Application No: 2/17/9005  
District: Allerdale

Applicant: Mr M Smallwood  
Snowhill Farm  
Caldbeck  
Wigton  
Cumbria  
Parish: Boltons Parish Council  
Received: 10 March 2017

PROPOSAL: Section 73 application to Planning Permission 2/14/9007 to extend the life of the permission until 31 May 2022

LOCATION: Snowhill Quarry No.1, Snowhill Farm, Caldbeck, Wigton, Cumbria, CA7 8HL
1.0 RECOMMENDATION

1.1 That planning permission be **Granted** subject to the conditions set out in Appendix 1 to this report.

2.0 THE PROPOSAL

2.1 Planning permission is sought to extend the life of planning permission 2/14/9007. Planning permission was granted on 5 August 2014 to allow continued quarry at Snow Hill No. 1 quarry until 31 May 2017. The permission provided for the installation of a weighbridge, increase in vehicles numbers to 20 HGVs per day and increase in tonnage per year to 50,000 tonnes.

2.2 Access to Snow Hill Quarry is from B5299 which links the A595 at Mealsgate to Caldbeck.

3.0 SITE DESCRIPTION

3.1 Snow Hill Quarry occupies a rural location close to the Lake District National Park Boundary. The site consists of two quarries Snow Hill No 1 and Snow Hill No 2, the stone worked within No 1 is a rare white limestone and the stone worked in Snow Hill No 2 is sandstone.

3.2 The site is approximately 600m from the B5299 along a private access road. To the north, east and west of the quarry are agricultural fields to the south is Ellerbeck Common which forms part of Caldbeck Common.

3.3 The application site is classified as Limestone Foothills in Cumbria Landscape Character sub type.

4.0 SITE PLANNING HISTORY

4.1 Snow Hill No 1 quarry has operated since 1991 for the quarrying of Building Stone. The quarry produces a rare white limestone.

4.2 Snow Hill No 2 quarry has operated under a number of temporary planning permissions since 1991: application 2/91/0042 – Building stone quarry (approved 4 June 1991); application 2/02/9006 - Carrying out of development without compliance with the conditions of the planning permission 2/02/9006, for the extraction of limestone (application under Section 73 of the Town & Country planning Act 1990) (approved 5 February 2006); application 2/07/9006 - Extension to limestone quarry (approved 31 May 2007).

5.0 PLANNING POLICY

5.1 **Section 38(6)** of the **Planning & Compulsory Purchase Act 2004** provides that planning applications must be determined in accordance with the development plan unless material considerations indicate otherwise. Government policy is a material consideration that must be given appropriate weight in the decision making process.

5.2 The Cumbria Minerals and Waste Development Framework’s (CMWDF) **Core Strategy 2009-2020** (CS) and **Generic Development Control Policies 2009-2020** (GDCP) both adopted in April 2009. The key policies relevant to the determination of this planning application are considered to be:
5.3 The emerging Cumbria Minerals and Waste Local Plan 2015-2030 was subsequently submitted to the Secretary of State for examination by an independent Inspector on 9 September 2016. Hearing sessions for the examination were held between on 29 November and 16 December 2016. Following this, a Table of Main Modifications to the Plan was prepared and consulted on between 27 March and 5 May 2017. The Inspector is now in the process of finalising her Report on changes necessary to ensure that the Local Plan is sound and legally compliant. As the emerging plan progresses greater weight can be attached to it in the decision making process.

5.4 There are no currently adopted minerals and waste Site Allocations in Cumbria, as the previously adopted Site Allocations Development Plan Document was quashed by the High Court and therefore is not a material consideration.

- Policy S1 – Presumption in Favour of Sustainable Development
- Policy S14 – Rural Economy
- Policy S33 – Landscape

5.6 Allerdale Borough Council Local Plan (Part 2): Site Allocations Development Plan Document is currently being produced. The ‘Issues and Options’ for the Site Allocations was published in July 2014 and consultation on this document concluded in September 2014. A further consultation upon the additional sites submitted during the ‘Issue and Options’ concluded in February 2015A consultation on the Preferred Options version of their Local Plan Part 2 document is scheduled in 2017.

