



PLANNING COMMITTEE

MINUTES of the meeting of the Planning Committee held on Thursday 9th July 2020 commencing at 10.00 am.

**PRESENT
MEMBERSHIP:**

Cllr Phil Awford (Chairman)	Cllr Graham Morgan
Cllr Robert Bird	Cllr Shaun Parsons
Cllr David Brown	Cllr Steve Robinson
Cllr Dr John Cordwell	Cllr Pam Tracey MBE
Cllr Bernard Fisher	Cllr Simon Wheeler
Cllr Stephen Hirst	Cllr Robert Vines

Apologies: Cllr Terry Hale, Cllr Alan Preest & Cllr Will Windsor Clive

17. DECLARATIONS OF INTEREST

Councillor Awford declared he represented GCC on the Wessex & Severn and Wye Regional Flood Coastal Defence Committees.

18. PUBLIC QUESTIONS

No public questions were received.

19. MEMBERS' QUESTIONS

No Member's questions were received.

20. MINUTES OF PREVIOUS MEETING

Resolved

That the Minutes of the meeting held 14th May 2020 be approved as a correct record and signed by the Chairperson.

21. APPLICATION NUMBER: 17/0122/FDMAJM SITE: CLEARWELL QUARRIES LTD, STOWE, ST BRIAVELS, LYDNEY, GLOUCESTERSHIRE, GL15 6QW.

The Head of Democratic Services facilitated the meeting and advised the Committee and registered speakers of the procedure which would be undertaken

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during the course of the virtual meeting. For the benefit of the public watching via the live YouTube link the following Officers were introduced: Jason Betty: Senior Planning Officer for the current application, Sarah Pearse: Principal Planning Officer, Kevin Phillips: Planning Development Team Manager, Simon Excell: Lead Commissioner and Martin Evans: Solicitor.

The facilitator introduced the following Technical Advisors: Professor John Gunn: Limestone Specialist Consultant, Natural England, Jenny Spencer: Air Quality Advisor, Atkins, Gary Kennison: County Ecologist, GCC, Rebecca Underdown: Planning Advisor, Natural England, Paul Horswill: Senior Planning Advisor, Natural England and Wendy Richards: Infrastructure Advisor, Atkins.

The Planning Development Team Manager explained that the National Casework Team, who advises on Secretary of State on decisions, had contacted the Council regarding the application. It was not known at this stage if the Secretary of State would call in the application, but the Casework Team had informed Officers that if Committee resolved to accept the recommendation as published, they would consider whether the application should be called-in or not.. It was noted the legal advice was that the published officer recommendation did not need to be altered and the grant of permission would also be subject to the prior completion of a Section 106 Agreement. Members were advised that the case officer would elaborate on this during the course of his presentation.

The Senior Planning Officer, prior to his formal presentation, brought to Member's attention that the Mineral Planning Authority (MPA) had received 28 late objections to the proposal objecting on a variety of grounds. The Committee were advised that the MPA was of the opinion that all the matters raised in these late objections had been considered in the Officer Report and many would be mitigated through the proposed conditions as detailed in the report on pages 170- 194.

It was explained that the late representations had also raised issues relating to the lack of public consultation, lack of publicity of the meeting, short notice of the meeting, lockdown restrictions effecting the democratic process, access to public buildings and that what consultation was carried out was inappropriate for such a sensitive and destructive proposal. Furthermore, objectors had requested that the planning meeting be postponed for 28 days to enable all those who wished to object to do so.

Members were advised that in relation to the consultation on this planning application, the MPA had complied fully with the Councils adopted Statement of Community Involvement and was compliant with the National Planning Policy Framework (NPPF).

The Senior Planning Officer stated that Chapter 5 of the report (pages 78-88) detailed the consultation and the publicity that was undertaken from December 2017 to January 2019 and involved 3 separate consultations including site notices, newspaper advertisements, letters and e-mails to near neighbours, contributors, Newland Parish Council and St Briavels Parish Council which resulted in almost

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300 objections being received from residents of Clearwell, St Briavels, Newland, Hewesfield and Coleford.

Members were advised that there had been claims that people wishing to object were prevented from doing so via the Council's public access system as there was a technical fault. The Officer had since ascertained one of the reason for this was due to the fact the objectors had been using a reference number relating to a previous application dating back to 2014 (14/0119/FDM) for the 'Extension of Stowe Hill Quarry and retention of mineral processing plant at Clearwell Quarry' which was withdrawn in December 2015.

In order to address this and to assist the public who were trying to object to the proposal, the Senior Planning Officer had given them the opportunity to submit their objections and comments direct via his GCC e-mail or via the Development Control inbox.

The Chairperson asked if Members had any questions based on the Officer's opening statement. There were none at this stage.

The Senior Planning Officer apologised for the length of the Committee report and presentation but felt it was necessary under the current unusual circumstances, in the absence of a site visit and the inability to display plans in the Council Chamber.

The Committee was asked to consider the Planning Application 17/0122/FDMAJM submitted by, Clearwell Quarries Ltd, owned by Breedon for the Extension of Stowe Hill Quarry & Retention of Mineral Processing Plant at Clearwell Quarry.

It was noted there were some amendments to the Officer Report, and these had been circulated to Members of the Committee prior to the meeting for information.

The following amendments were noted as:

- Paragraph 1.10 should read *"The nearest residential properties to the proposed Extraction Area are Shop House Farm which its boundary lies approximately 105 metres to the north of the Phase 1 boundary and approximately 170m to the Shop House (dwelling) and approximately 105 metres from the Phase 2 boundary and approximately 220m to the dwelling. Longley Farm lies approximately 220 metres from the Phase 1 boundary"*.
- Councillor Cordwell had proposed an amendment to Paragraph 1.10. He suggested that *"The nearest residential properties to the proposed Extraction Area are Shop House Farm the boundary of which lies approximately 105 metres to the north"*.

The Committee endorsed this amendment.

In addition, the MPA wished to amend recommended Conditions 59 and 61as follows:

Condition 59 currently read as:

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- **“Perimeter Screening Bunds -** Prior to commencement of development, details including cross sections of the screening bunds as shown on approved Plan No: 251L-01-06 shall be submitted to the Mineral Planning Authority for written approval and constructed as approved prior to commencement of mineral extraction in the Extension Area hereby permitted.

Reason: To ensure satisfactory management of the landscape and biodiversity features in accordance with Mineral Local Plan Policies DM01, DM06 and DM09.”

The case officer recommended that Condition 59 be amended to:

- **“Perimeter Screening Bunds -** Prior to commencement of development, details including the location of the perimeter bunds and cross sections of the screening bunds as shown on Plans 251L-01-06 and 251L-01-07 shall be submitted to the Mineral Planning Authority for written approval and constructed as approved prior to commencement of mineral extraction in the Extension Area hereby permitted.

Reason: To ensure satisfactory management of the landscape and biodiversity features in accordance with Mineral Local Plan Policies DM01, DM06 and DM09”.

Condition 61 currently read as:

- **“The approved perimeter screening bunds shown in drawings 251L-01-06 shall be located at least 150 metres away from the boundary of Shop House Farm.**

Reason: to ensure appropriate screening to adjoining residential properties and potential receptors on PROW in accordance with Policy DM09 of the Gloucestershire Minerals Local Plan 2018 – 2032.

The case officer recommended that Condition 61 be amended to:

- **“The approved perimeter screening bunds shown in drawings 251L-01-06 shall be located at least 150 metres away from Shop House Farm.**

Reason: to ensure appropriate screening to adjoining residential properties and potential receptors on PROW in accordance with Policy DM09 of the Gloucestershire Minerals Local Plan 2018 – 2032.”

The Committee agreed to take these amendments as read.

The Committee were also advised and accepted the minor amendments to the written report, these were noted as follows:

- Paragraph 1.2 should read Breedons not Breedens
- Paragraph 1.8 (page) 47 should read “The nearest residential properties to Clearwell Quarry (where the plant area will be retained) are the Travellers Rest which is located approximately 10 metres from the boundary of Clearwell Quarry. Margery Corner and Stowe Green Farm are 60 and 120 metres away, respectively of Clearwell and Stowe Hill quarries”.
- Paragraph 2.1 (Page 48) should read north east and not east.
- Paragraph 7.129 (page 137) refers to 0.69t and should read 0.69Mt.
- Paragraph 7.158 (page 142) *“To provide appropriate mitigation measures for Shop House Farm from any potential noise and dust emanating from the proposed extraction of mineral from the extension area (specifically phase 2) the applicant is proposing a 150m Buffer zone from Shop House Farm to the proposed perimeter screening bunds”.*
- Paragraph 7.161 *“The applicant is proposing to establish the buffer zone by locating perimeter bunds approximately 150m away from Shop House Farm and the boundary of phase 2 of the proposed extraction area”.*
- Paragraph 7.243 (page 153) should read The variation application 17/0110/FDMAJM was determined in July 2020 and not June 2020 subject to compliance with a Section 106 Agreement being agreed and could be viewed via the Public Access Portal.
- Condition 47 (page 182) 6rnms⁻¹.

A summary of the application was presented by the Senior Planning Officer aided by a power point presentation (A copy of the presentation is attached to the signed Minute book).

At this point, the case officer proceeded to the main presentation and explained the proposal before the Committee was for the extension of Stowe Hill Quarry, improvements to the plant in Clearwell and Stowe Hill Quarries, the construction of a noise mitigation bund, construction of a new access road for Longley Farm and the restoration of Stowe Hill Quarry the proposed extension area and Clearwell Quarry.

It was reported that the application site area was 28.55Ha in size and was located within Allocation 01 of the adopted Minerals Local Plan. The application area incorporated the proposed extension area (13.56Ha).

Slide 5 displayed the north east of the existing Stowe Hill Quarry boundary, the southern area of Clearwell Quarry containing the plant and the haul road, the primary crusher area and conveyor leading to Clearwell Quarry and the proposed new road access for Longley Farm.

Slide 6 depicted a blue area which showed land in the applicant’s control and included Stowe Hill Quarry and the northern area of Clearwell Quarry.

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Slide 7 was an aerial view of the quarry extension which showed the location of Clearwell Quarry, Stowe Hill quarry, the extension area, Longley Farm and Shop House Farm.

The case officer gave a virtual tour of the quarries pointing out some key characteristics of the quarries due to the absence of a Members Site Visit.

