

TEMPLE GUITING PARISH COUNCIL

Response to planning application 19/0086/CWMAJM Oathill Quarry

(Application to double total volumes extracted from 50,000 tonnes to 100,000 tonnes, including increasing the maximum of any one product from 30,000 to 50,000 tonnes, and increase HGV movements).

Temple Guiting Parish Council would like to make the following observations about this application:

1. Change to condition 7 - permitted export totals

The application seeks to increase the permitted export from 50,000t/yr to 100,000t/yr to provide: 50,000 tonnes agricultural lime and 50,000 block-stone/walling-stone and crushed aggregate. The existing limit for any single mineral product is currently 30,000 t/yr and would be increased to 50,000 t/yr.

The applicant acknowledges that it has been exporting 35,000 tonnes of agricultural lime since 2013 without permission from Gloucestershire County Council and that this application is primarily a retrospective rectification of the position.

This proposed change would result in Oathill quarry being first and foremost an exporter of agricultural lime. This is radically different from its original purpose. The site was granted permission to operate (14/0101/CWMAJM) as a small scale quarry producing Cotswold Stone building materials for use in situations where only Cotswold Stone would be acceptable.

The application is also contrary to the stated conditions under which quarrying may take place in an AONB (Cotswold AONB Management Plan 2018 – 23, Paragraph 172). That is, that quarrying may be permitted provided it primarily meets the need for characteristic Cotswold features such as walls and buildings so as to maintain the character of the area - namely to provide Cotswold stone tiles, building and walling stone. Associated aggregate production would be a minor activity only required as the result of an accumulation of 'waste' materials.

The need and public interest in changing the function of the quarry from producing primarily local building stone to low value, high volume products (NPPF Paragraph 203) has not been demonstrated.

2. Failure to provide evidence

2.1 **Local need.** The 'need' for agricultural lime **locally** is questionable. As the Cotswolds are made of limestone, there should rarely be a need to apply lime to what is already limestone soil. The use of existing contracts without permits is not a valid basis for changing conditions.

2.2 **Evidence requested in pre planning advice.** From the preplanning advice notice 19/0008/PPP2 we note that the application has failed to address a large number of items specified in the advice, including items contained within the Gloucestershire Minerals Local Plan policies, requirements specified in the National Policy Planning Framework and in the Cotswold AONB Management Plan. The list is summarised in the appendix to these comments.

3. Impact on the local environment

3.1 **Exclusion of public participation.** The inclusion of data on local highways and noise readings in this application is welcomed. However, contrary to the guidance in DMRB LA104 cl 2.4

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1, the public were not given early and effective opportunities to participate in the environmental monitoring.

3.2 **Baseline.** The analysis of the number of HGVs and noise has sought to assess the impact that additional HGV movements would have on local communities, in particular, residents of Ford. Section 5.37 of the supporting statement clearly states that HGV movements at the time of the survey were 'in line with the level of export sought by this application' i.e. that the baseline being used was already over that permitted. Clearly if the baseline was at the same level as that requested, the difference would be minimal.

Section 5.34 implies that if Oathill does not provide the agricultural lime, there is a threat of additional HGV movements in the area as lime is brought in by other suppliers. Evidence of local need is not included in the application, which casts doubt on the threat of other suppliers delivering to the area

3.3 **Cumulative impact.** The DMRB manual LA104 states that "*cumulative impacts can be from single project within the vicinity or the combined impact of a number of different projects within the vicinity*"

The study excludes a cumulative assessment of the total effects of increases in HGV movements from Cotswold Hill Quarry and Guiting Quarry and assumes no increase from Naunton Quarry.

3.4 **Noise.** The application seeks to show that the proposed change of conditions would have a minimal impact on residents in Ford but the survey confirms that traffic noise from the existing movements of HGVs already exceeds acceptable limits with some L_{Ae} readings exceeding 90dB including the L_{Aeq} reading on 25/9/2019. Section 2.3.9 of Appendix 2 of the Environmental Statement (Noise Chapter): quotes the World Health Organisation:

Guideline values for amenity which relate to external noise exposure are set at 50 or 55 dB(A), representing daytime levels below which most of the adult population will be protected from becoming moderately or seriously annoyed respectively.

It is not surprising therefore that residents of Ford have repeatedly expressed concerns about the increasing levels of HGV movements on the B4077, both in terms of noise disturbance and impact on other road users. If most HGV movements are in the morning, the extra 36 vehicles per day at peak time which the operator mentions amount to an extra HGV movement every 7.5 minutes for Ford residents, with each movement generating appx 90 Db.

