

Somerset County Council  
Regulation Committee –  
Report by Paul Hickson  
Strategic Commissioning Manager

**Application Number:** SCC/3538/2018

**Date Registered:** 11 January 2019

**Parish:** Pilton

**District:** Mendip

**Member Division:** Mendip South

**Local Member:** Cllr Nigel Hewitt-Cooper

**Case Officer:** Emily Harper

**Contact Details:** [emily.harper@devon.gov.uk](mailto:emily.harper@devon.gov.uk) (01392 383000)

**Description of Application:** Extraction of up to 400 tonnes of Blue Lias building stone off Cumhill (Hitchens Hill Ground) over a 12 months period including the temporary use of part of the 'Red Barn' for processing and storage and the temporary use of the 'Green Barn' for stone breaking

**Grid Reference:** 359000 - 140541

**Applicant:** Mr AJM Eavis

**Location:** Worthy Farm, Worthy Lane, Pilton, Somerset BA4 4BY

## **1. Summary of Key Issues and Recommendation(s)**

1.1 The key issues for members to consider are:

- the need for the development;
- the potential impacts upon residential amenity, particularly noise;
- biodiversity impacts;
- impacts on the highway;
- impacts on water resources;
- impacts on the historic environment.

1.2 **It is recommended that planning permission be GRANTED subject to the imposition of the conditions in section 9 of this report and that authority to undertake any minor non-material editing which may be necessary to the wording of those conditions be delegated to the Strategic Commissioning Manager – Economy & Planning.**

## **2. Description of the Site**

2.1 Worthy Farm is located on the southeast edge of the village of Pilton, to the west of Shepton Mallet. The application site is within this agricultural unit, which maintained as pasture and for the rearing of livestock.

2.2 The application area consists of a section of farmland and the use of existing barns and facilities within the farm's grounds for processing and storage of stone. The land that is subject to this application is classed as Grade 3 agricultural land according to the Agricultural Land Classification. To the north of the site is an area of orchard planting, beyond which is the Grade I Listed Tithe Barn, also a Scheduled Monument, and the Pilton Conservation Area is also to the north of the orchard. There are residential properties to the north east of the site, which adjoin the agricultural field. To the east, south and west of the proposed extraction area is further agricultural land within the applicant's control.

2.3 Also subject to this application is the temporary use of 'red barn' and 'green barn' for stone processing, dressing and storage. The barns are located alongside other farm buildings, approximately 600m to the south east of the extraction site.

## **3. The Proposal**

3.1 This application is for the extraction of approximately 400 tonnes of Blue Lias Limestone over a 12 months period for the use in the construction of affordable housing within the Pilton area.

3.2 The proposal involves the extraction from an area of open farmland measuring approximately 1,800 square metres, known as 'Hitchens Hill

Ground'. The extraction area measures 60m x 30m. Topsoil and subsoil would also be stored within this area. Extraction would be to a depth of 3 metres dug in north to south strips moving west to east. The quarry would be progressively restored and backfilled at the end of each day.

- 3.3 The application proposes that mineral extraction, and all associated operations, would take place between 9am – 4.30pm on Mondays to Fridays.
- 3.4 The stone would be extracted using a slew and transported using tractor and trailer, on private internal roads, to the existing processing and storage barns. The material would then be transported, when needed, to an affordable housing site in Neat Lane, Pilton.
- 3.5 On completion the site would be returned to agricultural land and the original levels but, should any additional material be required to fill the void, surplus subsoil/topsoil from the farm will be used or top soil will be purchased.
- 3.6 It is noted that applicant already extracts and processes stone for use around the farm. The extraction and processing of stone for agricultural use is permitted development under Part 6 Class C (mineral working for agricultural purposes) of the general permitted Development Order 2015 which allows for the winning and working on land held or occupied with land used for the purposes of agriculture of a minerals reasonably necessary for agricultural purposes within the agricultural unit of which it forms part.
- 3.7 An application to extract and process 400 tonnes of Blue Lias Limestone has previously been approved at Worthy Farm (2015/2722/CNT), and this permission has now expired. This operation was located to the west of the current proposal and was a smaller extraction area (approximately 1,000 square metres). This expired permission had certain restrictions ensuring the material was utilised at an affordable housing scheme and limited extraction to one month; however, the applicant has informed the Mineral Planning Authority this restriction did not allow for more stone to be extracted when the design of the housing changed later in the planning process.

