

PLANNING APPLICATION REPORT



ITEM: 06

Application Number: 11/00369/FUL

Applicant: Persimmon Homes Ltd

Description of Application: Renewal of permission for engineering works comprising site trials and monitoring, including trial blast (pre-split and bulk) to the north face, trial excavations, trial scaling to the south face, trial excavations at the clay pocket and trial grubbing of existing foundations to facilitate/inform the consented remodelling works

Type of Application: Full Application

Site Address: PLYMSTOCK QUARRY PLYMOUTH

Ward: Plymstock Radford

Valid Date of Application: 08/03/2011

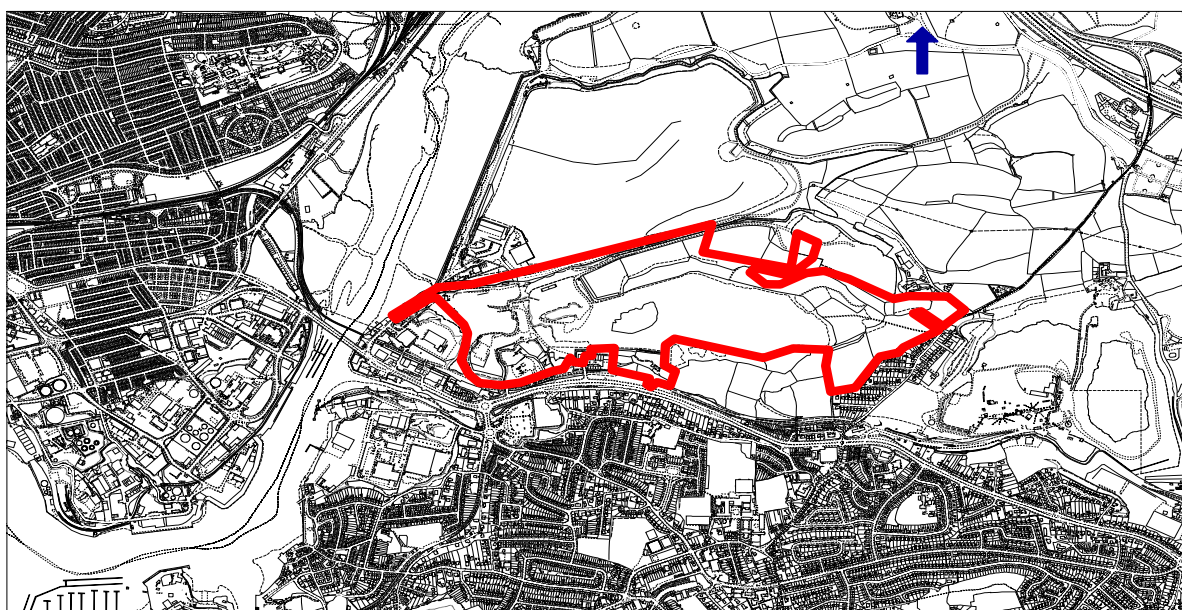
8/13 Week Date: 03/05/2011

Decision Category: Major Application

Case Officer : Alan Hartridge

Recommendation: Grant Conditionally

Click for Application Documents: www.plymouth.gov.uk



Site Description

The former quarry complex located 4km from the City Centre off The Ride and south of Chelson Meadow Recycling Centre and bounded to the south east by the Billacombe Green hillside of public open space. The quarry complex includes the foundation remains of the former Blue Circle cement works in the west and associated former quarry walls to the east. The Plymstock Quarry wider area extends to some 72ha, however the application site for trial engineering operations is in respect of 5 separate areas totalling 3.6ha of former foundations (one site) and quarry faces (4 sites). The application sites, and indeed the quarry itself are largely obscured from view. The perimeter of the quarry area is largely composed of trees and scrub, plantations and grassland fields.

