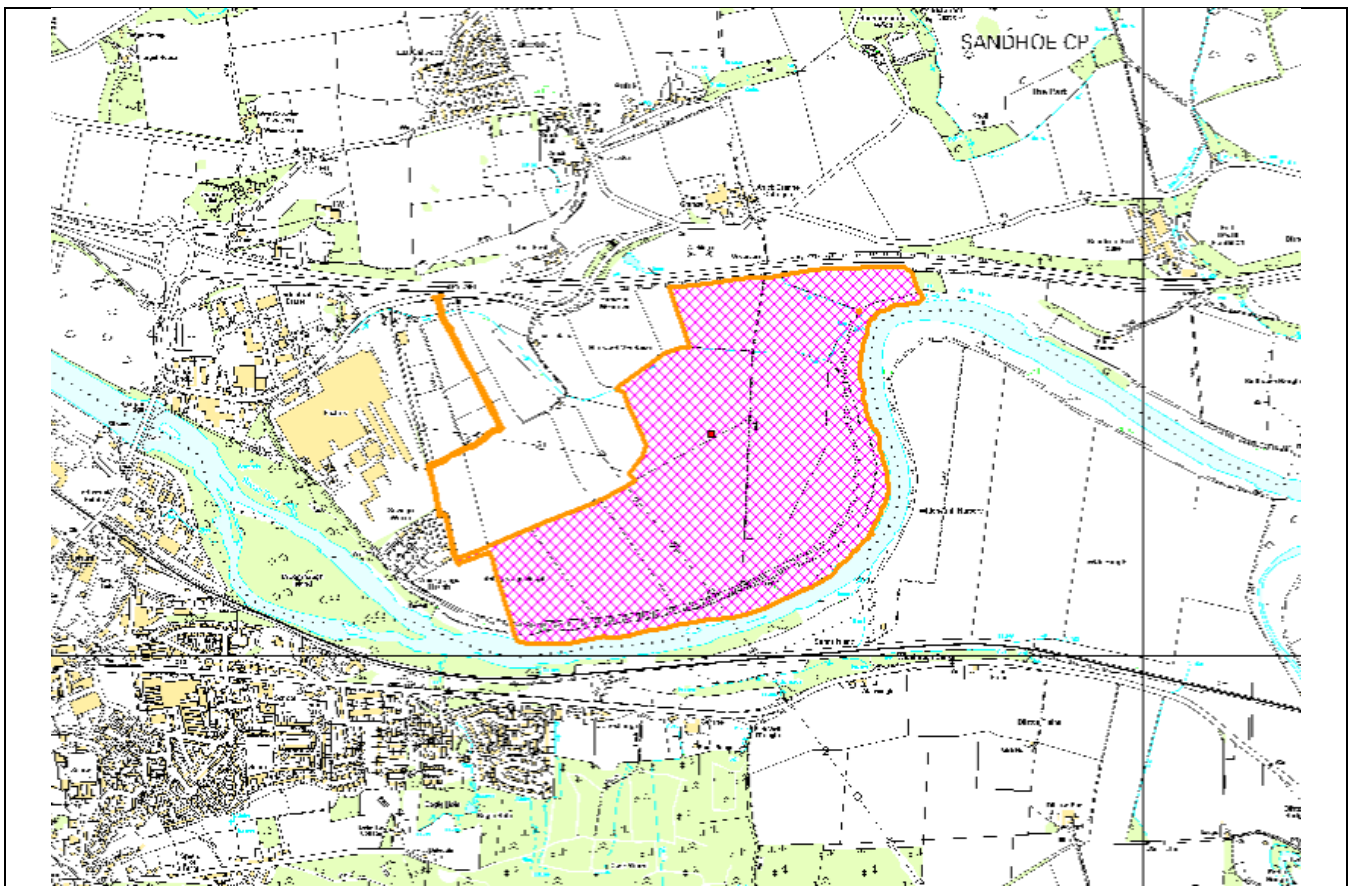




# Northumberland County Council

## Strategic Planning Committee, 6 December 2022

<b>Application No:</b>	21/02505/CCMEIA		
<b>Proposal:</b>	Extraction and processing of 5.8 million tonnes of sand and gravel and the phased restoration of the site to a lake and associated wetlands		
<b>Site Address:</b>	Land North East of Anick Grange Haugh, Anick Road, Hexham		
<b>Applicant:</b>	Mr Ryan Molloy Thompsons of Prudhoe Princess Way Prudhoe Northumberland NE42 6PL	<b>Agent:</b>	Mrs Katie Wood R & K Wood Planning LLP 1 Meadowfield Court Ponteland Newcastle upon Tyne NE20 9SD
<b>Ward:</b>	Corbridge	<b>Parish:</b>	Sandhoe
<b>Valid Date:</b>	25 June 2021	<b>Expiry Date:</b>	2 November 2022
<b>Case Officer Details:</b>	Name: Mr Kevin Tipple Job Title: Senior Planning Officer Email: kevin.tipple@northumberland.gov.uk		



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**Recommendation:** That this application be GRANTED permission

## **1. Introduction**

- 1.1 This application is being referred to the Strategic Planning Committee in accordance with the County Council's scheme of delegation as it is a major minerals application. This planning application was reported to the Strategic Planning Committee on 1 November 2022 and an updated report is now provided which includes some clarifications on how the different elements of the proposed development have been assessed against Green Belt policy in the NPPF and Northumberland Local Plan.
- 1.2 By virtue of its scale, it is subject to Environmental Impact Assessment regulations and was accompanied by an Environmental Statement (ES). This report has taken into account the information contained in the Environmental Statement, additional environmental information and that arising from statutory consultations and other responses.

## **2. Description of the Proposal**

- 2.1 Planning permission is sought for the extraction and processing of 5.8 million tonnes of sand and gravel and the phased restoration of the site to a lake and associated wetlands on land at Anick Grange Haugh, Anick Road, Hexham.

### The Site

- 2.1 The site is located on the eastern edge of Hexham between the A69 and the River Tyne on haugh land on the inside meander of the river. To the immediate west of the site lies the Egger chipboard factory, a major employer in the town of Hexham. The site is also adjacent to an anaerobic digester (operated by Codlaw Renewables) and the Hexham sewage treatment works (operated by Northumbrian Water). The site is largely made up of arable fields divided by hedgerows. At the southern edge of the site is a flood embankment currently maintained by the Environment Agency. The earth bund which forms the embankment is approximately 2 metres in height and grassed over. There is currently no public right of way along the riverbank or along the flood embankment.
- 2.2 The total site area is 79.2 hectares and the extraction operations would be located within the extraction area that covers 33.8 hectares of the site.
- 2.3 To the north of the site is the C242 Anick Road/Ferry Road which runs from Corbridge to the junction with the A6079 west of the Bridge End Industrial Estate. An on-road section of the Hadrian's Cycleway uses this section of the C242. The nearest public rights of way run northwards from Anick Grange to Anick (Footpath 540/004) and southwards from Anick to the A69 (Footpath 540/006).
- 2.4 The nearest residential properties (excluding the access road) are:
- Anick View Estate – around 205 metres south of the operational site
  - The Timbers – around 515 metres north of the operational site (and around 200 metres east of access road)
  - Oaklands Care Facility, Anick Road – around 770 metres north-west of site (and 240 metres west of the access road)

- 2.5 Beyond the A69, to the north of the site, is Anick Bank Foot Farm, Anick Grange Farm and Cottages and the settlements of Anick and Oakwood. To the south of the River Tyne some of the residential areas within Hexham associated with Hexham extend to the south and east of Anick View.
- 2.6 Also to the north of the application site is an area of land of approximately 10 hectares which is allocated for employment related land uses in the Northumberland Local Plan.

### Proposed Development

- 2.7 The proposed development is for a new sand and gravel extraction site involving the extraction of 5.8 million tonnes of sand and gravel over a 25-year period with restoration completed 2 years after extraction has finished. It is estimated that approximately 200,000 to 300,000 tonnes of mineral would be extracted from the site each year. A site compound area would also be created and would include a small office, weighbridge, welfare facilities, vehicle parking and an area to process and store the extracted mineral prior to it being exported from the site.

### *Proposed scheme of working*

- 2.8 The site would be worked in a phased manner, moving from west to east across the site. There would be 5 main phases with each phase containing approximately 5 years' supply of sand and gravel. This would be preceded by initial set-up works to prepare the site for mineral extraction and processing.
- 2.9 The initial site set up works would include the construction of an access road into the proposed site compound area from the existing concrete track serving the anaerobic digestion plant and the sewage treatment works, the creation of the site compound area, and excavating the ground to create the groundwater lagoon.
- 2.10 The topsoil, subsoil and any necessary overburden would be stripped from the area of the proposed compound and would either be used to improve the quality of the field to the north east of the site, put into short-term storage in a bund in this field or removed from the site.
- 2.11 Within the compound area the area where the processing and storage of the mineral there would have a permeable compacted hardcore surface. The access road into the compound and the area around the weighbridge and site offices would be surfaced with an impermeable concrete surface. A grasscrete surface would be used for the car parking area. A wheelwash would be located to the west of the compound along the access road.
- 2.12 A flood alleviation bund, up to 2 metres in height would be constructed to the north and north east of the compound area using cohesive materials. Other works that would take place during the initial site set-up phase would include:
- Gapping up of existing hedgerows within the boundary of the area covered by the planning application;
  - Creation of a Skylark plot in the first available season;
  - Planting along the northern boundary of the site compound; and
  - Planting along the flood alleviation bund.

- 2.13 During the initial site set-up period, some sand and gravel would be excavated from the site of the compound area, and the groundwater lagoon. This sand and gravel would be exported from the site and processed off-site.
- 2.14 The off-site highways works would be completed during this site set-up period.
- 2.15 Following the initial site set-up works, the extraction of sand and gravel would commence in Phase 1. When the soils are in a dry and friable condition, they would be stripped from an area where extraction would take place in the coming year. Further soil stripping to expose the subsoil or underlying mineral would take place on an annual basis when conditions are appropriate for soil stripping to open up a new area where extraction would take place in that coming year. In addition, a further area of top soil will be stripped to expose the sub soils and this will then be seeded with a bird or wild flower mix. This phased approach to soil stripping and extraction is intended to minimise the operational area of quarry and would continue in this way on an annual or bi-annual basis. The overall footprint of Phases 1 and 2 are larger than Phases 3 to 5 as the sand and gravel reserve deepens from west to east across the proposed site.
- 2.16 Following the completion of mineral extraction within an area, restoration would start immediately. This would include the creation of a reduced 1:5 slope along the edge of the excavation that leads into the shallows and wider lake area. It would also include the creation of steep banks to the north of the lake in order to create alternative habitats. Phase 1 would be restored as the mineral extraction moves into Phase 2 in the extraction area. The extraction of the mineral and the restoration works would then continue through the individual phases.
- 2.17 Extraction operations would require 1 long reach excavator, 1 35 tonne dump truck to transport the extracted mineral from the extraction area to the processing area within the site compound and 1 wheel loader to be used within the processing area. Within the site compound area, an aggregate washing system with water treatment system would be located to crush, wash and screen the extracted aggregate. During periods when soil stripping is taking place, 1 standard reach excavator, 2 dump trucks and 1 dozer would be additionally used on site.
- 2.18 Electricity pylons run in a north/south direction through Phase 2 of the site. The infrastructure and lines would have to be relocated under the existing wayleave arrangements with the network operator.

#### *Soil stripping and storage*

- 2.19 Top soil would be removed from the site as it is not required for the proposed restoration of the site. It is proposed that a proportion of it would be moved to the field in the north east corner of the site where it would be used to improve the soil resource in that field. There would also be a top soil storage mound in this field. The remaining soil would be removed from the site and sold commercially.

- 2.20 Prior to any extraction works commencing in each phase of the proposed site, the top and sub-soils will be stripped from the working areas and either retained on Site to be used or stored in areas to the north-east of the Site or removed from the Site for sale. It is estimated that there is a depth of 300mm of topsoil and a depth of 700mm of subsoil across the site.

#### *Working Hours*

- 2.21 The proposed hours for excavation operations and the use of the processing plant would be as follows:
- Monday to Friday – 0730 to 1800
  - Saturday – 0730 to 1300
  - Sundays and Public or Bank Holidays – No working

- 2.22 The proposed hours when vehicles would leave the site are different to the proposed working hours for the extraction and processing operations. An earlier start time of 7am is proposed to allow vehicles to be loaded with sand and gravel and leave the site in time to arrive at a construction site at the beginning of the working day. The proposed hours for vehicles entering and leaving the site would be as follows:
- Monday to Friday – 0700 to 1800
  - Saturday – 0700 to 1300

#### *Traffic and Access*

- 2.23 Vehicles would access the proposed site from the C242 Anick Road / Ferry Road using the existing junction and the single-track concrete road to the west of the site. This access track runs along the eastern side of the Egger plant and gives access to the adjacent farmland, Hexham Sewage Treatment Works (operated by Northumbrian Water) and the anaerobic digestion plant (operated by Codlaw Renewables). This track would give access to the north-west corner of the proposed site adjacent to the existing anaerobic digestion plant where the site compound would be created.
- 2.24 The mineral would be exported from the site by heavy goods vehicles (HGVs) with an average 20 tonne payload. It is proposed that the average and maximum number of vehicle movements a day would be as follows:
- Monday to Friday – An average of 50 loaded HGVs to leave the site each day (100 in and out movements) with a maximum of 70 loaded HGVs leaving the site each day (140 in and out movements)
  - Saturday - An average of 25 loaded HGVs to leave the site each day (50 in and out movements) with a maximum of 35 loaded HGVs leaving the site.
- 2.25 Off-site highways works to the C242 road are additionally proposed. These off-site highways works would involve increasing the width of the C242 between the site access for Egger and the proposed access point to the proposed development to allow HGVs to more easily pass within the carriageway. This stretch of carriageway measures 420 metres in length and would be widened to 6.7 metres with a minimum 0.6 metres verge or hard strip where the existing stone wall to the south will be relocated and rebuilt. A new footpath link from the existing Egger car park to the west, through to the entrance of Oaklands site entrance is also proposed. As part of the works, a

number of trees growing immediately adjacent the carriageway or within close vicinity would be removed.

### *Restoration*

- 2.26 It is proposed that the site would be restored progressively as extraction is completed in each part of the site. The restoration of the extraction area would be to a large waterbody that has been designed to create a wildlife habitat to attract a variety of wetland birds. Shallow and steep margins would be created around the perimeter of this waterbody and these would form the basis of a wetland habitat for birds and other wildlife.
- 2.27 A deep lake would be created in the middle of the site following the extraction of sand and gravel. It is proposed that floating islands would be created within the middle of the deep lake by using floating pontoons, constructed from suitable material and attached to the bottom of the lake via chains and concrete blocks. Subsoils and other type materials will be placed onto the floating pontoons in order to provide habitats on these floating pontoons. These islands would be free of land predators and would create nesting areas for birds such as terns.
- 2.28 On the southern side of the lake a shallow shelf would be created with the aim of providing a mosaic of permanently wet and dry areas and ephemeral habitats that would be attractive to a range of wildlife, including wading birds. Dried silts would be used to construct a 1:5 slope profile along the southern edge of the excavation area. The foot of this slope would lead into a shallows area that will be sculpted using an excavator to create an undulating landform and wet areas. Silt and sub soils from the workings would be placed in this area to create permanently dry areas of land. Areas will be sown with a diverse grassland mix and managed to maintain short, open grassland suitable for wading birds. Some areas would be excavated down to a deeper level to create small permanent waterbodies. In addition, a dry ditch with steep sides will be created in between the excavation area and access track to the south. This would be left to revegetate naturally but it would also be planted with hawthorn and other prickly shrubs.
- 2.29 On the northern side of the lake a steep bank, with some shallow areas to the bottom of them, will be created through the excavations. This steep bank would be south facing and would provide opportunities to create good habitats for birds that roost and nest in sandbanks particularly kingfisher and sand martin. A 'lane' will be created to the northern perimeter of the site based around the vehicular access track around the lake. This will be created gradually as the excavations proceed across the Site. In Phase 1 and 2, this lane will be defined along its northern boundary by the small bund that is required for flood purposes. It will then continue along the northern boundary of the Site and be based around a hedgerow bank. A second hedgerow bank will be created to the south of this to create the lane; this will be constructed in each phase as working finish in that phase.
- 2.30 The groundwater lagoon to the south of the site compound area would have its edges graded and would then be planted to create a reed bed habitat.

- 2.31 Following the completion of all works at the site, there would be public access around the lake which would follow the site access track. A small car park would be created on the site of the proposed site compound.

#### *Aftercare*

- 2.32 Following the final extraction of sand and gravel and final shaping of the water body the site would enter a five year aftercare period. During this period the site operator would annually submit an aftercare report summarising progress at the site. The report and the works proposed would be discussed at an annual aftercare meeting attended by the Minerals Planning Authority and other relevant stakeholders. Such requirements would be secured through conditions. Following restoration beyond the aftercare period a legal agreement under Section 39 of the Wildlife and Countryside Act would provide management plans for the various features and character areas of the site, protecting it from inappropriate development.

#### *Employment*

- 2.33 The site would employ 10 people at the quarry and would support 2 jobs at the headquarters of Thompsons of Prudhoe in Prudhoe. There would also be indirect support for jobs in the supply chain and the wider company.

### **3. Constraints**

- Green Belt
- Flood Zone 2
- Flood Zone 3
- Main River – 20 metre buffer
- Grade 2 Best and Most Versatile land
- SSSI Impact Risk Zone
- Trunk Road – 20 metre buffer

### **4. Supporting Information**

- 4.1 The Environmental Statement (June 2021) and Environmental Statement Addendum (April 2022) considers the following effects:
- Socio economic
  - Landscape and visual impact
  - Ecology
  - Soils and agricultural land quality
  - Archaeology and cultural heritage
  - Water resources
  - Highways and transport
  - Noise
  - Air quality
  - Climate change
  - Hazards
  - Cumulative impact

- 4.2 The aim of Environmental Impact Assessment is to protect the environment by ensuring that the local planning authority when deciding whether to grant planning permission for a project, which is likely to have significant effects on the environment, does so in the full knowledge of the likely significant effects, and takes this, along with the proposed mitigation into account in the determination of the application.

## 5. Relevant Planning History

**Reference Number:** 19/04998/SCOPE

**Description:** Scoping Opinion: extraction of 5.8 million tonnes (3.3 million cubic metres) of sand and gravel over a 25 years period.

**Status:** SCOPE

**Reference Number:** 90/E/476

**Description:** Extraction of sand and gravel and restoration to lake, watersports and recreation on 30.2 hectares

**Status:** Refused on appeal

- 5.1 An application for planning permission to extract of sand and gravel at Anick Grange Haugh was submitted to Northumberland County Council in 1990 and planning permission was refused. The applicant appealed this decision, and a local inquiry was held. The appeal was dismissed by the Secretary of State on 20 August 1992. The reason for refusal was that there was considered to be an adequate supply of sand and gravel in Northumberland and there the need for the mineral did not outweigh or override the loss of Grade 2 agricultural land.
- 5.2 The scheme that was refused permission in 1992 is similar to the scheme that is proposed is this application, but had some differences. The 1992 scheme was smaller in size and included vehicular access along the river bank. It was also for a slightly shorter timescale of 20 years rather than 25 years. The site compound was proposed to the west of the site with an extraction rate that would result in 55 loaded vehicles a day leaving site, which is similar to what is proposed in this planning application.

