Mouselow Quarry, Dinting Road, Glossop, Derbyshire, SK13 9EB.

Town and Country Planning (Environmental Impact Assessment) Regulations 2017 - Environmental Impact Assessment and Planning Application seeking approval to:

- **Extend the quarry extraction area.**
- **Relinquish planning permission to extract the deeper Lower Shales.**
- **Amend the approved restoration scheme.**

June 2018

Volume 4 Planning Application Statement

Applicant:
Wienerberger Limited,
Wienerberger House,
Brooks Drive,
Cheadle,
Cheshire,
SK8 3SA.

Agent:
Quarryplan (GB) Limited,
Unit 12A,
The Borough Mall,
Wedmore,
Somerset,
BS28 4EB.

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Location Plan
Landholding Plan
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2014 Approved Final Landscape Restoration
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Appendices included at the rear of this document

1 Current Planning Permission (reference CM1/0214/162)
2 Borehole Logs
3 Planning and Development Context Report

Planning Application Forms and Certificates

1.0 INTRODUCTION

1.1 Introduction to the proposals

1.1.1 This Planning Application Statement is part of a planning submission made by Wienerberger Limited for the extension of Mouselow Quarry in a westerly direction. The extension area is identified for future quarrying as an extension to Mouselow Quarry in the emerging Derby and Derbyshire Minerals Local Plan. The quarry extension area lies to the immediate west of the existing quarry extraction area and within the existing planning permission boundary for the site.

1.1.2 The existing shale reserves at the quarry consist of Upper Shales, which make up the majority of the material extracted annually, and Lower Shales which have a higher sulphur and carbon content and have only been used in small quantities to blend with the better quality shales. Materials are taken to the Denton brickworks to produce a variety of high quality bricks.

1.1.3 There is less than 180,000 tonnes of Upper Shale material remaining in the existing quarry, sufficient for only four years supply to the Denton factory.

1.1.4 The current planning permission for the site allows for the extraction of over 1 million tonnes of Lower Shale at depth from the quarry floor and beneath the water table. This Lower Shale material is of poor quality for brickmaking due to high sulphur and carbon levels which effect the air emissions from the Denton factory kiln. It is the intention to relinquish the planning permission to extract the deeper Lower Shale material if planning permission is granted to develop the Upper Shales in the extension area and consequently there would be no extraction beneath the water table.

1.1.5 The quarry extension area contains approximately 850,000 tonnes of high quality Upper Shale, sufficient for almost 19 years supply, within an area of less than two hectares. The extension area would also release 200,000 tonnes of sandstone used as high quality building stone which is extracted by a third party.

1.1.6 The current approved restoration scheme for the site includes a large, deep, water body which would be created following the extraction of the deeper Lower Shale material below the water table. The restoration scheme would need to be amended if the Lower Shales were to remain unworked and the proposed restoration scheme includes grassland, woodland and a variety of nature conservation habitats instead of the large, deep, water body.

1.1.7 There are no proposals to alter the method of extraction or to change the operating hours or level of output from the site as a consequence of the quarry extension application.

1.1.8 The assessment of potential environmental effects arising from certain development projects is to be carried out as required under the Town and Country Planning (Environmental Impact Assessment) Regulations 2017. The Regulations require that prior to the grant of planning permission an Environmental Impact

Assessment (EIA) is to be undertaken on large scale developments or those located in sensitive areas. The responsibility for undertaking the EIA lies with the developer.

1.1.9 The planning application to extend Mouselow Quarry involves a level of activity and operations that warrant an EIA in accord with the 2017 EIA Regulations.

1.1.10 Derbyshire County Council (Derbyshire) set out the extent of the environmental aspects to be assessed within the EIA in Pre-Application Advice issued in September 2017.

1.1.11 In preparing the EIA Wienerberger and its technical specialists have liaised with Derbyshire staff including planning, landscape and cultural heritage officers as well as other planning consultees. Liaison has also been held with the local community.

1.2 Format of the Environmental Statement

1.2.1 The ES is designed to be a self-contained document. It is divided into three volumes:

- **Volume 1** is the Non–Technical Summary which is a simplified and shortened version of the ES. A limited number of plans are also included to explain the proposals.
- **Volume 2** is the main body of the ES and contains details of the site and existing environmental conditions together with plans and drawings referred to in the ES. The ES describes the proposed development, potential effects and the mitigation measures which would avoid unacceptable environmental impact.
- **Volume 3** is also part of the ES and contains the technical assessments of the key topic areas.
- **Volume 4 (this document)** contains the formal planning application including a planning application statement summarising the main elements of the development, a consideration of the development against the context of national and local policies, the planning forms and certificates. Volume 4 should be considered in conjunction with the ES.

1.3 The Applicant

1.3.1 Mouselow Quarry is owned and operated by Wienerberger Limited, part of the global Wienerberger Group based in Vienna, Austria. Wienerberger are one of the largest producers of clay bricks, blocks and tiles in the world.

1.3.2 Mouselow Quarry first began working over 170 years ago and historically there was a brickworks on site. Currently shale from the quarry is transported to the Wienerberger brickworks in Denton, Manchester, 12 kilometres away to manufacture a range of high quality facing bricks.

1.3.3 The head office for Wienerberger in the UK is in Cheshire at Wienerberger House, Brooks Drive, Cheadle Royal Business Park, Cheadle, Cheshire, SK8 3SA.

1.3.4 Environmental, sustainability and health and safety matters are of significant importance to Wienerberger. All developments are considered in relation to overarching corporate policies in these areas. A number of corporate policies are included for information in **Appendix 1** at the rear of this document.