#### **4. The Application**

- 4.1 Plans and documents submitted with the application:
  - Application form, ownership certificate and fee;
  - Supporting Document;
  - Acoustics Report (A926/R01a, dated 27 October 2015);
  - Stone Quarry Proposed Site 2019 (Location Plan) – 2018SQA001 V4
  - Stone Quarry Proposed Site 2019 (Proposed Extraction Plan) 2018SQA001 V3
  - Noise Statement (submitted on 21 March 2019)
  - Dust Statement (submitted on 21 March 2019)

- Stone Quarry Proposed Site 2018 (Proposed 2018SQA001 V1, dated 11 Oct 2018 (submitted on 21 March 2019)

## **5. Environmental Impact Assessment (EIA)**

- 5.1 An assessment of the proposed development in the context of The Town and Country Planning (Environmental Impact Assessment) Regulations 2017 (herein referred to as ‘The Regulations’) has been undertaken.
- 5.2 Although the proposed development is not Schedule 1 development, the proposal constitutes Schedule 2 development, specifically 2. Extractive industry, (a) quarries. As such, the proposal has been screened using the criteria set out at Schedule 3 of The Regulations.
- 5.3 The EIA Screening Opinion concludes that the proposal is not likely to have significant environmental effects by virtue of its nature, size and location, and therefore, does not constitute EIA development. A copy of the full adopted EIA Screening Opinion is available to view on the County Council website under reference SCC/3538/2018 or by clicking on the following link:  
<https://planning.somerset.gov.uk/Planning/Display/SCC/3538/2018>

## **6. Consultation Responses Received**

### **External Consultees**

#### **6.1 Mendip District Council**

No objection

#### **6.2 Pilton Parish Council**

No response received at the time of writing

#### **6.3 Environment Agency**

No objections, however, consideration must be given to the following matters:

- Dust and noise given the proximity to residential properties;
- De-watering may be required if the activity opens a spring or unexpected groundwater infiltration. The applicant is advised to contact the EA if this is the case;
- There is no existing licensed abstraction in the area. Any abstraction of water from boreholes, springs, streams, ditches or other surface water body should remain below 20m<sup>3</sup>/day. If a greater quantity is required, an abstraction licence may be required from the EA;
- If water is used to break or clean stone, or surface water is contaminated with silt or sediment, a silt trap (for example a Silt buster unit or similar) should be used to settle out stone/silt;
- Should the applicant intend to import material to fill the hole, a waste permit or exemption may be required from the EA.

Advise that:

- Limestone is a porous rock and the quarry is located on a minor aquifer. There is a small risk that removing stone could open up new groundwater pathways or change existing groundwater pathways which may be unpredictable;
- The applicant should be mindful of environmental pollution during the proposed activity, specifically the contamination of surface water with silt and sediment. The Environment Agency should be contacted for advice at the first sign of any issues.

### **Internal Consultees**

#### **6.4 Transport Development**

The traffic movements do not appear to be excessive and the duration is short, therefore, there is no highway objection. The submitted information to prevent mud and debris on the public highway is considered acceptable; however the following condition is recommended:

- A Condition Survey of the existing public highway will need to be carried out and agreed with the Highway Authority prior to any works commencing on site, and any damage to the highway occurring as a result of this development is to be remedied by the developer to the satisfaction of the Highway Authority once all works have been completed on site. (The applicant is advised to seek advice from The Mendip Area Highway Office in Glastonbury)

#### **6.5 Scientific Services (Noise)**

The impacts of noise from this proposal are not sufficient in magnitude nor duration to substantiate planning refusal, but noise impacts arising during operations would appear sufficient to justify further mitigation measures. It is considered the submitted Noise Statement ensures noise is mitigated as best as possible.

