qualifying criteria, the proposed extension would potentially increase the life of the quarry by around 6 years (assuming current production levels remain constant). Through the EIA process it has been shown that the proposed extension would not have any significant adverse or "unacceptable" effects on the environment or local amenity. The proposals also allow for restoration to be completed in a shorter timescale and a suitable scheme has been included in the application. Finally, as noted in Chapter 7 of the ES, the restoration proposals would lead to an overall gain in biodiversity. It is therefore considered that the proposals accord with the thrust of this policy.
- 4.26 Finally, **Policy MIN4** on mineral extraction provides an overarching policy aimed at protecting the environment and local communities. It indicates that proposals must not have unacceptable adverse impacts on the natural and historic environment or on human health including those from;
- Noise;
 - Dust;
 - Visual intrusion;
 - Traffic;
 - Tip and quarry slope stability;
 - Differential settlement of quarry backfill;
 - Mining subsidence;
 - Increased flood risk;
 - Impacts on the flow and quantity of surface and groundwater; and
 - Migration of contamination from the site.
- 4.27 Proposals must also take into account the cumulative effects of multiple impacts from individual sites and/or a number of sites in the locality. Again, these aspects have been considered, where relevant, as part of the EIA process. This has not identified any significant adverse (unacceptable) effects on either the environment or local amenity. Moreover, it is considered that minor environmental benefits would flow from the proposals in terms of biodiversity net gain, geological knowledge, and a shorter timescale to deliver the restoration scheme.

Barnsley Doncaster and Rotherham Joint Waste Local Plan

- 4.28 The main aspect of the planning application is the extension of the existing quarry workings into the Southern Extension. Allied to this, planning permission exists for the infilling of the mineral void with non-hazardous wastes (which can include inert wastes). Accordingly, the main thrust of the application is for mineral development.
- 4.29 However the proposals seek to amend the restoration scheme by promoting a low level scheme through the importation of solely inert waste. As such, brief consideration is given to the policies in the Joint Waste Local Plan.
- 4.30 The Joint Waste Local Plan (WLP) was adopted in 2012 and covers the period up to 2026. It addresses all waste streams, with particular focus on municipal and commercial/industrial wastes and the facilities required to treat these waste streams. **Policy WCS1** sets out the strategy for achieving sustainable waste management. From this it is noted that:
- No capacity gaps are identified for construction, demolition and excavation waste, hazardous waste or agricultural waste and therefore specific sites are not safeguarded or allocated. Proposals for new facilities processing these waste streams will be assessed on a case by case basis
 - Existing landfill sites are safeguarded, and proposals to maximise their life and efficiency will be supported. Proposals for additional capacity must demonstrate why it is required.
 - Proposals will be supported which enable Barnsley, Doncaster and Rotherham's waste to be managed locally, whilst allowing waste to be imported or exported where this represents the most sustainable option
 - Waste proposals will be directed away from the most sensitive locations so as to avoid adverse harm to ground water aquifers (especially the Sherwood Sandstone and Magnesian Limestone aquifers), Thorne and Hatfield moors, historic assets and the functional floodplain
 - Waste proposals will not be allowed (including on safeguarded or allocated sites under policies WCS2, WCS3 and WCS5) which may undermine the integrity of nature conservation sites of international importance (such as Thorne and Hatfield Moors Special Protection Area and Special Areas of Conservation).
- 4.31 **Policy WCS5** addresses landfill and is the main consideration within the WLP. The policy identifies a number of landfill sites that are safeguarded as *"they have significant capacity remaining. Non-waste management proposals will only be permitted on these sites where they would not prejudice their ability to fulfil the function for which they have been identified."* At reference 5.5 is Carlton Brickworks (Barnsley) which is categorised as an inert facility. Paragraph 4.24 notes *"In some cases, landfill can provide opportunities to restore and recreate new landscapes and habitats at former quarries ... However, inert construction, demolition and excavation waste cannot be landfilled unless it is the only viable means of restoring mineral workings and/or is incidental to engineering operations which are necessary to allow the development to go ahead. In considering such proposals, particular regard will be given to the duration of the operation and the business case for the wider development. In these circumstances, waste facilities or landfill restoration schemes should be complementary to existing activities."*