1.4 Agent

1.4.1 The planning application and EIA have been prepared by Quarryplan (GB) Limited on behalf of Wienerberger. Quarryplan (GB) Limited are a planning consultancy with extensive experience within the minerals and waste management industries.

1.5 Planning Context

1.5.1 Mouselow Quarry has been operational for many years, at least since 1840, and there have been a number of planning permissions for shale extraction and associated activities since 1949.

1.5.2 Modern planning conditions were established for the site in 2010 as a consequence of the planning review required under the Environment Act 1995 (Review of Mineral Permissions – ROMP). A full EIA was submitted to accompany the planning review in 2010.

1.5.3 The existing quarry operates in compliance with the current planning permission reference CM1/0214/162 granted by Derbyshire in December 2014 and which continued the modern planning conditions established in the 2010 planning review.

1.5.4 The current planning permission has an end date of 7 March 2042 for mineral extraction and restoration is to be completed by 7 March 2044. The permission has a total of 54 modern planning conditions which control the hours of operation, noise and dust emissions, landscaping and the restoration of the site. A copy of the permission is included in **Appendix 2.**

1.5.5 A larger quarry extension was previously promoted to Derbyshire during 2016 as part of the preparation for the new Derbyshire and Derby Mineral Local Plan. The large extension area was twice the size of the extension which is proposed now. The large extension area was reduced in size following an initial landscape assessment which suggested that a smaller extension area would limit the landscape and visual impact from surrounding viewpoints. The new Minerals Local Plan (being prepared jointly by Derbyshire County Council and Derby City Council) will replace the existing Minerals Local Plan. Public Consultation on the Draft Minerals Plan has been undertaken in Spring 2018. In accordance with the provisions of the National Planning Policy Framework (NPPF), the draft plan may be afforded some weight in the determination process.

1.5.6 The proposed extension area is included in the Draft Plan as a draft allocation for the extraction of minerals. Draft Policy SA3 states that further extraction of mineral

will be permitted at the site provided that it would not result in an unacceptable impact upon highways and alternative phasing would result in significant benefits.

1.5.7 The ES demonstrates that the proposed development would not result in unacceptable highways impacts and would generate a range of significant benefits in terms of air quality, hydrogeology, ecology and restoration. Therefore the proposed development is considered to accord with the provisions of Draft Policy SA3.

1.6 Details of the Planning Application

1.6.1 The planning submission consists of a planning application and accompanying environmental impact assessment (EIA) to extend the quarry extraction area and to amend the approved restoration scheme for the site. The planning application forms and certificates are included in this document.

1.6.2 In addition the planning permission to extract the deeper, low quality, Lower Shales which lie below the sandstone would be relinquished. This would be completed by Wienerberger entering into a legal agreement with Derbyshire not to work the lower material. The legal agreement would be produced by Derbyshire following the decision to grant planning permission for the development.

2.0 PROJECT DESCRIPTION

2.1 Site description

2.1.1 Mouselow Quarry is located 1.5 kilometres (km) to the north-west of Glossop and 20km east of Manchester city centre in the High Peak District of Derbyshire. The Peak District National Park lies less than 2km to the east.

2.1.2 The Ordnance Survey grid reference for the site is SK 016 951 and the site location is shown on the accompanying **Location Plan** included in the Plans section of this document.

2.1.3 The site is bounded by an active railway line to the west, Dinting Road to the south and farmland to the north and east. Access to the site is directly from Dinting Road along a private, surfaced road. The main A57 road lies 1km to the west along Dinting Road and Shaw Lane. This route is used by vehicles travelling between the site and the Denton brickworks approximately 12km away.

2.1.4 The site lies in a rural area situated between the built-up areas of Glossop, Simmondley, Gamesley and Hadfield. The site is located on the west facing slope of Castlehill between elevations of 190 metres Above Ordnance Datum (mAOD) and 250mAOD. The surrounding land to the north, east and south consists of improved pasture fields with hedgerows, stonewalls and small woodland blocks.

2.1.5 The nearest residential properties are located to the south of the quarry at Higher Dinting, to the west of the railway line off Shaw Lane and to the east at Howard Park. There are also isolated farm properties close to the site to the north and east.

2.1.6 The extent of the land owned by Wienerberger amounts to 33.0 hectares (ha) in total and the current planning permission covers 26.5ha of this land as shown on the **Landholding Plan** included in the Plans section. The actual operational quarry area amounts to less than 15ha within the planning permission area.

2.1.7 An **Aerial Photograph** is also included with the plans and shows the quarry, nearby land uses and properties in more detail.

2.1.8 Wienerberger's non-operational land is used by local farmers for grazing purposes.

2.1.9 There are a number of public rights of way in the vicinity of the site, some of which cross the planning permission area although none cross the operational parts of the quarry or the proposed extension area. The rights of way are securely fenced off from the operational areas and warning signs are well distributed.

2.1.10 The extension area amounts to 1.5ha and consists of parts of pasture fields (1.1ha), a small area of woodland (0.4ha) and 110 metres of drystone walls. The land within the extension area rises from 190mAOD in the west to 205mAOD in the east.

2.2 Proposed Development

2.2.1 The quarry is shown in detail on the **Site Plan** which identifies different elements of the quarry including the planning permission boundary, existing quarry area and the proposed extension area.

2.2.2 The Upper Shales are currently the main source of brick making material. Below these Upper Shales lie high sulphur and carbon Lower Shales, a minor amount of which have historically been blended with the Upper Shales but it is increasingly difficult for the Denton brickworks to meet its strict air quality emission limits if the Lower Shales are used.