5.7 The National Planning Policy Framework [NPPF], published on 27 March 2012, and the national online Planning Practice Guidance (PPG) suite, launched in March 2014, are material considerations in the determination of planning applications. The following sections and paragraphs of the NPPF and/or PPG are considered to be relevant to the determination of this application:
- Paragraphs 6-10 - Achieving sustainable development
- Paragraphs 11-14 - The presumption in favour of sustainable development
- Delivering Sustainable Development
  - Section 1 - Building a strong, competitive economy
  - Section 3 - Supporting a prosperous rural economy
  - Section 4 - Promoting sustainable transport
  - Section 13 - Facilitating the sustainable use of minerals
- Paragraphs 186-187 - Decision Taking

5.8 National Planning Policy Framework para 142 states “Minerals are essential to support sustainable economic growth and our quality of life. It is therefore
important that there is a sufficient supply of material to provide the infrastructure, buildings, energy and goods that the country needs. However, since minerals are a finite natural source and can only be worked where they are found it is important to make best use of them to secure their long term conservation”. In this instance the material is the only local source of material and is essential to ensuring a local source of material is maintained and available for the local needs.

6.0 CONSULTATIONS AND REPRESENTATIONS

6.1 Allerdale Borough Council Planning Department: No objection.

6.2 Boltons Parish Council: No response received.

6.3 Caldbeck Parish Council: If permission is granted, request a condition preventing all heavy vehicles from driving through Caldbeck or Hesketh Newmarket village and require them to bypass the villages via the C road over the common and join the B5299 at Blue Gate, and then onto the B5305. Currently the quarry quarries mainly large stones with aggregate being only a by-product. If the quarry were to produce mainly aggregate this would mean a big increase in crushing stone and could result in noise and dust.

6.4 CCC Highway Authority: No objection. Recommend that the current access should be drained and constructed to a suitable standard.

6.5 Allerdale Borough Council Environmental Health Department: No objection.

6.6 CCC Historic Environment Officer: Records indicate that the site lies in an area of archaeological potential adjacent to a field with probable remains of prehistoric settlement activity and agricultural practices. It is therefore considered that, despite the limited scope of the proposed development, it has the potential to disturb archaeological assets. In the event that planning permission is granted the site should be subject to archaeological investigation and recording in advance of development.

6.7 Environment Agency: Object. The applicant has not supplied adequate information to demonstrate that the risks to groundwater resources can be safely managed. Details of the maximum depth of excavation in metres above Ordnance Datum to ensure the depth of the quarry does not exceed the maximum permitted depth of excavation are required. The borehole log from the borehole that was drilled in 2014 to demonstrate the level of the water table at the site is also required.

6.8 Lake District National Park Authority: No objection. The proposal would not have a significant impact on the special qualities of the National Park.

6.9 Natural England: No objection.

6.10 Allerdale Ramblers Association: No response received.

6.11 The application has been advertised in the local press and by site notice on the site. The local county councillor was also notified.

6.12 No representations have been received.
7.0 PLANNING ASSESSMENT

7.1 The key planning issues relevant to the proposed schemes are considered to be: policy context; need for the mineral; landscape and visual impact; impact on highway; environmental considerations (noise, dust vibration).

Background to Snow Hill No 1 and No 2

7.2 Snow Hill No. 1 and No. 2 have operated since the early 1990’s as a small scale operation providing an essential unique stone for building work and repairs to dry stone walling in the locale. Snow Hill No. 1 received permission in 2014 (ref 2/14/9007, approved 8 August 2014) to extend the activities and promote the quarry as a local venture. The only activity which has progressed on Snow Hill No.1 site since the granting of permission ref 2/14/9007 has been the installation of the weighbridge.

Policy Context

7.3 Cumbria MWDF Core Strategy Policy CS 17 (Building Stones) states that ‘planning permission will be granted’ for proposals that would help to provide the full range of local building stones that are needed to maintain Cumbria’s local distinctiveness, provided they have ‘acceptable environmental impacts’. Cumbria MWDF Policy DC 6 (Criteria for Non-energy Minerals Development) expands on this by stating that ‘favourable consideration’ may be given to proposals relating to building stone quarries which meet the need for stone to match local vernacular building, and the conservation and repair of historic buildings. It also states that favourable consideration may be given to areas already subject to minerals extraction where the additional working will enable ‘comprehensive exploitation of the reserves, or where the proposal achieves a more sustainable afteruse or better restoration of the area’.

