

23 May 2023

Ward: Craven (ward 09)

**Recommendation:
To REFUSE planning permission**

**Application Number:
23/00829/MCF**

Type of Application/Proposal and Address:

Re-opening of Horn Crag Quarry for the purposes of releasing a proven locally distinctive building stone resource.

Horn Crag Quarry Off Fishbeck Lane Silsden Keighley.

Applicant:
Andrew Calvert

Agent:
The Mineral Planning Group

1. **Site Description:**

The Site is located approximately 1.9km to the northeast of the centre of Silsden and approximately 3km to the southwest of the centre of Addingham.

There are two caravan parks and 6 residential properties within the vicinity. The nearest residential properties are off Fishbeck Lane, the closest (at approx. 145m) having a stable/equestrian business. Cringles Caravan park approx. 220m from the redline boundary is a permanent residential caravan park and Brown Bank Caravan Park (approx. 425m) is a mixture of holiday/semi-permanent residential. Directly abutting the site is agricultural land.

The Site occupies an area of approximately 5.9ha, which includes a short access track to Fishbeck Lane. Part of the site (approx. 1ha) is a former quarry, which was last quarried over 100yrs ago.

Footpath Silsden 18 is mapped as crossing through the centre of The Site in a north-south orientation. Footpath Silsden 19 abuts The Site to the south.

2. Relevant Site History:

App. Ref.	Description	Decision
22/01170/MAF	Re-opening of Horn Crag Quarry for the purpose of releasing a proven, locally distinctive building stone resource	Withdrawn June 2022
87/01914/FUL	Working and preparation of saw block stone (established use certificate)	Refused May 1987
86/06567/FUL	Short term quarry operation	Refused Feb 1987
86/02290/FUL	Short term quarry operation and reclamation	Refused May 1986
84/02257/FUL	Stone Workings	Refused Sep 1984
83/6/06858	The extraction of stone	Refused March 1984
Enforcement Action	Enforcement Notice and Stop Notices issued in 1983 to cease unauthorised quarrying & stone dressing.	

3. The National Planning Policy Framework (NPPF):

The National Planning Policy Framework (NPPF) states that development proposals which accord with the development plan should be approved without delay. Where the development plan is absent, silent or relevant policies are out-of-date, permission should be granted unless:

- any adverse impacts of doing so would significantly and demonstrably outweigh the benefits, when assessed against the policies in the NPPF taken as a whole;
- or specific policies in the NPPF indicate development should be restricted.

The proposal has been reviewed for consistency with the new (NPPF). Specific chapters of the NPPF which are most relevant to the proposal are

- Building a strong, competitive economy
- Promoting sustainable transport
- Protecting Green Belt Land
- Meeting the challenge of climate change, flooding and coastal change
- Conserving and enhancing the natural environment
- Facilitating the sustainable use of minerals

4. Local Plan for Bradford:

The Core Strategy Development Plan Document was adopted on 18 July 2017 though some of the policies contained within the preceding Replacement Unitary Development Plan (RUDP), saved for the purposes of formulating the Local Plan for

Bradford, remain applicable until adoption of Allocations through the Local Plan process.

Development Plan Proposals Map Allocation:

The proposal site is within the Green Belt as defined by the Proposals Map.

Proposals and Policies

As the site is within the Green Belt Strategic Policy SC7 in the adopted Core Strategy is relevant (which defines the Green Belt) as is saved policy GB1 of the replacement Unitary Development Plan (RUDP) which considers the policy base for Green Belt protection. The minerals policies set out in the RUDP have now been fully superseded by those set out in the adopted Core Strategy. The following adopted Core Strategy policies are considered to be particularly relevant to the proposed development:

P1 - Presumption in Favour of Sustainable Development

SC2: Climate Change and Resource Use

SC7: Development in Green Belt

SC8: Protecting the South Pennine Moors and their Zone of Influence

EC1: Creating a successful and competitive Bradford District economy within the Leeds City Region

EC2: Supporting Business and Job Creation

EC3: Employment Land Requirement

EC4: Sustainable Economic Growth

TR1: Travel Reduction and Modal Shift

TR3: Public Transport, Cycling and Walking

EN1: Protection and improvements in provision of Open Space and Recreation Facilities

EN2: Biodiversity and Geodiversity

EN3: Historic Environment

EN5: Trees and Woodland

EN4: Landscape

EN7: Flood Risk

EN8: Environmental Protection

EN9: New and Extended Minerals Extraction Sites

EN10: Sandstone Supply

EN12: Minerals Safeguarding

DS2: Working with the Landscape

DS4: Streets and Movement

DS5: Safe and Inclusive Places

Steeton with Eastburn and Silsden Neighbourhood Development Plan - June 2021.

There are no specific policies with the neighbourhood plan related to minerals, but the following policies are considered relevant to this proposal:

POLICY SWES5 – AIREDALE'S VALUED LANDSCAPE

POLICY SWES6 – ACCESS TO THE COUNTRYSIDE, COUNTRYSIDE SPORT
AND COUNTRYSIDE RECREATION
POLICY SWES7 – INFRASTRUCTURE FOR NEW DEVELOPMENT

5. Parish Council:

Silsden Town Council:

Strong objection:

Application forms states, 29,120 tonnes extracted per annum, this will be devastating to the area.

Concerns:

- Who will enforce the 'no HGVs through Silsden'
- Fishbeck Lane damage due to use by HGVs – undaopted road and concerns wider road network damage & upkeep.
- ditch collapses Brown Bank Lane due to HGVs
- angle junction Brown Bank Lane – conflict traffic
- state no dust risk assessment – concerns impacts on health from dust
- noise and vibration will significantly displace wildlife
- report is dismissive of the importance of habitats and species
- Given amount of water needed to excavate this site major concerns about the affect this would have on the water table and there appears to be not investigation into this matter
- Application states reopening but when it reopened in the 80s it was promptly closed by BMDC citing environmental impact and highways impact. Therefore, this site has not actually been quarried for over 100 years.
- The 84-mile round trip from the site to Leyburn for processing is not sustainable travel.
- Transport plan runs to close to new school, plan written 2021, and amendments do not give enough consideration to the new rules regarding safeguarding of vulnerable road users.
- several water springs that were affected during the brief reopening in the 80s
- impacts on water & large main water pipe the runs though the adjacent field
- no mention of any mitigation for light pollution
- amendments to the plans do not totally mitigate the possibility of contamination of ground water, both for nearby residents or the run off which will find its way into Silsden reservoir.
- Saturday morning working from 8am till 1pm with associated noise and pollution is not acceptable.
- Impacts of noise and dust on Ilkley Moor and Nab End SSSI

Addingham Parish Council (site not in Addingham)

We object to this proposal and would recommend that planning permission is refused.

Addingham Parish Council raise the same/similar concerns as Silsden Town Council

6. Publicity and Number of Representations:

The application was advertised as a major planning application through the posting of site notices and neighbour notification letters and the publication of a notice in a newspaper. The date specified on these notices, by which representations should be submitted, was 28 April 2023.

In response to this publicity 894 written representations, were received objecting to the proposal and 51 written representations, received supporting the proposal.

Additionally, a number of pro-forma paper letters objecting to the proposal were received which, in accordance with agreed protocol, are deemed as petitions. There are 548 submitted pro forma letters.

7. Summary of Representation Received:

Objections

- Negative effect on quality of life for local residents & businesses
- No employment opportunities for local people
- Stone transported away Silsden to Leyburn – not sustainable 85 mile round trip
- Narrow country lanes not suitable for HGVs – highway safety issues particularly at junction Brown Bank Rd/Bolton Rd
- Noise, lighting, vibration - nuisances – impacts on residents and amenity
- Dust/silica particles – impact on health
- Impact on Air Quality – HGVs’ and dust
- Quarrying not compatible with livestock/horses adjacent
- Spring fed water and borehole water – impacts/threat of pollution
- Wildlife and protected species impacted upon – loss of wildlife
- Destroy established habitats – site has been rewilded
- Major loss of biodiversity when the quarry is worked - site will effectively be unavailable to those species for many years
- Impacts on Brown Bank caravan park - from noise, dust, traffic
- Impacts on Cringles residential caravan park - visual impacts, noise, dust, traffic
- Impacts on school – from dust, traffic, highway safety
- Impacts on other business – e.g. livery/stables, holiday caravan park
- Permanent negative visual impact on rural landscape
- Substantial environmental impacts
- Impacts on cyclist – safety issues
- Impacts recreation in area – walking cycling, horses – not safe- will ruin the area
- Silsden already gridlocked with traffic
- Impacts on footpaths
- Impacts on tourism

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- No benefits to Silsden - no benefit economically to the local economy
 - Impact on the local community re noise, dust and waterway pollution, far outweighs any benefits to community
 - Destruction in an area of natural beauty
 - Carbon emissions from traffic & distance travelled to Leyburn
 - Lack of a properly designed, comprehensive, site groundwater monitoring scheme

Supporting

- This will bring money and jobs to the area
- Natural stone in building promotes high quality desirable properties and meets the local vernacular of Airedale, Wharfedale and other surrounding areas
- Far too much 'local' natural stone of varying quality and provenance used in building
- The use of natural stone is low carbon in comparison to other materials
- Restored to a biodiverse habitat
- Prevent need for foreign imports and will stop poorly matched materials being used in repairs and new builds
- Restoration of this historic quarry – better than the creation of new one

8. Consultations:

9. Airedale Drainage Commissioners

Having reviewed the information available online, I note that the site in question is outside the area normally associated with the ADC.

Generally, we would have no further comments in respect to applications outside the area but if the application is to be approved then we would recommend that the Council give consideration to ensuring that any surface water run-off from site is not increased beyond its current rate as part of the proposed works.

10. Biodiversity Team

Thank you for consulting the Biodiversity Team on proposals in application 23/00829/MCF

Birds

We are satisfied with the findings of the foraging bird surveys, that the site does not represent supporting habitat to the South Pennine Moors Annex I Species or the breeding bird assemblage. As such there is no further assessment against the habitat regulations required. We are also satisfied that the breeding bird surveys and the assessment of the breeding bird assemblage appropriately value the site's importance for breeding birds and recommends appropriate mitigation of effects on breeding birds.

Bats

We are also satisfied that the bat emergence and hibernation surveys have provided an accurate assessment of the site's use by bats, both as a roost and foraging/ commuting location and that the site is unlikely to be used as a roost and has low value as a foraging site.

Reptiles

We are satisfied that reptile surveys indicated a probable absence or negligible use of the site by reptiles.

However, we object to this application as it represents a long-term loss of priority and other habitats which cannot be suitably mitigated in reasonable timeframes by habitat creation or enhancement within the site boundary.

In addition, we have not been provided with adequate information about mitigation of disturbance effects on the badger annex sett located within 30m of the haul road and permanent site operational area.

Habitat Loss and Biodiversity Net Gain

We welcome the considerable work that has gone into the 'snapshot approach' for habitat restoration and biodiversity net gain. This approach shows how incremental extraction and habitat restoration can begin mitigating for habitat loss even while the quarry is active. As with many quarries, there is potential, in the long term to create habitats of the same or greater ecological value than the existing. Long term benefits of restoration must be viewed in relation to the loss of existing, established habitats and the length of time taken for restoration to happen.

The presence of priority habitat on the site, coupled with the restrictive site boundary compared to the extraction area means the approach is not effective at returning to an overall Net Gain for biodiversity until around Year 30 and the required enhancement (10% Net Gain) not being reached until between Year 30 and Year 35.

Other quarry examples we have seen which make use of the snapshot approach have benefitted from a larger site area and lower distinctiveness baseline habitats allowing an overall ecological enhancement and net gain to be reached through creation of higher value habitats, after a relatively short timeframe. As this is not the case at Horn Crag, the opening of the long abandoned and naturalised quarry, and excavation of additional unworked land, will represent a biodiversity loss for around 30 years, assuming the extraction works and restoration works proceed as planned.

In addition, the restoration phasing plan relies on the success of habitat creation in relatively small areas of the quarry whilst extraction continues in adjacent areas. We are concerned that successful establishment of habitats in these areas will have increased difficulty and be more likely to be unsuccessful and/ or be delayed due to

shading from quarry face to the south and east as well as dust from the active face and operational areas to the north and west. These issues compound the already very challenging heathland habitat creation.

Habitat Network

The application site is included in the Wildlife Habitat Network. Whilst other supporting habitats to the network exist outside the mapped areas, the role of the Horn Crag quarry site to habitat connectivity is of significance. The working of the site will result in a weakening of the mapped network, removing priority and BAP habitats from the network for the life of the operational quarry.

In summary, we consider the scale and timeframes for habitat loss and restoration to be unacceptable. The opening of the quarry, which has not been worked legally or extensively since the 1800s and has naturally regenerated to priority heathland and Bradford BAP grassland habitats would result in unacceptable habitat loss to the area for an extended period with risks to restoration that may result in delays to restoration. The application does not therefore comply with Policy EN2 of Bradford's Core Strategy, the NPPF or the Environment Act, 2021.

Protected Species

We acknowledge the extensive work done to establish the extent of the protected species setts in the west of the site. Despite this work there are still some gaps in understanding of the extent of use of the habitats in and around the gorse and bracken.

We have remaining concerns about the potential for disturbance to sett 4 by activities in the office, facilities, turning, loading and maintenance area through operation but also during preparation of this area. The protected species report shows that this area is located within the 30m buffer for sett 4 but provides no indication of appropriate mitigation that would satisfy the requirements of a licence to disturb and be effective for the lifetime of the quarry. It would seem that the constraints of the site mean there are no, or very limited, opportunities to create alternative setts for protected species to avoid the potential long-term disturbance to an active sett. As such we do not feel enough information has been provided about how this sett will be protected from disturbance for the lifetime of the quarry.