2.2.3 It would be impossible to use the Lower Shale on its own for brickmaking. It has therefore been decided that the Lower Shales should not be used and to seek planning approval for an extension into further Upper Shales to replace the Lower Shales. A minor amount of Lower Shale would be extracted from the existing quarry floor in order to buttress the south-eastern quarry face where a minor fault exists and which has exhibited some instability in the past. This remedial work was approved as part of the 2014 planning permission and is shown on the **Restoration Concept** plan.

2.2.4 The quarry extension area amounts to 1.5ha and contains 470,000 cubic metres (850,000 tonnes) of high quality Upper Shale suitable for brick manufacture at the Denton brickworks.

2.2.5 In addition a bed of sandstone occurs below the Upper Shale. The sandstone is used as a high quality building stone with a minor amount, which is not suitable for use as building stone, being used as a construction aggregate. Sandstone extraction is undertaken by a third party rather than Wienerberger. Sandstone has already been removed from the majority of the extraction area in the existing quarry. The extension area would also release an additional 200,000 tonnes of sandstone.

2.2.6 Shale extraction occurs after the overlying soils and overburden materials (poor quality clay and shales) are removed. The soils are approximately 300mm deep in the extension area and the overburden is between 1 metre and 2.5 metres deep. The underlying Upper Shale is 30 metres thick and the sandstone is an average of 6 metres thick.

2.2.7 Shale extraction is usually undertaken twice annually on a campaign basis which involves shale being extracted and stored in stockpiles on the quarry floor to weather. Material is then removed periodically throughout the year from the shale stockpiles and taken to the Denton brick factory by heavy goods vehicle (HGV).

2.2.8 Soil and overburden removal is normally carried out during the drier summer months using a 25 tonne hydraulic excavator and two 25 tonne dumptrucks. Shale extraction is undertaken using standard mobile equipment associated with small scale quarrying operations, namely hydraulic excavators, dump trucks and a bulldozer. Two 25 tonne capacity articulated dump trucks are usually employed together with a 50 tonne hydraulic excavator and a 40 tonne bulldozer.

2.2.9 Shale is loaded into HGVs for transport to the brick factory by a single 25 tonne hydraulic excavator.

2.2.10 There is no processing of shale carried out on site and no blasting is carried out.

2.2.11 Sandstone is also extracted by 50 tonne hydraulic excavator. There is no processing of the sandstone sold as building stone although a minor amount of stone which is unsuitable for use as building stone is crushed and screened for use as construction aggregate. A single hydraulic excavator is periodically used to remove sandstone blocks and load vehicles and a small mobile crushing and screening plant is used to produce the construction aggregate.

2.2.12 There is a small, secure compound and yard adjacent to the entrance road which contains an office, welfare facilities, storage and wheel cleaning equipment.

2.2.13 Output of shales from Mouselow is currently only 25,000 cubic metres per year (45,000 tonnes per year using a conversion factor of 1.8 tonnes /cubic metre). This is half the output which was proposed in the 2010 planning review (ROMP) and which formed the basis of an environmental assessment undertaken at the time.

2.2.14 There is no anticipated increase in output in the immediate future, however it is hoped that output may increase in the medium and long term as the economy improves. The future output is anticipated to be in the region of 30,000 cubic metres (54,000 tonnes) per year. This figure is still significantly below the anticipated output assessed in the 2010 EIA which was 50,000 cubic metres (90,000 tonnes) per year.

2.2.15 The remaining approved reserves at the site as at 1 January 2018 are less than 180,000 tonnes (100,000 cubic metres) of Upper Shale and 1,080,000 tonnes (600,000 cubic metres) of Lower Shale although it is no longer proposed to extract the 1,080,000 tonnes of Lower Shale.

2.2.16 The remaining Upper Shale reserves will last for less than four years at current output levels.

2.2.17 The extension area would provide 850,000 tonnes (470,000 cubic metres) of Upper Shale which would replace the Lower Shale reserves of 1,080,000 tonnes. Planning permission to extract the Lower Shales would be relinquished.

2.2.18 The Upper Shale in the extension area would be sufficient for almost 19 years at a rate of 45,000 tonnes (25,000 cubic metres) per year. The combination of the existing reserves of Upper Shale and the extension reserves would last for approximately 23 years in total (4 + 19 years). The Upper Shale is likely to be exhausted in 2040, slightly earlier than the current planning end date of 2042 although this would be dependent on the actual level of production at the site during this period.

2.2.19 The development of the extension area is shown in detail on the accompanying set of nine **Quarry Extension Phasing Plans** which show extraction progressing in a westerly and anticlockwise direction.

2.2.20 The phased working scheme would maintain the effective screening benefit afforded by the existing landform. Operations within the floor of the quarry would remain up to 30 metres below surrounding ground levels.

2.2.21 By not extracting the Lower Shales which lie below the water table there is no requirement for large scale dewatering and any potential impacts on the ground water regime as a result would be avoided.

2.2.22 There are no alterations proposed to the method of extraction, working hours, or associated activities at the site.

2.2.23 The current approved restoration scheme contains a large, deep, water body as a consequence of extracting the Lower Shales below the water table. The approved **2014 Approved Final Landscape Restoration** drawing is included in the Plans section for reference.

2.2.24 The approved scheme would need to be amended as the water body would not be produced. The accompanying **Restoration Concept** plan shows the revised restoration scheme for the site which includes agricultural grassland on the quarry floor with woodland, hedgerows, nature conservation grassland and small field ponds. It is considered that the revised restoration scheme provides greater biodiversity potential than the approved scheme in a more practical and safer environment.

2.3 Denton Brickworks

2.3.1 Denton Brickworks is one of the major brick producers for Wienerberger in the UK and is one of the most efficient brickworks in the UK. The capacity of the brickworks is 64 million bricks per year although production is currently just over 50 million bricks per year.