7.4 Cumbria MWDF Development Control Policy DC1 (Transport) requires developments to be well related to the strategic route network and are located to minimise operational "minerals and waste road miles"; Policy DC2 (General Criteria) requires developments must demonstrate noise, blast and air overpressure levels are within acceptable limits; public rights of way not adversely affected and address ground stability; Policy DC3 (Cumulative Environmental Impacts) requires development proposals to be assessed in the light of other land uses in the area with consideration to impacts on local communities, environmental aspects, impacts on local amenity, number of vehicles generated; Policy DC10 (Biodiversity and Geodiversity) requires development which would have an impact to demonstrate their potential to enhance, restore and add to these resources and to functional ecological and green infrastructure networks; DC12 (Landscape) requires proposals to be compatible with the distinctive characteristics and features of Cumbria’s landscapes and should avoid significant impacts on the natural and historic landscape; ensure development proposals consider the effects on locally distinctive natural or built features; Policy DC16 (Afteruse and Restoration) requires developments to be accompanied with detailed proposals for restoration including proposals for appropriate afteruse.

7.5 Snow Hill No. 1 yields a rare white limestone, which is unique to the area and provides building/decorative stone for local construction projects.

7.6 Allerdale Local Plan (Part 1) Strategic and Development Management Policies
(July 2014) Policy S1 (Presumption in favour of sustainable development) requires development proposals to take a positive approach to work proactively with applicants to ensure developments can be approved and wherever possible improve economic, social and environmental conditions. The proposed continuation of working of the quarry would provide employment opportunities to a rural community and a continued supply of a local quality and unique stone for local building/repair works in the rural area; Policy S14 (Rural Economy) commits the Council to supporting economic prosperity and sustainability of rural communities and supporting the expansion of existing businesses. The continuation of operations would continue to provide a much needed local aggregate which can only be sourced where extracted; Policy S33 (Landscape) requires the landscape character and local distinctiveness of the area to be protected, conserved and where possible enhanced. Snow Hill No. 1 quarry is well screened from public viewpoints due to the existing landscaping which is in place to protect views particularly from the National Park.

7.7 In terms of policy and need the continued operations of Snow Hill No.1 for extraction purposes are considered to be essential to the local economy by ensuring a continued supply of a specific stone product which is recognised locally, as a mineral reserve. It is therefore considered that the proposed extension to amended working, extension and phased restoration of the site comply with both national and local development plan policies.

Need for the Continued Supply of Material

7.8 Section 13 (Paragraph 144) of the NPPF states that local planning authorities should ‘give great weight to the benefits of the mineral extraction, including the economy’. It also directs local planning authorities to ‘recognise the small-scale nature and impact of building and roofing stone quarries’, and ‘the need for a flexible approach to the potentially long duration of planning permissions reflecting the intermittent or low rate of working at many sites.’ The NPPF also provides a locational steer, stating a preference for extraction of building stone at, or close to, relic quarries.

7.9 Paragraph 142 of the NPPF states “Minerals are essential to sustaining economic growth and our quality of life. It is therefore important that there is a sufficient supply of material to provide the infrastructure, buildings, energy and goods that the country needs. However, since minerals are a finite natural resource and can only be worked where they are found, it is important to make best use of them to secure their long term conservation”.

7.10 Paragraph 010 of the PPG states that “the suitability of each proposed site, whether an extension to an existing site or a new site, must be considered on its individual merits, taking into account issues such as: need for the specific mineral; economic considerations (such being able to continue to extract the resource, retaining jobs, being able to utilise existing plant and other infrastructure), and; positive and negative environmental impacts (including the feasibility of a strategic approach to restoration) and the cumulative impacts of the proposal in the area.”

7.11 Para 016 of the PPG states that “Minerals operators should look to agree a programme of work with the mineral planning authority which takes into account, as far as is practicable, the potential impacts on the local community and local environment (including wildlife), the proximity to occupied properties, and legitimate operations considerations over the expected duration of operations”.

7.12 Para 017 of the PPG states that local planning authorities should ‘recognise that, compared to other types of mineral extraction, most building stone quarries are small-scale and have a far lower rate of extraction when compared to other quarries. This means that their local environmental impacts may be significantly less.’ The guidance also points out that quarries often therefore continue to operate for ‘a very long period.’ It is therefore considered that there is a continuing need for the mineral and for which the principle has already been established and accepted.

**Quarry Reserve**

7.13 The extension area approved in 2007 provided for around 120,000 tonnes of useable reserve. There has been very little extracted from the quarry over the last 10 years and it is estimated there is a reserve of around 110,000 tonnes still remain in the quarry for extraction. It is estimated that 50% would be used for building stone and the remainder would be used as either crushed or uncrushed aggregate.