11. Conservation Team

'Horn Crag is located to the southeast of Cringles and Bolton Road, north of Silsden. Historic maps indicate that the site was a quarry previously (it is indicated on the 1854 map at being a sandstone quarry).

Heritage comment has been requested due to the potential for the site to impact on the setting of designated heritage assets. The closest designated heritage assets are located approx. 300-400m away at Cringles (G II listed milestone located to the south of the entrance to the Cringles Park Home caravan park, GII listed manor house and attached barn, G II listed Cringles House Farm, G II listed Old Tower). There are other listed buildings further away and part of the settlement of Silsden falls within a Conservation Area. Having reviewed the submitted information, due to the distances between the site and the designated heritage assets, no direct impacts of the proposed quarry on the setting of these assets are anticipated.

It is noted that the quarry is expected to produce building stone. There may be some indirect heritage benefits associated with the provision of local sandstone/millstone which is suitable for construction. The contribution of local stone to local distinctiveness and the character of the nearby settlements is noted in the Conservation Area assessments/appraisals of Silsden, Brunthwaite, Steeton, Keighley, Ilkley and Addingham. Local stone to match the existing is often required as part of development proposals for both new buildings and for alterations, extensions and general upkeep of existing traditional buildings.

On this basis, the proposal does not conflict with the aims of Core Strategy Policy EN3'

12. Drainage/ Lead Local Flood Authority

Flood Risk Assessment, Document Reference: 232/5--R1.0 FRA

The LLFA is satisfied that the FRA demonstrates that the flood risks associated with the proposed development can be suitably mitigated.

The LLFA recommends that the development is carried out in accordance with the FRA.

13. Environment Agency

Response of 24 April 2023:

We have no objections to the proposed development subject to the following conditions being imposed on any planning permission granted.

Groundwater quality

From a groundwater quality perspective we have reviewed the documents entitled:

- *Planning Application Supporting Statement Horn Crag Quarry A.D. Calvert Architectural Stone Supplies Ltd. Document Reference: 232/5--R2.1- Supporting Statement 07/03/2023. - Horn Crag Quarry Hydrogeological Assessment Report Reference: 3080/HIA Final January 2021, Hafren Water.*

Both of these documents address the issue of the water table beneath the site, with Planning Application Supporting Statement Horn Crag Quarry A.D. Calvert Architectural Stone Supplies Ltd. Document Reference: 232/5--R2.1- Supporting Statement 07/03/2023, Section 3.8.4. stating that:

"The maximum depth of extraction would be at least 1m above the water table. A Hydrogeological Impact Assessment (HIA) has been carried out (Chapter 8 of this application) which surmised that "impacts to the existing groundwater flow regime or groundwater levels are not predicted" provided that extractions stay above the water table."

and Horn Crag Quarry Hydrogeological Assessment Report Reference: 3080/HIA Final January 2021, Hafren Water, Section 5.1 stating that:

"All mineral extraction will be undertaken above the watertable. Consequently, impacts to the existing groundwater flow regime or groundwater levels are not predicted. There is consequently not considered to be any potential for impact upon the volume of water received at the spring collector water supply and mitigation measures are not proposed."

and that:

"Data on groundwater levels is limited to measurements made in the summer of 2019 and the scale of natural seasonal variation is unknown. Higher winter water levels are possible."

Therefore, we are recommending the following pre-commencement condition, in order to properly establish the level of the workable base of the quarry, taking into account water levels during times of highest recharge:

Condition: The development hereby permitted may not commence until such time as a scheme for the monitoring of water levels and establishment of the highest anticipated water level has been submitted to, and approved in writing by, the local planning authority.

Reason: To ensure that the proposed mineral extraction, does not harm the water environment in line with Position Statement N7 of the 'The Environment Agency's approach to groundwater protection':

And the following condition:

Condition: The base and sides of the quarry shall be a minimum of 1 metre above the highest anticipated annual groundwater level.

Reason: To protect the quality of controlled waters in the local area, in line with Position Statement N7 of the 'The Environment Agency's approach to groundwater protection'

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Response of 19 May 2023

*We **object** to the planning application, as submitted, because the risks to groundwater from the development are unacceptable. The applicant has not supplied adequate information to demonstrate that the risks posed to groundwater*

can be satisfactorily managed. We recommend that planning permission should be refused on this basis in line with paragraph 174 of the National Planning Policy Framework.

This objection is also supported by Policy EN8 of the Bradford Core Strategy adopted July 2017.

Reason

Our approach to groundwater protection is set out in 'The Environment Agency's approach to groundwater protection'. In implementing the position statements in this guidance we will oppose development proposals that may pollute groundwater especially where the risks of pollution are high and the groundwater asset is of high value. In this case position statements N7 and N8 apply:

Statement N7

"Developers proposing schemes that present a hazard to groundwater resources, quality or abstractions must provide an acceptable hydrogeological risk assessment (HRA) to the Environment Agency and the planning authority. Any activities that can adversely affect groundwater must be considered, including physical disturbance of the aquifer. If the HRA identifies unacceptable risks then the developer must provide appropriate mitigation. If this is not done or is not possible the Environment Agency will recommend that the planning permission is conditioned, or it will object to the proposal."

Statement N8

"Within SPZ1, the Environment Agency will normally object in principle to any planning application for a development that may physically disturb an aquifer."

The Environment Agency will only agree to proposals that could obstruct groundwater flow where mitigation measures can be agreed. There must be not be an unacceptable change in groundwater levels or flow due to the proposal.

Groundwater is particularly sensitive in this location because the proposed development site:

- is within 50 metres of a spring used for the supply of water*
- is located upon secondary aquifer A*

To ensure development is sustainable, applicants must provide adequate information to demonstrate that the risks posed by development to groundwater can be satisfactorily managed.

In this instance the applicant has failed to provide this information and we consider that the proposed development may pose an unacceptable risk of causing a detrimental impact to groundwater quality because the Hydrogeological Impact Assessment (HIA) entitled Hydrogeological Assessment Report Reference: 3080/HIA Final January 2021 does not adequately address the risk posed by the

proposed quarrying activities to the quality of the spring situated in the quarry and used for potable supply.

Specifically, they do not state that potentially polluting activities will not be carried out within Source Protection Zone 1 (SPZ1) for the spring used for potable supply. In 'The Environment Agency's approach to groundwater protection', position statement B3 states:

Statement B3

"All groundwater abstractions intended for human consumption or food production purposes have a default SPZ1 with a minimum radius of 50 metres. In some cases depending on the volumes abstracted, a default SPZ2 with a minimum radius of 250 metres applies."

The supplied HIA does not acknowledge that parts of the proposed development area lie within this default SPZ1.

In addition, although the applicant states in Horn Crag Quarry Hydrogeological Assessment Report Reference: 3080/HIA Final January 2021, Hafren Water, Section 5.1 that:

"All mineral extraction will be undertaken above the watertable. Consequently, impacts to the existing groundwater flow regime or groundwater levels are not predicted. There is consequently not considered to be any potential for impact upon the volume of water received at the spring collector water supply and mitigation measures are not proposed."

They also state that:

"Data on groundwater levels is limited to measurements made in the summer of 2019 and the scale of natural seasonal variation is unknown. Higher winter water levels are possible."

Therefore it has not been demonstrated that there won't be "an unacceptable change in groundwater levels or flow due to the proposal" (The Environment Agency's approach to groundwater protection, N8).

Overcoming our objection:

In accordance with our approach to groundwater protection we will maintain our objection until we receive a satisfactory HIA that demonstrates that the risks to groundwater posed by this development can be satisfactorily managed.

Specifically, the HIA needs to be updated to:

- recognise the presence of a potable spring supply with a default SPZ1 of 50 metres;*
- propose mitigation measures to ensure the potable spring supply is protected;*
- establish the highest anticipated water level*

14. Environmental Health (Air Quality)

...For the purpose of the Bradford and West Yorkshire low emission planning guidance this level of HGV movements is considered minor. AQ impact assessments and damage cost calculations are only normally required where the number of HGV movements is likely to exceed 30 two way movements per day.

To reduce the emission impact of new HGV movements it is recommended that all HGVs accessing the proposed quarry site should be required to meet the current or previous Euro emission standard for HGVs. Under the current standards this would require a minimum of a Euro 5 vehicles. The application states that all HGVs at opening will meet the Euro 5 standard or better. If the application is approved a rolling standard of vehicle emission improvement should be applied to ensure HGVs remain at current or previous Euro emission standard throughout the lifetime of the development.

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Subject to the maximum number of HGV movements from the site being limited to no more than 10 two way movements per day (5 in, 5 out), the submitted routing plan being followed at all times and all associated HGV vehicles meeting a minimum of the current or previous Euro emission standard throughout the lifetime of the development we have no objection to the level of traffic movements associated with this proposal.

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Quarry process dust management
The application includes a detailed dust risk assessment and recommended dust mitigation report for the quarrying operation (ZCHCQ_DA) undertaken in line with the recommendations of National Planning Practice Guidance and best practice guidance produced by the Institute of Environmental Science

The assessment has been undertaken to a good standard and concludes that with all the recommended dust mitigation measures in place the quarry should be able to operate with a negligible dust impact on surrounding premises. The required dust mitigation measures to achieve this are detailed in section 6 of the report and have been included in a separate dust management scheme for the site (Document Reference: MPG 232/5--R2.0).

If the application is approved adherence to all the measurements set out in the submitted dust management scheme (Document Reference: MPG 232/5--R2.0) should be conditioned for the lifetime of the planning approval.

Subject to all the emission mitigation measures outlined above being applied the Clean Air Programme team have no objection to this proposal as it is considered unlikely to give rise to any exceedance of any health based national air quality objectives.

15. Environmental Health (Private Water Supply)

Response 18 May 2023

Environmental health made the following observations based on the Hydrogeological Assessment by Hafren Water Ltd and documents relating to the site retrieved from the council archive when consulted on the 22/01170/MAF application:

"The Hydrogeological Assessment by Hafren Water Ltd submitted in support of this application indicates that a private water supply exists "adjacent to the quarry." The supply is served by a "catch pit to collect water discharging from the sandstone." The report confirms that the proposed extraction area "lies within the presumed groundwater catchment for the water supply." Groundwater contours presented on drawing 3080/HIA/04 show that groundwater flows "to the west, towards the spring collection chamber."

It is noted in the report that "The proposed development has the potential to impact upon the extant water environment in terms of water volume and water quality."

In relation to the potential impact of the development on water volume the report states "All mineral extraction will be undertaken above the watertable. Consequently, impacts to the existing groundwater flow regime or groundwater levels are not predicted. An existing borehole will be used to provide information on seasonal water level variation to provide better control on the base of the quarry extension."

With regard to the potential impact of the development on water quality the report states "Impacts upon water quality may potentially occur due to the accidental release of contaminants, or the generation and subsequent mobilisation of fines. Both of these can be mitigated effectively by identifying a suitable location for any storage tanks, limiting the area allocated for refuelling and by the adoption of best practice methods and good site housekeeping measures."

The report concluded that "the proposed works will not impact adversely upon the wider water environment and the continued viability of the spring collector water supply located to the west of the site."

Council records indicate that unauthorised quarrying activities took place at the site during the 1980's. At that time, a joint investigation carried out by Yorkshire Water and Environmental Health in response to pollution of the abovementioned private water supply, identified the presence of "siliceous matter" in the water, leading to the conclusion that there was "a high probability that existing quarrying activities have led, directly, or indirectly to the pollution of the springs."

It is understood that in 1983 the former County Council served a "stop notice and an enforcement notice." The subsequent cessation of quarrying activity resulted in a "marked improvement to the water supply."

It is not known whether pollution prevention/control measures to protect the private water supply were part of the 1980's quarrying operation. Given the pollution which arose from quarrying activity at that time, it is considered likely that "re-opening" the site will increase the risk of further pollution incidents.

Documents in the historical archive also indicated that there are a "number of borehole/licensed abstractions in the Hang Goose area to the east which abstract from the sand stone (follifoot Ridge Grit) which could be adversely affected by the quarrying operation."

In formulating this response Environmental Health has taken full account of the professional conclusions reached by the competent person who has prepared the Hydrogeological Assessment, and we agree that pollution prevention/control measures would be necessary should planning permission be granted. However, it is not possible to determine, with any degree of certainty, whether or not the pollution prevention/control measures recommended, will be effective in protecting the supply. Should the measures prove to be ineffective after quarrying has commenced, it could result in the pollution of potable water and the loss of supply to at least six households.

It can be determined from historical records that following the cessation of quarrying activity in the 1980's, the water quality of the supply improved. We can confirm that no further complaints, in relation to the supply, have been made to this department since.

Environmental Health are aware that several applications were made in the 1980s for quarrying. It is noted that all were refused, and each included a reason for refusal based on a high probability of pollution of potable water supplies. This is still considered to be the case. We therefore recommend refusal of this application;"

The historical information relating to water quality, on which the refusals in the 1980's were based, was not publicly available when the Hydrogeological Assessment by Hafren Water Ltd was issued in Jan 2021. Consequently, the report did not take into consideration any of this information when assessing the potential impacts quarrying may have on the private water supplies in the vicinity of the site. On this basis the 22/01170/MAF was recommended for refusal.

Subsequent to providing the comments above further documents from the archive were made publicly available. We now have the following observations in relation to this current 23/00829/MCF application.

It is noted in the Environment Agency consultation response (Ref: RA/2023/145656/01-L01 24 April 2023) that the Hydrogeological Assessment by Hafren Water Ltd states "Data on groundwater levels is limited to measurements made in the summer of 2019 and the scale of natural seasonal variation is unknown. Higher winter water levels are possible."