#### **6.6 Scientific Services (Air Quality)**

The measures described by the applicant to minimise dust are sufficient, but should be written into a formal protocol.

#### **6.7 Ecologist**

The trees in the orchard to the north of the site, mature trees and hedgerow along the eastern boundary of the field and mature trees beyond the northern boundary of the orchard will support breeding birds and may support summer day/night roosting and resting opportunities for bats. These protected species may be disturbed by noise impacts associated with the extraction of stone, therefore, the following conditions are recommended:

- No stone excavation shall take place between 1st March and 31st August inclusive, unless a competent ecologist has undertaken a careful, detailed

check of the mature trees and hedgerow along the eastern boundary of the field, orchard to the north of the site and the mature trees beyond the northern boundary of the orchard for active birds' nests immediately before works proceed and provided written confirmation that no birds will be harmed and/or that there are appropriate measures in place to protect nesting bird interest at these location around the site. Any such written confirmation should be submitted to the local planning authority.

Reason: Nesting birds are afforded protection under the Wildlife and Countryside Act 1981 (as amended). Although this is a legal obligation the law does not specify a time period – some species can breed outside the time frame given.

- No stone excavation shall take place between 1st April and 30th September inclusive to avoid potential impacts to summer roosting or resting bats, unless a competent ecologist has undertaken a careful, detailed check of the mature trees along the eastern boundary of the field and the mature trees beyond the northern boundary of the orchard for potential bat roost features and presence of bats immediately before works proceed and provided written confirmation that no bats will be harmed and/or that there are appropriate measures in place to protect bat roosting interest at these locations around the site. Any such written confirmation should be submitted to the local planning authority.

Reason: All bats are afforded protection under the Habitats Regulations 2017 by which populations are to be maintained at Favourable Conservation Status as defined under Article 1 of the Habitats Directive 1992

#### **6.8 South West Heritage Trust**

No objections on archaeological grounds.

#### **6.9 Lead Local Flood Authority**

The proposals will not result in an increase in surface water runoff. However, as noted by the EA, operations could encounter springs or groundwater pathways and this will need to be managed.

#### **Public Consultation**

- 6.10 Three representations have been received, all of which raise concerns with the proposal based on the proximity to neighbouring properties and the impacts of noise and dust from extraction and processing operations. It has been highlighted that the submitted noise assessment, which supported the previous application, is not accurate due to the operations moving eastwards. A number of suggestions have been made to address the noise impacts:

- Reducing working hours – starting later and only working 3 hours per day;

- Ensuring no work takes place at the weekends or outside of the working hours;
  - No stone cutting or processing to take place in the excavation area; and
  - Noise should be further mitigated
- 6.11 One objection also questions the justification of the development, given that there is a lack of local facilities for further housing to support, with another suggesting operations should take place at alternative locations within Worthy Farm.

## **7. Comments of the Strategic Commissioning Manager**

7.1 The key issues for Members to consider are:

- the need for the development;
- the potential impacts upon residential amenity, particularly noise;
- biodiversity impacts;
- impacts on the highway;
- impacts on water resources; and
- impacts on the historic environment.