In terms of Stowe Hill Quarry, Slide 8 showed the restoration completed so far on the north western side of the quarry adjacent to the unclassified highway looking from the southern boundary of the quarry.

Slides 9 and 10 showed the restoration completed so far in the quarry with the northern quarry faces in the background viewed from the southern boundary of Stowe Hill quarry.

Slide 11 displayed the completed restoration works with the housed primary crusher. Slide 12 showed the western face of the quarry in the process of being restored as viewed from the north east of the quarry looking westward. Slide 13 showed the quarry floor, looking towards the southern end of the quarry from the northern faces. Slide 14 showed the western rock face looking across from the eastern side of the quarry and the internal haul road.

Slides 15 displayed the southern end of the quarry partially restored and the internal haul road leading to the primary crusher. Slide 16 showed further restoration of the western faces of the quarry. Slide 17 presented the haul road used to transport the stone to the crusher and conveyor. Slide 18 exhibited the conveyor that took the crushed stone into the plant in Clearwell Quarry under the road viewed from the eastern boundary of the quarry.

Slides 19 – 22 displayed were further photos of the quarry. Slides 23 and 24 showed what restoration works had been carried out on the northern area of Clearwell Quarry viewed from the eastern boundary adjacent to Marchery Lane.

It was explained that the applicant was proposing to extend Stowe Hill Quarry to the north-east to extract approximately 2.5 million tonnes of mineral including limestone, while keeping the haul road, primary crusher and conveyor in Stowe Hill Quarry. The restoration of Stowe Hill Quarry and the extension area to epikarst-based restoration included a combination of agriculture, grassland, woodland, hedgerows and wetland features, these features were displayed in Slide 25.

Slide 26 and 27 showed the extension area taken from the northern ridge of the quarry looking northwards with the Orepool Pub in the background.

Slide 28 displayed the proposed extension area, which lay within Allocation 01 of the adopted MLP. It was noted the extracted stone would contribute towards reducing the current crushed rock land bank shortfall for Gloucestershire and the requirement of the Forest of Dean to provide 10.426 million tonnes of crushed rock in accordance with the Local Aggregates Assessment **through** to the end of 2032.

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It was explained that the extension area was required by the applicant to enable quarrying to continue at Stowe Hill quarry, as current reserves were almost exhausted and to provide the limestone shale required to restore Stowe Hill Quarry.

At Slide 29 for Clearwell Quarry the applicant was proposing to keep the site offices, workshop, staff facilities, weighbridge and wheel wash facilities in situ while improving the existing plant to reduce noise and dust emissions. The restoration of the whole of Clearwell Quarry (including the plant area which currently does not have an approved restoration scheme) to agriculture with associated landscaping and planting, using both indigenous and imported inert materials.

Slide 30 showed the proposed new plant to be installed in Clearwell Quarry as part of their environmental improvements that would include improvements to the principal crusher in Stowe Hill and the plant to further mitigate dust and noise levels emanating from both quarries during their operations.

Slide 31 displayed that the proposed site area lay approximately 1 km to the south village of the Clearwell, with the two small hamlets of Stowe and Stowe Green situated on the local road to the south and north of the quarry access respectively. It was explained that the proposed extension area consisted mainly of agricultural land divided by hedgerows forming part of Longley Farm. On the northern boundary there was an unclassified road from Shop House Farm to Stowe. Longley Farm including a farmhouse and agricultural buildings lay to the south-east. The boundary of Shop House Farm lay to the north east.

The case officer advised Members that the nearest residential properties to Clearwell Quarry where the plant area would be retained, were the Travellers Rest with the dwelling being located approximately 10 metres from the boundary of Clearwell Quarry, Margery Corner and Stowe Green Farm were approximately 60 and 120 metres away, respectively of Clearwell and Stowe Hill quarries.

The nearest residential properties to the proposed Extraction Area were Shop House Farm with its boundary lying approximately 105 metres to the north of the Phase 1 boundary and approximately 80 metres from the Phase 2 boundary and Longley Farm which lay approximately 220 metres from the Phase 1 boundary.

Slide 32 depicted Orles Wood, Site of Nature Conservation Interest (SNCI) which lay approximately 300m to the south-west of the extension area. Slide 33 displayed the Slad Brook Site of Special Scientific Interest (SSSI) and this was approximately 1.2 km to the south-west.

Slide 34 showed the Wye Valley AONB approximately 800m to the west and 900m to the south-west of Stowe Hill Quarry and the extension area. It was noted there was a Public Right of Way Footpath 66 in pink on the plan that crossed the boundary of the extension, which the applicant was proposing to divert during the proposed development by applying to the Public Rights of Way Team.

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Members were advised that an unclassified highway, Margery Lane, ran along the western boundary of Clearwell Quarry and this formed the eastern boundary of the Wye Valley Area of Outstanding Natural Beauty (AONB) which also runs just to the south west of the existing Stowe Hill Quarry boundary.

Slide 35 showed the main highway access to the site used for the transportation of mineral was at the Clearwell Quarry entrance, which accessed the highway network via and the unclassified highway onto the B4228 at the Orlepool Inn junction.

It was noted at Slide 36 that lorries were only permitted to turn left. This was to prevent the lorries going through the hamlet of Stowe when leaving Clearwell quarry.

Slide 37 showed the road access into Stowe Hill Quarry from the unclassified highway, slightly to the north of the main quarry access at Clearwell. The Stowe Hill Quarry access was not used for the exportation or importation of stone but as an operational access for plant, machinery and staff.

Slide 38 showed the location of the proposed new Longley Farm access. Members were advised that a new access would be constructed for Longley Farm for their sole use as the current access was part of the extension area. The Highway Authority was of the opinion that the access road was suitable to accommodate the movements of traffic travelling to and from Longley Farm and would achieve the required visibility splays if maintained and clear of obstructions. Slide 39 showed the proposed access currently and Slide 40 showed the details of the proposed access.

At Slide 41 the applicant was proposing that the extraction area would consist of two phases with Phase 1 consisting of two benches which would be worked to a maximum depth of 170m AOD and would release approximately 1.78 mt of saleable limestone and would take approximately 3 years to complete extraction.

The soil and overburden stripped from the extraction area would be used to construct perimeter landscaped bunds in the northern corner of the extension area. The bunds would be 5m high and located between the extension area boundary and the Shop House Farm boundary and should mitigate any visual and acoustic effects on Shop House Farm. It was explained that the exact location of the bunds was still to be considered. The bunds should be constructed within eight weeks of commencement limiting the impact on near neighbours from noise and visual intrusion. Once constructed, it was proposed to immediately have them sown with a low maintenance grass seed and managed for the duration of their existence to avoid the ingress of weeds.

Slide 42 depicted Phase 2 of the extraction and would provide approximately 720,000 tonnes of limestone and would take approximately 48 months to complete. The Committee was informed that limestone shale and poor quality limestone from both phases would be used in epikarst construction as part of the proposed restoration of Stowe Hill Quarry and the extension area.

However, the proposed extraction of stone from the extension area and the monitoring of the potential impacts of both the existing and proposed restoration of Stowe Hill Quarry on the Slad Brook SSSI had been a concern of the Environment Agency (EA) and Natural England (NE). This was an important matter which required careful and protracted ongoing negotiations between the MPA, the applicant, NE and the EA. Members were informed that the EA and NE had now come to the opinion that, with their recommended conditions included within any approval, including limiting the extraction level to 176 AOD until monitoring results were acceptable in accordance with approved schemes and the safeguards that an agreed Section 106 Agreement provided, they were satisfied for the proposal to be recommended for approval.

In order to further address issues raised by NE and the EA, the applicant had proposed setting up a Management and Monitoring Steering Group (MMSG) which the NE, EA and the MPA would be asked to join. Once established all monitoring results would be reported to the MMSG for analysis on how restoration was progressing and especially to report any changes to the water management of the Slad Brook SSSI.

It was explained that the applicant was proposing that the MMSG would be a key component in optimising the restoration of Stowe Hill Quarry and the proposed extension area, as it would be the regulator for how restoration progresses as a result of the monitoring data. The applicant was proposing that the MMSG would regulate this through a Section 106 Agreement. Officers agreed that a S106 planning obligation was an appropriate mechanism to ensure a monitoring regime was put in place involving other parties to ensure the safeguarding of the offsite SSSI of Slad Brook.

In line with existing monitoring at Stowe Hill Quarry, the operator would continue to monitor surface and ground water flows through out Stowe Hill Quarry with the addition of new lysimeters to increase monitoring points. The new lysimeters would be created and monitored prior to extraction commencing.

Slide 43 denoted that Stowe Hill Quarry had not been fully restored as previously approved and, to address this, the applicant had applied to the MPA to vary planning Condition 2 of consent DF/2238/X to vary the restoration schemes for Stowe Hill and Clearwell Quarries. The case officer informed the Committee that this variation application 17/0110/FDMAJM would be determined subject to compliance with conditions and Section 106 Agreement being agreed. This consent could operate and be implemented unilaterally to this application. However, if this application was approved, the restoration for each planning application area would be implemented through a common scheme which applied to both.

The proposed restoration for Stowe Hill Quarry and the extension area would provide an improved epikarst based restoration including a combination of agriculture, grassland, woodland, hedgerows and wetland features. In order to construct epikarst layers as part of the restoration of Stowe Hill Quarry and the extension area, limestone shale was required which the applicant was proposing to

source from the extraction of the proposed extension area, as it should provide shale with the same geochemistry as the limestone previously extracted.

Slide 44 showed that Clearwell Quarry only had an approved restoration scheme for the northern part of the quarry. It did not cover the southern half of the quarry where the processing plant was currently located. The proposed development would enable Clearwell Quarry to be fully restored once the plant was dismantled and removed providing an improved landscape and biodiversity gain for the quarry.

If the application was approved, Stowe Hill Quarry, the extension area and Clearwell Quarry would be fully restored within 8 years from the date of commencement of development and would include the removal of the plant in Clearwell Quarry.

