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SENT BY EMAIL

Our Ref: [SCO.86/524 MW](#)

18 August 2020

Dear Mr Warren,

SCO.85/501 MW: Request for an Environmental Impact Assessment (EIA) Scoping Opinion in connection with proposals for a northern extension to Uttoxeter Quarry.

[The Town and Country Planning \(Environmental Impact Assessment\) Regulations 2017: Regulation 15 - Scoping Opinion](#)

I refer to your email received on 8 May 2020 sent on behalf of Aggregate Industries UK Ltd in connection with the above proposals and the request for a “scoping opinion” in accordance with the above regulations.

When asked, the County Council is required in accordance with [Regulation 15](#), to give an opinion in writing about the scope and content of an Environmental Statement (ES) to accompany the planning application. Therefore, in accordance with the powers contained in the ‘Scheme of Delegation to Officers’, this letter and the accompanying report represents Staffordshire County Council’s scoping opinion.

I trust this information will be of assistance to you.

Yours sincerely,

Matthew Griffin

Team Leader – Minerals Planning Policy and Development Control Leader.

Please note that a copy of this letter and the document referred to herein should be retained and will be published on the internet via the County Council’s on-line Applications Register.





Staffordshire County Council's EIA Scoping Opinion report in connection with proposals for a northern extension to Uttoxeter Quarry

Date: 18 August 2020

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Background

Uttoxeter Quarry has operated since 2001. In June 2000, planning permission was granted for the winning and working of sand and gravel at Leasows Farm, Uttoxeter (ref. [ES.23992/01](#)). The planning permission allowed the extraction of 4.8 million tonnes of sand and gravel over a period of 12 years. Subsequently, planning permission was granted for a southern extension of the quarry in 2010 although it is noted that the application (ref: [ES.09/05/524 M](#)) also included proposals to extract sand and gravel reserves from land to the north of the quarry which at the time was not allocated in the Minerals Local Plan (note: that subsequently, a significant part of this northern extension is now allocated in the current Minerals Local Plan).

Mineral working currently continues within the area subject to permission ES.09/05/524 M which is now the subject of amendments proposed under planning application ref: [ES.16/15/524 MW](#) to alter the sequence of phased extraction; and to revise the date for cessation of mineral extraction from 30 November 2016 to 30 November 2023 and restoration from 30 November 2018 to 30 November 2025. This application was approved by the County Council's Planning Committee in December 2016 subject to first completing a section 106 legal agreement. Completion of the legal agreement has yet to be achieved.

The land subject to the proposed northern extension lies within an area allocated for sand and gravel working in the Minerals Local Plan for Staffordshire (2015 – 2030) (see '[Planning Policy Context](#)' and [Appendix 1](#) below).

Summary of Proposals

This scoping opinion has been prepared in response to the scoping report (dated May 2020) prepared by Heaton Planning on behalf of Aggregate Industries UK Ltd.

This scoping opinion relates to proposals for a northern extension to Uttoxeter Quarry.

The proposals involve the following elements:

- 64 hectares of agricultural land to the north of the current quarry;
- The phased extraction of 0.99 million tonnes of sand and gravel;
- Maintaining current output of 0.4 million tonnes per annum;
- An operational life of up to 2.5 years;
- Phasing working areas so as to facilitate extraction during wet seasons i.e. winter and summer working areas;
- The continued use of the existing processing plant;
- Internal transport of the mineral to the processing plant by conveyor or alternatively, by dump truck;
- Temporary storage of minerals;
- Continued use of the existing quarry access; and,
- Progressive restoration of the land involving the formation of three lakes.

The submitted scoping report indicates that the potential effects on the environment that could result from the proposed development are:

- Landscape and visual effects;
- Ecology and nature conservation effects;
- Effects of transport and access;

- Noise and vibration effects;
- Air quality and dust effects;
- Effects on archaeology and cultural heritage;
- Impact on the water environment;
- Effects on public rights of way; and,
- Effects on soil resources and land use.

Other considerations to be addressed include:

- Socio-economics
- Need / Supply
- Alternatives
- Cumulative Impacts
- Community Engagement

The following internal and external consultees were contacted in order to seek their views on the scope of the ES (a tick (✓) indicates where a response has been received).

