A WASTE RECOVERY PLAN FOR THE DEPOSITION OF WASTE ON LAND AS A RECOVERY ACTIVITY TO STABILISE FURTHER QUARRY FACES AT SKIPTON ROCK QUARRY IN NORTH YORKSHIRE INCORPORATING MINOR CHANGES TO THE EXISTING QUARRY FACE STABILISATION WORKS THE SUBJECT OF ENVIRONMENTAL PERMIT REFERENCE EPR/FB3504FU

Report reference: TAR/SK/AW/5700/02/WRP
November 2025

Technical advisers on environmental issues

Baddesley Colliery Offices, Main Road, Baxterley, Atherstone, Warwickshire, CV9 2LE
Tel. (01827) 717891

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Appendix L	A copy of drawing reference JG494-01/R/F/02
Appendix M	A copy of a letter from North Yorkshire Council dated 2 June 2025

This report has been prepared by MJCA with all reasonable skill, care and diligence, and taking account of the Services and the Terms agreed between MJCA and the client. This report is confidential to the client and MJCA accepts no responsibility whatsoever to third parties to whom this report, or any part thereof, is made known, unless formally agreed by MJCA beforehand. Any such party relies upon the report at their own risk.

1. Introduction

1.1 Environmental Permit number EPR/FB3504FU for the permanent deposit of waste on land as a recovery activity in Areas D and E at Skipton Rock Quarry was issued to Tarmac Trading Limited (Tarmac) by the Environment Agency (EA) on 7 May 2019. The boundary the subject of Environmental Permit reference EPR/FB3504FU is shown on Figure 1. Skipton Rock Quarry is located in the administrative area of North Yorkshire Council (NYC). Planning permission for Areas D and E reference C5/63/2010/10941 was granted by NYC[1] in May 2011 for *'…earthworks to stabilise quarry faces consisting of the regrading of existing quarry faces and formation of batters through the importation of granular fill…'*. A copy of planning permission reference C5/63/2010/10941 is presented at Appendix A.

1.2 Condition 2 of planning permission reference C5/63/2010/10941 states:

> *'The development hereby permitted shall be carried out in accordance with the application details dated 6 July 2010 and the following conditions which at all times shall take precedence'.*

1.3 Condition 4 of planning permission reference C5/63/2010/10941 states:

> *'The development hereby approved shall be carried out for a period not exceeding 18 years, starting from the date of commencement of the development at the site, as notified to the County Planning Authority under condition 3 (above). At the end of the 18 year period, the site shall have been fully restored in accordance with condition 18 (below), unless otherwise approved in writing by the County Planning Authority.'*

1.4 Condition 18 of planning permission reference C5/63/2010/10941 states:

> *'The site shall be restored in progressive phases in accordance with the scheme submitted to and approved as part of the planning application details. Following completion of each phase of restoration, a five-year aftercare scheme and management of the restored land shall be carried out in accordance with the submitted and approved scheme.'*

[1] When planning permission reference CB/17/05654/MW was granted North Yorkshire Council was North Yorkshire County Council

1.5 A copy of the report prepared for the May 2011 Planning Committee meeting is presented at Appendix B. In the conclusion section of the May 2011 Planning Committee report it is stated that:

> *'The proposed face stabilisation works are required in order to provide a long term solution to the problem of face instability at the application site. The works would also facilitate the restoration of a significant and highly visible part of the existing quarry face to a landform that would be more compatible with the surrounding, sensitive landscape…*
>
> *….it is therefore considered that, the proposed development is compliant with the policies which comprise the Development Plan currently in force for the area and all other relevant material considerations.'*

1.6 It is clear that in granting planning permission reference C5/63/2010/10941 NYC imposed specific obligations in respect of the approved scheme for the earthworks to stabilise quarry faces and the restoration of Areas D and E. On this basis, it was accepted by the EA that the restoration of Areas D and E was a specific obligation on Tarmac hence the deposition of waste in Areas D and E comprised a deposit for recovery activity.

1.7 Planning permission reference NY/2023/0159/FUL was granted on 16 December 2024 by NYC for the *'Continuation to import inert materials for the purpose of stabilising rockfaces at Skipton Rock Quarry…'*. A copy of planning permission reference NY/2023/0159/FUL is presented at Appendix C. The boundary of planning permission reference NY/2023/0159/FUL is shown on the location plan presented at Appendix D. In summary, the development the subject of planning permission reference NY/2023/0159/FUL comprises an easterly extension to the earthworks to stabilise further quarry faces with some changes to the previously consented restoration scheme in Area E such that the landform created in the easterly extension will integrate with the landform in Area E. The principles of the earthworks to stabilise quarry faces and the restoration of Areas D and E do not change but are extended in an easterly direction. Consistent with Conditions 2, 4 and 18 of planning permission reference C5/63/2010/10941, Conditions 2, 4 and 22 of planning permission reference NY/2023/0159/FUL impose specific obligations in respect of the newly approved scheme.

1.8 As explained in the approved Waste Recovery Plan[2] which is the subject of Environmental Permit number EPR/FB3504FU, the earthworks to stabilise the quarry faces and the restoration of Areas D and E necessitated the importation of approximately 455,200m^3 of inert restoration materials. Prior to the further face stabilisation works, mineral extraction will need to take place within the eastern extension area in order not to sterilise permitted limestone reserves. Approximately 500,000 tonnes of limestone will be extracted and the earthworks to stabilise the further quarry faces and restore Area E and the eastern extension area will necessitate the importation of approximately 430,000m^3 of inert restoration materials. The newly approved restoration scheme for Area E and the eastern extension area is shown on drawing reference S137-00058-031 B presented at Appendix E. The phasing of the newly approved works and cross sections are shown on drawings references S137-00058-17 (Sheets 1 to 3) presented at Appendix F.

1.9 A WRP presenting justification that the deposit of waste in the eastern extension area incorporating the minor changes to the restoration in Area E comprises recovery is presented in Section 2 of this report. Subject to the acceptance by the EA of the WRP an application will be submitted to vary Environmental Permit number EPR/FB3504FU to provide for the permanent deposition of waste on land as a recovery operation in the eastern extension area incorporating the minor changes to the restoration in Area E.

[2] Waste Recovery Plan for the deposition of waste on land as a recovery activity to stabilise quarry faces at Skipton Rock Quarry, Skipton, North Yorkshire. Report reference TAR/SK/AW/5562/01/WRP, dated July 2017.

2. Waste Recovery Plan

2.1 The WRP has been prepared with reference to Article 3(15) of the Waste Framework Directive (2008/98/EC) and the latest guidance on the deposition of waste on land as a recovery activity published by the EA on GOV.UK and last updated on 29 June 2023[3] (the recovery guidance). The recovery guidance uses the definition of recovery provided in Article 3(15) of the Waste Framework Directive to describe waste recovery. The recovery guidance states that:

> *'Waste recovery on land, or deposit for recovery, is when you use waste material in place of non-waste material you would have used to perform a function.'*

2.2 The recovery guidance specifies that there are three main ways that can be used to demonstrate waste recovery. One of the three ways identified in the recovery guidance is to *'… provide evidence that you're obliged to carry out the scheme.'* In respect of an obligation to do the work the EA states in the recovery guidance:

> *'This may be because a regulator has imposed a requirement on you so you would have to do the work whether you use waste or non-waste. For example, you operate a quarry and are required by planning conditions of an already implemented planning permission to restore it according to an approved plan.'*

2.3 The recovery guidance is clear that where there is a specific obligation to undertake the work it is unnecessary to present in a WRP the information referred to under the headings 'Purpose of the work', 'Quantity of waste used' and 'Meeting quality standards' in the recovery guidance.

The obligation

2.4 As described in Section 1 planning permission reference NY/2023/0159/FUL provides for the '*Continuation to import inert materials for the purpose of stabilising rockfaces at Skipton Rock Quarry...*' Condition 2 of the planning permission states:

[3] https://www.gov.uk/government/publications/deposit-for-recovery-operators-environmental-permits/waste-recovery-plans-and-deposit-for-recovery-permits

> *'The development hereby permitted shall be carried out in accordance with the application details dated 29 September 2023 and the following approved documents and drawings…'*

and lists amongst others, the phasing plans for the extraction and restoration of the eastern extension area.

2.5 Condition 4 of planning permission reference NY/2023/0159/FUL states:

> *'The development hereby permitted shall be carried out for a period not exceeding 4 years…At the end of the 4 year period, all operations on the site shall be discontinued and all machinery and building associated with the development shall be removed from the site and the site shall have been fully restored in accordance with the approved restoration scheme as defined by Condition No. 22 (below).'*

2.6 Condition 22 of planning permission reference NY/2023/0159/FUL states:

> *'Within 12 months from the date of commencement of infilling operation as notified to the Local Planning Authority for the purposes of Condition No. 3 (above), a detailed scheme and programme for the restoration of the site shall be submitted to the Local Planning Authority for approval in writing in compliance with Restoration Plan, Ref. S137-00058-031 B, dated 01/03/2024…Thereafter restoration of the site shall be carried out in accordance with the approved scheme and programme.'*

2.7 A copy of the Delegated Planning Report prepared in December 2024 in respect of the application for planning permission reference NY/2023/0159/FUL is presented at Appendix G. In the conclusion section of the Delegated Planning Report, it is stated that:

> *'The principle of the proposed development and its acceptability in land use planning terms are considered to have been satisfied and the proposal represents a sustainable development, providing an improvement to the natural environment as well as addressing safety issues. Furthermore, the proposal would facilitate the*

> *stabilisation and restoration of quarry void to a landform that would be more compatible and harmonise with the surrounding landscape, provide a beneficial after-use and biodiversity net gain…*
>
> *…the development is therefore considered to be in compliance with the Adopted Development Plan policies as a whole and consistent with national planning policy contained with the NPPF and NPPW.'*

2.8 It is clear that in granting planning permission reference NY/2023/0159/FUL NYC has imposed specific obligations in respect of the approved scheme for earthworks to stabilise the further quarry faces and the restoration of the eastern extension area and to incorporate the minor changes to the restoration in Area E. In addition to the specific obligation imposed by planning permission reference NY/2023/0159/FUL, the original planning permissions for the mineral extraction operations in this area of Skipton Rock Quarry include conditions which imposed restoration obligations albeit that the original planning permissions date back many decades and the wording of planning conditions in the 1950s and 1960s was very different to modern standards. Copies of planning permissions references SN/626 dated 13 April 1951 and SK/1633 dated 17 January 1968 are presented at Appendices H and I respectively. Condition 2 of planning permission reference SN/626 states that:

> *'…such material be used to fill-in and restore areas which have been excavated…'*

2.9 And condition 7 of planning permission SK/1633 states that

> *'…a phased scheme of working and restoration shall be submitted to the Local Planning Authority for approval and working shall be carried out in accordance with this scheme.'*

2.10 In respect of specific obligations the EA states in the recovery guidance:

> '*Obligations may specify the work you have to carry out. If you have specific obligations to complete the scheme proposed, the Environment Agency will normally accept recovery where your waste recovery plan includes:*

- *evidence of the obligation*
- *plans and cross sections that show your proposal matches the obligation on you*'

Taking each of these in turn.

Evidence of the obligation

2.11 As set out above, Condition 2 of the planning permission specifies that the development shall be carried out in accordance with the planning application dated 29 September 2023 and in accordance with the conditions of the planning permission, including Conditions 4 and 22. The reason given for Condition 2 is *'To ensure that the development is carried out in accordance with the application details'* and the reason given for Condition 4 is *'To ensure the timely restoration in the interest of amenity'*. The reason given for Condition 22 is *'To secure a good standard or progressive restoration in the interests of amenity and protecting the character of the area.'* The conditions and the reasons for the conditions in planning permission reference NY/2023/0159/FUL together with Conditions 2 and 7 of planning permissions references SN/626 and SK/1633 respectively clearly demonstrate the obligation. The obligation in Condition 4 is confirmed in the correspondence from NYC dated 25 November 2025 in which it is concluded that:-

> *'For the avoidance of doubt, North Yorkshire Council regard Condition 4 as a clear obligation on Tarmac to stabilise and restore part of an operational quarry.'*

A copy of the letter dated 25 November 2025 from NYC is presented at Appendix J.

2.12 As part of the preparation of the application for planning permission reference C5/63/2010/10941 Tarmac commissioned Johnson Poole and Bloomer (JPB) to undertake an assessment of the stability of the soil and rock faces in Skipton Rock Quarry and to propose options if necessary for stabilisation of the faces. A copy of JPB report reference JG494-01/MAK/APB (the JPB report) dated 14 December 2009 is presented at Appendix K. The JPB report identifies that the work was undertaken by a Chartered Geologist/Engineer consistent with the requirements of the Quarries Regulations 1999. The JPB report identifies that in the eastern part of the site there are areas where there is evidence of significant historic and possible ongoing plane

failure movement. Drawing number JG494-01/R/F/02 presented at Appendix L shows an aerial view of Skipton Rock Quarry and identifies 5 distinct areas labelled Area A to Area E. The JPB report states the following in respect of face stability in Areas A[4], B and C which comprise cliff faces:

> *"In the eastern part of the quarry there are areas where there is evidence of significant historic and possible ongoing plane failure movement particularly in Area B …, with Area A and C also having the potential for such movement to occur. In Area B as well as there being some evidence of possible previous historic movement along bedding there is also evidence for the erosion of rock materials along joint Set 2 via high angle wedge and possible toppling failure."*

2.13 Based on its findings in respect of slope stability JPB presented the following four options for providing stabilisation of the faces:

1. Regrading/reprofiling of faces to an angle shallower than that of the bedding thus preventing the release of material along planes.

2. Stabilisation of the face via specialist methods such as the installation of rock anchors, rock bolts and face meshing.

3. Retain the existing quarry configuration.

4. Placement of material at the toe of the slope to reduce overall face heights and to potentially act as a buttress support to minimise potential failures.

2.14 The JPB report identified Option 4 as the most feasible option. It was considered that retention of the existing quarry configuration (Option 3) would require standoffs from the faces to be maintained in the long term hence minimising options for the future restoration of the site.

2.15 The Delegated Planning Report presents the following comments in respect of the assessment by NYC of the proposed development which, in effect, comprises a continuation of Option 4:

[4] Area A comprises the excavated southern slope in the eastern part of Area E and in the eastern extension area

> *'It is considered that there is an overriding need for the proposal in terms of infilling due to exposed steep rockfaces causing instability and safety issues. The proposed development would secure necessary land improvements and bring a degraded land back into use as agricultural land and, as such, it would have a positive impact on the local landscape, amenity and biodiversity.'*

2.16 Consistent with the requirements set out in the recovery guidance in respect of an obligation, it is clear that NYC required the applicant to assume the specific obligation of undertaking earthworks to stabilise further quarry faces in order to achieve the approved restoration scheme as a condition of obtaining planning permission. It is acknowledged by NYC that prior to the face stabilisation works, further mineral extraction would need to take place within the eastern extension area in order to not sterilise permitted limestone reserves. Tarmac will be required to comply with the applicable planning conditions and there is no evidence to suggest otherwise.

Plans and cross sections that show your proposal matches the obligation on you

2.17 As described earlier Condition 2 of planning permission reference NY/2023/0159/FUL lists amongst others, the phasing plans for the extraction and restoration of the eastern extension area. The phasing plans include cross sections. Specifically, Condition 2 of planning permission reference NY/2023/0159/FUL lists:-

- Drawing reference S137-00058-17 dated 22 November 2022 and entitled *'Phase Plan Sheet 1 of 3'* (Included at Appendix F of the WRP)
- Drawing reference S137-00058-17 dated 22 November 2022 entitled *'Phase Plan Sheet 2 of 3'* (Included at Appendix F of the WRP)
- Drawing reference S137-0058-017 dated 22 November 2022 entitled *'Phase Plan Sheet 3 of 3'* (Included at Appendix F of the WRP)
- *Drawing reference S137-00058-031 B dated 01 March 2024 entitled 'Restoration Plan'* (Included at Appendix E of the WRP)

2.18 The earthworks required to complete the continuation of Option 4 recommended by JPB which were accepted and conditioned pursuant to planning permission reference

C5/63/2010/10941 and which are extended in an easterly direction pursuant to planning permission reference NY/2023/0159/FUL, will involve works including the deposit of granular fill material (waste or non-waste) in a specific area as shown on the phasing drawings presented at Appendix F.

2.19 The total quantity of material that will need to be deposited to complete the approved restoration scheme is limited by the extracted profile shown on the phasing drawings and the final levels shown on the restoration scheme. It is proposed that drawings references S137-00058-17 (Sheets 1 to 3) and S137-00058-031 B will comprise the relevant drawings to be specified in the varied Environmental Permit.

2.20 Notwithstanding that there are no restrictions within planning permission reference NY/2023/0159/FUL in respect of whether the earthworks to stabilise further quarry faces and the restoration of the eastern extension area incorporating the minor changes to the restoration in Area E is carried out using non-waste or waste materials, a letter from the NYC confirming that the works can be completed with suitable imported waste or non-waste inert restoration materials is presented at Appendix M.

Evidence that the waste is suitable for the intended purpose

2.21 Although not referred to in the recovery guidance consideration has been given to the suitability of the waste for use in the intended purpose. The waste types that are accepted in Areas D and E and the waste types that it is proposed will be accepted in the eastern extension are presented in Table 1. The waste types listed in Table 1 are consistent with those specified in Schedule 1, Table S2.1 of Environmental Permit reference EPR/FB3504FU. No changes to the waste types are proposed.

2.22 Detailed waste acceptance procedures are and will be in place so that unacceptable waste materials are not accepted and procedures are and will be in place for the rejection of non-conforming loads. The waste acceptance procedures include checks that robust waste characterisation and testing procedures have been implemented before wastes are accepted for delivery. No wastes are or will be accepted from contaminated sites. Only waste that is suitable for the intended purpose is and will be imported as to do otherwise would undermine the potential to achieve the approved restoration scheme.

2.23 The procedures which are and will be implemented to control the waste types that are imported include consideration of the physical condition of the materials so that the materials deposited are suitable to provide a stable mass. Consideration is and will be given to the placement of materials delivered including regular spreading of the materials in order to minimise the creation of voids and to develop as homogenous a waste matrix as practicable to minimise the potential for differential settlement.

2.24 It is clear that Tarmac has specific obligations in respect of the approved restoration scheme and the deposit of waste as a recovery activity will enable Tarmac to satisfy these obligations. Accordingly, it is clear that the use of waste material for the function in question (earthworks to stabilise further quarry faces) will involve replacing other materials which would otherwise have been used to fulfil that function consistent with the definition of “recovery” in Article 3(15) of the WFD.

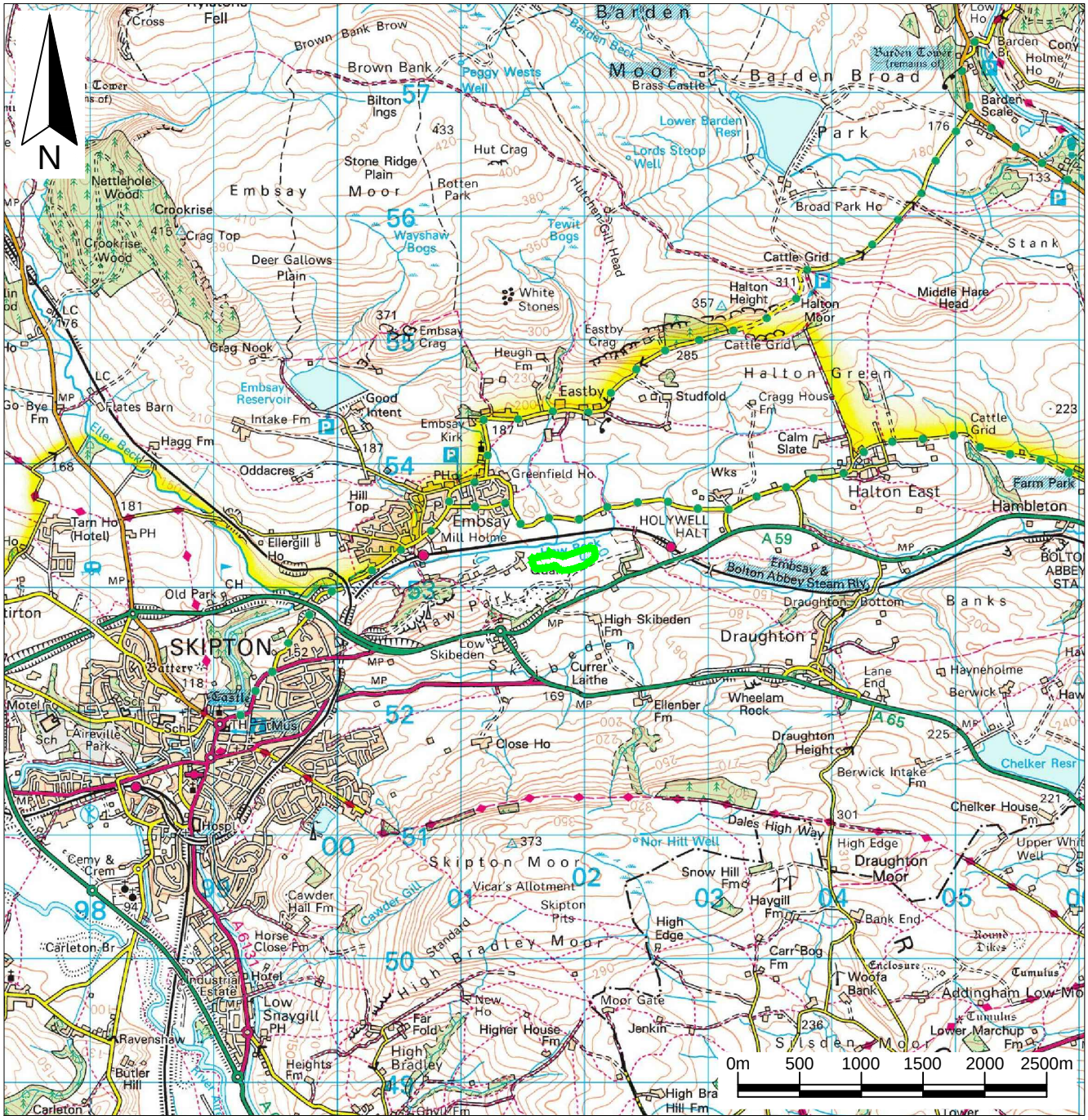
TABLE

Table 1

The proposed waste types that may be accepted at Skipton Rock Quarry for deposition as a recovery activity

Waste Code	Description
01 01	**wastes from mineral excavation**
01 01 02	wastes from non-metalliferous excavation
01 04	**wastes from physical and chemical processing of non-metalliferous minerals**
01 04 08	waste gravel and crushed rocks other than those containing dangerous substances
01 04 09	waste sand and clays
17 01	**concrete, bricks, tiles and ceramics**
17 01 01	concrete
17 01 02	bricks
17 01 03	tiles and ceramics
17 01 07	mixtures of concrete, bricks, tiles and ceramics
17 05	**soil (excluding excavated soil from contaminated sites) stones and dredging spoil**
17 05 04	soil and stones (excluding topsoil and peat)
19 12	**waste from mechanically treating waste (for example sorting, crushing, compacting, pelletising) not otherwise specified**
19 12 09	minerals (for example, sand, stones)
20 02	**garden and park wastes (including cemetery waste)**
20 02 02	soil and stones

FIGURE



Key / Notes

Approximate boundary of Environmental Permit number EPR/FB3504FU

Rev	Status	Drn	App	Chk	Date
	Final	TL	EH	GT	02/06/25

Site: SKIPTON ROCK QUARRY

Client: TARMAC A CRH COMPANY

Title: Site location

Figure 1

Scale: 1:50,000@A4

Drawing Ref: TAR/SK/05-25/24947

MJCA
Technical advisers on environmental issues
Baddesley Colliery Offices,
Main Road, Baxterley, Atherstone,
Warwickshire, CV9 2LE.
Telephone : 01827 717891
Fax : 01827 718507

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APPENDICES

APPENDIX A

A COPY OF PLANNING PERMISSION REFERENCE C5/63/2010/10941 DATED 11 MAY 2011

Decision No. C5/63/2010/10941

TOWN AND COUNTRY PLANNING ACT 1990

NORTH YORKSHIRE COUNTY COUNCIL

NOTICE OF DECISION OF PLANNING AUTHORITY ON APPLICATION FOR PERMISSION TO CARRY OUT DEVELOPMENT

TO:

Tarmac Ltd
PO Box 5, Fell Bank
Birtley
Chester-le-Street
Co. Durham
DH3 2ST

SLR Consulting Ltd
Aspect House
Aspect Business Park
Nottingham
Nottinghamshire
NG6 8WR

The above-named Council being the Planning Authority for the purposes of your application dated 6 July 2010 in respect of the proposed development for the purposes of earthworks to stabilise quarry faces consisting of the regrading of existing quarry faces and formation of batters through the importation of granular fill at Skipton Rock Quarry, Skipton have considered your said application and have granted permission for the proposed development subject to the following conditions:-

Reason for Decision:

i. The proposal would accord with the relevant saved policies of the North Yorkshire Waste Local plan (2006);

ii. The proposed development would comply with the relevant saved policies of the North Yorkshire Minerals Local Plan (1997);

iii. The proposed mitigation measures would ensure there are no adverse impacts upon the highway, the environment or residential amenity;

iv. The proposal would help to stabilise the existing rock faces and promote the eventual restoration of the site; and,

v. The imposition of conditions would ensure that the proposal would have no adverse impacts.

(please see attached sheets for conditions)

Date: 11th May 2011

……..……..
Corporate Director, Business and Environmental Services

NOTE:-
No consent, permission or approval hereby given absolves the applicant from the necessity of obtaining the approval, under the Building Regulations, of the District Council in whose area the site of the proposed development is situated; or of obtaining approval under any other byelaws, local acts, orders, regulations and statutory provisions in force; and no part of the proposed development should be commenced until such further approval has been obtained.

FOR RIGHTS OF APPEAL SEE OVERLEAF

TOWN AND COUNTRY PLANNING ACT 1990

Continuation of Decision No.C5/63/2010/10941

Dated: 11th May 2011

RIGHTS OF APPEAL

(1) If the applicant is aggrieved by the decision of the local planning authority to refuse permission or approval for the proposed development, or to grant permission or approval subject to conditions, he/she may appeal to the Secretary of State for Communities and Local Government in accordance with Section 78 of the Town and Country Planning Act 1990, within six months of the date of this notice. The Secretary of State has power to allow a longer period for the giving of a notice of appeal but he will not normally be prepared to exercise this power unless there are special circumstances which excuse the delay in giving notice of appeal. The Secretary of State is not required to entertain an appeal if it appears to him that permission for the proposed development could not have been granted by the local planning authority, or could not have been so granted otherwise than subject to the conditions imposed by them, having regard to the statutory requirements (including reference to office and industrial development) to the provisions of the development order, and to any directions given under the order.

(2) If permission to develop land is refused or granted subject to conditions, whether by the local planning authority or by the Secretary of State for Communities and Local Government, and the owner of the land claims that the land has become incapable of reasonably beneficial use in its existing state and cannot be rendered capable of reasonably beneficial use by the carrying out of any development which has been or would be permitted, he/she may serve on the Council of the county district in which the land is situated, a purchase notice requiring that Council to purchase his/her interest in the land in accordance with the provisions of Part VI of the Town and Country Planning Act 1990.

Note:- If an aggrieved applicant wishes to exercise his/her right of appeal as above mentioned, he/she should do so on the appropriate form obtainable from:-

The Planning Inspectorate
Temple Quay House
2 The Square
Temple Quay
BRISTOL
BS1 6PN

Tel: 0117 372 6372

Conditions:

1. The development to which this permission relates must be implemented no later than the expiration of three years from the date of this Decision Notice.

2. The development hereby permitted shall be carried out in accordance with the application details dated 6 July 2010 and the following conditions which at all times shall take precedence.

3. Upon commencement of the face stabilization and regrading operations hereby approved, the developer shall notify the County Planning Authority in writing within 28 days of the commencement date.

4. The development hereby approved shall be carried out for a period not exceeding 18 years, starting from the date of commencement of the development at the site, as notified to the County Planning Authority under condition 3 (above). At the end of the 18 year period, the site shall have been fully restored in accordance with condition 18 (below), unless otherwise approved in writing by the County Planning Authority.

5. All works associated with the development hereby granted planning permission, including the transport of material to the site, shall only take place between the following times:

   07.00-18.00 Weekdays
   08:00-14:00 Saturdays.

   There shall be no works associated with the development on Sundays or Bank/Public Holidays.

6. Prior to the commencement of any regrading works at the site hereby approved, the following components of a scheme to deal with the risks associated with contamination of the site shall each be submitted to and approved in writing by the County Planning Authority:
   i. A preliminary risk assessment which has identified:
      - All previous uses
      - Potential contaminants associated with those uses
      - Potentially unacceptable risks arising from contamination at the site

   ii. A site investigation scheme, based on (i) to provide information for a detailed assessment of the risk to all receptors that may be affected, including those off site.
   iii. The site investigation results and detailed risk assessment (ii) and, based on these, an options appraisal and remediation strategy giving full details of the remediation measures required and how they are to be undertaken.
   iv. A verification plan providing details of the data that will be collected in order to demonstrate that the works set out in (iii) above are complete and identifying any requirements for longer-term monitoring of pollutant leakages, maintenance and arrangements for contingency action.

   Any changes to these components require the express consent of the County Planning Authority and the scheme shall be implemented as approved.

7. The development hereby permitted shall only be carried out in accordance with the submitted Flood Risk Assessment dated July 2010. The proposed lagoon shall manage surface water run-off from the eastern catchment area for up to and including the 1 in 100 year plus climate change (30%) storm.

8. There shall be no work to the quarry faces during the bird nesting season unless such work is regularly checked by a suitably experienced person to ensure no harm is caused to peregrine and other protected species.

9. There shall be no access to the site other than by the existing Quarry access road between the A59 and the quarry itself.

10. The operator shall at all times ensure that no debris, detritus or other material is deposited on the public highway as a result of the site operations hereby approved.

11. The dust mitigation strategy shall be implemented at the site in accordance with those details submitted and approved as part of the planning application supporting documents.

12. All vehicles transporting material to and from the site shall at all times be securely sheeted.

13. The equivalent continuous sound level due ton operations at the site between 07:00 and 19:00 hours shall not exceed 55dB (LAeq) (1 hour), freefield, at the nearest residential dwelling houses or other noise sensitive buildings.

14. All vehicles and plant associated with the development hereby approved shall be fitted with noise attenuating devices as per the recommended noise mitigation strategy provided as part of the submitted planning application.

15. There shall be no discharge of foul or contaminate drainage from the site into either groundwater or surface waters, whether direct or via soakaways.

16. Any facilities for the storage of oils, fuels or chemicals shall be sited on impervious bases and surrounded by impervious bund walls. The volume of the bunded compounds shall be at least equivalent to the capacity of the tank plus 10%. If there is multiple tankage, the compound shall be at least equivalent to the capacity of the largest tank or the combined capacity of the inter-connected tanks plus 10%. All filling points, vents and gauges and sight glasses must be located within the bund. The drainage system of the bund shall be sealed with no discharge to any watercourse, land or underground strata. Associated pipework shall be located above ground and protected from accidental damage. All filling points and tank overflow pipe outlets shall be detailed to discharge downwards into the bund.

17. The stripping, movement, replacement, or cultivation of topsoil and subsoil shall only be carried out when the soils are sufficiently dry and friable to avoid soil smearing and compaction. No topsoil or subsoil shall be removed from the site.

18. The site shall be restored in progressive phases in accordance with the scheme submitted to and approved as part of the planning application details. Following completion of each phase of restoration, a five-year aftercare scheme and

management of the restored land shall be carried out in accordance with the submitted and approved scheme.

19. Prior to the commencement of the development hereby granted, details of the long-term management strategy for the site shall be submitted to and approved in writing by the County Planning Authority. The strategy shall include details of the proposed afteruse for the site and a scheme to ensure the land is adequately maintained. Thereafter the development shall be carried out in accordance with the approved strategy.

20. In the event of regrading and face stabilisation works ceasing at the site for a period in excess of 18 months before the completion of the development covered by this decision, a revised written scheme of restoration and aftercare shall be submitted within six months of the cessation to the County Planning Authority for approval. The approved scheme shall be implemented in accordance with a programme to be included in the scheme.

21. An annual meeting shall be held between the operator and the County Planning Authority to review the schemes of working, restoration, landscaping and aftercare and other operational issues. The meeting shall include all interested parties and technical advisors as required.

22. Prior to the commencement of any regarding or tipping works associated with the development, the boundary of the site shall be marked out on site in a manner to the satisfaction of the County Planning Authority and thereafter, the boundary markers shall be maintained for the duration of the development, unless otherwise advised in writing by the County Planning Authority.

Reasons:

1. To comply with Section 91 of Town and Country Planning Act 1990 as amended by Section 51 of the Planning and Compulsory Purchase Act 2004.

2. To ensure that the development is carried out in accordance with the application details and in accordance with saved policies 4/1, 4/3, 4/18 4/19, 6/1 and 6/2 of the North Yorkshire Waste Local Plan (2006).

3. In order that the County Council is suitably notified of the implantation of the works in the interests of monitoring and compliance, and general amenity, in accordance with saved policies 4/1, 4/19, 6/1 and 6/2 of the North Yorkshire Waste Local Plan (2006).