Slide 45 showed the amount of schemes that were required to be submitted to the MPA for written approval prior to Development and extraction and in many cases implemented prior to Extraction as approved. The subject areas included:

- Archaeological written scheme of investigation;
- Details and plans of the improvements to the plant in both Clearwell Quarry and Stowe Hill Quarry;
- Details of a wheel wash;
- A scheme detailing transport measures designed to minimise the impact upon air quality in the designated Lydney Air Quality Management Area;
- Detailed methodology and timescale for the translocation of the hedgerow at the new access;
- Dust management plan;
- Noise and vibration mitigation scheme;
- The noise attenuation bund and fence to be constructed as detailed in approved Plans No: 17-01-01 and 17-01-02;
- A scheme for the monitoring of noise levels arising from the Site;
- A scheme for the implementation of blasting at Stowe Hill Quarry;
- A scheme for the monitoring of blasting;
- Details of the location of where topsoil, subsoil, overburden and waste rock extracted from the Extension Area shall be stored within Stowe Hill Quarry;
- A Biodiversity Mitigation and Enhancement Scheme for the Extension Area and Stowe Hill Quarry;
- Arboriculture Method Statement;
- Details of boundary stand-offs of at least 5 metres either side for all retained woodland and hedgerows and a scheme of maintenance to protect them from disturbance or compaction, including from vehicle movements or storage of materials or heavy plant;
- A landscape scheme for the Extension Area and Stowe Hill Quarry;
- Details of the perimeter screening bunds including their location;
- A planting and maintenance scheme for the screen bunds;
- A scheme of water Monitoring for Stowe Hill Quarry and the Extension Area;
- A Pollution, Prevention and Control Scheme;

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- A scheme for the Site Water Management Plan for Stowe Hill Quarry and the Extension Area;
- A plan detailing a comprehensive drainage and lagoon system to be installed to intercept and treat any contaminated surface water run-off from this area;
- A scheme for Epikarst Construction Trials;
- A scheme for the restoration of Stowe Hill Quarry;
- A scheme for the restoration of the extension area;
- A scheme to review restoration works carried out in Stowe Hill Quarry to date and a scheme/phasing plan for the remainder of the restoration works to be completed;
- A detailed Restoration and Landscaping and Aftercare Scheme.

It was noted at Slide 46 that, in response to the consultation process including two further EIA Regulation 25 consultations, 271 letters of representation (all objecting) were received in relation to the application and accompanying Environmental Impact Assessment (EIA). These included residents from Stowe, Stowe Green, St Briavels and Coleford. In addition, St Briavels Parish Council, Newland Parish Council, Coleford Town Council, Stowe Green Resident's Association and the Campaign for the Protection of Rural England (CPRE) had all objected.

The main concerns raised from the objections related to the integrity of the Slad Brook SSSI, effects on horseshoe bats, 150m buffer zones, perimeter bund size, the condition of the plant, dust, noise, HGV movements and visual impact, impacts on hydrology, local economy.

Further points raised by objectors included:

- The proximity of the site to the Wye Valley and that the site is worthy of designation itself;
- Impact of blasting damaging property as working will be nearer;
- The loss of light from the proximity of the screening bunds has been raised by the residents of Brick Cottage in their objection;
- Impact on property values;
- Damage to tourism from quarrying (noise, dust and HGVs);
- Need to stop quarrying in the Forest of Dean.
- Unemployment due to the impacts of the quarries development;
- Restoration off Stowe Hill and the extension area and its potential impacts;
- No benefit to community;
- Loss of amenity in quiet rural area;
- Compensation due to the effect of the quarrying; and
- Breach of human rights.

The Committee noted that Forest of Dean District Council objected on the grounds of impacts on landscape character. The Local County Council Member objected on the following grounds:

"Please record my full support for the position of Newland Parish Council in relation to the Stowe Hill Quarry application. I fully endorse the Parish

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Council response and I firmly object to the application for the reasons therein”.

It was explained that the EA and NE initially objected to the proposal, but after further information was submitted by the applicant, they no longer objected subject to their recommended conditions and a Section 106 Agreement being agreed and signed. The Committee noted that all the objections could be seen in more detail on pages 78 – 88 of the Officer Report.

The case officer explained, that following careful consideration of all the matters raised, Officers were of the opinion that, with the proposed planning conditions in place protecting the amenity of the surrounding area including the Slad Brook SSSI, the proposal would not give rise to any adverse impacts in terms of visual impact, water environment and public amenity or detrimental effect on the surrounding environment and was in accordance with the Development Plan as outlined within the Officer Report.

Prior to the issuing of a consent if approved, a Section 106 Agreement was required to be agreed and signed by all interested parties in order to ensure the monitoring and safeguarding of the Slade Brook SSSI.

Accordingly, Officers recommended that permission be granted subject to the recommended conditions being implemented as approved and that no development shall take place on site until all the pre-commencement conditions have been approved in writing by the MPA and a Section 106 Agreement and been agreed and signed by all interested parties.

The Senior Planning Officer advised the Committee that responses to some Member’s questions had been circulated prior to the meeting. He proceeded to run through them:

Q1: Do we know what tonnage of crushed rock would be achieved if the extension was limited to 176m AOD?

A: No - the applicant is still hoping to extract to 170AOD if the monitoring data supports it.

Q2: Is 176m AOD regarded as “safe” in relation to the chemistry of Slad Brook or simply “safer” – a bit like the 2m versus 1m distance for covid-19? To date there appear to have been no discernible ill effects on the Brook from quarrying to the 176m AOD level.

A: 176 AOD is depth that was approved previously for Stowe Hill Quarry. To date there does not appear to have been any discernible ill effects on the brook from quarrying to the 176m AOD level from the monitoring that has been carried out. Generally a depth of 176 AOD seems to be acceptable to all interested parties.

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Q3: *Can the Planning Officer advise as to those adjoining Parishes who were given advance notice and opportunity to make submissions when this Application was to be determined?*

A: From the original consultation, Newland Parish Council & St. Briavels Parish Council were consulted and subsequently consulted again through the Regulation 25 consultations.

Q4: *Can Professor Gunn clarify his understanding of the conditions in relation to the Water Framework Directive around this somewhat untested model of dealing with the monitoring, dewatering and potential impact on this unique SSSI and watercourse? Would he suggest that should permission be granted a far more regular and robust regime on water quality monitoring should be undertaken given the offsite concerns?*

A: Prof Gunn advised the Committee that based on his understanding, there was to be no dewatering. He explained that the conditions in relation to the Water Framework Directive were a somewhat untested model of dealing with the monitoring and the potential impact on this unique SSSI and water course. He suggested that should permission be granted a far more regular regime of water quality monitoring should be undertaken.

Professor Gunn reiterated there were no dewatering plans and this had not been considered in relation to the Water Framework Directive. Professor Gunn advised the Committee that he had been asked by NE to look specifically at the impacts on the SSSI and the proposed epikarst construction scheme. He added there was a recommended planning condition that would require the applicant to do one year of testing before any work whatsoever was undertaken in the extension area. So if the Committee were minded to approve the application, the applicant would need to provide details of how they were going to undertake trials to demonstrate that through epikarst construction they would be able to replicate what was happening in the current epikarst in the extension area. If they could then, in Professor Gunn's professional opinion, there was very unlikely to be any further impacts on the SSSI. He referred to a robust scheme of monitoring and explained he was previously very critical, about the monitoring. He explained there had been a marked improvement in the proposals and, having assessed what was now proposed, this should give confidence that any impacts will be detected.

The Chairperson invited the registered speakers to address the Committee. The facilitator recapped the order of the speaker for the benefit of the public watching via YouTube.

Mr Tim Hely Hutchinson (Objecting)

"My name is Tim Hely Hutchinson. I live at Scatterford, between Clearwell and Newland.

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I shall focus on the Application's threat to the Gloucestershire landscape and its blight upon local people.

The site Extension would be onto peaceful farmland, forming part of the setting for Bearse Wood and the Wye Valley AONB. Unlike the existing quarries, which are reasonably screened from all but close views, the proposed extension area is in a prominent place that cannot be screened from view. For example, it would be impossible to screen it from the B4228 to and from Coleford past the Orepool Inn.

The B4228 is one of two roads that bring in tourists and residents from England and South Wales; the area is the gateway to the Wye Valley. Furthermore, Clearwell Castle and the Clearwell Conservation Area would be much more directly affected than before. To reach Clearwell from the B4228, you would have to drive directly beside the site, close to the centre of Clearwell.

Shop House Farm, immediately adjacent to the site, would be ruined by the proposal to build 5-metre bunds around it and conduct quarrying only 150 metres away. The proposed margin of 150 metres is plainly inhuman; no one in this meeting would accept it for themselves.

The applicant seeks to belittle the admitted landscape destruction, mostly by reference to restoration plans. But the proposal is not to restore the site to its original form. Only instead to undertake modest filling and planting, as the Applicant admits - and Natural England confirms - that full restoration is impossible.

Please imagine the human impact. Big-scale quarrying was first permitted at Stowe Hill in 1994, with a 20-year time limit. It should be over by now. Then this was extended in 2003 but only for a maximum of 20 years. So, until this Application, local people could reasonably have hoped that their suffering would end soon. Now, there's the nightmare prospect of quarrying until at least 2026 and probably beyond.

Enjoyment of nearby woods and fields would be confiscated. The proposal would bombard us with more noise from blasting, drilling, processing and HGV traffic. It would cover cars and gardens with toxic dust. It would harm birdlife and other wildlife. It would endanger Slad Brook, the finest Tufa dam steam in England.

One objecting local resident has written:

"I have lived with the drone of traffic, the crunching of rock, and the weekly explosions that still rock my house. I have lived with my beautiful countryside views at the back of the house being completely eradicated by huge bunds.... rocky shale mounds covered in weeds. I was promised in 1997 that the 35 acre extension then would be the end of it and I am eagerly awaiting the rural countryside to come back to me."

The quarrying around Clearwell has gone on for far too long; this Application threatens more irreversible destruction than ever before, and the site is in ridiculously too prominent and too beautiful a place.

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Please do a good thing today and refuse this Application. Thank you."

Mr John James (Objecting)

"Chairman, Councillors, as you listen to what I have to say I would ask you to consider whether you would approve this development in your Division.

My name is John James. I am a Chartered Engineer with 30 years experience in dealing with all aspects of highway works specialising in Traffic management and Road Safety.

The quarry access is onto a C road with a weight restriction in one direction and a journey of $\frac{3}{4}$ of a mile via a staggered cross road junction with severely restricted visibility before reaching a B road. There are further significant constraints before reaching a Primary Route.

