

**Open Report on behalf of Richard Wills
Executive Director, Environment & Economy**

Report to:	Planning and Regulation Committee
Date:	31 July 2017
Subject:	County Matter Application - S68/0563/17

Summary:

Planning permission is sought by Breedon Aggregates England Limited (Agent: Heaton Planning Ltd) for a western extension to South Witham Quarry, the completion of operations in the existing quarry together with the relinquishment of the permitted area to the north of Mill Lane granted under a historic Interim Development Order (IDO) at Breedon Aggregates Limited, South Witham Quarry, Mill Lane, South Witham.

The application is subject of an Environmental Impact Assessment submitted pursuant to the Town and Country Planning (Environmental Impact Assessment) Regulations 2011 and an Environmental Statement has been submitted which assesses the potential impacts of the proposed development along with the mitigation measures proposed to avoid, reduce and, if possible, remedy any significant adverse impacts.

This is a very complex proposal which raises a number of significant issues which need to be carefully considered. The main key issues are considered to be:

- the need and justification for the new mineral reserves;
- an assessment of the main impacts associated with the current proposals; and
- whether the applicants offer to rescind their interest in an area of land lying to the north of Mill Lane as a swap for planning permission to work the proposed extension area (subject of this application) offers an environmental or amenity benefit which outweighs any policy considerations or impacts associated with this proposal.

Recommendation:

Following consideration of the relevant development plan policies and the comments received through consultation and publicity it is recommended that conditional planning permission be granted.

Background

1. The South Witham Quarry mineral site extends over an area of 200 hectares and is bisected east-west by Mill Lane. The site was historically covered by two separate mineral permissions: one being an old ministerial ironstone consent granted in 1954 and the other being an old limestone consent granted in 1974. The ironstone consent covered a large area of land to the north of Mill Lane as well as the northern part of an area to the south of Mill Lane. The remainder of the land to the south of Mill Lane was covered by the limestone consent.
2. Under the provisions of the Environment Act 1995, it was necessary to review these old mineral planning permissions in order to update and secure a new scheme of modern planning conditions to which the mineral site would be subject. Four separate applications were subsequently made by four different parties who all had an interest in the mineral site. These were:
 - Redland Aggregates – the former operator of the eastern part of the quarry south of Mill Lane - now operated by Breedon Aggregates Ltd (the Applicant);
 - Mick George Haulage Ltd – the operator of the western part of the quarry south of Mill Lane;
 - British Steel Pension Fund – one of the principal landowners of the site;
 - The Buckminster Trust Estate – the other principal landowner of the site.
3. In accordance with the requirements of the Environment Act, the four applications (references: S/0921/97; S/0922/97; S/0923/97 and S/0924/97) were treated as a single application and the new conditions to be applied to the whole of the mineral site were determined on 2 February 2002 (the "Initial Review"). The Initial Review decisions cover land lying both to the north and south of Mill Lane. The land to the north of Mill Lane is still subject of the Initial Review decision and to date no surface mineral working has commenced although that permission remains extant and therefore, subject to the approval of schemes required by conditions attached to that consent, working could commence.
4. Since the Initial Review a number of applications have subsequently been submitted and granted which relate to the operations south of Mill Lane. The operations and activities carried out to the south of Mill Lane are now subject of those more recent decisions and the current workings are divided between two operators - Breedon Aggregates Ltd (the Applicant) which operates the eastern section of the quarry and Mick George Ltd which operates the western section.
5. The main planning permissions relating to the eastern section of the quarry (operated by the Applicant) are:
 - S68/1533/11 (dated 1 April 2014) - consolidated the existing permitted operations and allowed for the extraction of an additional 400,000 tonnes of limestone from a remnant section of an old railway line that bisects the

quarry. This permission also allowed for the importation and use of imported inert materials to aid restoration of the site, and;