In order to "properly determine the level of the workable base of the quarry" the Environment Agency recommend a pre-commencement condition requiring further investigation to establish "the highest anticipated water level." They further recommend a condition stating that "The base and sides of the quarry shall be a minimum of 1 metre above the highest anticipated annual groundwater level."

The conditions were recommended for inclusion to ensure that the proposed mineral extraction, "does not harm the water environment" and to "protect the quality of controlled waters in the local area." They do not require any risk assessment of the quarrying activities in relation to private water supplies specifically. Council records indicate that three dwellings containing six people are served by the Horn Crag Springs with an undetermined number of boreholes in the area.

Section B "Protection of water intended for human consumption" of The Environment Agency's approach to groundwater protection Version 1.2 dated February 2018 states that "Local councils are the lead regulators for private water supplies." Section B3 "Default source protection zones for private water supplies" further states that "All groundwater abstractions intended for human consumption or food production purposes have a default SPZ1 with a minimum radius of 50 metres. In some cases, depending on the volumes abstracted, a default SPZ2 with a minimum radius of 250 metres applies" the document indicates that "SPZs are not statutory designations but recognised within EPR as zones where certain activities cannot take place (for example, in certain standard rule permits specified activities

are not permitted under those roles).” Given the conditions recommended by the Environment Agency it assumed that quarrying is not one of the “specified activities” that are not permitted within 50 metres of a source protection zone.

The Hafren report states that the sandstone and siltstone strata beneath the site act as a “single, interconnected aquifer, with generally poor aquifer properties and in which fracture flow predominates.” This is also stated in the Yorkshire water report taken from the historical archives titled 'Horn Cragg Quarry - Silsden, Proposal by A.R. Briggs and Company', dated '15.4.86 (referred to as the A.R. Briggs report from hereon in) which states “Groundwater movement within the rock is almost certainly dominated by flow within joints and fissures. The degree of cementation of the sandstone is such as to make intergranular flow negligible. As a result of the cross bedding, together with effects of later faulting, there is likely to be good continuity between vertical and horizontal joints.” In this regard the report further states “In the immediate vicinity of the quarry, particularly on the western side, groundwater flow is probably westwards, to the seepage front and springs which occur along the escarpment (Fig- 1). There will be little filtration or dilution of pollutants between the quarry and the springs.”

The consistency between the abovementioned reports demonstrates that the geology and ground water regime in the area has not changed from the 1980’s to the present day. That being the case the historical information and recommendations taken from previous applications to quarry are still of relevance in the present. The source of potential contamination (quarrying), the pathway (fracture flow) and the receptors (springs/boreholes) remain the same.

In order to protect existing groundwater supplies in the area the A.R. Briggs report recommended “Quarrying must be restricted to not deeper than 2m of the maximum groundwater level. It should be noted that this is likely to increase eastwards and it is important to establish this level before quarrying commences.” It further recommended that “An alternative water supply, satisfactory to the users must be provided to the properties currently supplied from Horn Crag Springs. A borehole is likely to be the only feasible solution.”

Both the Environment Agency and the A.R. Briggs report agree that the “the highest anticipated water level” should be established before quarrying commences. It was not known in the 1980’s when applications to quarry were submitted, as it is not known at the present time.

The recommendation that “Quarrying must be restricted to not deeper than 2m of the maximum groundwater level” taken from the A.R. Briggs report conflicts with the recommendations contained within the Hafren report and the Planning Application Supporting Statement dated 07/03/2023. In this regard the Hafren report states “The base of extraction is proposed to be to within 1 m of groundwater level, so as not to disturb the existing groundwater flow pattern and impact on the private water supply” and the Planning Application Supporting Statement states “The maximum depth of extraction would be at least 1m above the water table.” It is not clear from

the information provided whether the quarrying will be “within 1 m of groundwater level” as stated in the Hafren report or whether it will be “at least 1m above the water table” as stated in the Planning Application Supporting Statement. Environmental Health notes that both levels are above the water table but there is a lack of consistency in the information provided.

There are no guidance documents referenced in the Hafren report. The information provided does not indicate from where the at least 1m above/within 1m level was derived. It is not known whether this level is taken from guidance on protecting groundwater/private water supplies from contamination or whether it is an arbitrary figure which is assumed will protect the water supplies in the area. When the A.R. Briggs recommendations were made in the 1980’s quarrying activates at the site (albeit illegal) had led to the pollution of private water supplies in the vicinity. It is therefore reasonable to conclude that the pollution incidents were taken in to account when the 2m above maximum groundwater level recommendation was made.

It is understood that the applicant made an offer to connect the properties fed by the Horn Crag Springs spring supply to a borehole, as recommended in the A.R. Briggs report, but this offer was withdrawn before the 22/01170/MAF application was decided. Information provided by Minerals Planning Group indicates that this remains the case.

The historical information on which previous refusals of planning consent were based has been made available to applicant in 2022. However, no further assessment which takes this information into account has been submitted for consideration as part of this current 23/00829/MCF application.

In order to support this application, it would be preferable that an agreement to provide an alternative water supply, either by borehole, or mains water, is made with the residents served by the Horn Crag Spring. If this is not possible a further assessment which takes into account, the site history/historical information, and address the concerns detailed above is required, as currently we consider that the information provided is incomplete and insufficient for it to be demonstrated to EH that the proposal will not adversely impact on the private water supplies.

Response 22 May 2023

We have noted that the Environment Agency have confirmed the presence of a source protection zone and have amended their comments accordingly. We agree with the new approach they have adopted.

16. Environmental Health (Noise)

Response 9 May 2023

I am mindful of the comments made by Charlotte Caygill, Environmental Health Officer, in her memo (incorrectly) dated 11 May 2021 (see associated planning

application 22/01170/MAF). In her memo, Ms Caygill raised concern regarding the potential impact from noise associated with the development upon the occupiers of dwellings at Cringles residential caravan park.

Ms Caygill's concerns have been referenced in Paragraphs 7.0, 7.1, 7.2, 7.3 and 7.4 of the document, 'Resubmission Addendum', dated 7 March 2023. The paragraphs' content are reproduced below:

"7.0. Noise

"7.1.

Some concern was raised in regard to noise impact on the residential caravan park near to The Site as a result of the proposals. A noise impact assessment (NIA) was carried out to accompany the original planning application and has not been updated for resubmission. The NIA assessed a worst-case scenario that, realistically would not occur for prolonged periods. The worst-case scenario modelled would involve all five types of equipment all operating constantly at the same time. In reality, it is unlikely that more than one or two pieces of plant would be operational concurrently. Notably, the NIA included the operation of the crusher and screener which would only be required for a short period of time during the initial preparation of The Site.

"7.2.

Any blasting has been removed from the proposals, which addresses one of Environmental Health's noise consultee comment.

"7.3.

In regard to the concerns about the noise impact changing as the quarrying operations more northwards towards the caravan site, as outlined above, only one or two pieces of equipment and machinery would be operational at a time at this later stage. When quarrying operations are at their most northerly point, the highest noise impact on the caravan park is anticipated to be the brief period of soil stripping and initial quarrying, where equipment is at the top of the quarry face. However, the resultant noise impact of one or two pieces of machinery would be significantly less than what has been modelled in the NIA. Once quarrying on a phase has begun, the majority of the time equipment would be used below the original ground level, with the quarry face itself acting as a noise mitigation feature.

"7.4.

Consequently, should the proposals have a noise impact on sensitive receptors outside the worst-case scenario modelled in the NIA, it would be "not significant"

These comments are noted; however, I am of the opinion that the information provided in Paragraphs 7.0 to 7.4 of the Resubmission Addendum is insufficient. This being the case, I would recommend that the applicant should carry out a noise impact assessment of the nature and extent of any likely adverse noise issues that may arise at the Cringles residential caravan park as a consequence of the development. The assessment methodology and evaluation should follow the guidance in BS5228 - 1:2009 'Code of Practice for noise and vibration control on construction and open sites'.

If the report indicates that noise levels at the Cringles will result in a loss of amenity for its residents, it should incorporate suitable mitigation measures in the design and planning of the development's proposed operations. If suitable mitigation measures are required and not provided for, I would not be able to support the application.

Response 22 May 2023 (following updated NIA)

The Nova report (ref 5781MP, Version 006) dated 17 May 2023 has computer-modelled the likely noise impact at Cringles Park Home Estate based on the cumulative noise level arising from the operation of an excavator, a loader, a screener plus HGV movements and loading. The report states that rock will be ripped (as opposed to blasted) from the quarry face. I am assuming that the excavator cited will be doing the ripping. Based on the cumulative noise level of all noise sources and the attenuation provided by distance, the modelled sound level at Cringles Park Home Estate is predicted to be 51 dB, LAeq. This value has been compared against the Daytime Threshold Level cited by the appropriate assessment methodology BS5228: 2009: 65 dB. Since it falls -14 dB below the Threshold Level, the noise impact at Cringles Park Home is described as Not Significant. The report has also considered the change in ambient noise level that the introduction of the development will result in. It predicts that a +2.5 dB increase in the ambient noise level will occur.

It presents a rising scale of sound level increases, and ascribes to these increases likely long and short-term impacts. Thus an increase of ≈ 3 to < 5 dB is predicted to result in a Minor long term impact and a Moderate short term impact. I am assuming that Nova has based its predictions on this table. The Nova report has substituted 'Slight' for Minor, but the predictions are essentially the same. BS5228: 2009: requires that the noise impact predictions are based on external values. When predicting an internal impact, the weakest (acoustically) element of any construction is considered as the material that the noise would have to travel through. This is generally considered to be a dwelling's glazing, which typically stops 30 dB of sound from crossing from the external to the internal (closed window). We describe this insulation value as its R number. BS8233: 2014 states that a slightly open window has a typical R number of 15 dB.

In the case of Cringles Park Home Estate I would still consider the glazing to be the weakest acoustic element, even though we are talking about static caravans, as opposed to bricks and mortar houses. So a 51 dB sound level would be reduced to 21 dB (closed window) or 36 dB (slightly open window). In a planning context, internal noise levels are usually judged against criteria set down by World Health Organisation, Community Noise Guidelines, 1999 and BS8233: 2014. Both documents cite a maximum internal daytime noise level of 35 dB. This criteria is exceeded by +1 dB, but in reality 1 dB is neither here nor there, and it would be pushing it to recommend refusal for such a marginal exceedance. To conclude, the Nova report's predictions meet all the appropriate criteria, so on the basis of the information provided, I cannot object to this on noise grounds. The only caveat that I would add is that these computergenerated models only offer an approximation of real world conditions; but models such as these have long been accepted by local

planning authorities, so we would need some strong justification to refuse to accept this one. Realistically speaking, the only way that a computer model could be effectively challenged is if noise measurements of an existing quarry (with an identical operational model as is proposed, and using identical plant and equipment as cited by Nova) were to indicate that the model's predictions were at significant variance to real world noise levels.

It can be done: In the case of a proposed wind turbine at Princes Soft Drinks, I successfully proved that the turbine's noise was much greater than that modelled (based on noise measurements that I took of an identical turbine that was operating in Norfolk); but with quarrying there are so many variants to consider that it would be very difficult.

17. Highways Development Control

Raise no objections

DAILY SITE TRAFFIC GENERATIONS

The Transport Statement (TS) indicates that there will be a maximum of 10 two-way HGV trips (5 in and 5 out) in any one working day and a maximum of 40 two-way HGV trips (20 in and 20 out) in any one week. There will also be an additional 8 two-way car trips (4 in and 4 out) by employees on the site. Based on the above the proposed number of additional daily vehicular movements (HGV's and private cars) on the existing highway network, resulting from the proposed use of the site, is considered to be low.

Request condition - Require adherence to maximum daily HGV movements to 10 two-way trips (5 in and 5 out) and maximum of 40 two-way HGV trips (20 in and 20 out) in any one week.

....

ROUTING PLAN

A Routing Plan has been submitted and this suggests that HGV's from the proposed quarry will not use this junction at the northern end of Fishbeck Lane to access or egress the site. The Routing Plan (drawing ref: 232/5/1-6) shows that the site operator will implement a plan for HGV's travelling to and from the site. All HGV drivers will be made aware of the routing plan which they will be required to follow when travelling to and from the site from the applicant's saw sheds in Leyburn.

Request condition - operator to adhere strictly to this routing plan

IMPACT OF HGV MOVEMENTS ON FISHBECK LANE

Fishbeck Lane is an unadopted road and therefore is not maintained by the Local Authority and is unlikely to have any regular and/or formalised maintenance regime. However, given the low number of vehicles that currently use this access road this

does not raise any undue concerns. Concerns however have been raised regarding the regular use of this road by HGV's and the likely damage that this would cause. The constructional integrity and makeup of Fishbeck Lane is not known but it is unlikely to meet current standards required of an adopted road that would be suitable for use by all vehicles types. Whilst the number of daily HGV movements to and from the quarry site would be low (maximum of 10 two-way trips per day) then this would likely have an incremental affect the condition of the road over a long period.

Request condition that - applicant/developer to carry a pre-commencement survey; interim survey i.e. every 3 years; and post completion survey. Remedial works to rectify any defects identified between surveys shall then be carried out within an agreed timescale.