Internal consultees:

- Environmental Advice Team ✓
- Flood Risk Management Team ✓
- Highways Development Control
- Noise Engineer ✓
- Planning Regulation Team ✓

External Consultees:

- East Staffordshire Borough Council (Planning) ✓
- East Staffordshire Borough Council (Leisure)
- East Staffordshire Borough Council (Environmental Health) ✓
- Derbyshire County Council
- Derbyshire Dales District Council
- Uttoxeter Rural Parish Council ✓
- Uttoxeter Town Council ✓
- Doveridge Parish Council
- Environment Agency ✓
- Highways England ✓
- Historic England ✓
- Natural England ✓
- National Air Transport Service (NATS) ✓
- Sport England ✓
- Staffordshire Football Association
- Western Power Distribution ✓

Observations

Staffordshire County Council welcomes this opportunity to comment on the scope of the ES. Each topic should include an assessment of the baseline conditions, predicted direct and indirect impacts, mitigation measures (where necessary), residual impacts and conclusions in accordance with the guidance in [Schedule 4 to the 2017 Environmental](#)

[Impact Assessment Regulations](#) ('2017 EIA Regulations') and in [Planning Practice Guidance – Preparing an Environmental Statement](#). The relevant topics will include those mentioned in Planning Practice Guidance - [Assessing environmental impacts from mineral extraction](#).

Paragraph 3.1.2 of your scoping report, indicates that you consider the proposed development falls within the description of paragraph 19 of [Schedule 1](#) to the 2017 EIA Regulations as the quarry exceeds 25 hectares. Given that this proposal would be an extension to an existing quarry which has been assessed as EIA development under Schedule 1, it is considered that the proposed development falls within the description of paragraph 24 of Schedule 1. This distinction is important to ensure that the combined effects of traffic and other quarrying activities are assessed.

The following comments are made regarding the proposed topics and content of the ES and incorporate a brief summary of the consultee comments where relevant. *

[* Note: The consultee comments, where relevant, have been published on-line to accompany this Scoping Opinion report and should be considered when preparing the ES. Where relevant we will notify you of any additional comments received and publish them on-line. Any additional comments should also be considered when preparing the planning application and ES.]

Introduction

You are advised to incorporate an introduction section to the ES which should provide an overview of the submission and ES. It should outline the submission package and its structure and introduce the site and its surroundings, the applicant, the proposed development and rationale. The ES should include a description of the site and its surroundings and details of the planning history of the site. This section should also include a section which describes the various elements of the proposed development including the extent and duration of the operations and the restoration works. This section should also explain where copies of the ES can be obtained and the cost of copies which may be purchased as this is a requirement of the 2017 EIA regulations (Regulations 23 and 24) *.

[* Note the Government has introduced [temporary publicity arrangements due to Covid-19](#)]

Operational details

A section relating to operations should describe the development proposals. A clear description of the existing and proposed operations is required, including the operating hours, working practices, and the measures to protect the environment and amenity of residents and nearby users of land/ property.

It is recommended that a consolidating planning application is submitted and as such the accompanying plans should include details of the progress of the existing operations as well as the proposed operations (including mineral extraction areas and phasing, the access to the highway and visibility splays, the conveyor(s), any plant and equipment, areas used for the disposal of mineral processing wastes and the areas restored and in aftercare, and the areas still to be restored (see '[Concluding remarks](#)' about our pre-application advice service).

Planning Policy Context

A specific section (or a separate Planning Statement) should describe the planning history (i.e. the current planning permissions and other current proposals) together with an explanation of how the proposals have been developed having regard to the relevant planning policies and government guidance which will be used to determine the planning application. Particular regard should be given to the policies and guidance listed in [Appendix 1](#).

Potential Environmental Effects

Landscape and Visual Effects

Natural England (NE) provided generic advice about the scope of the EIA, including advice on landscape character as follows:

- The use of the [Guidelines for Landscape and Visual Impact Assessment](#) (3rd edition), produced by the Landscape Institute and the Institute of Environmental Assessment and Management in 2013.
- The importance of assessing the cumulative effect of the development with other relevant existing or proposed developments in the area.
- Consideration of [National Character Areas](#) which can be found on their website and Local Landscape Character Assessment which is also available on the same web page.
- Heritage landscapes and whether there is land in the area affected by the development which qualifies for conditional exemption from capital taxes on the grounds of outstanding scenic, scientific or historic interest. An up-to-date list is available at www.hmrc.gov.uk/heritage/lbsearch.htm.