**Landscape and Visual Impact**

7.14 Snow Hill No. 1 quarry is located in Cumbria Landscape Classification type 12b Rolling Fringe. The landscape consists of undulating topography, large fields of improved pasture, sparse tree cover with stream and rivers running through. The sub type is dominated by Carboniferous limestone overlain by glacial till. The landscape mainly comprises of large scale, rolling or undulating topography at altitudes of 150m-300m AOD.

7.15 Snow Hill No. 1 quarry is an existing operation which has been operating since the early 1990’s. The quarry is located on the hillside overlooking Caldbeck Common which forms part of the Lake District National Park. As part of the original planning permission a landscaping scheme was required to protect operations within the quarry from impacting on the character and appearance of the National Park. The scheme involved an avenue of trees from the farmstead along the access track and around the southern boundary of the quarry operations.

7.16 Visual impacts from the operations would mainly be HGVs travelling to and from the quarry to the highway. These impacts would be intermittent due to the restrictions on the number of HGVs permitted to leave the site and the presence of tree screening. These visual impacts are considered to be negligible when seen from the Lake District National Park. The development is therefore considered to comply with CMWLDF Policy DC12 Landscape and Allerdale Local Plan Part 1: Strategic and Development Management Policies 2014-2029 (ALP Part 1) - adopted July 2014 Policy S33 – Landscape.

**Highways and Transportation**

7.17 Snow Hill Quarries are located in a remote rural part of north Cumbria. Access to the quarries is via B5299 which connects onto the strategic road network of the A595 at Mealsgate and the B5305 at Sedbergham.

7.18 There is currently a condition which restricts the number of HGVs which leave Snow Hill No. 1 and No. 2 to 20 (40 movements) on a weekday and 10 (20 movements) on Saturdays with no working Sundays or Bank/Public holidays. It is proposed that this condition be retained to control HGV movements from the
quarry. Over a 12 hour operational day this would equate to 1.6 HGVs per hour.

7.19 Snow Hill No. 1 is accessed from the B5299 along an unmade track of approximately 590m. The applicant owns from the fell wall up to the quarries. However, the first 95m is in third party ownership (Caldbeck Commoners) which the applicant has a right of access over to the farm and the quarries. The applicant does not own or have a right to alter this section of access track; a Traffic Management Plan is proposed to ensure that any debris from this section of access track does not impact on the public highway and which could be controlled by condition.

7.20 Concern has been raised by Caldbeck Parish Council with regards to HGVs accessing the villages of Caldbeck and Hesketh Newmarket. A condition imposed on planning permission 2/14/9007 restricted HGVs from entering the villages. It is proposed to retain this condition to protect the amenities of residents of Caldbeck and Hesketh Newmarket.

7.21 CCC Highway Authority has raised no objection to the proposed development subject to a 10m section of the access track being appropriately surfaced to prevent loose material being deposited onto the county highway. As stated above, the section of the access track which adjoins the County highway is not in the ownership of the applicant. It is therefore proposed that a traffic management plan is put in place to ensure debris from this section of track does not impact on the amenities of users of the highway.

7.22 The development is considered to comply with Policy DC1 of the CMWLDF as the working of the quarry provides a valuable mineral resource unique to the area and which is used in the locale.

**Working Depth**

7.23 The time extension would see the quarry being worked as the previously approved scheme considered under 2/07/9006 approved 31 May 2007, which allowed a working depth of 264m AOD. There is no proposal to revise the approved scheme of working.

7.24 The Environment Agency has raised objection to the proposed development over the working depth of the quarry and requested further details of the maximum depth of excavation in metres above Ordnance Datum to ensure the depth of the quarry does not exceed the maximum permitted depth of excavation. The borehole log from the borehole that was drilled in 2014 to demonstrate the level of the water table at the site has also been requested. The details requested have been provided by the applicant and forwarded to the Environment Agency. Any further comments will be reported to the Committee.

7.25 Planning permission was granted in 2007 (Planning ref: 2/07/9006) to allow a working depth of 264m AOD. It is not proposed to amend the working depth. There has been no material change in circumstances since planning permission was previously granted. A condition is proposed requiring the quarrying operations to be carried out in accordance with the approved drawings and which restrict the depth of the quarry to 264 AOD. The borehole log does not identify the water table which is therefore assumed to be deeper than the permitted depth of extraction. It is therefore considered that the quarry would not have any adverse effect on the water table and is acceptable for the purposes of Policy DC14 of the CMWLDF.
Environmental Considerations

7.26 Noise: Noise would occur during quarrying operations from blasting and working of machinery within the quarry void. The direction of the wind would also play a part in noise travelling from activities within the quarry. The nearest properties to Snow Hill Quarry are Thistlebottom Farm 815m east and Snow Hill Cottage 570m south west. The control of activities within the quarry which generate noise could be controlled by conditions. Subject to such conditions, the development is considered to comply with Policy DC2 of the CMWLDF.