2.3.2 Denton was the first brick factory in the world to be certified to the Environmental Management System standard BS EN ISO 14001 (then called BS 7750). This certification has been maintained continuously up to the present day.

2.3.3 Denton produces a range of high quality bricks which are distributed throughout the UK. There are 49 different product groups currently manufactured at Denton and 95% of the production is unique within Wienerberger with no other factory producing the same range of products.

2.3.4 Shale from Mouselow forms part of the raw material requirement for 35 out of the 49 product groups produced at Denton and is included in 80% of all the bricks manufactured.

2.3.5 Two years ago over £1.5 million was invested in improvements to the Denton factory operations and every year approximately £0.5 million is invested in further improvements.

2.3.6 Each year the expenditure at the Denton factory and Mouselow Quarry amounts to £7.5 million on purchases, wages, business rates and associated costs, some of which benefits the local community.

2.3.7 There are 53 full time employees at Denton and Mouselow with additional contractors and heavy goods vehicle (HGV) drivers and indirect workers within Wienerberger and associated companies.

2.3.8 Denton relies on shale from Mouselow and would not be able to remain open without the readily available resources of shale from Mouselow.

3.0 GEOLOGY

3.1 Introduction

3.1.1 The geology within and surrounding the site has been characterised by reference to the following data sources:

- British Geological Survey (BGS) publications.
- Borehole logs for piezometers.
- Exploratory drilling.
- Previous geological and hydrogeological reports

3.2 Regional Geology

3.2.1 The regional geology for the area encompassing the site is shown on **Figure 3.1 Geological Mapping** taken from the hydrogeological report. The stratigraphic sequence for the locality is presented in **Table 3.1** below.