4.32 Finally, Policy WCS6 provides an overarching policy setting out the general considerations for all waste management proposals. The policy is divided into two parts with the first part setting out the matters that need to be addressed so gain support from the council. Within this part seventeen considerations are set out of which the following are of note:

- support the vision, aims and overall strategy of the Joint Waste Plan and, where relevant, the delivery of our municipal waste management strategies;
- mitigate any constraints that may reduce the potential to redevelop the site and adjoining areas in the future;
- provide adequate means of controlling noise, vibration, glare, dust, litter, odour and vermin and other emissions (e.g. greenhouse gases and leachate) so as to avoid adverse effects on the amenity of the immediate and surrounding environment and human health, both during and after operations;
- will not result in loss or damage to the diversity of wildlife and habitats at the site or adjoining land, including linear or other features that facilitate the dispersal of species;
- will not have an adverse impact upon the quality of ground and surface water or drainage, especially ground water aquifers and flood risk areas;
- will not have an adverse impact upon the significance of heritage assets and features;
- maintain, safeguard and enhance green infrastructure corridors and assets, particularly within areas of sensitivity such as the greenbelt, air quality management areas, country parks, river and wildlife corridors
- will not increase the risk of flooding elsewhere in the catchment area and will, where possible, improve the existing flood risk situation.

Protection of the Environment

4.33 Both the NPPF and the Development Plan contain specific policies on safeguarding and protecting the environment, covering all aspects such as the countryside; the natural environment; built and cultural heritage; agriculture; and landscape. They also set out policies aimed at minimising the loss of amenity through pollution. In this context, the Local Plan considered above contains one overarching policy (**MIN4**) which indicates that proposals must not have unacceptable adverse impacts on the natural and historic environment or on human health. Allied to this, **Policy WCS6** in the WLP also addresses a number of environmental considerations.

4.34 The following paragraphs provide a brief overview of those policies aimed at protecting the environment. To recap, the various documents that constitute the Development Plan are abbreviated as follows:

NPPF	National Planning Policy Framework
BLP	Barnsley Local Plan

Landscape

- 4.35 Section 15 of the NPPF, “*Conserving and enhancing the natural environment*”, sets out criteria that are relevant to landscape. These include the protection of valued landscapes in a manner that is commensurate with their statutory status or identified quality in the development plan, recognition of the intrinsic character and beauty of the countryside and maintaining the character of undeveloped coast.
- 4.36 In paragraph 176 it is stated that “*Great weight should be given to conserving and enhancing landscape and scenic beauty in National Parks, the Broads and Areas of Outstanding Natural Beauty which have the highest status of protection in relation to these issues*”. This is important as the Quarry and Southern Extension do not lie in such an area, meaning that the weight to be attached to landscape is reduced.
- 4.37 At a local level, **Policy LC1** in the BLP deals with landscape character indicating that development will be expected to retain and enhance the character and distinctiveness of the individual Landscape Character area in which it is located (as set out in the Landscape Character Assessment of Barnsley Borough 2002 and any subsequent amendments). In addition, **Policy D1** addresses high quality design and place making; the policy is primarily aimed at the built environment and urban development, but the sentiments can be applied. In this respect the policy indicates that development will be expected to respect, take advantage of and reinforce the distinctive, local character and features of Barnsley, including:
- Landscape character, topography, green infrastructure assets, important habitats, woodlands and other natural features;
 - Views and vistas to key buildings, landmarks, skylines and gateways; and
 - Heritage and townscape character including the scale, layout, building styles and materials of the built form in the locality.
- 4.38 **Policy GS1** addresses Green Space; the proposed extension lies within such a designation (New Park Spring (Restoration Site)). The policy provides that the council will work with partners to improve existing green space to meet the standards in the Green Space Strategy. Green Spaces are green open areas which are valuable for amenity, recreation, wildlife or biodiversity and include types such as village greens, local open spaces, country parks, formal gardens, cemeteries, allotments, woodlands, recreation grounds, sports pitches and parks.
- 4.39 Proposals that result in the loss of green space, or land that was last used as green space, will not normally be allowed unless:
- An assessment shows that there is too much of that particular type of green space in the area which it serves and its loss would not affect the existing and potential green space needs of the borough; or
 - The proposal is for small scale facilities needed to support or improve the proper function of the green space; or
 - An appropriate replacement green space of equivalent or improved quality, quantity and accessibility is provided which would outweigh the loss.
- 2.21 These policy issues have been taken into consideration within the Landscape and Visual Impact Assessment which is reported in Chapter 6 of the ES. That assessment concludes that overall, there were no significant landscape and visual effects predicted as a result of the proposed development.