## 6. Consultee Responses

- 6.1 A summary of the consultee responses is provided below. The full written text is available on our website at:  
<http://publicaccess.northumberland.gov.uk/online-applications//applicationDetails.do?activeTab=summary&keyVal=QV228MQS0GN00>

Sandhoe Parish Council	Fundamentally disagree with the extraction of sand and gravel from the Anick Grange Haugh site and raise the following points: <ul style="list-style-type: none"><li>• Question the need for the volume of sand and gravel it is proposed to extract. No consideration</li></ul>
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	<p>has been given to newer technologies which may change the demand for building materials.</p> <ul style="list-style-type: none"> <li>• Consider there would be no economic benefit to the local area as the sand and gravel is not required for use in the immediate area.</li> <li>• Effect on the local environment, including the loss of Grade 2 agricultural land and flood risk. Consider extensive groundworks in a floodplain should not be considered with climate change accelerating.</li> <li>• Consider the long-term plan of a wildlife haven and pleasure lake to be a distant fantasy when it will take more than a generation to achieve this.</li> <li>• Site would be an eyesore and a deterrent to tourism.</li> <li>• Increased traffic along Ferry Road and resulting impact on road safety, including the safety of cyclists using Ferry Road. There are already safety issues due to a high volume of large agricultural vehicles and heavy goods vehicles from Egger using this road and an additional 70 HGVs would exacerbate the safety issues.</li> </ul>
Hexham Town Council	Strongly object. Concerns raised regarding an increase in heavy traffic at an already overworked junction, noise and pollution, increased risk of polluting the River Tyne, and consider the mineral extraction to be unnecessary when good supplies already exist. There is also concern that sand and gravel for concrete is a carbon pollutant and other building materials such as timber would be an alternative.
Corbridge Parish Council	If planning permission is granted, quarry traffic must not be routed via Corbridge. Trinity Terrace could not cope with any additional vehicles. Other matters concerning the proximate effects of the proposals have been raised by neighbouring residents and Sandhoe Parish Council.
Historic England	No comments.
Tyne Rivers Trust	Considers the data that has been collected is accurate and that the techniques employed are industry standard leading to good robust methods. However, it is important to note that the floodplain is disconnected at this site due to the current artificial separation of the flood embankment. Its future maintenance is unclear and the site has an increased relative elevation due to progressive incision of the riverbed. Tyne Rivers Trust would expect assurances to be provided by the Environment Agency and Lead Local Flood Authority that any change in maintenance over the working period of the site do not compromise safety to sites downstream such as Corbridge or reduced water quality if the river due to contamination from the site at times of flood by overland

	or groundwater connectivity.
Northumbrian Water Limited	<p>No comments. No connections to the public sewerage network are proposed and the application documents indicate that surface water will be managed on site.</p> <p>The application site lies immediately adjacent to Hexham sewage treatment works and this access road is required to be unobstructed and accessible 24 hours a day 7 days a week for operational vehicles to enter the sewage treatment works site.</p>
Public Protection	No objections but recommend the imposition of planning conditions relating to noise, days and time of operation, dust and air quality, artificial lighting, unexpected land contamination, the erection of a site board which details has methods members of public should use to communicate with the operator.
Highways	No objection, subject to the imposition of conditions requiring the submission and approval of a construction method statement and vehicle routing strategy prior to development commencing, implementation of the car and cycle parking facilities prior to the development being brought into use as well as conditions to restrict the number and direction of travel for HGV movements. The proposed access to the development is acceptable and appropriate, and off-site works will be required to be undertaken to widen Anick Road.
Environment Agency	No objection, subject to the imposition of a condition requiring the development to be carried out in accordance with the submitted flood risk assessment and the mitigation measures detailed.
Highways England	No objection, subject to a condition being applied to any granted consent to ensure National Highways' interests with regards to the safe operation of the Strategic Road Network are protected.
Natural England	No objection.
County Ecologist	No objections, subject to planning conditions requiring the development to be carried out in accordance with the Landscape and Ecological Management Plan and Biodiversity Net Gain Assessment. The proposed development may impact on protected or notable species in the absence of avoidance and mitigation measures. Compensation for impacts and enhancement for biodiversity can be delivered as part of the initial set-up and through the site restoration. The Defra Biodiversity Net Gain metric has been used to demonstrate a measurable net gain in biodiversity of 10%+ net gain over the lifetime of the development, and on final completion of site restoration to be maintained for a minimum of 30 years.
County Archaeologist	No objection.
Lead Local Flood Authority (LLFA)	No objection, subject to conditions requiring the development to be carried out in accordance with the

	submitted Flood Risk Assessment, site working and restoration plans, and the submission and approval of a site flood plan.
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## 7. Public Responses

### Neighbour Notification

Number of Neighbours Notified	277
Number of Objections	72
Number of Support	2
Number of General Comments	0

### Notices

- 5.3 Site Notices (EIA) were posted at and around the site on 8 July 2021 and 30 June 2022. A press notice was placed in the Hexham Courant on 8 July 2021 and 30 June 2022.

### Summary of Responses:

- 5.4 71 letters of objection have been received as a result of publicity on this application. The main issues raised by the comments objecting to the proposal can be summarised as follows:
- Need for the mineral and the proposed development:
    - No need for the mineral it is proposed to extract.
    - Current landbank for sand and gravel is over 12 years and therefore in excess of 7 years.
    - Material could be supplied from elsewhere.
    - Surplus of reserves in County Durham and Tyne and Wear.
    - The need calculations do not take into account Covid or Brexit.
    - There are other sites and resources available in the County.
    - Building methods are changing with less concrete being used.
    - Crushed rock, secondary aggregates and recycled aggregates can be used as alternatives to sand and gravel.
    - Criticism of the site selection and appraisal process that informed the allocation in the Local Plan.
    - Similar development rejected on appeal in 1992.
  - Traffic:
    - The road to be used to access the site is a national cycle route and unsuitable for heavy goods vehicles.
    - There will be increased risks to cyclists using Anick Road
    - Conflict with pedestrians using the section of Anick Road that does not have a footway between Oaklands and Beaufront Business Park.
    - Congestion will occur at the A69 and A6079/Ferry Road junctions.
    - The traffic survey that informed the application was carried out during the Covid lockdown is not representative.

- The traffic survey does not take into account summer movements to the Anaerobic Digestion Plant.
  - Access road will be damaged and will need to be resurfaced.
  - The heavy goods vehicles will cause pollution.
  - Transport survey suggests there will be a negative impact on the traffic at the junction and those cars, pedestrians and cyclists that use the route.
- Wildlife:
    - Loss of habitat.
    - No need for wetland habitat.
    - Would show a disregard for our guardianship of the environment.
    - Timescale to see the site turned into a wildlife haven in 25 years time means a lot of current residents would not be around to see it.
- Agricultural land:
    - The site comprises Grade 2 agricultural land which should be protected as it is scarce in Northumberland making up 3% of the County.
    - This application was rejected previously due to the loss of this resource
- Green Belt:
    - The site is in the Green Belt and should not be developed.
    - Loss of openness to the Green Belt caused by fixed and temporary buildings along with a range of associated plant and machinery cannot be justified.
- Landscape:
    - Would result in an irreversible change to the landscape.
    - Will be a blight on a treasured landscape.
    - It will be an eyesore.
    - It will ruin a beautiful section of the Tyne Valley.
    - Will ruin the view from Anick Green.
    - Because it is next to Egger does not automatically mean that an industrious landscape should be allowed to expand.
- Flooding and water environment:
    - Site has a high probability of flooding from the River Tyne, ground and surface waters.
    - LLFA has stated the site should not be used.
    - Castron Quarry has increased flood risk in the River Coquet.
    - Unprecedented flooding events are occurring more often due to climate change.
    - A flood event could cause pollution downstream.
    - Groundwater throughout the site is polluted with heavy metals at concentrations of concern.
    - Not clear that issues raised by EA regarding flood risk have been fully addressed.
    - Development could increase flood risk downstream at Corbridge.

- Would create a reservoir that require compliance with the Reservoirs Act.
- Residential and local amenity:
  - Noise, dust and visual impact will all be issues
  - Noise has been underestimated
  - Will increase noise along river impacting those fishing
  - Do not wish to have views of the quarry
  - Dust will impact on people with respiratory conditions
  - Risk of silicosis
- Climate change:
  - The proposed development does not fit with Northumberland County Council declaring a “climate emergency”.
- Economy and Tourism:
  - Applicant will receive the economic benefits, but the economic negatives will be felt by Hexham and Corbridge.
  - Will reduce the desirability of Hexham and Corbridge as a tourism destination.
  - People will not come to Hexham to look at quarries.
  - Will result in net loss of jobs due to impact on tourism.
- Other:
  - Lack of guarantees the site will be restored in 25 years.
  - Need a fund to guarantee restoration.
  - No benefits to local people.
  - Advantages do not outweigh the disadvantages.
  - Will devalue property East end of Hexham has had more than its fair share of disruption.

5.5 Within the representations objecting to the proposal, reference is made to a petition (hosted on change.org) objecting to this proposed development, but this petition has not formally been submitted to the Council in response to this planning application. The petition was started in 2018 before the submission of the application in 2021. As of 22 November 2022, the petition had collected 4,094 signatures.

5.6 2 letters of support have been received. The main point raised in the first relates to the economic benefit the proposal would bring to Hexham. The second letter of support is from the landowner of a site at Haughton Strother previously operated by the applicant and refers to the success of the restoration at this site and the increase in nature conservation interest it has delivered.

5.7 The above is a summary of the comments. The full written text is available on our website at: <http://publicaccess.northumberland.gov.uk/online-applications//applicationDetails.do?activeTab=summary&keyVal=QV228MQS0GN00>

## 8. Planning Policy

- 8.1 In accordance with Section 38 (6) of the Planning and Compulsory Purchase Act 2004, planning applications should be determined in accordance with the development plan, unless material considerations indicate otherwise. In this case the development plan is the Northumberland Local Plan (NLP) adopted by Northumberland County Council on 31 March 2022. The National Planning Policy Framework (NPPF) (2021) and Planning Practice Guidance (PPG) are material considerations in determining this application.

#### Development Plan Policy

- 8.2 The policies in the Northumberland Local Plan (March 2022) that are relevant to the consideration of the application include the following policies.

- Policy STP 1: Spatial strategy
- Policy STP 2: Presumption in favour of sustainable development
- Policy STP 3: Principles of sustainable development
- Policy STP 4: Climate change mitigation and adaptation
- Policy STP 5: Health and wellbeing
- Policy STP 6: Green infrastructure
- Policy STP 7: Strategic approach to the Green Belt
- Policy STP 8 Development in the Green Belt
- Policy ECN 1: Planning strategy for the economy
- Policy QOP 1: Design principles
- Policy QOP 2: Good design and amenity
- Policy QOP 4: Landscaping and trees
- Policy TRA 1: Promoting sustainable connections
- Policy TRA 2: The effects of development on the transport network
- Policy TRA 3: Improving Northumberland's core road network
- Policy TRA 4: Parking provision in new development
- Policy ENV 1: Approaches to assessing the impact of development on the natural, historic and built environment
- Policy ENV 2: Biodiversity and geodiversity
- Policy ENV 3: Landscape
- Policy ENV 7: Historic environment and heritage assets
- Policy ENV 9: Conservation Areas
- Policy WAT 1: Water quality
- Policy WAT 3: Flooding
- Policy POL 1: Unstable and contaminated land
- Policy POL 2: Pollution and air, soil and water quality
- Policy POL 3: Agricultural land quality
- Policy MIN 1: Environmental criteria for assessing minerals proposals
- Policy MIN 2: Criteria for assessing the benefits of minerals proposals
- Policy MIN 3: Mineral and landfill site restoration, aftercare and after-use
- Policy MIN 7: Aggregate minerals
- Policy MIN 8: Aggregate mineral site allocations - Sand and gravel

#### National Planning Policy and Guidance

- National Planning Policy Framework (NPPF) (2021)
- National Planning Policy Guidance (NPPG) (2014, as updated)

## Other documents

- Northumberland Landscape Character Assessment
- Joint Local Aggregates Assessment for County Durham, Northumberland and Tyne and Wear (updated with 2019 and 2020 data), May 2022.
- North East England Aggregates Working Party. Annual Aggregates Monitoring Report 2020, December 2021
- Historic England. The Setting of Heritage Assets: Historic Environment Good Practice Advice in Planning 3 (Second Edition), December 2017.

## **9. Appraisal**

9.1 Having regard to the requirements of Section 36(6) of the Planning and Compulsory Purchase Act 2004, the relevant development plan policies, relevant guidance and all other material planning consideration, including representations received, it is considered that the main planning issues raised relate to:

- Principle of development
- Green Belt
- Landscape and visual impact
- Impact on residential amenity (noise, dust and air quality)
- Access and traffic
- Ecology and biodiversity
- Flooding, drainage and hydrology
- Cultural Heritage
- Agriculture and soils
- Contamination and land stability
- Socio-economic effects
- Climate change
- Cumulative impact

9.2 Paragraph 11 of the NPPF provides guidance on how applications should be determined by stating that plans and decisions should apply a presumption in favour of sustainable development. For decision-taking this means approving development proposals that accord with an up-to-date development plan without delay; or where there are no relevant development plan policies, or the policies which are most important for determining the application are out-of-date, granting permission unless: the application of policies in this Framework that protect areas or assets of particular importance provides a clear reason for refusing the development proposed; or any adverse impacts of doing so would significantly and demonstrably outweigh the benefits, when assessed against the policies in this Framework taken as a whole.

9.3 NPPF Paragraph 8 provides the key starting point against which the sustainability of a development proposal should be assessed. This identifies three objectives in respect of sustainable development, an economic objective, a social objective and an environmental objective. Paragraph 8 advises that these three objectives of sustainable development are interdependent and should not be considered in isolation.

- 9.4 Whether the presumption in favour of sustainable development is successful in this case is dependent on an assessment of whether the proposed development of the site would be sustainable in terms of its economic, social and environmental roles. The following sections assess the key issues in relation to the economic, social and environmental roles of the scheme as well as identifying its potential impacts and benefits in planning terms.

### **Principle of development and need for the mineral**

- 9.5 Policy MIN 7 of the Northumberland Local Plan states that provision for a steady and adequate supply of aggregates to meet local and wider needs will be made by making land available to meet the needs for sand and gravel as identified in the Local Aggregate Assessment (LAA) and by maintaining a landbank of permitted reserves of at least 7 years for sand and gravel. It states that proposals for sand and gravel extraction will be supported where they are located within a preferred area identified in Policy MIN 8.
- 9.6 Land at Anick Grange Haugh is allocated for the extraction of sand and gravel for aggregate uses under Policy MIN 8 of the Northumberland Local Plan. Proposals for the extraction of sand and gravel for aggregate uses within the allocated area are supported in principle by Policy MIN 7 and Policy MIN 8.
- 9.7 The Local Plan identifies that there would be a shortfall in permitted reserves of sand and gravel to meet the forecast demand to the end of the plan period and to provide a landbank of at least 7 years at the end of the plan period. In addition, the productive capacity of the current sites with planning permission would fall below the forecast annual demand in the early part of the plan period mainly because the number of sites that are currently active is expected to decrease as the permitted reserves contained within these sites are exhausted. There would, therefore, be a shortfall in supply to meet the annual demand from Northumberland during the plan period without further provision. To meet this identified shortfall in supply to meet forecast demand, the Local Plan includes three site allocations, including one at Anick Grange Haugh, to ensure that an adequate landbank of at least 7 years is maintained and to ensure that productive capacity can meet annual demand.
- 9.8 The most recent iteration of the Local Aggregates Assessment (updated using data from 2019 and 2020) confirms that while the landbank of permitted reserves in Northumberland was in excess of 12 years at 31 December 2020 there would be a shortfall in sand and gravel supply from Northumberland over the plan period for the Northumberland Local Plan. The Local Aggregates Assessment also identifies planned house building, economic development and some large-scale infrastructure projects (such as the road improvement schemes on the A1 in Northumberland and Tyne and Wear) that will require a supply of aggregate minerals. The Local Aggregates Assessment advises that these developments will continue to place a demand on construction aggregates at levels that similar to those levels in recent years and the materials from the proposed development would be able to contribute to this supply. As sand and gravel is a high bulk, low-cost commodity it is important that, as far as feasible, the material can be supplied close to the markets to minimise the overall environmental and financial cost of transport from further afield. The applicant has previously extracted sand



and gravel for aggregates uses from quarries at Houghton Strother Quarry near Humshaugh and Merryshields Quarry near Stocksfield, but these sites have recently ceased production due to the remaining permitted reserves being worked out which means these sites are no longer able to contribute to supply from Northumberland.

- 9.9 It is therefore considered that the proposed extraction of sand and gravel for aggregate uses from the site at Anick Grange Haugh is supported in principle by Policies MIN 7 and MIN 8 of the Northumberland Local Plan and would contribute to a steady and adequate supply of this mineral over the plan period to meet the demand forecast in the Local Aggregates Assessment in line with Paragraph 213 of the NPPF. This support in principle is subject to the effects on local communities and the environment being acceptable when assessed against the relevant policies.

### **Green Belt**

- 9.10 The site is located within the Green Belt (Policy STP 7 of the Northumberland Local Plan). Paragraph 137 of the NPPF states that the Government attaches great importance to Green Belts. The fundamental aim of Green Belt policy is to prevent urban sprawl by keeping land permanently open; the essential characteristics of Green Belts are their openness and their permanence. Paragraph 138 goes on to that that Green Belt serves five purposes: to check the unrestricted sprawl of large built-up areas; to prevent neighbouring towns merging into one another; to assist in safeguarding the countryside from encroachment; to preserve the setting and special character of historic towns; and to assist in urban regeneration, by encouraging the recycling of derelict and other urban land.
- 9.11 The site is located within the Green Belt (Policy STP 7 of the Northumberland Local Plan). Paragraph 137 of the NPPF states that the Government attaches great importance to Green Belts. The fundamental aim of Green Belt policy is to prevent urban sprawl by keeping land permanently open; the essential characteristics of Green Belts are their openness and their permanence. Paragraph 138 goes on to that that Green Belt serves five purposes: to check the unrestricted sprawl of large built-up areas; to prevent neighbouring towns merging into one another; to assist in safeguarding the countryside from encroachment; to preserve the setting and special character of historic towns; and to assist in urban regeneration, by encouraging the recycling of derelict and other urban land.
- 9.12 In relation to proposals affecting Green Belt, Paragraph 147 of the NPPF identifies that inappropriate development is, by definition, harmful to the Green Belt and should not be approved except in very special circumstances. Paragraph 148 states, when considering any planning application, local planning authorities should ensure that substantial weight is given to any harm to the Green Belt. 'Very special circumstances' will not exist unless the potential harm to the Green Belt by reason of inappropriateness, and any other harm resulting from the proposal, is clearly outweighed by other considerations. Paragraph 150 states certain forms of development, which includes mineral extraction (Paragraph 150a) and engineering operations (Paragraph 150b), are not inappropriate in the Green Belt provided that they preserve its openness and do not conflict with the purposes of including land

within it. In relation to 'mineral extraction' as referred to in Paragraph 150 of the NPPF, the use of this term in this context is not defined in either the NPPF, Planning Practice Guidance or Northumberland Local Plan. It is, however, considered to be reasonable to assume that mineral extraction in this context includes some level of ancillary development (i.e. the plant and infrastructure) to facilitate the winning and working of the target minerals. The level of ancillary development (and the extent to which it is genuinely ancillary) needs to be considered.

- 9.13 In terms of openness, the proposed site comprises open agricultural fields and can be viewed from elevated positions on the valley slopes. The site currently has an open character.
- 9.14 The activity associated with the operations to excavate the minerals would not harm the openness of the Green Belt. Minerals can only be extracted where they occur and the impact of extraction is temporary. This form of development is considered compatible with the openness and purposes of the Green Belt, by virtue of its inclusion within paragraph 150 of the NPPF. Further, the excavation would not result in any features that are above the existing ground level. The restoration of the site to a lake would also preserve the openness of the Green Belt.
- 9.15 The site compound and the associated flood bund would be the main elements of the proposed development that affect the openness of the Green Belt. The impact of the compound would be temporary but long-term given the proposed period of working for the site. The site compound would include staff welfare facilities, a small office, weighbridge, vehicle parking, material stockpiling and plant to process the material dug from the ground. The on-site processing plant that would be located within the compound area would have a direct role in facilitating the winning and working of the mineral deposit at the site through separating the target mineral from other excavated/non-target materials such as silts, which once separated from the sand and gravel would be used on-site to construct the restored landform. These elements of the proposed development are closely associated with the excavation of the mineral and the ancillary development has been minimised by the applicant to that necessary to facilitate the winning and working of sand and gravel from the site. As the compound would be ancillary to the extraction and would be temporary, this form of development is considered to fall within Paragraph 150 of the NPPF. In principle, it is therefore compatible with the openness and purposes of the Green Belt. The Environmental Statement details the alternatives that were considered in relation to the location of the site compound area. The applicant selected a location adjacent to the existing built development and access track rather than an alternative location in the middle of the site. It is considered that the proposed location of the site compound adjacent to other buildings, structures and operations associated with the Bridge End Industrial Estate (including Egger, the sewage treatment works and the anaerobic digestion plant) mitigates the visual impact and also limits the spatial impact of the compound on the openness of the Green Belt. The flood bund would be retained as part of the restored site as it forms part of the 'green lane'. For the purposes of Green Belt policy, the flood bund is considered to be an engineering operation under Paragraph 150 of the NPPF. The flood bund is necessary in terms of flood protection for land outside of the site.