Historic England (HE) commented as follows:

- An assessment of setting would need to include the context of the [historic] assets and character of the historic landscape within which they sit, the way they are approached and traversed, and factor such as impacts from light, noise, dust, vibrations etc.
- It is important that that the Environmental Statement assesses the impact of any proposed restoration scheme upon the historic landscape character and the settings of the nearby heritage assets.

The **County Council's Environmental Advice Team (EAT)** accept that the headings and general scope of the LVIA do conform to the Landscape Institute Guidelines for landscape and Visual Assessment (Third Edition) and best practice guidance.

Other comments from the EAT included:

- The need to consider the '[Transforming the Trent Valley](#)' (TTTV) project which is administered and managed through the Staffordshire Wildlife Trust and extends the Central Rivers Initiative.

- The LVIA should refer to:
 - VP 1-6 shown on the Zone of Theoretical Visibility drawing (Dwg No. AI-046-M.D.005) along the Staffordshire Way long distance footpath.
 - VP 8 and other potential viewpoints along the Churnet Way promoted route.
 - Views along the diverted Uttoxeter Rural 30b on the existing and diverted routes.
- The detailed landscape mitigation measures which should be fully integrated with opportunities for ecological enhancement and restoration to compensate for losses of mature vegetation and hedgerows.
- Management and maintenance and monitoring of working areas during the operational stage which are adjacent to publicly accessible rights of way and roads should be given full consideration in the plans.

Ecology and nature conservation effects

Natural England (NE) provided generic advice about the scope of the EIA, including advice on ecology as follows:

- The potential impact of the proposal upon features of nature conservation interest and opportunities for habitat creation/ enhancement should be included within the assessment. [Guidelines for Ecological Impact Assessment](#) (EclA) have been developed by the Chartered Institute of Ecology and Environmental Management (CIEEM);
- The National Planning Policy Framework ([section 15](#) paragraphs 174 to 177) sets out guidance on how to take account of biodiversity interests in planning decisions;
- The ES should thoroughly assess the potential for the proposal to affect designated sites, including Special Areas of Conservation (SAC), Special Protection Areas (SPA), Ramsar sites and Sites of Special Scientific Interest (SSSI).
- The ES should assess the impact of all phases of the proposal on protected species. Records of protected species should be sought from appropriate local biological record centres, nature conservation organisations, groups and individuals; and consideration should be given to the wider context of the site for example in terms of habitat linkages and protected species populations in the wider area, to assist in the impact assessment.
- The area likely to be affected by the proposal should be thoroughly surveyed by competent ecologists at appropriate times of year for relevant species and the survey results, impact assessments and appropriate accompanying mitigation strategies included as part of the ES.
- The ES should thoroughly assess the impact of the proposals on non-statutory sites, for example Local Wildlife Sites (LoWS), Local Nature Reserves (LNR) and Regionally Important Geological and Geomorphological Sites (RIGS).
- The ES should thoroughly assess the impact of the proposals on habitats and/or species listed in the UK Biodiversity Action Plan (BAP).

The **County Council's Environmental Advice Team (EAT)** commented that the consideration of the ecology and nature conservation effects and the impact on water environment in the EIA is welcomed.

More detailed comments from the EAT included:

- Regarding the use of the latest guidelines “produced by IEEM ‘Guidelines for Ecological Impact Assessment’” (para 4.3.1 of the scoping report), note that IEEM became Chartered (CIEEM) and the guidelines were updated in 2019.
- Regarding paragraph 4.3.6 of the scoping report, does this include any sites in Derbyshire? Data searches of both Local Records Centres should form part of the evidence base and include species, habitats and biological and geological sites.
- Evidence of the effects on nationally and internationally designated sites should be provided to assist the Mineral Planning Authority in screening the development in accordance with the requirements of the Habitats Regulations Assessment.
- The need to address potential impacts of dust is agreed. The proposed access road crosses the southern part of the Local Wildlife Site known as Uttoxeter Quarry, which will be a direct impact.
- Hedge survey and assessment will preferably use the Hedgerow Evaluation and Grading System (HEGS methodology) as the Hedgerow Regulations have not been shown to be a good guide to hedge importance in Staffordshire.
- Surveys should cover veteran and near veteran trees as habitats in their own right, rather than solely as landscape features or bat / bird sites. Where veteran trees are identified further surveys for specialist invertebrates may be required.
- Great crested newts, if found on site might be dealt with via one of the four DEFRA policies brought in 2017 e.g. Policy 3: Allowing EPS to have access to temporary habitats that will be developed at a later date.
- Information is required on how net gains to biodiversity will be achieved, preferably including the use of a biodiversity metric such as the DEFRA metric.
- Consideration of hydrological effects, particularly on watercourses and habitats is welcomed.

