

**The Town and Country Planning Act 1990 Section 78  
The Town and Country Planning Appeals (England) Rules  
2000**

**FULL PARTICULARS OF  
CASE ON  
MINERALS AND WASTE**

**Matthew Breeze  
and  
Deborah Jeakins**

**Appeal by James Ball, Drew Price and James Ball  
Site address: Land to the South of Chear Fen Boat  
Club, Twentypence Road,  
Cottenham, Cambridgeshire, CB6 8PX**

**2025**

**Planning Inspectorate Reference:  
APP/W0530/C/24/3349303**

1. The Inspector has requested “full particulars” of the Council’s case on the minerals safeguarding area.
2. The following text has been prepared by Matthew Breeze:
3. My evidence addresses the topic of minerals and waste policy.
4. I, Matthew Breeze, as a suitably qualified person, submitted a consultation response, in my role as a Principal Planning Officer of Cambridgeshire County Council, in relation to planning application reference 22/01703/FUL being determined by South Cambridgeshire District Council. I made the response acting within the County Council’s remit of Minerals and Waste Planning Authority and with the correct authorisation to do so. In that response the County Council principally objected on the grounds that the development did not comply with Policy 5: Mineral Safeguarding Areas and Policy 16: Consultation Areas of the Cambridgeshire and Peterborough Minerals and Waste Local Plan (2021) (MWLP), as well as highlighting to the District Council the likely relevance of the ‘agent of change’ principle as set out in, what was then, paragraph 187 of the NPPF 2021, which is now found under paragraph 200 of the NPPF 2024.
5. South Cambridgeshire District Council subsequently issued a decision refusing planning permission on the 5 September 2022 on a total of eight grounds. An appeal (this appeal) was subsequently submitted by the Appellant.
6. Following discussions, it was confirmed that the County Council could support South Cambridgeshire District Council in respect of two of the reasons for refusal, these reasons are:
7. “3.     *The proposed development does not accord with Policy 16 of the Cambridgeshire and Peterborough Minerals and Waste Local Plan nor paragraph 187 of the NPPF because it has not been demonstrated that the*

*Mitchell Hill Quarry will not result in unacceptable amenity issues or adverse impacts to human health for the occupiers or users of the proposed development; dust and noise are of particular concern. The applicant has also failed to demonstrate that the proposed development is compatible with the adjacent quarry.”*

8. “4. *In the absence of a statement demonstrating safeguarding of the Sand and Gravel Mineral Safeguarding Area, the proposal is contrary to Policy 5 of the Cambridgeshire and Peterborough Minerals and Waste Local Plan (June 2021)”*
9. At the request of the District Council, I have reviewed the Delegated Report, and in my professional opinion, the District Council correctly interpreted those policies and, within the scope of minerals and waste policy advice, are justified in refusing planning permission on the grounds set out in reason three and four. The reasoning for this conclusion is detailed in my Proof of Evidence.
10. The following text has been prepared by Deborah Jeakins:
11. My evidence addresses the topic of the impact of the Mitchell Hill Quarry on the development.
12. My name is Deborah Jeakins, I am the Business Manager for County Planning, Minerals and Waste at Cambridgeshire County Council. In advance of drafting my proof of evidence, I can confirm that the County Council, as Minerals and Waste Authority, objected to the planning application and continues to support the Council in defending the appeals.
13. I have continued to visit Mitchell Hill quarry periodically since 2022 to discuss issues with representatives of the site operator, Mick George Ltd (MGL) and officers from the County Planning team also meets with MGL on a quarterly basis to discuss operations and issues arising at all of the mineral and waste sites that they operate. Therefore, I am well placed to advise on the planning

permission for the Mitchell Hill site and its conditions, the impacts from sand and gravel quarries in general and the specifics of the Mitchell Hill quarry operation.

14. The County Council objected to planning application reference 22/01703/FUL for: *“Change of use of land through intensification to the stationing of caravans for residential purposes, nine dayrooms and the formation of hardstanding ancillary to that use”* on the basis that the development conflicts with Policies 5 and 16 of the MWLP.
15. Mitchell Hill quarry and the adjacent to the appeal site and are within a Sand and Gravel Mineral Safeguarding Area as safeguarded under Policy 5 of the MWLP. No information was provided to meet the criteria within policy 5 with the planning application in order to safeguard the County’s mineral resources which are protected and needed for economic growth. This is the basis for reason for refusal 4 of planning application 22/01703/FUL.
16. The winning and working of mineral at the Mitchell Hill quarry adjacent to the appeal site and the progressive restoration of the Mitchell Hill quarry with the backfilling of waste will take place until at least 2035 and is protected by both national and local planning policy in the form of the NPPF (paragraph 200), the NPPW (paragraph 8) and the MWLP Policy 16.
17. The quarry operations include but are not limited to:
  - Soil stripping - the use of heavy machinery to remove top soils and sub soils for storage in bunds around the site for placement as part of the restoration;
  - Archaeological investigations and sign off;
  - Extraction of the sand and gravel using mechanical excavators;
  - Transporting the sand and gravel from the active extraction phase to the onsite processing plant;
  - The use of a wash plant for processing the extracted sand and gravel to remove clay and silt and split the material into different grades;
  - The stockpiling of the different grades of sand and gravel;

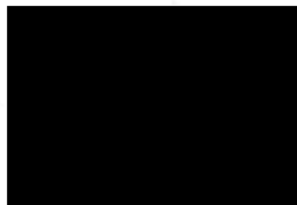
- The removal of the mineral from site by Heavy Goods Vehicles (HGVs);
- The bringing of inert waste on to site by HGVs and transport to the phase(s) being restored;
- The placement of the inert waste and compaction by machinery;
- The removal of sub soils and top soils from storage bunds and placement and compaction in the void left by the mineral; and,
- The seeding, maintenance and aftercare of any restoration scheme.

18. There is, therefore, a significant level of noise, dust and general impact from these operations. At the time of determining planning applications for the quarry, the residential use at the appeal site was not taken into account in relation to mitigation measures which were implemented to ensure that impact on residents was acceptable. Therefore, now that the quarry is operational, the location of the appeal site adjacent to an active quarry has an unacceptable impact on residential amenity. It has not been demonstrated by the Appellants that policy 16 is complied with.

19. Noting the Chear Fen mineral allocation, the requirement in Policy 2 for the allocation to use the existing processing plant at Mitchell Hill and the recent request for an EIA Scoping opinion, the completion of the Mitchell Hill quarry is unlikely to see the completion of quarry operations in the area of the appeal site in the near future.

20. The County Council further stresses the importance of safeguarding the current and future mineral (and waste) operations in the area which are not compatible with the residential occupation of the appeal site.

Signed:



Deborah Jeakins 5 February 2025

Signed:



Matthew Breeze 5 February 2025