7.27 Dust: Dust could arise during dry and windy conditions. Snow Hill No. 1 quarry is a remote quarry located approximately 440m in a direct line from a highway (690m along access track). Controlling of dust from activities within the quarry could be achieved by a water suppression system. Dust may also occur from HGVs transporting minerals from the site. The control of dust from the site and from HGVs could be controlled by conditions. Subject to such conditions the development is considered to comply with Policy DC2 of the CMWLDF.

7.28 Vibration: Vibration could occur during quarrying activities relating to blasting and the breaking of rock. The nearest properties are 570m and 815m from the working of the quarry. There have been no complaints received with regards to vibration from activities in the quarry to date. The control of vibration from the activities could be controlled by condition. Subject to such a condition it is considered the proposed development would comply with Policy DC2 of the CMWLDF.

7.29 Ecological Impact: Snow Hill No. 1 quarry occupies a rural location close to the boundary of the Lake District National Park. The application site is not located close to any protected European Site. The nearest protected site is Lake District High Fells approximately 1.7km south and Overwater Site of Special Scientific Interest 4 km south west of the application site. Snow Hill No. 1 has no ecological significance. However trees have been planted as part of previous planning application to help screen the site from the Lake District National Park. This has provided a foraging area for bats and birds. Natural England has been consulted on the proposal and raised no objection. The development is considered to comply with Policy DC10 of the CMWLDF.

Other Considerations

7.30 Hours of Operations: The site currently has permission to operate between the hours of 07.00 to 19.00 Monday to Friday and 07.00 to 13.00 on Saturdays with no working Sundays or Bank/Public Holidays. It is proposed that these hours be retained and could be controlled by condition.

7.31 Impacts on the Amenities of Local Residents: The nearest residential property to Snow Hill No. 1 is Snow Hill Cottage 570m south west of the quarry. The property is protected from views from the quarry due to the orientation of the landscape and tree clusters. Any impacts of noise and dust would be controlled by conditions ensuring the amenities of the property are protected.

7.32 Impact on HGVs on the local highway network: The B5299 forms part of the strategic highway network for Cumbria. The restriction on the number of HGV’s using the site would equate to 1.6 per hour over 12 hour working day. Which is minimal in terms of overall traffic impacts. Concern has been raised by Caldbeck Parish Council with regards to HGV’s avoiding the villages of Caldbeck and
Hesketh Newmarket. A condition was previously imposed restricting HGVs from entering the villages. It is proposed to retain this condition to protect the amenities of residents of Caldbeck and Hesketh Newmarket.

7.33 Impacts on views from the Lake District National Park: Snow Hill No. 1 quarry is located approximately 370m north of the boundary with the Lake District National Park. Whilst the quarry can be seen from the boundary of the Lake District National Park a cluster of trees screen the operations from views from the National Park. It is therefore considered there would be no unacceptable visual impact when seen from the National Park.

**Human Rights**

7.34 The Human Rights Act 1998 requires the County Council to take into consideration the rights of the public under the European Convention on Human Rights. Article 8 of the Convention provides that everyone has the right to respect for his private life and home save for interference which is in accordance with the law and necessary in a democratic society in the interests of, amongst other things, public safety, the economic wellbeing of the country or the protection of the rights and freedoms of others. Article 1 of Protocol 1 provides that an individual’s peaceful enjoyment of his property shall not be interfered with save as necessary in the public interest and subject to conditions provided for by law. For any interference with these rights to be justified the interference needs to be proportionate to the aims that are sought to be realised. The County Council has a duty to consider the policies of the development plan and to protect the amenities of residents as set out in those policies.

7.35 The proposal would have a limited impact on the visual, residential and environmental amenity of the area but it is considered that those impacts would be insufficient to interfere with the rights of the applicant and satisfactory controls could be imposed on the proposed development to protect the amenities of the most affected residents. The impacts on the rights of local property owners to a private and family life and peaceful enjoyment of their possessions (Article 8 and Article 1 of Protocol 1) would be minimal and proportionate to the wider social and economic interests of the community and could be satisfactorily controlled by planning conditions.