### **The Development Plan**

7.2 Planning applications must be determined in accordance with the development plan unless material considerations indicate otherwise. In this case, the development plan consists of the following documents, with their policies of relevance to this proposal being listed in Section 10 of this report:

- Somerset Minerals Plan Development Plan Document up to 2030 (adopted February 2015)
- Mendip District Local Plan 2006-2029 Part I: Strategy and Policies (Adopted December 2014)

### **Material Considerations**

7.3 Other material considerations to be given due weight in the determination of the application include the following:

- National Planning Policy Framework (NPPF) (February 2019)
- Planning Practice Guidance (PPG)
- Mendip District Local plan 2006/2029 Part II: Sites and Policies, Pre-submission Draft (January 2018)

## **Need for the development**

- 7.4 Policy SMP5 (Proposals for the extraction of building stone) of the Somerset Minerals Plan states that planning permission for the extraction of building stone will be granted subject to the application demonstrating the proposal will deliver economic and other benefits to the local community; there is an identified need for the material; the scale and intensity of the operation are appropriate to the characteristics of the area; and that any impacts are mitigated to an acceptable level. The site is not within the area of search on the policies map.
- 7.5 The sole purpose of the application is to provide 400 tonnes of Blue Lias building stone to a future affordable housing development at Neat Lane, Pilton. However, it is understood at the time of this report that no application has been submitted or approved by Mendip District Council for affordable housing in this location.
- 7.6 Much of Pilton is within a Conservation Area, therefore, it is important that new homes within the village are of an appropriate design and constructed of materials that are sympathetic to the existing materials used throughout the village. A supply of local stone is considered appropriate, therefore, to preserve the character of the village in this respect. The quantity of stone and scale of extraction required appears appropriate to the scale of any future development. The gifting of stone would ensure the affordability of the housing while maintaining design. In this context, it is considered the proposal would provide local economic, social and environmental benefits, in accordance with Policy SMP5. However, as application is yet to be submitted for any affordable housing within the village, or any other related development, it is considered reasonable to impose a condition that secures that the extracted stone is only used in the construction of affordable housing within the village of Pilton.
- 7.7 Any impacts on the environment and local communities are discussed below.

## **Residential Amenity**

- 7.8 Policy DM8 (Minerals operations and the protection of local amenity) of the Somerset Minerals Plan states that mineral development should not generate unacceptable adverse impacts on local amenity and demonstrate that measures will be taken to mitigate impacts to an acceptable level.

## Noise

- 7.9 A number of concerns have been raised regarding the noise that will be generated during both extraction and processing. It is noted that the Noise Assessment submitted with the application considers the extraction area previously approved under 2015/2722/CNT. The information within this assessment therefore seems reasonable based on the similarity in operations and the close proximity of the new extraction site to the 2015 extraction site. However, the closest residential property, Orchard's End, is now

approximately 55m to the north east of the extraction area (previously, the closest receptor was 120m) and account of a 6.8dB increase in the predicted noise therefore needs to be made if all other assumptions remain the same.

- 7.10 The noise at closest housing to the extraction site during weekday periods of 08:00-17:00 is expected to reach levels of approximately 60dB(A) over the two hours estimated to be associated with stone extraction, with other activities associated with uncovering stone beds and restoration creating noise levels of approximately 50dB(A). The highest impulsive noise levels are likely to be generated during the initial loading of stone into an empty trailer and this could reach a L<sub>max</sub> level of 80dB(A). The current background noise levels near the extraction site are likely to have remained similar to those in 2015 at between 38dB(A)-41dB(A) and planning guidance would suggest a minerals operation should not result in an hourly average noise that exceeded these levels by more than 10dB, and in any event not result in an hourly average noise above 55dB(A). The predictions of noise in the absence of any form of mitigation would indicate aspects of extraction activity could exceed background noise by more than 20dB.
- 7.11 Whilst the noise levels of stone extraction imply an 'Observed Adverse Effect' on residential amenity, the Noise Assessment and similarity with previous consents would suggest these impacts are only likely to take place over a total of approximately 15 days within the weekday daytime hours. The applicant has provided a Noise Statement with measures to mitigate and reduce any noise impacts to a minimum. This includes reducing the originally proposed working hours to Monday – Friday, 9am -4.30pm; minimising drop heights; erecting a temporary 2m high haybale wall along the north and eastern boundary of the extraction area to absorb any noise; and ensuring plant is operated in a manner to reduce noise. With this and the short-term nature of the proposal, it is considered the proposal will be in accordance with Policy DM8 (Minerals operations and the protection of local amenity) of the Somerset Minerals Plan.
- 7.12 The processing of stone will take place within existing barns on the farm: stone breaking will take place within the 'Green Barn' and stone dressing within the 'Red Barn'. The closest residential property to the 'Red Barn', not in control of the applicant, is approximately 260m to the north west and the existing topography would suggest noise impacts from this element of the proposal to be minimal. The closest sensitive receptor to the 'Green Barn' is approximately 270m to the north where it is expected that processing noise may be noticeable. The SCC acoustic advisor would categorise these impacts as resulting in 'No Observed Adverse Effect' and therefore they require no specific measures for further mitigation. To minimise any impulsive noise from processing, the operator will continue to implement the existing noise mitigation measures achieved by the effective enclosure of process operations within the existing barns, as set out within the Noise Statement.
- 7.13 References have been made by objectors to the existing workings, related to the permitted development rights, being noisy. In order to ensure that any