- S68/1423/14 (dated 8 September 2014) - to vary planning permission S68/1533/11 and remove the requirement to comply with Conditions 5 and 6 of that permission. Conditions 5 and 6 had required the site office and weighbridge, which are located close to the sites northern access onto Mill Road, to be relocated to the quarry floor. However, this requirement was later not deemed necessary following the construction of a new haul road which provided access to a southern access which had been granted by Rutland County Council.
6. In May 2016 a planning application (reference: S68/1560/16) was submitted by the Applicant which proposed both eastern and western extensions to the South Witham Quarry. The proposed extensions covered an area of approximately 32 hectares and sought to release an additional 2,650,000 tonnes of new limestone reserves and proposed to use imported inert wastes in order to facilitate the restoration of these areas. This proposal would have also affected and required the diversion of an existing Public Right of Way running alongside the eastern boundary of the existing quarry. Following consideration of local concerns raised about this proposal and further to negotiations with Officers, the Applicant formally withdrew this application in February 2017 with the view to submit a revised proposal which would remove the proposed eastern extension area, retain the existing Public Right of Way and to remove the need to use any imported wastes in order to restore the remaining proposed western extension. This revised application is now subject of this report.
7. Finally, in addition to the above planning permissions, Rutland County Council has also granted several separate planning permissions which relate to the construction and use of a haul road and new access point onto Witham Road, Thistleton which lies to the south of South Witham Quarry. These permissions allow the haul road and access point to be used in association with the existing permitted activities carried out in both the western and eastern parts of South Witham Quarry south of Mill Lane. On 22 June 2017 a further planning permission (reference: 2017/0298/MIN) was granted by Rutland County Council which allows for the continued use of the existing access and haul road as well as the construction of a new haul road which would provide access to the western extension area proposed as part of this application.

Introduction

8. Planning permission is sought by Breedon Aggregates (the 'Applicant') for proposed western extension to South Witham Quarry, the completion of operations in the existing quarry together with the relinquishment of the permitted area to the north of Mill Lane granted under a historic Interim Development Order (IDO) at Breedon Aggregates Limited, South Witham Quarry, Mill Lane, South Witham.

9. The application site covers an area of approximately 50.85 hectares which includes the existing permitted quarry and the proposed Extension area. The site is located to the south of Mill Lane, west of South Witham village and approximately 16km to the south of Grantham and 16km north of Stamford. The application site, including the existing and proposed extension area, comprises of land which lies within the administrative boundary of Lincolnshire County Council (acting as Mineral Planning Authority) however the proposed means of access to proposed western extension area and the existing southern access road onto Witham Road lie within the administrative area of Rutland County Council. Although the application site therefore includes this access/land, a separate application for the construction of the western access road and the continued use of the existing access associated with this proposal has already been submitted and determined by Rutland County Council (reference: 2017/0298/MIN dated 22 June 2017). Consequently, the application and scope of this report deals solely with matters relating to the proposed operations associated with the land which lies within administrative boundary of Lincolnshire County Council.

The Proposal

10. The application seeks to consolidate and allow for the continuation of the existing permitted mineral extraction and landfilling operations as well as seeking planning permission for a lateral western extension to the quarry. The continued winning and working of the remaining permitted limestone reserves (approx. 886,000 tonnes) and importation and use of inert wastes (approx. 269,400m³ or 511,860¹ tonnes) to facilitate the restoration of the site all fall within the footprint of the existing permitted quarry. It is also proposed to extend the quarry into an area of land lying to the west of that part of the quarry operated by Mick George Ltd (hereafter referred to as the Extension area) and this would see the operations advance towards Fosse Lane and release an additional 1,700,000 tonnes of new limestone reserves. The Applicant states that the site would be worked and restored progressively and the operations would take approximately 8-11 years to complete.

Phasing Operations

11. The site would be progressively worked and restored in a phased manner in a sequence of six broad phases. The phasing has been designed to minimise the area of active operations at any one time and allows for the progressive restoration of the site as the operations advance.
12. Mineral extraction operations themselves would be carried out on a campaign basis with contractors being employed to extract, crush, screen and stockpile minerals within the site two or three times a year over a period of approximately eight weeks at a time. The mineral would be extracted

¹ Based on the applicants estimated average density rate of 1m³ =1.9 tonnes

using a hydraulic excavator and processed using mobile plant which is located within the existing processing plant area which is located within the existing permitted quarry.