8.0 **CONCLUSION**

8.1 The operations at Snow Hill No1 Quarry were put on hold by the landowner to address other matters associated with Storm Desmond which damaged other business interests. The principle and acceptability of quarrying operations has previously been established. The reserve available in the quarry remains at around 110,000 tonnes thereby the operations of the quarry are limited.

8.2 The continuation of supplying a significant mineral to the local area provides a much needed source which is required in local building/construction programmes.

8.3 The proposed continuation of operations at Snow Hill No. 1 quarry accords with Local and National planning policy in that there is a need for the mineral that would continue to supply the local economy. Matters relating to transport, landscape and visual amenity and environmental impacts can be controlled by condition and subject to such are considered to comply with the policies of the development plan.
8.4 In summary, it is considered that the proposed development is in accordance with the development plan, there are no material considerations that indicate the decision should be made otherwise and with the planning conditions proposed, any potential harm would reasonably be mitigated. Furthermore, any potential harm to interests of acknowledged importance is likely to be negligible and would be outweighed by the benefits of the development. It is therefore recommended that planning permission be granted subject to conditions.

Dominic Donnini
Corporate Director Economy and Highways

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Background Papers: Planning Application File Reference No. 2/17/9005 2/14/9007, 2/07/9006, 2/06/9023, 2/02/9006, 2/96/9010, 2/91/0042

Electoral Division Identification: Thursby - Mr DS Fairbairn
PROPOSED PLANNING CONDITIONS

Time Limit for Implementation of Permission

1. This permission shall be for a limited period only expiring on 31 May 2022, by which date the operations hereby permitted shall have ceased, all buildings, plant and machinery including foundations and hardstanding shall have been removed from site and the site shall have been restored in accordance with the approved scheme.

Reason: To secure the proper restoration of the site following the approved period for this temporary development, in accordance with Policy DC16 of the Cumbria Minerals and Waste Development Framework (2009).

Approved Scheme

2. The development hereby permitted shall be carried out, except where modified by the conditions to this permission, in accordance with the following:

   a. The submitted Application Form – dated 6 March 2017
   b. Planning Statement dated 2017
   c. Executive Summary
   d. Plans numbered and named:
      i) Site plan
      ii) Location plan
      iii) Extraction phase – SNF.03B
      iv) Final restoration – SNF.04B
      v) Development : Sections – SNF.05
   e. The details or schemes approved in accordance with the conditions attached to this permission.

Reason: To ensure the development is carried out to an approved appropriate standard and to avoid confusion as to what comprises the approved scheme.

APPROVED OPERATIONS PROGRAMME

3. The development shall be carried out strictly in accordance with the approved documents, hereinafter referred to as the approved scheme.

Reason: To ensure that the site is worked and restored in accordance with the approved scheme.

4. In the event that mineral working permanently ceases prior to the full implementation of the approved scheme, a revised scheme, to include details of the restoration, aftercare and timescale for the completion of the restoration works, shall be submitted for approval to the Mineral Planning Authority within 3 months of the cessation of working. Such a revised approved scheme shall thereafter be fully implemented.
Reason: To secure the proper restoration of the site in the event that operations cease prior to the full implementation of the scheme, in accordance with Policy DC16 of the Cumbria Minerals and Waste Development Framework (2009).

5. Notwithstanding the provisions of the Town and Country Planning (General Permitted Development) Order 1995 (or any other order revoking and re-enacting that Order), planning permission shall be sought and obtained from the Mineral Planning Authority, before any buildings, structures or erections, plant or machinery (other than those permitted by this permission) are erected on the site or on any ancillary mining land.

Reason: To maintain control over additional built development upon the site in the interests of amenity.

6. The operator shall keep a record of details of the total annual sales of minerals sold from the site. These records for the preceding year shall be submitted to the Mineral Planning Authority by 31 January each year.

Reason: To allow for the monitoring of the output limit.

7. Any crushing or screening plant used in connection with the sale and processing of quarry waste shall be of a mobile nature and shall be located entirely within the quarry void.


8. Any minerals intended for sale or other disposal outside the site shall be stocked either within the quarry void or within the curtilage of the existing barns at Snowhill Farm. The stockpiles shall not be visible outside the site.


**HOURS OF OPERATION**

9. No operations, including the winning and working of minerals, the loading or transportation of minerals or operation of quarry plant, shall take place on the site outside the hours:

   07.00 to 19.00 hours Mondays to Fridays
   07.00 to 13.00 hours on Saturdays.

No operations including the winning and working of minerals, the loading or transportation of minerals or operation of quarry plant, shall take place on the site on Sundays or on Bank or Public Holidays.