Natural Environment

- 4.40 Section 15 in the NPPF considers the natural environment, with relevant paragraphs being 180 to 182 (in Chapter 15) and addresses biodiversity (both in terms of loss of, and supporting enhancements to), designations and irreplaceable habitats (such as ancient woodland). Paragraph 174, which opens Chapter 15, states in relation to biodiversity *“Planning policies and decisions should contribute to and enhance the natural and local environment by ... minimising impacts on and providing net gains for biodiversity, including by establishing coherent ecological networks that are more resilient to current and future pressures”*.
- 4.41 Turning to the determination of planning applications parts (a) to (d) in paragraph 180 state:
- (a) if significant harm to biodiversity resulting from a development cannot be avoided (through locating on an alternative site with less harmful impacts), adequately mitigated, or, as a last resort, compensated for, then planning permission should be refused;*
- (b) development on land within or outside a Site of Special Scientific Interest, and which is likely to have an adverse effect on it (either individually or in combination with other developments), should not normally be permitted. The only exception is where the benefits of the development in the location proposed clearly outweigh both its likely impact on the features of the site that make it of special scientific interest, and any broader impacts on the national network of Sites of Special Scientific Interest;*
- (c) development resulting in the loss or deterioration of irreplaceable habitats (such as ancient woodland and ancient or veteran trees) should be refused, unless there are wholly exceptional reasons and a suitable compensation strategy exists; and*
- (d) development whose primary objective is to conserve or enhance biodiversity should be supported; while opportunities to improve biodiversity in and around developments should be integrated as part of their design, especially where this can secure measurable net gains for biodiversity or enhance public access to nature where this is appropriate.*
- 4.42 In the BLP ecological aspects are addressed through **Policy BIO1**. This policy indicates that development will be expected to conserve and enhance the biodiversity and geological features of the borough by:
- Protecting and improving habitats, species, sites of ecological value and sites of geological value with particular regard to designated wildlife and geological sites of international, national and local significance, ancient woodland and species and habitats of principal importance identified via Section 41 of the Natural Environment & Rural Communities Act 2006 (for list of the species and habitats of principal importance) and in the Barnsley Biodiversity Action Plan.
 - Maximising biodiversity and geodiversity opportunities in and around new developments.
 - Conserving and enhancing the form, local character and distinctiveness of the boroughs natural assets such as the river corridors of the Don, the Dearne and Dove as natural floodplains and important strategic wildlife corridors.
 - Proposals will be expected to have followed the national mitigation hierarchy (avoid, mitigate, compensate) which is used to evaluate the impacts of a development on biodiversity interest.
 - Protecting ancient and veteran trees where identified.
 - Encouraging provision of biodiversity enhancements.