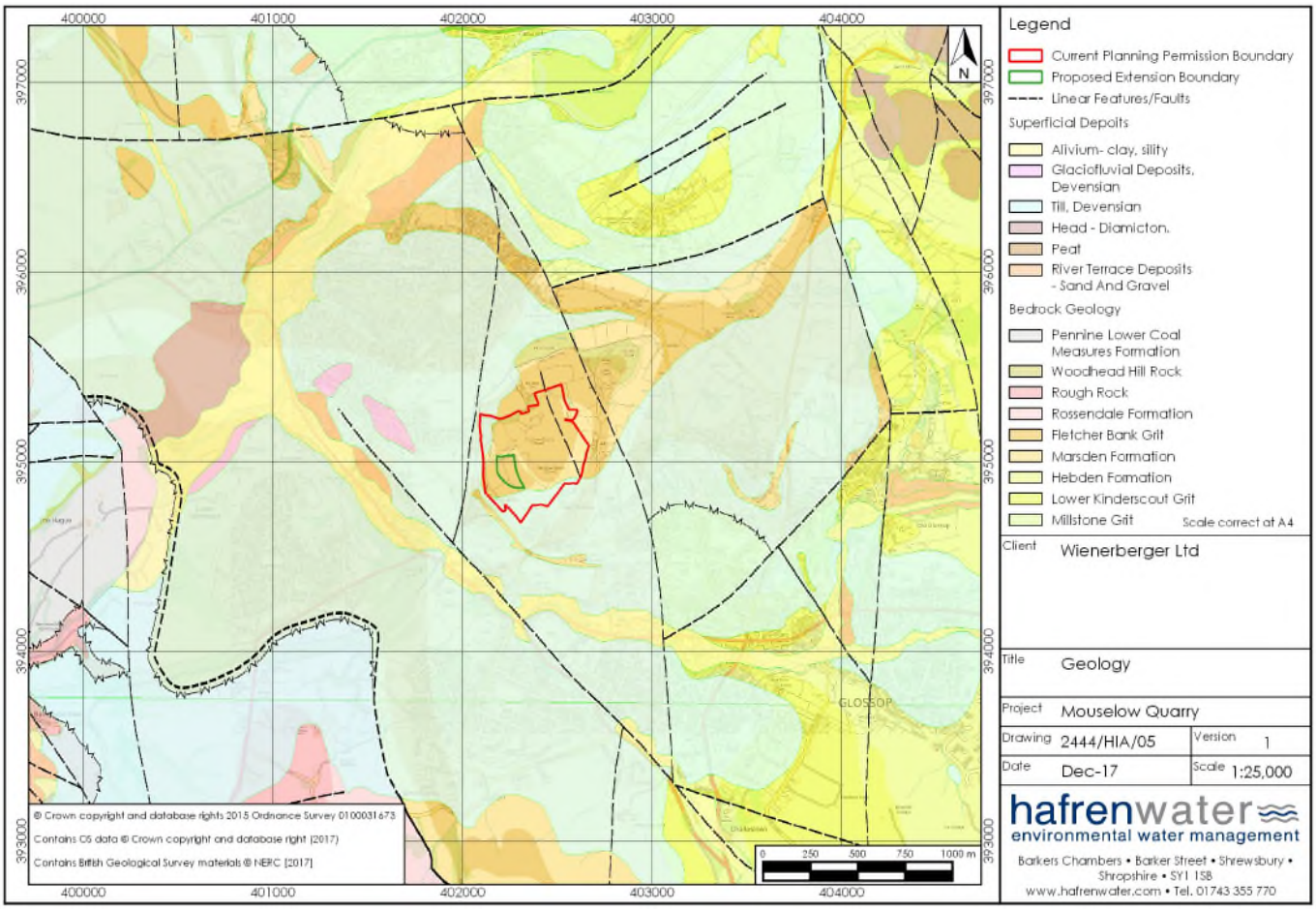

Figure 3.1 Geological Mapping

	Group	Formation		Lithology
Superficial	Quaternary Deposits		River Terrace deposits	Sand and Gravel
			Alluvium	Clay and silt
			Head	Gravels, Sands and Clay
			Glaciofluvial deposits	Sand and Gravel
			Till (Boulder Clay)	Clay
Solid	Pennine Coal Measures	Middle Coal Measures		Mudstone, siltstone and sandstone, with numerous coal seams and marine fossil bearing mudstone beds.
		Lower Coal Measures		Mudstone, siltstone and sandstone, with numerous coal seams.
	Millstone Grit	Rossendale Formation		Mudstone, siltstone and sandstone, locally pebbly.
		Marsden Formation		Mudstone, siltstone and named sandstone beds, including the Huddersfield White Rock and Fletcher Bank Grit sandstones.
		Hebden Formation		Mudstone, siltstone and sandstone, locally pebbly.

Table 3.1 Regional Geology

Superficial Deposits

3.2.2 The valley of the River Etherow to the west of the site and the gully of the Glossop Brook to the south contain River Terrace deposits of sands and gravels, overlain by Alluvium. These deposits lie between 50 metres and 250 metres either side of these river courses. Glacial deposits comprising mainly Till (Boulder Clay), with lesser areas of glaciofluvial and head deposits, generally crop out to the east and west of the River Terrace deposits.

Bedrock (solid) Geology

3.2.3 The regional bedrock geology of the area consists of the Millstone Grit. The Marsden Formation of the Millstone Grit underlies the site and its immediate environs and comprises a sequence of alternating grey mudstone, siltstone and sandstone beds, with less frequent seatearths, thin coal seams and marine bands. Mineral resources in the Marsden Formation comprise both the mudstone and

siltstone, and the sandstone beds. To the west of the site, the overlying Rossendale Formation outcrops, and to the east, the underlying Hebden Formation is mapped, with the Lower and Middle Pennine Coal Measures beyond this.

3.2.4 The regional geology is highly faulted, with most major faults aligned approximately north to south. The general site area lies within a downthrown fault block, with the main fault line located north of the site. This splits into two fault branches, aligned north to south-east, downthrown to the west, and aligned north to south-west, downthrown to the east. This causes a change in the angle of dip of the sandstone beds of the Marsden Formation.

3.3 Local Geology

3.3.1 The local geology comprises higher quality Upper Shales, above the Huddersfield White Rock sandstone bed, with poorer quality Lower Shales below. The shale is used for brickmaking at Denton brickworks, and the sandstone is removed as block stone for building purposes and crushed for aggregate. The Lower Shales are too high in sulphur and carbon and hence no longer form an economic mineral at the site. The sandstone bed is on average 6 metres in thickness within the quarry area and is highly jointed.

3.3.2 Superficial deposits are absent from the majority of the site and the extension area, except a small area of Till (Boulder Clay) towards the northeast and south of the worked quarry.

3.3.3 Based on a geotechnical assessment conducted by GWP Consultants in March 2016, the strata dips towards the west and south-west, outcropping up-dip in the eastern and down-dip in the western quarry faces.

3.3.4 The GWP Consultants report also notes that two further small scale faults are recorded to cross the main quarry workings within the downthrown fault block that the site is located in. The first fault is mapped on BGS resources and crosses the eastern extent of the quarry approximately parallel with the eastern quarry face. This fault is aligned approximately north to south-east and is downthrown to the west. The second fault is identified from mineral exploration boreholes and crosses the western extent of the quarry under the area to be worked within Phase I and Phase III of the quarry extension. This fault is aligned approximately north to south and is downthrown to the east.

3.3.5 The **Summary Borehole Plan** identifies the various boreholes that have been drilled at Mouselow historically. The logs for two boreholes drilled to the west of the extension area in 2014 are included in **Appendix 3.**

3.3.6 In sequential order by depth below ground surface, the geological sequence observed at Mouselow Quarry comprises thin superficial deposits, up to 2.5 metres thick, underlain by a thick 30 metre sequence of interbedded shale and mudstone, with occasional thin (<1.0 metre) sandstone beds. The upper shale and mudstone unit is underlain by a thick 'Main Sandstone' unit, observed with a 4 – 8 metre

thickness within the quarry and described as a strong, massive, medium to fine grained sandstone (The Huddersfield White Rock Sandstone) of the Millstone Grit group. Below the Main Sandstone unit, 6 metre of dark sulphide rich carbonaceous shales, followed by further sulphide poor grey carbonaceous shales for up to 50 metre (Lower Shales).

3.3.7 Bedding is generally thin to medium spaced. The dip is generally 9 to 12^{o} to the west-south-west on the eastern side of the quarry and 12 to 15^{o} to the west-south-west on the western side of the quarry. Consequently, strata are dipping out of the face on the up-dip eastern side of the quarry and into the face on the down-dip western side and the extension area making extraction operations in a westerly direction stable in geotechnical terms.

4.0 STAKEHOLDER ENGAGEMENT

4.1.1 Wienerberger has actively engaged with stakeholders during 2017 and 2018 to ensure there was a full and open understanding of the proposed development. The engagement work also allowed an opportunity for input into the development design and for refinements to be included prior to the submission being made.

4.1.2 The engagement exercise has included the following elements:

- Pre-Application Advice from Derbyshire.
- Direct contact with Derbyshire officers.
- Quarry liaison group.
- Public exhibition of the proposals.

Each of these elements is explained in more detail below.

Pre-Application Advice

4.1.3 A formal Pre-Application Advice Request was submitted to Derbyshire in June 2017 which set out the main elements of the development and sought clarification on the content of the EIA required to accompany the planning application to extend the quarry.