Proposal Description

In essence the application is one for renewal of permission as it replicates the proposals for site trials and monitoring previously approved in January 2008 under consent 07/02101. The trials involve pre-splitting and controlled blasting a 50m stretch of the north quarry face to release and stockpile approximately 12,480 tonnes of material –with temporary access to the top of the cliff face being via a former access for the drill rig –not within Pomphlett plantation. Excavations are also proposed into the northwest face using ‘long reach’ excavators, and an excavator would also rip part of the southern face and a ‘clay pocket’ buttress –with no requirements for any temporary access. Trial pits would also be excavated alongside some existing deep mass concrete slab foundations to ascertain their depth and size and at least six trial excavations are proposed in that area. The engineering operations are designed to inform the consented remodelling works.

Relevant Planning History

1794/91 Planning permission from Devon County Council for the excavation of the floor of the quarry and restoration (with legal agreement) - granted Oct 1994

The background planning history is such that by 1994 Blue Circle Industries PLC had permission for works pursuant to planning consents issued in 1947, 1954 and 1971. Further works were the subject of conditions and legal clauses in 1994 and aftercare conditions were superseded. Cement production and stone processing operations ceased in the 1997 - 2000 period.

04/00539 planning permission for the importation of 100,000m³ of inert material for temporary stockpiling for eventual use in ground remodeling - granted July 2004.

05/00475/OUT Mixed use development scheme (1500 dwellings) -Withdrawn July 2005. Mitigation measures were incomplete. The applicants at that time were Westbury Homes Ltd.

05/00473/FUL Comprehensive remodeling - approved Sept 2005 subject to S106.

05/00476/FUL Stabilisation of Clay pocket -- approved Sept 2005 subject to S106.

06/02048/FUL Planning permission to permit the comprehensive remodeling of the quarry required to precede the redevelopment of the quarry. (The S106 that was agreed in respect of the above remodeling proposals included provision of a bond).

07/01094/OUT – Outline master plan redevelopment of quarry – Planning Committee agreed in January 2011 that permission was warranted subject to the completion of a S106 based on the scale and nature of requirements reported -- Under preparation by lawyers.

07/02101 –Engineering operations comprising site trials and monitoring including trial blasting and excavations to facilitate/inform the consented remodelling works - Approved January 2008

Consultation Responses

Environment Agency – No comments.

Highway Authority – No objections subject to material remaining on site and imposition of condition on code of practice.

Natural England – No comments.

Public Protection Service –approval warranted subject to previous planning conditions

Representations

Letter of concern from the occupier of 55, Higher Compton Road, Hartley, that the Council should do everything in its power to ensure that habitats and wildlife within Plymstock Quarry are not disturbed before an up to date Ecological Survey is provided to establish the significance of Plymstock Quarry to the biodiversity of the area. He refers to flourishing plant life unusual to the locality and also refers to roosting herons on the banks of the east lake within the Quarry.

Analysis

This is essentially an application to renew a planning permission that expired in January. It is to facilitate a development where the mitigations for environmental impacts have been considered fully in accordance with planning policy guidance, Core strategies and the policies of the North Plymstock Area Action Plan (NPAAP). The mitigation measures for the development of this quarry area are the subject of Planning Committee requirements.

The biodiversity of the quarry area and wildlife interests within the quarry have been recognised by the Planning Committee in their decision making in recent years. The quarry area has been identified as an area offering significant opportunity for strategic development within the City's Eastern Corridor (Core Strategy Area Vision 8 –and North Plymstock Area Action Plan (Proposal NP01). The principle of blasting, excavating and remodelling Plymstock Quarry has been established by past decisions and it has been accepted that this has consequences for existing surrounding vegetation and quarry habitats.

It is considered that the instability of quarry faces needs to be addressed to realise the Council's planning policy aspirations for this area and the applicants propose to

do this by a combination of blasting, regrading and then face stabilisation. The Planning Committee has accepted (June 2005) that large scale ground remodelling including some blasting is warranted to achieve a development platform suitable to meet the development objective. Furthermore, safeguarding part of Billacombe Green from erosion would accord with local planning policies (including NP01).