complaints are enforceable regarding the operations, it is recommended that these permitted development rights are removed in the red line area once operations commence. This would ensure that any workings would be attributable to the operations permitted under this application. It is also recommended that the operator notifies the Mineral Planning Authority on cessation of extraction, in order for it to be clear that permitted developments can resume.

### Dust

- 7.14 There is the potential for dust to be generated from the extraction and processing operations. The applicant states that any dust will be dampened down and has provided this within a Dust Statement. Given the small-scale nature of the proposal, this is considered acceptable and in accordance with Policy DM8 (Minerals operations and the protection of local amenity) of the Somerset Minerals Plan.

### **Biodiversity Impacts**

- 7.15 The application site is limited to an agricultural field, which has been previously disturbed due to working under permitted development rights, or is contained within existing barns. The access track that would be used to transport material to the barns is already established and lined with mature trees and hedgerow. This is designated as the Glastonbury Festival Local Wildlife Site and the site is located within a number of consultation zones for protected species. It is considered likely that nesting birds and roosting bats could take advantage of the vegetation surrounding the extraction area.
- 7.16 Given the distance of the mature trees (approximately 50m to the north) and hedgerow (approximately 70m to the west); that the development is not proposing to remove any vegetation; working is temporary and likely to be concentrated in the winter period; and the application site is within busy working farm, and only farm machinery will be used, it is considered that the proposed development will not generate unacceptable adverse impacts on biodiversity, as required by Policy DM2 (Biodiversity and geodiversity) of the Somerset Minerals Plan.

### **Highway Impacts**

- 7.17 The excavated material will be transported on private tracks to the processing and storage barns, all contained within the applicant's ownership. Therefore, there are no highway impacts in this respect. When required, the material will be transported using farm tractors and trailers to the affordable housing site along Neat Lane, approximately 0.8km from the farm entrance, using Copse Lane, a narrow road, with some passing places. The applicant anticipates that there will be between 10 and 25 movements per day, that will last approximately 20 working days. However, should further stone be required, additional trips may be needed. The vehicle movements are likely to only be for a short, temporary period which is considered acceptable. However, a condition survey of the highway is recommended to be required by condition

prior to commencement, to ensure any damage caused by the development is repaired.

- 7.18 In order to maintain highway safety in accordance with Policy DM9 (Minerals transportation) of the Somerset Minerals Plan, the applicant has provided a scheme stating that all vehicles leaving the site will be washed to stop any mud/debris to be deposited on the highway and in the event of mud being deposited, it will be removed. This is considered acceptable.