This condition shall not operate so as to prevent the use of pumping equipment and the carrying out, outside these hours, of essential maintenance to plant and machinery used on site.
Reason: To ensure that no operations hereby permitted take place outside normal working hours which would lead to an unacceptable impact upon the amenity of local residents, Policy DC16 of the Cumbria Minerals and Waste Development Framework (2009).

10. Screening, crushing and blasting shall only take place between the hours of 09.00 hours and 17.00 hours Monday to Friday. There shall be no crushing or screening on Saturdays or Bank/Public Holidays.

Reason: To safeguard the amenity of local residents by ensuring that the noise generated by the operation is minimised and so does not constitute a nuisance outside the boundaries of the site, in accordance Policy DC3 of the Cumbria Minerals and Waste Development Framework (2009).

ACCESS AND TRAFFIC

11. There shall be no vehicular access to or egress from the site other than via the approved access.

Reason: To avoid vehicles entering or leaving the site by an unsatisfactory route.

12. The total number of laden heavy goods vehicles from Snowhill No. 1 and No. 2 Quarries shall not exceed 20 on any weekday and 10 on Saturdays. A record of all laden heavy goods vehicles and private vehicles leaving the site each day for a period of 12 months throughout the life of the operations shall be maintained by the operator and a made available for inspection to the Mineral Planning Authority during permitted working hours on request.

Reason: To keep to acceptable levels the impact of lorry traffic on the amenity of local residents and other road users, in accordance with Policy DC1 of the Cumbria Minerals and Waste Development Framework (2009).

13. No HGV leaving the site shall enter the public highway unless it is in a condition that will not cause mud or other debris to be deposited on the public highway.

Reason: To ensure that no material is deposited on the public highway in the interests of highway safety and local amenity, in accordance with Policy DC1 and DC3 of the Cumbria Minerals and Waste Development Framework (2009).

14. Within 3 months of the date of this permission a Traffic Management Scheme shall be submitted to and approved in writing by the Mineral Planning Authority. This must include measures for the protection of the highway verges; routing details; drivers manual; communication between HGV drivers on the highway; measures for cleaning HGV’s before entering the highway; measures to ensure the junction of the site with the B5299 remains free of debris as all times.

The approved Traffic Management Scheme shall be implemented in full.

Reason: In order to protect the safety of vehicular, animal and pedestrian traffic along the highway.
15. No HGVs accessing or leaving Snow Hill Quarry No.1 and No.2 shall travel through the villages of Caldbeck or Hesket Newmarket.

*Reason: In order to protect the safety of vehicular, animal and pedestrian traffic along the highway.*

**CONTROL OF NOISE AND DUST AND VIBRATION**

16. All plant, machinery and vehicles used on site shall be effectively silenced at all times in accordance with the manufacturers’ recommendations.

*Reason: To safeguard the amenity of local residents by ensuring that the noise generated by the operation is minimised and so does not constitute a nuisance outside the boundaries of the site, in accordance Policy DC3 of the Cumbria Minerals and Waste Development Framework (2009).*

17. All vehicles used to transport mineral from the site onto the public highway shall be sheeted so as not to deposit any mineral upon the highway.

*Reason: To ensure that material is not released into the air or deposited upon the public highway in the interests of highway safety and local amenity, in accordance with Policies DC1 and DC3 of the Cumbria Minerals and Waste Development Framework (2009).*

18. Ground vibration as a result of blasting operations shall not exceed a peak particle velocity of 6 mm/sec in 95% of all blasts measured over any period of six months and no individual blast shall exceed a peak particle velocity of 12mm/sec as measured at vibration sensitive buildings. The measurement to be the maximum of three mutually perpendicular directions taken at the ground surface.

*Reason: To enable the Local Planning Authority to retain control over blasting at the site.*

**WORKING DEPTH OF THE QUARRY**

19. No winning or working of mineral shall take place below 264m AOD in accordance with Drawing SNF.05 dated Feb 2007.

*Reason: To ensure the site is worked in accordance with the approved working scheme.*

**SAFEGUARDING OF WATERCOURSES AND DRAINAGE**

20. 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 bunded compound shall be at least equivalent to the capacity of the tank plus 10%. If there is multiple tankage, the compound shall be at least equivalent to the capacity of the largest tank, or the combined capacity of the interconnected tanks, plus 10%. All filling points, vents, gauges and site glasses must be located within the bund. 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 overflow pipe outlets shall be discharged downwards into the bund.
**ARCHAEOLOGY**

21. No development shall commence within the site until the applicant has secured the implementation of a programme of archaeological work in accordance with a written scheme of investigation which has been submitted by the applicant and approved by the Mineral Planning Authority.