4. In the interests of amenity and in accordance with saved policies 4/1, 4/19, 6/1 and 6/2 of the North Yorkshire Waste Local Plan (2006).

5. In order to control pollution at the site in accordance with saved policies 4/1, 4/12, 6/1 and 6/2 of the North Yorkshire Waste Local Plan (2006).

6. In the interests of amenity and in accordance with saved policies 4/1, 4/19, 6/1 and 6/2 of the North Yorkshire Waste Local Plan (2006).

7. In order to minimize flood risk at the site in accordance with saved policies 4/1, 4/13, 6/1 and 6/2 of the North Yorkshire Waste Local Plan (2006).

8. In the interests of ecology in accordance with saved policies 4/1, 6/1 and 6/2 of the North Yorkshire Waste Local Plan (2006).

9. In the interests of highways safety in accordance with In the interests of ecology in accordance with saved policies 4/1, 4/18, 6/1 and 6/2 of the North Yorkshire Waste Local Plan (2006).

10. In the interests of highways safety in accordance with In the interests of ecology in accordance with saved policies 4/1, 4/18, 6/1 and 6/2 of the North Yorkshire Waste Local Plan (2006).

11. In the interests of amenity in accordance with saved policies 4/1, 4/19, 6/1 and 6/2 of the North Yorkshire Waste Local Plan (2006).

12. In the interests of amenity in accordance with saved policies 4/1, 4/19, 6/1 and 6/2 of the North Yorkshire Waste Local Plan (2006).

13. In the interests of amenity in accordance with saved policies 4/1, 4/19, 6/1 and 6/2 of the North Yorkshire Waste Local Plan (2006).

14. In the interests of amenity in accordance with saved policies 4/1, 4/19, 6/1 and 6/2 of the North Yorkshire Waste Local Plan (2006).

15. In order to prevent pollution of the environment in accordance with saved policies 4/1, 4/11, 6/1 and 6/2 of the North Yorkshire Waste Local Plan (2006).

16. In order to prevent pollution of the environment in accordance with saved policies 4/1, 4/11, 6/1 and 6/2 of the North Yorkshire Waste Local Plan (2006).

17. In order to ensure the sustainable handling of soils at the site in accordance with saved policies 4/1, 6/1 and 6/2 of the North Yorkshire Waste Local Plan (2006).

18. In the interests of amenity and to secure the long-term restoration of the site, in accordance with saved policies 4/1, 4/3, 4/21, 4/22, 4/23, 6/1 and 6/2 of the North Yorkshire Waste Local Plan (2006).

19. In the interests of amenity and to secure the long-term restoration of the site, in accordance with saved policies 4/1, 4/3, 4/21, 4/22, 4/23, 6/1 and 6/2 of the North Yorkshire Waste Local Plan (2006).

20. In the interests of amenity and to secure the long-term restoration of the site, in accordance with saved policies 4/1, 4/3, 4/21, 4/22, 4/23, 6/1 and 6/2 of the North Yorkshire Waste Local Plan (2006).

21. In the interests of amenity in accordance with saved policies 4/1, 6/1 and 6/2 of the North Yorkshire Waste Local Plan (2006).

22. In order to maintain effective control over the extent of the development, in accordance with saved policy 4/1 of the North Yorkshire Waste Local Plan (2006).

Informatives:

1. The following advice has been received from the Environment Agency in respect of the proposal.

   i. Site operators should ensure that there is no possibility of contaminated water entering and polluting surface or underground waters. All foul drainage, including contaminated surface water runoff, must be disposed of in such a way as to prevent any discharge to any borehole, well, spring, soakaway or watercourse including dry ditches with connection to a watercourse.

   ii. If additional imported material is to be used as part of this proposal, the site would require a waste management permit. If planning permission is granted the applicant would need to discuss this proposal with us and provide more details on, in particular:
   • how material brought to site is classified,
   • how contaminated materials are identified, temporarily stored and removed,
   • how surface water drainage and seasonal flooding is dealt with in such a way that contaminants are not introduced into the water environment.

To discuss the requirements of a Waste Management Plan please contact our National Customer Contact Centre using 08708 506 506.

APPENDIX B

A COPY OF THE REPORT PREPARED FOR THE PLANNING COMMITTEE MEETING ON 10 MAY 2011

NORTH YORKSHIRE COUNTY COUNCIL

PLANNING AND REGULATORY FUNCTIONS COMMITTEE

10 MAY 2011

C5/63/2010/10941 – PLANNING APPLICATION FOR THE PURPOSES OF EARTHWORKS TO STABILISE QUARRY FACES CONSISTING OF THE REGRADING OF EXISITING QUARRY FACES AND FORMATION OF BATTERS THROUGH THE IMPORTATION OF GRANULAR FILL, ON LAND AT SKIPTON ROCK QUARRY, SKIPTON, ON BEHALF OF TARMAC LTD (SKIPTON WEST, MID CRAVEN ELECTORAL DIVISION – CRAVEN DISTRICT)

1.0 PURPOSE OF REPORT

1.1 To determine a planning application for earthworks to stabilise quarry faces consisting of the regrading of existing quarry faces and formation of batters through the importation of granular fill, on land at Skipton Rock Quarry, Skipton, on behalf of Tarmac Ltd.

1.2 This application is subject to two objections having been raised in respect of this proposal from local residents of Embsay and is, therefore, reported to this Committee for determination.

2.0 BACKGROUND

2.1 A plan showing the application site is attached to this report.

2.2 The application site forms a 5.44 hectare section of the wider Skipton Rock Quarry, also known as Haw Park Quarry. The quarry is a long-established limestone quarry located two kilometres to the north of Skipton and 500 metres south of the village of Embsay. The site is formed by a number of smaller quarries which have been joined over many years of mineral extraction. The quarry has direct access to the A65 Skipton Northern Bypass via a dedicated metalled road.

2.3 The former Skibeden Quarry to the south of the site is now occupied by a landfill operation operated by Yorwaste. A maintenance yard operated by Scania and also an asphalt-coating plant and cement-batching plant are sited within the wider quarry site. The Skipton Steam Railway passes the site to the immediate north, 500 metres beyond which is the village of Embsay. Haw Park Site of Importance for Nature Conservation (SINC) is located to the southwest entrance of the wider quarry site and is within the land ownership of Tarmac. Further afield, the North Pennine Moors Special Protection Area (SPA) and Special Area of Conservation (SAC) are located, approximately three kilometres to the north of the quarry. The Yorkshire Dales National Park Boundary is also located approximately three kilometres to the north. It is also noted that the site benefits from a designated Biodiversity Action Plan

(BAP) and is a known habitat for breeding Peregrine Falcons, a species given special protection under the 1981 Wildlife and Countryside Act.

2.4 The quarry forms a dominant feature in the locality, given its natural and man-made topography. As such, the upper parts of the quarry and face are visible from many of the surrounding viewpoints. However, the quarry benefits from reasonably high bund mounds to the north, some of which are up to 20 metres in height, which serve to shield many views into the quarry floor and the activities and buildings located there.

2.5 The surrounding area is characterised by a mixture of rolling countryside rising up to the more rugged moorland escarpment of the Yorkshire Dales National Park.

2.6 Quarrying has taken place at Skipton Rock Quarry in some form since the 1760's, however, mineral extraction at the site is currently suspended. The applicant (Tarmac) has stated that despite the quarry containing significant mineral reserves, this situation is likely to continue for the foreseeable future. Nonetheless, activity still takes place at the site, given the siting of the asphalt and cement plants, Tarmac offices and a Skania haulage depot, all of which are currently in use.

2.7 The first planning consent at Skipton Rock Quarry was granted in 1951. Since then, several planning permissions have been granted, including consents for the erection of offices, asphalt coating plants and waste disposal in addition to further quarrying.

2.8 In 1998 an application for the Review of Mineral Permission (ROMP) at the site was submitted in order to bring forward the modernisation of the extant mineral permissions at the site. However, due to numerous issues the application was not progressed and the application is therefore classified as a 'Stalled ROMP'. Notwithstanding, it is noted within previously submitted documentation in relation to this site that the intention of the review was, amongst other things, to seek to secure improved restoration of the quarry site, noting at the time that at Skipton Rock Quarry, restoration of the site presents a potential problem in that soil resources are scarce due to the number of years of quarrying and previous extraction and management methods.

2.9 <u>Face Instability</u>

Historically, developed faces within the quarry have been identified as posing a long-term hazard in respect of their stability. Previous extraction at Skipton Quarry has generally been along the strike of the existing rock strata to exploit limestone horizons. In the eastern part of the quarry these faces have been abandoned resulting in the risk of wedge/toppling where failure in the strata takes place through a wedge of rock sliding over another. A geotechnical report has highlighted that in the eastern part of the quarry there are areas of historic and possibly ongoing plane failure movement. It is considered that the potential for ongoing plane failure requires remedial action, particularly so in the application site area given the proximity of the adjacent landfill site at Skibeden Quarry to the immediate south and above the Skipton Rock Quarry.

Accordingly, it has been concluded that the most effective action is through the placement of materials at the toe of the faces to reduce overall face heights and potentially to act as a buttress support to minimise the potential failures in this area. This approach has been used in the past elsewhere at the quarry site. It is also proposed to regrade some of the existing tipped material at the site.

3.0 THE PROPOSAL

3.1 Full planning permission is sought for earthworks to stabilise quarry faces consisting of the regrading of existing quarry faces and formation of batters through the importation of granular fill on land at Skipton Rock Quarry, Skipton, BD23 6AB on behalf of the Tarmac Ltd.

3.2 The applicant has put forward a case to improve face stabilisation at the site via regrading of the existing faces and the creation of new buttresses at the base of the face, which would be built up in layers with the importation of granular fill.

3.3 The operation would be carried out in two distinct phases. Firstly, the faces within Area D would be regraded and restored, which is expected to be completed within a three-year period. The part of the site known as Area E would then be subject to infill with inert fines before soil capping and restoration takes place progressively. The two phases are anticipated to take place over an 18-year period.

3.4 Up to 350,000 cubic metres of fill would be imported to the site at a rate of up to 20,000 cubic metres per annum. The fill would be brought to the site from another Tarmac site located at Cross Green near Otley in West Yorkshire, some 20 kilometres to the south of Skipton on the A59. The applicant states that the granular fill will be produced as waste from the production of secondary aggregates produced from construction and demolition materials and the anticipated input level corresponds with the likely generation of materials. The applicant also states that it is more effective to use a single source of supply to ensure the correct grade, quality and cleanliness of inert material.

3.5 The fill would create a landform that is intended to mimic those found on local hillsides. The fill would raise the level in the quarry from 168 metres AOD to between 170 and 190 metres AOD, depending on position on the resulting slope. The quarry floor would also be raised from the present level of about 150 metres AOD. For comparison, the Haw Park Ridge above the quarry rises to a height of 240 metres AOD. The proposal would also infill an existing lagoon in the eastern section of the quarry.

3.6 In addition to the granular fill, it is proposed to import up to 73,000 cubic metres of clean soils to the site at a rate of 4,000 cubic metres per annum. It is expected that the soil would arise from the local market and be used to form the final land surface prior to cultivating and planting. Plant associated with

the fill and regrading procedure would comprise a shovel and bulldozers, with HGVs bringing in the material. Initially, the applicant proposed the hours of operation to be 05:45-18:00 hours on weekdays and 08:00-14:00 on Saturdays, intended to be in line with those of the existing quarry. However, the applicant has agreed to limit this to a start of 07:00 hours, which is the same start time as that proposed (but undetermined) in the Stalled ROMP application, which would cover the wider Skipton Rock site.

3.7 A progressive restoration scheme has been put forward that involves restoring the application site with imported soils from the local area and preparing them for seeding and planting to create a mix of species rich grassland and scrub habitat, scree slopes, damp grassland in lower areas of the site and small pockets of deciduous woodland. The restoration scheme has been informed by a Landscape and Visual Impact Assessment carried out by the applicant and submitted with the planning application and also the adopted Biodiversity Action Plan for Skipton Rock Quarry. An aftercare scheme is proposed for five years post development that would focus on ensuring the proposed scrub and woodland habitats are monitored and managed to ensure establishment. The applicant puts forward the view that the restoration proposals and landform have been proposed in a way to reduce the 'unnatural' impact of the existing sheer quarry face upon the wider landscape by taking some of the key characteristics of the surrounding landscape such as linear woodlands, grassland and scree slopes. Noise and Air Quality Assessments have also been provided, as well as an Ecology Report and Transport Statement.

3.8 In terms of transport, it is estimated that the operation would generate 12 trips per day (24 movements) in the first three years of regrading and infill, and following this a reduction to eight daily trips (16 movements) from years four to 18, when the operation will involve infill only. The majority of vehicle movements would be from the site onto the A59 and direct to the Cross Green site near Otley. The Transport Statement concludes that the operation would have no adverse impact upon the Highway, both in terms of safety or capacity.

3.9 Tarmac has also submitted another planning application for this site, for the establishment of a waste recycling facility on the quarry floor. The operation proposes to screen and crush demolition and construction wastes arising in the locality to produce recyclable aggregates. This application is also before the committee for consideration.

3.10 It should also be noted that the Skipton Quarry site is the subject of a stalled ROMP application that is expected to be submitted in 2012. It is expected that the submission of the ROMP proposals, which would include a full Environmental Statement, would provide a comprehensive restoration and aftercare programme for the whole quarry site for the remaining lifetime of the quarry up to 2042.

4.0 CONSULTATIONS

4.1 On 18 August 2010, the following statutory consultations were undertaken:

4.2 Environment Agency
No objections in principle are raised, but conditions are recommended should planning permission be granted. Conditions are recommended in respect of land contamination and flood risk, and informatives are recommended in respect of contaminated water and the requirements for a waste permit, should waste material be imported to the site.

4.3 Cllr Mrs Shelagh Marshall
Notified by letter on 18 August 2010

4.4 Cllr Polly English
Notified by letter on 18 August 2010

4.5 Coal Authority
No objections to the proposal

4.6 County Public Rights of Way Team
No objections to the proposal.

4.7 Natural Environment Team – Landscape
The Principal Landscape Architect considers that the existing landscape of the application site and the immediate setting represents a significant deviation from the adjoining topography, containing steep exposed quarry faces, angular forms and diverse topography associated with the steeply graded bunds evident around the lower northern perimeter of the site. The submitted landscape assessment has been undertaken based on the recommended principles set out in the *Guidelines for Landscape and Visual Impact Assessment, second Edition, 2002*. The site is sensitive in landscape terms in view of the distinctive character of the surrounding landscape and the relationship to the National park, and that it is overlooked from the north, from parts of Embsay and from the local and National Park landscape.

The Principal Landscape Architect considers that it is clear that there will be some visual impact issues from the proposal, especially for the proposed stages of the application where there will be no screening from existing landforms. However, there will be potential long-term visual and landscape character benefits to be achieved through the proposal through the creation of a landform and vegetation cover for part of the former quarry that will gradually lead to a reduction in the impact of the scars left by earlier quarrying.

The Principal Landscape Architect has some concerns that the current proposal has been proposed in isolation from the rest of the Skipton Rock site and does not include a long-term vision and management for the wider site. However, the overall proposal is welcomed, which has the potential to initiate constructive and strategic long term thinking regarding restoration of Haw Park and to incrementally lead to landscape and biodiversity benefits in the longer

term, and is broadly satisfied that the proposal would not prejudice the restoration of the wider site under forthcoming ROMP applications.

4.8 Heritage Team – Archaeology
There is no archaeological constraint to the development

4.9 Natural Environment Team – Ecology
Whilst the applicants have not contacted the North and East Yorkshire Ecological Data Centre (NEYEDC) as no records of protected species have been provided and the assessment does not take Sites of Importance for Nature Conservation (SINCs) into consideration. The Haw Park SINC is located within the applicant's land holding, which is referenced within the Tarmac Biodiversity Action Plan (BAP). It is also disappointing that the applicants did not have access to the BAP when compiling their report. A full desk-based assessment should be completed in order to inform the application.

Notwithstanding, the ecology advisor is satisfied that the proposed works can take place without causing significant harm to protected species or important habitats provided that the recommendations within the ecology report are strictly followed. These should include conditions in respect of work to quarry faces during the bird nesting season and the state of quarry faces following the works and an informative in respect of other protected species, should these be found over the course of the works.

4.10 County Highways Authority
No objections to the proposal, subject to conditions recommended in respect of the creation of site compounds, access to the site and the provision of wheel-washing equipment. However, the County Highways Authority is now satisfied that the wheel washing equipment would unlikely be required due to the long access road, and the site already has a well established compound and amenity area.

4.11 Natural England
No comments to make on the proposal.

4.12 Embsay and Bolton Abbey Steam Railway
No response received

4.13 Craven District Council (Planning)
No comments to make regarding the proposal.

4.14 Environmental Health Officer (Craven)
No objections to the proposal. Given the proposed location of the plant on the site, the use of silencers and acoustic hoods etc, the distance from nearby dwellings and noise level information supplied in the noise assessment it is not anticipated that noise levels generated would impact on the surrounding area.

As regards dust emissions, to operate crushing activities the operator will require a Permit under the Permitted Processes (England and Wales) Regulations 2010, issued by Craven District Council. As such, conditions would be imposed to ensure water suppression is incorporated into the crushing and screening equipment. The Craven EHO advises that this is normal practice on both quarrying and construction sites where materials are often broken down on site and is a very effective means of minimising dust emissions.

The site already operates a 'Roadstone' coating plant and cement batching plant and has not given the Craven EHO cause for concern with either noise of dust problems in the past.

4.15 Embsay with Eastby Parish Council
Following a meeting between the applicant and members of the Parish Council, the Parish Council has stated they have no objections to the proposal

4.16 Skipton Town Council
No response received

5.0 ADVERTISEMENT AND REPRESENTATIONS

5.1 The proposal was advertised by means of a Site Notice posted on 20 August 2010 (responses to which expired on 15 September 2010) and a Press Notice which appeared in the Craven Herald on 27 August 2010 (responses to which expired on 10 September 2010.

5.2 With respect to Neighbour Notification, in accordance with the County Council's adopted Statement of Community Involvement, it has been considered that the posting of a Site Notice and a Press Notice, rather than wider neighbour notification has been an effective means of drawing the attention of local residents to the existence of the planning application due to the distance of the proposal site from the closest residential dwellings.

5.3 Two responses have been received, both from residents of Embsay to the north of the application site. Both respondents raise doubts over the validity and conclusions of the submitted noise assessment, raising concerns that the proposed operation at the quarry would further increase noise disturbance to that currently experienced, particularly in the early morning when the quarry starts up. In response, the applicant has met with one of the objectors to discuss his concerns and has shown the respondent around the quarry, nonetheless, this resident maintains his concern that the proposal would adversely affect his amenity in terms of noise.

6.0 PLANNING GUIDANCE AND POLICY

National Planning Policy Statements and Guidance Notes:

6.1 Planning Policy Statement 1 – Delivering Sustainable Development (2005)
This statement is material guidance in respect of the determination of the current proposal in that it encourages sustainable forms of development and good quality design. Paragraph 34 states that *'good design should contribute positively to making places better for people. Design which is inappropriate in its context, or which fails to take the opportunities available for improving the character and quality of an area and the way it functions, should not be accepted'.*

6.2 Planning Policy Statement 4 – Planning for Sustainable Economic Growth (2009)
This statement sets out the Government's policy framework for planning for sustainable economic development in urban and rural areas and includes development management policies against which proposals that provide employment opportunities, generate wealth or produce or generate an economic output or product, must be assessed. Inter alia, these policies seek to encourage a positive and constructive approach to applications for economic development and to guide the assessment of other material considerations. In this case, whilst not the principle reason for the proposal, the development would help to maintain employment at the Skipton Rock site, within a rural area and is therefore relevant to consider in the current case.

6.3 Planning Policy Statement 7 – Sustainable Development in Rural Areas (2004)
The quarry site is located within a rural, agricultural area and therefore PPS7 is a relevant consideration in respect of this application. This statement includes, inter alia, objectives to promote sustainable, diverse and adaptable agriculture sectors where farming achieves high environmental standards, minimising impact upon natural resources and manages valued landscapes and biodiversity and provides high quality products that the public wants.

6.4 Planning Policy Statement 9 – Biodiversity and Geological Conservation (2005)
This statement sets out how planning authorities should adhere to advice contained within the document to ensure that the potential impacts of planning decisions on biodiversity and geological conservation are fully considered. The principles are as follows:

(i) "Development plan policies and planning decisions should be based upon up-to-date information about the environmental characteristics of their areas. These characteristics should include the relevant biodiversity and geological resources of the area. In reviewing environmental characteristics local authorities should assess the potential to sustain and enhance those resources.

(ii) Plan policies and planning decisions should aim to maintain, and enhance, restore or add to biodiversity and geological conservation interests. In taking decisions, local planning authorities should ensure that appropriate weight is attached to designated sites of international, national and local importance; protected species; and to biodiversity and geological interests within the wider environment.

(iii) Plan policies on the form and location of development should take a strategic approach to the conservation, enhancement and restoration of biodiversity and geology, and recognise the contributions that sites, areas and features, both individually and in combination, make to conserving these resources.

(iv) Plan policies should promote opportunities for the incorporation of beneficial biodiversity and geological features within the design of development.

(v) Development proposals where the principal objective is to conserve or enhance biodiversity and geological conservation interests should be permitted.

(vi) The aim of planning decisions should be to prevent harm to biodiversity and geological conservation interests. Where granting planning permission would result in significant harm to those interests, local planning authorities will need to be satisfied that the development cannot reasonably be located on any alternative sites that would result in less or no harm. In the absence of any such alternatives, local planning authorities should ensure that, before planning permission is granted, adequate mitigation measures are put in place.

Where a planning decision would result in significant harm to biodiversity and geological interests which cannot be prevented or adequately mitigated against, appropriate compensation measures should be sought. If that significant harm cannot be prevented, adequately mitigated against, or compensated for, then planning permission should be refused."

6.5 Planning Policy Statement 10 – Planning for Sustainable Waste Management (2005)

PPS 10 deals with sustainable waste management and inter alia advises that, when deciding which sites and areas are suitable for waste management facilities, waste planning authorities should consider the physical and environmental constraints, including existing and proposed neighbouring land uses, the capacity of the existing and potential transport infrastructure to support the sustainable movement of waste, and priority should be given to the re-use of previously-developed land. The PPS sets out a number of criteria to be assessed by Planning Authorities in determining applications for waste management facilities, which are also found within the general criteria of the saved policies of the NYWLP (2006). Therefore, PPS10 and the

NYWLP (2006) should be considered to be the primary policy instruments in guiding the assessment of the current proposal.

6.6 Planning Policy Guidance Note 13 – Transport (2001)
This guidance note sets the objective of integrating planning and transport at the national, regional, strategic and local level and to promote more sustainable transport choices both for carrying people and for moving freight. It also aims to promote accessibility to jobs, shopping, leisure facilities and services by public transport, walking, cycling and to reduce the need to travel, especially by private car. This document is relevant to the current proposal given the need to transport product from the site by heavy goods vehicle.

6.7 Planning Policy Statement 23 – Planning and Pollution Control (2004)
Inter alia, PPS23 advises that any consideration of the quality of land, air or water and potential impacts arising from development, is capable of being a material planning consideration, in so far as it arises from or affects land use. The precautionary principle is followed, but it should be noted that controls within the planning and pollution regimes should compliment each other rather than act in duplicate. The guidance advises that, "*Local Planning Authorities must be satisfied that planning permission can be granted on land use grounds taking full account of environmental impacts". "The Local Planning Authority should satisfy itself that the potential for contamination and any risks arising are properly assessed and that the development incorporates any necessary remediation and subsequent management measures to deal with unacceptable risks."* The current case involves the regarding of existing material at the site and the import of granular fill, which both have the potential to create a pollution concern if not properly controlled.

6.8 Planning Policy Guidance Note 24 – Planning and Noise (1994)
PPG24 gives guidance on considering the impact of noise from development as a material consideration in the determination of planning applications. PPG24 seeks to ensure that wherever practicable noise sensitive receptors are separated from major sources of noise. In this particular instance however, the advice should be read in conjunction with Minerals Policy Statement 2, to which reference is made later in this section of the report.

6.9 Planning Policy Statement 25 – Development and Flood Risk (2006)
This statement seeks to ensure that flood risk is taken into account at all stages of the planning process to avoid inappropriate development and to direct development away from areas at highest risk from flooding. In this case, the site is not within an area at risk of flood but the site area would e in excess of 1 hectare and therefore PPS25 advises that its impact upon flood risk elsewhere should be taken into account, and properly assessed via the submission of a Flood Risk Assessment (FRA).

6.10 In this case, although the proposal is essentially a waste operation, it has arisen as a result of previous quarrying activities at the site and also, would serve to bring forward a significant area for restoration by virtue of tipping granular fill which is not currently available at the site, and which is also a legacy of the previous quarrying activities taking place at Skipton Rock

Quarry. The following Minerals Planning Guidance and Policy statements are therefore also considered to be relevant to consider in this case.

6.11 Minerals Policy Statement 1 – Planning and Minerals (2006)

This statement gives specific advice and sets the general context of planning for mineral extraction. In particular it states that *"minerals are essential to the nations prosperity and quality of life, not last in helping to create and develop sustainable communities. It is essential there is an adequate and steady supply of materials to provide infrastructure, buildings and goods that society, industry and the economy needs, but that this provision is made in accordance with the principles of sustainable development."*

MPS1 also states that minerals development is different from other forms of development in that it can only be worked where they naturally occur. Potential conflicts can therefore arise between the benefits to society that minerals bring and the impacts arising from their extraction and supply.

6.12 Minerals Policy Statement 2 – Controlling and mitigating the environmental effects of mineral extraction un England (2005)

MPS2 sets out the principles to be followed in considering the environmental effects of mineral working. It is accompanied by separate technical annexes including Annex 1 (Dust) and Annex 2 (Noise).

It goes on to state that, *"Exploitation of the UK's mineral resources contributes to the nation's prosperity and quality of life. The supply of essential materials for the construction, energy supply, manufacturing and other industries enables social and economic progress. Mineral working can be beneficial by providing employment, clearing areas of dereliction, dealing with instability and providing materials which allow development and the creation of sustainable communities and infrastructure. However, it also has impacts upon the environment. Since minerals can only be worked where they are found, and as this may be environmentally-sensitive or designated landscape areas and/or in close proximity to communities, the need to keep these impacts to an acceptable minimum in the planning and operating of extraction sites is a high priority. Where adverse environmental effects cannot adequately be controlled or mitigated through the design of proposals or the attachment of conditions, planning permission should be refused."*

"MPAs should incorporate the objectives of sustainable development in minerals planning. These objectives recognise the potential conflict between the exploitation of resources and environmental aims. In order to reconcile such conflicts, MPAs should aim to:

- *Conserve minerals as far as possible, whilst ensuring an adequate supply to meet the needs of society;*
- *Ensure that the environmental impacts caused by mineral operations and the transport of minerals are kept to an acceptable minimum;*
- *Minimise production of waste and to encourage efficient use of materials, including appropriate use of high-quality materials, and recycling of waste;*

- *Encourage sensitive working, restoration and aftercare practices during minerals extraction and to conserve or enhance the overall quality of the environment once extraction has ceased;*
- *Safeguard the long-term capability of best and most versatile agricultural land, and conserve soil resources for use in a sustainable way; and*
- *Protect areas of nationally-designated landscape or archaeological value, cultural heritage or nature conservation from minerals development, other than in exceptional circumstances where it has been demonstrated that the proposed development is ion the public interest."*

In respect of noise at minerals extraction sites, MPS2 advises that *"operators have provided the required technical information and considered all reasonable options to minimise noise at source. In the light of the existing noise climate of the locality, they (MPA's) should consider the cumulative impacts of noise emissions. MPAs should consult the Environmental Health Officer, as the pollution control regulator for the area, and other relevant stakeholders on the effects of emissions, and the adequacy of proposed control or mitigation measures. Where the effects of noise emissions cannot be adequately controlled or mitigated, permission should be refused."*

In respect of noise and the use of planning conditions to control or mitigate its effects, MPS2 advises that where appropriate, planning conditions should be used to ensure that mineral operations are carried out in such a way that noise emissions are minimised at source and thereby controlled to acceptable levels.

MPS2 goes on to specifically state that *"Planning conditions should be used to apply absolute controls on noise emissions with limits normally being set at particular noise-sensitive properties (the terms are defined in Appendix 2A of MPS2). This enables the effect of noise to be related most directly to its impact on local people. In some circumstances however, it might be more appropriate to set the limits at the site boundary or some other point. Subject to a maximum of 55dB(A)$_{LAeq}$ 1h (free field), MPAs should aim to establish a noise limit at the noise-sensitive property that does not exceed the background level by more than 10dB(A). It is recognised however that this will in many circumstances, be difficult to achieve without imposing unreasonable burdens on the mineral operator. In such circumstances, the limit should be as near that level as practicable during normal working hours (0700-1900) and should not exceed 55dB(A) $_{LAeq}$1h(free field)."*

6.13 Minerals Planning Guidance Note 5 – Stability in surface mineral workings and tips (2000)

This guidance note provides advice to mineral planning authorities in respect of planning control in relation to stability in surface mineral workings and tips and on good practice in the design, assessment and inspection of excavated slopes and tips.

6.14 Minerals Planning Guidance Note 7 – Reclamation of mineral workings (1996) This guidance note sets out the policies relevant to achieving the effective reclamation of mineral workings. MPG7 states that restoration and aftercare should provide the means to maintain or, in some circumstances, even enhance the long-term quality of the land and landscapes taken for mineral extraction. This will be to the benefit of local communities and ensure that a valuable natural asset will be passed on to future generations. The current proposal would effectively restore a significant element of the wider quarry site and is therefore considered relevant to consider in the current application.

6.15 Under Section 38 (6) of the Planning and Compulsory Purchase Act 2004 the determination of planning applications must be made in accordance with the development plan for the area unless material considerations indicate otherwise. The Secretary of State issued The Yorkshire and Humber Plan Regional Spatial Strategy to 2026 in May 2008, (hereafter referred to as the Regional Spatial Strategy). The decision to revoke Regional Strategies on 6 July 2010 by the Secretary of State for Communities and Local Government has been quashed, and therefore Regional Spatial Strategy is still part of the development plan together with local policies. Nevertheless the letter issued by the Secretary of State for Communities and Local Government on 27 May 2010, in which he says that Local Planning Authorities should treat the intended revocation of RSS as a material consideration, is said by the Secretary of State to remain material as it is still the Government's intention to revoke RSS. This may serve to reduce the weight that it is appropriate to place on RSS policies before they are formally revoked, although revocation is not in the Government's gift but requires parliamentary resolution. National planning policy statements and guidance and evidence that informed the preparation of the Regional Strategies should also be considered material.

6.16 In light of the status of the RSS as discussed in paragraph 6.15 above, the Development Plan comprises the relevant policies of the Yorkshire and Humber RSS (2008), the North Yorkshire Waste Local Plan (NYWLP) (2006), North Yorkshire Minerals Local Plan (1997) and any relevant Plan(s) adopted by the District Council.

6.17 The relevant policies within the Regional Spatial Strategy for Yorkshire and Humber relevant to the proposal are ENV 12 – Regional Waste Management Objectives, and ENV 13 – Locational Criteria for Waste Management Facilities.

6.18 RSS Policy ENV 12 sets out the broad policy objectives for waste management within the region and advises that local authorities should take a partnership approach to ensure the integration of strategies and proposals for sustainable waste management. Key principles in this approach are the movement of waste streams up the waste hierarchy and the management of waste at the nearest appropriate location. The background to policy ENV 12 notes that commercial, industrial, construction and demolition waste streams need to be addressed in the region in terms of their waste reduction and recycling.

6.19 RSS Policy ENV13 seeks to allocate sufficient sites across the RSS area to ensure that a pattern of waste management facilities is provided.

6.20 The Development Plan

Section 38(6) of the Planning and Compulsory Purchase Act 2004 states: *"Regard is to be had to the development plan for the purpose of any determination to be made under the planning Acts the determination must be made in accordance with the plan unless material considerations indicate otherwise"*. The development plan for the Selby District comprises the following:

- the extant policies of the Craven District Local Plan (adopted 1999); and
- the extant policies of the North Yorkshire Minerals Local Plan (adopted 1997)
- the extant policies of the North Yorkshire Waste Local Plan (adopted 2006)

Local Planning Policy

6.21 North Yorkshire Waste Local Plan (2006)

The North Yorkshire Waste Local Plan (NYWLP) sets out the policies to be considered when assessing waste proposals. In this case the proposal involves face stabilisation with the importation of granular fill and is therefore primarily considered to comprise a waste operation. As such, the following saved policies are considered relevant to consider in the assessment of the current proposal:

Policy 4/1 – Waste Management Proposals

Waste Management Proposals facilities will be permitted providing the siting and scale of the development is appropriate, there would not be an unacceptable environmental impact; the landscaping and screening has been designed to effectively mitigate the impact of the proposal in a way that is sympathetic to local landscape character; the proposed transport links are adequate to serve the development; and other environmental and amenity safeguards would effectively mitigate the impact of the proposal; and the location is geographically well located to the source of the waste thereby according with the proximity principle.

Policy 4/3 – Landscape Protection

This policy states that waste management facilities should only be permitted where these would not have an unacceptable effect on the character and/or uniqueness of the landscape and, wherever possible, enhance the landscape in the local area.