- 9.16 The restoration scheme for the site includes a small car park to facilitate the proposed public access to the site following restoration. This would comprise an area of hardstanding but would not include any lighting or other ancillary infrastructure. This element of the proposed restoration scheme is considered to fall under Paragraph 150 of the NPPF as it would constitute an engineering operation and a material use of land. The location of the car park adjacent to the existing built development mitigates the visual impact and would also limit the spatial impact on the openness of the Green Belt. Vehicles would not be parked at the site all the time and the impact of the car park on the openness Green Belt would be transient.
- 9.17 The visual impact assessment has identified significant visual effects on the residents of Anick, parts of Oakwood and parts of the south-east of Hexham. Whilst any harms associated with the visual amenity of the development does not impact on the Green Belt, the visibility of the development may have a bearing on openness. The views from these locations are above the valley floor and the area would continue to appear broadly open because the extraction operations do not result in large above ground structures, except for the site compound area. The site compound area would be viewed in association with the existing built development associated with the anaerobic digestion plant, which is also located within Green Belt, and the adjoining development to the west and north. Further, although parts of the development are visible, it is considered that the impact is limited and due to the use of the development for mineral extraction, which is temporary and compatible with the openness of the Green Belt. The flood bund is a low-level feature that would be viewed as part of the proposed additional planting in that part of the site. The car park included in the restoration plan would also be viewed in associated with the adjoining existing built development. In visual terms, it is considered that the characteristics of the area would remain one of an open landscape. Taking these points into consideration, it is considered that the visibility of the development does not in itself result in harm Green Belt openness or purposes.
- 9.18 In the context of the application site, it is also relevant to consider the role of the Green Belt in preserving the setting and special character of Hexham and Corbridge in line with Policy STP 7 of the Northumberland Local Plan. The submitted landscape and visual impact assessment shows that the proposed development would not be visible from the historic core of Hexham and Corbridge due to the distance and intervening vegetation between the site and Corbridge. The Egger factory is already a dominant feature in the vicinity and setting of the proposed site. It is therefore considered that the proposed development would not significantly affect the settings of Hexham and Corbridge. The type and scale of the proposed development would not conflict with the purpose of safeguarding the countryside from encroachment. It is also considered that the type and scale of development would not result in the unrestricted sprawl of large-built areas and would not increase the risk of merger between Hexham and Corbridge.
- 9.19 It is therefore considered that the proposed development would not be an inappropriate form of development (by virtue of scale, impact and its justification) in the Green Belt and it accords with Policy STP 8 of the Northumberland Local Plan and the NPPF (Paragraph 150). It would preserve

openness and would not conflict with the purposes of including the land in the Green Belt. The mineral excavation operations and the closely associated operational development (i.e. the plant and infrastructure) are considered to constitute mineral extraction development under Paragraph 150 of the NPPF with the proposed flood alleviation bund being considered as an engineering operation under Paragraph 150 of the NPPF and the small car park included in the restoration proposals would as it would constitute an engineering operation and a material change in the use of land under Paragraph 150 of the NPPF. This is considered to be appropriate when account is taken of the nature and scale of the ancillary development, its siting, the visual effects and reversibility following restoration, which mean the proposals do not pass a point where the provision within Paragraph 150 would not apply. As the proposal is considered to be not inappropriate development in the Green Belt, it is not necessary to engage Paragraphs 147 and 148 in order to demonstrate 'very special circumstances' exist to justify inappropriate development in Green Belt.

### **Landscape and Visual Impact**

- 9.20 Policy ENV 3 in the Northumberland Local Plan states that 'proposals affecting the character of the landscape will be expected to conserve and enhance important elements of their character; in such cases design and access statements should refer, as appropriate, to Northumberland Landscape Character assessment and other relevant studies, guidance or management plans'. It also states that 'where applicable, the contribution of the Northumberland landscape to the understanding and enjoyment of heritage assets will be taken into account' in assessing development proposals.
- 9.21 Policy MIN 1 in the Northumberland Local Plan states that in considering proposals for minerals developments, appropriate weight will be given to potential effects on landscape character and sensitivity. Policy MIN 1 requires applicants to demonstrate that the proposal can be effectively and appropriately integrated with its surroundings and the character of the landscape, particularly as a result of changes to landform and topography both during and after extraction.
- 9.22 Paragraph 174 of the NPPF states that planning decisions should contribute to and enhance the natural and local environment by means including protecting and enhancing valued landscapes, recognising the intrinsic character and beauty of the countryside.
- 9.23 The Environmental Statement includes a Landscape and Visual Impact Assessment (LVIA). The LVIA sets out the assessment methodology, as well as some outline information on the production of zone of theoretical visibility (ZTV) mapping, viewpoint selection and photomontages. It provides details of the landscape character and visual baselines and an assessment of the landscape and visual effects of the proposed development during the operational and restoration phases.
- 9.24 The site is located within National Character Area 11: Tyne Gap and Hadrian's Wall. The application site is located within Landscape Character Type (LCT) 30: Glacial Trough Valley Floor and Landscape Character Area

(LCA) 30b: Newbrough to Corbridge. It is surrounded by LCT 31: Glacial Trough Valley Sides, with LCA 31f: Acomb to Ovington to the north and LCA 31d: Langley to Stocksfield to the south. The site does not lie within an area covered by any national or local landscape designations. The North Pennines Area of Outstanding Natural Beauty is not within the Zone of Theoretical Visibility for the proposed development, so there is no conflict with Policy ENV 6 of the Northumberland Local Plan in this regard.

- 9.25 The Northumberland Landscape Character Assessment identifies that within LCA 30b (Newbrough to Corbridge) the valley floor widens and the river assumes larger meanders. The valley floor and sides also support a mix of arable and dairy farming. Areas of built development and industry are prominent at Bridge End and Hexham. The Egger factory is a local landmark, the plume from the chimney being visible for considerable distances up and down the valley. Both Corbridge and Hexham retain their historic cores.
- 9.26 The site itself is relatively featureless, with low gappy hedgerows and a small number of hedgerow trees. Three large pylons and overhead electricity transmission lines cross the southern area of the site. This contrasts with the wider area, where mature trees, woodland and hedgerows are prevalent and key features giving the wider area a high scenic quality and sense of intactness. The Egger factory is a very dominant feature in the area surrounding the site, along with the adjacent sewage treatment works and anaerobic digestion plant.
- 9.27 The Landscape and Visual Impact Assessment identifies that the main impacts that would affect the landscape character of the site and the surrounding area are:
- The construction of the site compound, which includes the site offices, weighbridge, parking areas, processing plant and storage areas in the southwest of the site.
  - The flood bund and advanced tree belt planting to the northern boundary of the site compound and phases 1 and 2.
  - The gap planting and enhancement of existing hedgerows.
  - The stripping and storage of soils on the site.
  - The extraction of sand and gravel, which would be wet worked, therefore creating a lake that would increase in size eastwards as extraction progresses thus changing the landcover of the site.
  - The progressive restoration of the whole quarry.
- 9.28 The landscape value of the application site itself is considered to be medium to low. Factors lowering the value include the low-lying, almost level landform, the open expanse of arable farmland with very few features such as trees and low, gappy hedgerows and the influence of the neighbouring industrial development including the anaerobic digestion plant, sewage works and the Egger factory, all of which lower the scenic quality and condition of the landscape. Factors increasing the value result from the context of the site within the Tyne Valley, which is valued locally and by visitors for its scenic, recreation and cultural values. The susceptibility of the site to the proposed change is also considered to be medium to low for the same reasons, therefore the sensitivity of the site to the proposed development is also considered to be medium to low.

- 9.29 The sand and gravel extraction would introduce a new, long term but temporary use, which would be out of character. The adverse effects on the landscape character of the site would be minimised by the fact that the site compound and processing plant would be located next to the existing industrial development at the anaerobic digestion plant, through the phased working of the site which seeks to minimise the size of the operational areas, and through the progressive restoration of each phase of the site once extraction is complete in that area. Tree planting to the north of the site compound and existing woodland along the River Tyne to the south and east of the site provide some mitigation in relation to the landscape effects.
- 9.30 As extraction progresses across the site from west to east, the landcover and land use would change from arable farmland to a lake. The area of open water would increase in size as extraction progresses across the site. The void created by the extraction void would fill up with water as sand and gravel is removed, which would reduce the perception of the landform change of the site as the majority of the landform changes would be under water. The working areas would be bare earth with disturbed brown water initially, but as work progresses restoration would quickly follow behind with the land returned to grassland and silt settling in the lake reducing the brown appearance of the water.
- 9.31 The LVIA assesses the magnitude of the operational impacts on the landscape character of the site itself and the immediate vicinity as medium to high due to the partial to major alteration of the landscape baseline and the long-term of these impacts. Therefore, combined with the medium to low sensitivity of the site to the development, the overall effect of the operational development would be moderate adverse (not significant). Once the site is restored, effects would become beneficial. The beneficial effects would continue to increase with time as habitats establish and mature.
- 9.32 In relation to visual effects, residential receptors comprise individual properties and settlements. These are high sensitivity receptors as they are likely to value views over the Tyne valley and are susceptible to the changes proposed by this application.
- 9.33 The small settlement of Anick is located 500 metres north of the site access and 1 kilometre north of the extraction area in an elevated location on the valley side over-looking the site. There would be open views of the site during the operational and restoration phases (see Viewpoint 2 of the LVIA). The advanced tree belt planting to the northern site compound boundary would provide some screening as it establishes, but it would not screen all the operations. The magnitude of the impacts would be medium to high as minimising the size of the working area and progressive restoration would result in a partial to major alteration of the views. The effects would therefore be substantial adverse (significant) during operation, becoming substantial beneficial (significant) once the site is restored and the planting establishes.
- 9.34 The visual effects on the residents of Oakwood would be similar to those for Anick (see Viewpoint 3 of the LVIA), but there are trees between Oakwood and the site, which would filter views particularly when they are in leaf. The magnitude of the impacts would be medium due to the partial alteration of the views and the overall effect moderate to substantial adverse (significant),

becoming moderate to substantial beneficial (significant) once the site is restored and the planting establishes.

- 9.35 In relation to Hexham, the LVIA demonstrates that there would be no views of the proposed development from the historic core of the town (see Viewpoint 13 of the LVIA from The Sele), but there would be some close views from residential areas in the south-east of the town. This includes the Anick View housing estate (see Viewpoint 6 of the LVIA) where there are views of the low-lying fields on the opposite side of the river, which are filtered by the woodland along the river. There would also be some more distant views of the site from the more elevated areas of Hexham to the south and south-west. The magnitude of the impacts on the residents in the vicinity of Viewpoints 6 and 8 would be medium, particularly in winter when the intervening trees are not in leaf, and the overall effects would be moderate to substantial adverse (significant). Effects on more distant views would be slight to moderate adverse (not significant) and for the majority of the town the development would be imperceptible. Adverse effects would become beneficial in the long term once the site is restored and the planting establishes, these effects would be significantly beneficial in closer views.
- 9.36 Visual effects on Beaufront, Sandhoe, Corbridge and Stagshaw would not be significant due to distance and intervening vegetation providing some screening.
- 9.37 The LVIA identifies that none of the residents of the farmsteads, individual and small groups of properties outside the settlements within the study area would experience significant effects due to intervening vegetation providing some screening and the low-lying landform. The most noticeable effects would be for the residents of the following individual properties.
- 9.38 The Timbers, lies to the north of the extraction area and within the haugh land area. The surrounding and intervening trees would filter views of the development and the low-lying landform would reduce visibility. The proposed tree planting would help to screen views. The LVIA found that the magnitude of the impacts would be medium to low due to the partial to minor alteration of the views and the overall effect would be moderate adverse (not significant).
- 9.39 Anick Grange and Anick Grange Cottages are also located to the north of the site, but on the northern side of the A69. They face the site and there would be open direct views of the development, but visibility would be limited by the low-lying landform meaning the extraction area would be visible as a narrow band in the landscape (see Viewpoint 14 of the LVIA). The proposed tree planting to the northern site compound boundary would provide some screening. The LVIA found that the magnitude of the impacts would be medium to low due to the partial to minor alteration of the views and the overall effect would be moderate adverse (not significant).
- 9.40 Properties at Widehaugh are on the A695 to the south of the site. Viewpoint 7 of LVIA illustrates there would be filtered views of the development, particularly in winter and towards the end of the development when the extraction is in the east of the site. The LVIA found that the magnitude of the impacts would be medium to low due to the partial to minor alteration of the views and the overall effect would be moderate adverse (not significant).

- 9.41 Receptors also include the users of the roads, railway, long distance footpaths and cycle routes and public rights of way in the area around the site. Road and railway users are generally considered medium sensitivity receptors, with the exception of tourists and visitors whose attention or interest is focused on the landscape and who are considered high sensitivity receptors. Users of long-distance footpaths and cycle routes and public rights of way are considered high sensitivity receptors
- 9.42 The LVIA considers that none of the road or railway users travelling past the site and the wider area would experience significant effects due to intervening vegetation and built development providing some screening of the site. The A69 runs along the northern site boundary and is a key route through Northumberland, providing a valuable east-west link and a scenic journey along the Tyne Valley. For traffic travelling west on the A69 there would be a brief distant glimpsed view north of Corbridge, and then views would be screened again by road cuttings and intervening vegetation until the road runs directly to the north of the site, from where there are filtered oblique views into the site. For east bound traffic there would only be filtered oblique views into the site as the road runs along the northern site boundary. The magnitude of the impacts would be low due to the limited, glimpsed views, experienced for a small part of a journey, therefore the overall effects would be slight adverse (not significant).
- 9.43 From the C242 and Hadrian's Cycleway, which also run to the north of the site, there would be views of the proposed development for a short section of this route. The visibility of the proposed site would be limited by the low-lying landform meaning the extraction area would be visible as a narrow band in the landscape. Views from elsewhere on this road and Hadrian's Cycleway would be screened by intervening vegetation and built development. The magnitude of the impacts would be low due to the low-lying landform, intervening vegetation and as views would be experienced for a small part of a journey, therefore the overall effects would be slight to moderate adverse (not significant).
- 9.44 Of the public footpaths and bridleways within the study area of the LVIA, it identifies that only the users of Footpath 540/004 between Anick and Anick Grange would experience significant effects as there would be open views of the development. The magnitude of the impacts would be medium to high as minimising the size of the working area and progressive restoration would result in a partial to major alteration of the views. The effects would therefore be substantial adverse (significant) during operation, becoming substantial beneficial (significant) once the site is restored and the planting establishes.
- 9.45 The proposed development would not have a visual impact on visitors to the Frontiers of the Roman Empire: Hadrian's Wall World Heritage Site at Corbridge as views would be screened by intervening vegetation. Similarly, Hexham Parks (Grade II Registered Park and Garden) would not have views of the proposed development. Hadrian's Wall itself and the buffer zone as well as the North Pennines AONB are not within the zone of theoretical visibility.
- 9.46 In relation to visual impact, the LVIA has highlighted that there would be some localised significant visual effects. These would be experienced by receptors



to the north of the site at Anick due to the elevated, open views over the site in which the proposed development would be visible. There would be similar effects experienced by residents at Oakwood, but views from this location would be filtered by intervening vegetation. Residents to the south of the site would also experience some close filtered views of the development and the effects would be significant during the winter months when the intervening trees do not have leaves. Effects would become more beneficial with time as the site is restored and the proposed planting and habitats establish.

- 9.47 In relation to landscape character regard has been had to the Northumberland Landscape Character Assessment and the application has been supported by an LVIA in line with the requirements of Policy ENV 3 of the Northumberland Local Plan. Sand and gravel extraction would introduce a change to the landscape that would not reflect the current characteristics of the site and the surrounding area. The site is currently low-lying and relatively featureless arable farmland. As extraction progresses across the site from west to east, the landcover would change from arable farmland to a lake, increasing in size as the phased extraction and restoration progresses. The adverse effects on the landscape character of the site would be minimised to some degree by locating the site compound and processing equipment adjacent to the existing industrial development, by minimising the size of the operational areas, minimising the plant required to extract the sand and gravel and by progressively restoring each phase once it is complete. The proposed tree planting along the northern boundary of the site compound and Phases 1 and 2 as well as the existing woodland along the River Tyne to the south and east would also help to contain the effects. Once the site is restored, the effects have been assessed as being beneficial due to the landscape features created. However, there would still be some harm to some aspects of the local landscape and local visual amenity during the operational phase of the proposed development.
- 9.48 While the proposed development would result in a significant change to the landscape of the site, it is considered that the restored landscape can be integrated with its surroundings. However, given the harm identified to some receptors during the operational phase of the development it will be necessary to consider whether the benefits of the proposed development outweigh this harm in the planning balance for this application.

### **Impact on Residential Amenity**

- 9.49 Policy MIN 1 of the Northumberland Local Plan requires applicants to demonstrate that there is appropriate separation between the site and dwellings and other sensitive uses, to prevent unacceptable levels of noise, dust, vibration, air pollution and harmful visual impact. Policy POL 2 states that development proposals in locations where they would cause unacceptable risk of harm from various forms of emissions including fumes, particles and noise will not be supported. Paragraph 211 (c) of the NPPF states that when determining applications for mineral extraction mineral planning authorities should ensure that any unavoidable noise, dust and particle emissions are controlled, mitigated or removed at source and recommends that appropriate noise limits for extraction in proximity to noise sensitive properties are established.

9.50 The following paragraphs deal separately with noise, dust and air quality.

### Noise

- 9.51 Planning Practice Guidance recommends that mineral planning authorities set noise limits at noise sensitive properties that do not exceed the background noise levels by more than 10dB(A) during normal working hours (07.00 to 19.00). It also advises where it will be difficult not to exceed the background level by more than 10dB(A) LAeq, 1 hour free field without imposing unreasonable burdens on the mineral operator, the limit set should be as near that level as practicable.
- 9.52 In respect of noise level limits for noisy short-term activities, Planning Practice Guidance goes on to state increased temporary daytime noise limits of up to 70dB(A) LAeq 1h (free field) for periods of up to 8 weeks in a year at specified noise-sensitive properties should be considered to facilitate essential site preparation and restoration work and construction of baffle mounds where it is clear that this will bring longer-term environmental benefits to the site or its environs. Where work is likely to take longer than 8 weeks, a lower limit over a longer period should be considered. In some wholly exceptional cases, where there is no viable alternative, a higher limit for a very limited period may be appropriate in order to attain the environmental benefits. Within this framework, the 70 dB(A) LAeq 1h (free field) limit referred to above should be regarded as the normal maximum.
- 9.53 A noise impact assessment has been provided in support of the application. It assesses the background noise and considers the noise effects associated with the proposed development. The noise monitoring locations are close to The Timbers, Bank Foot (Anick), Anick View (Hexham) to the north of the A695, Woodland Rise housing development (adjacent to the A695 and Laurel Road, Hexham) and Widehaugh (east of Hexham).
- 9.54 The measured background noise levels LA90 at the monitoring locations were:
- The Timbers - 54 dB
  - Bank Foot, Anick - 58 dB
  - Anick View, Hexham - 46 dB
  - Woodland Rise, Hexham (adjacent to A695 and Laurel Road) - 49 dB
  - Widehaugh, east of Hexham - 51 dB
- 9.55 The noise impact assessment notes that each of these locations are exposed to road traffic noise levels that are representative of the locality. This includes noise from the A69 and A695.
- 9.56 For normal site operations the scenarios modelled in the noise impact assessment indicate that there would be no exceedance of 55 dB LAeq. In addition, no noise levels are predicted to exceed the temporary limits (70 dB LAeq) during the noisy short-term operations such as soil stripping. The proposed site operations may be audible at the closest receptors, but the noise impact assessment concludes this will not be at a level or character that is likely to cause any change in behaviour for receptors, resulting in an impact residing between the 'No Observed Adverse Effect Level' and 'Lowest Observed Adverse Effect Level'.

- 9.57 The applicant has also provided a noise management plan with the application that sets out the measures that will be adhered to ensure that the noise limits are met during the operation of the proposed development. The measure proposed reflect industry best practice to minimise off-site noise.
- 9.58 Given the predicted noise levels for the proposed development would not exceed the appropriate noise limits set out in Planning Practice Guidance for the normal or short-term operations, it is considered that effects on residential amenity from noise would be acceptable the proposals would be acceptable and accord with Policy MIN 1 of the Northumberland Local Plan.
- 9.59 The Council's Public Protection team has been consulted on this application and no objections have been raised. Public Protection recommend a planning condition be imposed by the mineral planning authority to limit noise at the identified receptors from the proposed site operations. It is therefore proposed that a condition is imposed to set a daytime (0700 to 1900) limit of 10dB LAeq over background (LA90) at the nearest residential receptors. It is also proposed that a condition is imposed to restrict the site operations to 07.30 to 18.00 from Monday to Friday and 07.30 to 13.00 on Saturdays with vehicle movements and loading permitted from the earlier start time of 07.00.

#### Dust and Air Quality

- 9.60 Planning Practice Guidance (Paragraph 023, Reference ID: 27-023-20140306) advises where dust emissions are likely to arise, mineral operators are expected to prepare a dust assessment study, which should be undertaken by a competent person/organisation with acknowledged experience of undertaking this type of work. It also explains there are 5 key stages to a dust assessment study:
- establish baseline conditions of the existing dust climate around the site of the proposed operations;
  - identify site activities that could lead to dust emission without mitigation;
  - identify site parameters which may increase potential impacts from dust;
  - recommend mitigation measures, including modification of site design
  - make proposals to monitor and report dust emissions to ensure compliance with appropriate environmental standards and to enable an effective response to complaints.
- 9.61 The Environmental Assessment includes a chapter on air quality and is accompanied by an air quality assessment, which identifies the potential dust and air quality effects from the proposed development. The Air Quality Assessment considers the potential for fugitive dust emissions to be associated with the workings, which may generate dust and fine particulate matter (PM10). It also considers road vehicle exhaust emissions associated with development traffic that may increase pollutant concentrations at sensitive receptors close to the proposed site and the vehicle routes related to the proposed site.
- 9.62 The proposed development has the potential for fugitive dust emissions to occur as a result of the operations associated with the extraction, processing,

storage and transfer of materials as well as the vehicle movements. The potential impacts that may occur as a result of the fugitive dust emissions are:

- Disamenity impacts – Caused by larger particles that may be visible to the naked eye but are not thought to cause health effects. They may cause disamenity through soiling and staining when deposition occurs on window ledges, cars and laundry; and
- Health impacts – Caused by PM10 which can remain suspended in air for long periods of time. Particles of this size are fine enough to be inhaled and therefore have the potential to cause health effects.