The Environment Agency (EA) also commented on the potential effects on ecology.

Specifically, the EA comments included:

- The Biodiversity Net Gain assessment should consider how best to achieve biodiversity gain via the creation of habitats of most value and appropriate setting for the location. For example, enhancement of the river to help achieve more natural river function via increasing connectivity to the floodplain, or wetland habitats along the riparian corridor.
- The river in this location is very powerful and active with sometimes very rapid lateral migration during flood events. There have been two breaches of the river in recent years, consequently we would recommend that the stand-off for the River Dove is

increased to 50m where banks are eroding to avoid this occurrence in future with the standard 30m standoff where banks are not subject to erosion at present.

Uttoxeter Town Council recommend that:

- As the Council is prioritising biodiversity issues, it seeks reassurance that there will be a detailed Ecological Survey and that the applicant will follow its recommendations.
- The Council are keen to promote wildlife corridors around the town and surrounding area, so would wish to see these retained where possible, and ultimately enhanced through this project.

Effects of transport and access

Highways England (HE) provided general and specific areas of concern that would need to be considered as part of an Environmental Statement due to the proximity to the A50 Trunk Road which is part of the Strategic Road Network (SRN) in England

HE general and specific comments included:

- The document mentioned in paragraph 4.4.3 of the scoping report - '[Guidance on Transport Assessment](#)' (Department for Transport, 2007) was withdrawn in 2014, but still provides a good practice guide to preparing a Transport Assessment (TA).
- There is also Ministry of Housing, Communities & Local Government guidance on preparing a Transport Assessment (TA) (reference: National Planning Policy Framework ([Section 9](#)), [Planning Practice Guidance \(Transport evidence bases in plan making and decision taking, Travel Plans, Transport Assessments and Statements\)](#)).
- The scope of traffic impact assessment has been proposed by the scoping report to include the A50/ B5030 junction. However, should demands here be significant, it may be necessary to widen the scope to include additional junctions.
- Trip generation for the proposed development will be forecasted using current and proposed number of HGVs arriving at the site, leaving the site, staff numbers and shift or operational hours. This method is considered suitable, due to the latest version of the TRICS Database (7.7.1) having now moved 'Quarry' into the Archive Land Use Category due to no recent surveys being undertaken.
- To avoid any abortive work, HE recommends that the TA is agreed in a staged approach, with the overall methodology and elements such as assessment years, trip generation and distribution being agreed prior to further assessment work being carried out.

No comments have been from the **County Council's Highways Development Control Team**.

Noise and vibration effects

The **County Council's Noise Engineer** commented that the method of assessing noise described in the scoping report (section 4.5) meets the requirements for assessing the potential noise and vibration impacts required by the National Planning Policy Framework ([section 15](#)) and Planning Practice Guidance ([Noise](#)).

- The assessment will need to:
 - Identify noise sensitive receptors;
 - Undertake monitoring to establish noise baseline;
 - Determine appropriate noise criteria/limits;
 - Predict noise levels at noise sensitive receptors;
 - Assess the predicted noise levels against noise criteria/limits; and,
 - Identify any mitigation requirements.

In reviewing the scoping report, the Noise Engineer confirms that he is satisfied that the applicant's proposals for assessing the impact from noise are appropriate and that this will meet the requirements for noise impact assessment.

East Staffordshire Borough Council's Environmental Protection Officer confirms that subject to the proposed noise assessment included in the scoping report being undertaken, there are no further environmental health comments.

Highways England commented that the potential effects of traffic noise generated by the development should also be considered.

Air quality and dust effects

East Staffordshire Borough Council's Environmental Health Officer confirms that subject to the proposed air quality & dust assessments and mitigation included in the scoping report (section 4.6) being undertaken, there are no further environmental health comments.

Highways England commented that the potential effects of traffic generated by the development on air quality should also be considered, including in relation to compliance with the European air quality limit values and/ or in local authority designated Air Quality Management Areas (AQMAs).

Natural England (NE) refer to the [England Biodiversity Strategy](#) and the priority action to reduce air pollution impacts on biodiversity. NE comment that the assessment should take account of the risks of air pollution on biodiversity and how these can be managed or reduced. Further information on air pollution impacts and the sensitivity of different habitats/designated sites can be found on the [Air Pollution Information System](#). Further information on air pollution modelling and assessment can be found on the Environment Agency website.

