

6 DCSW2005/3913/M – RE-OPENING OF DISUSED DELVE FOR THE EXTRACTION OF SANDSTONE FOR STONE ROOF TILES, FLAGSTONES AND BUILDING STONE, LLANDRAW FARM, CRASWALL, HEREFORD, HEREFORDSHIRE, HR2 0PW

For: K. Saunders per Sidney Phillips, Shepherds Meadow, Eaton Bishop, Hereford, HR2 9UA

**Date Received: 8th December, 2005 Ward: Golden Valley Grid Ref: 29901, 34109
South**

Expiry Date: 2nd February, 2006

Local Member: Councillor J.B. Williams

1. Site Description and Proposal

- 1.1 The site lies on a south-west facing slope approximately 2.5 km south east of Craswall village and some 10 km south of Hay-on-Wye. The countryside is rugged and looks out over the valley of the River Monnow towards the Welsh border on the top of Black Hill to the west. A small disused quarry or delve lies about 150 metres from the C1206 Michaelchurch Escley to Craswall road.
- 1.2 The proposal is to reopen this delve for a period of five years, for the small-scale production of stone roof tiles, flagstones and building stone. Suitable material would be extracted manually using a single agricultural-sized digger and the resulting loose stone worked and shaped by hand.

2. Policies

2.1 Planning Policy Guidance

MPG1 – General Considerations and the Development Plan System
PPS7 – Sustainable Development in Rural Areas

2.2 Hereford and Worcester County Structure Plan

Policy E6 – Economic Development in Rural Areas
Policy CTC2 – Areas of Great Landscape Value
Policy CTC6 – Landscape Features
Policy CTC7A – Mineral Extraction
Policy CTC9 – Development Requirements
Policy CTC12 – Improving wildlife value
Policy A1 – Development on Agricultural Land
Policy M1 – The Need for Minerals
Policy M3 & M4 – Mineral Extraction
Policy M7 – Hard Rock Extraction

2.3 South Herefordshire District Local Plan

Policy GD1 – General Development Criteria
Policy C1 – Development within Open Countryside
Policy C8 – Development within AGLV
Policy C9 – Landscape Features
Policy C15 – Creation of New Sites for Nature Conservation
Policy C47 – Pollution

2.4 Herefordshire Unitary Development Plan (Revised Deposit Draft)

Policy S1 – Sustainable Development
Policy S2 – Development Requirements
Policy S9 – Minerals
Policy DR11 – Soil Quality
Policy DR13 – Noise
Policy E11 – Employment in Smaller Settlements and Open Countryside
Policy LA2 – Landscape Character and Areas Least Resilient to Change
Policy LA5 – Protection of Trees, Woodlands and Hedgerows
Policy NC8 – Habitat Creation, Restoration and Enhancement
Policy M4 – Non-aggregate Building Stone and Small Scale Clay Production

3. Planning History

- 3.1 There is no planning history held in the Council's records for this site, but physical evidence of the historic existence of the quarry is clear. Recent exploratory work has been undertaken under Permitted Development rights to ascertain the quality and likely quantity of stone available and viability of the project. There are several similar small delves in the wider neighbourhood, opened or re-opened in connection with the Herefordshire Stone Tile Project initiative to promote traditional rural industry and encourage rural employment by co-ordinating links between stone cutters and markets for their produce.

4. Consultation Summary

Statutory Consultations

- 4.1 The Campaign to Protect Rural England (CPRE) supports the proposal.
- 4.2 The Environment Agency has no objection in principle and offers conditions to ensure environmental protection with regard to groundwater and pollution.

Internal Council Advice

- 4.3 Traffic Manager - has attended pre-application site meetings with the applicant to discuss the most appropriate location for an access to the C1206 road. The submitted proposal is in accordance with advice given. Conditions and advisory notes would ensure compliance with Highways Authority requirements.
- 4.4 Conservation Manager - has visited the site twice, observing that it is visually sensitive due to its isolated and elevated position, but that views into the site would be distant, from the south and west only, it not being visible from the immediate neighbours. The choice of access is supported because it not only provides the best visibility from a highways point of view but it also minimises the amount of hedgerow to be removed. Overall no objections have been raised on landscape grounds.

5. Representations

- 5.1 Craswall Parish Council comment as follows: "Request no blasting on site", with no other concerns expressed.
- 5.2 One letter of objection has been received from a local resident. Mrs G D Watkins of School House, Craswall states that the site is "opposite my house" and that when the exploratory work was being done "the noise was horrendous. I would not be able to work or sit in my garden. It would completely spoil my property".