This written scheme will include the following components:

i) An archaeological evaluation to be undertaken in accordance with the agreed written scheme of investigation;

ii) An archaeological recording programme the scope of which will be dependant upon the results of the evaluation and will be in accordance with the agreed written scheme of investigation;

iii) Where appropriate, a post-excavation assessment and analysis, preparation of a site archive ready for deposition at a store approved by the Planning Authority, completion of an archive report, and publication of the results in a suitable journal.

**Reason:** To afford reasonable opportunity for an examination to be made to determine the existence of any remains of archaeological interest within the site and for the preservation, examination or recording of such remains.

**STRIPPING, STORAGE AND USE OF SOILS AND OVERBURDEN**

22. All available topsoil and subsoil shall be separately stripped from any part of the site before it is excavated or traversed by heavy vehicles or machinery (except for the purposes of stripping that part or stacking topsoil on that part) and shall be stacked in a location to be agreed with the Mineral Planning Authority, prior to the commencement of any soil stripping operations.

**Reason:** To ensure that all the topsoil and subsoil is separately removed from the site prior to the commencement of excavations and to prevent any avoidable damage to the structure of the soils in accordance with Policy DC15 of the Cumbria Minerals and Waste Development Framework (2009).

23. The stripping, movement and resspreading of soils shall be restricted to occasions when the soil is in a suitable dry and friable condition and the ground is sufficiently dry to allow the passage of heavy vehicles and machinery over it without damage to the soils and the topsoil can be separated from the subsoil without difficulty.

**Reason:** To prevent any avoidable damage to the structure of the soils.

24. Each phase of every soil storage mound and screening mound shall be sown down to grass in the first available sowing season after their construction.

**Reason:** To reduce the washing away of soils in the interests of pollution control and in the interests of visual amenity, in accordance with Policy DC15 of the
25. All topsoil and subsoil shall be retained on the site and none shall be sold off or removed from the site. 

Reason: To ensure that all the available topsoil and subsoil are kept for use in the restoration of the site, in accordance with Policy DC15 of the Cumbria Minerals and Waste Development Framework (2009).

CONTROL OF WEEDS

26. All non-cropped areas of the site and all topsoil, subsoil and overburden stacks shall be kept free from noxious agricultural weeds and all necessary steps shall be taken to destroy such weeds at early stages of growth to prevent seeding.

Reason: To properly manage the site and to prevent the spread of weeds onto adjacent land.

RESTORATION

27. A detailed scheme for the revised restoration of the site shall be submitted for the approval in writing by the Mineral Planning Authority by 31 October 2017. The approved restoration scheme shall thereafter be implemented in full.

Reason: To reserve for future agreement the final restoration details for the site and to secure its proper restoration on completion of quarrying operations, in accordance with Policy DC16 of the Cumbria Minerals and Waste Development Framework (2009).

AFTERCARE

28. The site shall be subject to the requirements of an aftercare scheme under the provisions of Section 72(5) of the Town and Country Planning Act 1990. The scheme shall be submitted for the approval of the Mineral Planning Authority by 31 October 2020. The aftercare scheme requirements shall be carried out for a period of five years from the completion of restoration as certified in writing by the Mineral Planning Authority.

Reason: To secure the proper aftercare of the restored land and to allow its return to as high a quality as possible, in accordance with Policy DC16 of the Cumbria Minerals and Waste Development Framework (2009).

29. At least once each year during the aftercare period there shall be a formal review, under the provisions of Section 72(5) of the Town and Country Planning Act 1990, to consider the operations which have taken place on each restored phase and to agree a programme of management for the coming year which shall be adhered to by the operator. At least two weeks before the date of each review, the operator shall provide the Mineral Planning Authority with a record of the management and operations carried out on each phase during the period covered by the review and a proposed programme of management for the coming year.
**Reason:** To secure the proper aftercare of the restored land and to allow its return to as high a quality as possible, in accordance with Policy DC16 of the Cumbria Minerals and Waste Development Framework (2009).

30. From the commencement of the development to its completion a copy of this permission, including the approved documents and other documents subsequently approved in accordance with this permission, shall always be available on site for inspection during normal working hours. Their existence shall be made known to all operatives likely to be affected by matters covered by them.

**Reason:** To ensure all operators are aware of the approved scheme and the conditions attached to the permission.