Policy 4/10 – Locally Important Sites

Waste proposals will only be permitted where there would not be an unacceptable impact on the intrinsic interest of locally important sites, which includes Sites of Importance for Nature Conservation (SINCs).

Policy 4/18 – Traffic Impact

This policy seeks to ensure that waste management facilities will only be permitted where the level of vehicle movements likely to be generated can be satisfactorily accommodated by the local highway and trunk road network without having an unacceptable impact on local communities.

Policy 4/19 – Quality of Life

This proposal states that proposals for waste management facilities will be permitted only where there would not be an unacceptable impact on the local environment and residential amenity.

Policy 4/21 – Progressive Restoration

Proposals should demonstrate that wherever possible and practicable, progressive restoration will be undertaken to a high standard to achieve a prescribed after-use or combination of after-uses.

Policy 4/22 – Site Restoration

Restoration proposals should restore and enhance, where appropriate, the character of the local environment.

Policy 4/23 – Aftercare

Planning permissions that are subject to conditions requiring restoration to agriculture, forestry or amenity sues will additionally be subject to an aftercare requirement seeking to bring the restored land up to an approved standard for the specified use.

Policy 6/1 – Landfill Proposals

Proposals for additional landfill capacity for the disposal of waste will be permitted provided that it can be demonstrated that there is an over-riding need for the development and there are no available alternative methods for treating the waste or, it is required for the restoration of a former mineral void which cannot be satisfactorily reclaimed in any other way.

Policy 6/2 – Land Improvement Schemes

Proposals involving the deposit of inert waste for land improvement schemes will be permitted provided that, inter alia, the proposal will improve a derelict or degraded land, enhance the area and result in an overall environmental and amenity improvement; and no other satisfactory means exist to secure the necessary improvement. The proposal should not have an unacceptable impact upon local landscape character, local wildlife habitats and open countryside and, the proposal should not have an adverse impact upon local amenity. The local highway network must satisfactorily accommodate the traffic generated.

6.22 North Yorkshire Minerals Local Plan (1997)

The North Yorkshire Minerals Local Plan (NYMLP) contains 'saved' policies in respect of mineral workings within the County. The overall strategy of the plan is *"to achieve a balance between satisfying the need for minerals and the need to protect the environment, which maximises the sustainability of both"*. The current application is set within an existing quarry and the justification put

forward for the works is largely due to safety issues presenting themselves as a result of previous quarrying activities at the site and also the relative absence of waste material with which to carry out effective restoration of the site. Whilst in principle the proposal represents a waste development, it is nonetheless considered relevant to consider the following 'saved' policies of the NYMLP 1997, in conjunction with the primary saved policies of the NYWLP (2006):

Policy 4/14 – Local Environment and Amenity
"Proposals for mining operations and the associated depositing of mineral waste will be permitted only where there would not be an unacceptable impact upon the local environment or residential amenity."

` Policy 4/17 – Importation of Waste
Proposals for mining operations involving restoration through infilling with imported wastes will only be permitted where waste can assist in achieving the most appropriate restored landform, and the transport and disposal of the waste would not have an unacceptable impact on the environment or local amenity.

6.23 Saved Policies of the Craven District (Outside the boundaries of the Yorkshire Dales National Park) Local Plan 1999
Saved policy ENV1 gives guidance on development within the countryside and states that large scale development will be prevented in the countryside unless for, amongst other things, minerals supply. Policy ENV 2 sets out the requirements for development in the countryside to ensure that developments are compatible with the character of the surrounding area and does not have an unacceptable impact upon landscape features.

7.0 PLANNING CONSIDERATIONS

7.1 The main considerations in this instance are:

- Land Use Principle and the Need for the proposal
- Siting, Scale and Duration
- Method of Working
- Landscape and Visual impact
- Nature Conservation and Habitat Protection
- Residential Amenity, including noise and dust
- Transport, Traffic and Accessibility
- Land Contamination and Flood Risk
- Restoration and Aftercare

7.2 Land use principle and the need for the proposal
Saved policies 6/1 and 6/2 of the NYWLP (2006) advise inter alia that proposals for the deposit of inert wastes for land improvement schemes will be permitted where the proposal will improve derelict or degraded land, enhance the area and result in an overall environmental improvement. Such schemes may also be considered acceptable in the reclamation of a former mineral void

which cannot be satisfactorily reclaimed in any other way. Saved policy 4/17 of the Minerals Local Plan (1997) also states that restoration of sites via the importation of wastes will only be allowed where waste can assist in achieving the most appropriate restored landform, and the transport and disposal of the waste would not have an unacceptable impact on the environment or local amenity.

7.3 In this case the applicant has submitted a geotechnical report by geotechnical consultants 'Johnson Poole and Bloomer' of Glasgow with the current planning application. Following site investigations by the consultants this report sets out the causes of instability at the Skipton Rock Quarry Site and also the likely risk of face failure in the future. Face failure is generally concluded to occur due to the bedding of rock strata, its orientation and the angle and exposure of strata due to the 'Skipton Anticline', a fold in the strata running roughly east-west and forming the basic strata of the Quarry. Further disturbance has occurred due to faulting and weathering resulting in the potential for significant plane failure.

7.4 The applicant has carried out an assessment of other possible solutions to the address the problem of face instability. These included the re-profiling of existing faces to a shallower angle, stabilisation of the face with rock anchors, rock bolts and face meshing etc. and the retention of the existing quarry configuration in the long term. Notwithstanding, the statement concludes that in order to provide additional face stability at the site to current old abandoned rock faces, the most feasible is to the placement of material at the toe of the face to act as a toe-weight buttress to the movement of material. Theoretical slope stability modelling has indicated that placement of such material would provide an adequate buttress support to the face above. It is also considered that this method would have the benefit of providing for additional material to regrade the slope in view of the ongoing and future restoration of the quarry site. Skipton Rock Quarry has only ever been partially restored and it is doubtful that there is sufficient stored material within the confines of the quarry to provide the requisite buttresses involved in face stabilisation works and also to create an acceptable restoration landform that would seek to minimise the adverse visual impact of the extensive steep, angular rock faces at the site. The applicant advises that the only area of significant material is within the northern bund walls, but removal of this prematurely would significantly open up views into the quarry and plant area from the north. As such, the principle of the proposed earthworks and tipping would serve two beneficial purposes and it is therefore considered that the works would be in accordance with the aims of saved policies 4/1, 6/1 and 6/2 of the North Yorkshire Waste Local Plan (2006) and the general aims of saved policies in the North Yorkshire Minerals Local Plan (1997) in respect of restoration.

7.5 Siting, Scale and DurationT

The siting of the earthworks is governed by the sections of face that require strengthening by the placement of buttresses and the nature of the existing quarry. Likewise, the scale of the development and the proposed level of fill has been derived from the consultants geotechnical report, which has been designed to provide a sufficient level of fill to both support the exposed faces

and provide an acceptable restoration landform. The 18-year duration of the works is governed by the amount of appropriate material (granular fill) that is predicted to arise in the locality from the applicant's waste recycling site in Otley. Up to 350,000 cu metres will be required to create the final landform and it is anticipated that about 20,000 cu metres will be available each year. The applicant has been asked to consider the availability of other material in the local area (rather than from their own site in Otley) in order to reduce the overall duration of the works. However, the applicant has stated that the quality and nature of the granular fill required is a significant consideration and one that they wish to manage themselves to ensure that there are no problems with contaminated or sub-standard material. It is also noted that shortening the duration of the works would lead to an intensification of operations at the site itself, with potential increases in noise, disturbance and traffic.

7.6 Method of Working

The applicant proposes to import granular fill in HGVs which would then be tipped directly on to the site before being spread over the area in five metre high layers by a dozer, working from west to east. Successive layers of material would then be placed on an ongoing basis, ensuring that sufficient compaction takes place within the structure to ensure its stability. The final landform would then be soiled with up to two metres of soils arising from the local area. The importation of soils would also be carried out progressively, with 72,000 cu metres of soil imported at a rate of approximately 4,000 cu metres per annum.

7.7 In light of the supporting information and analysis put forward by the applicant and with a view to the ongoing and much desired restoration of Skipton Rock Quarry, it is considered that the proposed face stabilisation works would offer the best available long-term solution for the site, notwithstanding the future submission of a comprehensive scheme under the periodic review process. In terms of landscape and visual impact is considered that the proposals would enhance the appearance of the site and wider area in the long term, but this is discussed in greater detail below.

7.8 Landscape and Visual Impact

The existing quarry and its northern faces form a distinctive, though somewhat incongruous feature within the wider landscape surrounding the site. The proposed works would enable a significant and visible part at the foot of the face to be landscaped in a manner consistent with the surrounding area and informed by the Landscape and Visual Impact Assessment carried out by the applicant.

7.9 In general, it is therefore considered that the proposed works, though primarily required for reasons of safety, would enhance the appearance of the quarry in the mid to longer term. In addition, if a similar approach was to be taken with the remainder of the quarry further westwards, the adverse impact of the existing site would be minimised. The County Council's Principal Landscape Architect has considered the proposals and has raised concern that there will be some adverse visual impact issues with the proposal in the short term,

especially in the early stages of the operation when there will be no screening from the existing landform. There is also concern that the operator has not as yet formally submitted a restoration plan for the wider site within which to assess how the current proposals would fit within the wider restored site, and has not put forward a long term, post-aftercare management strategy. Notwithstanding, the County Council's Principal Landscape Architect considers that there will be potential long term visual and landscape character benefits to be achieved through the proposal through the creation of a landform and a vegetation cover for part of the former quarry that will gradually lead to a reduction in the impact of the scars left by earlier quarrying.

7.10 Whilst the Principal Landscape Architect has raised concern that the current proposal sits in a degree of isolation from the rest of the Tarmac site at Skipton Rock Quarry, and that the current scheme should be set within a broader package of proposals that will lead to the long term restoration of the quarry, the applicant has provided an indicative restoration plan showing the general approach they will seek to adopt in restoring the wider site in the longer term. Moreover, since a periodic review of the whole quarry site is due in 2012, it is considered that such matters can be adequately addressed holistically at that time, and it would be inappropriate to seek to bring forward such considerations in the current, limited site, provided that the County Council is satisfied that the general approach taken and the final landform to be produced would not preclude the future restoration and final landform of the wider site. To this end, it is considered that the applicants have produced an acceptable approach which has been informed by the Skipton Rock Quarry BAP document and a thorough Landscape and Visual Impact Assessment and therefore on balance, it is considered that the development would comply with the prevailing saved policies of both the North Yorkshire waste and minerals local plans in respect of Landscape.

7.11 <u>Nature Conservation and Habitat Protection</u>

The application has been submitted with an ecology report as supporting information. The report sets the methodology adopted in the assessment and concludes that the application site is largely devoid of vegetation and as such of low ecological value and of minimal use to most animal species. A lagoon in the eastern sector of the site would be infilled but this is considered to have low ecological value. However, the quarry faces have been used by breeding peregrine in the past and continue to be used by a range of common bird species such as raven, jackdaw and rock doves. The report notes that it is unlikely that the lagoons at the site are considered to support great crested newts. The ecology report concludes that provided precautionary measures are carried out during the operations to prevent adverse impacts to breeding birds, there would be no significant impacts to ecology anticipated as a result of the proposals.

7.12 The County Council Ecologist has viewed the submission and has expressed disappointment that the scope of the desk study submitted did not include contacting the North and East Yorkshire Ecological data Centre and has not taken into account the Haw Park SINC. However, the Ecologist is satisfied that the scope of the proposals would not cause significant harm to protected

species or important habitats provided that the precautionary recommendations contained within the report are strictly followed. This would include the preclusion of work to rock faces during the bird nesting season unless supervised by an appropriately experienced person and a recommendation that quarry faces should be left in a state that would offer nesting opportunities for birds, particularly peregrine. The proposal is therefore considered to comply with the prevailing saved policies of the NYWLP (2006) in respect of ecology.

7.13 Residential Amenity, including noise and dustTh
The main impacts to residential amenity would be likely to be from the operation of the site plant that would be used to implement the proposed works. With this in mind the applicant proposes to operate to the same times that the quarry currently operates and has carried out a noise impact assessment with report which concludes that the proposed operation would fall below the background noise levels existing at the site. Within the submission, best practice methods are proposed for the operation of site plant and vehicles, such as the use of noise attenuators and non-sounding reversing sirens. As such, the applicant has determined that there would be no additional noise impact of from the development and therefore no additional mitigation is required.

7.14 In this case, two objections have been received from concerned local residents in the village of Embsay, located approximately 800 metres to the north of the proposed face works at the quarry. Both these residents question the soundness of the noise impact assessment carried out and its conclusions, and fear that the additional works at the quarry would result in a greater impact upon the amenity of residents of Embsay, particularly in respect of noise impact.

7.15 The Environmental Health Officer at Craven District Council has assessed the submitted details and has offered no objections to the proposal in respect of either a noise or dust. The Craven EHO has also confirmed that the District Council has not experienced problems with the operation of the site in the past in respect of complaints received from members of the public, which includes previous quarrying operations, the asphalt and cement plants and Scania haulage yard. When questioned, the Craven EHO has also stated that they are satisfied that the noise impact assessment and methodology, together with its conclusions, has been carried out and produced in a manner that is sound.

7.16 In response to the concerns of the two local residents above, the noise consultant acting for the applicant has provided a further report in order to clarify what the difference in noise levels would be between the objectors property at 11 Moorland Close and the noise monitoring point at Shires Lane, both Embsay. The objector's property is located approximately 60 metres away and several metres higher up the facing slope than the noise monitoring point at Shires Lane. The additional assessment has concluded that given the increased distance to 11 Moorland Close, Noise from the face works would actually reduce by 0.4 decibels when compared with the noise experienced from the works (at 36.6 db) at Shires Lane. In either case, noise from the

works would be significantly below the established background noise level of 43.4 db.

7.17 Given the formal comments of the Craven EHO and advice from the technical noise specialist acting for the applicant, it is considered there is no reason to doubt the credibility of the noise report in this case. In light of the above, including the commitment on behalf of the site operator to implement noise and dust mitigation strategies at the site, it is considered that the proposal would be unlikely to have any adverse impacts upon the amenity of local residents. The proposal is therefore considered to be in accordance with the prevailing saved policies of the NYMLP (1997) and NYWLP (2006).

7.18 Transport, Traffic and Accessibility

Whilst the total volume of material to be transported to the site over the 18-year duration of the works is relatively large, given the likely quantities of material arising locally this would equate to a maximum of 18 trips per day to the site for the first three years and 12 trips thereafter. The Highways Authority have considered the proposals and raised no concerns in respect of the traffic impact of the proposal, but have recommended that several conditions in respect of the maintenance of the existing access route, site compound and wheel-washing facilities. Notwithstanding, the site has a well-established paved access route direct to the A59 Skipton bypass, which at approximately 800 meters in length, is considered to be sufficient to prevent mud and debris from being carried onto the highway. In addition, the site already has a well-established parking and maintenance area due to the existing coating plant and previous quarrying operations. As such, it is considered that the addition of further conditions would not be justified in this instance and therefore, the proposal would be compliant with saved policies 4/1, 4/18, 6/1 and 6/2 of the NYWLP (2006) and saved policy 4/17 of the NYMLP (1997) and is therefore considered to be acceptable.

7.19 In terms of the source of waste, the granular fill would be brought up to the site from Otley in West Yorkshire, some 20 kilometres to the south. Whilst it is possible that other inert wastes could be sourced in the immediate local area, the applicant maintains that the quality of fill material, both in terms of type, size and cleanliness, is a significant consideration for the company, leading to their selection of the site in West Yorkshire. In this respect, it is considered that the source of waste and the distances travelled in delivering material to the application site would not be excessive and therefore in accordance with the locational requirements set out in saved policy 4/1 of the NYWLP (2006).

7.20 Land Contamination and Flood RiskT

The applicant has submitted a flood risk assessment (FRA) as part of the proposals. The document provides an assessment of the impact of the proposed development upon flood risk both at the site and wider area and provides for a scheme of mitigation. The Environment Agency has considered the FRA and has offered no objections to the proposal provided the requirements of the FRA are carried out at the site.

7.21 In addition, the Environment Agency has considered the likely impact of the development on matters of land contamination, particularly for the initial regrading phase of the proposed development, since this land may have been contaminated in the past. The Environment Agency has recommended that should planning permission be granted for the development, the applicant should submit details of site investigation work to the County Council for approval as a condition. The reports should include a preliminary risk assessment, site investigation scheme, any remediation measures required and a verification report to confirm completion of any works and setting out any longer-term monitoring measures required. In light of the assessments and safeguards set out above, it is considered that the development would not pose any unreasonable risk to the environment through either pollution or flooding, and therefore the proposal would comply with saved policies 6/1 and 6/2 of the NYWLP (2006).

7.22 Restoration and AftercareA
A detailed restoration and five-year aftercare scheme has been submitted covering the 5.44 hectare application site only. Aside from the final landform proposed, the scheme proposes a mix of species-rich grassland, scree slopes and exposed rock faces, with natural woodland proposed in linear strips to mimic those occurring naturally in the surrounding landscape. The applicant states that the restoration proposals have been based on the published Biodiversity Action Plan (BAP) for the wider 64 hectare Tarmac site, an approach that the company has adopted for all its sites in the county. The Skipton Rock BAP identifies a series of priority habitats such as cliffs, screes and other rock exposures, species-rich neutral grassland and calcareous grassland, wetland, rivers and streams, native broad leaved woodland and lowland wood pasture. Despite some concerns raised by the Principal Landscape Officer in respect of the scope of the restoration scheme in relation to the wider quarry site, given the Skipton Rock BAP and its established priorities, it is considered that proposed restoration proposals would be acceptable in principle and in general accordance with the aims of saved policies 4/14 and 4/17 of the NYMLP (1997) and saved policies 4/21, 4/22, 4/23, 6/1 and 6/2 of the NYWLP (2006). Notwithstanding, it is recommended that by way of a condition of planning permission the applicant provides details of the longer term management of the application site to secure its eventual re-use, which will also be required in the forthcoming ROMP application in 2012.

8.0 CONCLUSION

8.1 The proposed face stabilisation works are required in order to provide a long-term solution to the problem of face instability at the application site. The works would also facilitate the restoration of a significant and highly visible part of the existing quarry face to a landform that would be more compatible with the surrounding, sensitive landscape.

8.2 The proposal would not have an adverse impact upon residential amenity or the highway, or other matters of acknowledged importance, and whilst there

would be some negative visual impacts in the short term while the works are progressing, the final development would be acceptable.

8.3 Whilst ideally it would be beneficial to asses the impact and relationship of the current proposals in light of the restoration of the wider site, in this case it is considered the applicant has provided sufficient information to demonstrate that the proposals would be unlikely to prejudice any future restoration schemes for the wider site.

8.4 There are no other material planning considerations to warrant the refusal of this application for earthworks to stabilise quarry faces consisting of the regrading of existing quarry faces and the formation of batters through the importation of granular fill.

8.5 For the reasons mentioned above, it is therefore considered that, the proposed development is compliant with the policies which comprise the Development Plan currently in force for the area and all other relevant material considerations.

9.0 RECOMMENDATION

9.1 That, **PLANNING PERMISSION BE GRANTED** for the purposes of earthworks to stabilise quarry faces consisting of the regrading of existing quarry faces and formation of batters through the importation of granular fill on land at Skipton Rock Quarry, Skipton, for a period of 18 years, for the reasons:

i. The proposal would accord with the relevant saved policies of the North Yorkshire Waste Local plan (2006);
ii. The proposed development would comply with the relevant saved policies of the North Yorkshire Minerals Local Plan (1997);
iii. The proposed mitigation measures would ensure there are no adverse impacts upon the highway, the environment or residential amenity;
iv. The proposal would help to stabilise the existing rock faces and promote the eventual restoration of the site; and,
v. The imposition of conditions would ensure that the proposal would have no adverse impacts,

and subject to the conditions outlined below:

Time Limit

1. The development to which this permission relates must be implemented no later than the expiration of three years from the date of this Decision Notice.

Description of Development

2. The development hereby permitted shall be carried out in accordance with the application details dated June 2010 and the following conditions which at all times shall take precedence.

Notification of Commencement

3. Upon commencement of the face stabilization and regrading operations hereby approved, the developer shall notify the County Planning Authority in writing within 28 days of the commencement date.

Duration of Development

4. The development hereby approved shall be carried out for a period not exceeding 18 years, starting from the date of commencement of the development at the site, as notified to the County Planning Authority under condition 3 (above). At the end of the 18 year period, the site shall have been fully restored in accordance with condition 18 (below), unless otherwise approved in writing by the County Planning Authority.

5. All works associated with the development hereby granted planning permission, including the transport of material to the site, shall only take place between the following times:

08.00-18.00 Weekdays
08:00-14:00 Saturdays.

There shall be no works associated with the development on Sundays or bank Holidays.

Site Investigations

6. Prior to the commencement of any regrading works at the site hereby approved, the following components of a scheme to deal with the risks associated with contamination of the site shall each be submitted to and approved in writing by the County Planning Authority:

i. A preliminary risk assessment which has identified:
   - All previous uses
   - Potential contaminants associated with those uses
   - Potentially unacceptable risks arising from contamination at the site

ii. A site investigation scheme, based on (i) to provide information for a detailed assessment of the risk to all receptors that may be affected, including those off site.

iii. The site investigation results and detailed risk assessment (ii) and, based on these, an options appraisal and remediation strategy giving full details of the remediation measures required and how they are to be undertaken.

iv. A verification plan providing details of the data that will be collected in order to demonstrate that the works set out in (iii) above are complete and identifying any requirements for longer-term monitoring of pollutant leakages, maintenance and arrangements for contingency action.

Any changes to these components require the express consent of the County Planning Authority and the scheme shall be implemented as approved.

Flood Risk

7. The development hereby permitted shall only be carried out in accordance with the submitted Flood Risk Assessment dated July 2010. The proposed lagoon shall manage surface water run-off from the eastern catchment area for up to and including the 1 in 100 year plus climate change (30%) storm.

Nesting Birds

8. There shall be no work to the quarry faces during the bird nesting season unless such work is regularly checked by a suitably experienced person to ensure no harm is caused to peregrine and other protected species.

Highways

9. There shall be no access to the site other than by the existing Quarry access road between the A59 and the quarry itself.

10. The operator shall at all times ensure that no debris, detritus or other material is deposited on the public highway as a result of the site operations hereby approved.

Dust Mitigation

11. The dust mitigation strategy shall be implemented at the site in accordance with those details submitted and approved as part of the planning application supporting documents.

12. All vehicles transporting material to and from the site shall at all times be securely sheeted.

Noise

13. The equivalent continuous sound level due ton operations at the site between 07:00 and 19:00 hours shall not exceed 55dB (LAeq) (1 hour), freefield, at the nearest residential dwelling houses or other noise sensitive buildings.

14. All vehicles and plant associated with the development hereby approved shall be fitted with noise attenuating devices as per the recommended noise mitigation strategy provided as part of the submitted planning application.

Pollution Prevention

15. There shall be no discharge of foul or contaminate drainage from the site into either groundwater or surface waters, whether direct or via soakaways.

16. Any facilities for the storage of oils, fuels or chemicals shall be sited on impervious bases and surrounded by impervious bund walls. The volume of the bunded compounds shall be at least equivalent to the capacity of the tank plus 10%. If there is multiple tankage, the compound shall be at least equivalent to the capacity of the largest tank or the combined capacity of the inter-connected tanks plus 10%. All filling points, vents and gauges and sight glasses must be located within the bund. The drainage system of the bund shall be sealed with no discharge to any watercourse, land or underground strata. Associated pipework shall be located above ground and protected from accidental damage. All filling points and tank overflow pipe outlets shall be detailed to discharge downwards into the bund.

Soil Handling

17. The stripping, movement, replacement, or cultivation of topsoil and subsoil shall only be carried out when the soils are sufficiently dry and friable to avoid soil smearing and compaction. No topsoil or subsoil shall be removed from the site.

Restoration and Aftercare

18. The site shall be restored in progressive phases in accordance with the scheme submitted to and approved as part of the planning application details. Following completion of each phase of restoration, a five-year aftercare scheme and management of the restored land shall be carried out in accordance with the submitted and approved scheme.

19. Prior to the commencement of the development hereby granted, details of the long-term management strategy for the site shall be submitted to and approved in writing by the County Planning Authority. The strategy shall include details of the proposed afteruse for the site and a scheme to ensure the land is adequately maintained. Thereafter the development shall be carried out in accordance with the approved strategy.

Abandonment

20. In the event of regrading and face stabilisation works ceasing at the site for a period in excess of 18 months before the completion of the development covered by this decision, a revised written scheme of restoration and aftercare shall be submitted within six months of the cessation to the County Planning Authority for approval. The approved scheme shall be implemented in accordance with a programme to be included in the scheme.

Annual Meeting

21. An annual meeting shall be held between the operator and the County Planning Authority to review the schemes of working, restoration, landscaping and aftercare and other operational issues. The meeting shall include all interested parties and technical advisors as required.

Delineation of the Site

22. Prior to the commencement of any regarding or tipping works associated with the development, the boundary of the site shall be marked out on site in a manner to the satisfaction of the County Planning Authority and thereafter, the boundary markers shall be maintained for the duration of the development, unless otherwise advised in writing by the County Planning Authority.

Reasons:

1. To comply with Section 91 of Town and Country Planning Act 1990 as amended by Section 51 of the Planning and Compulsory Purchase Act 2004.

2. To ensure that the development is carried out in accordance with the application details and in accordance with saved policies 4/1, 4/3, 4/18 4/19, 6/1 and 6/2 of the North Yorkshire Waste Local Plan (2006).

3. In order that the County Council is suitably notified of the implantation of the works in the interests of monitoring and compliance, and general amenity, in accordance with saved policies 4/1, 4/19, 6/1 and 6/2 of the North Yorkshire Waste Local Plan (2006).

4. In the interests of amenity and in accordance with saved policies 4/1, 4/19, 6/1 and 6/2 of the North Yorkshire Waste Local Plan (2006).

5. In order to control pollution at the site in accordance with saved policies 4/1, 4/12, 6/1 and 6/2 of the North Yorkshire Waste Local Plan (2006).

6. In the interests of amenity and in accordance with saved policies 4/1, 4/19, 6/1 and 6/2 of the North Yorkshire Waste Local Plan (2006).

7. In order to minimize flood risk at the site in accordance with saved policies 4/1, 4/13, 6/1 and 6/2 of the North Yorkshire Waste Local Plan (2006).

8. In the interests of ecology in accordance with saved policies 4/1, 6/1 and 6/2 of the North Yorkshire Waste Local Plan (2006).

9. In the interests of highways safety in accordance with In the interests of ecology in accordance with saved policies 4/1, 4/18, 6/1 and 6/2 of the North Yorkshire Waste Local Plan (2006).

10. In the interests of highways safety in accordance with In the interests of ecology in accordance with saved policies 4/1, 4/18, 6/1 and 6/2 of the North Yorkshire Waste Local Plan (2006).

11. In the interests of amenity in accordance with saved policies 4/1, 4/19, 6/1 and 6/2 of the North Yorkshire Waste Local Plan (2006).

12. In the interests of amenity in accordance with saved policies 4/1, 4/19, 6/1 and 6/2 of the North Yorkshire Waste Local Plan (2006).

13. In the interests of amenity in accordance with saved policies 4/1, 4/19, 6/1 and 6/2 of the North Yorkshire Waste Local Plan (2006).

14. In the interests of amenity in accordance with saved policies 4/1, 4/19, 6/1 and 6/2 of the North Yorkshire Waste Local Plan (2006).

15. In order to prevent pollution of the environment in accordance with saved policies 4/1, 4/11, 6/1 and 6/2 of the North Yorkshire Waste Local Plan (2006).

16. In order to prevent pollution of the environment in accordance with saved policies 4/1, 4/11, 6/1 and 6/2 of the North Yorkshire Waste Local Plan (2006).

17. In order to ensure the sustainable handling of soils at the site in accordance with saved policies 4/1, 6/1 and 6/2 of the North Yorkshire Waste Local Plan (2006).

18. In the interests of amenity and to secure the long-term restoration of the site, in accordance with saved policies 4/1, 4/3, 4/21, 4/22, 4/23, 6/1 and 6/2 of the North Yorkshire Waste Local Plan (2006).

19. In the interests of amenity and to secure the long-term restoration of the site, in accordance with saved policies 4/1, 4/3, 4/21, 4/22, 4/23, 6/1 and 6/2 of the North Yorkshire Waste Local Plan (2006).

20. In the interests of amenity and to secure the long-term restoration of the site, in accordance with saved policies 4/1, 4/3, 4/21, 4/22, 4/23, 6/1 and 6/2 of the North Yorkshire Waste Local Plan (2006).

21. In the interests of amenity in accordance with saved policies 4/1, 6/1 and 6/2 of the North Yorkshire Waste Local Plan (2006).

22. In order to maintain effective control over the extent of the development, in accordance with saved policy 4/1 of the North Yorkshire Waste Local Plan (2006).

Informatives:

1. The following advice has been received from the Environment Agency in respect of the proposal.

i. Site operators should ensure that there is no possibility of contaminated water entering and polluting surface or underground waters.

All foul drainage, including contaminated surface water runoff, must be disposed of in such a way as to prevent any discharge to any borehole, well, spring, soakaway or watercourse including dry ditches with connection to a watercourse.

ii. If additional imported material is to be used as part of this proposal, the site would require a waste management permit. If planning permission is granted the applicant would need to discuss this proposal with us and provide more details on, in particular:

- how material brought to site is classified,
- how contaminated materials are identified, temporarily stored and removed,
- how surface water drainage and seasonal flooding is dealt with in such a way that contaminants are not introduced into the water environment.

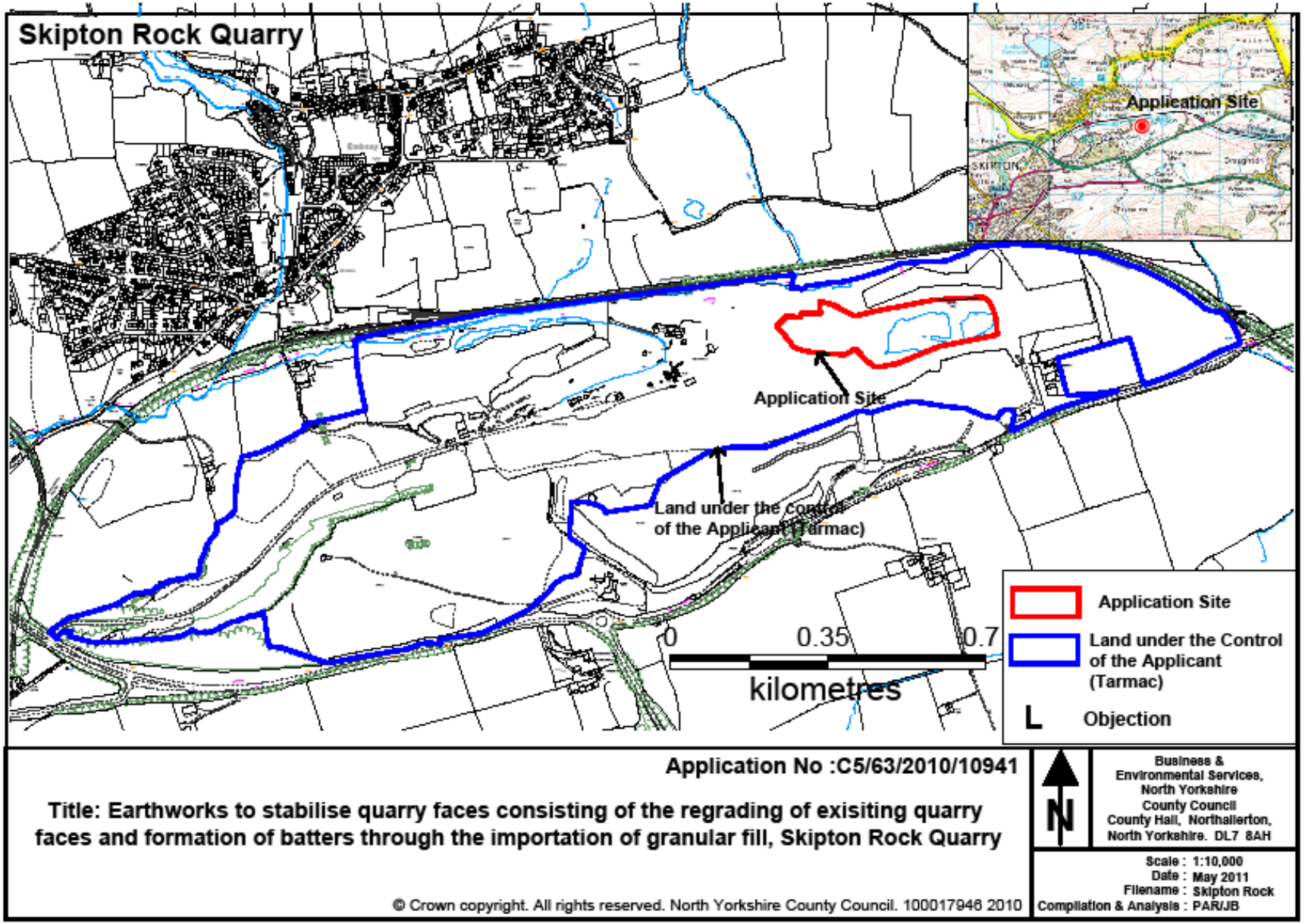
To discuss the requirements of a Waste Management Plan please contact our National Customer Contact Centre using 08708 506 506.