The full text of this letter can be inspected at Planning Services Minerals and Waste, Blueschool House, Blueschool Street, Hereford and prior to the Sub-Committee meeting.

6. Officers Appraisal

- 6.1 The site is one of several small-scale delves in the hilly country between Longtown and Hay producing traditional hand-made stone roof tiles, flagstones and building stone. The applicant has made every effort to engage in pre-application discussions and to observe the advice that has been offered.

6.2 Need

The work is physically hard, the climate and terrain are difficult, and the skills of the few remaining experienced stone workers are in danger of becoming lost. The need for high quality matching stone for the restoration of historic buildings usually outweighs supply, resulting in the use of imported sandstone. In the interests of sustainability and the proximity principle, the development of a viable network of traditionally worked local delves is arguably more desirable. But such small delves are generally short-lived and supplies of stone of the required quality and quantity are unpredictable. Therefore a series of operational and new delves is necessary to optimise potential sources, thus constituting the "special justification" requirement outlined in Local Plan policy C1 and the requirements of Structure Plan policy CTC7A, taking into account the traditional rural nature of the work and the fact that stone can only be obtained where it exists and in accessible locations.

Policy M1 of the County Structure Plan acknowledges the need to maintain supplies of worked minerals, and Policy M4 of the forthcoming UDP supports small-scale stone extraction projects.

6.3 Visual Impact

The site falls within the Area of Great Landscape Value and is described in the Landscape Character Assessment as Ancient Border Farmlands. Small quarries have been extensively used in the past for local production of building, flooring, roofing and road stone. Although in principle the site and access track would be visible from properties across the valley and from the Offa's Dyke Path on Black Hill some 3 km to the west, in practice the distances are great enough and the site is so small as to be visually dwarfed by the larger landscape around it. It is considered that the proposal would not therefore be contrary to Structure Plan policy CTC2 or Local Plan policies GD1 and C8.

6.4 Transport and access

A green lane lined with an old grown-out hawthorn hedge runs alongside the field containing the site, but this could not be used as a haul road without damaging the trees, and its existing junction with the C1206 would not be ideal. Accordingly the applicant has proposed a new haul road and access at the shortest distance and optimum visibility point with minimal hedgerow removal, thus observing the principles of Structure Plan policy CTC11 and Local Plan policy C17. The C1206 is narrow, hilly and twisting but this prevents vehicles from travelling at speed, and traffic levels are in any case exceedingly low. The applicant has stated that a maximum of one load of between 5 and 10 tonnes of stone would be removed, by pick-up truck, on any one day, but in practice this would be intermittent. With appropriate conditions imposed there is no reason to suppose that activity at this level could not be accommodated within the road network.

6.5 Biodiversity

Small scale stone extraction of this type is likely to be less disruptive to wildlife than agriculture, and has the potential to create important additional habitats for the future, stone piles and worked rock faces providing shelter for small animals, plants and birds. It also creates variety in the landscape and a physical record of heritage. Structure Plan policy CTC12 and Local Plan policy C15 would support this.

6.6 Noise

The extraction process uses a 360° farm-size digger to remove and store topsoil, subsoil and overburden, and to knock out a quantity of raw stone from the working face. This may take a few hours or days depending on the quality of material found and the amount of overburden to be removed. Once a pile of workable stone is achieved the digger is put aside and the work is continued by hand, where necessary using a powered hand saw (with water to suppress dust) to cut slabs for flagstones. Roof tiles are cut and chipped by hand and stockpiled on pallets ready for removal when a load is ready. No blasting is used for this type of quarrying as it would destroy useable slabs.

It is acknowledged that some machinery noise would be unavoidable, considering the low background noise of the locality. In mitigation, the quarry is in a hollow and soil bunds and stockpiles would soften noise from the vehicle and hand saw work, which would anyway be intermittent, and should not be more obtrusive than any other agricultural activity.

The objector's house is approximately 500 metres away in a direct line on the map and there are undulations and trees in between. In practice the amount of time when noisy machinery would be used is likely to be small and conditions could be imposed to control this within reason. No other residents have objected. Should a serious noise nuisance arise, Environmental Health and Trading Standards have independent powers to intervene.