### **Historic environment**

- 7.19 The Tithe Barn Scheduled Monument, which is also Grade I listed, is approximately 70m to the north west of the proposed extraction area. The Pilton Conservation Area is approximately 50m to the north of the site. It is considered the machinery used in the extraction may be partially visible and audible from these designations, however, given the small scale of the proposal and the use of farm machinery, it is not considered the operations will impact upon the setting of these designated heritage assets in accordance with Policy DM3 (Historic Environment) of the Somerset Minerals Plan.

### **Water resources**

- 7.20 The Environment Agency has advised that there is a small risk that removing stone could open up new groundwater pathways or change existing groundwater pathways which may be unpredictable. Groundwater could be encountered at shallow levels. If this requires management, for example dewatering, this could change the groundwater flow and gradients. However, the EA has confirmed the lateral extent of this is unlikely to be extensive and recommend an informative is added to the planning permission for the applicant to contact the EA should groundwater be encountered. Given the scale and small risk of groundwater, it is considered the proposal is in accordance with Policy DM4 (Water Resources and Flood Risk) of the Somerset Minerals Plan.

## **8. Conclusion**

- 8.1 Overall, it is considered the extraction of Blue Lias stone would provide benefits to the local community and built environment. While this extraction may result in an impact upon the amenity of neighbouring properties in terms of noise, it is considered this can be mitigated to an acceptable level through the use of conditions, and extraction is only likely to be for a very short period within the 12 months permission.

## **9. Recommendation**

- 9.1 It is recommended that planning permission be granted subject to the conditions below:

### **1. Commencement of Development**

The development hereby permitted shall be commenced within three years from the date of this permission

Reason: In accordance with Section 91 of the Town and Country Planning Act 1990

## **2. Completion of Development**

The development hereby permitted shall be carried out in strict accordance with the approved plans and details:

- 2018SQA001 V4, dated 09 Jan 2019
- 2018SQA001 V1, dated 11 Oct 2018 (submitted on 21 March 2019)
- Noise Statement (submitted on 21 March 2019)
- Dust Statement (submitted on 21 March 2019)
- Application Form (except as varied by the Noise Statement)
- Supporting Document for Worthy Farm – 2018 (except as varied by the Noise Statement)

Reason: To enable the Mineral Planning Authority to deal promptly with any development not in accordance with the approved plans

## **3. Notification of Commencement**

Written notification of the date of commencement shall be given to the Mineral Planning Authority within seven days of the commencement of the development hereby permitted.

Reason: To enable the Mineral Planning Authority to monitor compliance with conditions

## **4. Duration of Consent**

The stone extraction hereby permitted shall be carried out and completed within 12 months of the date of the commencement of the development hereby permitted. The site shall be fully restored to agriculture in accordance with the details provided within the first available planting seasons following the cessation of mineral extraction.

Reason: To protect residential amenity in accordance with Policy DM8 (Minerals operations and the protection of local amenity) of the Somerset Minerals Plan and ensure suitable restoration in accordance with Policy DM7 (Restoration and aftercare) of the Somerset Minerals Plan.

## **5. Removal of Permitted Development Rights**

Notwithstanding the provisions of Part 17 or Class C of Part 6 of Schedule 2 of the Town and Country Planning (General Permitted Development) (England) Order 2015 (or any Order revoking, reenacting or modifying that Order), which relate to mineral working for agricultural purposes, mining and mineral exploration, there shall be no development or activity at this site following commencement of the development additional to that specified in this planning permission.

On the permanent cessation of extraction, the operator shall notify the Mineral Planning Authority to resume any activities carried out under Part 6 of the 2015 Order.

Reason: To enable the Mineral Planning Authority to adequately control the development according to the submitted application and approved details and to minimise the duration and extent of disturbance from the development

## **6. Extraction Limit**

The output from the quarry shall not exceed 400 tonnes throughout the life of the quarry. The operator shall keep written records of tonnages of all quarried stone removed from the site, and such written records shall be made available to the Mineral Planning Authority within one week of such request being made.