DAVID BOWE
Corporate Director, Business and Environmental Services

Background Documents to this Report:

1. Planning Application Ref Number: C5/63/2010/10941 (NYCC Ref. No. NY/2010/0322/FUL)
   http://www.northyorks.gov.uk/index.aspx?articleid=14427
2. Consultation responses received.
3. Representation received.

Case Officer: Paul Robinson


Skipton Rock Quarry
Application Site
Application Site
Land under the control of the Applicant (Tarmac)
0
0.35
0.7
kilometres
Application Site
Land under the Control of the Applicant (Tarmac)
Objection
Application No :C5/63/2010/10941
Title: Earthworks to stabilise quarry faces consisting of the regrading of exisiting quarry faces and formation of batters through the importation of granular fill, Skipton Rock Quarry
© Crown copyright. All rights reserved. North Yorkshire County Council. 100017946 2010
N
Business & Environmental Services, North Yorkshire County Council County Hall, Northallerton, North Yorkshire. DL7 8AH
Scale : 1:10,000
Date : May 2011
Filename : Skipton Rock
Compilation & Analysis : PAR/JB

APPENDIX C

A COPY OF PLANNING PERMISSION REFERENCE NY/2023/0159/FUL DATED 16 DECEMBER 2024

Decision No. NY/2023/0159/FUL

TOWN AND COUNTRY PLANNING ACT 1990

NORTH YORKSHIRE COUNCIL

NOTICE OF DECISION OF PLANNING AUTHORITY ON APPLICATION FOR PERMISSION TO CARRY OUT DEVELOPMENT

TO:

Tarmac Trading Limited
Ground Floor
T3 Trinity Park
Bickenhall Lane
Birmingham
B37 7ES

Wardell Armstrong LLP
City Quadrant
11 Waterloo Square
Newcastle upon Tyne
NE1 4DP

The above-named Council being the Planning Authority for the purposes of your application dated 20 September 2023 in respect of proposed development for the purposes of Continuation to import inert materials for the purpose of stabilising rockfaces at Skipton Rock Quarry, Harrogate Road, Skipton, BD23 6AB have considered your said application and have granted permission for the proposed development subject to the following conditions:-

(please see attached sheets for conditions)

Date: 16 December 2024



……..……..….

Trevor Watson - Assistant Director, Planning

NOTE:-
No consent, permission or approval hereby given absolves the applicant from the necessity of obtaining the approval, under the Building Regulations; or of obtaining approval under any other byelaws, local acts, orders, regulations and statutory provisions in force; and no part of the proposed development should be commenced until such further approval has been obtained.

FOR RIGHTS OF APPEAL SEE OVERLEAF

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RIGHTS OF APPEAL

(1) If you are aggrieved by the decision of your local planning authority to refuse permission for the proposed development, or to grant it subject to conditions, then you can appeal to the Secretary of State under Section 78 of the Town and Country Planning Act 1990.

If you want to appeal against your local planning authority's decision, then you must do so within 6 months of the date of this notice.

Appeals must be made using a form which you can get from the Secretary of State at Temple Quay House, 2 The Square, Temple Quay, Bristol BS1 6PN (Tel: 0303 444 5000) or online at https://acp.planninginspectorate.gov.uk

The Secretary of State can allow a longer period for giving notice of an appeal but will not normally be prepared to use this power unless there are special circumstances which excuse the delay in giving notice of appeal.

The Secretary of State need not consider an appeal if it seems to the Secretary of State that the local planning authority could not have granted planning permission for the proposed development or could not have granted it without the conditions they imposed, having regard to the statutory requirements, to the provisions of any development order and to any directions given under a development order.

(2) If permission to develop land is refused or granted subject to conditions, whether by the local planning authority or by the Secretary of State for Communities and Local Government, and the owner of the land claims that the land has become incapable of reasonably beneficial use in its existing state and cannot be rendered capable of reasonably beneficial use by the carrying out of any development which has been or would be permitted, he/she may serve on the Council in which the land is situated, a purchase notice requiring that Council to purchase his/her interest in the land in accordance with the provisions of Part VI of the Town and Country Planning Act 1990.

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Conditions:

1. The development to which this permission relates shall be implemented no later than the expiration of three years from the date of this Decision Notice.

   Reason: To comply with Section 91 of the Town and Country Planning Act 1990 as amended by Section 51 of the Planning and Compulsory Purchase Act 2004.

2. The development hereby permitted shall be carried out in accordance with the application details dated 29 September 2023 and the following approved documents and drawings:

Ref.	Date	Title
S137-00058-32	04/07/2023	Location Plan
S137-00058-1	21/06/2023	Land Ownership and Application Boundary
S137-0058-017	22/11/2022	Phase Plan Sheet 1 of 3
S137-0058-017	22/11/2022	Phase Plan Sheet 2 of 3
S137-0058-017	22/11/2022	Phase Plan Sheet 3 of 3
S137-00058-031 B	01/03/2024	Restoration Plan
S137-00058-036	15/11/2023	Proposed Peregrine Falcon Nesting Ledges
NT16244/001/FINAL Rev. V0.1	September 2023	Planning Support Statement
NT16244/Appendix 1/FINAL Rev. V1.1	July 2023	Landscape and Visual Appraisal
NT16244/004/FINAL Rev. V1.0	September 2023	Ecological Impact Assessment Report
NT16244/007/FINAL Rev. V2.0	March 2024	Update Biodiversity Offsetting Assessment
No Ref.	March 2023	The Biodiversity Metric 4.0 -Technical Annex 1: Condition Assessment Sheets and Methodology
No Ref. Rev. Version 2	05.03.24	The Biodiversity Metric 4.0 Calculation - BNG Metric Trading Rule Amendments
NT16244/004/002/FINAL Rev. V1.0	March 2024	Landscape and Ecology Management Plan
NT16244/RPT-001/FINAL Rev. V1.0	July 2023	Flood Risk Assessment
NT16244/0002/FINAL Rev. V0.1	July 2023	Air Quality Assessment
NT16244/0004/FINAL Rev. V1.0	August 2023	Noise Assessment
No Ref.	October 2022	Vibration Study by Vibrock Limited
22-145-N Rev. A	10/07/2023	Transport Statement
NT16244/0001/FINAL Rev. V1.0	March 2024	Construction Management Plan

   Reason: To ensure that the development is carried out in accordance with the application details.

3. Pursuant to the implementation of the development in Condition No. 1 (above), the developer shall notify the Local Planning Authority in writing confirming the date of

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commencement within 7 days of the date of commencement of development.

Reason: In the interests of monitoring and compliance, general amenity and to comply with Section 91 of the Town and Country Planning Act 190 as amended.

4. The development hereby permitted shall be carried out for a period not exceeding 4 years, starting from the date of commencement of the development at the site, as notified to the Local Planning Authority under Condition No. 3 (above). At the end of 4 year period, all operations on the site shall be discontinued and all machinery and building associated with the development shall be removed from the site and the site shall have been fully restored in accordance with the approved restoration scheme as defined by Condition No. 22 (below).

   Reason: To ensure timely restoration in the interests of amenity.

5. All works associated with the development hereby permitted, including the transport of material to the site, shall only take place between the following times:

   07:00-18:00 Monday to Friday
   08:00-14:00 Saturdays

   There shall be no works associated with the development on Sundays or Bank/Public Holidays.

   Reason: In the interests of public amenity.

6. Within three months of the date of this permission a Construction Ecological Management Plan (CEcMP) shall be submitted to the Local Planning Authority for approval in writing in consultation with the Council's advisers on ecology. The CEcMP shall include a programme of protected species surveys for the duration of the development. The approved CEcMP shall thereafter be implemented in full.

   Reason: In the interests of Ecology.

7. There shall be no work to the quarry faces during the bird nesting season unless such work is regularly checked by a suitably qualified ecologist to ensure no harm is caused to peregrine and other protected species.

   Reason: In the interests of ecology.

8. The development hereby permitted, shall at all times be carried out in accordance with the mitigation measures and enhancement stated in Section 5, 6, Appendix 5 (Breeding Bird Report) and Appendix 7 (Invertebrate Appraisal) of the Ecological Impact Assessment Report prepared by Wardell Armstrong LLP, ref. NT16244/004/Final Rev. V1.0, dated September 2023, submitted and approved as part of the planning application supporting documents.

   Reason: In the interest of ecology.

9. The development hereby permitted, shall at all times be carried out in accordance with the Construction Management Plan prepared by Wardell Armstrong LLP, ref. NT16244/0001/Final Rev. V1.0, dated March 2024, submitted and approved as part of the

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planning application details.

Reason: In the interests of local amenity and highway safety.

10. There shall be no access to the site other than by the existing Quarry access road between the A59 and the quarry itself.

    Reason: In the interests of highway safety.

11. The operator shall at all times ensure that no dirt and/or mud is deposited on the public highway as a result of the site operations hereby permitted.

    Reason: In the interest of highway safety, amenity and convenience of highway users.

12. All heavy goods vehicles associated with the development hereby permitted, transporting materials to the site shall be securely sheeted or otherwise enclosed in such a manner as to prevent dust blowing from materials and to prevent materials being spilled onto the public highway.

    Reason: In the interest of highway safety, amenity and convenience of highway users.

13. The dust mitigation measures stated in the Dust Management Plan prepared by Wardell Armstrong LLP, ref. NT16244/Appendix E/FINAL Rev. V0.1, dated July 2023 (appended to Air Quality Assessment) shall be implemented at the site in accordance with those details submitted and approved as part of the planning application supporting documents.

    Reason: In the interests of amenity.

14. The noise mitigation measures stated in Section 5 of the Noise Assessment prepared by Wardell Armstrong LLP, ref. NT16244/0004/FINAL Rev. V1.0, dated August 2023 shall be implemented at the site in accordance with those details submitted and approved as part of the planning application supporting documents.

    Reason: In the interests of amenity.

15. The equivalent continuous sound level due to operations at the site during day time hours (07:00 and 18:00 hours) shall not exceed the background noise level (LA90,1hr) by more than 10dB, with a limit of 55dB (LAeq) (1 hour), freefield, when measured at the nearest boundary to the site of the following noise sensitive properties:
    - ESR1, Holywell House, Harrogate Road, Skipton, BD23 6AB
    - ESR2, High Skibden Farm, Harrogate Road, Skipton, BD23 6AB
    - ESR3, Haw Park House and Haw Park Lodge, Harrogate Road, Skipton, BD23 6AB
    - ESR4, Low Skibden Farm, Harrogate Road, Skipton, BD23 6AB
    - ESR5, East fields off the A65, BD23 6AB
    - ESR6, 21 Skipton Road
    - ESR7, Cravenwood Cottage, Skipton Road
    - ESR8, Water Laithe Barn, Low Lane

    Measurements shall be hourly LAeq measurements and be corrected for the effects of extraneous noise. In the event that the noise levels are exceeded, those operations at the site deemed to be causing the excessive noise shall be investigated immediately and where practicable shall cease until steps are taken to attenuate the noise level to ensure

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compliance with the specified levels.

Reason: To control the impact of noise generated by the development in the interests of local amenity.

16. All plant, machinery and vehicles used on any part of the site shall be fitted with effective noise attenuating equipment and include either non-audible, ambient-related or low-tone reverse warning alarm systems which shall be regularly maintained and employed at all times during permitted operational hours.

    Reason: To ensure that noise impacts associated with the plant, machinery and vehicles at the site would be minimised in the interests of local amenity.

17. The development hereby permitted, shall at all times be carried out in accordance with the submitted Flood Risk Assessment compiled by Wardell Armstrong LLP, Ref. NT16244/RPT-001/FINAL Rev. V1.0, dated July 2023.

    Reason: In order to minimise flood risk at the site and in the interests of the general amenity of the area.

18. There shall be no discharge of foul or contaminate drainage from the site into either groundwater or surface waters, whether direct or via soakaways.

    Reason: In the interest of pollution control and groundwater protection.

19. All materials imported and deposited at the site shall be strictly inert and no putrescible, biodegradable or contaminated hazardous materials are to be used as infill materials at the site. All vehicle loads shall be checked on arrival for acceptability and any materials which contain putrescible, biodegradable or contaminated hazardous materials shall not be deposited at the site and shall be removed immediately.

    Reason: In the interests of pollution control and groundwater protection.

20. Any facilities for the storage of oils, fuels or chemicals shall be sited on impervious bases and surrounded by impervious bund walls. The volume of the bunded compounds shall at least equivalent to the capacity of the tank plus 10%. If there is multiple tankage, the compound shall be at least equivalent to the capacity of the largest tank or the combined capacity of the inter-connected tanks plus 10%. All filling points, vents and gauges and sight glasses must be located within the bund. The drainage system of the bund shall be sealed with no discharge to any watercourse, land or underground strata. Associated pipework shall be located above ground and protected from accidental damage. All filling points and tank overflow pipe outlets shall be detailed to discharge downwards into the bund.

    Reason: In the interests of pollution control.

21. The stripping, movement, replacement, or cultivation of topsoil and subsoil shall only be carried out when the soils are sufficiently dry and friable to avoid smearing and compaction. No topsoil or subsoil shall be removed from the site.

    Reason: To ensure soil resources are correctly handles and safeguarded.

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22. Within 12 months from the date of commencement of infilling operation as notified to the Local Planning Authority for the purposes of Condition No. 3 (above), a detailed scheme and programme for the restoration of the site shall be submitted to the Local Planning Authority for approval in writing in compliance with Restoration Plan, Ref. S137-00058-031 B, dated 01/03/2024. The restoration scheme and programme shall include:
    a) Details of the materials to be used as part of the final restoration surface.
    b) Details for the planting of trees and shrubs including numbers, types and sizes of species to be planted, location and layout of planting areas, protection measures and methods of planting.
    c) Details for the seeding of any landscaping areas including mixes to be used and rates of application.
    d) Details for the management of any landscaping areas including maintenance of tree and shrub planting and grazing or mowing of seeded areas.
    e) Details of trees and shrubs that are to be retained post restoration of the site.

    Thereafter restoration of the site shall be carried out in accordance with the approved scheme and programme.

    Reason: To secure a good standard of progressive restoration in the interests of amenity and protecting the character of the area.

23. The programme of aftercare and a long-term management of the restored site shall be implemented in accordance with the Landscape and Ecology Management Plan (LEMP) prepared by Wardell Armstrong LLP, Ref. NT16244/004/002/Final Rev. V1.0, dated March 2024 and Restoration Plan, Ref. S137-00058-031 B, dated 01/03/2024, submitted and approved as part of the planning application details. The created and/or enhanced habitat specified in the approved LEMP shall be managed and maintained in accordance with the approved LEMP. The period of aftercare shall be for 30 years from the completion of development.

    Reason: In the interests of amenity and to secure the long-term restoration of the site.

24. The Local Planning Authority shall be given notice within seven days in writing when the:
    - LEMP has been implemented; and
    - Habitat creation and enhancement works as set out in the LEMP have been completed.

    Reason: In the interests of monitoring and compliance.

25. Prior to completion of infilling operations, a Management, Monitoring and Reporting Scheme should be prepared by an appropriate qualified ecological consultant shall be submitted to an agreed by the Local Planning Authority. It shall specify the frequency and timing of subsequent Monitoring Reports to cover a minimum 30 year period to be submitted to the Local Planning Authority. The Management, Monitoring and Reporting Scheme shall include details of how the long-term monitoring and management will be secured by the developer for its delivery. Thereafter, Monitoring Reports must be submitted to the Local Planning Authority as stated in the Management, Monitoring and Reporting Scheme which shall:
    - Document progress towards the agreed biodiversity net gain targets, including current condition assessments;
    - review the biodiversity net gain and LEMP management prescriptions to consider if they are still applicable or whether any variations are required;
    - document habitat management undertaken in the preceding period;

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- set out habitat management for the following period; and
- where remedial measures or changes in management are required these will be referred to and addressed in the LEMP annual work programmes.

Reason: In the interests of amenity and to secure the long-term restoration of the site.

26. An annual meeting shall be held between the operator and the Local Planning Authority to review the schemes of working, restoration, landscaping and aftercare and other operational issues. The meeting shall include all interested parties and technical advisors as required.

    Reason: In the interests of amenity.

27. In the event of infilling operations ceasing on the site for a period in excess of 12 months before the completion of the development hereby permitted, a revised scheme of restoration and aftercare shall be submitted to the Local Planning Authority for written approval forthwith. The approved scheme shall thereafter be implemented in full accordance with a programme to be included in that scheme.

    Reason: To ensure restoration is undertaken as soon as practicable in the interests of amenity.

28. Notwithstanding the provisions of the Town and Country Planning (General Permitted Development) (England) Order 2015 (or any other Oder revoking or re-enacting that Oder), no fixed plant or buildings shall be erected on the site except as provided for in the development hereby permitted without the prior written approval of the Local Planning Authority.

    Reason: To reserve the rights of control of the Local Planning Authority.

29. A copy of the planning permission and any scheme or details approved pursuant thereto shall be kept available at the site office at all times and shall be made known and available to any person(s) given responsibility for the management or control of operations.

    Reason: To ensure that site personnel are aware of the terms of planning permission.

Informatives:

1. **Public Rights of Way**
   No works are to be undertaken which will create an obstruction, either permanent or temporary, to the Public Right of Way adjacent to the proposed development. Applicants are advised to contact the Council's Countryside Access Service team at County Hall, Northallerton via CATO@northyorks.gov.uk to obtain up-to-date information regarding the exact route of the way and to discuss any initial proposals for altering the route.

Importation of Waste

2. If any waste is to be used onsite, the applicant will be required to obtain the appropriate waste exemption or permit from the Environment Agency. The applicant is advised to contact the Environment Management team on 03708 306 306 or refer to guidance on their website http://www.environment-agency.gov.uk/subjects/waste

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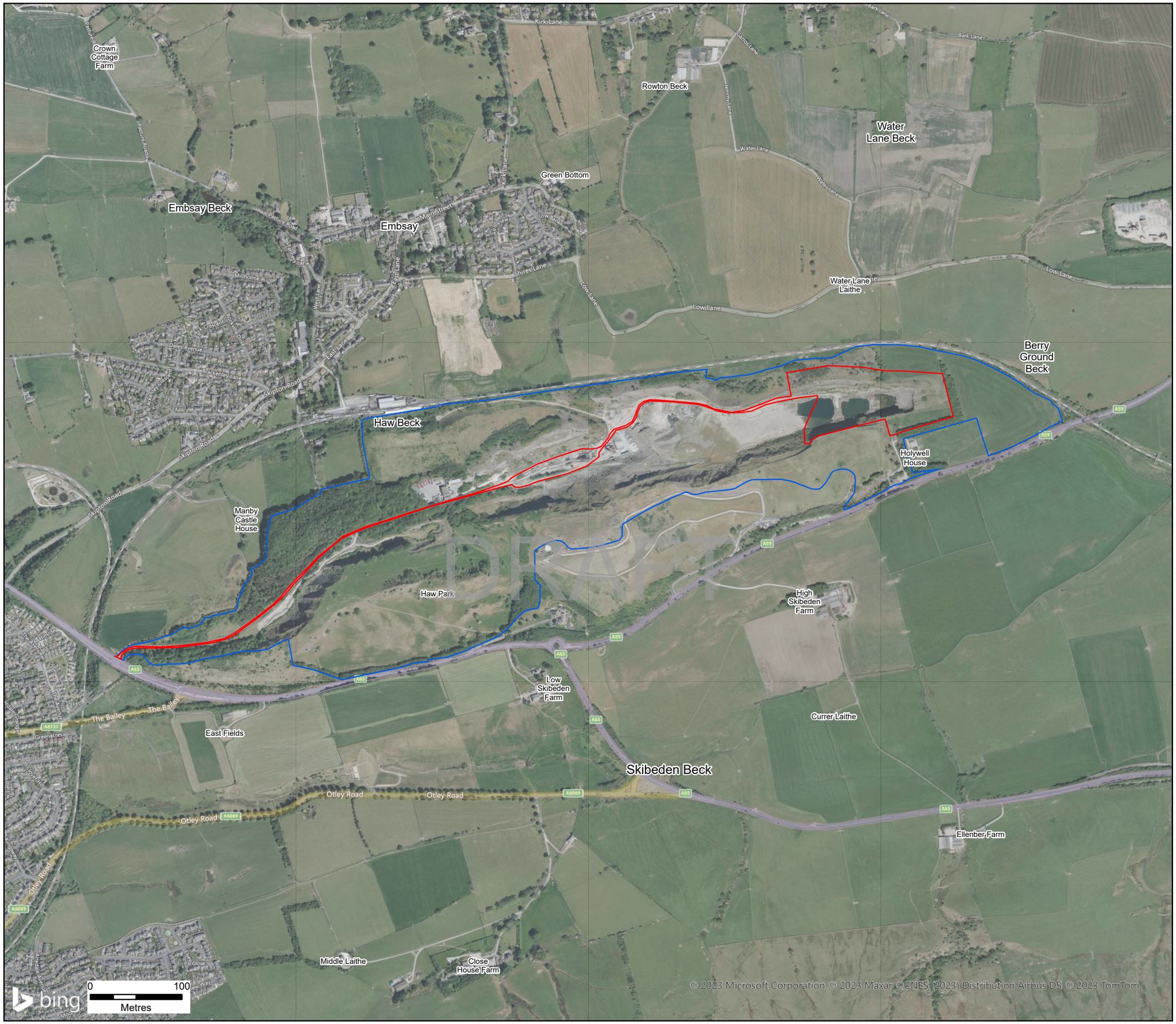
Statement of Compliance with Article 35(2) of the Town and Country Planning (Development Management Procedure) (England) Order 2015

In determining this planning application, the Planning Authority has worked with the applicant adopting a positive and proactive manner. The Planning Authority Council offers the opportunity for pre-application discussion on applications and the applicant, in this case, chose to take up this service. Proposals are assessed against the National Planning Policy Framework, Replacement Local Plan policies and Supplementary Planning Documents, which have been subject to proactive publicity and consultation prior to their adoption. During the course of the determination of this application, the applicant has been informed of the existence of all consultation responses and representations made in a timely manner which provided the applicant/agent with the opportunity to respond to any matters raised. The Planning Authority has sought solutions to problems arising by liaising with consultees, considering other representations received and liaising with the applicant as necessary. Where appropriate, changes to the proposal were sought when the statutory determination timescale allowed.

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APPENDIX D

A COPY OF DRAWING REFERENCE S137-00058-1



Legend

- Application Boundary
- Ownership Boundary

wardell armstrong

TARMAC
A CRH COMPANY

Site Name:
S137 Skipton Rock Quarry

Drawing Name:
Land Ownership and Application Boundary

Drawn By:	Scale @ A3:
BRC	1:10,000
Date:	**Drawing No:**
21/06/2023	S137-00058-1

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APPENDIX E

A COPY OF DRAWING REFERENCE S137-00058-31 B



Legend

- Application boundary
- Calcareous grassland - Emorsgate EM6
- Neutral grassland - Emorsgate EM10
- Scrub
- Hedgerow planting
- Tree planting
- Scree

wardell armstrong

TARMAC
A CRH COMPANY

Site Name:
S137 Skipton Rock Quarry

Drawing Name:
Restoration Plan

Drawn By:	Scale @ A2:
A.Bailey	1:1,250
Date:	**Drawing Number:**
01/03/2024	S137-00058-031 B

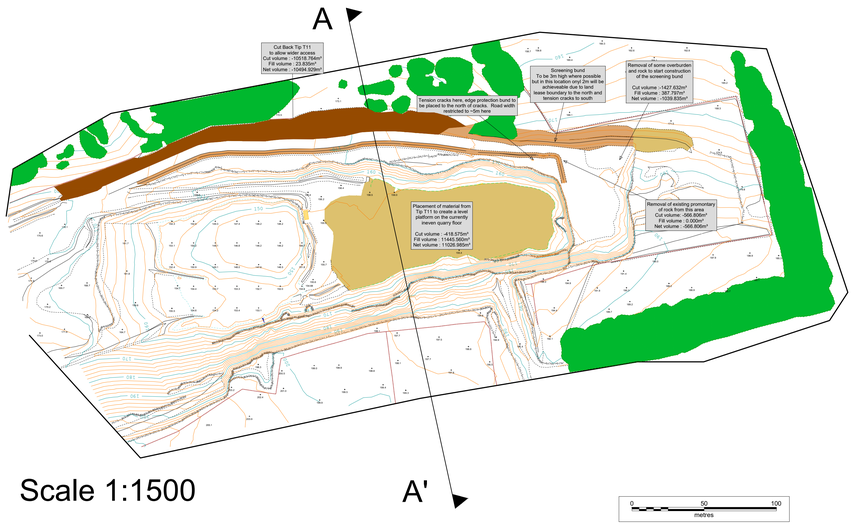
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APPENDIX F

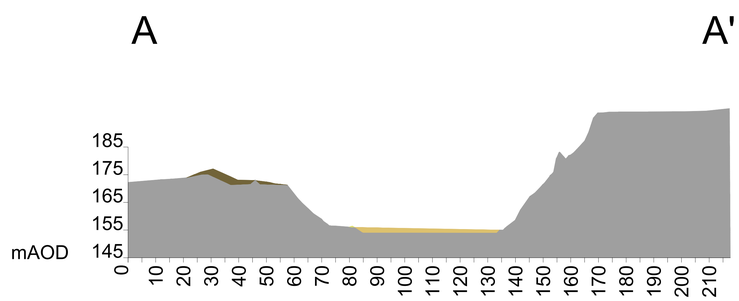
COPIES OF DRAWINGS REFERENCES S137-00058-17 (SHEETS 1 TO 3)

Phase 1 D



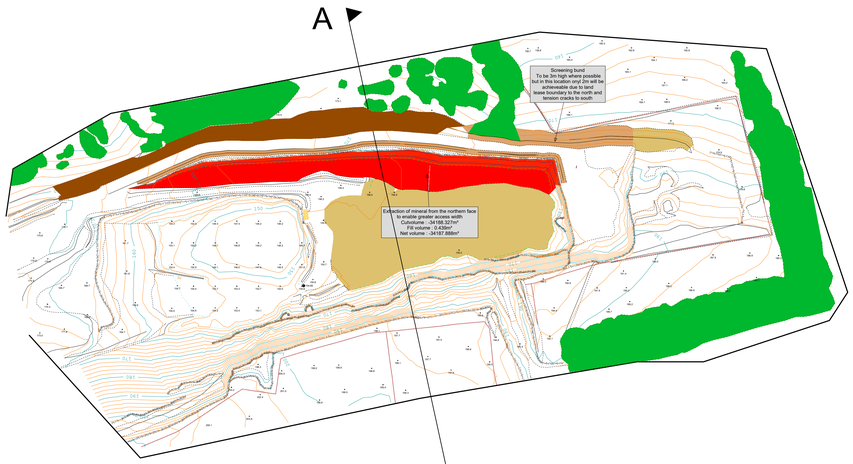
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Section A-A'



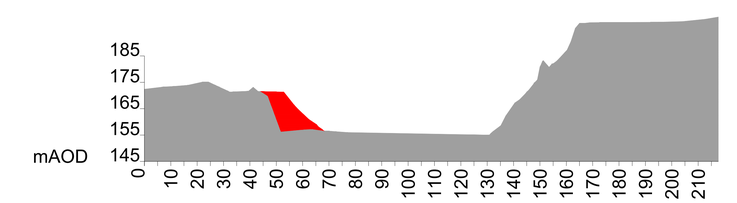


Phase 2 A



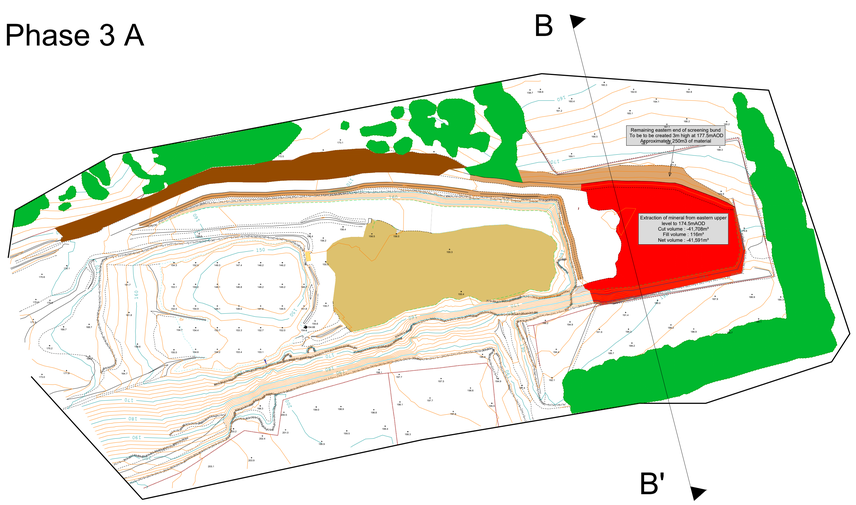
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Section A-A'



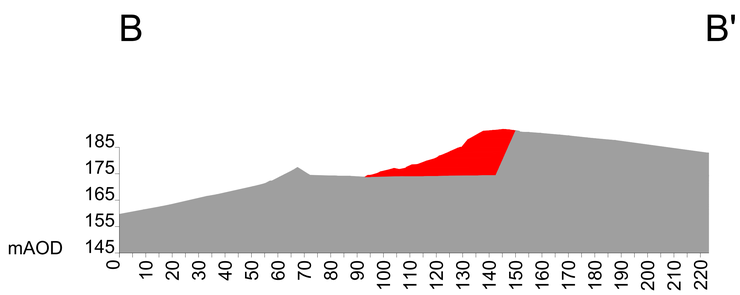


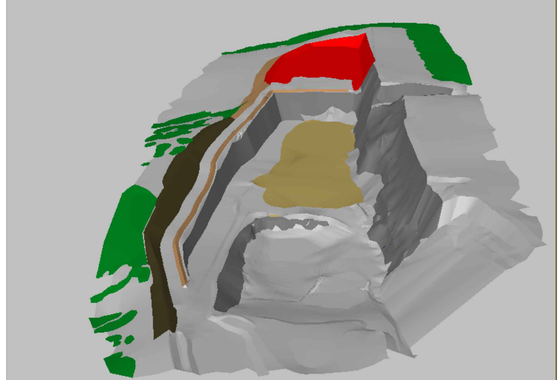
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Section B-B'





Legend

- Working Area/Extraction
- Tip 11 Infill
- Tip 11 Cut
- Bunds
- Vegetation

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Site Name:
S137 Skipton Rock Quarry

Drawing Name:
Phase Plan
Sheet 1 of 3

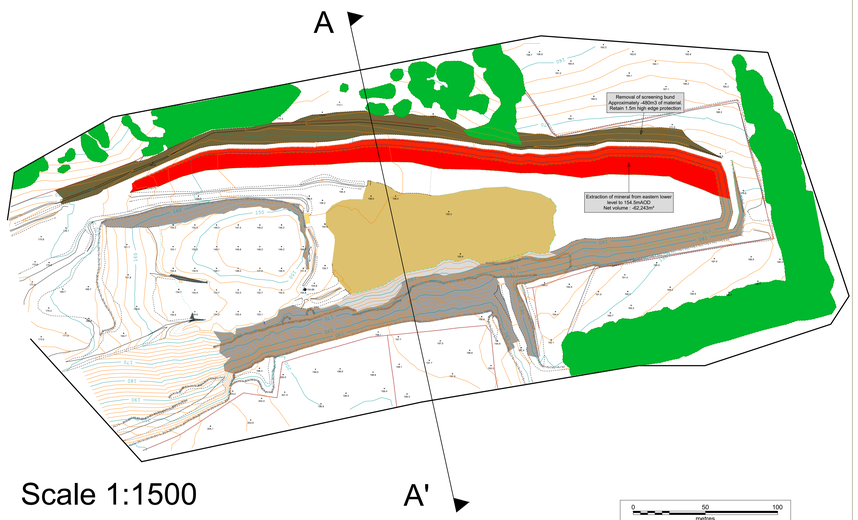
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M Donaldson	As Shown
Date:	***Drawing Number:***
22/11/2022	S137-0058-017