6.7 Conclusion

Although the potential for some disturbance is acknowledged, this needs to be considered in the context of need and other issues. It would not be possible to extract minerals anywhere without someone being able to hear it. The site is very small and is relatively easy to access without excessive works being necessary, being conveniently close to a serviceable road on terrain that is not too steep. The quarry working would be temporary, the applicant having requested five years, but it may be more appropriate to allow for a more flexible seven years to include restoration of the site

after extraction has ceased. The sandstone deposit is already exposed and appears to be of good quality, therefore the project would not be speculative and there would be no need for extensive preliminary soil removal. The proposal would help to maintain:

- the continuity of an adequate supply of useable local materials, and
- the rural tradition, skills, employment and industry of the local stone tiling industry.

The potential for wildlife after extraction has ceased would also be beneficial, and supported by biodiversity policies. On balance the benefit and need would appear to outweigh the possibility of harm.

RECOMMENDATION

That planning permission be granted subject to the following conditions:

- 1. The development hereby permitted shall be begun before the expiration of three years from the date of this permission. Written notification of the date of commencement shall be sent to the local planning authority within 7 days of the commencement.**

Reason: Required to be imposed by Section 91 of the Town and Country Planning Act 1990, and to define the commencement of the development.

- 2. The development, including restoration of the site for which permission is hereby granted, shall cease not later than 7 years from the date of the commencement of development as notified to the local planning authority under Condition 1, unless otherwise agreed in writing by the local planning authority.**

Reason: Required to be imposed by Section 72(5), and paragraph 1 of Part 1 of Schedule 5 of the Town and Country Planning Act 1990.

- 3. The development shall be carried out in all respects in accordance with the approved plans (drawing nos. 2, 2.1, 3, 3.1 and 4 and the operational detail in the submitted application form and Annex 1: Mineral Extraction and Processing), except where agreed in advance in writing by the local planning authority, or where otherwise stipulated by conditions attached to this permission.**

Reason: To ensure adherence to the approved plans in the interests of a satisfactory form of development and in accordance with Structure Plan Policy CTC.9 and Local Plan Policies GD.1 and C.1.

- 4. Notwithstanding the provisions of the Town and Country Planning (General Permitted Development) Order 1995, or any Order revoking and re-enacting that Order with or without modification, no development within Schedule 2 Part 19 shall be undertaken other than with the prior written agreement of the local planning authority.**

Reason: To control the development of the site and in accordance with Structure Plan Policies M4 and CTC9 and Local Plan Policies GD1 and C1.

- 5. H01 (Single access - not footway)**

Reason: In the interests of highway safety and to comply with Local Plan Policy GD.1.

6. H03 (Visibility splays)

Reason: In the interests of highway safety, and to comply with Local Plan Policy GD.1.

7. H05 (Access gates)

Reason: In the interests of highway safety, and to comply with Local Plan Policy GD.1.

- 8. Before any other works hereby approved are commenced, the highway verge crossing to be constructed to Highways Authority specifications shall be carried out in accordance with a specification to be submitted to and approved in writing by the local planning authority, at a gradient not steeper than 1 in 12.**

Reason: In the interests of highway safety, and to comply with Local Plan Policy GD.1.

- 9. Prior to the occupation of the development hereby approved the driveway and/or vehicular turning area shall be consolidated, surfaced and drained in accordance with details to be submitted to, in advance, and approved in writing by the local planning authority.**

Reason: In the interests of highway safety, and to comply with Local Plan Policy GD.1.

- 10. There shall be no more than 3 vehicle movements outbound from the site on any day for transporting stone, and not more than 12 in any week, unless otherwise agreed in advance in writing by the local planning authority.**

Reason: To minimise any additional traffic impact in accordance with Local Plan Policy GD1 (xviii).

- 11. No soil moving or stone extraction shall take place until the boundaries of the delve hereby permitted have been permanently marked out on the ground by means of posts and the marker positions have been agreed in writing by the local planning authority. The agreed boundary markers shall be retained throughout the life of the development of the site.**

Reason: To identify the area permitted for extraction and to comply with Structure Plan Policy CTC2 and Local Plan Policy C8.

- 12. No machinery shall be operated, no process carried out and no deliveries taken at or despatched from the site outside the following times: 0800 hours to 1700 hours Monday to Friday, 0800 hours to 1300 hours on Saturday, nor at any time on Sundays, Bank or Public Holidays, unless otherwise agreed in advance in writing by the local planning authority.**

Reason: In order to protect the amenity of nearby properties in accordance with Local Plan Policy GD1 (vi).