VISIBILITY SPLAYS AT JUNCTION OF FISHBECK LANE & BROWN BANK LANE
Whilst Brown Bank Lane is subject to the national speed limit of 60 mph the junction of Fishbeck Lane lies on a bend and as a result vehicles are highly unlikely to be travelling at this speed. The TS states that the achievable visibility splay to the left for vehicles emerging from Fishbeck Lane is 2.4m x 47.0m and that this 'Y' distance would be appropriate for vehicle speeds of up to 31 mph. The TS also states that visibility to the right from Fishbeck Lane is in excess of 2.4m x 100.0m and this would be sufficient for vehicle speeds in excess of 52mph. Additional information (in the form of speed surveys) has now been provided and this shows that based on the corresponding 85% wet weather speeds of 28.7mph for vehicles traveling south-west and 36.1mph for vehicles travelling north-east the maximum achievable visibility splays are acceptable for the recorded vehicle speeds and Highways would accept this.

VISIBILITY SPLAYS AT JUNCTION OF BROWN BANK LANE & BOLTON ROAD
On planning application 22/01170/MAF Highways advised that an 'X' distance of 2.4m should be applied to the junction of Brown Bank Lane with Bolton Road to demonstrate the achievable visibility splays at this junction. The Transport Statement submitted shows that visibility splays for emerging vehicles in excess of 2.4m x 43m can be achieved to the south and Highways would accept this give that Bolton Road has a 30mph speed limit and there is a solid central line to prohibit overtaking in this location. To the north the TS shows that the maximum visibility splays achievable are 2.0m x 13.4m and this falls well short of the minimum distances normally required for general vehicle use i.e. 2.4m x 43m. An 'X' distance of 2.4m is based on the requirements for private vehicles however the driver position in a HGV is more forward that that of a driver in a private car. Also an obstruction to visibility falling within the splays formed is normally classed where the height of an object exceeds 900mm in height above the level of the adjacent highway, where this is a footway, or 1.05m where it is carriageway as this is on average the eye level of a driver in a private car. The seating position for a driver in a HGV is much higher with a vertical visibility envelope height of 2.0m.

Therefore given the above, and based on the existing site layout at this junction, the driver of a HGV emerging onto Bolton Road would actually have significantly better visibility of vehicles approaching the junction on Bolton Road than the 2.0m x 13.4m stated.

Also based on the low number of HGV's associated with the quarry that would be emerging from this junction onto Bolton Road (i.e. maximum of 5 vehicles a day), and the fact that; there are no restrictions on the type of vehicles that can use Brown Bank Lane; the junction/road is already being used by agricultural vehicles; and there is no pattern of accident at this junction; then Highways would be willing to accept that the low number of HGV movements from the quarry would not have a significant adverse impact on highway safety to warrant a refusal on highway safety grounds.

Concerns have been raised regarding the alignment of the junction of Brown Bank Lane with Bolton Road. HGV's turning left into Brown Bank Lane will have to straddle the centrelines on both Bolton Road and Brown Bank Lane in order to make the turn. No vehicle tracking details have been submitted by the applicant to demonstrate this turn.

However, given the low number of HGV's travelling to the quarry that would make this turn (i.e. maximum of 5 per day of which at least 3 are likely to be outside of AM and PM peak traffic times), and the fact that Brown Bank Lane is a lightly trafficked road and the HGV drivers would have clear sight of oncoming vehicles (and vice versa), then the likelihood of conflicts occurring between this and other vehicles is very low and would not have a demonstrable adverse impact on highway safety to warrant a refusal on highway safety grounds.

18. Landscape Team

The Planning Application is to quarry the site in 6 phases over 20 years over an area of approx. 5.9ha of the application site.

The submitted Landscape and Visual Appraisal latest revision dated 23.12.22 includes a comprehensive study of the application site and Local Landscape Setting.

The study states in 2.3.6, Horn Crag forms a visually prominent feature within the local landscape, when viewed from certain directions, especially at close quarters, it is often subsumed into a predominately open and panoramic upland landscape when viewed from a distance. But due to its existing distinct vegetation it is of a distinct character within an area of predominately upland pasture.

The site lies on the western edge of the Rombalds Ridge Landscape Character Area in a landscape character type designated as Upland Pasture. The general conclusion are these areas have high sensitivity to change and high Landscape value.

The City of Bradford Metropolitan District Council Landscape Character SPD, dated 1.10.2008 states in 5.1 that the Rombolds Ridge Character Area can be regarded as very sensitive to change due to its strong character, high historic continuity, displaying a safe feeling of remoteness.

The site lies within an area designated as Upland Pasture, which has a strong sense of character and is in good condition with a policy to conserve with the following guidance:

Conserve the simple patchwork of field systems bounded by stone walls. Restore hedge boundaries where applicable.

Large scale tree planting is not appropriate to the character of the area, although small scale mixed shelter belts around farmsteads would be acceptable.

Encourage the traditional management of grasslands as hay meadows to improve the biodiversity of the area.

The LVA states that the application site sensitivity to change is high and the existing vegetation and character roots Horn Crag firmly within its landscape setting whilst the panoramic views from the public footpaths provide a high landscape value.

The LVA also acknowledges that the quarrying in the Green Belt is not an attractive use of land for the duration of the process.

In 2.6.3 it states the application site has historically been used as a stone quarry and the proposed activity will therefore accord with this previous land use and character. I would suggest that it has been over 100 years since it was operational and that operation was a small in scale (less than 1ha), only occupying the SW section of this proposed application area of approx. 6 ha. There was a short period in the early-80s when some unauthorised works took place in this small quarry area, applications to regularise this and further applications in the 1980s to quarry the area were refused. So, effectively the site as perceived as a working quarry has not taken place within living memory albeit some relatively minor disturbance some 40 years ago in the 1980s.

In relation to 2.6.4 in the landscape character statement reference again is made to the historical context of land use being a factor that reduces the perception of change, but as quarrying was only a small part of the overall site area, this is not applicable for the majority of the site. Again, specifically in relation to Horn Crag, the majority of the site has not been seen as a working quarry in living memory but is now an area with a distinct character due to the natural regeneration in both the former quarry and across other parts of the site, in particular the heathland. Its seen now as a prominent feature on the skyline, especially from lower elevations, with an established recreational use for walkers and local residents.

Section 2.6.5 acknowledges that during the operational phase there will be major adverse visual effects during the 20-year operational phase. Of course given time, if approved, with the restoration maturing and managed appropriately the site would eventually be minor neutral as people forget the previous character and landform. Again, it must be noted the current character has (in the majority of the proposed site) had over a hundred years to naturally regenerate and evolve and even with the disturbance in the early 1980's, some 40 years ago, regeneration is apparent across the whole site. It is noted that the general profile after stone removal will be up to 15m lower than the original levels.

The Visual Assessment and Context.

4.4 Visual Context.

With reference to section 4.4.1, it states from higher elevations the mosaic of vegetation supported on site enables Horn Crag to blend into the landscape scene. This is generally the case from the higher eastern viewpoints but from the west the distinctive character of the gorse, heathland and rough grass contrasts strongly with the general character of the upland pasture. It is acknowledged that from lower elevations, Horn Crag appears as a prominent feature on the skyline.

4.5 Assessment on Effects on Visual Amenity.

Our response is based on the Operational Impact during the proposed 20 years of extraction and acknowledge that due to the phasing different viewpoints will be impacted for different periods over the full extraction and restoration period.

Viewpoints 1 and 2 will be impacted primarily during Phase 6 but would also impact on the longer views across the site to the distant skyline.

Viewpoints 3 to 6. We would suggest the effects to be Moderate Adverse due to the quarrying changing the character of the site which at present bleeds into the wider landscape setting. In conjunction with the existing visual detractors in these viewpoints there will be now an accumulative effect.

Viewpoints 9 – 12. As mentioned earlier our perception from all these western views is that the distinctive character of the gorse, heathland and rough grassland contrasts with the general view of upland pasture and therefore consequently seen as a moderate adverse effect.

The remaining chosen viewpoints 13 – 22 significance are agreed.

Noting that from viewpoints 14- 22 all Major adverse, the proposals would cause a significant deterioration to an existing view.

5.0 Conclusions.

We note that in 5.1.2, and we agree, that the sensitivity to change is high and this is a recognisable and visually distinct landscape, with a strong sense of place and high historic continuity. This is a landscape which is very well used and enjoyed by the public for outdoor recreation, walking, cycling and horse riding. There is a good

network of public rights of way which cross the Rombalds Ridge area, leading to a high landscape value.

5.1.4 Whilst the site was historically worked, it was over 100 years ago and for only a small part of the application site. The statement that that further extraction will accord with the historic land use can be debated due to the fact that only a small part of the proposed site was actually worked and it was not within living memory – albeit some small scale disturbance some 40 years ago and the natural regeneration over time has resulted in a site now recognised as a natural asset and recreational area. We would argue that any new working would now be seen as uncharacteristic. The question of time is also a factor, the time beyond the initial 20-year restoration period to reach target habitat conditions and then reach a character similar to the existing site which has taken a minimum of 40 years for a small part of the site and over a hundred years for the majority of the site.

5.1.6 As the site can be seen clearly from all the western viewpoints as well as the elevated locations in the east which are quite some distance from the site, the effects are not limited and localised and will have some impact on the wider landscape character. It has already been noted in 5.12 that the sensitivity to change is high.

CONCLUSIONS OF THE VISUAL BASELINE.

5.2.2. It is agreed that from views at a lower elevation, Horn Crag appears as a prominent feature on the skyline. We would contend that the mosaic of vegetation at the application site enables Horn Crag to blend into the landscape scene, in fact the mix of heather and rough grassland acts as a distinct contrast in an area of predominately of grazed upland pasture, especially from western viewpoints.

5.2.4. As stated previously we consider the accumulative effect to be significant from these viewpoints with a quarry site adding to the impacts of the existing caravan parks at Brown Bank and Cringles.

5.2.5 It is acknowledged that Horn Crag is a prominent feature within this Landscape and the loss of the profile of to up to 15m in height due to the proposed quarry and loss of the distinctive existing vegetation will remove a significant feature in the landscape.

5.2.6 The prominent feature is White Crag from viewpoints 9 and 10 but due to Horn Crag's vegetation, it is a distinct area within this area of predominately upland pasture and during the operational and restoration period be in our opinion a noticeable deterioration to an existing view.

5.2.7 We would contend the impact for viewpoint 12 is similar to those of 9 and 10. Viewpoint 13 would change the profile and highest point of Horn Crag which is significant.

5.2.8 – 5.2.11 *It is acknowledged that from the remaining viewpoints the proposal will result in a major adverse effect.*

5.3 CONCLUSIONS & RECOMMENDATIONS.

The statement rightly states the extraction period will be a slow process and we would agree the changes would be gradual but the nature of the site works cannot be said to be sympathetic to the local character as it is in effect a new quarry.

We do acknowledge that if permission is granted, after the possible 20-year period of working operation and the potential 15 years to achieve some full maturity to the restoration that at that point the site should assimilate back into the broader landscape but with a significant change in character, predominately due to the finished changes in level.

We do accept that on completion the proposed exposed rock face will be hidden from the views from the east and south east.

In conclusion, however, the Landscape, Design and Conservation Team cannot support the application due to a culmination of factors:

The loss of an area of distinct character and a local landmark within the broader character area.

The significant impact on recreational use due to the visual impact of the quarry works.

The length of disruption and disturbance locally and on the broader enjoyment of the surrounding Landscape over a minimum of 20 years with potentially an additional 15 years to achieve some maturity in the restored scheme.

The impact on residential properties.

19. Natural England

Natural England is not able to fully assess the potential impacts of this proposal on statutory nature conservation sites or protected landscapes or, provide detailed advice on the application. If you consider there are significant risks to statutory nature conservation sites or protected landscapes, please set out the specific areas on which you require advice.

The lack of detailed advice from Natural England does not imply that there are no impacts on the natural environment. It is for the local authority to determine whether or not the proposal is consistent with national and local environmental policies. Other bodies and individuals may provide information and advice on the environmental value of this site and the impacts of the proposal on the natural environment to assist the decision making process.

20. Rights of Way Team

As identified in the submitted documents Public Footpath No. 18 (Silsden) crosses the area proposed for quarrying and Public Footpath No. 19 (Silsden) crosses the proposed access track, as shown on the plan below. Pedestrians accessing these paths may also walk along Fishbeck Lane, an unadopted road which would be used to access the site, this lane is also likely to be used by horse riders and cyclists to access the countryside.

At some point in the past quarrying has been carried out which has affected the legally recorded route of Footpath 18 Silsden. This means it is not currently possible for the public to walk the line which is recorded, though in practice they walk across the site on a route further to the east, skirting the quarried area.

I note the proposal to divert Footpath 18 Silsden to the edge of the site to enable the site to be quarried while retaining a route for pedestrians. I note the comments that the diversion would include improved surfacing and crossing points in the dry stone wall, the edge of the site is boggy and uneven in places so this information will be required when an application to divert the footpath is submitted. I would also like to see confirmation of any boundary treatments or measures to prevent walkers from approaching the active quarry faces as the site is being worked.

Even if planning permission is granted, no development affecting the route of the footpath should take place until a diversion order has been successfully obtained. As the developer will be aware any proposed changes to the footpath network will be subject to separate public consultation processes, which may attract objections from the public and require a public inquiry to resolve. Diversion orders are not guaranteed to be successful.

If the footpath across the site is not successfully diverted no quarrying would be allowed which affected the recorded route of the footpath. If the proposed diversion was successful, this would resolve the current issue at this site of the recorded footpath not being safely usable. The Rights of Way Section can supply the necessary application pack for the diversion orders.

I also note the proposal to divert a section of Footpath Silsden 19, which crosses the access track. Further details will be required giving justification for this diversion and the alternative route should ideally be included within the red outlined area of the site if it is intended to apply for this diversion order under the Town and Country Planning Act 1990.