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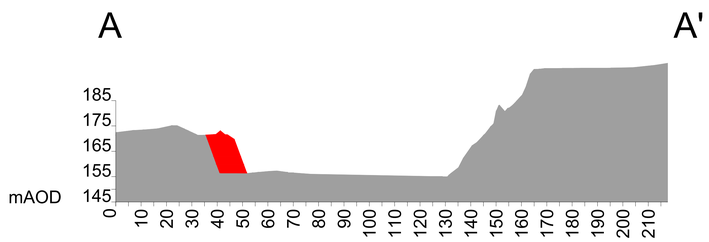
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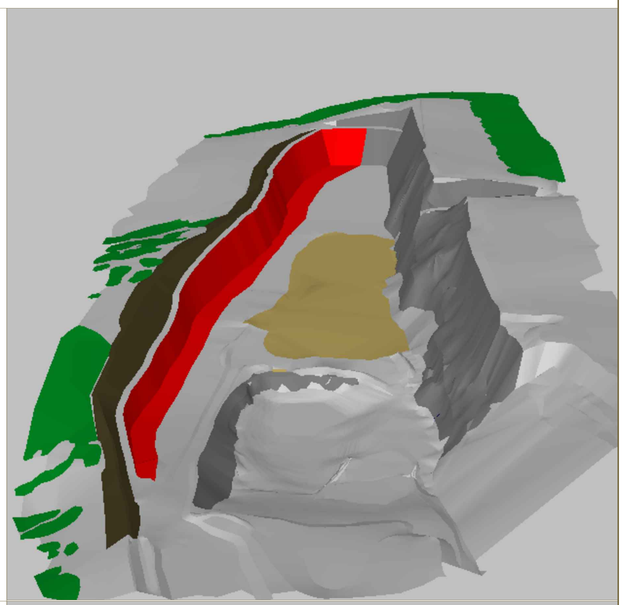
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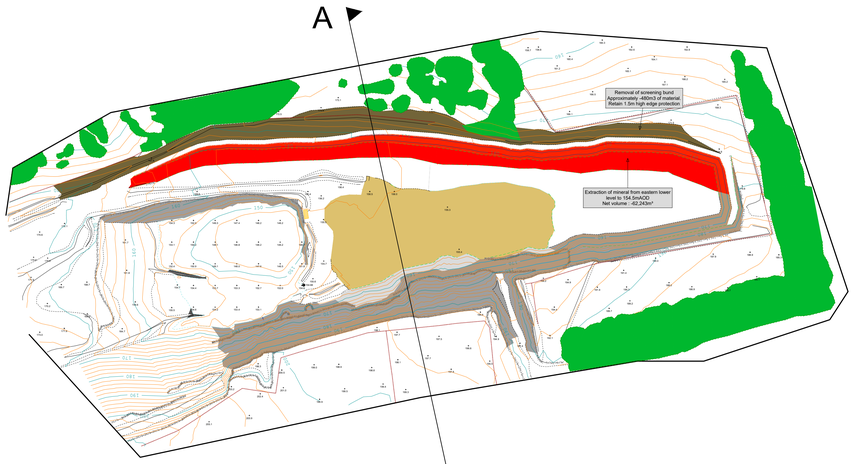
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Section A-Aʼ



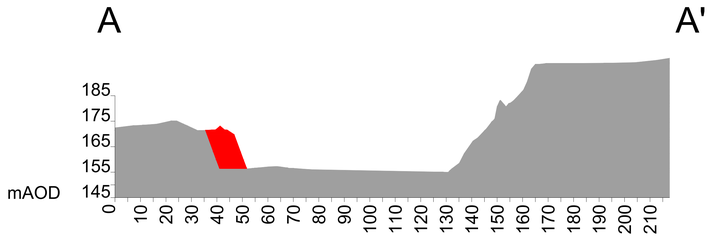


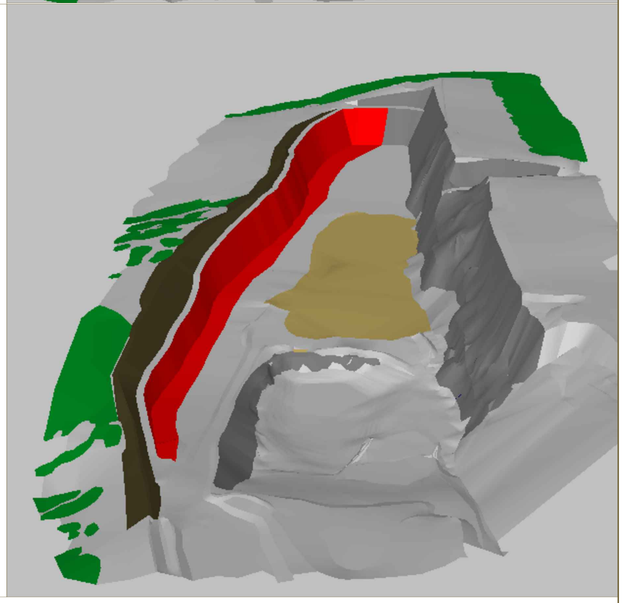
Phase 5 B



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Section A-Aʼ





Legend

- Working Area/Extraction
- Tip 11 Infill
- Tip 11 Cut
- Bunds
- Vegetation

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Site Name:
S137 Skipton Rock Quarry

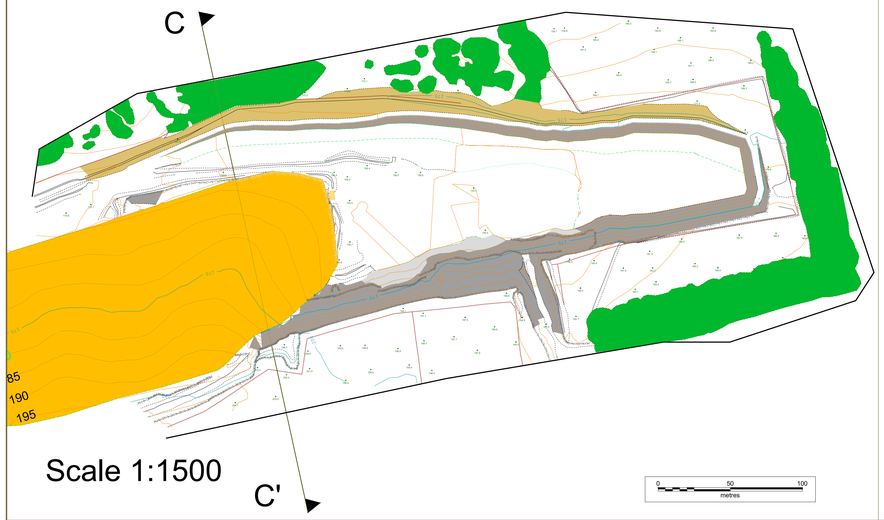
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Phase Plan
Sheet 2 of 3

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M Donaldson	As Shown
Date:	***Drawing Number:***
22/11/2022	S137-0058-017

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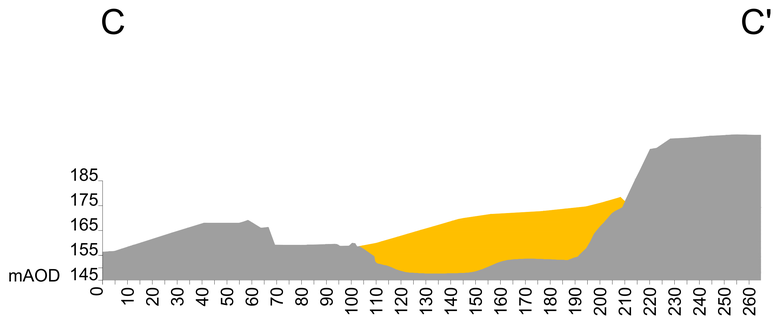
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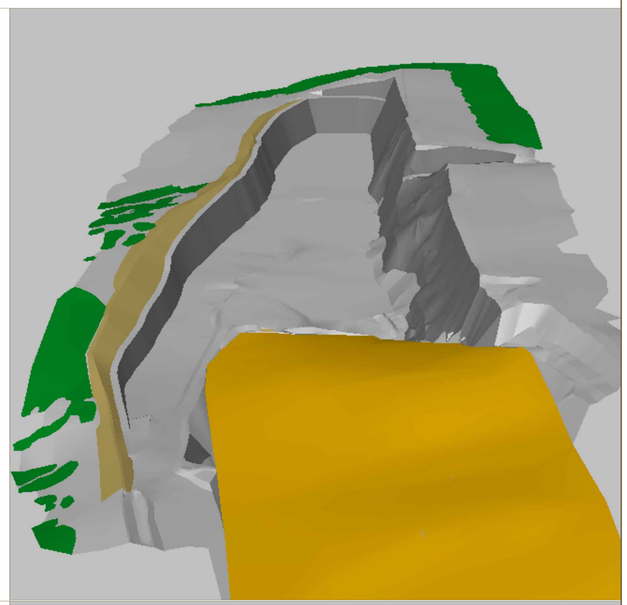
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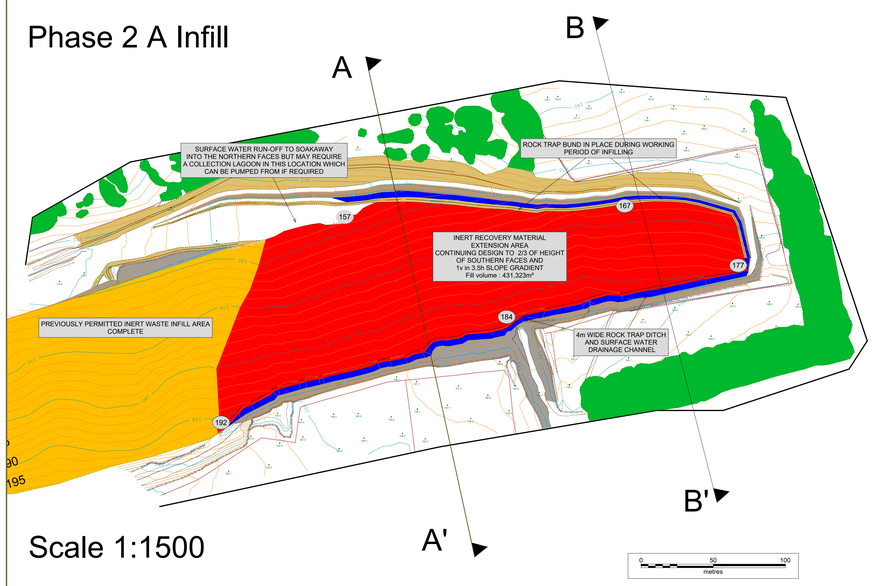
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Section C-C'



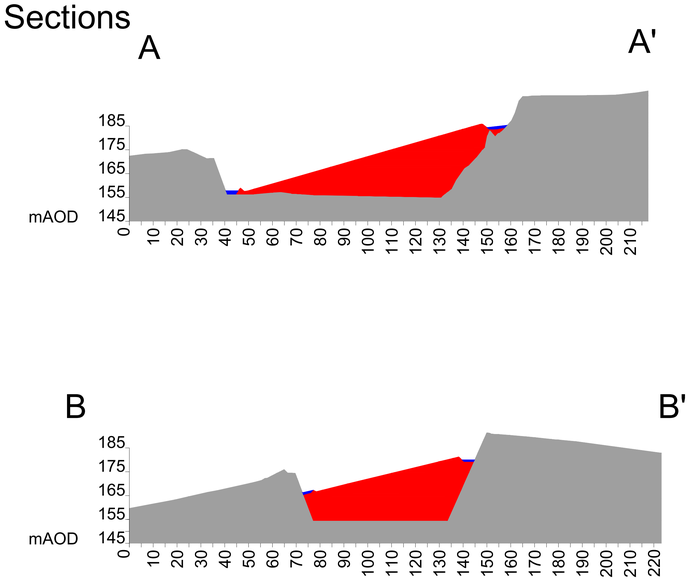


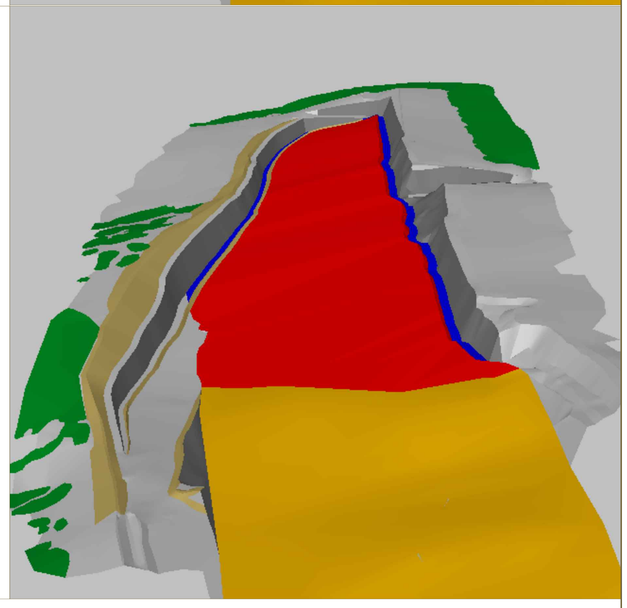
Phase 2 A Infill



Scale 1:1500

Sections





Legend

- Working Area/Extraction
- Tip 11 Infill
- Tip 11 Cut
- Bunds
- Vegetation
- Current Permitted Infill Areas
- Rock Trap and Drainage Ditch

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Site Name:
S137 Skipton Rock Quarry

Drawing Name:
Phase Plan
Sheet 3 of 3

Drawn By:	Scale @ A0:
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22/11/2022	S137-0058-017

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APPENDIX G

A COPY OF THE DELEGATED PLANNING REPORT PREPARED IN DECEMBER 2024 IN RESPECT OF THE APPLICATION FOR PLANNING PERMISSION REFERENCE NY/2023/0159/FUL

Delegated Planning Report

LOCATION: Skipton Rock Quarry, Harrogate Road, Skipton, BD23 7ES

PROPOSAL: Continuation to import inert materials for the purpose of stabilising rockfaces

Reference: NY/2023/0159/FUL

RECOMMENDATION: Grant

Target Determination Date: 20 December 2023 (Extension of Time Agreed: 20 December 2024)	**Conservation Area:** No
TPO: No	**Listed Building:** No

1.0 Site and Surroundings

1.1 The application site relates to Skipton Rock Quarry, also known as Haw Park Quarry. The quarry is a long-established limestone quarry located two kilometres to the northeast of Skipton and 500 metres south of the village of Embsay. It is situated wholly within the predominantly rural setting of Skipton and Embsay Moors. The application area forms a 9.51 hectares section of the wider Skipton Rock Quarry, including the site access route. The wider quarry site also comprises a maintenance yard, an asphalt-coating plant and cement-batching plant, all of which are currently in use. The site benefits from an existing quarry access which leads directly on to the A59 and A65, west of the site.

1.2 The quarry site is formed by a number of smaller quarries which have been joined over many years of mineral extraction. Quarrying has taken place at Skipton Rock Quarry in some form since the 1760's and the site benefits from an extant planning permission MIN1266 (SN/626) under which the mineral extraction can restart. The first planning consent at Skipton Rock Quarry was granted in 1951. Since then, several planning permissions have been granted, including consents for the erection of offices, asphalt coating plants and waste disposal in addition to further quarrying. A Review of Mineral Permission (ROMP) remains outstanding to bring forward the conditions of the extant mineral permissions at the site to modern standards, however the original consent still stands Furthermore, it was noted on the site visit that no extraction is currently taking place. Given that a ROMP remains outstanding, and the operator intends to extract permitted minerals, a formal notification requesting an application for the review of the minerals permission conditions has been served.

1.3 The quarry is bounded by agricultural land to the north, east and west. To the south of the site is the former Skibeden Quarry which is now restored as a household waste disposal site. The site fronts directly onto Haw Beck which runs along the northern boundary of the quarry and beyond that is the Embsay & Bolton Abbey Steam Railway which passes the site to the immediate north. The nearest built-up areas are Embsay located approximately 500 metres to the north of the site, Skipton approximately 2

kilometres to the southwest and Draughton approximately 1.5 kilometres to the southeast. The remaining surrounding area is largely made up of agricultural and rural properties and businesses.

1.4 Haw Park Site of Importance for Nature Conservation (SINC) is located to the southwest entrance of the wider quarry site. Further afield, the North Pennine Moors Special Protection Area (SPA) and Special Area of Conservation (SAC) are located, approximately three kilometres to the north of the quarry. The Yorkshire Dales National Park Boundary is also located approximately 440 metres to the north of the site. It is also noted that the site is a known habitat for breeding Peregrine Falcons, a species given special protection under the 1981 Wildlife and Countryside Act. The surrounding area is characterised by a mixture of rolling countryside rising up to the more rugged moorland escarpment of the Yorkshire Dales National Park.

1.5 The quarry forms a dominant feature in the locality, given its natural and man-made topography. Nonetheless, the quarry and its activities within it are generally well hidden due to the quarry benefitting from existing vegetation and reasonably high bund mounds to the north which serve to shield many views into the quarry floor and the activities and buildings located therein.

1.6 The application area is mainly situated within the easternmost area of the quarry void which consists of a number of lagoons, adjacent to a large quarry face. It is a natural continuation of the void space immediately to the west of the application site which is currently being filled with inert materials for face stabilisation under planning permission ref. C5/63/2010/10941 dated 11 May 2011, with operation permitted for 18 years from the date of commencement.

1.7 Historically, developed faces within the quarry have been identified as posing a long-term hazard in respect of their stability. Previous mineral extraction works at Skipton Rock Quarry has generally been along the strike of the existing rock strata to exploit limestone horizons. This has caused in several quarry faces in the eastern part of the quarry left abandoned, resulting in the risk of wedge/toppling where failure in the strata takes place through a wedge of rock sliding over another and causing instability issues.

2.0 Description of Development

2.1 This application seeks full planning permission for the continuation to import inert materials for the purpose of stabilising rockfaces.

2.2 The proposed development would consist of approximately 430,000 cubic metres of inert materials imported to the site at an average of 110,000 cubic metres per annum for a total period of four years which would be carried out in two phases:

- Phase 1 – This would see the completion of the infilling in the western part of the application site that is currently permitted under planning permission ref. C5/63/2010/10941.
- Phase 2 – This would involve the continued infilling of the void space all the way to the eastern face of the quarry, including provision of rock traps beneath the southern slopes and appropriate surface water channels.

2.3 The proposed infilled profile would be sloping and rise to the southern face from the

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northern, making appropriate face heights, face stabilisation and foundations for an acceptable restoration scheme. The source of infill material would be from other Tarmac operations, including waste stone from other quarries (Swinden Quarry in Yorkshire Dales) and granular fines from recycling operations (Cross Green in Leeds), as well as inert construction and demolition materials from development sites in the local area.

2.4 The application seeks to resolve instability issues due to historic quarrying by importing inert material to be used to raise the base of the quarry to reduce overall face heights and potentially to act as a buttress support at the base to minimise the potential failures. This approach of face stabilisation work is currently being used within Skipton Rock Quarry and the current application proposes to use a similar method to stabilise the eastern end of the quarry void/face so that it would enable the completion of restoration.

2.5 Although this application seeks permission for the stabilisation works, the application documents indicate that small volume of permitted limestone reserves would be extracted prior to the proposed infill operations taking place to avoid sterilisation of consented mineral beneath. Additionally, the Applicant affirms that the impact of extracting the reserves has been considered and details included within the planning support statement accompanying this application, providing an overall assessment of the impact of both mineral extraction and proposed infill. Nonetheless, the mineral extraction at the site is permitted under planning permission MIN1266 (SN/626) and does not form part of this application that is been considered here. However, a formal notification requesting an application for a ROMP has been served.

2.6 The Agent affirmed in a letter dated 27 October 2023, Ref. NB/NT16244/Rep/013 that all the proposed face stabilisation works would to be carried out within the existing permitted hours as per the existing infilling operations at the site, between 07:00 to 18:00 weekdays and 08:00 to 14:00 Saturdays, with no works on Sundays or Bank Holidays.

2.7 Plant associated with the face stabilisation works would comprise a dozer, a loading shovel, an excavator, with HGVs bringing in the material.

2.8 In terms of transport, the permitted infilling operations at the site averages 40 two-way trips (20 vehicles in and 20 out) per day. The current application proposes to increase this to an average of 80 two-way trips (40 vehicles in and 40 out) per day and up to 300 two-way trips on rare occasions due to the nature of infilling operations resulting in a fluctuation in activity levels and material in a short period of time is needed. The Transport Statement Rev. A, dated July 2023, accompanying the application concludes that the proposed infilling operation would not result in any significant impacts on the surrounding highway network in terms of operational and safety.

2.9 The application documents indicate that the proposed restoration scheme would complement the existing scheme approved under planning permission ref. C5/63/2010/10941 dated 11 May 2011, comprising north facing slope mostly in order to stabilise the large southern rock faces but also to reflect the rising topography and retain some exposure of the rock face to respect existing views from Embsay. The quarry would be restored to a gently sloping grassy bank beneath short exposed

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faces, with low nutrient grassland maintained for grazing and nature conservation purposes, trees planted to increase overall biodiversity and a hedge would divide the grassland to allow for different grazing managements in the two grassland blocks. The Landscape and Ecology Management Plan has been provided to ensure the site would be managed and maintained for 30 years ensuring the establishment and enhancement of the proposed habitats to benefit wildlife and provide overall biodiversity net gain.

3.0 Relevant Planning History

3.1 The following relevant planning history has been identified for the application site:

- C5/63/2010/10941 – Earthworks to stabilise quarry faces consisting of the regrading of existing quarry faces and formation of batters through the importation of granular fill – Granted, 11 May 2011.
- NY/1998/0002/MRA – Determination of new conditions in respect of Planning Permissions SN/626, SN/580, SK/701 and SK/1633 – Finally disposed of.
- MIN1266 (SN/626) – Continue surface mineral working – Granted, 13 April 1951.

4.0 Planning Policy and Guidance

4.1 Section 38(6) of the Planning and Compulsory Purchase Act 2004 requires that all planning authorities must determine each planning application in accordance with the planning policies that comprise the Development Plan unless material considerations indicate otherwise.

Adopted Development Plan

4.2 The Adopted Development Plan for this site is:

- Minerals and Waste Joint Plan, adopted 2022; and
- Craven Local Plan 2012 to 2032, adopted 2019.

Emerging Development Plan – Material Consideration

4.3 There is no Emerging Development Plan for this site.

Guidance - Material Considerations

4.4 Relevant guidance for this application is:

- National Planning Policy Framework 2024
- National Planning Policy for Waste
- National Planning Practice Guidance

5.0 Consultation Responses

5.1 The following consultation responses have been received and have been summarised below.

Embsay with Eastby Parish Council: At the time of writing this report no response has been received.

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Skipton Town Council: At the time of writing this report no response has been received.

Cllr. David Noland: Notified of the application on 2 October 2023.

Cllr. Robert Heseltine: Notified of the application on 2 October 2023.

Cllr. Richard Foster: Notified of the application on 2 October 2023.

Coal Authority: A response was received stating no observations/comments to make on this application.

Embsay and Bolton Abbey Steam Railway: At the time of writing this report no response has been received.

Environment Agency: A response was received stating no objection to the proposal.

Natural England: A response was received stating no objection to the proposal.

NYC Archaeology: A response was received stating no objection to the proposal.

NYC Ecology: An initial response was received stating satisfied that sufficient survey and assessment has been undertaken in support of the application. Further stating that measures have been put in place to avoid ecological impacts and where it is not possible, mitigation and compensation measures have been proposed. The restoration is expected to deliver over 10% BNG. The ecologist has requested further information to be submitted in relation to BNG metric spreadsheet; a draft/outline Landscape and Biodiversity Monitoring and Management Plan to demonstrate how proposed habitats will be established and managed in long term so that it can be used as a basis to secure a detailed LEMMP through S106 agreement and indicative locations for the nesting platforms for peregrine.

The Agent submitted additional/revised information i.e. Biodiversity Metric 4.0 Calculation, Biodiversity Offsetting Assessment report, revised Restoration Plan and Landscape and Ecology Management Plan, to address the Ecologist comments. A further response was received from the Ecologist confirming satisfied that all ecological matters have been resolved provided that the restoration and long term management (via the LEMP) are secured for a period not less 30 year and have no further concerns in relation to this application.

NYC Environmental Health Officer (Craven): A response was received requesting conditions to be imposed on any grant of planning permission in relation to compliance with the submitted dust management plan, noise mitigation measures, noise level limit, vibration mitigation measures and hours of operation in line with those stated on the already approved part of the site being infilled. The EHO initially requested further information in relation to blasting details to be provided. A further response was received confirming that as this application relates to infill operations, previous comments regarding blasting would not be applicable.

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NYC Highway Authority: A response was recommending a pre-commencement condition to be imposed on any grant of planning permission for the submission and approval of Construction Management Plan (CMP).

The Agent submitted a CMP to be considered under the current application. The Highway Authority assessed the information and confirmed that the details in the CMP provided by the developer are acceptable. Further stating that the LHA suggested condition have also been addressed.

NYC Principal Landscape Architect: At the time of writing this report no response has been received.

NYC Public Rights of Way: A response was received stating that there is a Public Right of Way or a 'claimed' Public Right of Way within or adjoining the application site boundary. The response provided information/guidance if any of the proposed development would physically affect the Public Right of Way permanently or temporarily.

Local Representations

5.2 One local representation has been received seeking clarification and raising concern. A summary of the comments is provided below, however, please see website for full comments.

5.3 Comment

- Previous quarry owners were supposed to reduce operations and traffic pollution as it came to end of the excavations.
- It was meant to put back to nature and make good the area. However, concerned this application seems to be extending.
- Noise, dust and dirt is far worse since new owners took over.

Responded to the member of public providing details of the application to which they acknowledged that the final intention is to return to rural grazing but the operator is expanding further before leaving the area.

6.0 Environment Impact Assessment

6.1 The development falls within Schedule 2 Category 11(b) Other projects - Installations for the disposal of waste (unless included in Schedule 1) of The Environmental Impact Assessment Regulations 2017 (as amended) and exceeds threshold (ii) due to the site being over 0.5 hectare. As such the Council as Local Planning Authority have screened the development and found that it is not EIA development and no Environmental Statement is required to be submitted with the application. The Screening Checklist which acts as the report and decision is available to view on the Council's website. Nothing has changed since the Screening Decision and it is still effective for the purposes of this report. No conditions are required to rule of a likely significant environmental effect.

7.0 Main Issues

7.1 The main issues are:

- Principle of development

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- Local amenity (noise and dust)
- Landscape and Visual impact
- Ecology (habitats, nature conservation and protected species)
- Restoration and aftercare
- Highways matters
- Flood risk and drainage

8.0 ASSESSMENT

Principle of Development

8.1 The relevant policies in respect of the principle of the proposed development for the importation of inert materials for face stabilisation and subsequent restoration include Policies W01, W05, W10, W11, D01 and D10 of the Minerals and Waste Joint Plan (MWJP), Policies SD1 and ENV7 of the Craven Local Plan (CLP) and guidance contained within the National Planning Policy Framework (NPPF) and the National Planning Policy for Waste (NPPW).

8.2 Paragraph 11 of the NPPF sets out a presumption in favour of sustainable development which is supported by Policy D01 of the MWJP and Policy SD1 of the CLP. This means taking a positive approach to development and approving an application that accords with the development plan without delay unless material considerations indicate otherwise.

8.3 The application seeks permission for the continuation to import inert materials for the purpose of stabilising rockfaces. The need for this development has arisen due to previous quarrying activities which has caused in several quarry faces left abandoned and causing instability issues. It is noted that the void space immediately to the west of the application site is currently being filled with inert materials for face stabilisation under planning permission ref. C5/63/2010/10941 dated 11 May 2011 and this application seeks to extend the operation into an area currently not permitted. The proposed development consists of infilling an existing quarry void space, providing stabilisation along the line of the exposed faces and foundations for an acceptable restoration scheme. It is also acknowledged that small volume of permitted limestone reserves would be extracted prior to the proposed infill operations taking place to avoid sterilisation of consented mineral beneath. However, the mineral extraction at the site is permitted under planning permission MIN1266 (SN/626) hence, the principle of mineral extraction at the site has already been established and does not form part of this application that is been considered here.

8.4 The proposed development receives support within Policies W01, W05, D01 and D10 of the MWJP and Policies SD1 and ENV7 of CLP in regards to the waste hierarchy, meeting waste management capacity requirements, the need for a presumption in favour of sustainable development and reclamation. Although it is noted that landfill operations are the bottom of the waste hierarchy, the local and national policies acknowledges that importation operations are appropriate methods for infilling quarry voids and improving land conditions to achieve high standard of reclamation. Policy W01 of the MWJP states *'landfill of inert waste will be permitted where it would facilitate the substantial improvement of derelict or degraded land where it can be demonstrated that the import of the waste is essential to bring the derelict or degraded land back into beneficial use….'*. Additional support is received within Policy W05 of the MWJP which states additional landfill capacity for construction, demolition and

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excavation waste will be permitted where it would be consistent with the principles set out in the relevant parts of Policy W01. Furthermore, Policy D10 of the MWJP seeks restoration to be carried out to a high standard appropriate to the scale and location of the development and Policy ENV7 of the CLP supports remediation of unstable land to what may be necessary, possible, safe and viable. Policy D01 of the MWJP and Policy SD1 of the CLP promote presumption in favour of sustainable development.

8.5 It is considered that there is an overriding need for the proposal in terms of infilling due to exposed steep rockfaces causing instability and safety issues. The proposed development would secure necessary land improvements and bring a degraded land back into use as agricultural land and, as such, it would have a positive impact on the local landscape, amenity and biodiversity. The proposed development is therefore considered to be in compliance with Policies W01, W05, D01 and D10 of the MWJP and Policies SD1 and ENV7 of the CLP as the use of waste would facilitate quarry reclamation, improve the natural environment in the locality including net gain in biodiversity and would not have a negative effect on economic, social and environmental conditions of the area. It is also consistent with paragraphs 11, 187, 197, 223 and 224 of the NPPF in terms of sustainable development, restoration and aftercare.

8.6 The proposed development seeks to extend the infilling operation to the remaining quarry void space adjacent to the permitted operations to achieve the restoration and reprofiling of the site to a high quality restoration, maximising wider environmental benefits and afteruse and, as such, receives support within Policies W10 and W11 of the MWJP in terms of maximising the use of the existing quarry void, providing capacity for landfill of waste through infill of quarry void and subsequent reclamation of the site.

8.7 The NPPW sets out the national framework for waste planning. The principle of proposed development also receives support through Chapter 1 of the NPPW which states decisions should ensure that waste management is recognised for the positive contribution it can make to communities. The proposed development is considered to be consistent with the objectives of NPPW and NPPF as it would facilitate a sustainable development, secure restoration of the quarry void without harming the environment, improve the safety aspects of the site, enhance the local area by providing beneficial afteruse and increase biodiversity.

8.8 Therefore, overall, the proposed development is considered acceptable in principle and in compliance with Policies W01, W05, W10, W11, D01 and D10 of the MWJP and Policies SD1 and ENV7 of the CLP, subject to the consideration of other matters.

Local amenity (noise and dust)

8.9 The relevant policies in respect of local amenity include Policies D02 and D14 of the MWJP, Policies ENV3 and ENV7 of the CLP and guidance contained within the NPPF and NPPW which all seek to ensure a good standard of amenity.

8.10 Policy D02 of the MWJP supports minerals and waste developments where it can be demonstrated there would be no unacceptable impact on the amenities of local communities and residents, local businesses and users of the public rights and public

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open space as a result of noise and dust. Policy D14 of the MWJP supports development where there are no unacceptable impacts on the intrinsic quality of air and no unacceptable impacts on the management and protection of air quality. Policy ENV3 of the CLP seeks to ensure that developments protect the amenity of existing residents and business occupiers as well as create acceptable amenity conditions for future occupiers. Policy ENV7 of the CLP seeks to help safeguard and improve air quality by avoiding severe residual cumulative impacts of traffic congestion and encouraging more sustainable modes of travel. Paragraph 187 of the NPPF seeks to prevent 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. Further stating that development should, wherever possible, help to improve local environmental conditions. Paragraph 198 of the NPPF requires decisions to ensure development is appropriate for its location taking into account the cumulative impact on health, living conditions and the natural environment, including mitigating and reducing the impact on noise, identifying tranquil areas and limiting light pollution. In regard to NPPW, Paragraph 7 of the NPPW requires consideration of the likely impact on the local environment and amenity set out against the criteria in Appendix B when assessing the suitability of a proposed waste site and these criteria include air emissions, including dust and noise.

8.11 In terms of the impacts on amenity, it would likely be dust and noise arising from the operation of the plant/machinery, off-loading of waste and HGV movements. The site is an existing quarry and similar operations of infilling already takes place at the site. The application proposes to operate to the same hours that the quarry currently operates and there are already measures in place to mitigate any potential adverse impacts. It is noted that the proposed development would generate additional vehicle movements that would be in addition to existing operations. However, the site is located adjacent to the A59 and A65 and no changes are proposed to existing access arrangements which provides access to the infilling area via a dedicated internal access route for HGV vehicles. Furthermore, the infill material would be sourced locally, hence limiting long distance vehicle movements.

8.12 An Air Quality Assessment has been submitted with the application which concludes that the risk of dust effect is negligible to substantial adverse. It is noted that the assessment takes into account the wind sector that covers the entire area whereas in reality it will be short-term activities with site activities progressing in sections across the quarry. Given that there is no dust management plan in place at Skipton Rock Quarry, the assessment concludes the impact to be significant and recommends a dust management plan to ensure that dust mitigation and control procedures are in place at site during the infilling operations. Finally concluding that following implementation of the dust management plan, the overall impact to be negligible and not significant.

8.13 The application is also accompanied by the Noise Assessment which concludes that in a worst-case scenario, noise from the operations would comply with the proposed noise limits and the site can operate in accordance with the noise guidance. Therefore, the potential impacts arising from noise associated with the proposed development are negligible and accordingly no noise mitigation measures will be required.

8.14 The application has been subject to consultation with the Environmental Health

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Officer (EHO) and NYC Highway Authority. Both the EHO and Highway Authority have not objected to the proposed development. The EHO has assessed the application documents and is satisfied with submission and has recommended conditions to be imposed on any grant of planning permission in relation to dust management plan, noise impact measures, noise level limit, vibration mitigation measures and hours of operation, to mitigate impacts on the local amenity. It is noted that the EHO requested information in regards to blasting however, a further response from the EHO affirmed that comments regarding blasting would not be applicable due the current application being considered is for infill operations. It is therefore considered that the EHO's recommended condition requiring to comply with the vibration mitigation measures is not justifiable and as such would not be imposed on any grant of planning permission due to it being not relevant to the proposed development for infilling operation. The Highway Authority also recommended a condition to be imposed requiring a submission and approval of Construction Management Plan (CMP). The Agent submitted CMP to be considered under the current application. The Highway Authority assessed the information and confirmed that the details in the CMP provided by the developer are acceptable. Further stating that the LHA suggested condition have also been addressed.