The 10 mile route to Chepstow is on a road which is very narrow in places & passes through several villages (two with primary schools).

The route to the A48 at Lydney passes a hospital and a primary school, where the road is often reduced to a single lane, only to then reach a poorly aligned T junction where regular queuing and air quality problems occur.

The route through Coleford is urban for about 2 miles with a crossroads in Coleford town centre governed by four stage traffic lights. This junction also gives concern in respect of air quality. For those unfamiliar with this area, the situation at Coleford would be comparable to similar junctions at Tetbury, Lechlade or Winchcombe.

I would now like to draw your attention to some of the human and social aspects of the proposal in the immediate area.

The centre of the village of Clearwell (Population 380) lies within 750 metres of the existing quarry. The village people and businesses have been suffering for many years from the toxic dust, noise and ground vibrations from the quarry.

The extension proposed would bring operations to within 550 metres of the village centre, directly in contravention of the advice in the National Planning Policy Framework paragraphs 120, 122 and 123 which seek to improve the conditions in which people live & work.

Paragraph 143 of the Framework is specifically aimed at sustainable use of minerals, and states that "Authorities should....ensure that operations do not have unacceptable adverse effects on human health."

*There are also individual properties in close proximity to the proposed quarry area. Your Council's adopted recommended distance between a property **boundary** and a quarry working area is 200m. The normal requirement by most Mineral Planning Authorities is 250m. How can the applicant's proposal of a 100m separation be acceptable? This is in direct contravention of the Human Rights Act 1998.*

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I would contend that there are quarries in Somerset which are able to supply high grade aggregate in a much more environmentally sustainable way. Somerset has a land bank of 41 years and Somerset quarries have a nearby motorway connections with four having direct rail links.

What I ask you to consider is "If this was an application for a new quarry at this location with all the access and other problems would you even consider granting permission".

Taking into account local, national and European policies I urge you to refuse this application."

Hari Fell (Objecting)

"My name is Hari Fell, and along with my husband Colin I run the Tudor Farmhouse Hotel, which is situated in the centre of Clearwell.

Tourism is worth an estimated £300 million to the Forest of Dean and Wye Valley. A recently conducted Visitor Survey, carried out by the Forest of Dean District Council found that 79% of visitors chose the area because of the scenery and landscape and 54% because of the peace and quiet. An extension of the quarry as proposed will ruin the beautifully scenic view on one of the main entry points to the Forest of Dean (B4228), as well as disturb the peace and tranquillity of the surrounding area.

A decline in tourism to the Forest of Dean would be catastrophic and this is recognised by the District Council, who have prioritised tourism in their recent core strategy, and who have also entered into a partnership agreement with the Wye Valley and Forest of Dean Tourism Association to support the marketing and promotion of the area for tourism.

Tudor Farmhouse Hotel is a Grade 2 listed building and incorporates a Site of Special Scientific Interest. We can feel the blasts in the hotel restaurant, and the dust often settles over the property and SSSI. We were supported by the RDPE project administered by DEFRA to increase the quality of our accommodation. This has resulted in us attracting people with a higher disposable income, who are staying longer. This increases the spend in the local area and benefits the economy. How many of these affluent guests will want to visit if they have to drive past a large quarry to get here? How many will return once they are covered in toxic dust?

Clearwell Castle is one of the country's premier wedding venues. The owners of Clearwell Castle have further invested in Clearwell with the purchase and refurbishment of the Wyndham. They employ 50 permanent staff and a further 100 during the peak summer season.

Puzzlewood has become internationally renowned as a film destination, as one of the locations for Star Wars: The Force Awakens, and more recently the Secret

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Garden. Film companies are attracted to both Puzzlewood and Clearwell Caves to film.

As business owners, we appreciate the value of jobs to the local economy. Breedon Aggregates suggest that their site at Clearwell supports 32 jobs and that this application will only see an additional 4 jobs created. We employ 25 people, all of whom live locally, and between all the tourism businesses in Clearwell itself, over 120 people are employed year round. The number is much higher if you include the other businesses which would be adversely affected by this planning application, such as the pubs on the main road – the Orepool and The Miners at Sling – as well as the tourist attractions of Puzzlewood and Perrygrove Railway, the Forest of Dean campsite, and other businesses in St Briavels.

The application states that there would be benefits to the local economy with their employee's spending money locally. Even if they do, the value of this additional spend from 36 employees will be far less than the spend lost from tourists who will not visit the area should this application go ahead.

Tourism is the greatest sustainable economic driver in the local economy and it will increase in importance in the coming years, with the continued decline of manufacturing. In the next 20 years, based on current spend, tourism will bring in £6 billion pounds into the local economy, and in comparison the quarry will generate merely £140 million, of which only 5% will remain locally according to Breedon's estimate.

The NPPF states that "local businesses should not have unreasonable restrictions put on them because of changes in nearby land use since they were established". Changing Longley Farm to further quarrying will certainly put unreasonable restrictions on several tourism businesses locally.

*As tourism Minister Nigel Huddleston said last week:
Our tourism sector is hugely important - creating jobs, supporting businesses and driving local economies in villages, towns and cities across the country. It is vital that we help the sector bounce back and give it the platform to recover when it reopens.*

Allowing this application will hinder this incredibly vital and growing sector. We urge the council to reject this application, to protect the 120 jobs employed within tourism in Clearwell."

Mr Chris McFarling (Objecting):

"Thank you Chairman.

The Slad Brook, as it is locally known, is found in my parish of St Briavels. I speak on its behalf.

I and hundreds of people in the local community have objected to these quarry expansion plans for many years now.

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We have petitioned for a stop to the noise and air pollution this quarry creates and the heavy lorries rushing past our village school.

Some parents are considering moving house away from the danger if this application is granted permission.

We all understand the need for limestone in construction and concrete production. We're not stupid. There are many sites where this can take place sustainably. But this isn't one of them.

The Slad Brook is internationally important. The site is significant as actively forming tufa dams are rare. Yet this site has approximately sixty of them; forming the longest series of tufa dams in Britain.

A recent report shared with the Environment Agency and Natural England found the Slad Brook to be one of the highest scoring sites for aquatic invertebrate interest in the country.

Cuts in resources has meant this information has not been brought into planning consideration, omitted from the Environmental Impact Statements before you now.

Once the limestone has been removed from the catchment, it can never be put back as it was.

Neither the applicant nor the planning authority have sought to even begin the restoration schemes; a critical condition of their current permit.

Why haven't past conditions been adhered to, or enforced?

Why has no effective, independent monitoring of the environmental impacts taken place? What's going to change with this application? Perhaps this is why our MP Mark Harper has urgently asked the Secretary of State to call-in this application.

The objection from the Wye Valley AONB office, to pollution of the Valley Brook aquifer feeding into the River Wye, is of great concern. There is so much more at stake here.

This application will remove a critical part of the slow-flow catchment crucial to the survival of the Slad. Removing this huge limestone sponge will lead to desiccation, disintegration and death of its fragile living tufa.

Have you walked the short distance from quarry to brook, across the ancient landscape of Stowe Hill?

Have you observed the cascading pools and falls, the special fauna and flora, and admired the intricate and beautiful natural architecture of the Slad?

Only by knowing what's there can you consider carefully what will be lost to future generations.

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Approving this application will accelerate the Slad's demise, and remove it from that register of Gloucestershire's natural wonders we are supremely proud of.

It will go down on record, regrettably, as an act of gross environmental vandalism.

Today you determine the fate of the Slad Brook forever. Millions of years in the making, irreversibly damaged at the press of a button.

Despite the immense power the quarry industry can bring to bear to influence and downplay the fate of our natural heritage, we know in our hearts that places such as these have value far beyond the short-term economic gain that could be derived from destroying them.

If ever the precautionary principle were to be employed wisely, it is now. Please refuse this application.

Thank you."

Mr Brian Jones (Objecting):

"We live in an uncertain fragile world. Normality has gone and we are faced with an unpredictable frightening future. Incarcerated for 5 months and unable to see friends and family, isolating, shielding, living in fear; of the moment, of the future, for our loved ones.

And yet, in the middle of all this uncertainty and fear, why are we bringing such a contentious planning application to committee? Where residents cannot meet to discuss, some have no internet access, and where the councillors are not allowed to see the location, foregoing the opportunity to appreciate the enormity of the current devastation and the tsunami of the future.

Why leave the announcement of this meeting, after endless successive postponements, until only 7 days before committee? Why, after 7 years of procrastination, urgently call this meeting during a pandemic so it can only be a virtual meeting, forcing councillors to decide like an episode of Big Brother based on a series of well positioned holiday snaps? It's simply not fair.

This application has been allowed to drag on for 7 years, with 3 bites of the cherry. The client has been allowed to park the huge 2nd application, whilst this one is decided. A planning 'sprat to catch a mackerel'. Unsurprisingly, these applications have drawn over 1200 written objections from worried, fearful residents.

Quarries are finite, they have a life. In 2003 the GCC promised residents that this quarry would finish at the head of this valley, the visual tipping point. A promise broken and the visual impact doomed.

The devastating visual nightmare of this planning extension, which will blitzkrieg a tourist route into the Forest is enough to warrant refusal on its own. Yet, this Area of Outstanding Natural Beauty bordering the application landscape is one

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the councillors have not had the opportunity to view, to experience, to feel, to admire, and then appreciate the planned destruction.

The “Highly Likely” destruction of Slad Brook, one of the UK's most important SSSI's is sacrilege. Despite Natural England and the Environmental Agency objecting on ALL Three applications, then subsequently a questionable last minute change of mind, in a secret closed door meeting.

The client did not do a required public presentation of this application and they rejected numerous requests to meet the Parish council to discuss.

An Ombudsman investigation acknowledged serious breaches of noise and dust at local residences. The district and county council are well aware of these due to the 1,000+ formal complaints. BOTH have admitted they have been unable to police and enforce these issues due to ambiguous conditions, lack of resources, lack of budget, and council distance from the quarry, thus these THREE Statutory Nuisances have never been enforced, nor are they fixed in this application.

The daily copious dust, is respirable silica, already reaching Clearwell and Sling; two villages with a primary school and large retiree population. It is this danger that creates the most fear in local residents. NOTHING in this application fixes this danger. SO....This application leaves more questions than it answers, which is why it has lasted 7 years. And those questions have still NOT been answered, yet it's deemed to be a good time to steamroll the application through now, URGENTLY.