21. West Yorkshire Archaeology

The application has been supported by numerous documents but neither a heritage statement nor an archaeological deskbased assessment has been submitted. In the application there is reference to the historic environment and the absence of

any known heritage assets within the proposed site. This also observes that there are no designated heritage assets in close proximity to the site. However, there is a hoard which contained two Bronze Age copper alloy flat axes that is located just 30m south of the proposed extraction sites boundary. This is not a designated heritage asset but is recorded on the WY Historic Environment Record and the Portable Antiquities Scheme. There is thus the potential for further isolated finds to be recovered from on or near the hill top. The proposed site is an exposed hilltop with no known archaeology present within the proposed extraction area. The western side of the site has been previously quarried and the archaeological potential in this area is thus negligible. The eastern side of the site does not appear to have been previously quarried based on air photos (Google Earth). There is thus the potential for archaeological remains to be present on this side of the site. As the stone is sandstone there is probably a negligible chance for subterranean features such as caves to be present.

Recommended Course of Action Generally the site appears to have a low potential for archaeological remains to be present but there is the potential for further hoards to be present. Hoards are unlikely to be identified through the normal archaeological techniques of geophysical survey or trial trenching. It is therefore proposed that a metal detector survey is undertaken of the western half of the site to identify if any further hoards are present. The survey should be undertaken prior to any stripping or excavation of the western part of the site above the existing quarry face. The survey should be undertaken by a competent archaeologist who is experienced in the use of metal detectors.

Should planning approval be granted a condition should be placed on the approval for a programme of.

Various conditions proposed.

22. West Yorkshire Ecology

Objects to the Planning Application

We have reviewed the ecological elements submitted with this planning application and discussed matters with David Campbell, the Bradford Council ecologist. Our conclusions are as follows:

Habitat Loss and Biodiversity Net Gain

Whilst we appreciate the value which can be achieved from progressive habitat restoration for mineral applications and the need to explore opportunities which might be possible through the use of the snapshot approach to Biodiversity Net Gain, we do not think that this is appropriate in this case.

The site supports significant areas of dry heathland of high distinctiveness and associated grassland which will be lost for around 30 years as working moves around this confined site. Newly created habitats, which will be challenging to create, will be subjected to disturbance from dust and disturbance as adjacent parts of the site are worked. If demand for the stone slows then the timeframe for restoration is likely to be longer.

The site lies within the Bradford Wildlife Habitat Network. It plays an important stepping stone site between other habitats in the locality which will be significantly reduced for the likely time of the development.

We consider that the scale and timeframe for habitat loss and risks associated with restoration to be unacceptable and that the application does not comply with Policy EN2 in Bradford's Core Strategy, the National Planning Policy Framework or the Environment Act 2021.

23. West Yorkshire Police

From my initial response on the application crime levels in this location were low, however construction machinery can become a target for theft by any potential or travelling offenders involved in organised crime. It is often plant, construction equipment that is targeted along with materials.

If planning were to be approved, there should be a secure boundary around the site to make this more secluded from the main roads, which could be fencing, more planting, hedges, shrubs to help screen around the location. Out of business hours it would be prudent to secure the site and have either an outbuilding or secure location where the equipment can be stored out of view so that this is not visible or left on full display. Installing external lighting which covers the car park, storage area, such as photo electric cell lights, monitored CCTV coverage (high-definition cameras to 1080p), that can help to reduce opportunities for theft, which helps to reduce anonymity and identify any suspect/s. Any storage areas, buildings, if there is keys, equipment, it would be prudent to alarm the buildings, if this is monitored, it can alert key holders of activations.

Taking note of the chassis number, make, model or marking equipment can help items to be recovered if stolen. The link below is include for PANIU, which is a specialised unit within the Police, PANIU (Plant Agricultural National Intelligence Unit) www.paniu.co.uk which is managed by Police Officers who deal with tracking / finding any stolen Agricultural or Plant equipment. The links on their website refer to an approved scheme called www.cesarscheme.org which allows any plant / agricultural machinery whether privately owned / hired to be registered so that in the event of any theft the equipment can be traced and identified by PANIU. More information can be found on the website for reference.

24. Yorkshire Water

1.) *There are two 900mm Ductile Iron raw water mains passing under the proposed access roads.*

2.) *These are critical for Bradford water supply.*

a.) *They must be protected from damage by vehicular movement, and we would need assurance/guarantees from the quarrying operation that blast vibration would not detrimentally affect them.*

It is noted that surface water will be pumped from the site to naturally infiltrate into the ground - Yorkshire Water fully endorse this means of surface water disposal.

YW raise no objections and request conditions to protect the above infrastructure.

25. Summary of Main Issues:

- a. Principle and Minerals Need/Economy
- b. Residential Amenity, Amenity, Private Water Supply and other businesses
- c. Landscape, Public Rights of Way, Recreation, Tourism
- d. Flood Risk and Drainage
- e. Biodiversity
- f. Highways – including impacts of traffic movements on Air Quality/Climate
- g. Archaeology & Conservation

Appraisal:

Proposal

26. This proposal seeks to extract dimension stone from Horn Crag Quarry in a phased manner. It is estimated that a total of 520,000 tonnes of mineral would be released.
27. All topsoils and sub-soils would be stripped and stored separately for use in restoration. All stripped soils will be stored in Phase 1 throughout the development. Storage of all soil on The Site simultaneously would not be necessary due to the phased restoration.
28. A period of crushing and screening (noted as 12months) of historic mineral waste currently still on-site is proposed.
29. Extraction is proposed to commence from the west towards the east before working northwards, once a phase of extraction has been completed, the worked area is then used to stockpile the mineral waste of the next phase of extraction.
30. No blasting would occur at The Site. An excavator would be used to pull block from quarry faces, exploiting natural fissures in the rock. Once rock has been released from the face it is sometimes too large to be transported from The Site on a flatbed HGV. In this situation the rock would be split into a more manageable size using hydraulic splitting.

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31. Block and mineral suitable for dimension stone would be exported at a rate of approx. 560tonnes per-week totalling, approximately, 29,120 tonnes per annum.
 32. Hours of working proposed are 07:30–18:00 hours Mondays to Friday 08:00–13:00 hours Saturdays.
 33. No more than 10 two-way (5 in and 5out) HGV movements on any single working day, as well as a maximum of 40 HGV two-way (20 in and 20 out) movements per week are proposed. It is proposed that HGVs will follow a specific route and leave Brown Bank Lane, heading south, avoiding the centre of Silsden.
 34. The site would be progressively restored, but would not involve the importation of waste. The proposal is to restore to an upland heathland environment.

Principle and Minerals Need/Economy

35. The key overarching issue in planning is delivering sustainable development. The NPPF in particular promotes a presumption in favour of sustainable development at the heart of the NPPF. The Bradford Local Plan Core Strategy also refer to sustainability objectives. Bradford Local Plan Core Strategy Policy P1 is a key policy on the presumption in favour of suitable development, outlining that the Council will approve permission without delay unless material consideration indicate otherwise. In accordance with Core policy 1(SC1), planning decisions ensure high quality and design to protect the natural environment.
36. Specific minerals policies in the NPPF and section 5 of the Core Strategy support the sustainable use of minerals. The NPPF acknowledges that minerals are essential to support sustainable economic growth and that it is important to ensure a sufficient supply of material to provide the infrastructure and buildings; stating great weight should be given to the benefits of minerals extraction, but ensuring that there are no unacceptable adverse impacts on the natural and historic environment, and human health. The Bradford Local Plan Core Strategy policies EN9 and EN10 reflect these principles in the NPPF.
37. The site is in Green Belt, consequently Strategic Policy SC7 in the adopted Core Strategy is relevant as is saved policy GB1 of the replacement Unitary Development Plan (RUDP) which considers the policy base for Green Belt protection.
38. Paragraph 150 of the NPPF notes that minerals extraction is not inappropriate in the Green Belt, provided the development preserves the openness of the Green Belt and does not conflict with the purposes of including land within the Green Belt.
39. Paragraphs 137 and 138 of the NPPF relate to the purpose and state:

40. *“The Government attaches great importance to Green Belts. The fundamental aim of Green Belt policy is to prevent urban sprawl by keeping land permanently open; the essential characteristics of Green Belts are their openness and their permanence.*

Green Belt serves five purposes:

- to check the unrestricted sprawl of large built-up areas;*
- to prevent neighbouring towns merging into one another;*
- to assist in safeguarding the countryside from encroachment;*
- to preserve the setting and special character of historic towns; and*
- to assist in urban regeneration, by encouraging the recycling of derelict and other urban land.”*

41. There has been and continues to be significant debate regarding minerals extraction and whether or not it preserves the openness of the Green Belt. If it is concluded that it does not preserve the openness, it is by default considered inappropriate development and very special circumstances are required. If it is concluded that it preserves the openness, then it is considered appropriate development in the Green Belt.

42. Paragraph 137 of the NPPF states that the Government attaches great importance to Green Belts. It adds that the fundamental aim of Green Belt policy is to prevent urban sprawl by keeping land permanently open; the essential characteristics of Green Belts are their openness and their permanence. This was further confirmed by the Samuel Smith Supreme Court case, where the judge noted that *“The concept of “openness” in paragraph 90 of the NPPF [2012 version] seems to me a good example of such a broad policy concept. It is naturally read as referring back to the underlying aim of Green Belt policy, stated at the beginning of this section: “to prevent urban sprawl by keeping land permanently open ...”. Openness is the counterpart of urban sprawl and is also linked to the purposes to be served by the Green Belt.*

43. *As Planning Policy Guidance 2 made clear, it is not necessarily a statement about the visual qualities of the land, though in some cases this may be an aspect of the planning judgement involved in applying this broad policy concept. Nor does it imply freedom from any form of development. Paragraph 90 shows that some forms of development, including mineral extraction, may in principle be appropriate, and compatible with the concept of openness. A large quarry may not be visually attractive while it lasts, but the minerals can only be extracted where they are found, and the impact is temporary and subject to restoration. Further, as a barrier to urban sprawl a quarry may be regarded in Green Belt policy terms as no less effective than a stretch of agricultural land”, and: “[Openness] is a matter not of legal principle but of planning judgement for the planning authority or the inspector”.*

44. It is an accepted planning principle that minerals can only be worked where they are found, and that mineral working is a temporary use of land. As noted in a recent appeal cases, some level of operational development for mineral extraction in the

Green Belt would preserve its openness and would not conflict with its purposes, and that beyond that level there would be a ‘tipping point’ where the development would become inappropriate in the Green Belt, and so the exception would no longer apply.

45. It therefore comes down to the specific details of the proposal; determining the “tipping point” beyond minerals excavation that would preserve openness and not conflict with the purposes of including land within the Green Belt, this depends on the particular circumstances of the proposal. Relevant considerations could include the siting, nature and scale of the operational development, include its cumulative context, along with its visual effects, how built up the Green Belt is now and how built up it would be if development occurs, the degree of activity likely to be generated, such as traffic generation, and the reversibility of any impact on the openness and purposes of the Green Belt.
46. In other planning authorities and appeal cases, officers/inspectors have found that the ‘tipping point’ has been met for inappropriate development due to the magnitude of the development and their concluded impacts on openness. This included matters such as; bunds reaching 6m in height at substantial length, that would be engineered structures that would truncate open views from a Public Right of Way (PROW) within the Green Belt – appearing as prominent regular and relatively high structures in close up views from the PROW network and the surrounding landscape, having an adverse impact on the openness of the Green Belt; Operations being intensive and occupying considerable areas of a site (20ha+) at any one time for the purposes of extraction, infilling and bund placement/removal – with the erection, maintenance and dismantling of bunds having an impact on openness; The spatial position of a quarry site between settlements – i.e. the introduction in the Green Belt of a large quarry between settlements would interfere with the perception of openness; Significant HGV movements; Very large stockpiles; Cumulative impacts of such development in the Green Belt –e.g. several quarries in a relatively small area; Significant structures and/or buildings on site.
47. On this proposal site, the agent for the applicant considers that mineral extraction is an established part of this countryside setting and that the site constitutes Previously Developed Land (PDL). The planning authority do not concur with this view. The previous quarry operations were small scale, primarily 100+yrs ago (with some disturbance some 40 years ago in the 1980s) and the majority of the site has not been worked. Additionally, this formerly quarried area has blended back into the landscape.
48. On PDL, the definition of PDL is
*“Land which is or was occupied by a **permanent structure**, including the curtilage of the developed land (although it should not be assumed that the whole of the curtilage should be developed) and any associated fixed surface infrastructure”*
49. There are no permanent structures on the proposal site and in any event, even if it could be implied that there is an error in the drafting of the NPPF by the lack of

reference to mineral sites (not subject of restoration) as being PDL, it is evident that the small part of the site that has been quarried, has blended back into the landscape and would in any event (due to the passage of time & blending) not be considered PDL.