9.63 The identified sensitive receptors in relation to dust from the site are:

- The Timbers – Residential dwelling around 200 metres east of the site access road
- Oaklands, Anick Road – Care facility around 240 metres west of the site access
- Anick View – Residential dwellings around 205 metres south of the working phases

9.64 In relation to the disamenity effects from fugitive dust, air quality assessment indicates the magnitude of these to be 'slight' at The Timbers and 'negligible' at both the Oaklands Care Facility and Anick View. This is as a result of the distance of these receptors to the activities that could generate dust, the prevailing wind direction in relation to the receptors and the magnitude of the source emission being 'medium' based on the criteria in Institute of Air Quality Management (IAQM) 'Guidance on the Assessment of Mineral Dust Impacts for Planning'. The sand and gravel would be wet when extracted and this reduces some of the risk of dust.

9.65 In terms of health impacts from the generation of particulate matter, the Institute of Air Quality Management (IAQM) 'Guidance on the Assessment of Mineral Dust Impacts for Planning' states that if the long-term background PM10 concentration is less than  $17\mu\text{g}/\text{m}^3$  there is little risk that emissions from a mineral extraction site would lead to exceedances of the relevant air quality objectives at the existing sensitive receptors. The air quality assessment found that the predicted background concentration in the vicinity of the site is  $10.45\mu\text{g}/\text{m}^3$ . It concludes that because this is well below the relevant value the potential for PM10 emissions from the development to affect human health are considered to be negligible.

9.66 The air quality assessment assessed the road traffic exhaust emission impact associated with predicted traffic from the proposed development and found impacts on  $\text{NO}_2$  and PM10 concentrations to be negligible and therefore not significant.

9.67 In the letters of objection to this planning application some concerns have been raised in relation to exposure to fine dust containing 'Respirable Crystalline Silica'. Respirable Crystalline Silica forms a fraction of PM2.5. Silica is a natural substance found in varying amounts in most rocks, sand and clay. Should high levels of Respirable Crystalline Silica be inhaled regularly, over many years, particles can irritate the lining of the lungs, and over time this can cause a lung condition known as silicosis. From a UK perspective, there is a view that exposure to respirable crystalline silica and the associated risks of silicosis from long-term exposure represents an

occupational health issue and is therefore a risk to workers that must be managed in the workplace. The Health and Safety Executive advise that silicosis is a disease that has only been seen in workers from industries where there is a significant exposure to silica dust. No cases of silicosis have been documented among members of the general public in Great Britain, indicating that environmental exposures to silica dust are not sufficiently high to cause this occupational disease. The site operator would have responsibilities to manage these risks to their employees under the health and safety at work legislation and managing these risks would also reduce risks to those living near the site.

- 9.68 To mitigate dust impacts from the site operations, the air quality assessment and environmental management plan detail the mitigation measures that would be implemented when the site is operational. These follow industry good practice, and the measures include:
- Site staff receiving training on the potential dust sources and how to prevent emissions;
  - Site staff undertaking regular visual inspections of dust conditions;
  - Site management giving attention to advance weather forecasts and organising dust management requirements accordingly;
  - A water bowser being based on site to dampen down road surfaces, stockpiles or work areas in dry weather to reduce the potential for dust emissions at source;
  - Providing wheel cleaning facilities and directing all vehicles leaving site will be directed through the wheel wash to ensure they do not carry any debris onto the public highway.
  - Dampening of internal haul roads in dry weather conditions;
  - Controlling onsite vehicle speeds to 15mph;
  - Minimising material drop heights into lorries
  - A road sweeper being available for cleaning internal roads and the local highway network, if required;
  - During persistent high winds, operations that have the potential to create dust would be suspended until conditions improve.

- 9.69 The Council's Public Protection team has been consulted on this application and no objections have been raised in relation to dust and air quality. Public Protection to submit for approval a dust management plan prior to the extraction and processing of minerals commencing at the site. Public Protection do however recommend the imposition of a planning conditions requiring a dust management plan to be submitted and approved by the mineral planning authority. This is to ensure the operator has an operational document that they have produced and would maintain and work to.

- 9.70 In relation to dust and air quality, it is considered that the proposals would be acceptable in and would accord with Policy MIN 1, Policy POL 2 and Policy QOP 2 of the Northumberland Local Plan and the NPPF.

### **Access and Traffic**

- 9.71 Policies TRA 2 and MIN 1 (Part 2 g) of the Northumberland Local Plan are relevant to the effects of new development on the transport network. In considering the acceptability of proposal for mineral development, Part 2 (g) of Policy MIN 1 states appropriate weight will be given to the capacity and

suitability of the transport network, including numbers of movements, site access arrangements, and impacts on non-motorised users. Policy TRA 2 requires all developments affecting the transport network to:

- a. Provide effective and safe access and egress to the existing transport network;
- b. Include appropriate measures to avoid, mitigate and manage any significant impacts on highway capacity, congestion or on highway safety including any contribution to cumulative impacts;
- c. Minimise conflict between different modes of transport, including measures for network, traffic and parking management where necessary;
- d. Facilitate the safe use of the network, including suitable crossing points, footways and dedicated provision for cyclists and equestrian users where necessary;
- e. Suitably accommodate the delivery of goods and supplies, access for maintenance and refuse collection where necessary; and
- f. Minimise any adverse impact on communities and the environment, including noise and air quality.

9.72 Paragraph 111 of the NPPF states development should only be prevented or refused on highways grounds if there would be an unacceptable impact on highway safety, or the residual cumulative impacts on the road network would be severe.

9.73 The planning application is accompanied by a Transport Statement which assesses the impacts of the proposed development on the highway network. The Environmental Statement also includes a chapter on highways and transport.

9.74 The Transport Statement establishes the baseline conditions in the vicinity of the application site and also provides a forecast of the number of vehicle trips which are likely to be associated with the proposed development and the predicted changes in traffic flows that would result.

9.75 The mineral would be exported from the site by heavy goods vehicles with an average 20 tonne payload. The average and maximum number of vehicle movements a day would be as follows:

- Mondays to Fridays – An average of 50 a day (100 movements) with a maximum of 70 a day (140 movements); and
- Saturdays – An average of 25 a day (50 movements) with a maximum of 35 a day (70 movements).

9.76 Vehicles would access the proposed site from the C242 Anick Road / Ferry Road using the existing T-junction and surfaced access road that runs along the eastern side of the Egger plant and gives access to the adjacent farmland, Hexham Sewage Treatment Works (operated by Northumbrian Water) and the anaerobic digestion plant (operated by Codlaw Renewables). This track would give access to the north-west corner of the proposed site adjacent to the existing anaerobic digestion plant where the site compound would be created.

- 9.77 The Institute of Environmental Management and Assessment (IEMA) 'Guidelines for the Environmental Assessment of Road Traffic' recommend that a projected change in traffic flows of less than 10% is generally considered to create no discernible environmental impact. In terms of the total vehicles within the study area (the C242 and the A69), the predicted increase in the number of vehicles as a result of the proposed development is below 10%. However, the proposed development would result in a significant increase in the number of HGVs on the C242 to the east of Egger.
- 9.78 Vehicles travelling to and from the site would use the C242 and the A6079 to and from the A69. The C242 is a single carriageway road. To the west of the site access junction, the C242 (Ferry Road) serves a number of industrial and business premises, including Beaufront Park, Egger and Bridge End Industrial Estate. The C242 forms a priority T-junction with the A6079. The A69/A6079 junction is a grade separated interchange. HGVs would not travel east of the site on the C242 towards Corbridge, unless a delivery was being made to a specific client that needed to be accessed from the C242 to the east of the site.
- 9.79 The private access road from the C242 is 7.3 metres wide for the first 120 metres before a narrowing to a single lane, with passing places. The applicant has rights of access over the private road as its ownership is shared between the landowner, Egger and Northumbrian Water. Swept path analysis of HGV movements at the access have been undertaken and demonstrate the existing format of the junction is suitable for two-way HGV movements. The Council's Highways Development Management Team have been consulted on this application and consider the proposed access to the development to be acceptable and appropriate.
- 9.80 Within the proposed site compound area car parking for 15 cars, which includes two bays equipped with electric charge facilities and one disabled bay, would be provided. Covered cycle parking would also be provided close to the site offices. The proposed site compound has turning space for the HGVs, which would enter and leave the site compound via a weighbridge. All HGVs leaving the site will use the wheel wash to remove any debris from the wheels and chassis.
- 9.81 The Highways Development Management Team have advised that if planning permission were to be granted for this proposed development, the developer would be required to undertake off-site highways works to widen a section of Anick Road to allow HGVs to more easily pass within the carriageway. These off-site highways works would involve increasing the width of the road along the section of the C242 between the access for Egger and the proposed access point from the C242 to the proposed development. This stretch of carriageway measures 420 metres in length and would be widened to 6.7 metres with a minimum 0.6 metres verge or hard strip where the existing stone wall to the south will be relocated and rebuilt. A new footpath link from the existing Egger car park to the west, through to the entrance of Oaklands site entrance is also proposed. As part of the works, a number of trees growing immediately adjacent the carriageway or within close vicinity will be removed.

- 9.82 The Highways Development Management Team have recommended that a pre-commencement condition be imposed if planning permission were to be granted for the proposed development requiring the highways works to be completed prior to the commencement of the transportation of sand and gravel from the proposed site. The developer would also be required to enter into an agreement under Section 278 of the Highways Act 1980 to undertake the works to the highway.
- 9.83 The C242 (Ferry Road/ Anick Road) forms an on-road section of the signed Hadrian's Cycleway. Vehicles movements to and from the proposed development would use the same road as cyclists on this route between the site access and the A6079. It is considered that the proposals to widen the C242 between the site entrance and the entrance to Egger would assist in addressing the potential conflicts identified between cyclists and the additional HGV movements on this section of road. The Highways Development Management Team have not raised any objections in relation to impacts on cyclists using the C242.
- 9.84 The proposed road widening works would include a replacement footpath between the car park for Egger and the entrance to the Oaklands Care Home and would also retain the existing footpath either side of the entrance to Beaufront Business Park. The road widening scheme includes an allowance in the design for future footpath connection to business park and shows a footpath could be created in the highway verge.
- 9.85 One of the occupiers of Beaufront Business Park has objected to the proposed development, citing that employees are required to walk within the highway or verge if accessing the business park by foot and the proposed increase in vehicle numbers puts them at an increased risk. There is not currently a pedestrian footway between Beaufront Business Park and the existing footway to the west of the entrance to Oaklands. It is considered that the road widening scheme would improve the current situation for pedestrians as there would be more space within the highway for vehicles to pass and improvements to sight lines. The additional vehicle movements would however have a negative impact on the amenity of pedestrians.
- 9.86 The vehicles from the site would access the dual carriageway A69 using the A69/A6079 junction, which is a grade separated interchange. The A69 is part of the strategic road network and is managed by National Highways. National Highways were consulted on the application and have raised no objections. National Highways consider that the proposed movements would not have a severe impact on the strategic road network. National Highways have recommended that a condition be imposed if planning permission were to be granted to require the submission and approval of a Construction and Operational Traffic Management Plan. The Highways Development Management Team has also not raised any objections with regard to the effects of the proposed development on the C242/A6079 junction and consider that the level of trip generation, along with the imposition of planning conditions to control the number of vehicle movements to and from the proposed site, will ensure that there is not detrimental impact to the operation of the road network and the A6079 / C242 (Ferry Road) junction.



- 9.87 It is therefore considered that the proposed development accords with Policies TRA1, TRA 2, TRA 3, TRA 4 and MIN 1 of the Northumberland Local Plan. If planning permission is granted it is recommended planning conditions are imposed to control the numbers of HGV movements and require the completion of widening works to the C242 Anick Road prior to sand and gravel commencing within Phase 1 of the site.

### **Ecology and Biodiversity**

- 9.88 Policy ENV 2 of the Northumberland Local Plan states that development proposals affecting biodiversity and geodiversity, including designated sites, protected species, and habitats and species of principal importance will minimise their impact, avoiding significant harm through location and/or design. Where significant harm cannot be avoided, applicants will be required to demonstrate that adverse impacts will be adequately mitigated or, as a last resort compensated for. Proposals should also secure a net gain for biodiversity. Policy MIN 1 (Part 2, c) also includes criteria relating to the conservation and enhancement of biodiversity and nature conservation interests. The NPPF states that in considering proposals for mineral extraction, mineral planning authorities should ensure that there are no unacceptable adverse impacts on the natural environment (Paragraph 211b). It also states that planning permission should be refused if significant harm to biodiversity resulting from development cannot be avoided, mitigated or compensated (Paragraph 180a).
- 9.89 The Environmental Statement includes a chapter on ecology. A preliminary ecological appraisal and protected species surveys have been undertaken in support of this application. This included surveys in relation to great crested newts, bats, and breeding birds. The surveys have identified that there will be a potential impact on farmland breeding birds. The Council's ecologist has confirmed that the survey work has followed best practice, has been undertaken by suitably qualified ecologist and the assessments have identified the relevant matters needed to assess the impact of the proposed development on ecology.
- 9.90 Overall, the existing habitats on site are considered to generally be of low to local value, comprising large areas of arable land, improved and poor semi-improved grassland and species poor hedgerows, with occasional scrub and field trees.
- 9.91 There would be a progressive loss of hedgerow across the phases of extraction. Native species hedgerow is classed as a Habitat of Principal Importance (HPI) under Section 41 of the Natural Environment and Rural Communities Act 2006. However, the hedgerows on site are species-poor and gappy which are of lower value for wildlife. The proposed mitigation to gap-up retained hedgerows at the start of development and plant new hedgerows as part of the restoration is considered acceptable by the Council's ecologist.
- 9.92 The site has been assessed as of county value for the breeding bird assemblage and of district value for wintering birds. The proposed hedgerows and tree planting and the creation of a skylark plot at the start of the development would mitigate for the loss of some habitat. In the long-term,

the creation of a lake with shallow margins and scrapes would provide habitat for wetland birds.

- 9.93 To mitigate the application includes proposals to undertake hedgerow planting to fill existing gaps planting to the north of the compound area and the creation of skylark plots. These works would be undertaken at the start of development.
- 9.94 The River Tyne is identified as a sensitive receptor. It is located to the south of the application site with the Environment Agency flood embankment and area of riparian grassland providing a barrier between the site and the river. This buffer would ensure that the ecology of the river is not adversely affected by the proposed development. The proposed development would also not have adverse effects on the hydrology of the river. The proposed site restoration would enhance the riparian corridor of the River Tyne through the creation of adjacent wetlands and the managed grasslands. The Environment Agency flood embankment along the river is not included within the proposed operational area of the site proposed extraction and with a buffer and appropriate working methods should not be adversely affected by the proposals.
- 9.95 The ecological appraisal work also concluded that there would be no direct impact on any nationally or locally designated wildlife sites.
- 9.96 As well as mitigation for species, the Defra Biodiversity Net Gain metric has been used by the applicant to demonstrate a measurable net gain in biodiversity. This demonstrates that a 10%+ net gain can be achieved over the lifetime of the development. This is considered to be a benefit of the proposed development.
- 9.97 If planning permission is granted for the proposed development, planning conditions would be imposed to require the submission and approval of a report to include an updated baseline Biodiversity Net Gain calculation by the Mineral Planning Authority. This would include details for the monitoring of the Biodiversity Net Gain delivery on site through the life of the site operations, and a schedule of intervals for this review. Biodiversity Net Gain requires a minimum of a 30-year retention, management and monitoring. On completion of restoration of the whole site, monitoring would be undertaken in the first year of aftercare, and then in years 2, 5, 10, 20 and 30, with monitoring reports to include recommendations for remedial actions to ensure that the agreed habitats and habitat condition are achieved. These reports would be submitted to the Mineral Planning Authority for approval.
- 9.98 An ecological impact assessment has also been provided for the proposed off-site highways works. The Council's ecologist has confirmed that his has identified all relevant issues and is sufficient to assess the impact of the proposed works. Impacts to protected species would be avoided by timing of works and appropriate checks for nesting birds and bats. Mitigation and enhancement would be provided through the provision of four long-lasting bat boxes and six long-lasting bird nest boxes on retained trees prior to commencement of works.

- 9.99 In summary, the progressive restoration of the site to a wetland area would create a mosaic of habitats, would result in significant biodiversity gain (10%+) in the both the medium and long term particularly in relation to wetland birds but also to the benefit of a wider range of species such as toads, bats and otters. The biodiversity net gains that will result from the proposed development are considered to be one of the significant benefits of this scheme. The proposed improvements to hedgerows, the tree planting and creation of a Skylark plot would mitigate for the loss of some habitat.
- 9.100 The Council's Ecologist and Natural England have been consulted on this planning application and have raised no objections. The proposals would not give rise to any unacceptable adverse effects and would contribute to a net gain for biodiversity. It is therefore considered that the proposed development would accord with Policies ENV 1, ENV 2 and MIN 1 (Part 2, c) of the Northumberland Local Plan and the NPPF. It is recommended that conditions are imposed to require the site to be operated in accordance with the submitted Landscape and Ecological Management Plan and the Biodiversity Net Gain Report.

### **Flooding, Drainage and Hydrology**

- 9.101 The application site is situated entirely within Flood Zones 2 and 3. The scheme has the potential to be impacted by flooding from the River Tyne as well as flooding from other sources. The Environmental Statement for the proposed development includes a Flood Risk Assessment, which is supported by hydraulic modelling.
- 9.102 Paragraph 159 of the NPPF states that inappropriate development in areas at risk of flooding should be avoided by directing development away from areas at highest risk. Where development is necessary in such areas, the development should be made safe for its lifetime without increasing flood risk elsewhere.
- 9.103 Paragraph 161 of the NPPF states all plans should apply a sequential, risk-based approach to the location of development, taking into account all sources of flood risk and the current and future impacts of climate change, so as to avoid, where possible, flood risk to people and property. Amongst other things they should do this by applying the sequential test and then, if necessary, the exception test (NPPF, Paragraph 161a).
- 9.104 As explained in Paragraph 162 of the NPPF, the aim of the 'sequential test' is to steer new development to areas with the lowest risk of flooding from any source. Development should not be allocated or permitted if there are reasonably available sites appropriate for the proposed development in areas with a lower risk of flooding.
- 9.105 Paragraph 163 of the NPPF goes on to state that if it is not possible for development to be located in areas with a lower risk of flooding (taking into account wider sustainable development objectives), the 'exception test' may have to be applied. The need for the exception test will depend on the potential vulnerability of the site and of the development proposed, in line with the Flood Risk Vulnerability Classification set out in Annex 3 of the NPPF.

- 9.106 In Annex 3 of the NPPF, sand and gravel workings are listed as ‘water compatible development’. Planning Practice Guidance (Flood risk and coastal change, Paragraph 079, Reference ID 7-079-20220825) identifies the exception test is not required in relation to water compatible land-uses. However, it also states that water-compatible uses in Flood Zone 3b, should be designed and constructed to remain operational and safe for users in times of flood; result in no net loss of floodplain storage; and not impede water flows and not increase flood risk elsewhere.
- 9.107 Paragraph 166 of the NPPF states where planning applications come forward on sites allocated in the development plan through the sequential test, applicants need not apply the sequential test again. However, the exception test may need to be reapplied if relevant aspects of the proposal had not been considered when the test was applied at the plan-making stage, or if more recent information about existing or potential flood risk should be taken into account.
- 9.108 The Anick Grange Haugh site is allocated for sand and gravel extraction in the Northumberland Local Plan (Policy MIN 8). The Local Plan was supported by a Strategic Flood Risk Assessment and flood risk was considered in assessing the potential suitability of sites for allocation. Sites with lower flood risk are allocated for sand and gravel extraction under Policy MIN 8 of the Northumberland Local Plan but this would not be sufficient to meet the identified need over the plan period on their own. Other alternative sites in areas of lower flood risk were not considered to be suitable for allocation in the Local Plan for reasons other than flood risk and therefore the site at Anick Grange Haugh was selected to ensure that adequate provision for sand and gravel for aggregate uses to meet the needs over the plan period could be addressed. In accordance with Paragraph 166 of the NPPF it is not considered to be appropriate to apply the sequential test again in the determination of this application as this has been considered through the site allocation in the Local Plan. Also in accordance with Paragraph 163 of the NPPF, it is considered that the exception test does not need to be applied subject to the proposal meeting the relevant requirements set out in Planning Practice Guidance.
- 9.109 The flood modelling undertaken in support of the flood risk assessment includes two baseline scenarios. The first of these baseline scenarios involves the retention of the Environment Agency flood embankment along the River Tyne in perpetuity, while the second baseline scenario involves the removal of this flood embankment. Additional flood modelling work was undertaken by the applicant to address comments made following consultation with the Environment Agency. This additional modelling included the scenario involving the retention of the flood embankment in perpetuity. This resulted in some design changes to the proposed scheme, which involves the compound area being moved further south by approximately 35 metres in comparison to that proposed in the original submission.
- 9.110 For the baseline scenario involving the retention of the flood embankments, the results of the modelling work show:
- The flood embankments protect the proposed site and adjacent haugh land up to a 1-in-100 year storm event.