Reason: To protect residential amenity in accordance with Policy DM8 (Minerals operations and the protection of local amenity) of the Somerset Minerals Plan and minimise impacts on the surrounding highway network in accordance with Policy DM9 (Minerals transportation) of the Somerset Minerals Plan.

## **7. Export of Stone**

No stone shall be exported from Worthy Farm until details of an approved affordable housing scheme in Pilton have been submitted to the Mineral Planning Authority. The details shall include a copy of the decision notice from Mendip District Council along with an approved site layout plan. The stone shall only be used to supply the approved affordable housing scheme.

Reason: To ensure the stone is only used for the specific need outlined in accordance with Policy SMP5 (Proposals for the extraction of building stone) of the Somerset Minerals Plan.

## **8. Condition of Highway**

A Condition Survey of the existing public highway will need to be carried out and agreed with the Highway Authority prior to any works commencing on site, and any damage to the highway occurring as a result of this development is to be remedied by the developer to the satisfaction of the Highway Authority once all works have been completed on site.

Reason: In the interest of highways safety in accordance with Policy DM9 (Minerals transportation) of the Somerset Minerals Plan.

Note: The applicant is advised to seek advice from The Mendip Area Highway Office in Glastonbury.

## 9. No importation of waste

No waste shall be deposited within the site other than quarry waste arising from within the site.

Reason: To protect residential amenity in accordance with Policy DM8 (Minerals operations and the protection of local amenity) of the Somerset Minerals Plan and minimise impacts on the surrounding highway network in accordance with Policy DM9 (Minerals transportation) of the Somerset Minerals Plan.

### Informatives

The applicant is advised to contact the Environment Agency in the following circumstances:

- If operations open a spring or unexpected groundwater infiltration;
- Any abstraction of water from boreholes, springs, streams, ditches or other surface water body should remain below 20m<sup>3</sup>/day. If a greater quantity is required, an abstraction licence may be required;
- The applicant should be mindful of environmental pollution during the proposed activity, specifically the contamination of surface water with silt and sediment. The Environment Agency should be contacted for advice at the first sign of any issues.

## 10. Relevant Development Plan Policies

10.1 The following is a summary of the reasons for the County Council's decision to grant planning permission.

10.2 In accordance with Section 38(6) of the Planning and Compulsory Purchase Act 2004 the decision on this application should be taken in accordance with the development plan unless material considerations indicate otherwise. The decision has been taken having regard to the policies and proposals in:

- Somerset Minerals Plan Development Plan Document up to 2030 (adopted February 2015)
- Mendip District Local Plan 2006-2029 Part I: Strategy and Policies (adopted December 2014)

The policies in the development plan particularly relevant to the proposed development are:

Somerset Minerals Plan Development Plan Document up to 2030 (adopted February 2015)

SMP5	Proposals for the extraction of building	In accordance with this policy. This proposal would deliver clear economic and other benefits to the local community. The building stone extracted would be gifted to enable
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		the construction of affordable homes within Pilton. The nature scale and intensity of the operation is considered to be appropriate to meet the aim of the proposal and also for the character of the local area.
SMP8	Site Reclamation	In accordance with this policy as the quarry area is to be progressively restored at the earliest opportunity. The proposed after-use is to return the land to agriculture and is considered appropriate.
DM1	Landscape and Visual Amenity	The extraction site is located in a visible location, with extensive views to the south and some localised views from the north. However, the scale, temporary nature and progressive restoration will ensure that the proposal would not have an unacceptable adverse impact on the landscape or visual amenity.
DM2	Biodiversity and geodiversity	The proposal would not result in unacceptable adverse impacts on biodiversity. No trees or hedgerows would be affected by the development. The proposal would result in the temporary loss of a small section (1000m <sup>2</sup> ) of grade 3 agricultural land.
DM3	Historic Environment	A number of designated heritage assets are located to the north of the extraction area. It is considered that due to the short term nature of the life of the quarry, the activities would not have an unacceptable impact on the setting of these designated assets.
DM4	Water Resources and Flood Risk	The application site is not within flood zone 2 or 3 or in a ground water protection zone. The quarry area is small and ground levels would be restored to their existing levels and existing use following stone extraction.
DM6	Public Rights of Way	Part of the existing access track forms a public right of way. The access tracks are already in use by farm vehicles and the public right of way will remain in operation.
DM7	Restoration and aftercare	In accordance to Table 7 (Reclamation checklist) the site is to be progressively