- 4.43 Development which may harm a biodiversity or geological feature or habitat, including ancient woodland and aged or veteran trees found outside ancient woodland, will not be permitted unless effective mitigation and/or compensatory measures can be ensured. These aspects have been taken into account in formulating the proposals. It is noted that the existing quarry workings are designated as a Geological SSSI. However, as noted on Chapter 9 of the ES, both the proposed extension and the changes to the restoration scheme afford opportunities for enhancements that would not otherwise be realised. For example, extraction in the Southern Extension can potentially open up new geological exposures, enhancing the knowledge of the designation. Turning to biodiversity, the proposals do not affect any areas of Ancient Woodland or Veteran Trees; they also do not have any direct effect, or significant indirect effect on biological designated sites. Moreover, the scheme allows for biodiversity net gains to be realised.
- 4.44 AS noted above, **Policy GS1** relates to Green Space which has implications for wildlife and biodiversity. The proposed Southern Extension, coupled with the existing quarry area lies within the Dearne Valley Green Heart Nature Improvement Area. Referring to paragraph 17.43 *“Nature Improvement Areas (NIAs) are large, discrete areas that will deliver a step change in nature conservation, where a local partnership has a shared vision for their natural environment. The NIA grant scheme was established to help address ecological restoration as part of series of actions at a landscape scale to improve biodiversity, ecosystems and our connections with the natural environment identified by the Natural Environment White Paper (2011) and taking forward recommendations identified in the Lawton Review Making Space for Nature (2010). As set out in the Relationship with Plans and Strategies section, the Dearne Valley Green Heart has been designated as an NIA and its extent within Barnsley's boundary can be seen in the Green Infrastructure Diagram.*
- 17.44 The Council expects to adopt an NIA Planning Advice Note which will encourage major developments to incorporate biodiversity enhancements in their proposals.”*
- 4.45 The nature conservation value of the application site, together with consideration of any ecological designations in the vicinity of the application site is addressed at Chapter 7 of this Volume. From that assessment it has been concluded that there would be mainly temporary impacts on habitats and species, which would be avoided or minimised through the mitigation and compensation measures. However, no significant adverse residual effect on important ecological features has been predicted.
- 4.46 The proposed landscaping and habitat creation scheme is considered to represent an overall long-term residual gain for biodiversity as more extensive and better-quality habitats would be delivered when compared to the existing local value of the habitats currently present in the site.
- 4.47 The composition and management of the new habitats would be tailored to the needs of specific fauna where necessary and they would be appropriately managed for the lifetime of quarry.

Water Environment

- 4.48 Guidance formerly contained in PPS25 (Flood Risk) is now found within paragraphs 152 to 173 in Chapter 14 of the NPPF, together a complete section on flood risk contained in the web-based PPG (paragraphs 7-001 to 7-078). In terms of water quality,
- 4.49 Paragraph 152 of the NPPF notes that *“The planning system should support the transition to a low carbon future in a changing climate, taking full account of flood risk and coastal change. It should help to: shape places in ways that contribute to radical reductions in greenhouse gas emissions, minimise vulnerability and improve resilience; encourage the reuse of existing resources, including the conversion of existing buildings; and support renewable and low carbon energy and associated*

infrastructure". Flood Risk is then addressed at paragraphs 159 to 169. In this context Paragraph 167 states *"When determining any planning applications, local planning authorities should ensure that flood risk is not increased elsewhere. Where appropriate, applications should be supported by a site-specific flood-risk assessment."* Finally, Paragraph 169 adds *"Major developments should incorporate sustainable drainage systems unless there is clear evidence that this would be inappropriate"*.