- The modelling demonstrates that at Phase 1 for a 1-in-100 year plus 18% climate change event, compared to the baseline scenario, there is a negligible change in flood depth inside or outside of the site.
- In the restoration phase for a 1-in-100 year plus 34% climate change event, compared to the baseline scenario, shows a small area of increased flood levels in a localised area immediately adjacent to the compound is possible however this would not increase the extent of flood risk in this location. Generally, there is a widespread reduction in modelled flood levels following restoration compared to the baseline.
- The flow further downstream of the site has been assessed to ensure flood risk is not raised at Corbridge. In each modelled scenario the maximum flow rate in the design scenario is lower than the baseline and this indicates that the development will achieve a reduction in downstream flood risk.

9.111 The results are as follows for the parent scenario including the removal of the flood embankments:

- For a 1-in-100 year plus 18% climate change event, the year 2020 for the baseline and Phase 1 scenario was modelled. This shows a reduction in flood levels across the majority of the flood extent of less than 0.25 metre in Phase 1 when compared to the baseline. There is only an increase in flood level on land adjacent to the compound area and within the site. The flood extent for Phase 1 largely reflects baseline scenario but there is an area to the north and west where there is a reduction in flood extent by more than 2 hectares.
- The restoration scheme, in a 1-in-100 year plus 34% climate change in the year 2080, compared to the baseline was also modelled. This shows that there is generally a widespread reduction in modelled flood levels. The reduction in flood levels is between 0.15 and 0.25 metres for areas to the north and west of the compound and around 0.35 metres to the north of the compound. There is a reduction in the extent of the flood waters in localised areas in the north of Bridge End Industrial Estate.
- The flow further downstream of the site has been assessed to ensure flood risk is not raised at Corbridge. In each modelled scenario the maximum flow rate in the design scenario is lower than the baseline and this indicates that the proposed development will achieve a minor reduction in downstream flood risk.

9.112 In relation the surface water, the flow direction and runoff pathways for surface water generated across the application site were modelled. This identified flow pathways around the proposed compound area. As a result, ditches around this compound have been incorporated into the proposals scheme to redirect the flow. The surface water runoff from the compound and the site will be retained in the site. The modelling work also indicates that during a 1 in 100-year rainfall event there would be a rise in water level by 0.213 metres and this can be accommodated in the excavations. The

proposed development would therefore not increase surface water run-off outside of the site.

- 9.113 In the modelling and flood risk assessment work, the impact of climate change on the proposed development has been considered. This includes the potential for a 20% increase in peak rainfall intensity up to 2115 and 34% increase in peak river flows up to 2115. The increase in peak river flow is significant but as the proposed development is water compatible the impacts are considered to be limited. In relation to peak rainfall, an increase of 20% in peak rainfall intensities is not anticipated to significantly alter the capacity for rainwater attenuation of the excavation created by the mineral extraction.
- 9.114 The Environment Agency and Lead Local Flood Authority have been consulted on the planning application and have no objections. The Environment Agency have requested that if planning permission were to be granted, a planning condition be imposed requiring the development to be carried out in accordance with the submitted flood risk assessment and the mitigation measures it contains which relate the floor levels of the site compound and the flood bund to the north of the site compound shown on the submitted plans. The Lead Local Flood Authority have also requested a condition requiring the submission and approval of a flood plan for the site.
- 9.115 Concerns regarding the effects of the proposed development on flood risk have been raised in the letters of objection. This includes concerns from residents in Corbridge that the proposed development would increase the risk of flooding downstream. As explained above, the modelling demonstrates that the proposed development would not increase flood risk downstream and there would be a reduction in the maximum flow rates downstream. The site compound would cause some localised displacement of flood water in some instances, but the displacement would be within the site.
- 9.116 In conclusion it is considered that the proposed development addresses the requirements of Policy WAT 3 of the Northumberland and the NPPF in relation to flood risk.

### **Cultural Heritage**

- 9.117 The Environmental Statement includes a chapter on archaeology and cultural heritage. This is supported by a Heritage Assessment.
- 9.118 The site of the proposed development is located 1 kilometre to the west of the southern extent of the scheduled monument of Corbridge Roman fort and town, and 2.5 kilometres to south of the military buffer zone for the Frontiers of the Roman Empire: Hadrian's Wall World Heritage Site. It is also located on the opposite side of the River Tyne from the Hexham Conservation Area, the easternmost parts of which are around 460 metres west of the site. Grade I listed Beaufront Castle and associated listed features and landscaping is located around 1.2 kilometres to the north east. A number of other listed buildings are also located in the area surrounding the site.

### Archaeology

- 9.119 The site is located adjacent to the river and parts of the site are likely to have been subject to river action and the deposition of alluvium over a long period of time. It is also located in a wider landscape containing known archaeological sites from the pre-historic period onwards. The nearest known ditched enclosure of probable Iron Age date and an adjacent temporary Roman camp are located on land to the west of Beaufront Red House, 700 metres east of the proposed development area and around 250 metres north of the northern bank of the River Tyne.
- 9.120 The route of the River Tyne may have varied over time, however Bronze Age burials are increasingly been discovered up to 300 metres from the line of the river. The nearest example was found in 1830 around 250 metres south of the river, to the immediate south of the application site.
- 9.121 The Stanegate Roman road runs north-west to south-east around 350 metres north of the site passing through Corbridge (Corstopitum) Roman station. The western extent of which is located around 1 kilometre east of the application site. The application site is located at some distance from known medieval and post-medieval settlements which would be likely to extend into this area.
- 9.122 The site has been subject to a desk-based assessment, geophysical survey and trial trenching. The geophysical survey report identified that geophysical survey is not effective across the central and southern parts of the site due to ground conditions. In the northern part of the site, the survey revealed some anomalies of probable archaeological origin including probable fields, enclosures and paddocks, boundary features and a possible track or driveway which could relate to either Iron Age/Romano-British activity or Roman activity associated with the extensive scheduled site of Corbridge (Corstopitum) Roman station.
- 9.123 The subsequent trial trenching in the lower gravel terrace, where the sand and gravel extraction is proposed, revealed two palaeochannels and multiple alluvial deposits but did not reveal significant archaeological remains. Trial trenching was also carried out on the higher river terrace, in the northern part of the site in the area of potential Iron Age/Romano-British or Roman activity identified in the geophysical survey. The trial trenching in this area revealed a multi-phase farmstead settlement of 2nd to 4th century date comprising evidence for field systems, probable driveways for the management of livestock and relict wall foundations.
- 9.124 A third phase of trial trenching in the area of the proposed soil bunding to the north east of the site did not identify any archaeological remains and demonstrated that the area had been heavily disturbed in the modern period by borrow pits for the A69 road construction.
- 9.125 The County Archaeologist has been consulted on this application and agrees with the conclusions of the archaeology and cultural heritage chapter of the Environmental Statement in relation to the limited or negligible impact on the setting of the scheduled monuments in the area. While archaeological remains of significance were revealed in the northern part of the site, this area will not be subject to groundworks or storage of soils and as a result the archaeological remains in this area will remain *in situ*. Historic England have been consulted on this application and have raised no objections.

9.126 Based on the archaeological work carried out to date and the nature and location of the proposed development, the County Archaeologist also advises additional archaeological work is unlikely to add significantly to knowledge of the area or reveal significant archaeological remains. As a result, it is considered that no further archaeological work is required in connection with this application.

9.127 Therefore, in regard to archaeology it is considered that the proposed development accords with Policy ENV 7 of the Northumberland Local Plan.

Historic built environment:

9.128 The proposed development would not result in any direct, physical impacts to historic buildings or the historic built environment. Indirect impacts to the settings of Listed Buildings and other designated elements of the built environment such as Conservation Areas and Registered Parks and Gardens are relevant. The Environmental Statement includes a chapter on archaeology and cultural heritage and a Heritage Assessment.

9.129 The Listed Building settings identified as being possibly affected by the proposed development and discussed below are:

- Beaufront Castle - Grade I Listed Building
- Curtilage listed Gardeners Cottage
- Apple store and adjacent walls on north of kitchen garden - Grade II listed Potting shed with attached walls and steps in kitchen garden - Grade II listed
- Beaufront Woodhead Farmhouse and Adjacent Cottage - Grade II listed and other Grade II listed farm buildings in the hamlet
- Sandoe Hall - Grade II Listed
- Chapel of St Aidan - Grade II Listed
- Anick Farmhouse - Grade II Listed
- Homeaway - Grade II Listed
- Red Lion Cottage - Grade II Listed
- Delegate Cottage - Grade II Listed
- Bellevue - Grade II Listed

9.130 The impact to the settings of the following designated heritage assets have been assessed and it is considered that there would be negligible to no impact on:

- Hexham Abbey – Grade I listed
- Hexham Conservation Area
- Hexham Parks - Grade II Registered Park and Garden
- Dilston Haugh Farmhouse – Grade II listed
- Dilston Crossing House - Grade II listed
- Walkers Pottery Kilns - Grade II listed and Scheduled Monument
- Corbridge Conservation Area

9.131 Therefore, in respect to the Hexham Conservation Area and the Corbridge Conservation Area the proposed development would not conflict with Policy ENV 9 of the Northumberland Local Plan.



*Beaufront Woodhead Farmhouse and Adjacent Cottage - Grade II listed, Group of farm buildings on north side of road, with walls attached – Grade II listed, and Cartshed 30m north east of farmhouse – Grade II listed*

- 9.132 This stone-built 18th century dwelling incorporating older fabric is located to the north-east of the application site. A section of 1-metre thick wall on the west side of the building points to its early defensive origins as a bastle house, robustly built to protect its inhabitants and livestock.
- 9.133 The farmhouse is situated within a hamlet comprising a number of Grade II listed farm buildings and cottages. The settlement occupies an elevated position on the valley side. This could have been strategic, affording panoramic views across the valley to spot possible attackers. The mature trees directly in front the farmhouse have reduced this outlook slightly.
- 9.134 The agricultural setting of the listed buildings also enhances their historic interest as traditional Northumbrian farm buildings. In these ways, long range views southwards from around the listed buildings contribute to their historic interest and overall significance.
- 9.135 The proposed development would materially alter the character of the application site visible from the listed buildings. While the existing harmful visual impact of the Egger factory affects these views at present, the land would become further industrialised and erode the wider agricultural setting of the designated heritage assets. The impact would be mitigated slightly by intervening trees in the summer months.
- 9.136 The proposed development would therefore cause less than substantial harm to the setting of the Grade II listed farmhouse and farm buildings within the settlement.

*Beaufront Castle - Grade I listed, Apple store and Potting shed - Grade II listed buildings , and Gardener's cottage – curtilage listed*

- 9.137 To the north-east of the application site is Beaufront Castle. The building was designed by the notable architect John Dobson in his "domestic castellated" style with free Perpendicular/Tudor Gothic aesthetic qualities.
- 9.138 The estate setting of the country residence contributes greatly to its overall significance. The garden and grounds around the building are landscaped as shown on the first and subsequent editions of Ordnance Survey maps. The house benefits from dense woodland on its north-east and west sides, so views southwards towards the valley floor and across the Tyne are framed by trees. This also means that the house has a commanding presence in long range views within the valley which reinforced its high status. Views to and from the building are therefore designed and of high significance and very sensitive to change.
- 9.139 Views outwards towards the application site were assessed from the principal rooms on the ground and first floor in the main block of the house and from the Grade II listed terraced wall to its south. The application site is visible above the mature trees from all these key vantage points, but most noticeably from the first floor and terrace. The development would be visible in the

periphery of the panoramic view from the Grade I listed building during at least operational Phases 3 to 5 of the development and following its restoration. The application site would encroach on designed views that currently benefit from tree cover that blocks oblique views over towards the Egger factory to the east of Hexham.

- 9.140 The Grade II listed Apple store and Potting shed and the curtilage listed Gardeners Cottage are situated on the western edge of the estate. Views from these functional buildings across the valley do not contribute to their significance, unlike the designed views from the main house. The Gardeners Cottage is orientated to face south down the valley and during the summer months its view towards the application site is interspersed with trees. Any views from the apple store and potting shed as functional buildings are likely to be fortuitous, rather than designed. The Egger factory can be glimpsed in some views from these estate buildings, but most are unaffected by this industrial complex.
- 9.141 The proposed development during all operational phases would bring industrial activity from the glimpsed peripheral into the middle of views from these listed and curtilage listed structures. It would therefore have an industrialising effect upon the largely rural setting of the buildings. It would also have a harmful impact on important designed views from the Grade I listed house, and from Grade I curtilage listed and Grade II listed buildings at the western edge of the estate.
- 9.142 It is considered that the harm would be 'less than substantial' harm to the setting of the Grade I listed buildings (which is of the highest significance) and the settings of Grade II listed buildings within its grounds.

*Sandoe Hall - Grade II Listed*

- 9.143 Sandhoe Hall is located to the east of Beaufront Castle. The grand country residence was also designed by John Dobson and was built in 1850 incorporating earlier fabric. The Hall has an L-shaped plan form, with a long north-west domestic wing to the rear.
- 9.144 The principal elevation faces south across its terraced and landscaped grounds and the valley beyond. This designed setting contributes to and enhances the historic and artistic interest of the listed building, articulating the wealth and status of its owners and the horticultural and architectural fashions of the 19th century.
- 9.145 Dense woodland to the west of the grounds conceals the application site in views from in front of the Hall. We were not able to gain access to the Hall to assess impact on designed views from the upper floor but given the height of the building and the trees it is unlikely that these views would be affected.
- 9.146 We conclude that the proposed development would not harm the setting of this Grade II listed building.

*Chapel of St Aidan - Grade II Listed*

- 9.147 This chapel was designed in a free Perpendicular style by W.S. Hicks for John Straker of the adjacent Stagshaw Hall and was constructed in 1885. It has an aisleless 3-bay nave with porch at its south corner and a south-west bell turret, 2-bay chancel with north vestry and an organ chamber.
- 9.148 Trees hug the north and side elevations of the chapel, but this intimate wooded setting opens up to the south and allows uninterrupted views over the chapel grounds, fields beyond and the opposite side of the valley. The building may have been designed to be seen from miles around as a proclamation of the faith and status of the landed gentry who commissioned it. The openness of the setting of the chapel therefore makes an important contribution to the significance of the building.
- 9.149 The view from the chapel is channelled by the dense U-shaped band of trees around the perimeter of the grounds. The application site is only visible in the distance when stood at the south-western corner of the chapel grounds. From this vantage point, it appears as a narrow strip of agricultural land.
- 9.150 The proposed development would visually alter the appearance of this land, but this change would be small in the wider landscape and would not be visible from within the immediate vicinity of the chapel. It is therefore considered that the proposed development would not harm the setting of this Grade II listed building.

*Anick Farmhouse - Grade II listed, and Homeaway – Grade II listed*

- 9.151 These listed buildings are situated to the north of the application site in the settlement of Anick which overlooks the application site from the valley side.
- 9.152 Anick Farmhouse is a former bastle house dating from the late 16th or 17th century that has been adapted over the centuries. There are remains of its original byre doorway at ground level and upper doorway in its right bay. The building is now set behind a stone wall and a couple trees which will obscure some of the views from the house. The ranges of farm buildings to its north and west are also Grade II listed.
- 9.153 Along the lane to the west, the Grade II listed Homeaway is a stone built dwelling dated 1694. It is also orientated to face south across the valley and, set back from the lane behind a low dry-stone wall, benefits from unimpeded views towards and over the application site.
- 9.154 The site forms part of the wider rural setting of the listed buildings. The meander of the river around the application site is prominent in panoramic views from these buildings. The visual impact of the proposed development and associated industrial activity for the duration of the phased work, would be harmful to the established agricultural setting of the listed buildings. The harm to the setting of the listed buildings would be less than substantial.

*Red Lion Cottage - Grade II Listed*

- 9.155 To the south of the application site, and to the east of Hexham is this listed dwelling, formerly a public house called the 'Red Lion'. Its front elevation faces the road and would have invited in travellers along the former principal

route connecting Hexham and Newcastle. The front elevation looks towards the application site. While stood in front of the listed building, the flat fields of the site are largely screened by the intervening trees, fencing and the land banked to the north of the road. However, during the winter months Phases 2 and 3 of the proposed development operations could be more prominent in views north from the building, and additional noise, dust and lighting are likely to have a deleterious impact on the setting of the listed building. This impact would amount to less than substantial harm but following the restoration of the site, there would be negligible to no harm to this setting.

*Delegate Cottage - Grade II Listed*

- 9.156 This listed house is situated to the south of the application site in a slightly elevated position on the south side of the valley. This dwelling is a multi-period property with modest origins. It was originally a 2 up 2 down cottage built in 1800 with an attached single storey stable block and cow byre built in 1873 creating a smallholding. An additional storey was added in the 1950s when the building was converted into a single residence which gives the impression of a larger country house.
- 9.157 The principal elevation of the dwelling faces south, away from the valley into the front garden. Its immediate setting is more enclosed and intimate than the other hill side listed buildings. There are no designed views of significance. However, the rural backdrop of the fields, trees, hedges and clusters of settlement behind the building contribute to and enhance the historic and aesthetic interest of the building.
- 9.158 The Heritage Statement suggests that the visual impact of the proposed development on the application site could be screened by a band of trees to the north-east of the listed building. Mature hedging to the north of the property block views across the valley floor to the Egger industrial complex. The visual impact of the proposed development would therefore be low and mitigated further by the building 'turning away' from the application site so there is unlikely to be harm to the setting of this listed building.

*Bellevue - Grade II Listed*

- 9.159 To the south-west of the application site is Belle Vue. The Grade II listed building is situated on Causey Hill Road which climbs southwards away from Hexham town centre. The first floor window on the north front of the house has a carved headstone with the legend 'Belle-Vue 1825'. As suggested by its name, this 19th century dwelling was built so that excellent views down towards and over Hexham could be enjoyed from the large, sashed windows from its principal rooms.
- 9.160 Over the last two centuries, the historic setting of the listed building has drastically changed. Once located in the open countryside adjacent to a farmstead, Belle Vue has been engulfed by residential development. Nevertheless, its views across the valley are an integral part of its history and significance. The Egger factory has had a harmful impact in these designed views. However, the application site itself is hidden from view by the intervening houses. It is therefore considered that the proposed development would not cause further harm to the setting of this listed building.

- 9.161 In summary, the proposed development has been evaluated having regard to Section 66 of the Planning (Listed Buildings and Conservation Areas) Act 1990, Section 16 of the NPPF and Policies ENV 1 and ENV 7 of the Northumberland Plan. It is considered that the proposed development would fail to preserve the settings of the following listed buildings:
- Beaufront Castle – Grade I listed
  - Apple store and Potting shed - Grade II listed buildings
  - Gardener's cottage – curtilage listed
  - Beaufront Woodhead Farmhouse, farm buildings and cartshed – Grade II listed buildings Anick Farmhouse – Grade II listed
  - Homeaway – Grade II listed
  - Red Lion Cottage – Grade II listed
- 9.162 The proposed development would cause 'less than substantial' harm to the settings of these designated heritage assets in the terms of Policy ENV 7 of the Northumberland Local Plan. The measures to mitigate visual impact would do little to reduce the harmful impacts in long- and medium-range views from the listed buildings on the valley sides. The site following restoration would have less visual impact, but the permanent change in the character and appearance of the site, from agricultural land to artificial body of water would still have a harmful impact on the largely agricultural landscape setting of the heritage assets. Policy ENV 7 requires this degree of harm to be weighed against the public benefits of the proposal.
- 9.163 Planning Practice Guidance (Historic environment, Paragraph 020, Reference ID 18a-020-20190723) explains that public benefits could be anything that delivers economic, social or environmental objectives as described in the Paragraph 8 of the NPPF. Public benefits should flow from the proposed development. They should be of a nature or scale to be of benefit to the public at large and not just be a private benefit.
- 9.164 The assessment of whether the proposed development would include public benefits that outweigh the identified harm to the settings of the identified designated heritage assets will be set out in the planning balance in the conclusions of this report

### **Agriculture and Soils**

- 9.165 The Soils and Agricultural Land Report submitted with this application shows that all of the existing agricultural land within the site to be of best and most versatile quality ranging from Grade 2 (very good agricultural quality) to Subgrade 3a (good agricultural quality). Due to the proposed method of working and restoration, the site would not be returned to agricultural use following extraction. The proposal would therefore result in the permanent loss of 36.6 hectares of best and most versatile land and the Environmental Impact Assessment considers this to be significant.
- 9.166 Paragraph 174 of the NPPF identifies that in making decisions on planning applications, should consider the economic and other benefits of best and most versatile agricultural land (Paragraph 174b), and try to use areas of poorer quality land instead of higher quality land where significant

development of agricultural land is demonstrated to be necessary (Footnote 58).