13. A summary of each of the proposed phases is given below.

Phase 1 – this phase would involve the continuation of the extraction of existing permitted reserves from beneath the remnant railway line which lies within the footprint of the existing consented quarry. This would release approximately 424,000 tonnes of limestone reserves (already consented) and the soils removed from this area would be placed in a temporary stockpile within the quarry. Mineral wastes derived from Phase 1 would contribute towards the restoration and re-grading of sections of the existing quarry located to the north of the existing dust sheds and west of the Mill Lane entrance. The bulk of the material used for the progressive restoration of the current permitted area would be sourced from materials already within the quarry, mineral wastes derived from the Phase 1 works as well as approximately 42,000m³ (79,800 tonnes) of imported inert wastes. Planning permission to use imported wastes to facilitate the restoration of this part of the site already exists and the landform proposed to be created largely remains unchanged from that already consented. The inert wastes brought to the site would be directly placed to facilitate the final restoration profiles and the soils removed from the perimeter bund and railway line would be placed (approx. 0.2m thick) within the northern part of the worked out area to bring the area to achieve its final finished level. The end of Phase 1 would see the restoration of the northwest section of the current permitted area of the quarry nearing completion.

Phase 2 - this phase would involve the extraction of existing permitted reserves from an area of land immediately south of the dust sheds and within the south-eastern corner of the site. This would release approximately 303,000 tonnes of limestone reserves (already consented) and during this phase the continued progressive restoration of the northern sections of the permitted quarry area and the old railway line would take place. The materials used to restore these area would again comprise of mineral waste tips already available within the quarry along with those derived from the extraction operations within Phase 2, soils removed from temporary stockpiles created during Phase 1 as well as approximately 53,000m³ (100,700 tonnes) of imported inert wastes. Again planning permission to use imported wastes to facilitate the restoration of this part of the site already exists and the landform proposed to be created largely remains unchanged from that already consented. Consistent with the restoration works elsewhere, soils would be placed (approx. 0.2m thick) to achieve the final finished level of the restored landform. The end of Phase 2 would see the restoration of the northern area of the existing permitted quarry area and old railway line nearing completion.

Phase 3 – during this phase the south-south-eastern section of the current permitted quarry would be restored. The restoration of this area would be achieved through the use of existing mineral wastes present within the site

alongside the use of approximately 31,500m³ (59,850 tonnes) of imported inert wastes. Soils sourced following the removal of the perimeter screening bunds created during Phase 1 and those present along the southern boundary of the quarry would be placed on top of the restored landform (approx. 0.2m thick) to achieve the final finished level. Soils that are not used in the restoration of this phase would be temporarily stored within the quarry ready for use elsewhere later in the development.

Phase 4 – this phase would be undertaken concurrently with the restoration works proposed during Phase 3. This phase would see the operations extend into the proposed Extension which lies beyond that part of the quarry owned and operated by Mick George Ltd. Phase 4 would be split into three sub-phases (Phases 4A, 4B and 4C) and would be progressively restored using a combination of overburden, mineral wastes and stripped soils. Further details relating to each sub-phase are as follows:

Phase 4A – during this phase soils and overburden would be stripped in order to expose the underlying limestone with the overburden and some of the soils being placed into temporary storage mounds located in the northeast corner of the site. The remaining soils would then be used to construct a screening bund (approx. 3m high with 1:1.5 slope) along the southern boundary of the site in order to screen views from Thistleton village. Extraction operations would initially comprise of a 'box cut' in the south-eastern corner with the minerals extracted (approx. 132,600 tonnes) being back hauled to the existing quarry processing area which would be retained within the current permitted area of the quarry. A 15m wide corridor would be maintained along the southern boundary of Phase 4 in order to allow access to subsequent extraction phases and to enable access to the current processing plant located within the existing permitted quarry area to the east.

A new haul road would also be created to connect the Extension area to the current permitted quarry area and this would be created to the south of the land currently operated by Mick George Ltd. This western spur road has already been granted planning permission by Rutland County Council as it falls outside the Lincolnshire County boundary (ref: 2017/0298/MIN).

Phase 4B - during this phase extraction operations would continue to advance south-north and work out the land that immediately adjoins the western boundary of that part of the site operated by Mick George Ltd. Soils stripped during this phase would be used to extend the screening bund along the southern boundary of site. It is anticipated that during this phase approx. 247,000 tonnes of limestone would be recovered with 12,500m³ of mineral wastes being retained for use in the restoration. Following the completion of mineral extraction operations within this phase, the north-eastern corner of the site would be restored utilising overburden and the mineral wastes which would be placed against the final quarry faces.