8.15 A representation has been received from a member of public. Although not objecting to the proposal, requested details of the application and raised some concerns in relation to noise, dust and dirt getting worse since new owners took over the site. Responded to the member of public providing details of the application to which they acknowledged that the final intention is to return to rural grazing, but the operator is expanding further before leaving the area.

8.16 The Council is not aware of any change of the operator for the quarry site as the operator for the site has been same as per the Council's records. Nonetheless, the Council has not received complaints from members of the public in relation to the site and its operation including previous quarrying operations, infilling operations, the asphalt and cement plants and haulage yard. Furthermore, the Highway Authority in their consultation response have confirmed that they have not received any concerns/observations.

8.17 It is considered that subject to conditions to secure dust management plan; noise mitigation measures; noise level limit; and hours of operation consistent with those on the already approved of the site being infilled, the proposed development would not give rise to any unacceptable impact on local amenity. Furthermore, any potential impact of dust and noise upon local receptors or local environment, are not considered to be significantly above those previously considered as part of the previous extant planning permission ref. C5/63/2010/10941 dated 11 May 2011 for infilling operation.

8.18 It is therefore considered that the proposed development is in compliance with Policies D02 and D14 of the MWJP in relation to local amenity and cumulative impacts as the proposed development would not have an unacceptable impact on local amenity and cumulative impacts with the effects being mitigated against and conditions imposed to regulate noise and dust generated at the site. The proposal is also in compliance with Policies ENV3 and ENV7 of the CLP which seek to ensure that developments do not adversely impact upon local amenity. Additionally, the development is consistent with paragraphs 187 and 198 of the NPPF, paragraph 7 of

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the NPPW and PPG in relation to protection of local amenity.

Landscape and Visual impact

8.19 The site is a long-established limestone quarry which has been extracting for many decades. The workings follow the line of the hill with historically being worked from west to the east, forming a long west-east void within the hill. The hill within which the quarry lies forms a dominant feature in the locality however, the quarry and its activities within it are generally well hidden due to existing vegetation and high bund mounds screening the views into the quarry floor.

8.20 The relevant policies in respect of landscape and visual impact include Policies D04 and D06 of the MWJP, Policy ENV1 of the CLP, and guidance contained within the NPPF.

8.21 Policy D04 of the MWJP states that proposal for development outside of the National Parks will not usually be permitted where it would have an unacceptable harmful effect on the setting of the designated area. Policy D06 of the MWJP states that all landscapes to be protected from harmful effects of development and proposals will be permitted where it can be demonstrated there will be no unacceptable impact on the quality and/or character of the landscape taking into account mitigation measures. Policy ENV1 of CLP expects new development proposals, in those areas not subject to national landscape designations, to respect, safeguard, and wherever possible, restore or enhance the landscape character of the area. Further stating that proposals are supported that secure restoration of degraded landscapes, in ways that also help to achieve biodiversity and heritage objectives, as well as proposals that secure the preservation and appropriate restoration or enhancement of natural and historic man-made features. Paragraph 187 of the NPPF requires planning authorities to make decisions, which contribute to and enhance the natural and local environment by protecting landscapes, recognising the character of the countryside, minimising impacts on biodiversity, preventing pollution and remediating degraded and unstable land. Paragraph 189 of the NPPF states that development within designations such as National Parks should be limited as they have a high protection status and great weight should be given to conserving and enhancing landscape and scenic beauty. Further stating that development within their setting should be sensitively located and designed to avoid or minimise adverse impacts on the designated areas.

8.22 A Landscape and Visual Appraisal (LVA) has been submitted with the application which has assessed the relevant landscape character areas of the development and its surrounding. The LVA concludes that given the nature of the site being existing quarry, the small scale and temporary length of the proposed development means that effects of the proposed operations on the landscape character of the surrounding area and the visual amenity of the residents, road and rights of way users within the Zone of Theoretical Visibility (ZTV) would not exceed moderate adverse. Further stating that the adverse effects would reduce once the site is restored and become beneficial as habitats establish.

8.23 It is noted that previous mineral extraction works at Skipton Rock Quarry has resulted in several quarry faces left abandoned which are now failing and causing instability issues. The proposed development is therefore needed for safety purpose as well as to improve and enhance the currently unstable land through infilling the quarry void

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and subsequent restoration works to bring the site back to a higher standard and beneficial landform. It is considered that the proposed works would enhance the appearance of the quarry and provide a reclamation of the site and, as such, would improve the site visually and enhance the surrounding landscape. It is therefore considered that the proposed development would not have an adverse impact on the surrounding landscape and would result in an improved landform to restoring the quarry and, as such, in compliance with Policy D06 of the MWJP, Policy ENV1 of the CLP and in line with the objectives of paragraph 187 of the NPPF which seek to protect the landscape and character of the surrounding area.

8.24 The site is not located within a designated landscape area however the Yorkshire Dales National Park is situated approximately 440 metres to the north of the site. Based on the finding of the LVA and the proposed restoration scheme it is considered that the proposed development would not have an adverse impact upon the National Park or its setting. It is therefore considered the proposal is incompliance with Policy D04 of the MWJP and in line with paragraph 189 of the NPPF which seek to protect designated areas.

8.25 It is considered that the proposed development would not have a significant impact on the landscape character and visual amenity of the area due to existing screening of the site. Additionally, as a result of the reclamation works and the long-term Landscape and Ecology Management Plan, it would provide beneficial effects to the surrounding natural environment and biodiversity in the area. Furthermore, the restored landform together with the new planting scheme comprising native species, and the existing landscaping would improve the visual amenity of the local area and enhance the site within the surrounding landscape. It is considered that any potential impacts arising from the proposed development are capable of being adequately mitigated and controlled by conditions.

8.26 Overall, the proposal is located within an established quarry and similar infilling operation currently take place on site. It is considered that the benefits of the restoration of the quarry void and overall site would have a positive impact on the landscape of the area and would bring the land back into a more productive use with ecological benefits. It is therefore considered that the proposed development is in compliance with Policies D04 and D06 of the MWJP, Policy ENV1 of the CLP and is consistent with the principles of the NPPF outlined in paragraphs 187 and 189 and PPG which all seek to protect the natural environment and enhance the character and appearance of the local area.

Ecology (habitats, nature conservation and protected species)

8.27 The relevant policies in respect of ecology are Policy D07 of the MWJP, Policy ENV4 of the CLP, and guidance contained within the NPPF that include matters relating to developments in relation to biodiversity, habitats, nature conservation and protected species.

8.28 Policy D07 of the MWJP states that proposals will be permitted where there will be no unacceptable impacts on biodiversity or geodiversity. Policy ENV4 of the CLP seeks development should make a positive contribution towards achieving a net gain biodiversity. Paragraph 187 of the NPPF requires planning authorities to make decisions, which contribute to and enhance the natural and local environment by

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protecting and enhancing sites of biodiversity or geological value, recognising the wider benefits from natural capital and ecosystem services, minimising impacts on and providing net gains for biodiversity, and remediating degraded and unstable land. Paragraph 192 of the NPPF promotes the conservation and enhancement of biodiversity.

8.29 The application has been accompanied by an Ecological Impact Assessment (EcIA) report, Biodiversity Offsetting Assessment and Biodiversity Metric 4.0 calculation as supporting information. The Applicant also submitted a Landscape and Ecology Management Plan (LEMP) as requested by the NYC Ecologist. The EcIA includes a number of relevant surveys, sets the methodology adopted in the assessment and concludes that the proposed development would not result in any adverse impacts to statutory or non-statutory designated sites for nature conservation and residual ecological impacts would largely be positive in the long term. Further stating that negative impacts are likely to be temporarily short term and are not likely to affect the favourable conservation status of any habitats or species. The report notes that the site is a known breeding location with the rock faces potentially hosting peregrine nests and could potentially cause displacement during operational works. The report recommends mitigation provisions for the viability of the known nests to be retained and include erection of additional artificial nesting ledges. The report identifies additional enhancements which include nest boxes for local priority bird species and bat boxes to provide roosting opportunities as these are currently not present at the site. Habitats retained, enhanced and created on site would be managed in accordance with a LEMP to maximise their benefits to wildlife in the long term. The report concludes that although BNG is addressed in the Biodiversity Impact Assessment, there will be a 10.32% net gain in habitats, 104.53% net gains in hedgerows and no change in rivers and streams.

8.30 The Biodiversity Offsetting Assessment report assesses the losses and gains of biodiversity arising from the proposed development and the requirement for the development to achieve a net gain in biodiversity by following the ten good practice principles (CIEEM, 2021). The report concludes that the development is expected to meet the ten principles of BNG and a net gain in biodiversity can be achieved on site, hence no external offsetting requirements or financial contributions are required. The report identifies that following development, the existing area based habitats on site retained, enhanced and created would have a net change of 8.60 Habitat Units or +12.68% and the existing hedgerows on site have a net change of 0.60 Hedgerow Units or +142.88%. The report notes that the trading rules not satisfied because of a net loss in lakes (i.e. quarry lagoons) and sparsely vegetated land (inland rock and scree), though these losses are unavoidable due to the nature of the development and health and safety concerns. Therefore, are considered to be appropriately compensated for through the overall restoration scheme which focusses on the provision of calcareous grassland and habitat enhancements.

8.31 The application has been subject to consultation with the NYC Ecologist. The ecologist has assessed the initial submission as well as revised and additional information submitted during the application addressing the ecologist comments in relation to location for the peregrine nesting platforms, BNG metric spreadsheet and LEMP. The ecologist is satisfied with the submission including the location of peregrine nesting platforms and the trading rules of the BNG metric to not be fully met. The ecologist is satisfied with the proposed development stating that the

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restoration plan now put forward along the LEMP will provide habitats of ecological value that are appropriate to the site in its local context and overall will provide a net gain for biodiversity, subject to the restoration and long-term management via the LEMP are secured for a period not less than 30 years.

8.32 It is considered that the proposed mitigation measures recommended in the EcIA, restoration and aftercare, which can be secured through planning conditions to provide for a 30 year long-term management via the LEMP, would safeguard and enhance the nature conservation opportunities on the site and would ensure proposals do not give rise to unacceptable environmental impacts. Furthermore, the proposed development would overall have a positive impact on biodiversity and habitats after restoration via the enhancement and creation of habitats such as woodland, scrub and species rich calcareous grassland and, as such, provide an overall benefit to wildlife and ecological network. Additionally, it would benefit populations of bats, breeding birds and invertebrates. It is therefore considered that the proposed development would safeguard protected species and in the longer term, the restoration of the quarry has the potential to enhance biodiversity in the area, and as such, the proposal is in compliance with Policy D07 of the MWJP and Policy ENV4 of the CLP for the protection and enhancement of biodiversity. It is also consistent with the principles of the NPPF outlined in paragraphs 187 and 192, Appendix B of the NPPW and the PPG for the natural environment and biodiversity.

Restoration and aftercare

8.33 The Planning Statement submitted with the application provides details of the proposed restoration scheme to complement the already permitted scheme of the west face stabilisation works. The proposed restoration landform would comprise a generally north facing slope, grassy bank beneath short exposed faces with low nutrient grassland maintained for grazing and nature conservation purposes, trees planted to add to the overall biodiversity value and a hedge would divide the grassland to allow for different grazing managements in the two grassland blocks.

8.34 Policy D10 of the MWJP states that proposals that require restoration and afteruse elements will be permitted where it can be demonstrated that they would be carried out to a high standard and have taken into account the scale, location and context of site. The policy also requires the restoration to give rise to positive impacts without negative cumulative impacts; made best use of onsite materials for reclamation purposes and only rely on imported materials where essential; be progressive, phased where appropriate, allowing for the restoration of the site at the earliest opportunity; and provided for a longer term implementation and management of the agreed form of restoration and afteruse. Policy D11 of the MWJP states proposals will be permitted where it has been demonstrated that measures appropriate and proportionate to the scale and nature of the development have been incorporated in its design, construction and operation. Policy ENV5 of the CLP promotes green infrastructure by requiring proposals to avoid the loss of or harm to existing green infrastructure assets and the network, enhance existing or create new green infrastructure and secure its long-term management and maintenance, and enhance existing or create new links within the network, including habitat corridors that help wildlife to move freely through the local environment.

8.35 The application documents indicate that the excavation material would be used to

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support the infilling of the uneven quarry floor. However, given the scarce soil resource on site due to number of years of activity, it is necessary for the importation of the remaining material to facilitate the restoration of the site to a high standard. The LEMP provides details of the restoration of the site as well as the management and aftercare for a period of 30 years. The site would be restored in accordance with the objectives detailed in the LEMP to ensure the site is restored to a high standard. The NYC Ecologist has assessed the proposed restoration and is satisfied with the restoration scheme subject to the restoration and long-term management are secured for a period not less than 30 years.

8.36 It is considered appropriate to secure long-term management of the restored site for a period of 30 years to ensure that the site is of high quality standard which would safeguard and add to the biodiversity of the site and, as such, add value to the area. The Applicant provided a draft S106 planning agreement to secure LEMP long-term management and aftercare. However, as a result of discussion between the Officers and NYC Legal team, in this instance it was decided that the long-term management and aftercare can be secured via planning conditions rather than the need to enter into S106 planning agreement. Therefore, no further action has been taken with the submitted draft S106 planning agreement and it is superseded. The Applicant has affirmed their agreement to secure LEMP long-term management and aftercare via planning conditions.

8.37 It is considered that the proposed development once restored would result in an improvement of a longstanding stalled quarry, deliver biodiversity and nature conservation. Furthermore, the proposed restoration and aftercare scheme would harmonise the surrounding landscape form as well as provide long term beneficial effects to the surrounding natural environment and ecological connectivity between existing green infrastructure areas. Additionally, the proposed development would address the instability and safety issues, provide high standard restoration as well as have long term positive impact upon the landscape character of the site and wider surrounding area.

8.38 It is considered that in terms of restoration and aftercare, the proposed development is acceptable as the restored site would deliver biodiversity and nature conservation and the long-term management of which could be secured through planning conditions. It is therefore considered that the proposed development is in compliance with Policies D01, D06, D10 and D11 of the MWJP and Policies SD1, ENV1, ENV5 and EN7 of the CLP in relation to sustainable development, landscape, natural environment and restoration and aftercare to be carried out to a high standard. The proposal is also consistent with the principles of the NPPF outlined in paragraphs 11, 187, 193, 196 and 224 and PPG for the sustainable development, natural environment and restoration and aftercare at the earliest possible opportunity.

Highways matters

8.39 In terms of highways matters, the relevant policies are Policy D03 of the MWJP, Policy INF7 of the CLP, and guidance contained within the NPPF that include matters relating to developments in relation to sustainable transport, adequate capacity within the existing highway network and access arrangements.

8.40 The application is accompanied by a Transport Statement which assesses the

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potential highways and transportation impacts of the proposed development. The report summaries that the infilling operation would be undertaken over a period of four years, at an import rate of approximately 172,000 tonnes per annum. No changes are proposed to the existing quarry access onto the A59 and it will remain as the sole vehicular access for all quarry operations as well as the proposed expansion to the infilling area. The working hours of the existing infilling operations are not proposed to change, and the additional vehicles required for the infilling operation will make use of the facilities i.e. existing weighbridge, vehicle cleaning and compound area within the wider quarry site. The proposed development would result in an increase of an average of 80 two-way trips (40 vehicles in and 40 out) per day and on rare occasions maximum of 300 two-way trips per day for the infilling operation. The report notes that a review of traffic accident data for the A65 does not highlight any issues that are likely to have significant affect by the small changes in traffic movements resulting from the proposed development. The report finds that the proposed development can be accommodated on the highway network in capacity and road safety terms and that there is sufficient manoeuvring space on site. The report concludes that the proposed development could be accommodated without having significant impacts on the surrounding highway network in operational and road safety terms.

8.41 The application has been subject to the consultation with the NYC Highway Authority, and they have not objected to the development subject to submission and approval of CMP. Furthermore, the Highway Authority highlighted that potentially the maximum numbers of vehicles entering and leaving the quarry for all operations may be as high as 500 veh/day and suggested that this needs planning ahead and can be accommodated in the CMP. The Applicant submitted CMP to be considered under the current application. The Highway Authority assessed the information and confirmed that the details in the CMP provided by the developer are acceptable. Further stating that the LHA suggested condition have also been addressed.

8.42 It is considered that the highway network has sufficient capacity to accommodate HGVs movements as a result of the proposed development and, as such, the proposal would not have an adverse impact on the existing highway network and highway safety. It is acknowledged that one representation has been received raising concerns in relation to noise, dust and dirt. Nonetheless, there have been no history of complaints or issues relating to highways as a result of existing operations at the site. Furthermore, the Highway Authority in their response state that they have not received any concerns. Additionally, it is considered that mitigation measures i.e. CMP, working hours, highways kept free from mud and debris, controlled by conditions would minimise any potential nuisance on the amenity and surrounding highway network.

8.43 It is noted that there are public rights of way around the site however, the proposed development would not physically impact the surrounding public rights of way network. The application has been subject to consultation with NYC Public Rights of Way, who have not objected to the development but provided guidance for the Applicant which would added as an informative on the planning decision.

8.44 It is therefore considered that the proposed development is appropriate in terms of capacity and safety and, as such, would not give rise to undue highway safety issues. The proposal is therefore considered to be in compliance with Policy D03 of the MWJP and Policy INF7 of the CLP for sustainable transport and adequate capacity

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within the existing highway network. The proposal is also in compliance with Policy D02 of the MWJP and Policy ENV12 of the CLP which seek to reduce the disruption to public rights of way. Additionally, the proposal is consistent with the principles of the NPPF outlined in paragraphs 111 and 112 for sustainable transport and developments should only be refused if an unacceptable impact on highway safety arose, or the residual cumulative impacts on the road network would be severe.

Flood risk and drainage

8.45 The relevant policies in respect of flood risk and drainage are Policy D09 of the MWJP, Policy ENV6 of the CLP, and guidance contained within the NPPF that include matters relating to protection of the natural environment and flood risk.

8.46 Policy D09 of the MWJP deals with water environment and requires that no unacceptable impacts will arise as a result of the development on surface or groundwater quality and/or surface or groundwater supplies and flows. Policy ENV6 of the CLP requires that development will help to avoid and alleviate flood risk by ensuring development takes place in areas of low flood risk wherever possible and always in areas with the lowest acceptable flood risk as well as minimising the risk of surface water flooding.

8.47 The application is accompanied by a Flood Risk Assessment (FRA) which has been carried out in support of the proposal. The report provides an assessment of the impact of the proposed development upon flood risk both on and off site. The assessment notes that based on the Environment Agency flood maps the site is located within Flood Zone 1 which is defined as being low risk category which represents an annual probability of flooding of less than 0.1% occurring in any one year. The site is also at very low risk of surface water flooding and does not have known problems with flooding from groundwater. Surface water run-off from the site would be ultimately discharged to Haw Beck at the confirmed allowable flow rate under EA consent. The assessment concludes that the proposals include sustainable urban drainage systems that maintain the existing drainage characteristics and on that basis, there would be negligible increase in flood risk on or off the site from the proposed development. Additionally, there are no local site-specific risks that would adversely affect the Flood Zone categorisation and/or any significant increase in off-site flooding risks arising from the development. The site is considered suitable in terms of flood risk for the type of development proposed.

8.48 The application has been subject to consultation with the Environment Agency, and they have no objection to the proposal provided the materials are inert and the existing drainage regime is being maintained. It is considered that the proposed development would not increase the risk of flooding as the existing drainage and proposed drainage strategy would provide measures to ensure there would be no adverse impact from the proposed development in terms of flooding and surface water flood risk. Additionally, the site is not historically known to flood, and the proposed planting for the restoration scheme would ensure that there would be no increase in flood risk within the site or elsewhere and, as such, the proposed development is considered acceptable.

8.49 It is therefore considered that the proposed development would not give rise to any unacceptable adverse impacts upon the water environment and would not increase

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the risk of flooding. The proposal is therefore considered to be in compliance with Policy D09 of the MWJP and Policy ENV6 of the CLP in regard to water environment and flood risk. The proposal is also consistent with the principles of the NPPF outlined in paragraphs 181 and 182 of the NPPF and PPG in regard to flood risk, groundwater and drainage.

9.0 PLANNING BALANCE AND CONCLUSION

9.1 Under the provisions of Section 38(6) of the Planning and Compulsory Purchase Act 2004, the starting position for the determination of this planning application is the 'Development Plan'. The decision must be made in accordance with the extant policies of the development plan, unless there are material considerations, including the NPPF and emerging plans indicate otherwise. The assessment of material considerations within the overall 'planning balance' has been considered in Section 8.0 of this report.

9.2 There are a range of policies in the 'Development Plan' to which due regard must be had and the proposals has been assessed against the development plan policies and national policy and guidance. The relevant policy documents of the 'Development Plan' are set out in Section 4.0 of this report. In considering the relationship of the proposals to the 'Development Plan', the proposal should be judged against the 'Development Plan', as a whole rather than against individual policies in isolation and acknowledge that it is not necessary for proposals to comply with all policies to be found compliant.

9.3 The proposed development seeks consent for the stabilisation and restoration works for the existing quarry void. The proposal would be located within an existing quarry, adjacent to a similar face stabilisation development and the hours of operations would remain same as the existing infilling operation at the site. The principle of the proposed development and its acceptability in land use planning terms are considered to have been satisfied and the proposal represents a sustainable development, providing an improvement to the natural environment as well as addressing safety issues. Furthermore, the proposal would facilitate the stabilisation and restoration of quarry void to a landform that would be more compatible and harmonise with the surrounding landscape, provide a beneficial after-use and biodiversity net gain. The proposed development is considered to be acceptable subject to the proposed mitigation measures and the long-term management of the site via the LEMP that can be adequately secured by planning conditions.

9.4 Therefore, as outlined in Section 8.0 of this report, it is considered there are no material planning considerations to warrant the refusal of this application for the continuation to import inert materials for the purpose of stabilising rockfaces. The application, along the supporting documents and additional information, has been assessed and it is considered on balance that the proposed development would not have an adverse impact on local amenity, the character of the surrounding area and landscape, ecology, local highway network or the water environment or result in an acceptable impact on air quality or climate change. It is acknowledged that although the proposed development would lead to a change to the landscape, but it is not considered to be significantly material so as to outweigh the environmental benefits of the proposal. Furthermore, the proposed peregrine nesting platforms, landscaping, hedgerow planting and restoration of the site would have a positive effect on the natural and surrounding environment as well as contribute to biodiversity of the area.

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9.5 For the reasons mentioned above, the development is therefore considered to be in compliance with the Adopted Development Plan policies as a whole and consistent with national planning policy contained with the NPPF and NPPW.

10.0 RECOMMENDATION

10.1 That planning permission be **GRANTED** subject to conditions listed below.

11. Conditions and Reasons

1. The development to which this permission relates shall be implemented no later than the expiration of three years from the date of this Decision Notice.

   Reason: To comply with Section 91 of the Town and Country Planning Act 1990 as amended by Section 51 of the Planning and Compulsory Purchase Act 2004.

2. The development hereby permitted shall be carried out in accordance with the application details dated 29 September 2023 and the following approved documents and drawings:

Ref.	Date	Title
S137-00058-32	04/07/2023	Location Plan
S137-00058-1	21/06/2023	Land Ownership and Application Boundary
S137-0058-017	22/11/2022	Phase Plan Sheet 1 of 3
S137-0058-017	22/11/2022	Phase Plan Sheet 2 of 3
S137-0058-017	22/11/2022	Phase Plan Sheet 3 of 3
S137-00058-031 B	01/03/2024	Restoration Plan
S137-00058-036	15/11/2023	Proposed Peregrine Falcon Nesting Ledges
NT16244/001/FINAL Rev. V0.1	September 2023	Planning Support Statement
NT16244/Appendix 1/FINAL Rev. V1.1	July 2023	Landscape and Visual Appraisal
NT16244/004/FINAL Rev. V1.0	September 2023	Ecological Impact Assessment Report
NT16244/007/FINAL Rev. V2.0	March 2024	Update Biodiversity Offsetting Assessment
No Ref.	March 2023	The Biodiversity Metric 4.0 -Technical Annex 1: Condition Assessment Sheets and Methodology
No Ref. Rev. Version 2	05.03.24	The Biodiversity Metric 4.0 Calculation - BNG Metric Trading Rule Amendments
NT16244/004/002/FINAL Rev. V1.0	March 2024	Landscape and Ecology Management Plan
NT16244/RPT-001/FINAL Rev. V1.0	July 2023	Flood Risk Assessment
NT16244/0002/FINAL Rev. V0.1	July 2023	Air Quality Assessment
NT16244/0004/FINAL Rev. V1.0	August 2023	Noise Assessment
No Ref.	October 2022	Vibration Study by Vibrock Limited
22-145-N Rev. A	10/07/2023	Transport Statement

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NT16244/0001/FINAL Rev. V1.0	March 2024	Construction Management Plan

Reason: To ensure that the development is carried out in accordance with the application details.

3. Pursuant to the implementation of the development in Condition No. 1 (above), the developer shall notify the Local Planning Authority in writing confirming the date of commencement within 7 days of the date of commencement of development.

   Reason: In the interests of monitoring and compliance, general amenity and to comply with Section 91 of the Town and Country Planning Act 190 as amended.

4. The development hereby permitted shall be carried out for a period not exceeding 4 years, starting from the date of commencement of the development at the site, as notified to the Local Planning Authority under Condition No. 3 (above). At the end of 4 year period, all operations on the site shall be discontinued and all machinery and building associated with the development shall be removed from the site and the site shall have been fully restored in accordance with the approved restoration scheme as defined by Condition No. 22 (below).

   Reason: To ensure timely restoration in the interests of amenity.

5. All works associated with the development hereby permitted, including the transport of material to the site, shall only take place between the following times:

   07:00-18:00 Monday to Friday
   08:00-14:00 Saturdays

   There shall be no works associated with the development on Sundays or Bank/Public Holidays.

   Reason: In the interests of public amenity.

6. Within three months of the date of this permission a Construction Ecological Management Plan (CEcMP) shall be submitted to the Local Planning Authority for approval in writing in consultation with the Council's advisers on ecology. The CEcMP shall include a programme of protected species surveys for the duration of the development. The approved CEcMP shall thereafter be implemented in full.

   Reason: In the interests of Ecology.

7. There shall be no work to the quarry faces during the bird nesting season unless such work is regularly checked by a suitably qualified ecologist to ensure no harm is caused to peregrine and other protected species.

   Reason: In the interests of ecology.

8. The development hereby permitted, shall at all times be carried out in accordance with the mitigation measures and enhancement stated in Section 5, 6, Appendix 5 (Breeding Bird Report) and Appendix 7 (Invertebrate Appraisal) of the Ecological

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Impact Assessment Report prepared by Wardell Armstrong LLP, ref. NT16244/004/Final Rev. V1.0, dated September 2023, submitted and approved as part of the planning application supporting documents.

Reason: In the interest of ecology.

9. The development hereby permitted, shall at all times be carried out in accordance with the Construction Management Plan prepared by Wardell Armstrong LLP, ref. NT16244/0001/Final Rev. V1.0, dated March 2024, submitted and approved as part of the planning application details.

   Reason: In the interests of local amenity and highway safety.

10. There shall be no access to the site other than by the existing Quarry access road between the A59 and the quarry itself.

    Reason: In the interests of highway safety.

11. The operator shall at all times ensure that no dirt and/or mud is deposited on the public highway as a result of the site operations hereby permitted.

    Reason: In the interest of highway safety, amenity and convenience of highway users.

12. All heavy goods vehicles associated with the development hereby permitted, transporting materials to the site shall be securely sheeted or otherwise enclosed in such a manner as to prevent dust blowing from materials and to prevent materials being spilled onto the public highway.

    Reason: In the interest of highway safety, amenity and convenience of highway users.

13. The dust mitigation measures stated in the Dust Management Plan prepared by Wardell Armstrong LLP, ref. NT16244/Appendix E/FINAL Rev. V0.1, dated July 2023 (appended to Air Quality Assessment) shall be implemented at the site in accordance with those details submitted and approved as part of the planning application supporting documents.

    Reason: In the interests of amenity.

14. The noise mitigation measures stated in Section 5 of the Noise Assessment prepared by Wardell Armstrong LLP, ref. NT16244/0004/FINAL Rev. V1.0, dated August 2023 shall be implemented at the site in accordance with those details submitted and approved as part of the planning application supporting documents.

    Reason: In the interests of amenity.

15. The equivalent continuous sound level due to operations at the site during day time hours (07:00 and 18:00 hours) shall not exceed the background noise level (LA90,1hr) by more than 10dB, with a limit of 55dB (LAeq) (1 hour), freefield, when measured at the nearest boundary to the site of the following noise sensitive properties:
    - ESR1, Holywell House, Harrogate Road, Skipton, BD23 6AB

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- ESR2, High Skibden Farm, Harrogate Road, Skipton, BD23 6AB
- ESR3, Haw Park House and Haw Park Lodge, Harrogate Road, Skipton, BD23 6AB
- ESR4, Low Skibden Farm, Harrogate Road, Skipton, BD23 6AB
- ESR5, East fields off the A65, BD23 6AB
- ESR6, 21 Skipton Road
- ESR7, Cravenwood Cottage, Skipton Road
- ESR8, Water Laithe Barn, Low Lane

Measurements shall be hourly LAeq measurements and be corrected for the effects of extraneous noise. In the event that the noise levels are exceeded, those operations at the site deemed to be causing the excessive noise shall be investigated immediately and where practicable shall cease until steps are taken to attenuate the noise level to ensure compliance with the specified levels.

Reason: To control the impact of noise generated by the development in the interests of local amenity.

16. All plant, machinery and vehicles used on any part of the site shall be fitted with effective noise attenuating equipment and include either non-audible, ambient-related or low-tone reverse warning alarm systems which shall be regularly maintained and employed at all times during permitted operational hours.

    Reason: To ensure that noise impacts associated with the plant, machinery and vehicles at the site would be minimised in the interests of local amenity.

17. The development hereby permitted, shall at all times be carried out in accordance with the submitted Flood Risk Assessment compiled by Wardell Armstrong LLP, Ref. NT16244/RPT-001/FINAL Rev. V1.0, dated July 2023.

    Reason: In order to minimise flood risk at the site and in the interests of the general amenity of the area.

18. There shall be no discharge of foul or contaminate drainage from the site into either groundwater or surface waters, whether direct or via soakaways.

    Reason: In the interest of pollution control and groundwater protection.

19. All materials imported and deposited at the site shall be strictly inert and no putrescible, biodegradable or contaminated hazardous materials are to be used as infill materials at the site. All vehicle loads shall be checked on arrival for acceptability and any materials which contain putrescible, biodegradable or contaminated hazardous materials shall not be deposited at the site and shall be removed immediately.

    Reason: In the interests of pollution control and groundwater protection.

20. Any facilities for the storage of oils, fuels or chemicals shall be sited on impervious bases and surrounded by impervious bund walls. The volume of the bunded compounds shall at least equivalent to the capacity of the tank plus 10%. If there is multiple tankage, the compound shall be at least equivalent to the capacity of the

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largest tank or the combined capacity of the inter-connected tanks plus 10%. All filling points, vents and gauges and sight glasses must be located within the bund. The drainage system of the bund shall be sealed with no discharge to any watercourse, land or underground strata. Associated pipework shall be located above ground and protected from accidental damage. All filling points and tank overflow pipe outlets shall be detailed to discharge downwards into the bund.

Reason: In the interests of pollution control.

21. The stripping, movement, replacement, or cultivation of topsoil and subsoil shall only be carried out when the soils are sufficiently dry and friable to avoid smearing and compaction. No topsoil or subsoil shall be removed from the site.

Reason: To ensure soil resources are correctly handles and safeguarded.

22. Within 12 months from the date of commencement of infilling operation as notified to the Local Planning Authority for the purposes of Condition No. 3 (above), a detailed scheme and programme for the restoration of the site shall be submitted to the Local Planning Authority for approval in writing in compliance with Restoration Plan, Ref. S137-00058-031 B, dated 01/03/2024. The restoration scheme and programme shall include:
    a) Details of the materials to be used as part of the final restoration surface.
    b) Details for the planting of trees and shrubs including numbers, types and sizes of species to be planted, location and layout of planting areas, protection measures and methods of planting.
    c) Details for the seeding of any landscaping areas including mixes to be used and rates of application.
    d) Details for the management of any landscaping areas including maintenance of tree and shrub planting and grazing or mowing of seeded areas.
    e) Details of trees and shrubs that are to be retained post restoration of the site.

    Thereafter restoration of the site shall be carried out in accordance with the approved scheme and programme.

    Reason: To secure a good standard of progressive restoration in the interests of amenity and protecting the character of the area.

23. The programme of aftercare and a long-term management of the restored site shall be implemented in accordance with the Landscape and Ecology Management Plan (LEMP) prepared by Wardell Armstrong LLP, Ref. NT16244/004/002/Final Rev. V1.0, dated March 2024 and Restoration Plan, Ref. S137-00058-031 B, dated 01/03/2024, submitted and approved as part of the planning application details. The created and/or enhanced habitat specified in the approved LEMP shall be managed and maintained in accordance with the approved LEMP. The period of aftercare shall be for 30 years from the completion of development.