Effects on archaeology and cultural heritage

Historic England (HE) commented that the proposal could impact on the settings of a number of designated heritage assets around the site, as well as physically impacting the historic environment within the site itself. As before the assessment should consider the effects of the development as a whole as well as other cumulative schemes.

More detailed comments from HE included:

- The identification and description of the significance of any heritage assets affected should be provided, including the contribution made by their setting, with a level of detail proportionate to the assets' importance and sufficient to understand the impact of the proposal on their significance (ref. National Planning Policy Framework ([section 16](#))).
- The assessment of heritage assets should use appropriate expertise and the relevant standards, guidance and advice, including:
 - [Advice Note 13: Mineral Extraction and Archaeology](#);
 - [Advice Note 12: Statements of Heritage Significance](#); and,
 - [Good Practice in Planning: 3: The Setting of Heritage Assets Historic Environment \(Second Edition\)](#) (GPA3 - Setting and Views).
- The study area should be sufficiently extensive, and the analysis sufficiently detailed to enable a full understanding of all direct, indirect and cumulative effects of the proposals (working and restoration). The scoping report indicates that a desk-based assessment will be undertaken for the site, and an assessment of impacts on nearby heritage assets, noting one scheduled monument and several Grade II listed buildings. HE concurs that this should be the first stage of the heritage assessment for the site.
- Cumulative impacts (both of operational and restoration phases) should also be given strong consideration. The assessment should also take account of potential indirect effects of the scheme (such as construction, servicing and maintenance, and associated traffic) upon perceptions, understanding and appreciation of the heritage assets, as well as potential physical impacts - such as the flow rates in the river and changing situation/ erosion patterns downstream which could have an adverse impact on the scheduled Dove Bridge.
- The direct and indirect effects of hydrological changes should be considered (ref. the HE guidance on [Preserving Archaeological Remains](#) and guidance on [Deposit Modelling and Archaeology, and Geoarchaeology](#)).
- Palaeolithic material, which can be of national significance, may be present in Pleistocene sediments or within the mineral body itself. Desk-based assessment for archaeology should take account of sources appropriate for providing baseline information on the Palaeolithic (ref. HE's new guidance 'Curating the Palaeolithic' (forthcoming) and [Advice Note 13 Mineral Extraction and Archaeology](#)).
- The assessment should also consider the potential impacts on non-designated features of historic, architectural, archaeological or artistic interest. HE recommends that the local Conservation Officer and Staffordshire County Council's Archaeologist be involved in the development of this assessment, including any requirements for on-site archaeological works (see below).

The **County Council Environmental Advice Team** (EAT) welcomes the proposed scope of the assessment described in the scoping report.

More detailed comments from EAT included:

- The Cultural Heritage Chapter of the ES should be underpinned by a Historic Environment Desk-based Assessment (HEDBA), which should make use of a full Historic Environment Record (HER) search (Staffordshire and Derbyshire given the location), and be produced in line with the relevant Chartered Institute for Archaeologists' standards and guidance. This study should consider heritage assets that may be impacted directly or indirectly (setting) by the proposals.
- The use of Historic England's latest guidance on the assessment of the setting of heritage assets (GPA3 Setting and Views).
- Consideration should be given to the potential for archaeological remains to be uncovered within the site and, where necessary, identify the appropriate method of recording these features (although preservation in situ of significant features should not be fully discounted at this stage). This should include a site visit (as outlined by the applicant) and a review of the archaeological work undertaken as part of the Cricket Pitch extension of the permitted quarry.

Impact on water environment

The **Environment Agency (EA)** comments include:

- Flood Risk:
 - The Agency require that the layout of the site is such that the operations have a stand-off of 50 metres from the River Dove to reduce the impact of flood water entering any operational areas and potentially causing structural failures both within the site and along the watercourses.
 - An appropriate method of management of de-watering during periods of flood risk should be assessed, in order to reduce the risk of the watercourse causing erosion when it comes out of bank and subsequently breaking through into the quarry void.
 - An appropriate method of flood warning and evacuation should be assessed to ensure the safe use of the development in extreme circumstances.
 - A site-specific flood risk assessment must be submitted including evidence of the sequential test being applied; existing and proposed topographical plans; and, the use of the latest climate change allowances for this type of development (ref. [the EAs updated guidance on climate change](#) - February 2016).
 - More vulnerable parts of the site, such as the access & egress routes must be in lowest flood risk parts of the site where possible.
- Groundwater and Contaminated Land:
 - A proposal to implement a monitoring scheme should be included that will cover the area of influence of the proposed extension area, in order to monitor the actual impact on groundwater levels prior to and after the development of the extension.