13. All stripped soils and overburden shall be saved on site and stored in accordance with the submitted plans and used for re-spreading to complete the restoration of the site

Reason: In the interests of nature conservation and agriculture and to ensure successful restoration of the site in the spirit of Local Plan Policy C8.

14. No excavation shall take place below the depth of the water table. Even if the water table is not encountered within 5m of ground level, then no further excavation shall take place below this depth, unless otherwise agreed in writing by the local planning authority in consultation with the Environment Agency.

Reason: To prevent derogation of the groundwater resource at this site.

15. Not less than 12 months before the expiry of this permission a scheme for the final reclamation and restoration of the excavations formed as a result of the development hereby permitted shall be submitted for approval in writing to the local planning authority. The submitted scheme shall include:

- a) the date by which the restoration will be completed;
- b) that the site shall be cleared and all plant or machinery removed;
- c) the re-spreading of all stores of soils overburden and delve waste within the excavation site;
- d) the extent of exposed rock faces to be retained;
- e) proposals for the final landform and treatment of the restored surfaces and delve faces in the interests of nature conservation, scientific study or agriculture;
- f) details of the grading of any exposed rock faces to be retained, to remove any significant vertical drop.

On cessation of the winning and working of minerals the scheme shall be implemented without delay in accordance with the approved details.

Reason: In the interests of landscape quality, nature conservation and public safety and to comply with Structure Plan Policies M3, M4, CTC6 and CTC12 and Local Plan Policies C8 and C15.

16. Backfill material intended for the resulting void shall be inert and of similar permeability to the excavated rock.

Reason: To protect the quality of controlled waters in the area and to ensure that recharge of groundwater resources is not significantly altered.

17. Only uncontaminated soil and rock spoil arising from on site shall be used for restoration, with no importation or deposit of other materials.

Reason: To prevent pollution of the environment in accordance with Local Plan Policy C47.

18. Prior to the cessation of the winning and working of minerals, a scheme for the aftercare of the restored site shall be submitted to and approved in writing by the local planning authority. The submitted scheme shall include:
- proposals to ensure the reclamation of the site to nature conservation, scientific study or agriculture;
 - details of any planting, cultivation, maintenance or otherwise treatment of the land for 5 years after the site has been reclaimed;
 - proposals for 5 annual inspections during this period to review and if necessary amend the agreed proposals.

The reclamation shall be carried out in accordance with the approved scheme.

Reason: To ensure the site is successfully reclaimed for the purposes intended and to comply with Structure Plan Policies M3, CTC6 and CTC12 and Local Plan Policies C8 and C15 .

19. Any facilities for the storage of oils, fuels or chemicals shall be sited on impervious bases and surrounded by impervious bund walls. The volume of the bunded compound shall be at least equivalent to the capacity of any tank plus 10%. If there is multiple tankage, the compound shall be at least equivalent to the capacity of the largest tank, vessel or the combined capacity of interconnected tanks or vessels plus 10%. All filling points, associated pipework, vents, gauges and sight glasses must be located within the bund or have spearte secondary containment. The drainage system of the bund shall be sealed with no discharge to any watercourse, land or underground strata. Associated pipework shall be located above ground and protected from accidental damage. All filling points and tank/vessel overflow pipe outlets shall be detailed to discharge downwards into the bund.

Reason: To prevent pollution of the environment in accordance with Local Plan Policy C47.

20. No blasting or burning shall be undertaken at the site

Reason: In the interests of the amenity of the locality to comply with Local Plan Policy GD1.

Informative(s):

- HN01 - Mud on highway
- HN04 - Private apparatus within highway
- HN05 - Works within the highway
- HN10 - No drainage to discharge to highway
- If excavation below the water table is to be conducted, further information would be required to demonstrate, to the satisfaction of the local planning authority, that groundwater would not be effected. This may involve intrusive investigation, monitoring and water balance calculations, to allow better characterisation of the hydrogeological regime in the area around the planned works.