Site levels would be raised above the quarry floor in some areas and reduced in other areas. Large scale cutting and lowering and reprofiling is acceptable to facilitate the future development and the construction of a new junction/access road off the A379 Billacombe Road. Recontouring of the eastern end of the quarry would take place to provide a raised platform that would facilitate a gentle gradient with the higher eastern fields, in effect reducing the height of the exposed rock face in this part of the quarry.

The remodelling proposed will impact upon the flight lines of bats (a Protected Species under the Habitats Directive) and the applicants have agreed to mitigation measures including bat friendly features which have been accepted to accord with Core Strategy policy CS19.

The nature and scale of landscape and ecological mitigation measures that are warranted have been considered as part of past applications to comply with the Council's planning policies CS19 and CS34 and these current proposed trial works were considered acceptable in January 2008.

This renewal application is to enable site trials and monitoring to take place to inform the design and specifications for the initial works contract for comprehensive remodelling and will inform the preparation of suitable method statements and risk assessments. The site trials are programmed to take place in September, and although there would be a short term disturbance impact upon non-breeding birds, this is not considered to be a detrimental ecological impact particularly as extensive ecological survey and analysis work has been undertaken in respect of recent planning applications.

There would be one controlled blast during the daytime and the use of heavy machinery for cutting and crushing works to test the material on site. Access would be from The Ride which provides a safe and satisfactory access in accordance with CS34, No other access points would be used and the operations would be confined to approximately 2 weeks and it is considered that nuisance with respect to noise and dust to the existing residents who reside to the south and east of the site should not be an issue in accordance with Core Strategy CS22.

Saltram House and gardens are of national importance and the National Trust parkland estate lie to the North East beyond Chelson Meadows and Pomphlett plantation. The applicants state that there would be some clearance of undergrowth and saplings to facilitate temporary access for positioning the drill rig at the cliff edge on one of the sites –but that Pomphlett Plantation with its significant amount of skyline trees would not be affected. It is considered that the views from Saltram should not be adversely affected in accordance with Core Strategy CS34 and there should not be adverse impacts upon the Registered parkland. Additional information confirms that the trial blast and consequent release of material will not impact the veteran Sycamore on the skyline in this part of the site,

Equalities

The proposed development does not particularly affect any of the equality groups. Human Rights Act - The development has been assessed against the provisions of the Human Rights Act, and in particular Article 1 of the First Protocol and Article 8 of the Act itself. This Act gives further effect to the rights included in the European Convention on Human Rights. In arriving at this recommendation, due regard has been given to the applicant's reasonable development rights and expectations which have been balanced and weighed against the wider community interests, as expressed through third party interests / the Development Plan and Central Government Guidance.

Section 106 Obligations

Not required.

Conclusions

This application will allow for limited activity within the quarry that will help to inform remodelling works for future development proposals. The activities themselves can be suitably controlled in the interests of residential and general amenity and also in the interests of nature conservation.

It is considered that conditions will be able to control the activities.

Recommendation

In respect of the application dated **08/03/2011** and the submitted drawings Site Plan CP-005-02, Area Locations CG-001., it is recommended to: **Grant Conditionally**

Conditions

DEVELOPMENT TO COMMENCE WITHIN 3 YEARS

(1) The development hereby permitted shall be begun before the expiration of three years beginning from the date of this permission.

Reason:

To comply with Section 51 of the Planning & Compulsory Purchase Act 2004.

CODE OF PRACTICE DURING SITE WORKS

(2) Prior to the commencement of the development hereby approved, a detailed management plan/code of practice which shall indicate measures to mitigate against adverse effects of noise, dust and traffic generation shall be submitted to and approved in writing by the Local Planning Authority. The development shall be carried out in accordance with the management plan/code of practice.