- If required, explain measures to mitigate any adverse impact on any water feature predicted to be impacted by the risk assessment by any operations related to the proposed extension.
- The River Dove is failing to achieve good ecological status due to moderate fish and macrophyte communities. Any enhancement of the river corridor habitat that will provide improved habitats for these communities would be beneficial. Fish refugia would be particularly beneficial.
- The river is also failing due to high phosphate levels so the removal of agriculture from land adjacent to the river will also help reduce some polluting inputs.

The **County Council's Flood Risk Management Team** comments include:

- The East Staffordshire Borough Council's [Strategic Flood Risk Assessment](#) notes historic flooding in the area. This should be consulted as part of a Flood Risk Assessment submitted with any application and any recommendations adhered to.
- A Flood Risk Assessment should also include flood risk from groundwater and how groundwater will be managed.
- A drainage strategy will need to be produced in line with the Staffordshire County Council [SuDS Handbook](#).
- A surface water drainage strategy should be submitted that ensures the flood risk to users of the site is acceptable and that does not increase the flood risk to any third party as a result of the proposals. The drainage strategy should include an overarching surface water drainage proposal with details of each phase of development. Suds should be proposed showing ample water quality treatment.
- There is an ordinary watercourse to the south-east corner of the site. Any works on this watercourse may require consent under the Land Drainage Act and the Flood Risk Management Team as the Lead Local Flood Authority should be consulted.

Uttoxeter Town Council request reassurance that there will not be a negative impact on the flood risks in local rivers and their immediate surroundings, for example the old Dove Bridge.

[Effects on public rights of way](#)

Natural England recommend a thorough assessment of the development's effects upon public rights of way and access to the countryside and its enjoyment through recreation. With this in mind and in addition to consideration of public rights of way, the landscape and visual effects on Open Access land, whether direct or indirect, should be included in the ES.

Natural England would also expect to see consideration of opportunities for improved or new public access provision on the site, to include linking existing public rights of way and/or providing new circular routes and interpretation. We also recommend reference to relevant Right of Way Improvement Plans (ROWIP for Staffordshire and Derbyshire) to identify public rights of way within or adjacent to the proposed site that should be maintained or enhanced.

The **County Council's Environmental Advice Team (EAT)** confirmed that the proposal would affect public rights of way (Nos 30b, 31, 28 and 29 Uttoxeter Rural Parish) which run through the proposed application site.

- The applicant should understand the requirement that any planning permission given does not construe the right to divert, extinguish or obstruct any part of the public paths. For further information the applicant should be advised to read section 7 of [DEFRA's Rights of Way Circular \(1/09\)](#).
- If the footpaths do need diverting as part of these proposals, the applicant would need to apply to [the County Council](#) under [section 257](#) of the Town and Country Planning Act 1990 to divert the footpaths to allow the development to commence.
- Users of the path network should still be able to exercise their public rights safely and paths should be reinstated if any damage to the surface occurs as a result of the proposed development.
- The footpath must be kept in a state of repair such that it can always be used safely.
- Heavy vehicular use can cause rights of way to become unsuitable for use and in some instances dangerous.

Effects on soil resources and land use

Natural England comments included:

- Impacts from the development should be considered in light of the Government's policy for the protection of the best and most versatile (BMV) agricultural land as set out in paragraph 170 and 171 of the NPPF ([section 15](#)). NE also recommend that soils should be considered under a more general heading of sustainable use of land and the valuing of the ecosystem services they provide as a natural resource, also in line with paragraph 170 of the NPPF.
- General advice on the agricultural aspects of site working and reclamation can be found in the [Defra Guidance for successful reclamation of mineral and waste sites](#).

Other Matters

Mineral Development Statement

In accordance with the validation requirements described in our '[A to Z Guide to Planning Applications](#)' all mineral applications should be accompanied by a Mineral Development Statement (MDS) (see 'M' for 'Mineral Development Statement'). In this case, however, most if not all of the matters normally addressed in a MDS may be addressed in the ES. If that is not the case, then a MDS should accompany the planning application.