The Precautionary Principal states that “When activities may lead to morally unacceptable harm, actions shall be taken to avoid or diminish that harm. If it is threatening to human life or health, serious and irreversible, unhealthy for future generations, or imposed without adequate consideration of the human rights of those affected. “it is better to be safe than sorry”.

This application creates more questions and long term dangers, than it answers. So it is asked of you to please; think as a resident, a family member, and take action now to stop this carnage and protect this beautiful corner of Gloucestershire and its residents. Thank you”

Mr Ben Richardson (Supporting):

“My name is Ben Richardson and I am Clearwell Quarry's Quarry Manager.

I am speaking to you today for myself and the other quarry workers, who could not make it today, to support the planning application so that our jobs can be saved.

I live in the Forest of Dean and have strong family ties to Clearwell and surrounding area, having spent all of my life in the area.

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I have worked for Breedon since 2013 and for the previous owners before that.

In total have spent 21 years at this site which is all my working life.

I started with a 4 year apprenticeship and have worked my way up to become the quarry manager.

My roles include day to day operation of the site and compliance with Health and Safety, Planning Permissions and environmental legislation.

I am the first point of contact at the quarry should there be a complaint.

There is only one persistent complainer who only moved near the quarry in 2014.

Nevertheless every complaint we receive is fully investigated and any problems are fully dealt with promptly.

It is extremely rare that complaints are received from anyone else. Our nearest other neighbours, whose back gardens look into the quarry, have never complained.

You will have heard today from others urging Members to refuse the planning application and have seen allegations that Clearwell Quarry causes pollution and has a poor track record of environmental compliance.

This is simply not true! For example, Breedon Southern Ltd and Clearwell are ISO14001 accredited.

This is a National and European Accreditation Scheme that requires strict adherence with rigid standards to ensure that the environment is not negatively impacted upon.

Compliance with these standards are independently assessed whilst there is a requirement to make continuous environmental improvements.

If the allegations about the quarry's performance were correct then we would not be able to retain this Accreditation.

In addition Members will be aware that its own Officers carry out regular visits to the quarry to check compliance with planning.

As part of Breedon's commitment to environmental improvement, they have recently employed a 'Head of Sustainability'.

I am proud of this new role as it will ensure even greater focus on reducing impacts and minimizing the carbon impact of our operations and their contribution to climate change.

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Like many of my work colleagues at Clearwell, I rely on my job to support my wife, three children and to pay the mortgage.

Should planning permission be refused today, the quarry will be forced to close and the harsh reality is that I will become a casualty and face redundancy.

Notwithstanding the present economic uncertainties caused by Covid and the likelihood of recession, in my view it would be unwise for Clearwell to close as it will undoubtedly result in significant negative local economic and employment impacts.

I also fear that it will be extremely difficult to find another job in the quarry industry which like me and many of my colleagues has been the sole focus of my career.

I therefore respectfully request that Members should vote that planning permission is granted today thereby securing the jobs of my co-quarry workers as well as providing economic stability for the area.”

Mr Mike Wrigley (supporting):

“My name is Mike Wrigley and I am the assistant quarry manager at Clearwell.

My roles include day to day running of the quarry, ensuring a high standard of Health and Safety and environmental compliance.

The main part of my job is to ensure that the operatives are doing their job without impact to the environment or each other.

I live within 4 miles of the quarry and my wife has strong family ties and connections in the Forest being a 5th generation Forester.

I support 2 children and the wife with this job and have a mortgage to pay.

My children use the local schools and facilities and my family are most definitely part of the community.

I feel very angry when there are mischievous allegations made about the quarry’s environmental performance.

The last thing that I want as a local is anything taking place which will damage my own back yard.

These allegations are spurious and without any substance.

If planning permission is not granted today, I will be made redundant when the quarry closes.

This will have a devastating effect on my family, as there are few job opportunities in the Forest, let alone in the quarry industry.

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As a local I see the clear local economic benefits Clearwell provides including good quality jobs, use of local tradesmen and spending in shops and local services.

'My' quarry also supplies a much needed supply of high quality aggregate products which can only be found in the Forest.

With the recognised need for this quarry extension in your new mineral plan, it seems to me that it would be illogical for Members not to grant planning permissions for the extension.

Thank you for providing me the opportunity to speak today."

Mr Kevin Morgan (Supporting):

"My name is Kevin Morgan and I am the concrete batching plant supervisor at Clearwell Quarry.

I am a 5th Generation Forester.

I live in Cinderford and have worked at Clearwell Quarry for 11 years. Before this I ran my own local transport business.

My job has allowed me to support my wife, 3 children and now grandchildren.

If the quarry closes, I will lose my job and fear that it will be very hard to find another job in the Forest - especially in quarrying as these jobs are scarce.

My family and I therefore fear for our future should the quarry close.

I take great pride in my job, and as a Forester the environment I work and live in.

It is upsetting to hear accusations about the quarry creating impacts which are simply not true.

We work extremely hard and are highly regulated to ensure that impacts do not occur.

For example, the concrete plant operates under a LAPPC Permit which controls dust.

I would like to point out that we supply mostly local businesses with an affordable supply of high quality concrete products.

We also supply local organisations and charities such as Clearwell Primary School, Lydney Ruby Club and Clearwell Caves. We often supply concrete to local charities free of charge.

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If we were to close, concrete would have to be imported from elsewhere which will result in an increase in lorry movements from outside of the local area and an increase in the cost of concrete products.

This will negatively impact on the local community and its economy.

I hope that Planning Permission is granted today so that the quarry can stay open without further job losses and I can keep my job.

Thank you for letting me speak.”

Mr Lyndon Edmonds (Supporting):

“Thank you for letting me speak.

My name is Lyndon Edmonds and I work as a Quarry Operative at Clearwell.

I have lived in the Forest all my life and have been working at this quarry for 38 years.

I mainly operate an excavator which is the most common plant used at the quarry.

During my working life I have seen many great improvements in plant operation and working practises to noise and dust so that they do not impact on the local residents or machine operators.

In the last 10 years, the plant I operate has become much quieter and we have successfully developed working practises to reduce drop heights to control dust.

The other operators at the quarry and I take great pride in our work and are committed to working in ways that do not impact on the environment.

After all, why, as locals, would we want to cause any damage to the area we were all brought up in.

I therefore do not recognise the objections that the quarry creates problems with noise and dust.

In an area such as the Forest, where good employment is hard to come by, I feel lucky to have worked at the quarry and to have a well-paid job. This has allowed me to support and bring up a family within the local community.

I am sure that you can understand my concern for myself, my family and other quarrymen if Clearwell closes and more jobs are lost.

It would also be a great shame that others will be denied the opportunities that I have had to work hard for if the Quarry closes.

I therefore hope that planning permission is granted today.”

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Mr Nick Dunn (Agent):

“My name is Nick Dunn and I am the Planning Consultant for this application.

There is a clear recognition in mineral planning policy that minerals can only be worked where they are found.

In Gloucestershire, the hard rock aggregate from Clearwell can only be found in the Forest.

There is an identified need in Gloucestershire for aggregates from the Forest and the Government requires maintenance of a 7 year land bank.

The extension to Clearwell is located in an area allocated in the Mineral Plan adopted in March 2020, to contribute towards this land bank.

Its allocation followed an extensive and lengthy review of alternative options in which it was evident that the County’s requirements for this mineral could only be met from extensions to quarries in the Forest.

It was also recognised that the two other quarries in the Forest do not have the reserves, or the ability, to increase production within acceptable environmental constraints, to compensate for the loss of Clearwell.

New green field sites were also considered, but their development would have greater environmental impact than extending Clearwell.

In the absence of this extension, the only feasible alternative is to import aggregates from outside of the county.

This will significantly increase HGV movements and the emissions associated with climate change. This is not an environmentally sustainable approach.

Refusing Planning Permission will therefore:

- undermine the new Mineral Plan*
- result in a shortfall in the land bank; and*
- result in a less sustainable supply of aggregate.*

The application in front of you today is a result of 8 years of environmental study.

As recognised by your Officer and their Advisors:

- all environmental impacts have been reduced to an acceptable minimum;*
- can be controlled by planning condition and legal obligation; and*
- are wholly compliant with Planning Policy.*

I therefore respectfully request that planning permission is granted today.

I am available to answer any questions should they arise.”

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Mr Mike Young (Applicant):

“My name is Mike Young and I am Head of Land & Mineral Resources at Breedon Southern Ltd, the largest independent aggregate Company in the UK.

Clearwell Quarry has been operating since the early 20th Century with its modern development starting in the early 1980’s.

Breedon acquired the quarry in 2013 from Marshals plc - a Company who specialised in natural stone and landscaping products and not construction aggregates.

When Breedon assumed management control of the quarry it was evident that the plant and machinery had been poorly maintained due to lack of capital investment. Not only was the production inefficient but the neglected plant and machinery was causing unnecessary release of dust, increased noise and consequential complaints from our nearest local resident.

Breedon have since worked hard to maintain and update all plant and machinery with a capital cost in excess of £640,000 spent to date and to train its staff to successfully control and mitigate these impacts for our neighbours and the surrounding natural environment.

In addition, there are extensive commitments made in the planning application to undertake further environmental improvements to the plant and advanced restoration of the previously worked out quarry areas. This commitment to invest is only possible however if the planning permission is granted for the extension today.

This planning application represents the culmination of over 4 years discussion and dialogue with Officers from the MPA and other statutory bodies including NE and the EA. Over that time the application proposals have been modified to address concerns raised with a consequential reduction in the proposed mineral extraction area.

Before the recent exhaustion of mineral reserves at the quarry Breedon employed 36 staff mostly made up of local ‘Foresters’.

Due to the length of time it has taken to determine this application 11 of our colleagues have unfortunately already been made redundant. Those remaining colleagues will regrettably also be made redundant if planning permission is not granted today.

As you have heard each of our colleagues have a name, a family and a real life story with real consequences. If planning permission is granted, then Breedon will return to full employment and as a result maximise our contribution to the local economy.