6. The developers should adopt all appropriate pollution control measures, both underground and on the surface, to ensure that the integrity of the aquatic environment, both groundwater and surface water, is assured.
7. The proposed excavation area is bounded by surface watercourses and as such pollution prevention measures should be put in place to prevent any impact on the watercourse. From the application it is noted that top soil is to be stored on the site, this stockpile must be at least 10m away from the watercourses to prevent any run-off entering the stream.
8. The proposal includes a plan to backfill the quarry. If any waste material is to be utilised then the following should be noted:
 - * Carriers transporting waste from, or to, the site must be registered waste carriers.
 - * The activity of importing waste into the site would require some form of Waste Management Licence. The applicant should contact the Environment Agency for further information. Please telephone: 02920 582739.
9. N15 - Reason(s) for the Grant of Planning Permission

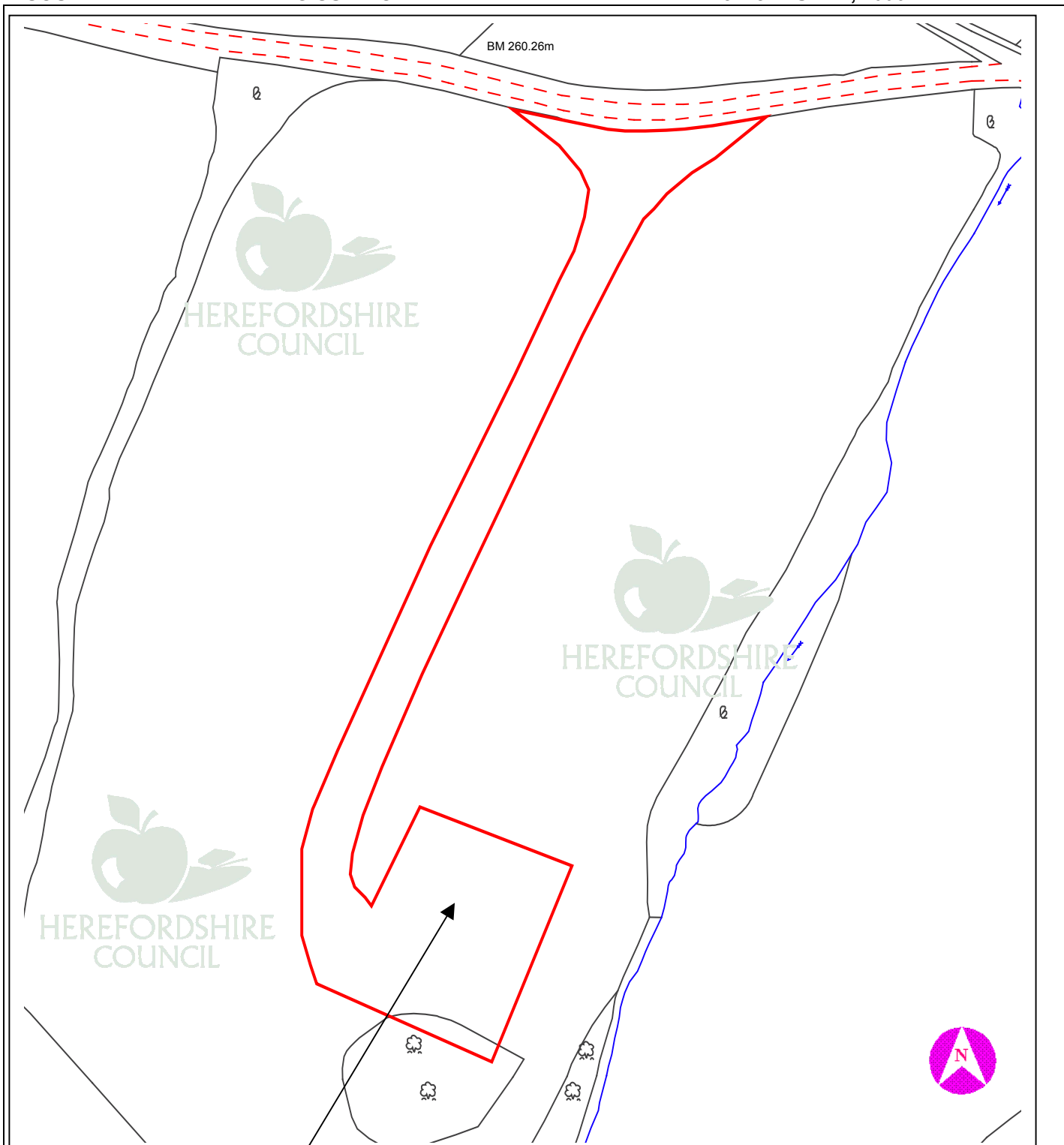
Decision:

Notes:

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Background Papers

Internal departmental consultation replies.



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APPLICATION NO: DCSW2005/3913/M

SCALE : 1 : 1250

SITE ADDRESS : Llandraw Farm, Craswall, Hereford, Herefordshire, HR2 0PW

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