- 9.167 Part 1 of Policy POL 3 of the emerging Northumberland Local Plan deals with the permanent loss of Best and Most Versatile land. It states regard will be had to the wider economic and other benefits of the best and most versatile agricultural land when considering any irreversible loss in accordance with national policy. Where significant development of such land is demonstrated to be necessary, areas of poorer quality land should be preferred to those of higher quality.
- 9.168 Therefore, in accordance with the NPPF, regard should be had to the wider economic and other benefits of the best and most versatile land in the planning balance. This will need to take account of the significant impact on the best and most versatile agricultural land. The benefits associated of best and most versatile agricultural land include, but are not limited to, the production of food, the economic benefits associated with the agricultural sector, the role of the land within the ecosystem and carbon storage.
- 9.169 Planning authorities must consult Natural England on all non-agricultural applications that result in the loss of more the 20 hectares of best and most versatile agricultural land if the land is not included in the development plan. While this site is allocated in the Northumberland Local Plan (adopted March 2022), the plan had not been adopted at the time this application was submitted. Natural England were consulted on this application and no objections were raised in relation to impact on the agricultural land.
- 9.170 The proposed site is allocated in the recently adopted Local Plan which demonstrates it is necessary to develop site in order to meet the identified demand for sand and gravel over the plan period. Alternative sites to meet this need were considered through the preparation of the Local Plan. The presence of best and most versatile agricultural land was considered in decisions regarding whether it is appropriate to allocate the site. This is an important consideration in assessing this application.
- 9.171 If planning permission were to be granted it is recommended that relevant planning conditions are imposed to ensure the soil is handled in line with good practice as required by Policy POL 2 of the Northumberland Local Plan.

### **Contamination and land stability**

- 9.172 Paragraph 174d of the NPPF requires planning decisions to contribute to and enhance the natural and local environment by preventing new and existing development from contributing to, being put at unacceptable risk from, or being adversely affected by, unacceptable levels of soil, air, water or noise pollution or land instability. Paragraph 183 of the NPPF requires that in making decisions on schemes consideration is taken account of the ground conditions and any risks arising from contamination.
- 9.173 Policy POL 1 of the Northumberland Local Plan supports development proposals where it can be demonstrated that unacceptable risks from land instability and contamination will be prevented by ensuring the development is appropriately located and that measures can be taken to effectively mitigate

the impacts. Policy WAT 1 of the Northumberland Local Plan seeks to ensure that all water bodies achieve 'good status' in terms of their ecological balance and other relevant factors, preventing any deterioration in that status. Development is not supported where it would have an adverse impact on water quality in surface water bodies or it could disrupt the ground water movement or affect its chemical balance, including any wider impacts.

- 9.174 The Environmental Statement identifies potential contamination sources within the site and surrounding area due to previous and neighbouring agriculture land use and the use of fertilisers, pesticides and herbicides, upstream sewer discharge, discharges from Egger, and metal rich sediments associated with the historic metal mining elsewhere in the River Tyne catchment. These contamination sources have the potential to impact on groundwater quality, the River Tyne and water within the proposed restoration. Testing of soils/sediments and groundwater has been undertaken to inform the environmental impact assessment to establish the concentrations of metals, Ammoniacal Nitrogen, Nitrate and Nitrite, and organic compounds.
- 9.175 The results of the baseline groundwater quality monitoring data identify that the groundwater quality has been affected by existing activities, namely agricultural activities, and discharges from the Egger industrial facility. It is also possible that groundwater quality has been affected by historic activities upstream, including mining, which has resulted in some elevated metals concentrations within the baseline data.
- 9.176 The groundwater modelling work undertaken in support of the application has shown that the overall groundwater flow regime would not be altered as a result of the quarry excavation and the abstraction of water from the groundwater lagoon. The groundwater is currently in hydraulic connectivity with the River Tyne and the proposed extraction would not change this. This would mean that groundwater would continue to move through the surrounding ground strata to the lake and then to the River Tyne. The proposed extraction of water will not have a negative impact on Egger groundwater abstraction or the groundwater flow regime and hydraulic gradients towards the river. The ground and groundwater within the site and the surrounding area has pollutants within it. These are currently transported into the River Tyne due to the connectivity between the groundwater and the river. This connectivity would continue as a result of this scheme. The assessment also indicates that the proposed development would not result in the status of waterbodies deteriorating in accordance with the Water Framework Directive.
- 9.177 The applicant proposes that groundwater monitoring, both levels and quality monitoring, is undertaken throughout the operational phase of development to identify any potential sources of contamination. This is to ensure that during the proposed development the hydraulic gradient and connectivity between the site and River Tyne is retained; this in turn will ensure that that existing pollutants are continually monitored. Silts produced from the mineral processing washing plant would be subject to testing under an Environment Agency permit before they are used in the restoration of the site. Any silts that do not comply with the requirements (i.e. which have raised levels of heavy metal or other contaminants) would be removed from the site for disposal

under a relevant waste permit. This prevents the pollutants becoming concentrated into the lake and then moving into the River Tyne. The bunded silt drying beds would be located within the site compound, which is situated above the floodplain to minimise the risk of sediment being mobilised during a flood event.

- 9.178 The Environment Agency and the Council's Public Protection team have been consulted on this application and have raised no objections in regard to this matter. The Environment Agency have confirmed they are satisfied that the assessments provided in support of the application have given appropriate consideration of the impact on the water environment. If planning permission is granted, it is recommended that planning conditions are imposed to require the implementation of the groundwater and silt monitoring detailed in the proposed Environmental Management Plan for the site. Public Protection also recommends the imposition of a planning condition to address unexpected contamination should it be found onsite during development of the site or during site operations.
- 9.179 In relation to land stability, Chapter 9 of the Environmental Statement assesses the hazards presented by the proposed development. This includes a geotechnical design and stability assessment that examines the stability of the slopes created during the excavations and the integrity of the land between the excavation and the River Tyne. An avulsion assessment also considers the possible increased risk of the River Tyne cutting through the existing riverbank and breaching the excavated lake in a flood event.
- 9.180 The geotechnical design assessment identifies that for a site that is 'wet worked' such as this, the main risk arises from the over steepening of the excavation slope profile, which could lead to undercutting and the failure or movement of the slope. A stability assessment concludes with an excavation slope of 1 in 2 gradient an adequate factor of safety can be maintained.
- 9.181 All excavations would be at least 20 metres distance from the base of the existing Environment Agency flood protection embankment and the geotechnical design assessment concludes that at no time should the integrity of the land between the excavation and the River Tyne be at risk due to the proposed development.
- 9.182 The Avulsion Assessment concludes that there is already a risk of the River Tyne breaching the existing Environment Agency flood protection embankment and eroding this embankment as it floods the haugh land. The proposed development does not include any works to the riparian riverbank or the Environment Agency embankment and therefore it would not increase this existing risk. The creation of the lake, by virtue of the below ground excavations, may increase the potential risk of this breach because flood waters could undercut the 1 in 2 slope profile created around the edge of the extraction area, the shallows and then the Environment Agency flood embankment. To reduce and mitigate this risk, the shallows slope profile will be restored to a 1 in 5 profile as soon as practicable, following extraction in that part of the site, and surfaced with erosion matting and suitable materials, to dissipate flood energy and the risk of avulsion.



9.183 It is therefore considered that the proposed development would accord with Policies WAT 1 and POL 1 of the Northumberland Local Plan and Paragraphs 174 and 183 of the NPPF.

### **Climate Change**

9.184 In relation to climate change, Policy MIN 1 (Part 2, n) of the Northumberland Local Plan requires applicants to demonstrate how their proposal would impact on climate change and targets to reduce greenhouse gas emissions. Where appropriate, proposals should propose mitigation and adaptation measures. Part 1 of Policy STP 4 of the Northumberland Local Plan states development proposals should mitigate climate change and contribute to meeting nationally binding targets to reduce greenhouse gas emissions. Part 2 of Policy STP 4 states development proposals should support adaptation to climate change, be resilient to climate change, and not make neighbouring areas more susceptible to the negative impacts of climate change.

9.185 The Environmental Statement includes a chapter on climate change, which reports the likely significant effects of the proposed development in terms of climate change in the context of the site and surrounding area. The assessment focusses on the potential effects of the proposed development on greenhouse gas emissions, and also the vulnerability of the proposed development to climate change effects.

9.186 The impacts of the proposed development on greenhouse gas emissions have been assessed based on the emissions associated with the extraction of sand and gravel against industry benchmark standards. The greenhouse gas emissions per unit of output have been assessed against the baseline value. In this context the baseline is taken to be an equivalent 'typical' development rather than 'no development'. The justification for this assumption is that demand for the sand and gravel product exists, and supply will meet that demand. This means if the sand and gravel is not extracted at the proposed site, it would be extracted from somewhere else, and the emissions would still be produced.

9.187 The greenhouse gas emissions controlled or influenced by the proposed development along with its associated infrastructure have been considered. This includes direct emissions from company vehicles on site and process equipment, for example. It also includes indirect emissions from the generation of purchased electricity, heat or cooling consumed by the company. The emissions associated with the quarrying operations have been calculated based on a predicted production of 250,000 tonnes of sand and gravel annually. The average annual greenhouse gas emissions associated with the proposed development is estimated to be 390 tonnes of carbon dioxide equivalent (tCO<sub>2</sub>e). Operations will extend until 2047, generating a total of 9,750 tCO<sub>2</sub>e. This equates to an intensity ratio of 0.0017 tCO<sub>2</sub>e/t.

9.188 The predicted greenhouse gas emissions from the proposed development are lower than the predicted baseline scenario which uses the industry benchmark standards and published information on greenhouse gas emissions associated with the production of sand and gravel.

- 9.189 The transportation of the mineral is a key greenhouse gas cost associated with the proposed development. It is assumed that if the sand and gravel is not sourced from Anick Grange Haugh there would still be a demand for the material, and it would be supplied from elsewhere. This would give rise to greenhouse gas emissions. If the material has to be sourced further from the end-user, the carbon equivalent per tonne of material would be greater.
- 9.190 In relation to the vulnerability and resilience of the proposed development to climate change, the Environment Statement sets out an assessment against different emissions scenarios. As climatic conditions change there are likely to be impacts on a number of receptors. Potential receptor groups include infrastructure receptors, human health receptors, and environmental receptors.
- 9.191 The projected increase in maximum temperatures is likely to increase risk to site operatives and increase the risk of fires. Increased winter temperatures will reduce the heating capacity within buildings while the increased summer temperatures will lead to an increased demand for cooling within buildings to avoid potential overheating. Increased temperatures could lead to unsuitable habitats for any fauna and flora which are currently present, which could lead to migration or loss of species. The changing climate may also lead to the colonisation of new pathogens which could impact certain tree species.
- 9.192 Increases in winter precipitation is likely to cause disruption to operations. There could be periods where extraction is reduced depending on the severity of the flooding. An increased amount of rain will put more stress on the drainage systems, this coupled with the void created through the quarrying process could lead to water building up within the quarry. During the summer months droughts may become more common. It is possible that certain tree species may become water stressed and less able to tolerate disease load. Operations that require a water supply may also be impacted. Dry conditions may also lead to increased potential for dust to be generated from the site.
- 9.193 Storms could increase the risk of damage to facilities within the site and infrastructure. Increased wind speeds could also increase the risk of dust transportation.
- 9.194 The proposed development includes mitigation measures to manage the risks associated with climate. This includes measures to manage flood risk and control dust. The Environment Statement concludes that with this mitigation it is considered that the impact of future climate change on the proposed development would not be significant in Environmental Impact Assessment terms.
- 9.195 It is therefore considered that the proposed development addresses the requirements of Policy MIN 1 and Policy STP 4 of the Northumberland Local Plan in respect of climate change.

### **Socio-economic effects**

- 9.196 The Environmental Statement includes a chapter that identifies the socio-economic effects of the proposed development.

- 9.197 The proposed development would provide 10 jobs at the site and would directly support 2 jobs at the company headquarters in Prudhoe. It would also support the retention of other employees at the company, including those employed in haulage jobs. It will therefore not only create additional employment but help to secure and support the existing jobs at the company. The Environmental Statement also identifies the economic role of the extractive industries to the UK economy and its importance to the construction industry in relation to a range of building and infrastructure projects from those of a national importance to smaller scale projects on a local level.
- 9.198 The sand and gravel from this site would play an important part in ensuring that Northumberland can continue to supply sand and gravel into the local and regional market for the construction industry. The site is allocated under Policy MIN 8 of the Northumberland Local Plan to meet the demand identified over the plan period. As sand and gravel is a high bulk, low-cost commodity it is important that, as far as feasible, the material can be supplied close to the markets to minimise the overall environmental and financial cost of transport.
- 9.199 The Local Aggregates Assessment identifies some large-scale infrastructure projects, such as the road improvement schemes on the A1 in Northumberland and Tyne and Wear, that will require aggregate minerals. These materials will also be required to support the house building and economic related development in the Northumberland Local Plan and the Local Plans of other planning authorities in North East England. These developments will continue place a demand on construction aggregates at levels that similar to those in recent years.
- 9.200 Many of the letters of objection have raised concerns about the impacts of the proposed development on tourism and the visitor economy. Policy ECN 1 of the Northumberland Local Plan sets out the strategy for economic development and Part 2 of this policy states that development proposals will support and promote tourism and the visitor economy.
- 9.201 The letters of objection identify the importance of tourism to the area and include concerns about impacts from this proposal on visitors to Hexham, Hadrian's Wall, Corbridge Roman Site, Northumberland National Park and North Pennines Area of Outstanding Natural Beauty. The Landscape and Visual Impact Assessment submitted with the application shows that visitors to the Hexham Parks (Grade II Registered Park and Garden) and the Hexham Conservation Area would not have views of the proposed site. The site of the proposed development is separated from Hexham by the Egger Plant, sewage treatment works, anaerobic digestion plant and other existing industrial development and buildings. The World Heritage Site at Corbridge is located 1 km east of the site but views of the site would be screened by intervening vegetation. In addition, the site would not be visible from the North Pennines Area of Outstanding Natural Beauty.
- 9.202 The A69 which runs to the north of the site is a key route for visitors to Hexham and other destinations in the west of Northumberland. When travelling along the A69 there would be low-lying views of the proposed development filtered by some of the existing vegetation that would be experienced for a small part of the journey. The Egger factory is already a dominate feature in the vicinity of the site, along with the adjacent sewage

works and anaerobic digestion plant. Similarly, railway users travelling past the proposed site would not experience significant effects due to intervening vegetation and built development providing some screening. Cyclists on the Hadrian's Cycleway route would also only glimpse the site through existing vegetation. Users of the Footpath 540/004 on the valley side to Anick would have clear views of the site and visitors to Anick village would have clear views of the site, but it would be viewed in the distance and other impacts, such as noise and traffic disturbance, would not be apparent at this location.

9.203 In the long-term the restored wetland habitat that could become a nature reserve with public access. This would have the potential to contribute to the tourism and visitor offer in Hexham and the wider area.

9.204 It is therefore considered that the proposed development would not result in significant adverse socio-economic effects and would not conflict with Policy ECN 1 of the Northumberland Local Plan. It is recognised that there would also be some positive socio-economic benefits linked to the supply of the mineral to the construction sector and the jobs secured at the site and elsewhere.

### **Site restoration**

9.205 Part 1 of Policy MIN 3 states proposals for minerals extraction will be supported where provision has been made for the appropriate restoration and aftercare of the proposed site at the earliest opportunity. Part 2 of Policy MIN 3 sets out the matters to be considered when assessing restoration proposals.

9.206 In accordance with Part 2 of Policy MIN 3, the proposed development:

- Makes provision for the phased working and restoration of the site.
- Provides net gains for biodiversity in accordance with Part 2 (a) of Policy MIN 3.
- Includes opportunities for public access following the final restoration of the site.
- The application site is not located within an aerodrome safeguarding zone, therefore the creation of the wetland would not conflict with this element of the policy. The flood risk assessment indicates that the scheme would not increase flood risk and would provide some additional flood capacity that would reduce peak flood flows at locations downstream of the site.
- Provides sufficient details to demonstrate that the proposed restoration and after-use of the site can be achieved.

9.207 Part 2 (c) of Policy MIN 3 requires proposals to protect soil resources by ensuring that they are retained, conserved and handled in line with best practice during site extraction operations and during restoration. The proposed wet working of the site means that it is not feasible to restore the site to agricultural land and therefore not all of the soils will be retained on site. The soil resources that would be retained will be used to improve the soil quality on a field to the north east of the site. The principle of the loss of this agricultural land is discussed elsewhere in this report and the loss of this land will need to be balanced against benefits of the proposed restoration development. Conditions would be imposed with the grant of planning

permission to ensure the soils are handled in line with best practice and in line with the requirements of the relevant policy criteria.

9.208 Part 2 (g) of Policy MIN 3 also states that proposals should include sufficient safeguards to ensure the adequate restoration and aftercare of the site from the commencement of development until completion of restoration and aftercare. In exceptional circumstances, such as long-term schemes where no progressive restoration is proposed, proposals where innovative techniques are to be used, or where there is reliable evidence of financial failure, a financial bond or other financial guarantee shall be sought. This is consistent with Paragraph 211 (e) of the NPPF and the advice contained in Planning Practice Guidance (Minerals, Paragraph 048, Reference ID 27-048-20140306).

9.209 The application proposes phased extraction and restoration. The method of working proposed is similar to that used on other sand and gravel sites in Northumberland and elsewhere in the UK. There is also no reliable evidence before the Council of the likelihood of either financial or technical failure and if the site operator were to fail financially, responsibility for site restoration would revert to the separate landowner. For these reasons it is considered that a bond or other financial guarantee is not required for the proposal to comply with Paragraph 211 (e) of the NPPF and Part 2 (h) of Policy MIN 3 of the Northumberland Local Plan. It is therefore considered that there are appropriate safeguards to ensure the adequate restoration and aftercare of the site through the proposed phased working of the site, the use of planning conditions and a legal agreement to secure the management of the habitats that provide a biodiversity net gain for 30 years following the restoration of the site.

### **Benefits**

9.210 Policy MIN 2 of the Northumberland Local Plan states when determining proposals for minerals extraction, great weight will be given to the benefits of minerals extraction. This is consistent with Paragraph 211 of the NPPF. Part 2 of Policy MIN 2 lists the matters that will be considered in assessing the benefits of individual proposals. The criteria in Part 2 of Policy MIN 2 are not a closed list and other benefits that are material planning considerations are capable of being considered where evidence is provided in support of a planning application.

9.211 The matters listed in Part 2 of Policy MIN 2 that are most relevant to this planning application are:

- The economic benefits of the proposal both nationally and locally, including contribution to the wider economy and the maintenance of employment and the creation of new employment opportunities;
- The contribution the extraction of the mineral will make to a steady and adequate supply of that material both locally and nationally; and
- Environmental enhancements, including those delivered through the restoration of the site following extraction and the after-use of the site and outside of the operational area.

9.212 In terms of the economic benefits, the operational phase of the sand and gravel extraction would result in the creation of 10 new jobs on the site. This

includes a site manager, site foreman, employees to operate the weighbridge and employees to operate the variety of plant and machinery on the site. In addition, it will directly support at least 2 jobs within company's headquarters at Prudhoe as well as indirectly supporting the retention of all the other employees at Thompsons of Prudhoe (including those in haulage). The applicant estimates that the scheme will result in over £6,500,000 in wages for the employees at the quarry. The company also support an apprenticeship scheme. The operation of the quarry will also support a variety of contracts with other businesses for maintenance of machinery.

- 9.213 The proposed development would contribute to the steady and adequate supply of sand and gravel for aggregates uses both locally and across a wider area. This would help to meet the demand identified over the plan period for the Northumberland Local Plan and support the construction sector.
- 9.214 In terms of environmental enhancements, the phased restoration of the site to a wetland would provide a biodiversity net gain of 10+% which is significant. This includes the gapping up of existing hedgerows within the boundary of the area covered by the planning application and tree planting along the northern boundary of the site compound and Phases 1 and 2.
- 9.215 These matters will be considered in the planning balance. In accordance with Policy MIN 2 of the Northumberland Local Plan and the NPPF great weight will be given to the benefits of minerals extraction.

### **Cumulative Impact**

- 9.216 In considering the effects of a proposed mineral development, Part 3 of Policy MIN 3 requires consideration of cumulative impacts. This includes the combination of effects from an individual site, the combination of effects from one or more sites in a locality, and the effects over an extended period of time. The Environmental Statement includes a chapter that assesses the cumulative impacts that may result from the combination of the identified effects of the proposed site operations, and the combination of effects from the extraction of sand and gravel at Anick Grange Haugh if it is worked in alongside another site or sites in the locality.
- 9.217 The method of assessing cumulative impacts in the Environmental Statement uses the sensitive receptors identified in the Noise Impact Assessment and Air Quality Impact Assessment in conjunction with the residential receptors identified in the Transport Assessment and the Landscape and Visual Impact Assessment as the basis of the assessing the combined impacts from the proposed site operations.
- 9.218 The assessment concludes that the cumulative impact of all the environmental impacts resulting from the working of the proposed development on the nearby identified sensitive receptors, residential properties and villages is not considered significant. The impact on all the properties in terms of noise and dust is within levels that are considered acceptable. The vehicles from the proposed development would not go directly passed the entrance of any identified property or through any identified residential areas. The visual impact on these receptors is considered to result in the most noticeable change in their environment

particularly to the properties to the north and south of the site located on the valley sides.