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I would also like to echo what James Cousins said a few minutes ago in that communities and environmental protection is at the heart of everything we do at Breedon. We are for example ISO14001 Accredited. This is a family of standards relating to environmental management which seeks to continually improve our environmental performance. We are also keen to develop our 'Good Neighbour Commitment' here at Clearwell quarry.

To reduce our carbon footprint further and contribute to our climate change objectives we are in the process of replacing all our HGV Fleet to comply with the Euro VI engine standards and FORS silver compliance.

In recognition of the need for this mineral as designated as 'Preferred Mineral Site' in your local mineral plan together with the local economic and environmental benefits which the extension will provide, I urge you to approve this planning application today as recommended by your planning officer.

Thank you for the opportunity to speak and I would be pleased to answer any questions you may have."

Mr Richard Crighton (Newland Parish Council):

"Councillors, you are required to consider this application based on national and local planning policy, relevant legislation and with the benefit of advice from experts in their respective fields, of which we have provided an abundance. My comments focus on the Slad Brook SSSI.

The SSSI citation by Natural England states "Slad Brook is nationally important for its active tufa-forming stream system; it forms the longest series of tufa dams in Britain (700m)".

Newland, St Briavels and West Dean Parish Councils & Coleford Town Council have all OBJECTED to this application supported by the three hydrogeological reports which Newland Parish Council commissioned. They conclude that: "the proposed extension to the limestone quarry at Stowe Hill is considered to be unsustainable due to potential medium impacts on the Slade Brook SSSI".

Prof Gunn, the world's leading expert on Tufa dam's states in his report that "The proposed extension area is in the catchment of the Slad brook springs. Quarrying in this area would pose a very serious risk of damage to the tufa system in the SSSI. The measures proposed to mitigate against that risk are inadequate and unproven. "NE & EA (29/6/18) both originally objected to this proposal, quote "As submitted we consider there is a high risk that it will damage or destroy the interest features for which the SSSI".

Following 'closed door' discussions between the applicant and both these authorities, from which we were excluded, they modified their responses to "We consider that there is still uncertainty, resulting in concern regarding unproven methods of restoration", thus confirming Prof Gunn's concerns.

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FODDC (8/2/18) Objects to the scheme and concludes that it would “result in significant short- and long-term harm to the character and appearance of the landscape ... it is judged that the proposal would be contrary to the NPPF”

WYE VALLEY AONB (7/2/20) Objects. “The Slad Brook is not only a SSSI in its own right, but also a tributary of the River Wye SSSI and Special Area of Conservation (SAC). The proposed development fails 3 tests of our Development Strategy”

CAMPAIGN FOR THE PROTECTION OF RURAL ENGLAND (19/2/18) We strongly support the precautionary principle. If there is a risk that the current proposals could damage the special features of the SSSI then that, in itself, is a case for refusing consent.

GCC: your own Lead Flood Authority (30/11/17) “This development could have significant implications for the management of ground and surface water. Due to the complex nature of this development we would recommend that you obtain specialist advice.”

*NPC has provided that specialist advice but it has been ignored!
So, to summarise, there is not one single expert who supports this application; on the contrary they all object, and with very good reasons.*

It will doubtless be argued that all these factors can be mitigated by conditions and legal agreements, but let me tell you what regard the applicant has for conditions and other legal obligations.

Over recent years the Health & Safety Executive has issued 4 “Immediate Prohibition Notices” and 3 “Enforcement Notices” in respect of quarries owned by the applicant, and breaches of planning conditions are reported by at least 2 local authorities.

On the current site the conditions relating to restoration of worked areas has been completely ignored.

These examples show beyond any shadow of doubt that the company ignores planning and Health & Safety regulations, but worse, it fails to correct situation previously reported. The applicant shows a total disregard for the statutory process purely on the grounds of profit.

The company has refused to convene the usual 6-monthly Liaison Group meetings with NPC for over 2 years, and also refused to attend a PC meeting in 2017 to discuss the proposals.

Do you really want this company operating in this county, let alone at this particular site?

Turning now to your own policies:

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The recently adopted MLP states with reference to proposals affecting the Wye Valley AONB that “proposals will only be permitted where it can be demonstrated that they will not prejudice the character of the landscape of the AONB”

*The AONB boundary is only 700m away. (I remind you of the FODDC response)
The MLP states, with reference to this area that “Avoiding the derogation of the SSSI must be the primary focus”. (I remind you of the concerns NE and the EA)*

The European Union Directive 2011/92/EU is very clear that where any shadow of doubt remains about a proposed development, the Precautionary Principle must be applied. You will be aware from reading our responses that this is an aspect we have maintained all along.

To summarise previous speakers and our objection, let me remind you that to permit this application would:

- contravene the EC on Human Rights*
- contravene the Precautionary Principle*
- contravene the NPPF*
- conflict with your own recently adopted MLP*
- show total disregard for the expert advice provided by NE, the EA and hydrogeological expert and consultants*
- ignore the view of the FODDC*
- ignore the views of several parish and town councils and literally hundreds if not thousands of local objectors*

Please REFUSE this application. Thank you.”

District Councillor Dave Wheeler (Presented by Chris McFarling in Cllr Wheeler’s absence):

“My name is David Wheeler. I live in Redbrook, in the Parish of Newland in the Forest of Dean. The quarry, which the application before you today seeks to extend, lies in the Parish of Newland. I have been a Parish Councillor in Newland for some 38 years. I am also a member of the Forest of Dean District Council. I have, at various times, been a member of the Forest of Dean District Council for 21 years. I am currently a member of the Planning Committee for the Forest of Dean District Council, and am currently the Chairman of that Committee. For avoidance of any doubt, I am speaking to you today as a Newland Parish Councillor, and as the Ward member on the Forest of Dean District Council, and am not representing either the Forest of Dean District Council, nor the Planning Committee of that Council.

Over many years Stowe Hill Quarry has exercised a disproportionate amount of time for Newland Parish Council. I well recall the times in the 1980’s and 1990’s when the quarry on the northern side of the road ceased operation as a quarry, and plans for the expansion of extraction were passed on land on the southern side of the road, with conditions. The current application seeks to further expand this quarry into agricultural land which forms part of the setting of the Wye Valley Area

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of Outstanding Natural Beauty, which lies only 70m away. In doing so, the application seeks to destroy landscape that is of particular value, and crucially will affect a Site of Special Scientific Interest – the Tufa Dams on the Slad Brook. This in turn will adversely affect the actual landscape of the AoNB.

Many of the conditions imposed on the quarry under current permissions have never been adhered to, and I would mention in this regard conditions relating to dust and noise nuisance, and landscape renovation and restoration that appear to have been systematically ignored, and not enforced by the appropriate Planning authorities.

The area in which the quarry is set is of particular value both in terms of landscape; geology and geological features. If this application is granted this landscape value will be destroyed for ever, and can never be replaced.

Yet the landscape of the quarry is also the environment within which ordinary people live. For too many years the expansion of this quarry has ridden roughshod over the quiet enjoyment of people's lives. The quarry comes far too close to dwellings, and makes people's lives intolerable. The hamlets of Stowe, Stowe Green, and Trow Green have been living with this nuisance to my knowledge for 38 years and in all likelihood for far longer. The quarry has currently ceased operation, and no stone is being extracted. It has come to the end of its natural life. It is now time to close this quarry permanently; to enforce conditions relating to restoration of the landscape and allow the whole area to regenerate naturally.

Members I ask you to reject your officer's recommendation and refuse the current application."

County Councillor Patrick Molyneux:

*"Thank you Chairman,
I am here this morning as the County Councillor for Sedbury in which Division these quarries are situated and I am here to represent the overwhelming, if not unanimous view of the residents and the local Councils who will be impacted by the expansion of the quarry and extension of its operations. On that basis I am here to strongly request that you **REFUSE** this application.*

I will highlight just a few parts of the application and try to underline some of the key issues.

*The NPPF Chapter 15 'Conserving and enhancing the natural environment' at Paragraph 170 states that planning decisions should **contribute to and enhance the natural and local economy** by:*

- a) protecting and enhancing valued landscapes, sites of biodiversity or geological value ...;*
- b) recognising the intrinsic character and beauty of the countryside, and the wider benefits from natural capital and ecosystem services – including economic;*
- d) minimising impacts on and providing net gains for biodiversity*

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e) preventing new and existing development from contributing to, being put at unacceptable risk from, or being adversely affected by, unacceptable levels of pollution or land instability. And development should, wherever possible, help to improve local environmental conditions.

Both the Environment Agency and Natural England originally objected to an increase in quarrying on this site. They have since rowed back from the position but in a meeting with the Newland Parish Council admit that they still had grave concerns.

The EA stated that...

- Epikarst re-creation is an unproven mitigation measure and they have concerns this may not work as intended, with the potential for **irreversible impact***

*NE objected to the proposal on similar grounds, they also considered there to be a high risk that the proposal would **damage or destroy** the interest features for which Slad Brook SSSI has been notified.*

- Their objection was based on the grounds that there would be impacts on hydrology, epikarst restoration, inability of monitoring to adequately protect the Slade Brook SSSI and the **inability of restoration to repair damage**. ... in other words, once it's gone it's gone!*

As you all know this site is in an extremely sensitive location, on the edge of the AONB it is bounded by Slade Brooke, a SSSI of international importance that has taken millions of years to form. One mistake, one miscalculation and it would be destroyed forever.

The site also nestles in the heart of some of the forests finest tourist attractions and amenities, Puzzle wood, The Tudor Farm House, St Briavels, Clearwell Castle, Clearwell Caves to mention just a few, 100's if not 1000's of local tourism jobs are completely dependent on the quality of the landscape and environment of the area. I must say Chairman, given NPPF Chapter 15 and the concerns of the EA and NE amongst many more, I am very surprised that the committee did not have the opportunity to have a site visit to properly understand how the quarry sits within the local area and potential impact it would have.

NPPF Chapter 17 'Facilitating the sustainable use of minerals' at Paragraph 203 states that "It is essential that there is a sufficient supply of minerals ... ", however, this application would provide just 4 years supply of rock, hardly a sustainable development.

Paragraph 205 states that "when determining planning applications, great weight should be given to the benefits of mineral extraction, including the economy....." yet there would only be 36 jobs provided for just 4 or 5 years of extraction and very minimal if any additional benefit to the local economy.

From an economic point of view these 'benefits' do not out way the risks this application poses.