50. In considering the assessment of whether or not the proposal is inappropriate or appropriate development in the Green Belt. It is evident from the assessment by the Councils Landscape Team (discussed further below in the landscape section), that there are significant adverse visual impacts on the sensitive and valued landscape. This is a matter which (as noted above) can be considered in the assessment of openness, however it is not the only matter for consideration. With regards to matters (noted above by other minerals planning authorities and inspectors), this proposal does not have any large engineered bunds; operations on site would not be intensive; there is no risk of impacts from the spatial position between settlements; there are no significant HGV movements; no large stockpiles; no cumulative impacts from other similar types of development in the Green Belt; and no significant infrastructure/buildings on site or to the site (there are no proposals to create a new/significant access point).
51. Turning next to the purposes of the Green Belt, as set out in para 138 of the NPPF (above), parts a) b) and e) are not considered applicable. With regards to c) the proposed development would be at the 'tipping point' of encroachment, but on restoration, the site would (albeit in some time) continue to fulfil the Green Belt's purposes. With regards to d), as the proposal site is 2km from the centre of Silsden, the routing of HGVs is not proposed through Silsden and the Conservation Officer has raised no issues, it is considered there is no significant impact on the setting and special character of the historic town of Silsden.
52. In conclusion on Green Belt. It is considered that the proposal is not in conflict with the five purposes of the Green Belt, there is however, the potential for the openness of the Green Belt to be compromised by this proposal due to the visual impacts on the sensitive and valued landscape (noted in the section on landscape) however, even with this in mind it is not considered, on balance, that the openness of the Green Belt is compromised to such a magnitude that the 'tipping point' has been reached (albeit it is very close) for the reasons cited above (in para 50). It is therefore considered that the proposal can be considered appropriate development in the Green Belt. The adverse impacts on the landscape are a matter for consideration in themselves and by concluding that the development is appropriate development in the Green Belt, it does not detract from the commentary on adverse impacts on the landscape noted below, nor the associated policies on landscape, tourism, recreation etc.
53. Turning to other principle matters.
54. Paragraph 211 of the NPPF states that great weight should be given to the benefits of the mineral extraction, including to the economy, but there is a requirement that unacceptable adverse impacts are avoided and/or mitigated to permit such

development. Small scale extraction of building stone is also noted in the NPPF, with it stated planning authorities should recognise the small-scale nature and impact of building and roofing stone quarries, and the need for a flexible approach to the potentially long duration of planning permissions reflecting the intermittent or low rate of working at many sites.

55. In terms of the economy, Core Strategy Policies EN1, EC1, EC2, EC3 and EC4. Policy EC1 is the overarching policy that brings together the various mechanisms which the Council expect will lead to the creation of a competitive local economy for Bradford. Policy EC2: Supporting Business and Job Creation states that the Council will support the delivery of at least 1,600 new jobs annually in the District in the period to 2030. Policy EC3 notes the sites to be within the Economic Growth areas and EC4 seeks sustainable economic growth.
56. It is considered overall that the proposal in itself is in line with the policies on economy, by job creation in a rural location for those working at the quarry and as a supply of local stone to assist in built development. However, the number of direct jobs created is expected to be low (less than 10) for such a quarry proposal. Additionally, there is also the potential for such types of quarry development to impact on other businesses and tourism, this is discussed further in the report below (section on Landscape, Public Rights of Way, Recreation, Tourism).
57. The Core Strategy minerals policies applicable to this site are Core Strategy policies EN9, EN10 and EN12, and the RUDP regarding the location of existing minerals sites. The Bradford Core Strategy gives support to minerals development which would result in an increased supply of scarce building, roofing or paving stones, such as stone slates, riven flags, or matching stones needed for the repair of historic buildings or monuments. This is because the supply of such materials is key to maintaining the character of the historic built environment including the fabric of listed buildings.
58. However, the proposal site is not in a defined Core Strategy Minerals Safeguarding Area (Policy EN12), nor is it noted as an existing mineral extraction site in the RUDP (NR1) or in the RUDP Minerals Area of Search. The emerging Local Plan has identified minerals sites and this site is not proposed as an allocated site however, the emerging Local Plan is still at its early stages and in the absence of formal allocation of minerals sites and a newly defined Minerals Area of Search, the locational criteria set out in Core Strategy Policy EN10 are expected to be utilised.
59. Core Strategy Policy EN10 (1) notes that sites should be within locations within the potential resource area identified by the British Geological Survey, this site is not identified as being within this criterion. However, this does not preclude the site being brought forward, provided it is demonstrated that there is an economically viable mineral and that the mineral supports a need and it is considered that sufficient evidence has been provided in the submission, that demonstrates that there is an economically viable mineral and that there is a need for such a mineral.

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60. However, it is arguable that the proposal is contrary the locational criteria under Core Strategy Policy EN10 E (3), in that it is not outside of an area where minerals extraction activities would be likely to lead to the loss or significant deterioration of any irreplaceable habitats, or to the permanent disruption of a significant ecological network. This matter is discussed further under the section on Biodiversity.
61. The principle of mineral extraction is supported through Core Strategy Policy EN9, in that proposals for mineral extraction are supported in principle provided a set of criteria are met, the consideration of whether or not the criteria are met is discussed in the other sections in this report (below). However, for the purposes of defining whether or not the site is a new minerals extraction site under EN9 A or the re-opening of a disused minerals extraction EN9 B site needs to be addressed.
62. As noted, the planning authority do not consider the site PDL and it is not an extension to an existing minerals site, but is possibly falls under the criteria of the re-opening of a 'disused' minerals extraction site. However, only 1 ha or so of the redline could be deemed a disused quarry and as already noted, the disused quarry has blended and become part of the landscape. Therefore, after due consideration, the small formally worked quarry (covering approx. 1ha) and the remainder of the unworked site (approx. 5ha) are to be classed as a new minerals extraction site and therefore the matters set out in Policy EN9 A are considered applicable and appropriate for this application – albeit, the only differences between EN9 A and EN9 B are that the applicant under EN 9 A needs to demonstrate that other sites under their control are not viable to extend or can't meet the need identified. It is considered that the applicant's agent has consider this by stating in the submission that:
- 63. Finding a further, equally sustainable development may not be viable either physically, economically, or environmentally, and would delay the acquisition of this locally distinctive and important traditional building material.*
- 64. One alternative would be for Calverts to import the dimension stone required for their clients' building developments from other countries (the main markets are India or China¹⁰). However, importing a material which can be sourced and processed locally would be environmentally unsustainable and against National policy Para204 part b. Locally sourced building stone would have a significantly lower carbon footprint comparative to any internationally sourced counterpart, simply based on transportation distances. Additionally, the physical and chemical properties of internationally sourced building stone would be unlikely to suitably match those of the heritage asset it is being used to restore compared to a locally sourced building stone.*
65. Overall, it is considered that the general principles of minerals development, set out in the NPPF and the Bradford Local Plan, have been met (bar the locational criteria in Core Strategy Policy EN10 E (3) – which is discussed further in the section on Biodiversity).

66. However, although the principle of minerals development/minerals development in the Green Belt, is considered to be generally in line with policy for this proposal; for the proposal to be acceptable, it *must* also demonstrate that there would not be any unacceptable adverse impacts on people or the environment. These are considered in the remainder of the report below.

Residential Amenity, Amenity, Private Water Supply and other businesses

67. Although the proposal site could be considered to be in a rural location, there are six residential buildings within proximate of the site, along with two caravan parks (Cringles Caravan Park and Brown Bank Caravan Park). Cringles Caravan Park is a permanent residential caravan park, where it is noted that it is the primary residency for most occupants. Brown Bank is a mixture of residential/holiday caravans, but not the primary residency for most occupants. There is also a stable/equestrian business associated with one of the six residential properties.

68. Core strategy policy EN8 indicates that in order to protect public health and the environment the Council will require that proposals which are likely to cause pollution or are likely to result in exposure to sources of pollution (including noise) or risks to safety, will only be permitted if measures can be implemented to minimise pollution and risk to a level that provides a high standard of protection for health, environmental quality and amenity. Core Strategy Policy EN9 states the minerals development should not be allowed where it would have unacceptable adverse impacts on people or the environment and Core Strategy Policy DS5 that proposals should not harm amenity of existing users and residents.

69. There are no appropriate Bradford Local Plan policies that require an assessment of the impact of such proposals on other existing businesses, however para 187 of the NPPF notes “...*decisions should ensure that new development can be integrated effectively with existing businesses and community facilities...*”

70. There are a large number of concerns and objections raised by residents regarding the impact on residential amenity and general amenity, along with the impact on the existing business in the area – particularly the stable/equestrian business, the adjacent farm and Brown Bank Caravan Park.

71. Consideration has been given by various officers in the Environmental Health Team to dust, noise and water quality.

72. With regards to dust, residents have raised concerns reading air borne dust and the potential to impact on health due to potential risks associated with dust/silica particles, noting the new primary school location to the south of the site (approx. 1.5km from the site). However, there are perhaps some misconceptions regarding the proposed operational process for this quarry. The proposal is for the extraction of dimension stone and walling stone, which will not create the levels of dust that other types of quarrying operations may produce where there is blasting, large

scale extraction/activity and large scale crushing/screening of minerals on site. It is unlikely that any dust generated from the activity will travel very far outside the boundaries of the proposal site. Additionally, the Air Quality officer has noted that the application includes a detailed dust risk assessment and recommended dust mitigation report for the quarrying operation (ZCHCQ_DA) undertaken in line with the recommendations of National Planning Practice Guidance and best practice guidance produced by the Institute of Environmental Science. The AQ Officer considers that it is of a good standard and that provided there is adherence to the proposals to control dust, they do not consider that the proposal will give rise to any exceedance of any health based national air quality objectives. On this basis, it is not considered that there are any adverse impacts from dust that cannot be reasonably mitigated.

73. With regards to noise, the submitted Noise Impact Assessment (NIA) in March 2023 is, in effect, the same NIA as the previous 2022 application. In 2022, the EH Officers raised the issue that the Cringles Caravan Park, noting it had not been assessed and that the quarrying activity will become significantly closer to Cringles residential caravan park as the quarrying progresses and, in effect, the location of the noise source moves across the site over time. Noting further that caravans do not have the same noise insulation levels as dwelling houses, generally, and will be more vulnerable to unwanted noise as the proposed quarrying activity moves closer. The agent/applicant was aware in 2022 that the Planning Authority and EH considered that an assessment of the impacts on noise on the Cringles Caravan Park was necessary, however in the March 2023 resubmission addendum, it is stated that they consider the submitted NIA sufficient and no updated NIA was provided.
74. However, EH Officers in their response of the 9 May 2023 to this application again noted the need for a NIA for Cringles Caravan Park. Following this response from EH, the agent noted in e-mails of the 11 and 15 May 2023 that an updated noise assessment would be provided. This was provided on the 19 May 2023. This updated NIA has been assessed by EH Officers, who note that the simulation for the resident of Cringles Caravan Park is a computer generated model, only offer an approximation of real world conditions; but also noting that models such as these have long been accepted by local planning authorities. In short, it is considered that based on the NIA submitted in May 2023 and the EH Officers analysis of the updated NIA, there are unlikely to be unacceptable adverse impacts from noise from the proposal on the nearby residential properties.
75. With regards to impacts on water supply from the spring emanating from the quarry, this is a long standing complex issue, for which the applicant and those in receipt of the spring fed water give differing opinions. It is understood that at least three households are served by the spring fed water from the quarry. In the 1980's private water supplies fell under the remit of Yorkshire Water, this is no longer the case and such matters all fall within the remit of the Council through the Environmental Health Department.

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76. The EH Officer dealing with this matter previously raised through the 2022 application that they had significant concerns regarding the spring fed water supply to the properties and did not support the application due to potential impact on this spring fed water supply. At the time of the drafting of the applicant's hydrological assessment in 2021 is understood the applicant/hydrologist did not have access to all the historical information. This was made available by the Council in 2022 and before the 2022 previous quarry application was withdrawn.
77. However, this application just resubmits the previous hydrological assessment, with the planning agent stating that the offer of boreholes and/or mains water supply was declined and in any event they are no longer offered as the hydrological assessment demonstrates they are no longer required.
78. The EH Officer notes that no assessment has been made of this detailed historical information, that the geology remains as it did in the 1980s and that there is no justified reason given within the submissions as to why it is appropriate to ignore the events and information of the 1980s.
79. In the absence of the such assessments the EH officer notes and concludes that *"In order to support this application, it would be preferable that an agreement to provide an alternative water supply, either by borehole, or mains water, is made with the residents served by the Horn Crag Spring. If this is not possible a further assessment which takes into account, the site history/historical information, and address the concerns detailed above is required, as currently we consider that the information provided is incomplete and insufficient for it to be demonstrated to EH that the proposal will not adversely impact on the private water supplies."* In short the EH officer considers there is incomplete and insufficient information.
80. The Environment Agency (EA) initially provided a response on the 24 April 2023, that raised no objections and suggested conditions. The Planning Authority raised some queries on the 26 April 2023 regarding the proposed conditions and their wording. The EA decided to review the submission, their response and consequently their position.
81. On the 19 May 2023, the EA provided an updated response objecting to the proposal, noting that, as submitted, the risks to groundwater from the development are unacceptable. Noting that the applicant has not supplied adequate information to demonstrate that the risks posed to groundwater can be satisfactorily managed. The EA recommend that planning permission should be refused.
82. The EA, as with most applications, do provide advice on how their objection can be overcome. Specifically, in this case the HIA needs to be updated to:
- recognise the presence of a potable spring supply with a default SPZ1 of 50 metres;
 - propose mitigation measures to ensure the potable spring supply is protected;
 - establish the highest anticipated water level

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83. The EH Officer, following sight of the EA's 19 May 2023 response, noted that that the EA now state that the proposal is in SPZ1 zone.
84. Based on the responses from the EH Officer and the updated Environment Agency response, the proposal, as submitted, presents a risk to groundwater which is unacceptable, and there is insufficient information to demonstrate that the risks posed to groundwater can be satisfactorily managed. The proposal, as submitted, is therefore not considered to be in accordance with and contrary to Policy.
85. Turning to other matters. As noted, concerns have been raised that the operations at the proposed quarry could impact on the businesses at the stable/equestrian facility, the livestock farm and Brown Bank Caravan Park. As noted above, the NPPF states decisions should ensure that new development can be integrated effectively with existing businesses.
86. With regards to the stable/equestrian facility the agent has noted that "*...Rural enterprises, agriculture and mineral extraction co-exist nationwide by virtue of where they have to exist The applicant also operates an existing sandstone quarry and stone yard in what is the Country's epicentre for racehorse training (Middleham and Leyburn) and they have received no complaints of adverse impact on livestock or racehorses in over 20 years..... We can provide examples of successful riding centres abutting active large-scale, blasting, aggregate quarries if this would assist – such as Matchmoor Riding Centre in Bolton, Greater Manchester, which abuts the working face of the several hundred thousand tonne per annum sites of Montliffe and Pilkington quarries with permitted HGV outputs into several hundreds per day. The Planning Authority note the agents position and concur.*
87. With regards to impacts on the farm and livestock, there are several dimension stone quarries within Bradford and West Yorkshire which are located adjacent to farms/livestock and we are not aware of any complaints or issues regarding impacts from similar quarrying activities. In the absence of any evidence to the contrary the Planning Authority consider that the impacts on the farm/livestock are minimal.
88. With regards to Brown Bank Caravan Park, the impacts on this business are similar to impacts on other residential properties/caravans. The impacts for noise and dust are noted above and are also considered applicable to Brown Bank Caravan Park. In relation to Brown Bank Caravan Park as a tourist/recreational facility and the impacts on the business in this regard, it is considered in the report below (under Landscape, Public Rights of Way, Recreation, Tourism).
89. As noted above Core Strategy policy EN8 indicates that in order to protect public health and the environment the Council will require that proposals which are likely to cause pollution or are likely to result in exposure to sources of pollution (including noise) or risks to safety, will only be permitted if measures can be implemented to minimise pollution and risk to a level that provides a high standard of protection for

health, environmental quality and amenity. Policy EN9 states the minerals development should not be allowed where it would have unacceptable adverse impacts on people or the environment.