Given that the proven high levels of traffic noise from the cumulative effects of existing quarry traffic in Ford are already unacceptable it is unreasonable to justify a further increase in noise level on the basis that the additional traffic will have a marginal effect. In addition, the assessment used has considered the potential impact as measured over an 18 hour period. However, based on experience, the majority of HGV movements tend to be concentrated in the morning which would increase the impact on residents and other road users by a factor of 4 or more.

Notwithstanding this, the potential increase from the combination of HGV movements from Cotswold Hill, Guiting Quarry and changes in movements from Naunton could be sufficient to push the increase in traffic noise above an already unacceptable level.

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While the EIA study considers air quality it is understood that no readings have been taken in Ford. This is because the study only considers the potential proposed increase in HGV movements over and above current movements (which already include movements from exceeding permitted excavation limits). Given the volume of HGV movements associated with quarrying across the whole North Cotswold Cluster, there is still a need to understand the impact that the air quality has on the residents of Ford.

4. Alternative reinstatement scheme

The application states (3.8) that due to the poor quality of the stone there is a need to remove excess materials from site as it is not required for reinstatement purposes. However, the application has failed to consider modifying and/or enhancing the approved reinstatement scheme to accommodate increased quantities of materials or to bring forward the date for final reinstatement.

5. Conclusion

Based on the application and evidence submitted, the operator should firstly demonstrate that it is complying with existing conditions unless and until conditions change and that it will comply with all future conditions. This is in addition to the implicit agreement of accepting the terms of any permissions.

This application has to be seen in the context of the existing adverse cumulative impacts of current operations on communities like Ford and the rest of the North Cotswold Quarry cluster. The application further confirms the need for an agreed set of records of all HGV movements and their environmental impacts across the North Cotswold cluster. From this, an informed approach can be developed for Oathill and all other quarries operating in this part of the Cotswold AONB.

6. Recommendation

Temple Guiting Parish Council objects to this application on the following grounds:

- * The application lacks proof of need (GCC has already rejected the 'letter of support' as 'proof'.)
- * It would change the purpose of the quarry from that which was originally granted i.e. as a small scale producer of Cotswold building stone, to a quarry producing primarily agricultural lime for export (also contrary to the Cotswold AONB Management Plan).
- * The application includes noise data provided by the operators which proves that current conditions in Ford are not acceptable (Section 2.3.9 of the Noise Chapter of the Environmental Statement).
- * Failure to measure air quality at Ford
- * Lack of cumulative assessment (as specified in NPPF guidelines and the DMRB manual)
- * Failure to use an appropriate baseline for noise and HGV movement measurement.
- * Failure to provide information requested by GCC in the pre-planning advice.
- * Failure to demonstrate that the development would be in the public interest (Cotswold AONB Management Plan)
- * Contrary to the characteristics of the Cotswolds as it would result in further negative impacts in terms of loss of amenity and tranquility, noise, pollution, disturbance, danger to road users and issues relating to both residents and tourists.

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APPENDIX: Review of Pre Planning advice provided and responses given in 19/0086/CWMAJM

The pre planning advice provided by GCC Minerals Planning clearly states that the applicant must provide a number of items of information and address a number of issues. However, we consider that the applicant has failed to meet the following requests (among others):

- provide some analysis/discussion of what sort of positive contribution will arise in respect of social and economic well-being of local communities, supported by irrefutable evidence (GMLP Policy E16).
- prove 'overriding national need' (Glos MLP Policy E2) and demonstrate public interest (Glos MLP Policy E2)
- prove previously approved restoration is being achieved and can continue to be delivered (Glos MLP Policy E2)
- show how facilitating an increase ... would result in enhancement to the surrounding environment or local amenity and/or reclamation (Glos MLP Policy A4)
- a local need assessment should be carried out (Glos MLP Policy NE1)
- show that they have investigated and assessed the extent .. of unacceptable cumulative adverse impacts. For this ' a clear understanding of existing development in the locality will be critical'. (Glos MLP Policy DM02)
- comply with the requirement to keep development in designated AONB areas limited (NPPF Paragraph 172)
- consider whether existing businesses will have reasonable restrictions placed on them. For example the application does not consider that the Cotswold Farm Park and other aspects of tourism are negatively affected by quarrying in the area, with visitors complaining about the noise and quarry traffic. (NPPF Paragraph 182)
- provide robust and credible evidence to show how the change in operation will be economically beneficial ... (NPPF paragraph 205). The only economic benefit stated is that the operators have had a contract since 2013 to provide 35,000 tonnes of agricultural lime for resale, without permission. No values have been put on the economic benefit to the operator but the contract has been met for the past 7 years. No other economic benefits have been demonstrated.
- demonstrate that exceptional circumstances apply (Cotswold AONB Mgt Plan)