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This proposal would also in my opinion have a substantial impact on the landscape. A prominent ridge would become a hole surrounded by bunding, all of which would be visible from the 2 main tourist routes connecting Chepstow and Lydney to Coleford and the Forest of Dean. This will not create the sort of gateway and welcome to the FoD that will enhance its reputation as one of the most beautiful parts of the country.

So, you are being asked to jeopardise local tourism and to put at risk some of our greatest natural wonders such as Slade Brooke from irrevocable damage and harm, all to extract just 4 years of minerals with absolutely no discernible benefit to the local economy and certainly not for the environment.

*The 'Precautionary Principle' should be applied, so please **REFUSE** this application, or at the very least, postpone the decision so that you can have a site visit and see for yourselves the impact this proposal could have on our beautiful area. Thank you"*

The Solicitor advised the Committee in relation to comments that were made in public speaking about the identity of the applicant and their previous enforcement history, these points were not material to Member's consideration of the application and they should just consider the application before them with the recommended conditions and Section 106 Agreement..

Public speakers were invited to remain in the virtual meeting if they wished to do so but were advised that they could no longer participate in the meeting.

The Chairperson invited questions from Members following the presentations.

For the purposes of the clarity, the facilitator asked each Member individually if they had any questions for Officers at this stage.

Cllr Bird had a legal question for officers He explained that his internet failed for a few minutes and he wished to know if he could continue to take part in this committee meeting.

The facilitator clarified with Cllr Bird which public representations he had missed. Cllr Bird confirmed he had missed the Agent's speech and part of the Applicant's speech. Cllr Bird confirmed he re-joined during the Applicant's speech and he had heard the representation from Newland Parish Council in full. After seeking legal advice, it was agreed that the Clerk would email Cllr Bird of copy of the Agent's and Applicant's speeches, so he could duly consider them and then continue to take part in the meeting. The facilitator agreed to return to Cllr Bird for any questions in due course, once he had read the representations.

It was confirmed for members of the public of watching on YouTube that copies of all public representations were submitted beforehand in writing to the clerk and in the event of any technological failures the clerk could access the speeches and if necessary present on the individuals' behalf.

Councillor Brown referred to Mr James' reference to human health regarding air quality and dust management. He asked if the Air Quality Advisor could clarify the effect on air quality away from the site, with the HGV movements and possible increase or decrease in the number of HGV movements. Councillor Brown also referred to HGV engines being improved, and he questioned if this was for ecological reasons and sought clarification on how the proposal would affect the environmental aspect as far as air quality away from the site.

The Senior Planning Officer explained there was to be no increase in vehicle movements. Regarding carbon emissions he referred Members to page 165, paragraph 7.315 of the Officer Report which stated that the applicant was committed to updating their fleet to European standards (as set out on page 166, paragraph 7.326), which would reduce carbon emissions from the fleet. The Air Quality Advisor added that she had nothing to add and it was clear in the documentation there would be no increase in vehicle movements above and beyond how the quarry had been operating to date. The Advisor welcomed the applicant's proposals to upgrade their vehicle fleet.

Councillor Cordwell remarked that the Minerals Local Plan was only adopted in March 2020 and had undergone a rigorous consultation process prior to its adoption. The application site was included in Allocation 01. Has therefore asked for confirmation that the principle of this development had already been dealt and that the Committee needed to consider the detail of the proposal and the planning conditions that should applied to it. The Senior Planning Officer confirmed this was the case.

Councillor Fisher wished to hear more from Professor Gunn about the Section 106 Agreement and the 12 month monitoring scheme. He wished to know if the process would work and how confident was he in the process. Councillor Fisher referred to the previous question relating to vehicle movements not increasing; he disagreed with this point and added there was a seven and a half tonne weight limit by their entrance to the quarry. He remarked that the roads there were of a nature that would not take very large HGV's. Councillor Fisher felt the size of vehicles and the damage they were doing to the environment by their sheer size and volume would be increased.

The Senior Planning Officer clarified in relation to Councillor Fisher's comments there was no condition in place restricting the size of the HGV's and there was no proposal to increase the size of HGV's either.

The Senior Planning Officer explained that the trial area and monitoring scheme was a fundamental part of the proposal and would take place over a 12 month period. This would determine how the application progressed and was entirely dependent upon the data produced. The detail of the monitoring scheme and criteria would be addressed through conditions. There would have to be 12 months of monitoring as a minimum and depending on what the data produced, further monitoring might be required. The details would be decided via conditions. The purpose of the monitoring scheme was to show whether the proposed restoration would work and what effects it could have on the water flow in the SSSI.

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Professor Gunn referred Members to recommended Condition 70; Page 190 of the Officer Report which required that, prior to the commencement of mineral extraction in the extension area, a scheme of trials would be submitted and approved. So the first step was to secure a scheme of trials taken over a period of at least 12 months before any extraction could take place in the new area. In terms of lysimeter trials these would be a series of 10 experiments which would have different combinations of materials in them. The experiment would look at the carbon dioxide in the soil in each of these trials and the water quality coming out of the bottom. Professor Gunn informed the Committee that this would provide target values, so specialists could see the soil carbon dioxide in a natural soil in the area and how much of these solutes were in the water in the natural epikarst.

It was necessary to establish if it was possible to achieve that water quality and that carbon dioxide. If that could be achieved then, that would go a substantial way towards mitigating the removal of epikarst from the extension area. If it was not possible to achieve those concentrations, then it would be necessary for the developer to fund a new series of trials that could demonstrate that removing of rock from the epikarst from the extension area would be mitigated by the construction of a new epikarst within the quarry.

Professor Gunn added it this process was experimental and these would be important trials because this was not a tried and tested technique. However, he was content with the wording of the condition.

Councillor Hirst had some reservations about this application centred on the noise of the operation, the air quality in the surrounding communities and the harm to the landscape. He referred to Councillor Molyneux's suggestion that a site visit was required. The Legal Advisor explained that site visits were not mandatory but it was a matter Members as to whether they felt they had sufficient information available to determine the application.

The Planning Team Manager reiterated that, in light of the Covid-19 pandemic, the case officer had gone to great lengths with the photography in his presentation. As it stood legally it was not necessary to undertake a site visit on any application.

The Chairperson referred to the Planning Team Manager who reminded Members the purpose of a site visit was to point out salient features and there was no discussion on site visits. The purpose of the Government regulations in the pandemic was to allow Planning Committee to make decisions through remote meetings. The facilitator also advised the Committee that the Local Government Association discouraged councils from holding physical meetings in council offices as decisions could be made virtually. The Chairperson also added it was not possible to socially distance on a bus for a site visit.

The case officer explained that it would not be possible to see the calcium deposits on the nearby countryside, as they were in the basin of the quarry. Also the quarry was not currently operating, so there would be no noise, vehicle movements or

additional impact on the landscape. In summary, he felt a site visit would not be of particular benefit to Members in their decision making.

Cllr Hirst was comforted by the fact that these 12 month trials would have seven performance indicators in place, which would give an objective view of what was going on.

Councillor Morgan explained that his question had been answered by Professor Gunn, in that he had confirmed no extraction would take place until these trials of been concluded. He also wished to know if there were any plans to cover the open primary crusher and the conveyor that sent the minerals into Clearwell Quarry for the main crusher.

The case officer referred to Condition 71 which required the trials to be carried out prior to mineral extraction commencing this would be monitored in association with NE.

Professor Gunn clarified that the key part of Condition 71 related to the very last sentence in that, in which required that *“no mineral extraction shall commence until the reported monitoring data from the epikarst trials have been approved by the MPA”*.

Professor Gunn confirmed that, providing the monitoring data from the trials was approved to be satisfactory and gave the necessary reassurance, and then mineral extraction could take place. However, if those trials did not result in the relevant amounts of solute and carbon dioxide, the condition would prevent the extraction taking place. Therefore it was a very crucial condition.

It was explained that Condition 10 required the crusher to be enclosed using cladding and other improvements to the plant. There were also conditions relating to dust and noise. This would be prior to commencement of extraction. It was noted that the applicant had said that they were going to improve the environment protection of the crusher and the screener.

Councillor Parsons remarked that he had never seen a planning application with so many extensive conditions over such a long period of time. Councillor Parsons asked if the details required by the conditions would be reported back the Committee, once the trials were completed.

The case officer explained that Officers would usually deal with the discharge of those conditions and the relevant technical advisors would be involved to ensure compliance. However, there was a precedent for reporting conditions back to Committee for ratification at Sprats Gate.

Councillor Parsons suggested only specific fundamental conditions should come back to committee.

The Chairperson asked the Legal Advisor for clarification on this point. He advised that if Members felt the need to see and comment on the detail of specific

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conditions then it was within their gift to do so, but it would be advisable to limit the number of conditions returning to Committee for ratification, more specifically the critical ones, in particular Condition 71.

Councillor Robinson asked if the crusher then would remain in Clearwell Quarry and whether all the other buildings would be removed. The case officer explained that the principal crusher was in Stowe Hill quarry and was not actually visible from where the photographs were taken.

It was noted that the applicant was proposing that the principal crusher will be enclosed and the screener would be removed from Clearwell Quarry and be attached to the primary crusher. This again would be enclosed. The purpose of this was to reduce dust levels created at Clearwell and was part of the environmental improvement to the site. The case officer explained that this was, in order to reduce the impact of dust on nearby residents

The other plant would remain in situ in Clearwell Quarry but only for the period of the extraction. Ultimately, there would be 8 year period from the date of commencement of development to the restoration of Clearwell Quarry including the dismantling and removal of all the plant. . It was noted that Clearwell Quarry would be addressed via the final restoration scheme.

Councillor Robinson asked if the footpath would be moved. The case officer explained that the applicant would have to formally apply to divert the footpath from across the extension area, but as part of the final restoration scheme, they were intending to reconnect the footpath to where it was originally lay. He advised the Committee that discussions had taken place with Public Rights of Way Team who were in favour of the diversion at this stage.

Councillor Tracey thanked officers for a detailed report. She added that many of her questions had already been answered. However, she had a question in relation to the tunnel and would the site be left derelict and overgrown if planning consent was not permitted. Cllr Tracey was pleased to note the applicant's intention to invest in a new fleet of environmentally friendly vehicles.