- 9.219 The properties that would experience the greatest visual impact from the proposed development are those located on the valley sides and would be further from the actual site operations. The properties located on the valley bottom and closer to the site would have a higher probability of experiencing impacts from noise and dust from the site operations, but they would be less likely to experience visual impacts due to existing vegetation and buildings breaking up direct views of the site.
- 9.220 There are no other minerals sites in the locality of the site. The assessment of cumulative impacts identifies and considers a proposed site downstream of Anick Grange Haugh at Wide Haugh, which site was put forward for consideration through the Local Plan process. The site is not allocated in the Local Plan. There also has not been planning application submitted or a request for a Screening or Scoping Opinion under the Environmental Impact Assessment Regulations. As a result, there is limited environmental information about this potential site. In relation to the assessed cumulative impacts from the application site and a potential site at Wide Haugh, the greatest cumulative impact is likely to relate to the setting of various listed buildings and structures in the locality. The assessment does however indicate that the overall cumulative impact of the working of both sites is unlikely to be significant.
- 9.221 In summary, it is considered that the proposed development is unlikely to result in significant cumulative impacts. It is therefore considered that there is no conflict with Policy MIN 1 of the Northumberland Local Plan in this regard.

### **Other Matters**

#### *Equality Duty*

- 9.222 The County Council has a duty to have regard to the impact of any proposal on those people with characteristics protected by the Equality Act. Officers have had due regard to Sec 149(1) (a) and (b) of the Equality Act 2010 and considered the information provided by the applicant, together with the responses from consultees and other parties, and determined that the proposal would have no material impact on individuals or identifiable groups with protected characteristics. Accordingly, no changes to the proposal were required to make it acceptable in this regard.

#### *Crime and Disorder Act Implications*

- 9.223 These proposals have no implications in relation to crime and disorder.

#### *Human Rights Act Implications*

- 9.224 The Human Rights Act requires the County Council to take into account the rights of the public under the European Convention on Human Rights and prevents the Council from acting in a manner which is incompatible with those rights. Article 8 of the Convention provides that there shall be respect for an individual's private life and home save for that interference which is in

accordance with the law and necessary in a democratic society in the interests of (inter alia) public safety and the economic wellbeing of the country. Article 1 of protocol 1 provides that an individual's peaceful enjoyment of their property shall not be interfered with save as is necessary in the public interest.

9.225 For an interference with these rights to be justifiable the interference (and the means employed) needs to be proportionate to the aims sought to be realised. The main body of this report identifies the extent to which there is any identifiable interference with these rights. The Planning Considerations identified are also relevant in deciding whether any interference is proportionate. Case law has been decided which indicates that certain development does interfere with an individual's rights under Human Rights legislation. This application has been considered in the light of statute and case law and the interference is not considered to be disproportionate.

9.226 Officers are also aware of Article 6, the focus of which (for the purpose of this decision) is the determination of an individual's civil rights and obligations. Article 6 provides that in the determination of these rights, an individual is entitled to a fair and public hearing within a reasonable time by an independent and impartial tribunal. Article 6 has been subject to a great deal of case law. It has been decided that for planning matters the decision making process as a whole, which includes the right of review by the High Court, complied with Article 6.

## **10. Conclusion**

10.1 The proposed development for a new sand and gravel quarry at Anick Grange Haugh has been assessed against the Development Plan, national planning policy and other material planning considerations. The submissions in the Environmental Statement, including subsequent information submitted, have been assessed and considered in the preparation of this report. On the basis of the evaluation set out in this report, the responses of consultees and the proposed mitigation, the Environmental Statement is considered robust under the requirements Town and Country Planning (Environmental Impact Assessment) Regulations 2017.

10.2 The site is allocated under Policy MIN 8 in the Northumberland Local Plan to provide sand and gravel for aggregate uses. This is in order to meet the identified demand for these materials from Northumberland over the plan period. In line with the Northumberland Local Plan the proposed development would support a steady and adequate supply over the plan period, provide production capacity to meet forecast annual demand and contribute to maintaining a landbank of at least 7 years during and at the end of the plan period.

10.3 The main considerations that weigh in favour of granting planning permission are the allocation of the proposed site for sand and gravel extraction in the recently adopted Northumberland Local Plan, the contribution that the site would make to maintaining a steady and adequate supply of sand and gravel for aggregate uses, the biodiversity net gains (10+%) that would arise as a result of the proposals, the employment that would be provided at the site and the company as well as the other direct and indirect economic benefits. The



NPPF (Paragraph 211) and the Northumberland Local Plan (Policy MIN 2) state that the benefits of mineral extraction, including economic benefits, should be given great weight when determining planning applications. From the assessment of the application, the main considerations that weigh against the proposal is the loss of best and most versatile agricultural land, the harm to the settings of a number of designated heritage assets in the surrounding area and some of the landscape and visual impacts during the operational phase of the development.

- 10.4 In relation to the historic built environment, the assessment of the application has identified that there would be 'less than substantial' harm to the significance of the settings of a number of designated heritage assets in the surrounding area. These are considerations that must also be given great weight in line with the NPPF. Taking into account Paragraph 202 of the NPPF and Policy ENV 7 of the Northumberland Local Plan it is considered that the proposed development would deliver public benefits. In particular the supply of a steady and adequate supply of minerals in line with Section 17 of the NPPF and the biodiversity net gains that would arise from the proposals. Taking this into account, it is considered that the public benefits of the proposal would outweigh the identified less than substantial harm to the designated heritage assets. The proposed development would therefore accord with Policies ENV 1, ENV 7 and MIN 1 of the Northumberland Local Plan and Section 16 of the NPPF. This conclusion has had regard to the duties imposed by section 66 of the Listed Buildings and Conservation Areas Act 1990.
- 10.5 In relation to the loss of best and most versatile agricultural land, consideration has been given to the economic and other benefits of the best and most versatile agricultural land when considering the irreversible loss in accordance with the NPPF and Policy POL 3 of the Northumberland Local Plan. The proposed site is allocated in the recently adopted Northumberland Local Plan which demonstrates it is necessary to develop site in order to meet the identified demand for sand and gravel over the plan period. Alternative sites to meet this need were considered through the preparation of the Local Plan. On balance it is considered that the benefits of the proposed development outweigh the loss of this best and most versatile agricultural land.
- 10.6 In relation to landscape and visual impact, some significant adverse effects would occur during the operational phase of development, particularly to receptors with open views of the site from the valley sides. These effects would become beneficial as the site restoration and the proposed planting matures. While some harm is identified it is considered that the benefits of the proposed development outweigh the identified harm.
- 10.7 The assessment of the application has also identified that the proposed site is in the Green Belt, but it is considered that it would not constitute inappropriate development in accordance with Paragraph 150 of the NPPF and Policy STP 8 of the Northumberland Local Plan. The site is also located within Flood Zone 3. It is considered that the proposed development meets the relevant policy requirements, and it would not increase the flood risk elsewhere and can be made safe. The Environment Agency and LLFA have been consulted and have no objections. In relation to noise, dust and air quality, it is

considered that the proposals would be acceptable in and would accord with Policy MIN 1, Policy POL 2 and Policy QOP 2 of the Northumberland Local Plan and the NPPF. In terms of ecology the proposals would lead to a biodiversity net gain of 10+% and the proposed hedgerow planting, tree planting and creation of a skylark plot would mitigate the loss of some habitat. The potential contamination and stability issues have been addressed in accordance with the relevant policies in the Local Plan and the NPPF. In relation to Highways, it has been identified that there is suitable access to the site and that the level of trip generation along with the proposed conditions to control vehicle movements will ensure that there is no detrimental impact to the operation of the road network. Off-site highway works would be needed to widen a section Anick Road to allow heavy good vehicles from the site to pass more easily and it is recommended that a condition is imposed to require the works to be undertaken before extraction commences.

- 10.8 It is concluded that the planning balance weighs in favour of granting planning permission subject to the imposition of planning conditions.

## **11. Recommendation**

- 11.1 It is recommended that this application be GRANTED permission subject to the following planning conditions and a Section 106 agreement to secure the following obligation:
- Financial contribution towards the establishment of the Hexham to Corbridge multi-user route or land offered in perpetuity/long term lease for a section or directly connected loop to the Hexham to Corbridge multi-user cycle route.

### **Time limit**

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

*Reason: To comply with Section 91 of the Town and Country Planning Act 1990 (as amended)*

### **Approved plans and documents**

2. The development hereby permitted shall not be carried out otherwise than in complete accordance with the plans and details hereby permitted:
- Composite Working Plan, Drawing number NT12453 Plan A5-1, Revision A, Date 05/05/2021
  - Engineering Plan, Drawing number NT12453 Plan A5-2, Revision A, Date 06/05/2021
  - Restoration Sections, Drawing number NT12453 Plan A5-3, Date 29/04/2021
  - Phasing Plan – Phase 1 (2 years), Drawing number NT12453 A5-4, Revision A, Date May 2021
  - Phasing Plan – Phase 1 (4 years), Drawing number NT12453 Plan A5-5, Revision A, Date May 2021

- Phasing Plan – Phase 2 (6 years), Drawing number NT12453 Plan A5-6, Revision A, Date May 2021
- Phasing Plan – Phase 2 (8 years), Drawing number NT12453 Plan A5-7, Revision A, Date May 2021
- Phasing Plan – Phase 2 (10 years), Drawing number NT12453 Plan A5-8, Revision A, Date May 2021
- Phasing Plan – Phase 3 (15 years), Drawing number NT12453 Plan A5-9, Revision A, Date May 2021
- Phasing Plan – Phase 4 (20 years), Drawing number NT12453 Plan A5-10, Revision A, Date May 2021
- Phasing Plan – Phase 5 (25 years), Drawing number NT12453 Plan A5-11, Revision A, Date May 2021
- Site Compound Layout, Drawing number NT12453 Plan A5-12, Revision M, Date 08/02/2021
- Flood Alleviation Bund, Drawing number NT12453 Plan A5-13, Date 17/01/2022
- Proposed Site Office and Welfare Building Floor Plan, Drawing number NT12453 Plan 5-14, Date May 2021
- Site Office – Proposed Elevations, Drawing number NT12453 Plan 5-15, Date 23/02/2021
- Welfare Building – Proposed Elevations, Drawing number NT12453 Plan 5-16, Date 23/02/2021
- Environmental Monitoring Plan, Drawing number NT12453 Plan 5-17, Date May 2021
- Silt Lagoon and Drying Bay, Drawing number NT12453 Plan A5-18, Revision A, Date 17/01/2022
- Terex Aggregate Washing Plant, Drawing number NT12453 Plan A5-19, Date May 2021
- Restoration Concept, Drawing number NT12453 Plan A6-1, Revision A, Date May 2021
- Ecological Impact Assessment: Road Improvements for Anick Grange Quarry, E3 Ecology Limited, Version R02, 13/06/2022
- Landscape and Ecological Management Plan, E3 Ecology Limited, Version R08, April 2022
- Environmental Management Plan, Wardell Armstrong, April 2022
- Anick Grange Flood Risk Assessment, 262896-ARP-ZZ-XX-RP-CD-0001, R4, 25 February 2022
- HGV Routing Plan, Drawing number NT15377-105, Date 17/01/2022
- Biodiversity Net Gain Assessment, E3 Ecology Limited, Version R01, August 2022
- Environmental Statement, Chapter 5 – Working Proposals, February 2022
- Environmental Statement, Chapter 6 – Restoration and Aftercare, February 2022

*Reason: For the avoidance of doubt and in the interests of proper planning.*

3. Notwithstanding the provisions of the Town and Country Planning (General Permitted Development) Order 2015 (or as subsequently amended), no buildings, fixed plant or machinery shall be erected within the site other than approved under Condition 2 above, shall be erected or placed on the site other than with the prior written approval of the Mineral Planning Authority.

*Reason: In the interest of local amenity, in accordance with Policy MIN 1 of the Northumberland Local Plan and the National Planning Policy Framework.*

4. From the commencement of development until the completion of restoration a copy of this permission, the plans and documents hereby approved and any other plans or documents subsequently approved in accordance with this permission shall be made available in the site offices during normal working and subsequently shall be made available to all persons with a responsibility for the restoration and aftercare of the site. The existence of these shall be made known to all operatives likely to be affected by matters covered by them.

*Reason: To ensure the development is carried out in accordance with the approved plans and that the approved planning documents are available for reference at the site at all times.*

## **Completion**

5. The extraction of mineral hereby permitted shall cease no later than 31 December 2048. Thereafter the site shall be restored in accordance with the plans hereby approved and conditions imposed, on or before 31 December 2049.

*Reason: To ensure the development is completed within a reasonable time period.*

6. The Mineral Planning Authority shall be notified in writing of the cessation of mineral extraction within 1 month of extraction ceasing.

*Reason: To ensure the development is completed within a reasonable time period.*

7. In the event of quarry operations ceasing for a continuous period of 24 months for any reason prior to 31 December 2048, the Mineral Planning Authority shall be notified in writing by the site operator within one further month of the date of cessation of the site. A revised scheme for the working and restoration of the site shall be submitted to the Mineral Planning Authority within three months of the written notification by the site operator for written approval. Thereafter the development shall be carried out in complete accordance with the approved scheme.

*Reason: To ensure the development is reviewed in the event of the development not continuing in the specified period of time.*

## **Site Operations**

8. The Mineral Planning Authority shall be notified in writing of the date of commencement of development and of the commencement of operations within each operational phase (Phase 1, Phase 2, Phase 3, Phase 4 and Phase 5 as shown on the Composite Working Plan, Drawing number NT12453 Plan A5-1) at least seven days prior to their commencement.

*Reason: To ensure that the development is completed and the site restored within a reasonable timescale, in accordance with Policy MIN 1 and MIN 3 of the Northumberland Local Plan and the National Planning Policy Framework*

9. The site operator shall maintain a notice board at the entrance to the site indicating the name, address, email address and telephone number of a representative who would be available to deal promptly with any complaints. The notice board shall be maintained in a sound and legible condition throughout the period of working and restoration.

*Reason: To assist local people in making contact with the operator.*

### **Working hours**

10. No excavation, processing or restoration operations shall be carried out except between the following hours:
- Mondays to Fridays – 07:30 to 18:00; and
  - Saturdays: 07:30 – 13:00.

With the exception of site drainage and emergency works, no operations shall be carried out on Sundays or Public Holidays.

*Reason: To protect local amenity and provide a commensurate level of protection against noise, in accordance with Policy POL 2 and Policy MIN 1 of the Northumberland Local Plan and the National Planning Policy Framework.*

11. Heavy good vehicles shall not enter or leave the site or be loaded except between the following hours:
- Mondays to Fridays – 07:00 to 18:00; and
  - Saturdays: 07:00 – 13:00.

*Reason: To protect local amenity and provide a commensurate level of protection against noise, in accordance with Policy POL 2 and Policy MIN 1 of the Northumberland Local Plan and the National Planning Policy Framework.*

### **Environmental Management Plan**

12. Prior to the commencement of development, an updated Environmental Management Plan for the site approved in accordance with Condition 2 shall be submitted to and approved by the Mineral Planning Authority. This shall include, but not be limited to:
- a. Surface water management
  - b. Groundwater abstraction monitoring
  - c. Groundwater quality monitoring
  - d. Groundwater and surface water pollution prevention
  - e. Noise monitoring and management
  - f. Dust management
  - g. Traffic management, incorporating a Construction and Operational Traffic Management Plan
  - h. Lighting management
  - i. Perimeter fencing and security

j. Soil handling and management

Thereafter, the development shall be carried out in accordance with the Environmental Management Plan (including any subsequently amended versions).

*Reason: To protect local amenity and in the interests of natural, built and historic environment and highway safety, in accordance with Policies MIN 1, TRA 2, WAT 1, WAT 4, WAT 5 of the Northumberland Local Plan and the National Planning Policy Framework.*

13. The Environmental Management Plan for the site shall be reviewed by the developer no later than 31 March each year from the commencement of development until restoration is completed. If a revised Environmental Management Plan is required following the review process, the revised Environmental Management Plan shall be submitted to and approved in writing by the Mineral Planning Authority for approval. The development shall thereafter take place in accordance with the revised Environmental Management Plan.

*Reason: To protect local amenity and in the interests of natural, built and historic environment and highway safety, in accordance with Policies MIN 1, TRA 2, WAT 1, WAT 4, WAT 5 of the Northumberland Local Plan and the National Planning Policy Framework.*

14. An annual report shall be submitted to the Mineral Planning Authority by no later than 31 March each year detailing the operational activities undertaken on the site each year. This report shall include but not be limited to:
- a. Exports from site of sand, gravel and soil;
  - b. Remaining reserves of sand and gravel and remaining quantities of topsoil and subsoil;
  - c. Details of the locations where topsoil and subsoil stripping has taken place;
  - d. Details of restoration activities undertaken, including the areas restored and the planting/seeded undertaken.

*Reason: To ensure the development is carried out in accordance with the approved plans.*

## Highways

15. The number of laden heavy goods vehicles leaving the site shall not exceed the following:
- a. Mondays to Fridays – An average of 50 HGVs, with a maximum of 70 in any working day.
  - b. Saturdays – An average of 25 HGVs, with a maximum of 35 shall leave the site in any one working day.

The average number of loads per working day shall be calculated over a calendar year (1 January to 31 December). A record shall be kept at the site of the number of lorry loads leaving each day and of the yearly average and such record shall be made available to the Mineral Planning Authority upon request.

*Reason: To prevent nuisance in the interests of residential amenity and highway safety, in accordance with Policy TRA 2 of the Northumberland Local Plan and the National Planning Policy Framework.*

16. The highway works shall be carried out in accordance with the approved plans referenced below (or as amended in consultation with Northumberland County Council Highways) and the transportation of sand, gravel and soil from the site shall not commence until the highway works have been carried out in accordance with these:
  - a. Proposed Road Widening Scheme Sheet 1 of 2, Drawing number NT15377-100, Revision A, Date 17/01/2022
  - b. Proposed Road Widening Scheme Sheet 2 of 2, Drawing number NT15377-101, Revision A, Date 17/01/2022
  - c. Proposed Road Widening Proposed Cross Sections, Drawing number NT15377-103, Revision A, Date 17/01/2022

*Reason: For the avoidance of doubt and in the interests of proper planning, and in order to achieve a satisfactory form of development in accordance with Policies TRA 1, TRA 2 and TRA 4 of the Northumberland Local Plan and the National Planning Policy Framework.*

17. Development shall not commence until a Construction and Operational Traffic Management Plan has been submitted to and approved in writing by the Mineral Planning Authority. The approved Construction and Operational Traffic Management Plan shall be adhered to throughout the construction and operational period. The Construction and Operational Traffic Management Plan must cover the construction of the compound area, car parking, wheel wash and groundwater lagoon as shown on the approved plan (Site Compound Layout, Drawing number NT12453 Plan A5-12, Revision M, Date 08/02/2021) and shall include but not be limited to:
  - a. Details of temporary traffic management measures, temporary access, routes, and vehicles;
  - b. Vehicle cleaning facilities;
  - c. The parking of vehicles of site operatives and visitors;
  - d. The loading and unloading of plant and materials;
  - e. Storage of plant and materials used in constructing the development
  - f. Details of quantities of materials (soils, sand and gravel, concrete and hard core) to be imported and exported from the site to cover the construction of the compound area, car parking area, wheel wash and groundwater lagoon as shown on the approved plan (Site Compound Layout, Drawing number NT12453 Plan A5-12, Revision M, Date 08/02/2021); and
  - g. A swept path analysis of construction and operational vehicles at the Bridge End Roundabout.

*Reason: To prevent nuisance in the interests of residential amenity and highway safety, in accordance with Policy TRA 2 of the Northumberland Local Plan and the National Planning Policy Framework.*

18. The extraction of sand and gravel from Phase 1 of the site shall not commence until the car parking area indicated on the approved plans (Site Compound Layout, Drawing number NT12453 Plan A5-12, Revision M, Date

08/02/2021), including any disabled car parking spaces contained therein, has been implemented in accordance with the approved plans. Thereafter, the car parking area shall be retained for the duration of the development in accordance with the approved plans and shall not be used for any purpose other than the parking of vehicles associated with the development.

*Reason: In the interests of highway safety, in accordance with Policy TRA 4 of the Northumberland Local Plan and the National Planning Policy Framework.*

19. The extraction of sand and gravel from Phase 1 of the site shall not commence until the cycle parking shown on the approved plans (Site Compound Layout, Drawing number NT12453 Plan A5-12, Revision M, Date 08/02/2021) has been implemented. Thereafter, the cycle parking shall be retained for the duration of the development in accordance with the approved plans and shall be kept available for the parking of cycles at all times.

