

Committee: PLANNING
Date: 12 August 2008

Report: PLANNING PERMISSION FOR THE CREATION OF A STONE ACCESS TRACK FROM FOSSDALE FARM TO PICKERSETT HILL TOP.

Purpose of the report

1. To provide advice on the discharge of conditions 2 and 3 of planning permission R/48/134 for a stone access track from Fossdale Farm to Pickersett Hill Top which require approval of the track surface material and mitigation measures.

Background

2. Members will recall that this application was considered at the meeting on 11th December 2007 (see attached report at Annex A). Members resolved to grant permission for the proposed track but at the following meeting on 8th January 2008 decided to refuse the associated application for quarrying stone (R/48/134A). The quarry application was refused for the following reasons:

“1. The proposed development is contrary to Policies MLP2 and NE1 in that it is a new quarrying operation which is not justified by exceptional circumstances and for which an alternative solution of importing stone for track construction would reduce the adverse environmental impacts and provide material of more suitable composition.

2. The use of limestone aggregate in the construction of the track across non-limestone areas would be inappropriate in terms of its visual appearance and its impact on acidic ground conditions.

3. The proposed quarrying operation, including the machinery and operating techniques required to produce aggregate of a suitable size for track construction and to create a satisfactory surface for restoration, would result in unacceptable disturbance in this quiet upland area of the National Park.”

3. At the meeting of the Planning Committee held on 12th February 2008, Members decided to grant permission for an access track subject to, inter alia, a condition stating the following:

“3. Notwithstanding the submitted details a sample of the stone to be used in the construction and top dressing of the track and details of pH value and the location from which it has been sourced shall be submitted to and approved in writing by the

Local Planning Authority prior to any construction works taking place. Only the approved stone shall be used for the construction and surface of the track. Reason: In the interests of protecting landscape character and ecological distinctiveness. ”

4. A copy of the decision notice is appended at Annex B.
5. Pursuant to discharging the conditions of the track permission the applicant has submitted a Method Statement report detailing the proposed surface material, its ecological impact, measures for mitigation of its visual impact and proposed drainage works. Given the concern of Members over the proposed construction materials this Committee report sets out the applicant's proposals in respect of condition 2 (measures to mitigate visual impact) and condition 3 (track construction and surface material). A copy of the applicant's Method Statement report is **attached** for information.

Analysis of the Method Statement report.

6. The report proposes the use of limestone as a construction and surface material for the full length of the track. The stone would be sourced from the Cemex UK Materials Ltd quarry at Leyburn and has a pH value of 9.1. The rationale for using this material is that it is available from a local source, it provides a good durable surface and that it is preferable to the other locally available stone, Greywacke gritstone, which the report concludes is soft, disintegrates and is expensive.
7. The author of the report considers that limestone will not have an adverse ecological impact. Photographs are provided showing peat bed plant species thriving on the edges of limestone tracks. The report considers the effects of rain water runoff from a limestone track on peat ecosystems and concludes that peat is resilient to calcium influx as most calcium is absorbed by vegetation.
8. The report includes the results of tests aimed at establishing how much lime would be required to remove the acidity from peat. It was found that 13.2 tonnes of lime would be needed per hectare of peat. Section 2 of the track, which includes a peat bed surface, is approximately 0.56ha in area and will require about 3600 tonnes of limestone in its construction. The 'lime requirement' for 0.56ha is 7.39 tonnes which is considerably less than that proposed. The author of the report considers that the test results are misleading as they assume that all of the lime is chemically active (able to react), with an immediate timescale, and all at the same time. This would be the case if the material were applied as a finely ground powder however the track would be constructed using material ranging from large rock to finer aggregate. Only a small proportion of the material at the surface of the track would be exposed to rainwater and available to react chemically. The author assumes that only 0.1% of the limestone would be chemically available over a 10 year period and therefore the 3600 tonnes of limestone would only generate 3.6 tonnes of lime during that period, well below the 7.39tonnes required.
9. The report proposes a number of measures to limit lime runoff, encourage vegetation growth on the track surface and improve the visual impact of the track, viz:

- (i) Compaction of the construction material to a higher degree than normal to prevent acidic rain from permeating the material;
- (ii) Creation of a slight camber to encourage shedding of water from the track surface;
- (iii) Topsoil and vegetation removed to create section 1 would be stored as a soil/vegetation mulch which would be mixed with the top dressing material to encourage vegetation growth on the track surface;
- (iv) Incorporation of Greywacke gritstone in the upper surface, at a ratio of 1:1, to dilute the lime runoff and give a darker appearance to the track surface (Greywacke gritstone is a dark grey colour).

10. The report also proposes a long term monitoring (sampling) and testing regime with any necessary remedial works. Construction works would be overseen by an 'Ecological Clerk of Works' to ensure that the above measures are incorporated.

Conclusion

11. The report appears to be well researched and reaches authoritative conclusions however given the technical nature of much of the content the views of the Authority's Ecologist have been sought and will be available for the meeting.

12. The mitigation measures and management regime put forward in the report appear to be well thought through and capable of minimising any ecological and visual impact. However it will be necessary to consider the views of the Authority's Ecologist before an informed conclusion can be reached.

RECOMMENDATION

13. Subject to the views of the Authority's Ecologist the use of limestone, in the manner proposed in the report and subject to the mitigation and management measures set out therein, be approved pursuant to conditions 2 and 3 of planning permission R/48/134.

Richard Graham
Senior Planning Officer

Date: 18.07.08

Background documents: R/48/134, previous Committee reports.