Reason:

To protect the residential and general amenity of the area from any harmfully polluting effects during construction works and avoid conflict with Policy CS22 of the Plymouth Local Development Framework Core Strategy (2006-2021) 2007.

ACCESS FROM NAMED ROAD

(3) Means of access for all vehicles, plant and machinery to the site shall be from The Ride only.

Reason:

To ensure that an appropriate and safe access is provided in the interests of public safety, convenience and amenity and in the interests of nature conservation in accordance with Policies CS18, CS19, CS28 and CS34 of the Plymouth Local Development Framework Core Strategy (2006-2021) 2007.

SPECIFIC DETAILS

(4) The development hereby permitted shall be carried out in accordance with the Arup report dated 25th October 2007 'Outline Scope of Site Trials and Monitoring' and the approved plans showing the location of the trial works and access unless subsequently otherwise approved in writing by the Local Planning Authority.

Reason:

To ensure that the details of the proposed development are in keeping with the standards of the vicinity: in particular ... in accordance with CS34 of the Plymouth Local Development Framework Core Strategy (2006-2021) 2007.

STOCKPILING EXCAVATED AND QUARRIED MATERIAL

(5) The material arising from the trial works shall be retained on site in the locations shown on the approved plan unless otherwise agreed in writing by the local planning authority. It shall be stored in accordance with details that shall have been submitted to and agreed in writing by the local planning authority .Reason:

To control vehicle movements to and from and across the quarry complex and to allow the monitoring of material to be subsequently used in remodelling works in the interest of amenity and in accordance with Policies CS22, CS28 and CS34 of the Plymouth Local Development Framework Core Strategy (2006-2021) 2007.

APPROVED PLANS

(6) The development hereby permitted shall be carried out in accordance with the following approved plans: CP-005-02 and CG-001.

Reason:

For the avoidance of doubt and in the interests of good planning, in accordance with policy CS34 of the Plymouth Local Development Framework Core Strategy (2006-2021) 2007.

INFORMATIVE: NESTING SEASON

(1) It is an offence under the Wildlife and Countryside Act to damage to destroy the nest of any wild bird while it is in use or being built and it is also an offence to disturb many species of wild bird while nesting. Works should take place outside the bird nesting season (September-February) .

INFORMATIVE: CODE OF PRACTICE DURING WORKS

(2) The management plan shall be based upon the Council's Code of Practice for Construction and Demolition Sites which can be viewed on the Council's web-pages, and shall include arrangements to notify local residents bordering the Plymstock Quarry complex of the proposed blasting details. It shall also include sections on the following;

1. Site management arrangements including site office, developer contact number in event of any related problems, and site security information.
2. Construction traffic routes, timing of lorry movements, wheel wash facilities, access points, , numbers and types of vehicles, construction traffic parking.
3. Hours of site operation, dust suppression measures, noise limitation measures

Statement of Reasons for Approval and Relevant Policies

Having regard to the main planning considerations, which in this case are considered to be: ecological and landscape impacts and possible impacts upon the highway network and the need to mitigate pollution risk, the proposal is not considered to be demonstrably harmful. In the absence of any other overriding considerations, and with the imposition of the specified conditions, the proposed development is acceptable and complies with (1) policies of the Plymouth Local Development Framework Core Strategy (2006-2021) 2007 and supporting Development Plan Documents and Supplementary Planning Documents (the status of these documents is set out within the City of Plymouth Local Development Scheme) and the Regional Spatial Strategy (until this is statutorily removed from the legislation) and (b) relevant Government Policy Statements and Government Circulars, as follows:

- PPG15 - Planning and the Historic Environment
- PPG24 - Planning and Noise
- PPS23 - Planning & Pollution Control
- CS28 - Local Transport Consideration
- CS34 - Planning Application Consideration
- CS22 - Pollution
- CS18 - Plymouth's Green Space
- CS19 - Wildlife
- CS01 - Sustainable Linked Communities
- NP01 - Plymstock Quarry