The case officer explained the crusher was connected to a conveyor belt. The stone was then taken on the conveyor belt through a tunnel underneath the road into Clearwell Quarry. He added that the proposal was to make some improvements to the conveyor to mitigate dust. Members were advised that there was a restoration scheme in place at Stowe Hill Quarry under the original planning application.

At this point Cllr Tracey left her screen for a few seconds. However, she continued to participate verbally until she returned to the screen.

Councillor Vines had no further questions at this stage.

Councillor Wheeler sought clarification as to what the Committee was being asked to vote on and if the Committee were minded to permit this application, would it

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need to be referred to the Secretary of State. He also referred to submissions made by the public speakers and wished to know if the dust was toxic.

The Air Quality Advisor explained that historically there had been issues with dust on the site and things had improved over recent years. She added there were proposed improvements to the plant and operation in the application and there was a requirement for a Dust Management Plan to be submitted prior to commencement. It was noted that Public Health England and the public health representative from the County Council were consulted on this application and made no comment. Paragraph 7.122 of the Officer Report showed that, on a previous application for extension of quarrying, it was determined that a public health impact assessment was not required. She confirmed that dust mitigation would need to be approved prior to works commencing.

The Legal Advisor confirmed that the Officer's Recommendation was not being amended. It was for the Committee to decide if it wished to approve the application subject to the completion of the Section 106 Agreement. The Secretary of State could have issued a holding direction to the MPS not to grant permission until they determined whether to call-in the application. They had not done this, but the National Casework Team had requested to be notified if the Committee accepted the Officer Recommendation. Reference was made to the initial statement given by the Planning Team Manager.

Councillor Wheeler also referred to the Ordinance Survey map and the 20 metre drop off from the south to the northern boundary at Shop House Farm and wished to know what the difference was. The Infrastructure Advisor explained the visual impact had been assessed and, in terms of the land form, the final restoration scheme was really the key issue. She explained that the restoration was heavily conditioned within the planning permission conditions to ensure the applicant delivered

The Infrastructure Advisor explained that the landscape restoration would be consulted on with every interested party. There was the opportunity to put in additional planting in, if the Landscape Advisor thought necessary. The case officer confirmed that Forest of Dean District Council would be consulted on landscaping and restoration plans.

At this juncture, the facilitator returned to Councillor Bird to confirm he had received and read the representations from the Agent and Applicant. Councillor Bird confirmed he had and had replied via email to the clerk to confirm this.

Councillor Bird felt Councillors had covered many of the areas. However, he noted from the outset the application referred to a specific period of extraction. More specifically he referred to Condition 3 in terms of mineral extraction and Condition 13 in terms of timing, namely in six years at Stowe Hill and an additional 2 years at Clearwell Quarry. The case officer confirmed this was correct.

Councillor Bird felt it was a question of a balanced judgement and in accordance with the Minerals Local Plan there were various mitigations proposed within the

application. Officers explained, in relation to landscape harm, that this was sufficiently mitigated by the proposals for screening, etc. and this was supported by the advice of the landscape consultants.

Councillor Cordwell raised a question in relation to Condition 71. If that could not be satisfied, he wanted to know if the applicant could come back in the future to apply for 176 metres AOD as the rest of the quarry had operated satisfactorily without affecting the brook. The case officer replied there was nothing to prevent the applicant coming back for another application in the future.

At this juncture, the Committee took a brief adjournment.

Members reconvened at 13:25pm and the Committee entered into debate.

The facilitator invited each Member in turn to debate the application.

Councillor Fisher informed the Committee that he had visited the site and the visual impact was colossal and could not be underestimated. He referred to the impact on the Slad Brook as advised by Professor Gunn -and Councillor Fisher doubted what was proposed would actually give the required results.

Councillor Fisher also referred to the 7.5 tonne weight limit for HGVs. While on his visit to Clearwell, he witnessed a lorry which he felt was obviously over the weight limit and he felt that the applicant was showing blatant disregard. He remarked that the economy of the local area was heavily based on tourism and it was in a beautiful area of the Wye Valley.

Councillor Fisher raised concerns for the River Wye and the Slad Brook which fed into the river. He felt as part of our County's natural history there was a duty to protect and to do anything that may affect the brook would be wrong.

Councillor Fisher had reservation about the restoration of the existing quarry in accordance with conditions. He felt that the required planting and landscaping had not occurred. He noted that the surrounding landscape was prime agricultural land and people earned a living off that. Councillor Fisher suggested that one farm would lose 9 acres of land which was considerable and it may affect their business.

He added the visual impact of the bunds would be colossal and would change the shape of the landscape forever. Councillor Fisher suggested that the way the quarry was dug out and the mitigation to put it right would never restore it to back to its former glory. He felt it would be a blot on the landscape and he moved that the application should be refused on SSSI implications, visual implications for residents, the noise from crushing and the dust factor. He did not have confidence in the S106 testing to protect the Slad Brook and therefore moved refusal.

The Chairperson asked for a seconder to Councillor Fisher's proposal. There were no seconds.

The Chairperson asked if any Councillor wished to propose to accept the Officer Recommendation on page 170 of the report.

Councillor Wheeler proposed to accept the Officer Recommendation. He noted that mineral exploitation within the Forest of Dean was extensive and went back to Roman times. He added that the Forest produced some of the finest iron ore in the world and coal extraction in the 1960s and 70s. He added that he used to go pot holing in the Forest of Dean and was aware of the area and a lot of the landscape within the Forest of Dean was as a result of slag heaps. Many of the slag heaps had now grown into some beautiful areas and a number of old quarries that had had no restoration done to them, were now part of the landscape.

Councillor Wheeler added that this was a short term development and the MPA could enforce to make sure that it was properly reinstated. As this was an extension of the existing quarry, he proposed to accept the Officer's Recommendation.

Councillor Cordwell seconded the proposal. He felt the Officer's Recommendation was so heavily conditioned there were numerous safety nets in place. Councillor Cordwell advised the Committee that the quarry extension was far away from the north end of the site and was far away from the Wye Valley. He felt there was no valid reason to refuse the application and was happy to second the proposal to accept the Officer Recommendation.

Councillor Hirst agreed there were many conditions imposed on this application to prevent any harm to the environment.

Councillor Morgan informed the Committee that he was from 6 generations of coal miners in the Forest of Dean and knew a great deal about mining and digging holes in the area. He added that he was very torn with this application because he felt for the staff at the quarry but on the other hand there were obviously people whose jobs were dependent on the growing tourist industry. He welcomed the dust and noise mitigation levels put in place and welcomed the input of the EA and NE and appreciated the comments from Professor Gunn.

Councillor Morgan referred to his efforts to prevent open cast operations in coal and fracking. He noted the area was unique, not only on the surface in terms of landscape, but also its geology which dictated the hydrology. He informed the Committee that in the 1970's, Cinderford lost its water supply and work was undertaken to trace the basin hydrology. It was explained that the water did not run naturally to the river and it went round the basin of the Forest and ended up in Clearwell. So the very nature of hydrology especially in the Forest could cause unexpected problems, which caused him great concerns.

Councillor Bird looking at the planning balance could not see many planning reasons to refuse this application. In addition, he referred to the landscaping and felt that a lot of work had been done to mitigate a lot of potential hazards.

Councillor Bird felt that the issue of landscape and landscape harm was not strong enough to tip the balance against the application. While he was very disappointed

that Members were not able to undertake routine site visits, he could not see any reason to refuse this application.

Councillor Parsons advised the Committee that he was experiencing some difficulty with his video. The facilitator confirmed with Councillor Parsons that he had been able to hear the debate. Councillor Parsons confirmed he had heard everything and his video was now working.

Councillor Parsons felt because the conditions were very extensive and providing they were successfully implemented they would meet some of the concerns expressed by local residents and others. He added that he would like the details required by specific conditions, in particular Conditions 71, 73, 74 and 75, to be reported back to the Committee for approval after the monitoring period.

Councillor Brown regretted the opportunity to not have a site visit but he accepted that it was not possible in light of the Covid-19 pandemic. He felt it was difficult to support this application and was very torn. He accepted there were a lot of proposed conditions but wondered if the applicant would abide by them. He felt that, in the absence of a site visit to a working quarry, it was not possible to understand the levels of dust and noise.

The Legal Advisor informed the Members if they wanted certain conditions to come back to Committee for approval of their discharge, then they needed to clearly identify those conditions and ensure that the proposer and seconder were happy to take that within their motion. The facilitator confirmed with Councillor Wheeler and Councillor Cordwell they were happy to include this in their motion, to which they agreed.

The summary of conditions was placed on the screen for all to view and Members were referred to the detailed conditions within the report from page 170 onwards. The case officer explained that Conditions 71, 72 and 73 were the most relevant and related to the epikarst.

It was noted at 14:05pm Councillor Vines tendered his apologies and left the meeting.

After some discussion Members felt that the details required by Conditions 58, 71, 72, 73 and 74 should be reported back to Committee.

The Legal Advisor once again reiterated it was for Members to specify which conditions they wished to come back to Committee for approval. The case officer explained that, in relation to Condition 74, Environment Officers from the Forest of Dean District Council, EA, NE and the MPA would be involved in the MMSG to consider the results and they would all have an active role to play in the monitoring of the site and The Section 106 Agreement would also be put place as part of the pre-commencement conditions. It was evident that Condition 74 would be monitored closely through the appropriate specialist group.

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The facilitator once again confirmed with Cllr Wheeler as the proposer and Cllr Cordwell they were satisfied with the Officer's Recommendation as summarised in Paragraph 7.33 to 7.347 of the report and that details required by proposed Conditions 58, 71, 72 and 73 would be reported back to the Committee for Member approval in due course. They both confirmed they were satisfied.

On being put to the vote, the application was passed (7 in favour, 3 against and one abstention).

The Planning Committee therefore:

Resolved

That the Planning Permission be granted for the reasons summarised in Paragraphs 7.333 to 7.3474, subject to the prior completion of a Section 106 Planning Agreement to secure the long term monitoring and safeguarding of Slad Brook SSSI and subject to conditions set out in section 8 of the report. The details required by Conditions 58, 71, 72 and 73 would be reported to the Committee for approval in due course.

The Chairperson thanked registered speakers for their representations on this application and he proceeded to thank Jason Betty, Senior Planning Officer for his detailed presentation.

Meeting closed 14:19pm