*Reason: In the interests of highway safety, residential amenity, and sustainable development, in accordance with Policy TRA 1 of the Northumberland Local Plan and the National Planning Policy Framework.*

20. In accordance with the 'HGV Routing Plan' (Drawing number NT15377-105, dated 27 January 2022), all heavy goods vehicles leaving the site shall turn west onto the C242 Anick Road then turn north on the A6079 and onwards via the A69. All heavy goods vehicles entering the site shall travel via the A69 then south onto the A6079 and east on the C242 Anick Road and turn right into the site. A sign shall be maintained within the site directing all heavy goods vehicles to turn left onto the C242 Anick Road when exiting the site.

*Reason: In the interests of maintaining highway efficiency and safety, in accordance with Policy TRA 2 of the Northumberland Local Plan and the National Planning Policy Framework.*

21. All vehicles will comply with the management measures as set out in the approved Environmental Management Plan as detailed in Condition 12 and Condition 13. Such measures include but are not limited to those to ensure that no mud, stone, gravel or other debris is deposited on the public highway by any vehicles associated with site operations and before leaving the site all heavy goods vehicles shall have their loads covered and have their wheels and bodies cleaned.

*Reason: In the interests of maintaining highway efficiency and safety, in accordance with Policy TRA 2 of the Northumberland Local Plan and the National Planning Policy Framework.*

### **Flooding and surface water**

22. The development shall be carried out in accordance with the approved flood risk assessment (Anick Grange Flood Risk Assessment, 262896-ARP-ZZ-XX-RP-CD0001, R4, 25 February 2022) and the following mitigation measures it details:
- a. Finished floor levels of the compound shall be set no lower than 33.2metres Above Ordnance Datum (AOD) as shown in 'Site



Compound Layout, Drawing number NT12453 Plan A5-12, Revision M, Date 08/02/2021'; and

- b. Flood Alleviation Bund crest shall be set to 33.2 metres above Ordnance Datum (AOD) as shown in 'Flood Alleviation Bund, Drawing number NT12453 Plan A5-13, Date 17/01/2022'.

The measures detailed above shall be retained and maintained throughout the lifetime of the development.

*Reason: To reduce the risk of flooding to the proposed development and future occupants and to prevent flooding elsewhere by ensuring that compensatory storage of flood water is provided, in accordance with Policy WAT 3 of the Northumberland Local Plan and the National Planning Policy Framework.*

23. Prior to the commencement of development, a scheme detailing the measures to be taken in the event of a flood, including the measures for an emergency evacuation, shall be submitted to and approved in writing by the Mineral Planning Authority. Thereafter the scheme shall be implemented in full.

*Reason: To reduce the risk and impact of flooding to the operational staff, in accordance with Policy WAT 3 of the Northumberland Local Plan and the National Planning Policy Framework.*

24. All water from the site aggregate processing and washing plant shall be discharged into the lagoons shown on the approved plans (Site Compound Layout, Drawing number NT12453 Plan A5-12, Revision M, Date 08/02/2021). Silt must be removed from settlement ponds to the drying bays to avoid reducing the capacity of the settlement ponds for retaining water.

*Reason: To ensure the effective disposal of surface water from the site, in accordance with Policy WAT 1 of the Northumberland Local Plan and the National Planning Policy Framework.*

## **Ecology**

25. All ecological measures and works shall be carried out in accordance with the details contained in 'Landscape and Ecological Management Plan, E3 Ecology Limited, Version R08, April 2022'. This includes, but is not limited to, mitigation measures, habitat creation, habitat enhancement (including for specific species), management work schedule, and long-term monitoring strategy.

*Reason: To avoid and mitigate impacts on biodiversity, in accordance with Policy ENV 2 of the Northumberland Local Plan and Paragraph 180 of the NPPF.*

26. All ecological measures as part of the off-site highways work shall be carried out in accordance with the details contained in 'Ecological Impact Assessment Road Improvements for Anick Grange, E3 Ecology Limited, Version R02, June 2022' including, but not limited to:

- a. Measures to control the spread of invasive non-native species Himalayan Balsam.
- b. A check for nesting birds by a suitably experienced ornithologist if vegetation clearance is undertaken between March and August inclusive.
- c. The provision of 4 long-lasting bat boxes and 6 long-lasting bird nest boxes to be affixed to retained trees in advance of the commencement of any tree removal.

*Reason: To avoid and mitigate impacts on biodiversity, in accordance with Policy ENV 2 of the Northumberland Local Plan and Paragraph 180 of the NPPF.*

27. The development hereby permitted shall be carried out in accordance with the 'Biodiversity Net Gain Assessment, E3 Ecology Limited, Version R01, August 2022' to achieve a minimum of 10% biodiversity net gain across the lifetime of the development as defined by the Environment Act 2021 and, upon final completion of site restoration the habitats shall be retained, managed and monitored for a period of no less than 30 years.

*Reason: To compensate impacts and provide an enhancement for biodiversity, in accordance with the Environment Act 2021, Policy ENV 2 of the Northumberland Local Plan and Paragraph 180 of the NPPF.*

28. Prior to commencement of development a Biodiversity Net Gain report shall be submitted to and approved by the Mineral Planning Authority, which thereafter shall be implemented in full. This report shall include:
  - a. Any necessary updates to the initial biodiversity assessment of the site;
  - b. A schedule of intervals throughout the life of the development upon which the biodiversity will be re-assessed;
  - c. Provision for monitoring the Biodiversity Net Gain delivery at the scheduled intervals during the operation of the site;
  - d. Provision for the submission of a report assessing and detailing the Biodiversity Net Gain achieved on the site, at the agreed intervals; and
  - e. Provision for the submission of reports, through agreed intervals, during the aftercare period to monitor and manage the biodiversity net gains.

*Reason: To compensate impacts and provide an enhancement for biodiversity, in accordance with the Environment Act 2021, Policy ENV 2 of the Northumberland Local Plan and Paragraph 180 of the NPPF.*

## **Environmental Protection**

29. With the exception of soil stripping, the construction of soil storage mounds, the construction and removal of baffle mounds, and construction of new permanent landforms, noise from the development shall not exceed 55dB(A) LAeq 1hr (free field) during the working hours detailed in Conditions 10 and 11, at the locations set out below:
  - The Timbers, Anick Road
  - Anick Bank Foot, Anick Road
  - Anick View, Hexham
  - Woodland Rise, Hexham (adjacent to A695 and Laurel Road)

- Widehaugh, Hexham

*Reason: In the interests of the amenity of the area and to provide a commensurate level of protection against noise, in accordance with Policy POL 2 and Policy MIN 1 of the Northumberland Local Plan and the National Planning Policy Framework.*

30. Temporary operations such as soil stripping and replacement, the construction of soil storage mounds, construction of new permanent landforms and aspects of site road construction and maintenance shall not exceed a noise level of 70 dB(A)<sub>L<sub>aeq</sub></sub> (1 hour) freefield for any longer than 8 weeks in any 12 month period at the locations set out below:
- The Timbers, Anick Road
  - Anick Bank Foot, Anick Road
  - Anick View, Hexham
  - Woodland Rise, Hexham (adjacent to A695 and Laurel Road)
  - Widehaugh, Hexham

*Reason: In the interests of the amenity of the area and to provide a commensurate level of protection against noise, in accordance with Policy POL 2 and Policy MIN 1 of the Northumberland Local Plan and the National Planning Policy Framework.*

31. Prior to the commencement of development, a scheme for noise management and monitoring, which may be included within the site Environmental Management Plan, shall be submitted to and approved in writing by the Mineral Planning Authority. The scheme shall include (but not be limited to):
- a. The control measures to minimise noise impact;
  - b. The procedure the developer will follow in dealing with justified complaints from noise generated by the site; and
  - c. A noise monitoring programme, including the exact locations of noise monitoring points and proposed monitoring frequency.

Thereafter, the approved noise control and monitoring measures shall be implemented for the lifetime of development.

*Reason: In the interests of the amenity of the area and to provide a commensurate level of protection against noise, in accordance with Policy POL 2 and Policy MIN 1 of the Northumberland Local Plan and the National Planning Policy Framework.*

32. Noise monitoring shall be carried out in accordance with the approved noise management and monitoring scheme as set out in the approved Environmental Management Plan. Noise monitoring shall be carried out by a competent person and the results of such monitoring shall be made available to the Mineral Planning Authority upon request within 2 working days.

*Reason: In the interests of the amenity of the area and to provide a commensurate level of protection against noise, in accordance with Policy POL 2 and Policy MIN 1 of the Northumberland Local Plan and the National Planning Policy Framework.*

33. Prior to the commencement of development, a dust management scheme, which may be included within the site Environmental Management Plan, shall be submitted to and approved in writing by the Mineral Planning Authority. The dust management scheme shall include measures for the control and reduction of dust emissions associated with the operation of the quarry which are likely to generate dust and the procedure for dealing with complaints of dust by any nearby receptors. Thereafter the approved dust management scheme shall be implemented for the lifetime of the development.

*Reason: In the interests of the amenity of the area and to provide a commensurate level of protection against dust, in accordance with Policy POL 2 and Policy MIN 1 of the Northumberland Local Plan and the National Planning Policy Framework.*

34. Prior to the commencement of development, a lighting scheme, which may be included within the site Environmental Management Plan, shall be submitted to and approved in writing by the Mineral Planning Authority. This scheme shall detail the lighting to be used on site to demonstrate compliance with the pre and post curfew Lux levels for Environmental Zone E3 (Suburban), as defined in the Institute of Lighting Professionals Guidance Note 1 for the reduction of obtrusive light 2021 (GN01-21). The approved scheme shall be implemented in full.

*Reason: In the interests of the amenity of the area and to provide a commensurate level of protection against artificial light, in accordance with Policy POL 2 and Policy MIN 1 of the Northumberland Local Plan and the National Planning Policy Framework.*

35. If during redevelopment contamination not previously considered is identified, then an additional written method statement regarding this material shall be submitted to and approved in writing by the Mineral Planning Authority. No extraction within the area containing the contamination shall be carried out until a method statement has been submitted to and approved in writing by the Mineral Planning Authority, and measures proposed to deal with the contamination have been carried out.

*Reason: To ensure that risks from land contamination to the future users of the land and dwellings are minimised and to ensure that the development can be carried out safely without unacceptable risks to any future occupants, in accordance with Policy POL 1 of the Northumberland Local Plan and the National Planning Policy Framework.*

### **Soil Stripping, Handling and Storage**

36. Prior to the commencement of development, a soil handling and management scheme, which may be included within the site Environmental Management Plan, shall be submitted to and approved in writing by the Mineral Planning Authority. The soil handling and management scheme shall include details of the proposed soil stripping, handling, storage and replacement methods to be used. Thereafter the method of soil stripping, handling storage, and respreading shall only be undertaken in accordance with the approved scheme.

*Reason: To ensure soils are managed appropriately, in accordance with Policies MIN 1 and POL 2 of the Northumberland Local Plan and the National Planning Policy Framework.*

37. The Mineral Planning Authority shall be given at least two working days' notice in writing (excluding Sundays and Bank or other public holidays), of any intended individual phase of topsoil or subsoil stripping.

*Reason: To ensure soils are managed appropriately, in accordance with Policies MIN 1 and POL 2 of the Northumberland Local Plan and the National Planning Policy Framework.*

38. No plant or vehicle shall cross any areas of unstripped topsoil except for the purpose of stripping operations.

*Reason: To ensure soils are managed appropriately, in accordance with Policies MIN 1 and POL 2 of the Northumberland Local Plan and the National Planning Policy Framework.*

39. The stripping and movement of soils shall only be carried out under sufficiently dry and friable conditions. The respreading of topsoil shall only be carried out when the materials and the ground onto which it is to be placed are in a dry and friable condition.

*Reason: To ensure soils are managed appropriately, in accordance with Policies MIN 1 and POL 2 of the Northumberland Local Plan and the National Planning Policy Framework.*

40. Once formed, all mounds in which soils are to be stored for more than 6 months, or over the winter period shall be grass seeded in accordance with a specification to be provided in the soil scheme detailed in Condition 36, to minimise erosion and such mounds shall be kept free of weeds. Should any soil mound fail to develop an adequate grass sward, the mound shall be reseeded to a specification and timescale agreed in writing with the Mineral Planning Authority.

*Reason: To ensure soils are managed appropriately, in accordance with Policies MIN 1 and POL 2 of the Northumberland Local Plan and the National Planning Policy Framework.*

41. Prior to the commencement of the spreading of topsoil on the 'north east field' (as shown on Composite Working Plan, Drawing number NT12453 Plan A5-1, Revision A, Date 05/05/2021), a detailed scheme for the placement of soil on this area shall be submitted to and approved in writing by the Mineral Planning Authority. The scheme shall include, but not be limited to:
- a. The final contours (at 2 metre intervals) for this parcel of land, indicating how such contours tie in with the existing contours on adjacent land;
  - b. the depth of topsoil placement (to be a minimum depth of 300mm); and
  - c. handling and replacement methods.

Thereafter, the spreading of soils on the 'North East Field' shall be carried out in accordance with the approved scheme.

*Reason: In the interest of the proper working of the site, in accordance with Policies MIN 1 and MIN 3 of the Northumberland Local Plan and the National Planning Policy Framework.*

## **Restoration**

42. Within six months of restoration being completed within either Phase 1, Phase 2, Phase 3, Phase 4 or Phase 5 as shown on the approved plans (see Composite Working Plan, Drawing number NT12453 Plan A5-1, Revision A, Date 05/05/2021), a report detailing the restoration activities and on-going management in the completed Phase, in conjunction with a report on the proposed restoration activities and on-going management in the subsequent Phase, shall be submitted to and approved in writing by the Mineral Planning Authority. Thereafter, the restoration activities shall be carried out in accordance with the approved scheme.

*Reason: In the interest of the proper phased restoration and aftercare of the site, in accordance with Policy MIN 3 of the Northumberland Local Plan and the National Planning Policy Framework.*

43. Within 3 months of the completion of restoration, the developer shall provide the Mineral Planning Authority with a plan with contours at sufficient intervals to indicate the final restored landform of the site.

*Reason: In the interest of the proper restoration and aftercare of the site, in accordance with Policy MIN 3 of the Northumberland Local Plan and the National Planning Policy Framework.*

## **Aftercare**

44. Six months after completion of restoration in each Phase (see Composite Working Plan, Drawing number NT12453 Plan A5-1, Revision A, Date 05/05/2021), a strategy for the aftercare of each Phase shall be submitted to and approved in writing by the Mineral Planning Authority. The strategy shall identify the measures, with timescales, to be taken during the aftercare period.

*Reason: In the interest of the proper restoration and aftercare of the site, in accordance with Policy MIN 3 of the Northumberland Local Plan and the National Planning Policy Framework.*

45. The whole site shall be put under effective after-care management following the completion of restoration. The period of after-care shall extend for a minimum of 30 years effective management in accordance with Condition 27, from the date of final restoration, unless it is agreed that a five year minimum effective management is appropriate for identified areas in the site. A plan shall be submitted and agreed in writing with the Mineral Planning Authority identifying the areas on the site subject to the 5 and 30 year aftercare.

*Reason: In the interest of the proper restoration and aftercare of the site, in accordance with Policy MIN 3 of the Northumberland Local Plan and the National Planning Policy Framework and the Environment Act 2021.*

46. Before 31 March, or such other date approved in writing by the Mineral Planning Authority, of every year during the after-care period, a report shall be submitted by the developer to the Mineral Planning Authority recording the operations carried out on the land since the date of restoration, or previous after-care meeting, and setting out the intended operations for the next 12 months.

*Reason: In the interest of the proper restoration and aftercare of the site, in accordance with Policy MIN 3 of the Northumberland Local Plan and the National Planning Policy Framework*

47. Before 31 May, or such other date approved in writing by the Mineral Planning Authority, of every year during the aftercare period, the developer shall arrange to attend a site meeting with the Mineral Planning Authority on a mutually agreed date to discuss the report prepared in accordance with Condition 46, and to which the following parties shall also be invited:
- a. All owners of land within the site;
  - b. All occupiers of land within the site; and
  - c. Representatives of other statutory bodies as appropriate.

The developer shall arrange additional aftercare meetings as required by the Mineral Planning Authority.

*Reason: In the interest of the proper restoration and aftercare of the site, in accordance with Policy MIN 3 of the Northumberland Local Plan and the National Planning Policy Framework*

## **Informatives:**

### **Highways**

#### S38/S278 Agreement - Highway works

You are advised that offsite highway works required in connection with this permission will require an agreement under Section 38 and Section 278 of the Highway Act 1980. These works should be carried out prior to commencement of the development. All such works will be undertaken under the supervision of the Council at the applicant's expense. You should contact Highway Development Management at [highwaysplanning@northumberland.gov.uk](mailto:highwaysplanning@northumberland.gov.uk) to progress this matter.

#### Highway condition survey

You should note that a highway condition survey should be carried out before the commencement of demolition and construction vehicle movements from this site. To arrange a survey contact Highway Development Management at [highwaysplanning@northumberland.gov.uk](mailto:highwaysplanning@northumberland.gov.uk)

#### Storage of building material or equipment on the highway

Building materials or equipment shall not be stored on the highway unless otherwise agreed. You are advised to contact the Streetworks team on 0345 600 6400 for Skips and Containers licences.

#### Deposit mud/ debris/rubbish on the highway

In accordance with the Highways Act 1980 mud, debris or rubbish shall not be deposited on the highway.

### Road Safety Audits

You should note that Road Safety Audits are required to be undertaken. Northumberland County Council offers this service. You should contact [highwaysplanning@northumberland.gov.uk](mailto:highwaysplanning@northumberland.gov.uk) or 01670 622979.

### Section 59 Agreement - Extraordinary Expenses

You are advised to contact the Council's Highway Development Management team at [highwaysplanning@northumberland.gov.uk](mailto:highwaysplanning@northumberland.gov.uk) concerning the Section 59 Agreement of the Highway Act 1980 relating to extraordinary expenses

## **Ecology**

### Invasive non-native species

The applicant is reminded that Himalayan Balsam, which was noted to be present around the Cygnet hospital entrance and along the banks of the River Tyne, is listed on Schedule 9 of The Wildlife and Countryside Act (1981 as amended) making it an offence to "introduce plant or cause to grow wild" these species.

Steps should be taken to prevent further spread of the plant which would have a negative impact on biodiversity. Contractors should be aware of the potential to spread invasive non-native plant species either from or onto the site and take appropriate biosecurity measures to avoid this, guidance on what to do can be found here <https://www.nonnativespecies.org/what-can-i-do/training/site-workers/>.

### Ecological Clerk of Works

It is recommended that ecological expertise is contracted on site during works to assist those implementing the development to comply with statutory requirements and planning conditions. An Ecological Clerk of Works can assist with on-site monitoring, advice and reporting of activities and operations that have potential to impact biodiversity.

## **Environmental Health**

### Dust Management

It would be expected that a dust management plan will be required by condition to identify the risks of dust from demolition and construction and how it will be controlled. Dust minimisation and control shall have regards to guidance such as

The Institute of Air Quality Management has produced very current documentation entitled "Guidance on the Assessment of Dust from Demolition and Construction" available at: <http://iaqm.co.uk/guidance/>

Additionally, the Mayor of London's office has produced robust supplementary guidance document entitled "The Control of Dust and Emissions During Construction



and Demolition” which is available at: <https://www.london.gov.uk/what-we-do/planning/implementing-londonplan/supplementary-planning-guidance/control-dust-and>

### Environmental Permitting

Any mobile plant; crushers or screens may require appropriate environmental permits under The Environmental Permitting (England and Wales) Regulations 2016 (as amended). However, sand and gravel are not “designated materials” within the legislation/guidance and plant associated with the processing of these minerals do not require specific environmental permits to process these minerals.

### Fuel Storage

If there is to be any onsite storage of fuels or oils, they should be stored following appropriate guidance and bunded to 110 percent of capacity. The legislation covering the onsite storage of fuels or oils is The Control of Pollution (Oil Storage) (England) Regulations 2001 which is regulated by the Environment Agency. Procedures should be in place for dealing with catastrophic spillages of any liquids which may have an impact upon land contamination and / or aquifers.

### Artificial Lighting

The applicant should abide by the Institute of Lighting Professional’s Guidance Note 1 for the reduction of obtrusive light 2021 (GN01:2011): <https://www.theilp.org.uk/documents/obtrusive-light/>

The Public Health Protection Unit would determine this receptors impacted by any site operations as falling within Environmental Zone E3 (suburban) and consequently meet the limits in the guidance for sky glow (ULR) and pre & post-curfew light intrusion (lux) at the nearest residential receptors.

### **Watercourses**

The culverting of any watercourse or alternations of any existing culverted watercourse will require the prior written consent of Northumberland County Council, under the Land Drainage Act (1991). Please contact the FCERM team ([fcerm@northumberland.gov.uk](mailto:fcerm@northumberland.gov.uk)) for further information.

**Date of Report:** 19 October 2022

**Background Papers:** Planning application file(s) 21/02505/CCMEIA