    Reason: In the interests of amenity and to secure the long-term restoration of the site.

24. The Local Planning Authority shall be given notice within seven days in writing when the:
    - LEMP has been implemented; and

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- Habitat creation and enhancement works as set out in the LEMP have been completed.

Reason: In the interests of monitoring and compliance.

25. Prior to completion of infilling operations, a Management, Monitoring and Reporting Scheme should be prepared by an appropriate qualified ecological consultant shall be submitted to an agreed by the Local Planning Authority. It shall specify the frequency and timing of subsequent Monitoring Reports to cover a minimum 30 year period to be submitted to the Local Planning Authority. The Management, Monitoring and Reporting Scheme shall include details of how the long-term monitoring and management will be secured by the developer for its delivery. Thereafter, Monitoring Reports must be submitted to the Local Planning Authority as stated in the Management, Monitoring and Reporting Scheme which shall:
    - Document progress towards the agreed biodiversity net gain targets, including current condition assessments;
    - review the biodiversity net gain and LEMP management prescriptions to consider if they are still applicable or whether any variations are required;
    - document habitat management undertaken in the preceding period;
    - set out habitat management for the following period; and
    - where remedial measures or changes in management are required these will be referred to and addressed in the LEMP annual work programmes.

    Reason: In the interests of amenity and to secure the long-term restoration of the site.

26. An annual meeting shall be held between the operator and the Local Planning Authority to review the schemes of working, restoration, landscaping and aftercare and other operational issues. The meeting shall include all interested parties and technical advisors as required.

    Reason: In the interests of amenity.

27. In the event of infilling operations ceasing on the site for a period in excess of 12 months before the completion of the development hereby permitted, a revised scheme of restoration and aftercare shall be submitted to the Local Planning Authority for written approval forthwith. The approved scheme shall thereafter be implemented in full accordance with a programme to be included in that scheme.

    Reason: To ensure restoration is undertaken as soon as practicable in the interests of amenity.

28. Notwithstanding the provisions of the Town and Country Planning (General Permitted Development) (England) Order 2015 (or any other Oder revoking or re-enacting that Oder), no fixed plant or buildings shall be erected on the site except as provided for in the development hereby permitted without the prior written approval of the Local Planning Authority.

    Reason: To reserve the rights of control of the Local Planning Authority.

29. A copy of the planning permission and any scheme or details approved pursuant thereto shall be kept available at the site office at all times and shall be made known

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and available to any person(s) given responsibility for the management or control of operations.

Reason: To ensure that site personnel are aware of the terms of planning permission.

INFORMATIVE(S):

1. **Public Rights of Way**
   No works are to be undertaken which will create an obstruction, either permanent or temporary, to the Public Right of Way adjacent to the proposed development. Applicants are advised to contact the Council's Countryside Access Service team at County Hall, Northallerton via CATO@northyorks.gov.uk to obtain up-to-date information regarding the exact route of the way and to discuss any initial proposals for altering the route.

   Importation of Waste
2. If any waste is to be used onsite, the applicant will be required to obtain the appropriate waste exemption or permit from the Environment Agency. The applicant is advised to contact the Environment Management team on 03708 306 306 or refer to guidance on their website http://www.environment-agency.gov.uk/subjects/waste

Case Officer: **Sukaina Devraj**
sukaina.devraj@northyorks.gov.uk

Date: **16 December 2024**

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APPENDIX H

A COPY OF PLANNING PERMISSION REFERENCE SN/626 DATED 13 APRIL 1951

WRP/5

Code No. SN/626.

COUNTY COUNCIL OF THE WEST RIDING OF YORKSHIRE

Town and Country Planning Act, 1947

Town and Country Planning (General Development) Order, 1948

County Hall,
Wakefield.

Date 13 APR 1951

Dear Sir,

I have to inform you that the County Council of the West Riding of Yorkshire as the Planning Authority under the Town and Country Planning Act, 1947, having considered your application of 28th June, 1947, (date) to continue surface mineral working at Haw Park, Embsay.

(describe proposed development)

have granted permission ~~/refused permission~~ for such development subject to the following conditions

1. That no working takes place outside the limits of the land coloured blue on the plan attached hereto without the prior permission of the Local Planning Authority and that the working within the blue area shall be so carried out as not to endanger the stability of the surrounding land.
2. That without the prior approval of the Local Planning Authority no waste material be deposited above the general level of the ground so as to form mounds but that such material be used to fill-in and restore areas which have been excavated below that general level, except that tipping may be continued on the south-east of the site for a maximum period of three years from the date of this permission, provided that the existing height is not exceeded.

Cont. over—

The reasons for the County Council's decision to ~~refuse~~ grant permission for the development subject to conditions specified are :—

To preserve amenities of the area and to ensure that the site is cleared of derelict buildings and equipment upon the completion of active working.

In accordance with the provisions of the Town and Country Planning (General Development) Order, 1948, your attention is drawn to the Statutory remedies which may be available to an applicant for Planning permission who has been refused permission or granted permission subject to conditions. These statutory remedies are printed in detail overleaf.

Yours faithfully,

Clerk of the County Council.

To Skibeden Quarries Ltd.,

Burley-in-Wharfedale.

Conditions (Continued).

3. That before any buildings, asphalt, tarmacadam or other plant required in connection with the processing of the mineral are erected on the site, the applicants must obtain the permission of the Local Planning Authority.
4. That as soon as reasonably practicable the applicants shall plant suitable trees on the sides of any waste heaps above the general level of the ground.
5. That in the event of the working of minerals ceasing, all buildings, plant and surface equipment shall be removed from the site and the accesses to the public highway closed.

If the Applicant is aggrieved by the decision of the local planning authority to refuse ...n or approval for the proposed development, or to grant permission ...t to conditions, he may by notice served within one month of ...tice, appeal to the Minister of Town and Country Planning in ...Section 16 of the Town and Country Planning Act, 1947. The ...owever, required to entertain such an appeal if it appears to him ...or the proposed development could not have been granted by ...g authority, or could not have been so granted otherwise than ...conditions imposed by them, having regard to the provisions of ...e Act and of the Development Order and to any directions given ...r.

... develop land is refused, or granted subject to conditions, whether ...by the local planning authority or by the Minister of Town and Country Planning, and the owner of the land claims that the land has become incapable of reasonably benificial use in its existing state and cannot be rendered capable of reasonably beneficial use by the carrying out of any development which has been or would be permitted, he may serve on the Council of the County District in which the land is situate a purchase notice requiring that Council to purchase his interest in the land in accordance with Section 19 of the Town and Country Planning Act, 1947.

3. In certain circumstances, a claim may be made against the local planning authority for compensation, where permission is refused, or granted subject to conditions by the Minister on appeal or on a reference of the application to him. The circumstances in which such compensation is payable are set out in sections 20 and 79 of the Town and Country Planning Act, 1947.

4. This decision relates to planning control only, and does not cover approval under Building By-Laws, or relate to the determination of a Development Charge by the Central Land Board.

L.S. & Co. 7839 10m 26814

360
6·853

SKIPTON R.D. & SKIPTON U.D.

193
·860

BRITISH RAILWAYS.

359 2·302

SKIPTON R.D.

SKIPTON U.D.

191
30·880

196
47·189

181
58·113

To Harrogate

Far Skibeden

Proposed Improvement Line

188
8·013

187
7·811

PLAN ATTACHED TO
PERMISSION GRANTED
UNDER
CODE NO. SN·626

Proposed Improvement Line

To Skipton

Based upon (or Reproduced from) the Ordnance Survey Map with the sanction of the Controller of H. M. Stationery Office.

REFERENCE

BOUNDARY OF APPLICANTS INTEREST
AREA WORKED OUT
AREA PROPOSED FOR QUARRYING
DIRECTION OF WORK
AREAS TO BE USED FOR WASTE TIPS

COUNTY PLANNING OFFICER
7, BOND STREET
WAKEFIELD

SKIBEDEN QUARRIES LTD.

DRAWN	
TRACED	FROM O.S. NO. 168/2
CHECKED	
DATE	3·10·50
SCALE	1/2500

APPENDIX I

A COPY OF PLANNING PERMISSION REFERENCE SK/1633 DATED 17 JANUARY 1968

1c

COUNTY COUNCIL OF THE
WEST RIDING OF YORKSHIRE

COUNTY HALL
WAKEFIELD

Tel. No. 3781 WAKEFIELD

In reply please quote B.96. D.96

Your Reference .....

17th January, 1968.

Dear Sirs,

Town and Country Planning Act, 1962.
Mineral Working - Application No.Sk/1633

I send herewith form WRP/5 which sets out the County Council's decision upon the application referred to therein.

It is desired to point out that the planning permission referred to does not authorise the diversion or closure of any public right of way and that authority for any such diversion or closure as might be desirable or necessary to enable the workings to proceed would have to be obtained separately. Application to close or divert any public right of way in order to enable development to be carried out should now be made to the Minister of Transport under Section 153 of the Town and Country Planning Act, 1962, and development should not be started until the decision of the Minister of Transport has been taken on the application.

Yours faithfully,

Clerk of the County Council.

Messrs. Skibeden Quarries Limited,
c/o Dacre Son & Hartley, The Estate Office,
Station Road,
Otley.

WRP/5

Code No. SK/1633

5.

COUNTY COUNCIL OF THE WEST RIDING OF YORKSHIRE

Town and Country Planning Act, 1962

Town and Country Planning General Development Order, 1963

County Hall
Wakefield

Date 17 JAN 1968

Dear Sirs,

I have to inform you that the County Council of the West Riding of Yorkshire as the Planning Authority under the Town and Country Planning Act, 1962, having considered your application of 7th October, 1966, to work limestone from an extension to the existing Far Skibeden Quarry, near Skipton for Messrs. Skibeden Quarries Ltd.,

working within the area coloured blue on the plan attached hereto have granted/~~refused~~ permission for such ~~development~~ in the terms of and subject to compliance with the details specified in your application subject to the following conditions :—

1) The working within the area coloured blue on the plan attached shall be carried out so as not to endanger the stability of the surrounding land.

2) All existing topsoil removed in the course of working shall be separately retained from waste materials so that it can be readily reused and such topsoil shall be spread evenly over exhausted dry workings or back filled waste material to the satisfaction of the Local Planning Authority.

3) Any waste material resulting from the working shall be tipped over the area hatched black on the attached plan, or shall be back-filled into areas which have been excavated below ground level. The slopes so formed shall be not steeper than 1 in 3 and shall be graded to even contours, topsoiled, seeded and eventually tree-planted.

(Conditions continued on attached sheet).

The reasons for the Council's decision to grant/~~refuse~~ permission for the development subject to the conditions specified above are :—

To ensure that amenity is protected, that public health and public safety are not endangered, that any necessary landscaping is carried out and that the land is finally restored to a condition that ensures an effective use.

In accordance with the provisions of the Town and Country Planning General Development Order, 1963, your attention is drawn to the statutory remedies which may be available to an applicant for planning permission who has been refused permission or granted permission subject to conditions. These statutory remedies are printed in detail overleaf.

Yours faithfully

Clerk of the County Council

To Messrs. Skibeden Quarries Ltd.,

c/o Dacre Son & Hartley, The Estate Office, Station Road, Otley.

NOTE : Attention is drawn to the fact that any failure to adhere to the details of approved plans

1. If the Applicant is aggrieved by the decision of the local planning authority to refuse permission or approval for the proposed development, or to grant permission or approval subject to conditions, he may by notice served within one month of receipt of this notice, appeal to the Minister of Housing and Local Government in accordance with Section 23 of the Town and Country Planning Act, 1962. The Minister has power to allow a longer period for the giving of a Notice of Appeal and he will exercise his power in cases where he is satisfied that the applicant has deferred the giving of notice because negotiations with the local planning authority in regard to the proposed development are in progress. The Minister is not, however, required to entertain such an appeal if it appears to him that permission for the proposed development could not have been granted by the local planning authority, or could not have been so granted otherwise than subject to the conditions imposed by them, having regard to the provisions of Section 19 of the Act and of the Development Order and to any directions given under the Order. Forms on which notice of appeal should be given are obtainable from The Secretary, Ministry of Housing and Local Government, L.2. (d), Whitehall, London, S.W.1.
2. If permission to develop land is refused, or granted subject to conditions, whether by the local planning authority or by the Minister of Housing and Local Government, and the owner of the land claims that the land has become incapable of reasonably beneficial use in its existing state and cannot be rendered capable of reasonably beneficial use by the carrying out of any development which has been or would be permitted, he may serve on the Council of the County District in which the land is situate a purchase notice requiring that Council to purchase his interests in the land in accordance with Section 129 of the Town and Country Planning Act, 1962.
3. In certain circumstances, a claim may be made against the local planning authority for compensation, where permission is refused, or granted subject to conditions by the Minister on appeal or on a reference of the application to him. The circumstances in which such compensation is payable are set out in section 123 of the Town and Country Planning Act, 1962. Section 100 of the Town and Country Planning Act, 1962, also makes provision for the payment of compensation where the land has an unexpended balance of established development value.
4. This decision relates to planning control only and does not cover approval under Building Bye Laws.
5. Before carrying out any work in connection with the access or any vehicular crossing in the highway, the Applicant should, in his own interest, ensure that the Authorities responsible for gas, electricity, water, drainage, telephone, etc., are aware of his intention so that they may first carry out their works, if any, and so avoid breaking through newly made surfaces.

D B.20m.27643

CONDITIONS CONTINUED.

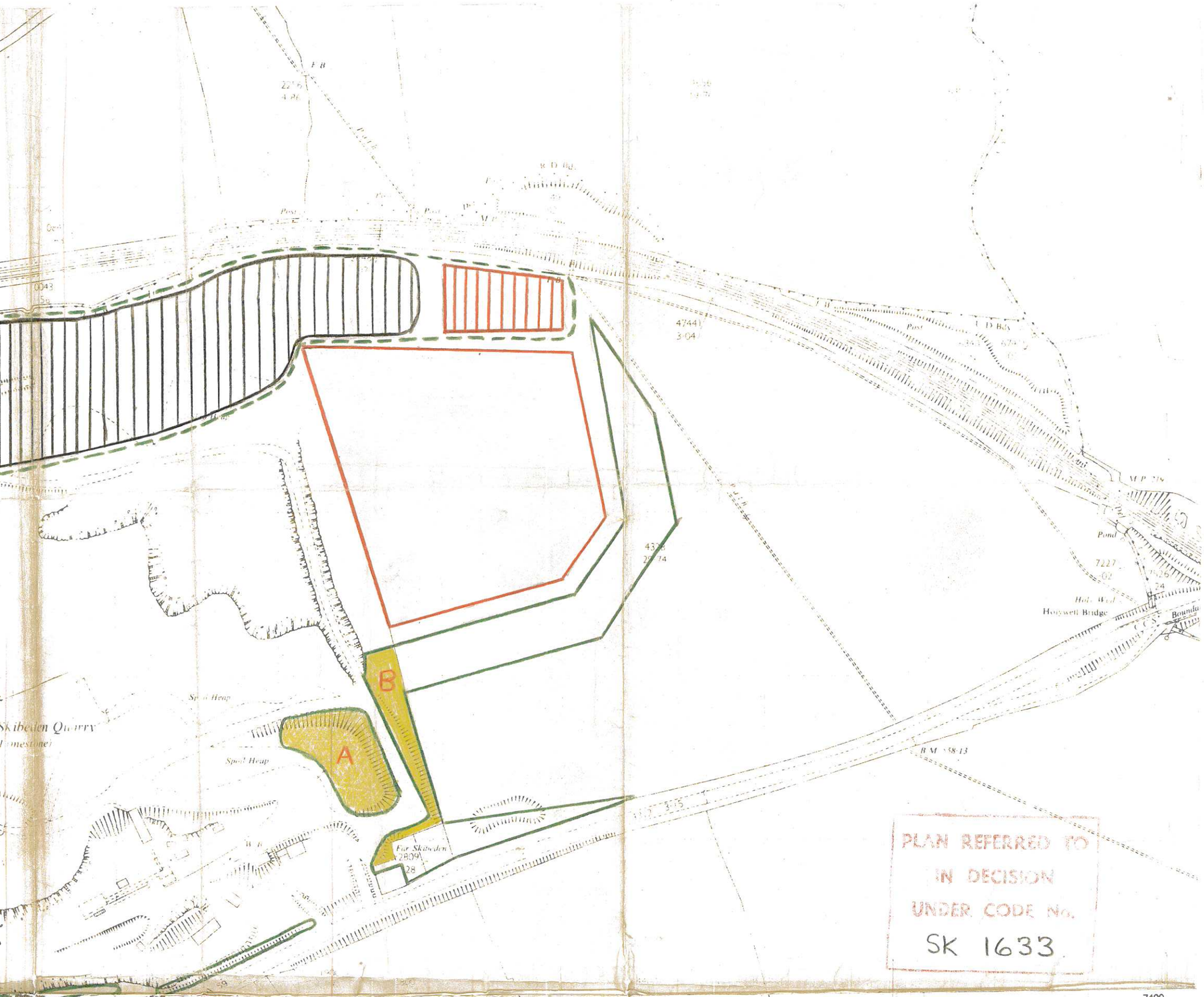
4) Notwithstanding the provisions of Article 3 of and Class XVIII in the first schedule of the Town and Country Planning (General Development) Order 1963, before any buildings or immobile plant are erected on the site the applicants shall obtain the written permission or approval of the Local Planning Authority.

5) The method and times of blasting shall be carried out to the satisfaction of the Local Planning Authority as detailed in condition 8.

6) Landscaping and tree planting shall be carried out in accordance with a scheme to be submitted to the Local Planning Authority for prior approval.

7) Before working commences a phased scheme of working and restoration shall be submitted to the Local Planning Authority for prior approval and working shall be carried out in accordance with this scheme. The scheme shall include the provisions specifically mentioned in conditions 2, 3 and 6. Any modifications to this scheme shall also be submitted to the Local Planning Authority for prior approval and working thereafter shall be carried out in accordance with the revised scheme.

8) Blasting shall be carried out in such a manner as to prevent damage to any property in the vicinity and shall take place only between the hours of 8 a.m. and 7 p.m. on weekdays and Saturday only, or such other days or times as may be agreed by the Local Planning Authority on the Application of the Mineral Undertakers, and both visual and audible warning shall be given prior to each blasting operation.



PLAN REFERRED TO
IN DECISION
UNDER CODE No.
SK 1633

SKIPTON U.D.

Far Skibeden Quarries

Messrs Skibeden Quarries Ltd.

Application No. SK 1633

- Area of permission
- Area for disposal of waste, to be graded to even contours, topsoiled and planted
- Area for topsoil stacking
- Areas requiring reshaping, site clearance prior to topsoiling and tree planting or seeding
- Proposed tree planting areas
- Future tree planting areas when mounds are graded and stabalized

LOW LANE

BM 521·26

BM 523·84

524

0051 0051
1·32 5·60

8449
6·87

5946
10·37

MP 2194

SP

0043
1·72

0043
5a

FW

6037
1·85 Def

B

A

Spoil Heap

Far Skibeden Quarry
(Limestone)

Spoil Heap

Track

Far Skibeden Quarry
Stone

0002
18·3

003

0058 ·67

A 59

667

0003
·22

1900
22·50

1900
·28

Track

Cattle Grid

BM
617·68

0082
43·03 0082
·40

Track

Track

0478
·24

High Skibeden
Farm

0075
30

0075
·92

0062 0062
7·10 5·41

APPENDIX J

A COPY OF A LETTER FROM NORTH YORKSHIRE COUNCIL DATED 25 NOVEMBER 2025

Ms L Sumner
National Environmental Permitting Manager
Tarmac Trading Limited
Meeting Street
Quorn
Loughborough
LE12 8EX

Planning
Community Development
County Hall
Northallerton
North Yorkshire
DL7 8AH
Tel: 0300 131 2 13
e-mail:
planning.control@northyorks.gov.uk
www.northyorks.gov.uk
Contact: Amy Taylor

Our ref**:** NY/2023/0159/FUL

25 November 2025

Dear Ms Sumner,

Skipton Rock Quarry

I write with reference to my recent discussions with Guy Titman in respect of planning permission reference NY/2023/0159/FUL (the planning permission) granted on 16 December 2024 for the 'Continuation to import inert materials for the purpose of stabilising rockfaces at Skipton Rock Quarry…'

As I explained in my letter of 2 June 2025, the primary concern of North Yorkshire Council is that compliance with the abovementioned planning permission is continued, and the site restored in accordance with the approved details and drawings under that planning permission to deliver the intended restoration within the permitted timeframe under Condition 4, through the importation of inert materials using either inert waste or non-waste. Specifically, the final sentence of Condition 4 has been included in the planning permission to require Tarmac to restore the site pursuant to the approved restoration scheme. The requirement to restore the site encompasses both the importation of material to stabilise the quarry faces and the restoration of the surface of that placed stabilisation material. For the avoidance of doubt, North Yorkshire Council regard Condition 4 as a clear obligation on Tarmac to stabilise and restore part of an operational quarry.

I trust that this provides the necessary clarification in respect of the abovementioned development, however please do not hesitate to contact me should you require any further information.

Yours sincerely

AL Taylor

Amy Taylor
Principal Planner

APPENDIX K

A COPY OF JOHNSON POOLE AND BLOOMER (JPB) REPORT REFERENCE JJG494-01/MAK/APB DATED 14 DECEMBER 2009

Our Ref: JG494-01/MAK/APB

JOHNSON POOLE & BLOOMER CONSULTANTS
50 Speirs Wharf, Glasgow, G4 9TB
Tel (0141) 331 1456 Fax: (0141) 331

Mr C Arditto
Tarmac Limited
Technical Department
Lingerfield
Scotton
KNARESBOROUGH
HG5 9JN

14 December 2009

Dear Craig

SKIPTON ROCK QUARRY, SKIPTON, NORTH YORKSHIRE

Further to the recent telephone conversations (Barnett/Arditto) and your recent E-mails of 27 November 2009 and 1 December 2009, we would provide the following comments with regard to the possible methods which could be used in an attempt to stabilise some of the current old abandoned rock faces at the above quarry.

Introduction

Tarmac Quarry Materials - North & Scotland are currently operating a asphalt coating plant at Skipton Rock Quarry, near Skipton in North Yorkshire at the approximate Ordnance Survey National Grid Reference SE015 532 (JPB Drawing JG494-01/R/F/01). Whilst current operations are generally restricted to the asphalt plant area in the centre of the quarry the unit also includes a large area to the east of this which includes some old high rock faces and areas of previous and ongoing tipping operations.

JPB have previously undertaken a number of reports at Skipton Rock Quarry the most recent of which was in September 2009 and it is assumed that these are available to the reader of this report. The previous reports include:

- Skipton Rock Quarry Regulation 32 Appraisal of Excavations and Tips, The Quarries Regulation 1999 date 9 January 2001 (Ref: AG487-63/MAK/PLM).
- Skipton Rock Quarry, Skipton, Geotechnical Assessment of Excavation and Tips, The Quarries Regulations 1999 dated June 2001 (Ref: AG487-B70/MAK/PLM).
- Letter report on the proposed tip designs for Tip T9 in the east of the quarry of 20 December 2002 (Reference CG625-01/MAK/APB).
- Skipton Rock Quarry, Skipton Geotechnical Assessment of Excavation and Tips, The Quarries Regulations 1999 dated September 2003 (Ref: DG275-04/MAK/APB).
- Skipton Rock Quarry, Skipton Geotechnical Assessment of Excavation and Tips, The Quarries Regulations 1999 dated September 2005 (Ref: FG040-01/MAK/APB).
- Letter report on Face E12 of 10 January 2006 (Reference FG040-03/MAK/APB).
- Skipton Rock Quarry, Skipton Geotechnical Assessment of Excavation and Tips, The Quarries Regulations 1999 dated August 2007 (Ref: HG065-03/MAK/APB).
- Skipton Rock Quarry, Skipton Geotechnical Assessment of Excavation and Tips, The Quarries Regulations 1999 dated September 2009 (Ref: JG339-03/MAK/APB).

Johnson Poole and Bloomer is the trading name of Johnson Poole and Bloomer Limited
Registered Office: Harris & Pearson Building, 56 Brettell Lane, Brierley Hill, West Midlands, DY5 3LH.
Registered in England No. 2319513 Also at Cardiff, Wells and Stourbridge

It is understood the Tarmac have undertaken a review of the unit and are looking at future options for the longer term restoration and usage of the site and in particular the eastern part of the unit. The previous geotechnical assessments of this eastern part of the unit have considered the existing soil and rock faces in this area to be relatively low risk due to the current existing very low level of operations in these areas and the corresponding large toe standoffs to the rock faces. However, it has been recorded that due to the steep angle of dip of bedding in the area these faces have the potential for ongoing plane and to a lesser extent wedge failure. As such in order to assess more fully the potential future options for this part of the quarry in terms of restoration and/or future usage the longer term stability of these faces requires to be considered in more detail and the details of this are set out as follows.

As part of the current assessment, we were requested to include sufficient geotechnical input to assess the stability of the soil and rock faces in the east of the quarry in relation to the potential future usage of this part of the site. The assessment of the design was carried out by a JPB Chartered Geologist/Engineer who has previously visited the site and collected relevant data. The Chartered Geologist/Engineer fulfils the criteria, set out in the Quarries Regulations 1999, to qualify as a Geotechnical Specialist.

During the previous site visits relevant information for the assessment was collected and this included detailed examination of the rock types and rock face exposed together with the collection of relevant geometric, geotechnical and hazard exposure data. The mapping of selected discontinuities was undertaken to record their orientations, nature, persistence, dilation and infilling nature and condition.

Geological Conditions

A geological summary previously supplied by Tarmac indicates the quarry to be underlain by bedrock at or near surface comprising strata of Carboniferous age comprising the Haw Bank Limestone and Skipton Castle Limestone. The Lower Carboniferous Haw Bank rocks are well exposed and are likely to be of Tournaisian age. They consist of a lower silty unit, which is overlain by an upper non-silty unit. The lower unit consists of calcareous micaceous siltstones with rare bands of pure limestone and is considered the base of deposit. The upper unit consists of a dark grey fine-grained micritic limestone. It is well bedded with beds of varying thickness and contains a few, thin mudstone partings.

Above the Haw Bank Limestone are mudstones, 12m thick, overlain by the Skipton Castle Limestone, 25m thick. The Skipton Castle Limestone is a sparite, being crystalline and coarser grained than the Haw Bank Limestone. Above these beds are the Halton Shales comprising thick mudstones with a few limestone bands. The quarry follows the line of a major fold in the Carboniferous rock, which is known as the Skipton Anticline. The axis of this anticline runs WSW to ENE with minor undulations along the crest. The northern limb is structurally simpler; with the south side disrupted by minor folds and faults.

From the various visits to the quarry the excavation at Skipton Rock is generally in a limestone which was described as a very strong, fresh to slightly weathered, tabular, dark grey fine grained, micritic limestone with occasional calcite and quartz veins and bands of shale. The limestone was noted to have generally wide blocky joint sets the surface of which were mainly clean and not infilled. The limestone was noted to dip at between 50º and 65° generally toward the north-west and the joint sets were noted to be reasonably persistent.

Geotechnical Assessment

Description of excavation

The investigation of the stability of the rock strata has been undertaken using an assessment of the interaction of the joints, bedding planes, faults and other discontinuities observed to be present within the rock mass. In this assessment it is recognised that the behaviour of a rock mass such as that present at Skipton Rock will be largely controlled by discontinuities. The strata have also been assumed to be thickly bedded, with widely spaced discontinuities, which is consistent with field observations.

The interaction of the discontinuities has been assessed using standard stereographic projection techniques, plots of the data being appended. Initially all data gathered at the site was considered in isolation, so that trends for each face examined could be determined. The data was then combined and assessed as a whole, revealing similar trends to the individual analysis. This indicated that the geological conditions across the site are fairly consistent, thus confirming the visual impression gained at the quarry inspection.

The joint set data can be processed using the computer based rock package DIPS (produced by the Rock Engineering Group of the University of Toronto) which is a program designed for the interactive analysis of orientation based geological data. DIPS allows analysis and visualisation of structural data and many computational features, such as statistical contouring of orientation clustering, mean orientation calculation and qualitative and quantitative feature attribute analysis. The DIPS generated contoured stereographic projection of the discontinuity orientations collected at Skipton Rock is shown below (Figure 1).

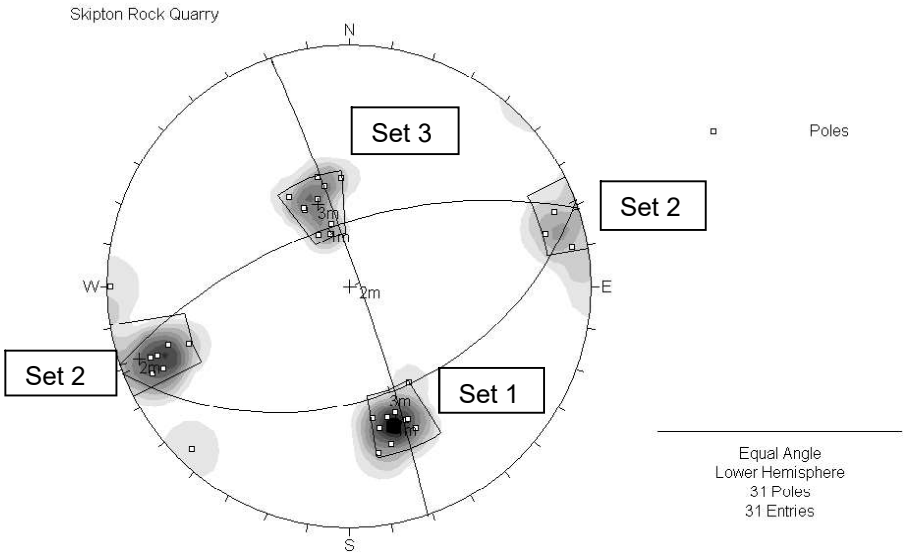


Figure 1: Contoured Stereographic Projection.

Three major discontinuity sets can be seen on the above figure for the limestone at Skipton Rock, as summarised in the table below. As can be seen on the stereonet above there is a variation in dip and azimuth within each set.

Set	Dip Magnitude	Azimuth	Comments
1	49° - 69°	325°N - 350°N	Bedding
2	69° - 90°	065°N – 075°N	Overturned in places to 250°N to 260°N
3	26° - 50°	145°N – 178°N	

The stability of rock faces is generally due to the geometry of the slope and the discontinuities present within the rock mass. Discontinuities, such as bedding, joints and faults, are found in all rock masses and break the rock into discrete blocks. If the geometry of the slope and the discontinuities are such that these blocks can move then instability can occur. This instability will be generally be as one of the three main failure mechanisms outlined below:

- Plane failure — failure of a rock mass or blocks via sliding along a single discontinuity.
- Wedge failure — failure of a wedge of rock via sliding along two or more discontinuities.
- Toppling failure — failure of a block or column of rock by toppling or overbalancing.

In addition to the above all rock faces are subjected to weathering and other processes during their lifetime including water ingress, freeze-thaw events and possible blasting and excavation. As a result localised small scale failures of rock can occur and as generally classed as *ravelling* or *spalling*.

Previous extraction operations at Skipton Rock have historically been along strike of the rock strata to exploit the target limestone horizons and as such these operations have generated high abandoned quarry slopes in the eastern part of the quarry which face towards the northwest at approximately between 315°and 340°N. As a result of this direction the stability of these rock faces has been dominated by the bedding planes of the strata (Set 1 above) and as such the majority of faces are at angles of between 45° and 70°. As a result of the bedding the most significant failure mechanism on these faces is plane failure although wedge/toppling failures can also occur on localised corners and where deterioration of the face has occurred around joints within Set 2. The potential for plane failure along bedding planes occurs where these planes daylight on the face, whilst wedge/toppling failures can occur on exposed corners.

In the eastern part of the quarry there are areas where there is evidence of significant historic and possible ongoing plane failure movement particularly in Area B highlighted on the Tarmac supplied aerial photograph included as JPB Drawing JG494-01/L/02 with Area A and C also having the potential for such movement to occur. In Area B as well as there being some evidence of possible previous historic movement along bedding there is also evidence for the erosion of rock materials along joint Set 2 via high angle wedge and possible toppling failure.

Stabilisation options for faces

Based on this and in order to allow Tarmac to progress their proposals for this part of the site there are various options for providing stabilisation of the faces and these include the following:

- *Regrading/reprofiling of faces* to an angle shallower than that of the bedding thus preventing the release of material along planes. This option is not possible as the crest of these rock faces is already close to the site boundary and there is a landfill facility beyond this. In addition due to the high nature of the existing faces there is no access to the crest area to allow this to take place.

- *Stabilisation of the face* via specialist methods such as the installation of rock anchors, rock bolts and face meshing. In view of the height and extent of the faces and the fact that the material is already mobilised it is likely that these options would not be either technically or financially viable.