Utilities

Western Power Distribution (WPD) Electricity did provide information about their apparatus located in the vicinity of the proposal. Contact WPD via their [Western Power Distribution website](#) for more details and to discuss the proposed development.

Section 106 Legal Agreement

The [Section 106 Legal Agreement dated 1 June 2000](#) should be superseded as a consequence of the approval of application ref: [ES.16/15/524 MW](#) and the proposed legal agreement includes planning obligations relating to: the funding of works for the benefit of a sports hub; the establishment and terms of reference for the quarry liaison committee; extended aftercare; provision of a restoration guarantee; and new access to the land. It is likely that an additional or replacement agreement for the current S106 agreement would be necessary.

National Air Traffic Safeguarding (NATS)

NATS has confirmed that from a technical safeguarding point of view the proposal does not conflict with their safeguarding criteria. Accordingly, NATS (En Route) Public Limited Company ("NERL") has no safeguarding objection to the proposal. However, the comments are based on the current proposal and do not reflect the position of an airport, airspace user or otherwise.

Additional topics

Carbon Management and Climate Change

The implications of Carbon Management and Climate Change should be considered either as individual topics, jointly, or as part of the appraisal of the other topics. The ES should therefore, address energy consumption and carbon emissions from the existing and proposed operations and any potential to mitigate the impacts of climate change e.g. measures to reduce carbon emissions through transportation.

Natural England refer to the [England Biodiversity Strategy](#) and the consideration of biodiversity and the effects of climate change. The ES should reflect these principles and identify how the development's effects on the natural environment will be influenced by climate change, and how ecological networks will be maintained. The NPPF requires that the planning system should contribute to the enhancement of the natural environment "by establishing coherent ecological networks that are more resilient to current and future pressures" (NPPF Paras 170 and 174), which should be demonstrated through the ES.

Potential benefits to local environmental initiatives and priorities

The ES should consider any potential benefits of the proposal to local environmental initiatives and priorities, particularly given the location in the open countryside, and within the Transforming the Trent Valley project area. The proposal would also affect land that has been identified for the benefit of the proposed sports hub for Uttoxeter. There would be a requirement, therefore, for the applicant to explain how much of the sports hub land would be affected by the proposals and for how long. There would be also a requirement to assess the impact on users of the sports hub if the hub is developed during the proposed development of the quarry.

Uttoxeter Town Council recommend that development of the new quarry should not prevent the area currently being quarried from being made good and given over to community use by the date previously agreed (currently 2025).

Alternatives and Need

Explain alternative options considered in developing the proposals and the main reasons for the choices made.

Cumulative Impacts

The potential cumulative impacts with any existing or approved development should be considered in accordance with [Paragraph 024](#) of the Planning Practice Guidance and Policy 4.1 (p) of the [Staffordshire and Stoke on Trent Minerals Local Plan](#).

In this matter, you should be mindful of the comments provided by **Uttoxeter Rural Parish Council** relating to:

- any increase in HGV traffic onto the McDonalds roundabout. The traffic for Alton Towers and the Peak District use this road as well and JCB employees and congestion is already high in this area.
- previous extensions seem to have been granted on the grounds that restoration work be completed to produce new leisure facilities in the area but none of these have happened to date. The Parish Council recommend that restoration work be scheduled, started and completed prior to approval of any further extension.

Conclusions

The conclusions for each topic should summarise and grade the significance of the impacts and provide an assessment of the proposed mitigation in order to assess the overall net costs or benefits of the proposals.

A Non-Technical Summary

The EIA regulations require the ES to be accompanied by a non-technical summary which will enable non-experts to understand its findings.

Design and Access Statement (DAS)

It is not necessary to provide a DAS to accompany a planning application for mineral or waste development. Notwithstanding, however, the design of the working, restoration, aftercare and afteruse will be important considerations given the location in the open countryside and within the Transforming the Trent Valley project area.

Concluding remarks

This is an EIA development as it falls under Schedule 1 Part 24 to the 2017 EIA Regulations and is a change to an EIA development listed in Schedule 1.

In accordance with the 2017 EIA Regulations ([Regulation 18](#)) the Environmental Statement must be based on the most recent scoping opinion and be prepared by competent experts. The applicant must ensure that the ES is accompanied by a statement outlining the relevant expertise, or qualifications of such experts, sufficient to demonstrate the completeness and quality of the ES (refer to Planning Practice Guidance relating to "[Preparing an Environmental Statement](#)" – "Who is responsible for preparing the Environmental Statement?").