4.1.4 The Derbyshire Pre-Application Advice was issued in September 2017 and provided guidance on the technical assessments and planning policy issues that should be considered in the EIA. A number of stakeholders were consulted by Derbyshire in preparing the Advice.

4.1.5 Discussions were held with Derbyshire planners during this exercise.

Direct contact with Derbyshire officers

4.1.6 Following the issue of the Pre-Application Advice discussions have been held with a number of officers at Derbyshire to clarify or explain matters including planners (Development Management and Planning Policy), archaeology and landscape departments. Useful feedback about the proposals has been received and alterations made.

Quarry liaison group

4.1.7 The quarry has had a local liaison group for a number of years. The group consists of representatives from Derbyshire, High Peak Borough Council, local councillors and the local Heritage Society.

4.1.8 The liaison group meets annually to discuss activities at the quarry and discussions have previously been held on the extension development.

Public exhibition of the proposals

4.1.9 An exhibition of the extension proposals was held at Bradbury Community House on 17 April 2018. The purpose of the exhibition was to provide the general public with the opportunity to see the extension proposals and to seek comments on any aspect of the development prior to the application being finalised and submitted.

4.1.10 The exhibition attendance was very modest and no concerns were raised about the extension proposals or about the current quarry.

5.0 ENVIRONMENTAL IMPACT ASSESSMENT

5.1.1 Establishing the extent of the scope of an EIA forms an integral part of the overall planning process. In order to determine the scope of the EIA a formal Pre-Application Advice Request was submitted to Derbyshire in June 2017 and detailed Pre-Application Advice was issued in response in September 2017.

5.1.2 The aim of the exercise was to consider all environmental aspects which could experience impact from the proposed development and to identify mitigation measures which would avoid or reduce the level of impact to acceptable levels.

5.1.3 The detailed assessments of the development impacts on environmental aspects are included in **Volume 3 Technical Reports** and are summarised in **Volume 2 Environmental Statement.**

6.0 PLANNING AND DEVELOPMENT CONTEXT

6.1 Introduction

6.1.1 The full-length planning assessment for the proposed development as **Appendix 3.**

6.1.2 The report is prepared by Quarryplan Ltd, a multidisciplinary consultancy with extensive experience in the minerals industry including the preparation of planning applications and Environmental Impact Assessment in relation to minerals development.

6.1.3 [redacted] is the author of the report. [redacted] is a Senior Town Planning Consultant at Quarryplan with over 5 years' experience working within the planning and development industry. [redacted] is a full member of the Royal Town Planning Institute.

6.1.4 The accompanying statement has been prepared in association with a full planning application by Wienerberger which seeks permission for a westerly extension to the existing Mouselow Quarry near Glossop in Derbyshire.

6.1.5 The statement provides an assessment of the relevant planning policy issues and shows that the proposed development can proceed in a sustainable manner and that any limited impacts of the development would not outweigh the benefits.

6.2 Site Description and Planning History

6.2.1 Mouselow Quarry is located 1.5km to the north-west of Glossop and 20km east of Manchester city centre in the High Peak District of Derbyshire. The Peak District National Park lies approximately 2km to the east of the site.

6.2.2 The surrounding land to the north, east and south consists of improved pasture fields with hedgerows, stonewalls and small woodland blocks.

6.2.3 The proposal is for a western extension to the quarry extraction area within the existing quarry permission. Details of the application site boundary (red line), the proposed extension area (green line) and the Applicant's land ownership (red and blue lines) are shown in **Figure 6.1** below.

Figure 6.1 Site Details

6.2.4 Modern planning conditions were established for the site in 2010 as a consequence of the planning review required under the Environment Act 1995. A full EIA was submitted to accompany the planning review.

6.2.5 The existing quarry operates in compliance with planning permission reference CM1/0214/62 granted by Derbyshire County Council (DCC) in December 2014 and which continued the modern planning conditions from 2010.

6.2.6 The Planning Permission for the site allows the extraction of reserves of shale clay and sandstone until 2042.

6.3 Proposed Development

6.3.1 The planning application seeks consent for a western extension to Mouselow Quarry, Glossop.

6.3.2 The existing shale reserves at the quarry consist of Upper Shales, which make up the majority of the material extracted annually, and Lower Shales which have a higher sulphur and carbon content and have only been used in small quantities to

blend with the better quality shales. Shales are taken to the Denton brickworks to produce a variety of high quality bricks.

6.3.3 It is increasingly difficult for the Denton brickworks to meet its strict air quality requirements if the Lower Shales are used. In order to improve sustainability, the Applicant proposes to seek consent for an extension to the quarry where Upper Shales can be extracted, replacing the Lower Shales.

6.3.4 A bed of sandstone also occurs below the Upper Shale. The sandstone is used as a high quality building stone with a minor amount, which is not suitable for use as building stone, being used as a construction aggregate.

6.3.5 It is the intention to develop an extension area where there would be no extraction beneath the sandstone beds and water table therefore relinquishing the planning permission to extract the deeper, high sulphur Lower Shale material if planning permission is granted.

6.3.6 The quarry extension area amounts to 1.52 hectares and contains approximately 850,000 tonnes (470,000 cubic metres) of high quality Upper Shale material suitable for brick manufacture at the Denton brickworks.

6.3.7 The current approved restoration scheme contains a large, deep, water body as a consequence of extracting the Lower Shales below the water table. As a result of the proposed development, the water body would not be produced. A revised Restoration Concept is proposed for the site which includes agricultural grassland on the quarry floor with woodland, hedgerows, grassland and field ponds. The revised restoration scheme is considered to provide greater biodiversity potential than the approved scheme in a more practical and safer environment.