90. It is considered that for dust and noise that the requirements of Core Strategy Policies EN8, EN9 and DS5 are met. For the groundwater and private water supply, there are risks to groundwater and private water supplies (potable drinking water) from the development and there is inadequate information to demonstrate that the risks posed to the groundwater and private water supplies can be satisfactorily managed and/or mitigated. As such the proposal is contrary to Policies EN8 and EN9 of the Bradford Core Strategy and paragraph 174 of the National Planning Policy Framework.
91. With regards to other amenity matters, as noted policies DS5 and EN9 require that proposals should not harm the amenity of existing or prospective users and residents. The above matters, dealt with by Environmental Health Officers, address many aspects of amenity, but not visual amenity. It is considered the site will have adverse impacts on residential visual amenity from nearby properties and particularly from those properties on Fishbeck Lane, the nearby residential Cringles Caravan Park. Also, the large a number of footpaths in the area and the area is widely used by the public for walking, cycling, horse riding etc, and the wider amenity/visual amenity impact. The visual amenity/amenity impacts associated with this are discussed further in the next section, along with potential impacts on recreation and tourism.

Landscape, Public Rights of Way, Recreation, Tourism

92. On Landscape matters, Core Strategy Policy EN4 states that Development Decisions should make a positive contribution towards the conservation, management and enhancement of the diversity of landscapes within the District. EN9 seeks to ensure that the development would not harm the character of the landscape. DS2 relates to working with the landscape, such that the proposal takes advantage of existing features and integrates development into the wider landscape, retaining existing landscape and ecological features.
93. The Steeton with Eastburn and Silsden Neighbourhood Development Plan notes under Policy SEWS5 that it seeks to protect and enhance the valued landscape character of the area and SWES6 seeks to support access to the countryside, countryside sport and countryside recreation.
94. The Landscape Character Supplementary Planning Document (SPD) is relevant. With Landscape Officers noting that the site lies on the western edge of the Rombalds Ridge Landscape Character Area which and is regarded as very sensitive to change due to its strong character, high historic continuity, displaying a safe feeling of remoteness.

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95. The applicant has provided a Landscape and Visual Appraisal (LVA) to support their application.
96. The Landscape Officers note that LVA submitted states that the proposed activity accords with this previous land use and character of a stone quarry, but as noted above it is over 100 years since it was operational. With that operation being small in scale (less than 1ha), only occupying the SW section of this proposed application area of approx. 6 ha. There was a short period in the early-80s when some unauthorised works took place in this small quarry area, applications to regularise this and further applications in the 1980s to quarry the area were refused. So, effectively the site as perceived as a working quarry has not taken place within living memory albeit some relatively minor disturbance some 40 years ago in the 1980s. The Landscape Officers further note that the proposal area is now an area with a distinct character due to the natural regeneration in both the former quarry and across other parts of the site, in particular the heathland, with it now seen as a prominent feature on the skyline, especially from lower elevations, with an established recreational use for walkers and local residents.
97. The Landscape Officers note the various viewpoints and impacts, noting that the sensitivity to change is high and this is a recognisable and visually distinct landscape, with a strong sense of place and high historic continuity. They note the effects are not limited and localised and will have some impact on the wider landscape character. They note that the new profile (with a loss of up to 15m in height) will remove a distinctive and significant feature in the landscape. They consider any new working would now be seen as uncharacteristic and the time beyond the initial 20-year restoration period to reach target habitat conditions and then reach a character similar to the existing site would appear to take a minimum of 40 years.
98. The Landscape Officers acknowledge that if permission is granted, after the possible 20-year period of working operation and the potential 15 years to achieve some full maturity to the restoration that at that point the site should assimilate back into the broader landscape but with a significant change in character, predominately due to the finished changes in level.
99. With regards to the impacts of the proposal on the visual amenity of the nearby residential properties, including Cringles Caravan Park, it is evident from the submitted LVA that for the viewpoints from Cringles are adversely impacted upon, as the sensitivity of the receptors are noted as medium to high, with the significance of the effects noted as major adverse. For some of the residential properties on Fishbeck Lane, from their properties, curtilage and/or gardens it is also noted that the sensitivity of the receptors is medium to high, with the significance of the effects major adverse. In short there are adverse impacts on the visual amenity of nearby residential properties and the Landscape Officers concur with this.
100. The Landscape Officers conclude that they cannot support the application due to cumulative factors of: The loss of an area of distinct character and a local

landmark within the broader character area; The significant impact on recreational use due to the visual impact of the quarry works; The length of disruption and disturbance locally and on the broader enjoyment of the surrounding Landscape over a minimum of 20 years with potentially an additional 15 years to achieve some maturity in the restored scheme; The impact on residential properties.

101. The Planning Authority concur with the opinions of the Landscape Officers and it appears that some of the commentary they provide is drawn from the submitted LVA itself.
102. In reference to the Core Strategy Policy EN4, DS2, DS5 and EN9, and policies SWES5 and SWES6 of The Steeton with Eastburn and Silsden Neighbourhood Development Plan, it is apparent that the proposal does not make a positive contribution towards the conservation, management and enhancement of the diversity of landscapes within the District of Rombalds Ridge. It is considered that the landscape impacts cannot be managed and the degree of change made acceptable; that the proposal does not take advantage of existing features, nor integrates into the wider landscape, nor retains existing landscape and ecological features; and that it will result in unacceptable adverse impacts and harm to the landscape and unacceptable harm to amenity, visual amenity and residential visual amenity.
103. With regards to the other matters, that is Public Rights of Way, Recreation and Tourism. The impacts on these matters has been repeatedly noted by members of the public objecting to the application.
104. Core Strategy Policy TR3 seeks to improve walking and cycling infrastructure, Policy EN1 seeks to protect local greenspace which is valued for amenity, recreation and wildlife or contributes towards character, distinctiveness and visual quality of the area and EC4 (F) which seeks to encourage economic enterprises, which develop or enhance the viability of tourism, culture and leisure based activities. SWES6 of The Steeton with Eastburn and Silsden Neighbourhood Development Plan seeks to support access to the countryside, countryside sport and countryside recreation.
105. With regards to the Public Rights of Way, the PROW officer notes that Public Footpath No. 18 (Silsden) crosses the area proposed for quarrying and Public Footpath No. 19 (Silsden) crosses the proposed access track. They note the legally recorded route of Footpath 18 Silsden is not currently possible to walk, though in practice they walk across the site on a route further to the east, skirting the quarried area.
106. The proposal would mean that Public Footpath No. 18 (Silsden) would need to be diverted and the applicant has proposed a diversion around the edge of the proposed working area, confirming that a stone wall will be erected as a boundary treatment to stop walkers approaching an active quarry. The diversion would be

subject of separate public consultation processes and would need to be in place before any operations commenced on site.

107. The proposal regarding the diversion of the footpath arguably improves the current situation regarding the legal line, in that a legal line would be created that is walkable. However, there are implications of the views from the diverted public footpath, in that it will provide views directly into an operational quarry, which is part of the Landscape Officers concerns.
108. EN1 is a policy that seeks to protect local greenspace, identified in the local plan, as the local plan has not yet evolved to identify such local greenspace, this policy remains broad sweeping in its interpretation. The site and the surrounding area are very much valued for their amenity, recreation and wildlife and the site/surrounding area does contribute towards character, distinctiveness and visual quality, as noted by the Landscape Officers. It is therefore considered that the site, with its public footpaths crossing, does fall under the broad scope of what policy EN1 seeks, that is to protect areas for amenity, recreation and wildlife. The proposal is therefore considered to be contrary to policy EN1 for the duration of the quarry activity.
109. Policy EC4 (F) encourages enterprises which develop or enhance the viability of tourism, culture and leisure based activities, with SWES6 of The Steeton with Eastburn and Silsden Neighbourhood Development Plan seeking to support access to the countryside, countryside sport and countryside recreation.
110. The concern of the public and businesses in the area (e.g. Brown Bank Caravan Park) is that this proposal will not enhance tourism, recreation or leisure based activities, it will actively discourage them due to impacts from traffic, dust, noise, etc. However, this commentary is not founded for all matters of concern raised, for example the HGV movements are low, their general impact and impact on cyclist therefore limited; dust is not considered to be an issue as outlined above; but the noise remains a moot point and it is arguable if walking in the vicinity of the active quarry there will be noise in what was once a tranquil area. Additionally, the vistas and well used areas/footpaths that the Landscape Officers note, will be impacted upon which are the noted reasons tourists are drawn to the area. Consequently, the proposal is considered to be contrary to policy EC4 (F) and SWES6 of The Steeton with Eastburn and Silsden Neighbourhood Development Plan for the duration of the quarry activity.

Flood Risk and Drainage

111. In terms of drainage and flooding Core Strategy policies EN7 and EN9 seek to protect water quality and flood risk.
112. The Drainage officer/Local Lead Flood authority have considered the documentation relating to Flood Risk Assessment, Document Reference: 232/5--

R1.0 FRA. They have raised no objections to the proposal provided the development is carried out in accordance with the submitted Flood Risk Assessment.

113. Yorkshire Water have noted their infrastructure that passes under the access road, but they raise no objections and request conditions to protect their infrastructure.

114. It is considered, with the FRA in place, that the proposal is in accordance with policy EN7 and EN9 of the Core Strategy in that flood risk is managed.

Biodiversity

115. Strategic Core Policy SC8: Protecting the South Pennine Moors SPA and the South Pennine Moors SAC and their zone of influence and EN9 (1), require that any proposed development considers the impacts on these areas based on zones and that the interest features of the of South Pennine Moors SPA/SAC are protected.

116. The site lies within zone B of the South Pennine Moors SPA. In Zone B (land up to 2.5km from the SPA) it will be considered, based on such evidence as may be reasonably required, whether land proposed for development affects foraging habitat for qualifying species of the SPA.

117. Various surveys have been submitted regarding foraging habitat for qualifying species of the SPA (birds) and the Biodiversity Officer has confirmed that they are satisfied with the findings of the foraging bird surveys, that the site does not represent supporting habitat to the South Pennine Moors Annex I Species or the breeding bird assemblage. As such there is no further assessment against the habitat regulations required. They are also satisfied that the breeding bird surveys and the assessment of the breeding bird assemblage appropriately value the site's importance for breeding birds and recommends appropriate mitigation of effects on breeding birds.

118. The Biodiversity Officer has also confirmed that both the bat and reptile surveys have provided accurate assessment and show that the site is unlikely to be used by bats and a probable absence/negligible use by reptiles.

119. The proposal site is therefore not regarded as supporting habitat and therefore highly unlikely to have a significant effect on the interest features of the South Pennine Moors SPA/SAC. It is considered that the criteria in Policy SC8 and EN9 (B1) are therefore met.

120. Core Strategy policy EN2 states that proposals should contribute positively towards the overall enhancement of the District's biodiversity resource. Proposals should seek to protect and enhance species of local, national and international importance and to reverse the decline in these species. The Council will seek to

promote the creation, expansion and improved management of important habitats within the district and more ecologically connected patchworks of grasslands, woodlands and wetlands. Core Strategy policy EN9(4) requires that that minerals development would not lead to a long-term net loss of biodiversity, or to the permanent disruption of a significant ecological network. Additionally, the locational criteria under minerals Core Strategy EN10 E (3) requires that locations outside of areas where further minerals extraction activities would be likely to lead to the loss or significant deterioration of any irreplaceable habitats, or to the permanent disruption of a significant ecological network should be avoided.