The key topics/ environmental issues to be assessed as part of the EIA must therefore include those mentioned in your scoping report and mentioned here, including the additional topics. The topics largely reflect those referred to in Planning Practice Guidance - [Assessing environmental impacts from mineral extraction](#).

The EIA should also update and extend the EIA carried out in connection with the extension permissions granted in 2000 (ref. [ES.23992/01](#)); and in 2010 (ref: [ES.09/05/524 M](#)).

The latest government guidance should be followed when preparing the Environmental Statement. This can be found on the Government website, in particular the guidance in [Schedule 4 to the 2017 EIA Regulations](#) and in [Planning Practice Guidance – Preparing an Environmental Statement](#). The Government has also introduced [temporary publicity arrangements due to Covid-19](#).

Having regard to the validation requirements in our '[A to Z Guide to Planning Applications](#)' you are also advised to consider the following, either as part of the ES or as separate supporting statements:

1. Economic Statement
2. Statement of Community Involvement
3. Planning Statement
4. Minerals Development Statement
5. Planning obligations

Finally, I wish to remind you that we offer a [pre-application advice service](#) and our '[A to Z Guide to Planning Applications](#)' contains a wider range of information related to the topics referred to above. The Guide also includes advice on submitting a valid application (for example 'E' for 'Electronic Applications', 'M' for Mineral Development Statement, 'P' for Plans, Photographs and Drawings and 'V' for Validation).

Appendix 1 The relevant development plan policies and proposals, and the other material planning considerations:

[Staffordshire and Stoke on Trent Minerals Local Plan](#) (2015 - 2030) (adopted 16 February 2017). A [partial review of the Minerals Local Plan for Staffordshire](#), completed in February 2019, to check conformity with the revised National Planning Policy Framework concluded that the policies in the Minerals Local Plan continue to conform with the revised NPPF and therefore continue to carry weight in the determination of planning applications for mineral development.

- Policy 1 Provision of Sand and Gravel
Extensions to sand and gravel sites
 - Policy 1.1 (c) – Uttoxeter (Inset Map 3) *
- Policy 4: Minimising the impact of mineral development
- Policy 6: Restoration of Mineral Sites

* See [Appendices to the Minerals Local Plan](#) - Inset Map 3 – Uttoxeter North and the accompanying development considerations.

[East Staffordshire District Local Plan](#) (2012-2031) (adopted 15 October 2015)

- Principle 1 - Presumption in Favour of Sustainable Development;
- Strategic Policy 1 - Approach to Sustainable Development;
- Strategic Policy 23 - Green Infrastructure;
- Strategic Policy 24 - High Quality Design;
- Strategic Policy 27 - Climate Change, Water Body Management and Flooding
- Strategic Policy 29 - Biodiversity and Geodiversity
- Strategic Policy 30 - Locally Significant Landscape
- Strategic Policy 32 - Outdoor Sports and Open Space Policy
- Strategic Policy 34 – Health and Wellbeing
- Detailed Policy 7 - Pollution and Contamination
- Detailed Policy 10 - Blue Infrastructure and water-based recreation

Uttoxeter [Neighbourhood Plan](#) (2012 – 2031) (Made March 2017)

- Policy E2 – Landscape and Setting;
- Policy E3 – Green Links

[Planning for Landscape Change](#). Staffordshire County Council Supplementary planning guidance.

[National Planning Policy Framework](#) (updated February 2019):

- Section 1: Introduction
- Section 2: Achieving sustainable development
- Section 4: Decision-making
- Section 8: Promoting healthy and safe communities
- Section 9: Promoting sustainable transport
- Section 12 Achieving well-designed places
- Section 14: Meeting the challenge of climate change, flooding and coastal change;

- Section 15: Conserving and enhancing the natural environment;
- Section 16: Conserving and enhancing the historic environment
- Section 17: Facilitating the sustainable use of minerals.

[Planning Practice Guidance](#)

- [Conserving and enhancing the historic environment](#)
- [Design: process and tools](#)
- [Environmental Impact Assessment](#)
- [Flood risk and coastal change](#)
- [Historic environment](#)
- [Minerals](#)
- [Natural environment](#)
- [Noise](#)
- [Open space, sports and recreation facilities, public rights of way and local green space](#)
- [Planning obligations](#)
- [Transport evidence bases in plan making and decision taking](#)
- [Travel Plans, Transport Assessments and Statements](#)
- [Use of planning conditions](#)

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