Phase 4C – during this phase the extraction operations would advance westwards towards the line of an existing gas pipeline which bisects the site

in a roughly north-northwest to south-southeast alignment. The applicant proposes that a 10m stand-off from the pipeline would be provided as the pipeline would not be removed and therefore would remain in-situ. It is estimated that approx. 479,000 tonnes of limestone would be recovered from this phase with minerals being temporarily stockpiled within the western unworked area of Phase 4 until there is sufficient space available on the quarry floor. Progressive backfilling and restoration of Phase 4C would continue as the extraction operations advance.

Phase 5 – operations would advance further westwards into the land beyond the gas pipeline and this phase would also be split into two sub-phases – Phase 5A & 5B. Further details relating to each sub-phase are as follows:

Phase 5A – during this phase soils stripped from the site would be used to extend the screening bund along the southern boundary of the site (approx. 3m high with 1:1.5 slope). A corridor from the southeast corner of Phase 5A would not be worked and would provide an access ramp facilitating vehicular movements between the quarry floor and the internal haul route which would continue to be retained along the southern boundary of the site. Mineral extraction operations would advance in an east-west direction with approx. 427,800 tonnes of limestone being recovered and 42,800m³ of mineral wastes. The north-eastern corner of Phase 5A would be restored as part of the ongoing progressive restoration works utilising overburden and the mineral wastes which would be placed against the final quarry faces.

Phase 5B – during this phase extraction operations would initially progress in a south-westerly direction and then advance westwards towards Fosse Lane. During this phase approx. 423,700 tonnes of limestone would be recovered and 42,300m³ of mineral wastes. As the extraction operations advance the site would be progressively backfilled and restored with 1:3 battered slopes against the quarry faces which would be 1:5 slope at the far western margin.

Phase 6 – Phase 6 would see the extraction operations return to the currently permitted area of the quarry and would be split into two sub-phases – Phase 6A & 6B.

Phase 6A – the existing permitted limestone reserves (approx. 159,000 tonnes) beneath the dust sheds and processing area would be extracted with the land surrounding Phase 6A being restored using a combination of overburden, mineral wastes and 82,700m³ of imported inert wastes. Planning permission to use imported wastes to facilitate the restoration of this part of the site already exists and the landform proposed to be created largely remains unchanged from that already consented.

Phase 6B - following the completion of the extraction operations this area, along with the remaining land, would be restored to tie in with the previously restored areas and the adjacent land to the west (restored by Mick George Ltd).