6.4 Planning Policy Framework

6.4.1 Section 38(6) of the Planning and Compulsory Purchase Act 2004 requires that an application for planning permission shall be determined in accordance with the development plan. In this case the Statutory Development Plan comprises:

- The policies of the Derby and Derbyshire Mineral Local Plan (DDMLP) which were saved by the direction of the Secretary of State (Adopted 2000, Policies saved 2007).

- High Peak Borough Council Local Plan (Adopted 2016).

6.4.2 Material policy considerations include the emerging Derby and Derbyshire Minerals Local Plan (2018) and; the National Planning Policy Framework (NPPF, March 2012), which is supported by the National Planning Practice Guidance (NPPG, March 2014).

Derby and Derbyshire Mineral Local Plan (2000)

6.4.3 The DDMLP was adopted by Derby City Council and Derbyshire County Council in April 2000. The policies referred to are those that remain 'saved' following a direction from the Secretary of State in 2007. The saved policies will eventually be replaced by policies within subsequent development plan documents.

6.4.4 Mouselow Quarry is not specifically identified for any particular use or purpose within the DDMLP. Policies MP18 and MP32 are however identified as being of direct relevance to the proposals.

6.4.5 **Policy MP18** relates to extensions to sites and states that *proposals for extensions to established mineral working sites will be permitted in preference to new sites provided they can be accommodated in an environmentally acceptable manner.*

6.4.6 The accompanying ES demonstrates that the proposed development would not result in any unacceptable environmental impacts and can proceed in an environmentally acceptable manner.

6.4.7 **Policy MP23** relates to clay and states that proposals for the working of clay will be permitted provided the mineral is needed to sustain related employment in associated clay product industries and that the proposal would not have an unacceptable impact on the environment.

6.4.8 In terms of the need for the development, the Denton Brickworks is highly reliant upon the Mouselow Upper Shale with a significant percentage of products manufactured using Mouselow Upper Shale.

6.4.9 Wienerberger currently employs over 50 staff across the Brickworks and quarry operation and has an expenditure of approximately £7.5 million per year.

6.4.10 The accompanying ES demonstrates that the proposed development would not result in any unacceptable environmental impacts and can proceed in an environmentally acceptable manner.

6.4.11 The proposed development therefore accords with the provisions of Policy MP18 AND MP32 of the DDMLP. **The principle of the development is considered to be acceptable.**

6.4.12 Policies relating to amenity, agriculture, visual impact, biodiversity, landscape, archaeology, water environment and transport are all assessed. In respect of each, the report demonstrates that the proposed development would not result in any unacceptable impacts.

High Peak Local Plan (2016)

6.4.13 The High Peak Local Plan (HPLP) was adopted by High Peak Borough Council in April 2016 and seeks to direct development within the Borough and form the policy basis against which planning applications will be determined.

6.4.14 The application site is located within an area designated as Green Belt as identified on the adopted Proposals Map.

6.4.15 **Policy EQ4** states that the Council will seek to protect the Green Belt and maintain its openness and permanence. Within the Green Belt, planning permission will not be granted for development unless it is in accordance with national planning policy.

6.4.16 The proposed development accords with the provisions of the NPPF in relation to Green Belt (see section 4.4 below). Therefore, the proposed development is considered to be in accordance with Policy EQ4 of the HPLP.

6.4.17 The policies of the DDMLP are largely reiterated within similar policies within the HPLP. Policies relating to sustainable development, sustainable growth, climate change, design, pollution, flood risk, employment and accessibility are all assessed within the report and the development is considered to accord with the provisions of the HPLP.

Emerging Derby and Derbyshire Minerals Local Plan (2018)

6.4.18 The new Minerals Local Plan (being prepared jointly by Derbyshire County Council and Derby City Council) will replace the existing Minerals Local Plan. Public Consultation on the Draft Minerals Plan has been undertaken in Spring 2018. In accordance with the provisions of the NPPF, the draft plan may be afforded some weight in the determination process.

6.4.19 The application site is included in the Draft Plan as a draft allocation for the extraction of minerals. Draft Policy SA3 states that extraction of mineral will be permitted at the site provided that it would not result in an unacceptable impact upon highways and alternative phasing would result in significant benefits.

6.4.20 The accompany ES demonstrates that the proposed development would not result in unacceptable highways impacts and would generate a range of significant benefits in terms of air quality, hydrogeology, ecology and restoration. Therefore the proposed development is considered to accord with the provisions of Draft Policy SA3.

National Planning Policy Framework

6.4.21 The NPPF was adopted by the Government in March 2012.

6.4.22 The assessment demonstrates how the proposed development accords with the economic, environmental and social dimensions of sustainable development. The report also demonstrates how the proposals accord with the provisions of the NPPF in respect to a number of typical development considerations, all of which are addressed within the assessment of the DDMLP and the HPLP.

6.4.23 **Paragraph 87** of the NPPF states that inappropriate development is, by definition, harmful to the Green Belt and should not be approved except in very special circumstances.

6.4.24 **Paragraph 90** states that certain other forms of development are also not inappropriate in Green Belt provided they preserve the openness of the Green Belt and do not conflict with the purposes of including land in Green Belt. One such use identified within the policy is mineral extraction.

6.4.25 The proposed development is considered to accord with the provisions of the NPPF in relation to Green Belt.

6.4.26 The NPPF sets out a number of considerations specifically in relation to minerals development, placing great weight on the benefits of mineral extraction. The report demonstrates that the development would create an acceptable balance between achieving economic benefits and protecting the environment.