- 4.50 In the BLP relevant policies relating to the water environment include **Policy CC3** on flood risk. The policy indicates that the extent of flooding will be reduced by imposing strict controls on development in flood zones 2 and 3 and by:
- Not permitting new development where it would be at an unacceptable risk of flooding from any sources of flooding, or would give rise to flooding elsewhere
 - Requiring site-specific Flood Risk Assessments (FRAs) for proposals over 1 hectare
- 4.51 **Policy CC4** then requires all major development to use SuDS to manage surface water drainage unless it can be demonstrated that SuDS are inappropriate.
- 4.52 Finally, **Policy CC5** addresses water resource management indicating that to conserve and enhance the Boroughs water resources proposals will be supported which
- Do not result in the deterioration of water courses
 - Make positive progress towards achieving "good" status or potential under the Water Framework Directive in the boroughs surface and ground water bodies;
 - Manage water demand and improve water efficiency through appropriate water conservation techniques including rainwater harvesting and grey-water recycling; and
 - Dispose of surface water appropriately and improve water quality through the incorporation of SuDS, in accordance with Policy CC4.
- 4.53 These policies have been considered as part of the hydrological and hydrogeological assessments that are reported in Chapter 8 of the ES. The baseline assessment indicates that the main receptor from the proposed development relates to groundwater within the underlying and adjacent Coal Measures; there are no surface water receptors or water dependent ecological within the immediate vicinity of the Southern Extension. Though the assessment appropriate mitigation measures have been outlined as required. Overall, the assessment concludes that the proposals would not have a significant adverse effect on the water environment.

Pollution and Amenity of Local Communities

- 4.54 Pollution issues are set out in paragraphs 174 and 183 to 188 of the NPPF. Paragraph 174 refers to preventing both new and existing development from contributing to or being put at unacceptable risk from, or being adversely affected by unacceptable levels of soil, air, water or noise pollution or land instability. Paragraph 185 provides that *"decisions should also ensure that new development is appropriate for its location taking into account the likely effects (including cumulative effects) of pollution on health, living conditions and the natural environment, as well as the potential sensitivity of the site or the wider area to impacts that could arise from the development."*

- 4.55 Guidance can also be found in the web based PPG. Firstly, the guidance addresses the ability to comply with the noise criteria is set out in the PPG (paragraphs 019 to 022¹²). Secondly, the ability to adequately control and mitigate dust emissions is set out in the PPG at paragraphs 023 – 032¹³.
- 4.56 The need to minimise impacts upon the environment and local amenity have been a key consideration of the design process. However, given that the proposed Southern Extension is further from receptors than the current operations, and given that suitable controls are already in place then no unacceptable effects are expected. These issues have been addressed within Chapter 10 of the ES.

¹² Reference ID: 27-019-20140306 to 27-022-20140306

¹³ Reference ID: 27-023-20140306 to 27-032-20140306

5. Need

The chapter considers the need for the proposed extension in terms of the clay resources it would yield, as well as considering whether there is a need to infill the mineral void with inert materials.

Introduction

- 5.1 As noted from the previous chapter, Section 38(6) of the Planning and Compulsory Purchase Act 2004 confers a presumption in favour of development proposals which accord with the Development Plan, unless material considerations indicate otherwise. The previous chapter has set out the relevant provisions of both national planning policy and the Development Plan, identifying how the proposals accord with the relevant policies.
- 5.2 Planning policy therefore plays an important role in determining any planning application. However, there are times when other ‘material’ considerations can over-ride the provisions of a particular policy, or when taken collectively, weigh in favour of a development, despite it being contrary to the Development Plan. Even when a proposed development is in accordance with the Development Plan, other material considerations can lend further support, such that the case in favour of allowing it becomes overwhelming. This process of weighing the relative benefits of an application is often referred to as the “*planning balance*”.
- 5.3 As noted from the previous chapter, the prime purpose of the planning application is to release around 375,000m³ of brick clay reserves through the establishment of a southerly extension to the existing workings. The need for new mineral reserves is a material consideration which is to be balanced against the assessment of the acceptability (in terms of environmental harm) of the proposed development. However, planning for mineral provision must be seen in the context of the wider economy and the government’s growth agenda. The proposals also seek permission to amend the restoration scheme to a low level scheme by importing inert wates as opposed to non-hazardous waste. This is a secondary aspect of the planning application.
- 5.4 The Carlton Main brick factory currently has only 15 years of consented mineral. This falls short of National Planning Guidance levels which indicates 25 years permitted reserve **per** brickworks. The Southern Extension would assist in increasing the permitted reserve by a further 6 years, giving an overall life of around 21 years, which is closer to the level specified in National Guidance. The additional reserves would therefore provide s sound basis for continued investment at the brickworks into the long term. The need for a development does not always rest with an arithmetic analysis to demonstrate a shortfall.
- 5.5 This chapter examines the need for the new mineral reserves that would be released in granting planning permission for the southern extension in terms of current supply of brick clay and permitted levels of consented reserves. It also considers the need for inert landfill capacity within the sub-region.