121. Both the Biodiversity Officer and WY Ecology Services have objected to the application. With both consultees noting that the proposal represents a long-term loss of priority and other habitats, which they note cannot be suitably mitigated in reasonable timeframes by habitat creation or enhancement within the site boundary.
122. In addition, the Biodiversity Officer considers that they have not been provided with adequate information about mitigation of disturbance effects on the protected species annex sett located within 30m of the haul road and permanent site operational area.
123. The Biodiversity Officer notes that the presence of priority habitat on the site, coupled with the restrictive site boundary compared to the extraction area means the approach is not effective at returning to an overall Net Gain for biodiversity until around Year 30 and the an 10% Net Gain enhancement not being reached until between Year 30 and Year 35. Both consultees consider that newly created habitats will be challenging to create.
124. Additionally, the site is included in the Bradford Wildlife Habitat Network, with the role of the Horn Crag site being one for which habitat connectivity is considered of significance. The working of the site will result in a weakening of the mapped network, removing priority and Biodiversity Action Plan (BAP) habitats from the network for the life of the operational quarry.
125. Both consultees consider the scale and timeframes for habitat loss and restoration to be unacceptable. The site has naturally regenerated to priority heathland and Bradford BAP grassland habitats would result in unacceptable habitat loss to the area for an extended period with risks to restoration that may result in delays to restoration.
126. Additionally, the locational criteria for stone quarries under minerals Core Strategy Policy EN10 E (3) needs further consideration. As noted above the emerging Local Plan has identified minerals sites, this site is not proposed as an allocated site, however, the emerging Local Plan is still at its early stages and in the absence of formal allocation of minerals sites and a newly defined Minerals Area of Search, the locational criteria set out in Policy EN10 is expected to be utilised. It is considered that the proposal also does not meet the locational criteria of Core

Strategy Policy EN10 E (3), due to the likely loss of habitats that may be impossible to replace if damaged (irreplaceable) and the likely permanent disruption of the BAP habitat.

127. In conclusion, the proposal is considered to be contrary to Core Strategy Policies EN2, EN9 (4) and EN10 E (3), the NPPF and the Environment Act 2021.
128. There have been references made within public representations that both Ilkley Moor and Nab End SSSI will be impacted upon by the proposal by dust and noise. It is not considered that dust and noise will reach Ilkley Moor or the SSSI from this proposal, the edge of the designations are over a 1km from the proposal site. Additionally, the AQ officer notes that sufficient mitigation has been provided regarding dust and the EH officer confirms that the nearest noise sensitive receptors will not be adversely impacted upon. Natural England, the Biodiversity officer, nor WY Ecology have raised any issues regarding impacts on Ilkley Moor or SSSI's.

Highways – including impacts of traffic movements on Air Quality

129. Policies TR1, EN9 and DS5 of the Core Strategy seek to encourage sustainable transport modes, limit traffic growth, reduce congestion, ensure that a site is safely accessible, that any impacts will not significantly adversely affect people or infrastructure and that the design of the development and is safe.
130. Many of the representations made by the public raise concerns regarding HGV movements and their impact on the highway network. There are a large number of representations which note that congestion through Silsden is significant and this proposal will make the situation unacceptable.
131. The number of HGV movements proposed are low, with a maximum of 5 HGVs in out per day (10 movements) and a maximum of 20 HGVs (40 movements) in any one week. The access and routing is proposed to follow a specified route, which proposes a route to turn right out of Brown Bank when leaving the site, there are no proposals for HGVs to travel through Silsden, albeit the use of Bolton Road may have some impact generally on traffic, but this is considered to be a low impact.
132. The Highway Officers noted the visibility splays at Fishbeck Lane/Brown Bank Lane and Brown Bank Lane/Bolton Road. Noting that for Fishbeck Lane/Brown Bank Lane, the maximum achievable visibility splays are acceptable for the recorded vehicle speeds, therefore raising no issues of concern.
133. For Brown Bank Lane/Bolton Road the visibility splays for emerging vehicles in excess of 2.4m x 43m to the south and Highways would accept this give that Bolton Road has a 30mph speed limit and there is a solid central line to prohibit overtaking in this location. Highways Officers further note that the seating position

for a driver in a HGV is much higher with a vertical visibility envelope height of 2.0m. Therefore, given this, and based on the existing site layout at this junction, the Highway Officers state that a driver of a HGV emerging onto Bolton Road would actually have significantly better visibility of vehicles approaching the junction on Bolton Road than the 2.0m x 13.4m stated. Regarding concerns of HGVs crossing/straddling centrelines, Highway Officer state that given the low level of HGVs per day, the likelihood of conflicts occurring between this and other vehicles is very low and would not have a demonstrable adverse impact on highway safety. Therefore, Highway Officers raise no issues of concern for this junction.

134. The need to repair/maintain Fishbeck Lane has been noted by the Highway Officer, this was also raised by the case officer. The applicant has noted that they are prepared to resurface Fishbeck Lane if it is deemed necessary. The Highway Officer seeks a condition survey, followed by remedial works to rectify defects between surveys. It would be possible to address the resurfacing/remedial works for Fishbeck Lane via a planning condition.
135. Turning to other matters regarding HGV movements. There have been concerns raised by residents that the haulage of 40miles+ to the applicant's stone yard in Leyburn is not acceptable, due to impacts on the road network and adverse impacts on air quality/climate/carbon footprint – and that the haulage of such distance is not sustainable. Core Strategy Policy SC2 relates to Climate Change, seeking adaptation and long term resilience to the impacts of climate change.
136. Highway Officers have noted that they do not consider there are adverse impacts on the road networks due to the low number of HGVs involved. With regards to air quality/climate/carbon footprint, the applicant has stated that; it is not prudent to establish stone-cutting facilities at or close to each dimension stone quarry; some 50% of the mineral won to be delivered, direct from site to local stone yards and building material suppliers once fully operational; minerals are regularly transported over significant distances due to their scarcity and importance to the construction sector; international imports of 'proxy' stone are travelling much further; that natural sandstone has less carbon impacts than manmade stone; that those HGVs used would on return journeys to Bradford would deliver stone to the region from their stone yard; that the CO2 emissions from 20 HGVs a week transporting stone to a site in the neighbouring authority for processing provides a dramatic saving in emissions in comparison to the district's current reliance on imports, poorly matched reconstituted materials and bricks which by their nature incur a significant CO2 penalty relative to natural stone.
137. The Air Quality Officer has also noted that the level of HGV movements is considered minor for the purpose of the Bradford and West Yorkshire low emission planning guidance. The AQ Officer seeks minimum of a Euro 5 vehicles, with a rolling standard of vehicle emission improvement to ensure HGVs remain at current or previous Euro emission standard throughout the lifetime of the development. It would be possible to deal with this via a planning condition.

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138. In conclusion, it is considered that, with conditions, the proposal would be in accordance with policies SC2, TR1, EN9 and DS5 of the Core Strategy in terms of highway safety and air quality.

Archaeology and Conservation

139. Core Strategy Policy EN3, seeks to proactively preserve, protect and enhance the character, appearance, archaeological and historic value and significance of the District's designated and undesignated heritage assets and their settings.
140. The West Yorkshire Archaeology Advisory Service (WYAAS) note that two Bronze Age copper alloy flat axes that is located just 30m south of the proposed extractions sites boundary. They note that this is not a designated heritage asset but is recorded on the WY Historic Environment Record and the Portable Antiquities Scheme - there is thus the potential for further isolated finds to be recovered from on or near the hill top.
141. The West Yorkshire Archaeology Advisory Service note that generally the site appears to have a low potential for archaeological remains to be present but there is the potential for further hoards to be present. Consequently, they seek a suitable programme of observation and recording, which would be possible to deal with this via a planning condition.
142. The Conservation Officer has noted that the nearest designated heritage asset is over 300m away and having reviewed the submitted information, due to the distances between the site and the designated heritage assets, they consider no direct impacts of the proposed quarry on the setting of these assets are anticipated.
143. The Conservation Officer also notes that there may be some indirect heritage benefits associated with the provision of local sandstone/millstone which is suitable for construction. The contribution of local stone to local distinctiveness and the character of the nearby settlements is noted in the Conservation Area assessments/appraisals of Silsden, Brunthwaite, Steeton, Keighley, Ilkley and Addingham. Local stone to match the existing is often required as part of development proposals for both new buildings and for alterations, extensions and general upkeep of existing traditional buildings.
144. In conclusion, it is considered, with conditions, that the proposal would be in accordance with policy EN3 of the Core Strategy.

Community Safety Implications:

145. Adopted Core Strategy Policy DS5 states that development proposals should be designed to ensure a safe and secure environment and reduce the opportunities for crime. WY Police have noted that crime levels in this location are low, however construction machinery can become a target for theft by any potential or travelling offenders involved in organised crime. It is often plant, construction equipment that is targeted along with materials. Various suggestions are made to by WY Police, which would be achievable via conditions or informatives. It is not considered that there are sufficient grounds to conclude that the proposed development would create an unsafe or insecure environment or significantly increase opportunities for crime and therefore, the proposal it is in accordance with adopted Core Strategy Policy DS5.

Equality Act 2010, Section 149:

146. In writing this report due regard has been taken of the need to eliminate unlawful discrimination, harassment and victimisation, advance equality of opportunity between different groups and foster good relations between different groups, in accordance with the duty placed upon Local Authorities by Section 149 of the Equality Act 2010.

147. The context of the site, the development scheme proposed and the representations which have been made have been reviewed to identify the potential for the determination of this application to disadvantage any individuals or groups of people with characteristics protected under the Equality Act 2010.

Conclusions and Recommendation

148. The policies within the Local Plan do support sustainable minerals extraction, there is a need for such stone and it is preferable that is locally sourced.

149. The submission, (in terms of alternatives to this site) notes that as it is PDL, the alternate would be a new green field site or importation of stone from different countries. The Planning Authority do not concur with this, the site is not considered to be PDL and no consideration has been given to the Core Strategy Policies that encourage, in the first instance, extensions to existing quarries. The Planning Authority consider the proposal is a new quarry for the reasons set out above and the locational criteria in EN10 have not been referred to, nor met for criteria E (1) or (3), albeit it is accepted that evidence has been supplied that there is a viable mineral deposit and criteria E(1) has been addressed to some extent.

150. However, regardless of the above matters, for such a proposal to be acceptable it needs to be demonstrated that it will not have an unacceptable adverse impacts on people or the environment in terms of pollution, flooding or land stability risks, or harm to amenity, heritage assets or their settings, or harm the character of the landscape.

151. It is evident that the application does have a number of unacceptable adverse impacts, including impacts on the character of the landscape, biodiversity,

people, the environment, water pollution, amenity, tourism and recreation. It also leads to a long-term net loss of biodiversity and disruption of the ecological network for the duration of the development, which includes the length of time for re-establishment.

152. Although it is accepted there is a need for high quality dimension stone and walling stone, and that it is preferable that it is locally sourced, it should be noted that the stone is not a scarce mineral, it can be sourced from other quarries within the Bradford District/West Yorkshire and it is arguable there are areas within the Bradford District that are more suitable/sustainable to provide such stone. However, even if this is not the case, it is considered, on balance, the adverse impacts of this proposal (as noted within this report) are such that they are unacceptable and the need for locally sourced high quality dimension stone/walling stone does not outweigh the unacceptable adverse impacts on the character of the landscape, biodiversity, people, the environment, water pollution, amenity, tourism and recreation.

153. In view of the above report the application is recommended for refusal and the reasons are set out below.

Reasons for Refusal

1. The proposal as submitted is unacceptable, as there are risks to groundwater and private water supplies (potable drinking water) from the development and there is inadequate information to demonstrate that the risks posed to the groundwater and private water supplies can be satisfactorily managed and/or mitigated. As such the proposal is contrary to Policies EN8 and EN9 of the Bradford Core Strategy and paragraph 174 of the National Planning Policy Framework.
2. The proposal as submitted is unacceptable, as it will not make a positive contribution towards the conservation, management and enhancement of the diversity of landscapes within the designated landscape character area of the Rombalds Ridge Landscape Character Area. The change is not considered acceptable, as it will have adverse landscape and visual effects, particularly in relation to; the loss of an area of distinct character and a local landmark within the broader character area; the significant impact on recreational use due to the visual impact of the quarry works; the length of disruption and disturbance locally and on the broader enjoyment of the surrounding Landscape over a minimum of 20 years with potentially an additional 15 years to achieve some maturity in the restored scheme; the adverse visual impacts on amenity for residential properties; the adverse impacts on tourism; and the adverse impacts on recreation.

As such, the proposal is contrary to policies EN4, DS2, DS5, EN1 EC4 (F) and EN9 (3) of the Bradford Core Strategy, the Landscape Character Assessment SPD for Rombalds Ridge and SWES5 and SWES6 of The Steeton with Eastburn and Silsden Neighbourhood Development Plan.

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3. The proposal as submitted is unacceptable, as it will not contribute positively towards the overall enhancement of the District's biodiversity resource within an acceptable timeframe. The priority habitat on the proposal site, coupled with the restrictive site boundary compared to the extraction area means the approach is not effective at returning to an overall Net Gain for biodiversity until around Year 30. The role of the proposal site in the Wildlife Habitat Network is of significance and the proposal will result in a weakening of the mapped network, removing priority and Biodiversity Action Plan habitats from the network for the life of the operational quarry. The proposal is therefore contrary to Policies EN2 and EN9 of the Bradford Core Strategy, paragraph 174 of the National Planning Policy Framework and the Environment Act 2021.

Furthermore, the proposal does not meet and is contrary to the locational criteria for a quarry set out in Policy EN10 E (3), in that it would be likely to lead to the significant deterioration of an irreplaceable habitats, or to the permanent disruption of a significant ecological network.

4. The application as submitted provides insufficient information to enable its proper consideration by the Local Planning Authority. In particular, there is inadequate information with regards to potential adverse impacts on Protected Species and no indication of appropriate mitigation that would satisfy the requirements of a licence to disturb and be effective for the lifetime of the quarry. As such the proposal is contrary to Policies EN2 and EN9 of the Bradford Core Strategy.