National Planning Practice Guidance (March 2014)

6.4.27 The National Planning Practice Guidance (NPPG) provides detailed guidance to be used by applicants when preparing planning applications and for planning authorities in determining planning applications. Where any technical guidance is provided in relation to a particular consideration (e.g. noise) this guidance is included and addressed within the accompanying ES. As a result, the proposed development is considered to be in accordance with the guidance in relation to minerals development as set out within the ES.

6.5 Conclusions

6.5.1 A Planning Policy Report has been prepared by Quarryplan to provide an assessment of the relevant planning policy issues in relation to proposals for a Western Extension to Mouselow Quarry, near Glossop.

6.5.2 The aim of both national and local mineral planning policy is to achieve a balance between the economic benefits associated with the development and the potential environmental effects.

6.5.3 The assessment of the potential effects of the development are provided within the accompanying ES.

6.5.4 The proposed development has been assessed in the light of prevailing local and national planning policy.

6.5.5 The site is not allocated for any particular use or purpose within the DDMLP. Policies contained within the DDMLP allow for the extension of existing sites and for the working of clay so long as there is a need and it does not result in any unacceptable impacts

6.5.6 The planning assessment and the accompanying ES demonstrate that there is a clear need for the proposed development and that the extension to the site would not result in an unacceptable impact upon the environment.

6.5.7 The site is located within a Green Belt designation as identified on the HPLP Adopted Proposals Map. This report has demonstrated that the development would accord with Green Belt policy as set out in the NPPF and would not constitute an inappropriate form of development within the Green Belt.

6.5.8 The site is identified as a future area for mineral extraction in the emerging Draft Derby and Derbyshire Minerals Local Plan (2018).

6.5.9 The proposed development has been demonstrated to accord with the three dimensions of sustainable development as set out in the NPPF and with the specific policies as set out within the DDMLP and the HPLP.

6.5.10 There are not considered to be any other material considerations which would indicate that the proposals are unacceptable. The benefits of the development have been demonstrated to outweigh any minor impacts and as a result, the report concludes that there are no planning policy reasons as to why the proposed development should not proceed.

7.0 SOCIO ECONOMIC

7.1.1 The Glossop area has a long history of industrial and manufacturing activities. Quarrying has been carried out at Mouselow since 1840 and there was a brick factory on site previously before brick making transferred to Denton.

7.1.2 The continued operation of Mouselow Quarry would not be an alien activity in the area and would have a number of positive socio-economic effects including the continuation of significant employment levels and financial expenditure within the local economy.

7.1.3 The Denton factory is a substantial modern facility with the ability to produce over 60 million high quality bricks per year which are used in building work throughout the UK. The factory is one of the most efficient brickworks in the UK. Denton was the first brick factory in the world to be certified to the Environmental Management System standard BS EN ISO 14001 (then called BS 7750). This certification has been maintained continuously up to the present day.

7.1.4 Denton relies on shale from Mouselow and would not be able to remain open without the readily available resources of shale.

7.1.5 Mouselow Quarry and the Denton factory support over 50 direct employees as well as additional indirect employees. The two sites contribute over £7.5 million every year to the economy in terms of purchases, wages, rates, and other expenditure, a significant amount of which provides a local economic benefit.

7.1.6 Sandstone is also produced at Mouselow as high quality building stone and a minor amount of construction aggregates. The building stone comes from the Huddersfield White Rock formation which is an important source of high quality building stone used in renovation work and new building both locally to support built heritage and further afield.

7.1.7 The EIA has considered the continued operation of the site and has concluded that there would be no unacceptable environmental impacts. It is considered that there would be no unacceptable socio-economic impacts from the continued operation of the site subject to compliance with operational controls and planning conditions.

7.1.8 The continued operation of the site is highly likely to generate a long term, positive financial impact for the economy.

8.0 CONCLUSIONS

8.1.1 The Environmental Statement accompanies a planning application by Wienerberger for the extension of Mouselow Quarry in a westerly direction. The extension area is identified for potential future mineral extraction in the emerging Derbyshire Mineral Plan.

8.1.2 Mouselow Quarry is the main source of raw materials for the major Denton Brickworks. The remaining reserves of high quality Upper Shale material are very limited and are only sufficient for four years supply.

8.1.3 There are extensive reserves of lower quality Lower Shale material which can no longer be reliably used at Denton because of the high sulphur and carbon emissions and the strict air quality controls at the site. It is proposed to relinquish the planning permission for the lower quality Lower Shale material and extend into further high quality Upper Shale material to keep the brickworks supplied for a further 19 years. This would allow the brickworks to continue with its associated economic and social benefits.

8.1.4 Additional high quality building stone would also be released.

8.1.5 Retaining the Lower Shales would avoid extracting beneath the water table and the extensive dewatering necessary to achieve this. A major change to the approved restoration for the site would be possible by removing the large deep water body. Instead the restoration would provide grazing land, amenity grassland and woodland which would be more in keeping with the local area. The safety concerns of the deep water body would also be avoided.

8.1.6 There are no proposals to alter the end date of the site, the method of working, the operational hours or the site access.

8.1.7 The proposed development has been subject to a thorough assessment as required by the Environmental Impact Regulations to determine the potential impacts on the environment and on local amenity.

8.1.8 It is considered that there would be no unacceptable environmental or amenity impacts on the local area as a consequence of the development.

Plans

Location Plan
Landholding Plan
Aerial Photograph
Site Plan
Quarry Extension Phasing Plans (set of nine plans)
2014 Approved Final Landscape Restoration
Proposed Restoration Concept
Summary Borehole Plan

Appendices

1 Current Planning Permission (reference CM1/0214/162)
2 Borehole Logs
3 Planning and Development Context Report

Planning Application Forms and Certificates