Need for Mineral Reserves

National Guidance

- 5.6 At a national level the need for mineral reserves is governed by the provision of ‘landbanks’; a stock of permitted reserves that can sustain production for a set number of years. The web based PPG¹⁴ indicates that *“Stocks of permitted reserves are a monitoring tool to aid decision-making on planning applications at existing industrial minerals sites. They should be used as an indicator to assess when further permitted reserves are required at an industrial minerals site”*. In this respect paragraph 214 and footnote 74 of the NPPF provides that:

“Minerals planning authorities should plan for a steady and adequate supply of industrial minerals by:

...

- (c) maintaining a stock of permitted reserves to support the level of actual and proposed investment required for new or existing plant, and the maintenance and improvement of existing plant and equipment.*

FN 74 These reserves should be at least ... 25 years for brick clay”

- 5.7 Paragraph 214 (d) also adds that MPA’s should take *“account of the need for provision of brick clay from a number of different sources to enable appropriate blends to be made”*.
- 5.8 As such national policy clearly indicates that each brickwork should have sufficient reserves of clay with the benefit of planning permission to sustain 25 years production.

The Development Plan

- 5.9 As noted from the previous chapter, **Policy MIN1** in the Barnsley Local Plan forms the strategic approach towards mineral resources and their extraction. It indicates that provision will be made for non-aggregate mineral resources including primary and secondary resources as follows:
- Existing sites with planning permission for the extraction of minerals will be shown on the Policies Map which accompanies this Local Plan and will be protected from inappropriate development that could result in their sterilisation.
 - Areas of Search are identified in this Local Plan.
 - Areas of Safeguarding are identified in this Local Plan.
 - It is expected that future extraction of minerals will normally take place within existing quarries or by site extensions rather than new sites.
- 5.10 The policy then goes on to add that all minerals proposals should:
- Be of limited duration.

¹⁴ Paragraph: 087 Reference ID: 27-087-20140306

- Have no unacceptable adverse environmental or amenity impacts.
- Be subject to high quality and appropriate reclamation and afteruse within a reasonable timescale; and
- Result in a net increase in biodiversity and/or geodiversity interests

5.11 At paragraph 22.20 it is noted that Carlton Main Brickworks has been allocated (Site MIN1) as an existing site with planning permission for the extraction of minerals. The policy notes that *“Carlton Main Brickworks which was originally part of the Grimethorpe Colliery complex but is now a separate operation. Clays and shales are extracted from an area to the east of the works to produce bricks, and the plant is a significant local employer”*. Paragraph 22.21 and policy MINAS1 addresses areas of search for minerals identifying an area on the policies map for new minerals for Carlton Main which includes the Southern Extension. The policy states:

“The future reserves for the brickworks are in the form of the existing area of permission which contains as yet unworked reserves and an adjacent Area of Search. A planning permission granted in 1993 includes the restoration of the quarry and the retention of a geological exposure which forms a Site of Special Scientific Interest within the quarry”.

Summary

5.12 It is clear that the level of permitted reserves at Carlton Main are well below the 25 years provided for in the NPPF. As such, new reserves need to be consented to form the basis against which future investment at the brickworks can continue. The Local Plan identifies areas of search for new reserves of brick clay, which includes the Southern Extension.

Need for Inert Waste Disposal

The Development Plan

5.13 As noted from the previous section, the main aspect of the planning application is the extension of the existing quarry workings into the Southern Extension. Allied to this, planning permission exists for the infilling of the mineral void with non-hazardous wastes (which can include inert wastes). Accordingly, the main thrust of the application is for mineral development. The proposals do not increase the amount of void capacity within the administrative area of Barnsley.