		restored back to grade 3 agricultural land through the careful storage and replacement of soils.
DM8	Mineral operations and the protection of the local amenity	In accordance with this policy, it is considered that this proposal would not generate unacceptable adverse impacts on local amenity. The quarry extraction and processing operations are set within a busy working farm.
DM9	Mineral Transportation	It is considered that this proposal would not result in adverse highway impacts. The proposal will involve a small number of stone deliveries to an affordable housing site within the village. There would be no long term highway impacts.

Mendip District Local Plan 2006-2029 Part I: Strategy and Policies (adopted December 2014)

CP1	Mendip Spatial Strategy	Worthy Farm is located on the edge of the village of Pilton. In the Mendip Core Strategy Pilton is not identified as primary or secondary village. This policy requires that development in villages may be permitted in line with provisions of Core policy 4 to meet specifically identified local needs within those communities. In accordance with this policy the Blue Lias Stone is required to aid in the construction of affordable housing. The local stone is beneficial as the construction of the new homes would be in keeping with historic fabric of the village.
CP4	Sustaining Rural Communities	In accordance with this policy the proposal aids in the delivery of affordable rural housing. The stone is to be provided to a local housing association at no cost.
DP1	Local Identify and Distinctiveness	In accordance with this policy this proposal contributes positively to the maintenance and enhancement of local identify across the district. This proposal is for the extraction of local stone to be used in the construction of local affordable housing to be in keeping with the existing village.

DP3	Heritage Conservation	A number of designated heritage assets are located to the north of the extraction area. It is considered that due to the short term nature of the life of the quarry, the activities would not have an unacceptable impact on the setting of these designated assets.
DP5	Biodiversity and Ecological Networks	In accordance with this policy this proposal would not cause harm to biodiversity or the environment. The application site affects Grade 3 agricultural land and would be returned to grade 3 agricultural land upon completion of extraction.
DP8	Environmental Protection	In accordance with part one of this policy. Due to the farm location and small scale nature of the proposal, it is considered that the development would not result in unacceptable adverse environmental impacts on the natural environment or on residential amenity.
DP9	Transport Impact of New Development	In accordance with this policy - the stone would be transported for storage and processing on haul roads all within the applicant's control. The main transport impact would be the delivery of the processed stone to the local affordable housing site. This would involve the stones transportation on 0.8km of adopted highway. These deliveries would be temporary to supply the new development and as such no long lasting transport impacts would happen as a result of this development subject to the provision of a condition survey.

10.3 The County Planning Authority has also had regard to all other material considerations, in particular the National Planning Policy Framework (February 2019); Mendip District Local plan 2006/2029 Part II: Sites and Policies, Pre-submission Draft (January 2018) and Planning Practice Guidance.

**Statement of Compliance with Article 35 of the Town and Country Development Management Procedure Order 2015**

10.4 In dealing with this planning application the County Planning Authority has adopted a positive and proactive manner. The Council offers a pre-

application advice service for minor and major applications, and applicants are encouraged to take up this service. This proposal has been assessed against the National Planning Policy Framework, Minerals Local Plan and Local Plan policies, which have been subject to proactive publicity and consultation prior to their adoption and are referred to in the reasons for approval. The County Planning Authority has sought solutions to problems arising by liaising with consultees, considering other representations received and liaising with the applicant/agent as necessary.