- *Retain the existing quarry configuration*. This option has been utilised in the east of the quarry for the last 10 or so years and this has proven successful. However, continuing with this option would require that the current toe and crest standoff to these faces are maintained in the long term and as such this minimises the options for the future restoration and usage of the eastern part of the quarry. In addition with time there is likely to be a deterioration in the rock face due to ongoing weathering and future possible instabilities. In addition, ongoing movement may cause progressive deterioration at the crest of the face close to adjacent landholdings thus compromising the stability of land outwith the quarry

- *Placement of material at the toe of the slope* to reduce overall face heights and to potentially act as a buttress support to minimise the potential failures in this area. This is considered to be the most feasible option available and indeed historically material has been placed to for Tip T9 in this area which has contributed to the reduction in face heights in Area C. The areas of potential infill have been labelled as Areas D & E on the Tarmac supplied aerial photograph included as JPB Drawing JG494-01/L/02. In the case of Area D the proposal is understood to allow for the regrade of existing tipped materials in these areas whilst Area E would be key into the recent tipping undertaken on Tip T9 and described in the previous assessment reports. There is also the potential that the Area E tipping area could potentially be extended to allow for infilling beneath the slopes of Area A.

In order to provide some quantification and an approximate assessment of the additional stability that this option would provide we have undertaken a slope stability assessment of the affected area and based this on an idealised theoretical section X-X through the quarry within Area B (JPB Drawing JG494-01/L/03). The stability of the rock face has been assessed in two different ways firstly using a conventional rock slope analysis for the potential for plane failure caused by the bedding assumed to be dipping at 50° out of a rock face at an angle of 55°. For this the Plane Failure Analysis Module program developed by the Mining and Mineral Resources Engineering unit of Southern Illinois University was used. This program is a modification of the plane failure analysis by Hoek and Bray (1981). This stability assessment is set out below.

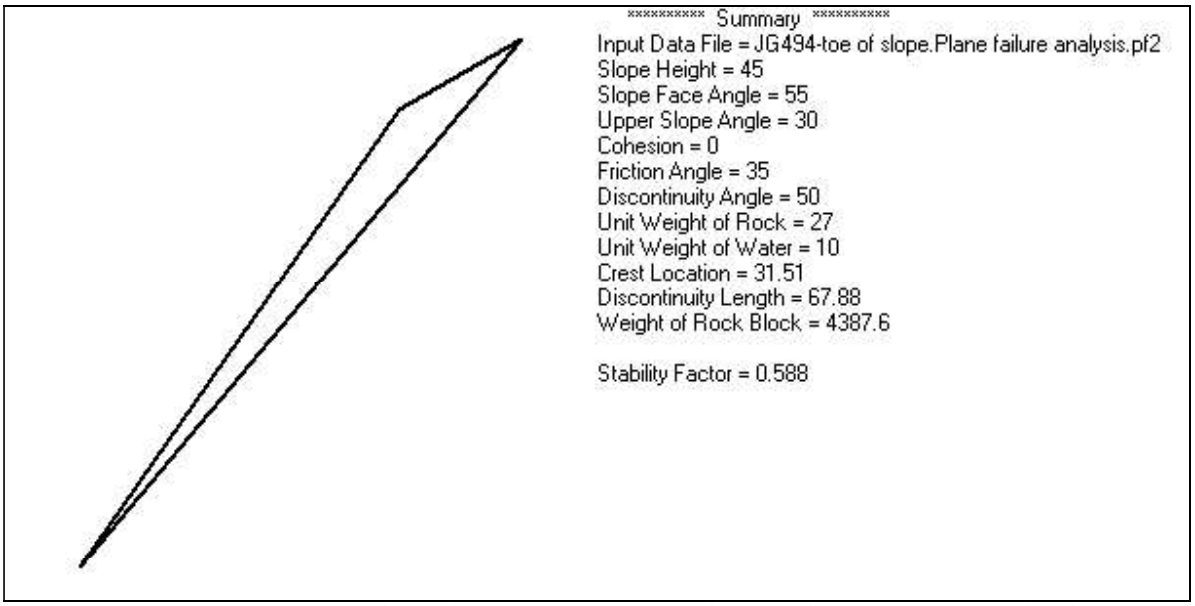


Figure 2: Plane Failure Model for 50° plane dipping out of a rock face at an angle of 55°.
N.B. Factor of safety indicated to be 0.588 i.e. unstable.

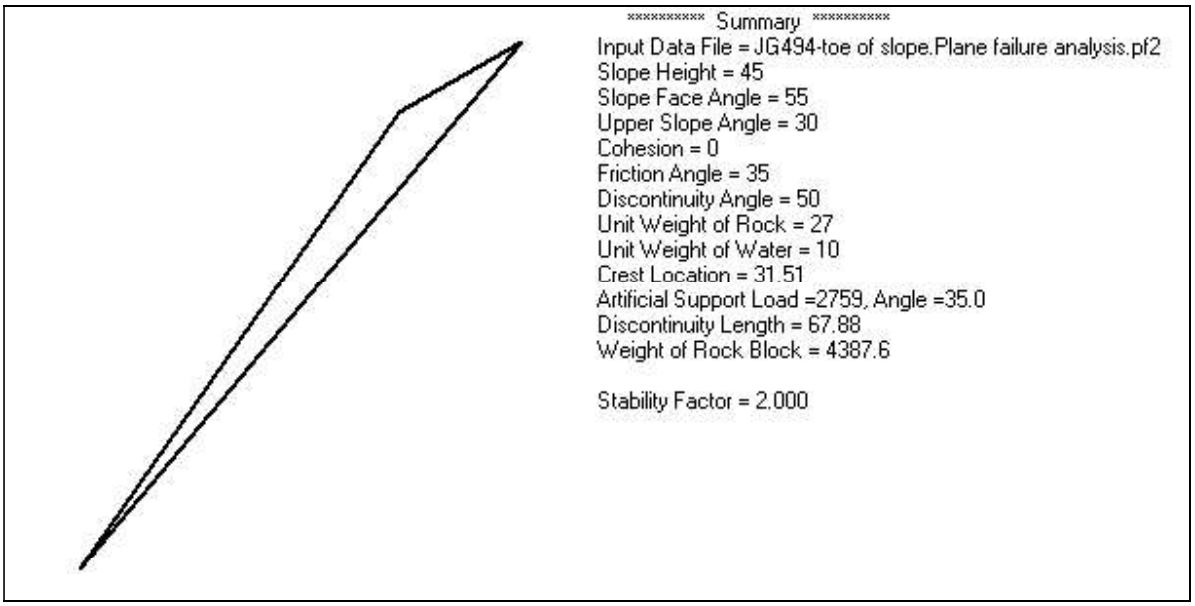


Figure 3: Plane Failure Model for 50° plane dipping out of a rock face at an angle of 55° with required support load shown.
N.B. Factor of safety indicated to be 2.0 i.e. stable (see below).

This model indicates that for a factor of safety of 2 an artificial supporting load of 2759kN is required. In terms of the proposal to infill Area B at Skipton it has been assumed from the theoretical section and the supplied Tarmac information that infill materials may be at least 20m thick at the toe of the existing rock slope. Based on a unit weight of 1.8tonnes/m^3 for the infill the anticipated overburden pressure at the toe of the rock slope after infill would be at least 360MN which far exceeds the required artificial supporting load above and therefore it is concluded that the weight of infill would stabilise any plane failure block daylighting at the toe of the slope.

As A check to the above analysis a slope stability model has also been compiled using using standard geotechnical methods, involving the use of limit equilibrium analysis. As an aid to evaluation the Slide program developed by the Rocscience was used, examples of output from which are appended to this report. The Slide slope program is a computer program which is used in the stability analysis of both circular, non circular and non-isotropic slip surfaces in natural and man made slopes modes using methods developed by Bishop & Janbu. In the assessment of the above slopes non-circular (planar) slip surfaces were modelled.

For each model the potential failure surfaces through given lengths of the slope are analysed as a series of failure surfaces. These surfaces are analysed in terms of their factor of safety (F i.e. the ratio of forces resisting failure against forces tending to cause instability) with the surface with the lowest F value, the so called “critical” surface, i.e. the most likely slip surface to form, being plotted. The wedge failures are analysed for a specified plane with the factor of safety also reported. In terms of factor of safety an F value of 1 equals equilibrium which implies that the slope with an F of <1, failure is likely with F >1 implies stability.

For the purposes of the stability analysis the soils and rock mass were given to have the following long term (effective stress) parameters based on estimates based on our experience of other similar materials.

Material	**Unit weight (kN/m^3)**	**Estimated Strength (kN/m^2)**	**Estimated Angle of Internal Friction**
Limestone assumed to be anisotropic Intact Limestone Limestone along joint surfaces	 27 27	 c' = 10,000 c' = 0	 ϕ' = 45° ϕ' = 35°
Broken limestone scree material at toe of slope	25	c' = 0	ϕ' = 45°
Infill materials	20	c' = 0	ϕ' = 30°

Using the above information, in assessing the stability of the slope along the indicated section line, two dimensional models were created using the Slide analytical package, thus enabling analysis for planar failure modes using methods developed by Bishop & Janbu with the results of the computer analysis showing the surfaces modelled and identifying the most critical surface (i.e. lowest factor of safety) are appended. These results appear to confirm the other modelling in that in the model for the existing slope (JPB Drawing JG494-01/R/F/04) where a bedding plane daylights on the face a factor of safety of 0.876 has been calculated for a plane failure mass moving along the bedding planes. The model also includes other failure surfaces which, as these involve theoretical surfaces through solid rock (i.e. not along existing joint surfaces) have been analysed to have very high factors of safety (i.e. up to 66).

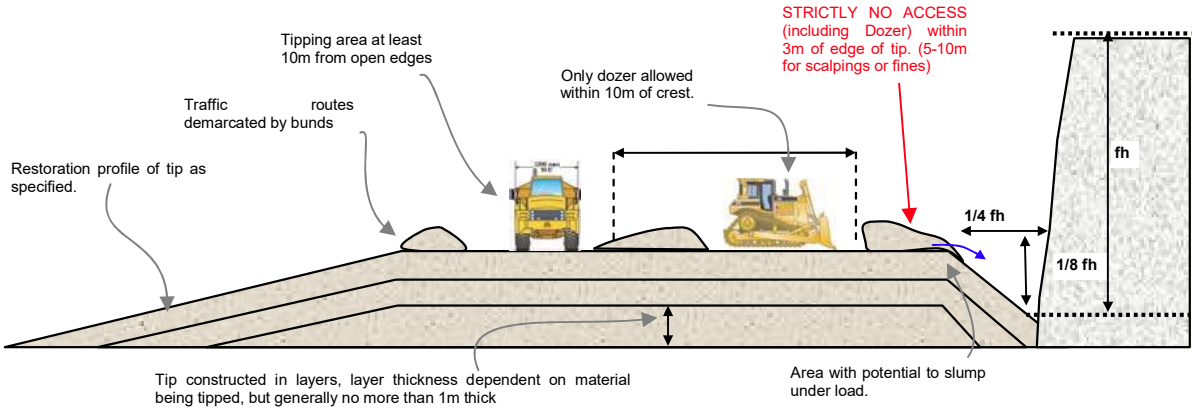
When the analysis is rerun for the infill material being in place (JPB Drawing JG494-01/R/F/05) the lowest factor of safety obtained was 4.483 indicating that the placement of infill material would indeed provide an adequate buttress support to the face. As such the placement of infill against the faces at Skipton Rock would provide stabilisation to the existing faces however any infilling should take cognisance of the following.

Recommendations for the Placement of Infill Materials

Recommendations relating to future tipping operations at Tip T9 in Area B were included in the 2002 report and these comments should be referred to for guidance. In addition, as the above slope models assume the materials to be essentially dry and free draining **it is advised that during the infill operations that the material placed close to and against the face is free draining so that adverse water pressures do not build up behind the infill materials and the lower parts of the face**.

Future solid tipping/infilling should also recognise the construction procedures outlined in Figure 4 below which has been extracted from Tarmac Job Card 03.03 Tips – Construction of tip against face and is based on previous advice given by JPB and the comments which have been included in the current Excavation and Tips Rules for the quarry.

Figure 4: Construction of tip against face **NOT TO SCALE**



There is always risk of either tip failure or falling objects from faces, when constructing tips against a face. To reduce this risk the guidance below should be followed:-

Inspection and monitoring

- Daily inspection of the tipping operation to confirm stability of the tipped material and adequacy of stand –off restrictions.
- The operator working the dozer should constantly monitor the tipped material for sign of slumping, cracking or sinking
- Should any signs of instability be noted, all work should be suspended and access prohibited until further geotechnical advice is sought.
- Work should not start after a break without an inspection of the face for signs of slumping, cracking or instability

Method

- Materials will only be tipped in areas outlined on the QDP
- Material for the tip will be block tipped on stable ground. The tipping area should be clearly demarcated. Dumpers should not tip off within 10m of the edge of the tip. Tipping within the 10m standoff could cause the crest of the tip to fail. End tipping from a dumper or lorry, directly over the over the edge of the tip is strictly forbidden.
- The dozer or shovel will ensure it remains on stable ground by maintaining a mound of material or raised incline ahead of the machine. Tip material will be pushed by dozer or face shovel, up and over the face to maintain a bund from the open edge
- Excess materials will be pushed over the edge of the tip by the dozer or shovel pushing the mound of material forwards at right angles to the open edge.
- The dozers movements should be straight towards the open edge such that a safe, rapid exit from the area can be made if slope instability develops and to keep the machine away from unstable margins.
- When creating a tip the access points for plant must have the ability to be readily closed off.
- Prior to running on tipped materials, an assessment will be made by a competent person to determine whether it is safe.
- When not in use the machinery should be parked at least 10m away from the waters edge.
- The slopes of the tip must not exceed those stated within the tip design

In the formation of any further solid tip structure the following slope angles are considered to be appropriate for the materials present on site.

Material	Recommended maximum slope angle for material when incorporated within solid tipping operations
Soil overburden	1 in 2½ (22°)
Granular made ground	1 in 2 (27°)
Crushed limestone gravel	1 in 1.5 (35°)

Conclusions

An assessment has been made of the possible methods which could be used in an attempt to stabilise some of the current old abandoned rock faces at Skipton Rock Quarry, Skipton, North Yorkshire which are affected by historical and ongoing movement. The options considered were:

- Regrading/reprofiling of faces
- Stabilisation of the face.
- Retain the existing quarry configuration.
- Placement of material at the toe of the slope

Of these the most feasible with a view to the ongoing restoration and usage of the quarry is the placement of material at the toe to act as a toe weight buttress to the movement of material. Based on this option theoretical slope stability modelling has indicated that placement of such material would indeed provide an adequate buttress support to the face. As such the placement of infill against the faces at Skipton Rock would provide stabilisation to the existing faces. In addition comments have also been provided regarding the method of placement of any infill material.

We trust this meets with your present requirements. However, should you require any further information please do not hesitate to contact us.

Yours faithfully

Report prepared by
Alan P Barnett
BSc MSc CGeol CEng CSci MIMMM FGS MCSM
Associate Director/Geotechnical Specialist

Report checked by
Martin A Keir
BSc MSc CGeol CEng CSci MIMMM FGS
Director/Geotechnical Specialist

E-Mail: enquiries@jpbscotland.co.uk
Website: www.jpb.co.uk

Enc.



Plate 1: Remnant excavations, Lagoons T20 and Tip T9 in the east of the quarry, viewed looking west (Refer to text for details).



Plate 2: Remnant excavations in the central part of the quarry (Area B), viewed looking south (Refer to text for details).



Plate 3: Tip T9 with remnant excavations in the central part of the quarry (Area B) (Refer to text for details).



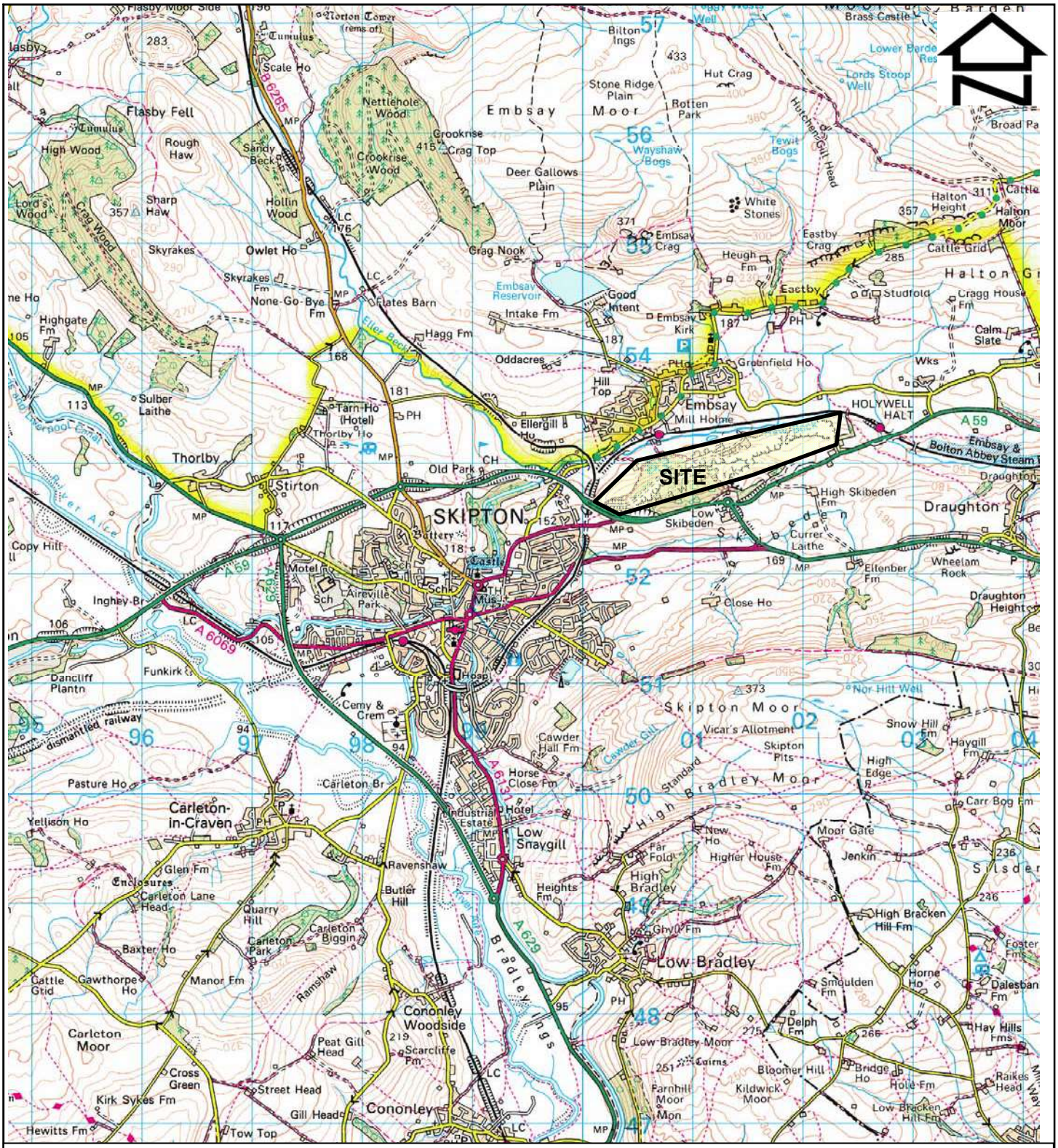
Plate 4: Tip T9 with remnant excavations in the central part of the quarry (Area B) (Refer to text for details). (Refer to text for details).



Plate 5: Tip T9 with remnant excavations in the central part of the quarry (Area A) (Refer to text for details).



Plate 6: Potential infill area and Tip T9 (Refer to text for details).



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CLIENT
TARMAC

PROJECT TITLE
SKIPTON ROCK QUARRY, SKIPTON

DRAWING TITLE
QUARRY LOCATION PLAN

JOHNSON POOLE & BLOOMER CONSULTANTS

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APB		SEPT 2009	1:50,000	JG339-03/R/F/01



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Tarmac

PROJECT TITLE

SKIPTON ROCK QUARRY, SKIPTON

DRAWING TITLE

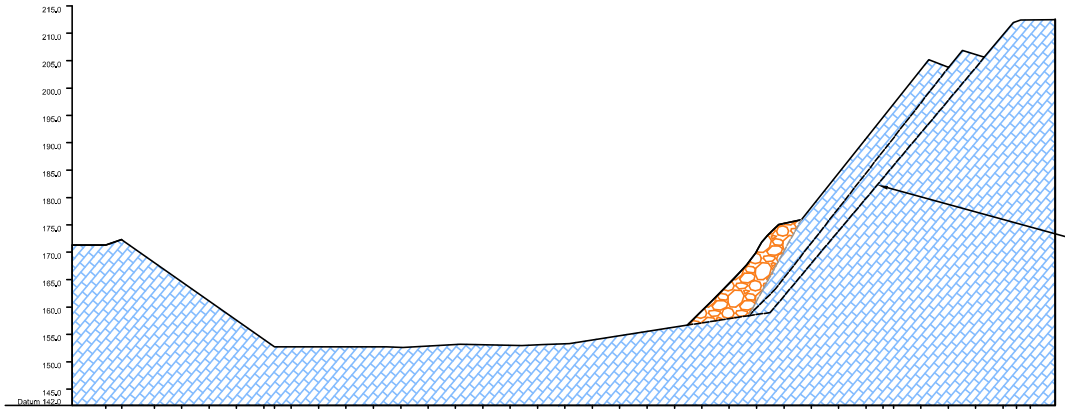
TARMAC SUPPLIED AIR PHOTO AND PROPOSED AREAS OF INFILL

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DATE	SCALES
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X NW — X SE



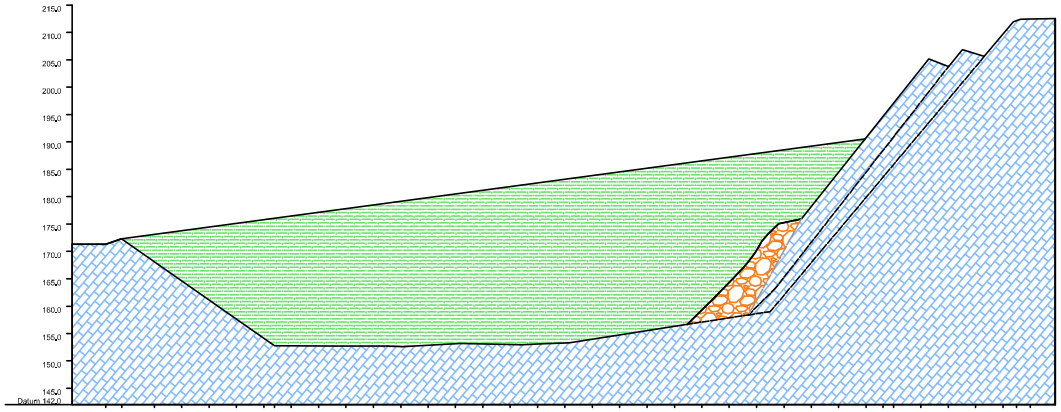
BEDDING PLANES CONJECTURED TO DIP AT 50°

EXISTING CONDITIONS

KEY

- INFILL MATERIAL
- BROKEN LIMESTONE SCREE MATERIAL
- LIMESTONE

X NW — X SE



INFILLING OF AREA B

JOHNSON POOLE & BLOOMER CONSULTANTS

CLIENT DETAILS: Tarmac

JOB TITLE: SKIPTON ROCK QUARRY, SKIPTON

DRAWING TITLE: SCHEMATIC IDEALISED CROSS SECTIONS X-X THROUGH AREA B

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DATE	REVISION	No.

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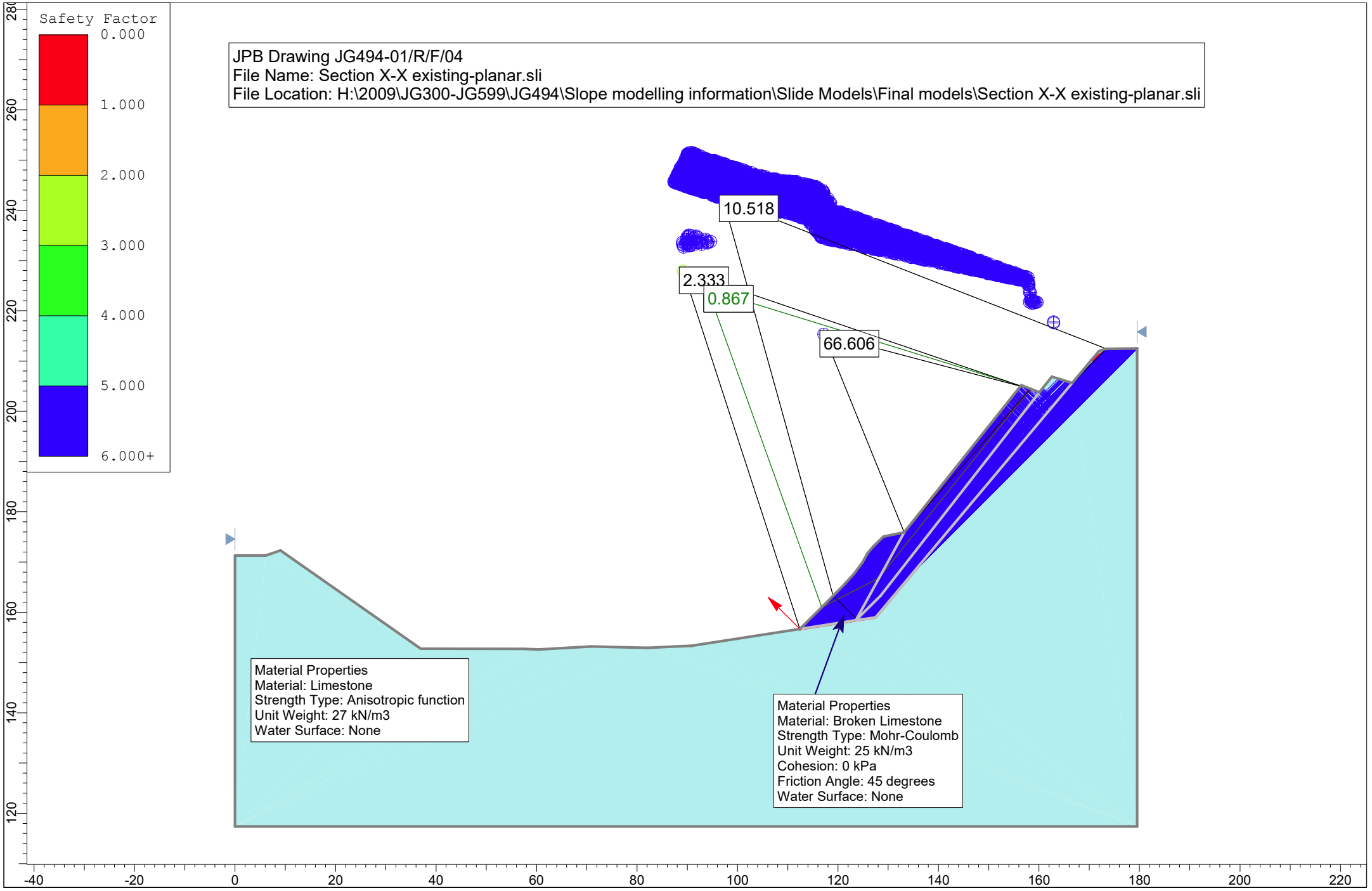
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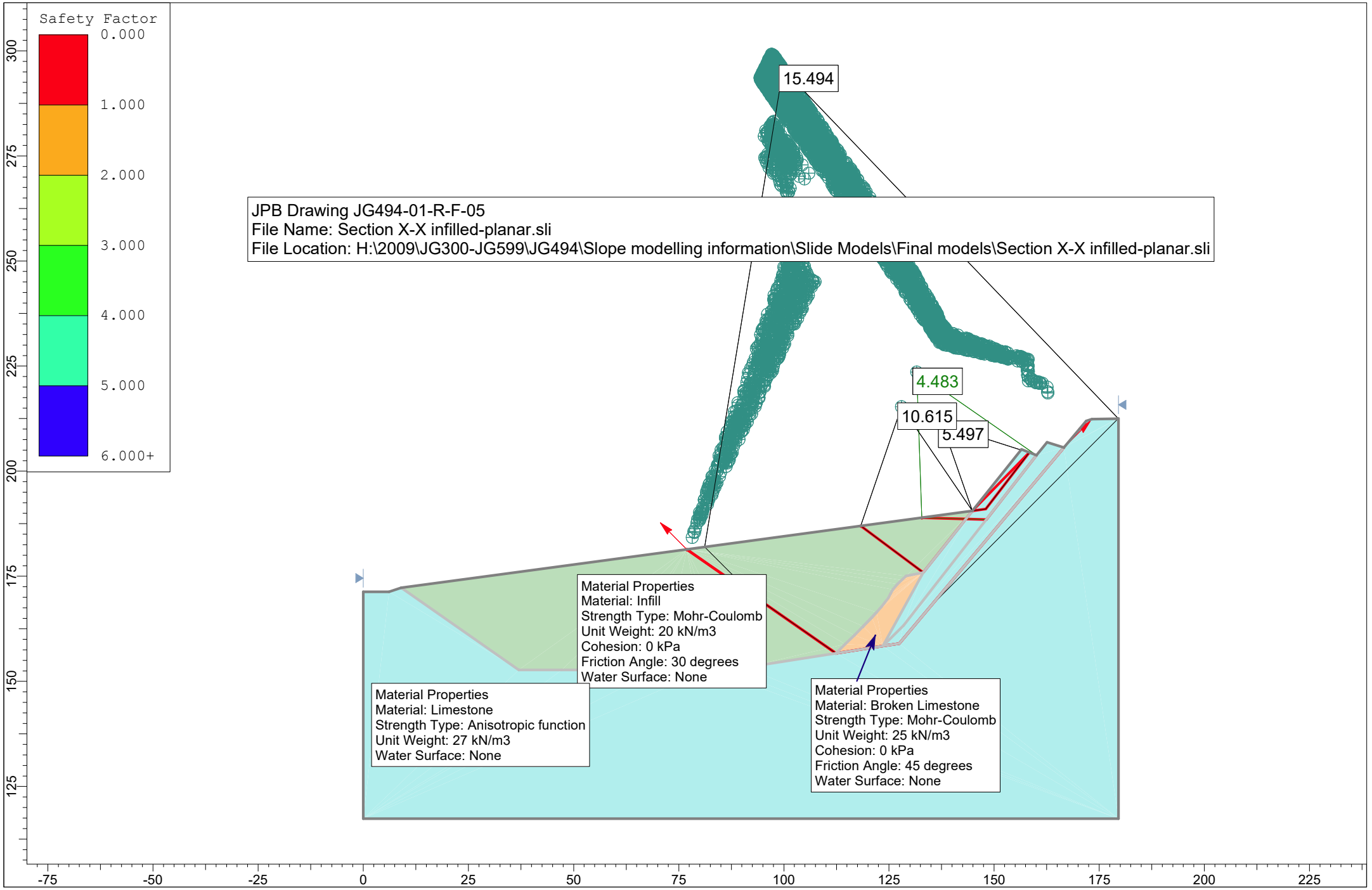
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ORIGINAL DRAWING SIZE: A3

DATE: DEC 2009

DRAWING No.: JG494-01/R/F/03


Safety Factor
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JPB Drawing JG494-01/R/F/04
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Strength Type: Anisotropic function
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Water Surface: None
Material Properties
Material: Broken Limestone
Strength Type: Mohr-Coulomb
Unit Weight: 25 kN/m3
Cohesion: 0 kPa
Friction Angle: 45 degrees
Water Surface: None
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260
240
220
200
180
160
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Safety Factor
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Unit Weight: 20 kN/m3
Cohesion: 0 kPa
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Material Properties
Material: Limestone
Strength Type: Anisotropic function
Unit Weight: 27 kN/m3
Water Surface: None
Material Properties
Material: Broken Limestone
Strength Type: Mohr-Coulomb
Unit Weight: 25 kN/m3
Cohesion: 0 kPa
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Water Surface: None
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25
50
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100
125
150
175
200
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APPENDIX L

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CLIENT

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PROJECT TITLE

SKIPTON ROCK QUARRY, SKIPTON

DRAWING TITLE

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JG494-01/R/F/02

APPENDIX M

A COPY OF A LETTER FROM NORTH YORKSHIRE COUNCIL DATED 2 JUNE 2025

Ms L Sumner
National Environmental Permitting Manager
Tarmac Trading Limited
Meeting Street
Quorn
Loughborough
LE12 8EX

Planning
Community Development
County Hall
Northallerton
North Yorkshire
DL7 8AH
Tel: 0300 131 2 13
e-mail:
planning.control@northyorks.gov.uk
www.northyorks.gov.uk
Contact: Amy Taylor

Our ref: NY/2023/0159/FUL

02 June 2025

Dear Ms Sumner

Skipton Rock Quarry, Harrogate Road, Skipton, BD23 6AB

I write with reference to my recent discussions with Guy Titman, MJCA, in respect of planning permission reference NY/2023/0159/FUL (the planning permission) granted on 16 December 2024 for the *'Continuation to import inert materials for the purpose of stabilising rockfaces at Skipton Rock Quarry…'.*

The primary concern of North Yorkshire Council is that compliance with the abovementioned planning permission is continued, and the site restored in accordance with the approved details and drawings under that planning permission to deliver the intended restoration within the permitted timeframe under condition 4, through the importation of inert materials using either inert waste or non-waste. Full details of the planning permission can be found on the Council's online planning register using the following link:

https://onlineplanningregister.northyorks.gov.uk/register/
(Use application reference. NY/2023/0159/FUL in the search function)

I trust that this provides the necessary clarification in respect of the abovementioned development, however please do not hesitate to contact me should you require any further information.

Yours sincerely

Amy Taylor
Principal Planner