5.14 Within the Barnsley Doncaster and Rotherham Joint Waste Local Plan **Policy WCS5** addresses landfill and is the main consideration within the WLP. The policy identifies a number of landfill sites that are safeguarded as *“they have significant capacity remaining. Non-waste management proposals will only be permitted on these sites where they would not prejudice their ability to fulfil the function for which they have been identified.”* At reference 5.5 is Carlton Brickworks (Barnsley) which is categorised as an inert facility. Paragraph 4.24 notes *“In some cases, landfill can provide opportunities to restore and recreate new landscapes and habitats at former quarries ... However, inert construction, demolition and excavation waste cannot be landfilled unless it is the only viable means of restoring mineral workings and/or is incidental to engineering operations which are necessary to allow the development to go ahead. In considering such proposals, particular regard will be given to the duration of the operation and the business case for the wider development. In these circumstances, waste facilities or landfill restoration schemes should be complementary to existing activities.”*

Summary

- 5.15 The applicant is under an obligation to restore the quarry workings and the extant planning permission at Carlton Main already permits the deposit of non-hazardous waste and consequently, can also accept inert waste materials and soils to facilitate the restoration of the workings. Within the Waste Local Plan the site is acknowledged as a disposal site. It is important to note that the proposals do not seek to increase the capacity of the site (so that it can accept more waste); in fact the proposals seek the opposite and seek to reduce the reliance on waste inputs to facilitate restoration. However, to achieve a beneficial scheme which delivers biodiversity gains, some importation of inert materials is required; otherwise a steep sided deep water body would be created. In view of the drivers to reduce the amount of waste landfilled, it is considered that the proposals are in line with policy.

6. Conclusion

- 6.1 Michelmersh Brick Holdings PLC (the ‘applicant’) is seeking planning permission for a small lateral extension to the clay workings at the Carlton Main Brickworks, Grimethorpe, Barnsley. Concurrent with this, a second planning application is being submitted to amend the restoration scheme.
- 6.2 The proposed extension would expand the quarry workings by around 3.5 hectares into land that is used in connection with the New Springs Country Park. In so doing, around 375,000t of brick clay would be released.
- 6.3 As with the approved operations, the clay would be extracted on a campaign basis typically lasting 12 weeks each year. The clay would be excavated using the same techniques as elsewhere in the quarry, and stockpiled within the existing stocking area (on the western boundary) pending transfer to the brickworks. Following extraction, the workings would be restored by infilling the workings with inert materials to create a low level restoration scheme which would be free draining. This heralds a change from the existing consented restoration which is for non-hazardous tipping / household waste.
- 6.4 The planning applications do not make any changes to the existing brickworks, which are located to the west of the Quarry.
- 6.5 It is considered that the proposals would not give rise to any significant adverse environmental effects or derogate the amenity of local residents and communities. In this context a detailed Environmental Impact Assessment has been undertaken with the findings reported in an Environmental Statement which accompanies the planning application.
- 6.6 The Environmental Impact Assessment has considered the likelihood of significant environmental effects occurring from the proposed expansion of the working area upon the site itself and its surroundings. The environmental issues addressed as part of the scheme have been identified through a combination of review of published data; desk based and site survey work; and consultation with the LPA and other organisations.
- 6.7 The overall conclusion of the assessment is that, with the adoption of the mitigation measures embodied within the project design, or imposed through planning conditions, any impacts identified can be maintained within acceptable limits.
- 6.8 Consideration has also been given to the provisions of the Development Plan and other material considerations, such as national planning policy and guidance. In view of the lack of any identified significant effects the proposals have been found to be consistent with the policies of the Development Plan.
- 6.9 There is also a need for the development, in terms of the clay resource it would release and the need for additional capacity for the disposal of inert materials.
- 6.10 As such, it is considered that the planning application should be approved in line with the presumption in favour of sustainable development.

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