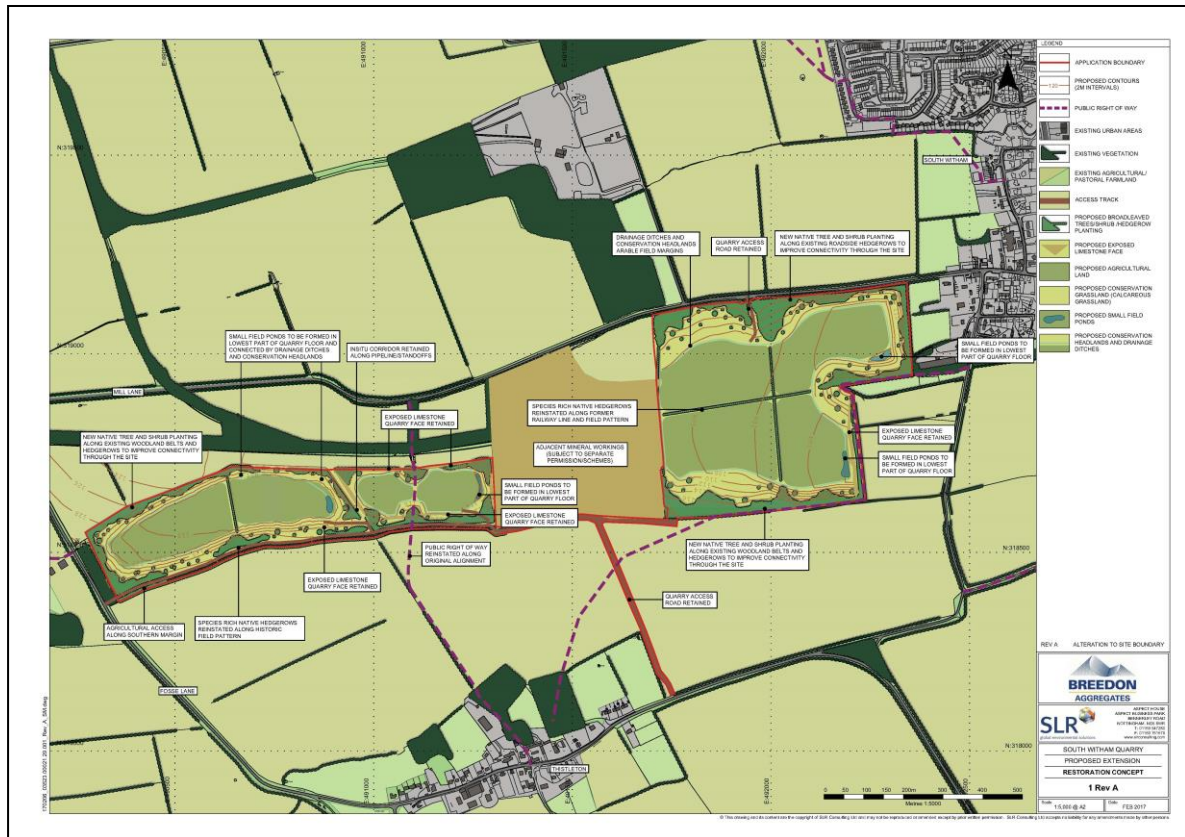


Block Phased Extraction

Restoration & Aftercare Proposals

14. The site is to be progressively restored through the use of on-site soils, overburden and unsaleable mineral fines. Imported inert wastes would also continue to be used in those parts of the existing quarry as is already consented by the planning permission(s) covering this area. The concept restoration scheme proposes to reinstate the existing quarry primarily back to lower level farmland with species-rich hedgerows, native tree and shrub planting, exposed quarry faces and small field ponds. The landform of the proposed Extension would comprise of two worked out 'bowls' which would be separated by the retained strip of land under which lies the undisturbed gas pipeline. The edges around each of the worked out voids would be backfilled using on-site derived mineral wastes/soils to establish 1:3 slopes with the floor itself gently sloping to create a base that would be approximately 10m lower than the in-situ surrounding land. These two areas would similarly be restored to create are of predominately lower level farmland with rough field margins, tree and shrub planting, exposed quarry faces and small field ponds.

15. A five year aftercare programme would be implemented in order to monitor, manage and ensure the successful establishment of the newly created and restored habitats. This would include the replacement on any planting/seeding failures that may occur so as to ensure 95% maintenance of the stocking rates/densities.



'Restoration Concept'

Highways & Traffic

16. Traffic generated by the development is expected to be at a similar level to that currently associated with the site and therefore around 150,000 to 200,000 tonnes of limestone would be exported per annum. Products would be exported using HCVs (average 20 tonne payloads) and therefore it is estimated that this would equate to around 36 HCVs per day (72 two-way movements).
17. In terms of access, as is the case currently it is proposed to split traffic between the entrance located to the north off Mill Lane and also the entrance located to the south on Witham Lane. For HCVs leaving the site to the north, they would be required to travel through the existing wheelwash and then onto the surfaced access road before turning left out of the site onto Mill Lane. For HCVs leaving the site to the south, again these would be required to travel through the wheelwash before travelling along a designated route within the site that would avoid operational areas before travelling along the existing hard surfaced access road prior to entering Witham Road.

Hours of Operation

18. It is proposed that the hours of operation would remain unchanged from those which already affect the permitted mineral operations with these being as follows:

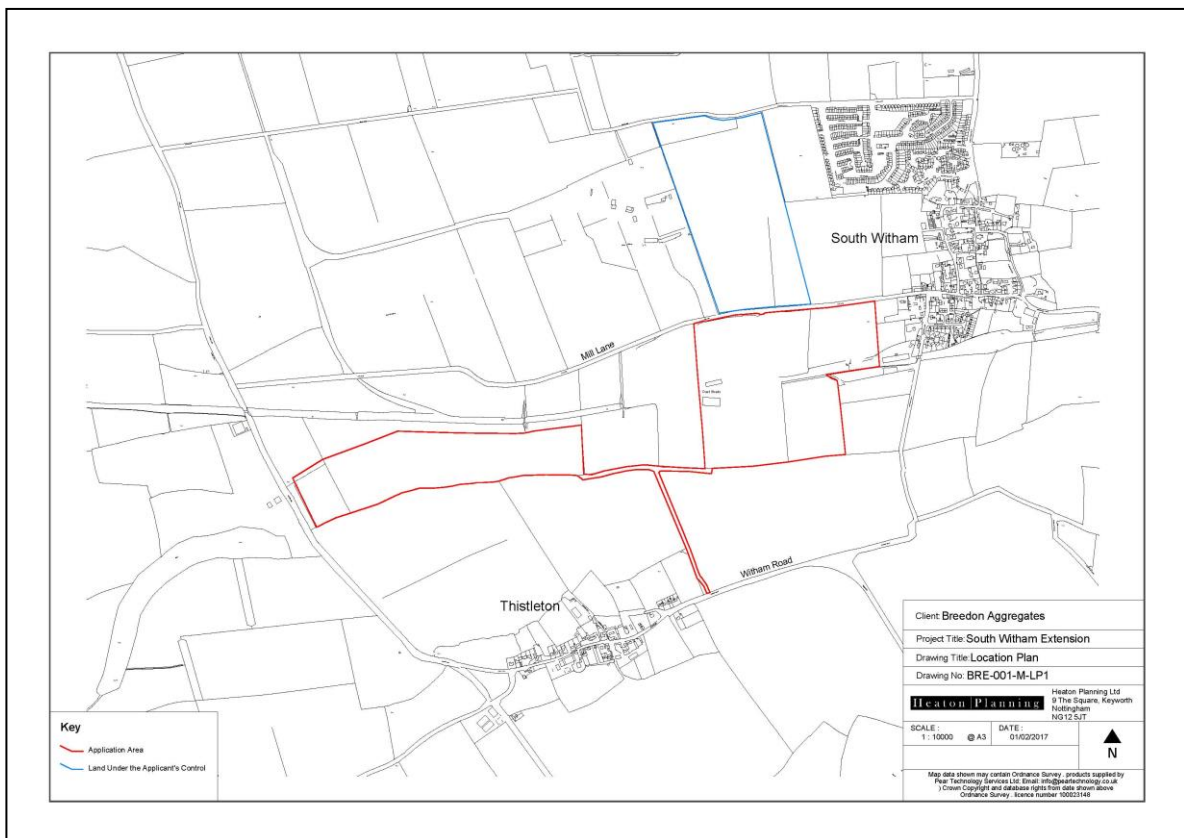
07:00 to 18:00 hours Monday to Friday
07:00 to 13:00 hours Saturdays
No working on Sundays, Public or Bank Holidays.

Employment

19. The applicant states that the existing quarry directly employs seven staff (e.g. quarry manager, weighbridge clerk, HCV drivers, contractors) and the proposed extension would secure these jobs for the next 20 years. The economic success of the quarry would also help to support other local businesses and services such as the local hauliers, etc.

Rescinding of part of the extant Initial Review consent north of Mill Lane

20. Permission already exists which allows for the extraction of minerals from an area of land lying to the north of Mill Lane. The permission covering this area was updated as part of the Initial Review and a new scheme of conditions was approved which, subject to the submission and approval of information as required by those conditions, would allow the mineral extraction operations to commence. The Applicant holds an interest in an area of land subject of this consent and so has offered to formally rescind and give up their rights to work that part of the site as a swap for permission to work the Extension area proposed by this application. If permission were to be granted then the Applicant has confirmed that these rights would be rescinded by way of a legally binding S106 Planning Obligation.



Location Plan – Red Land – Current Application Site
Blue Land – Land north of Mill Lane



Land to be north of Mill Lane proposed to rescinded – South Witham village in the background

Environmental Statement

21. The application is subject of an Environmental Impact Assessment submitted pursuant to the Town and Country Planning (Environmental Impact Assessment) Regulations 2011 (the 'EIA Regulations'). An Environmental Statement (ES) has therefore been submitted in support of the application and this is contained within a combined document entitled 'Planning and Environmental Statement' (PES). The PES describes and provides details of the proposed development and includes the findings of the ES which are set out in a number of different chapters. This PES is supported by a number of technical assessments and reports which have been conducted to identify the potential impacts arising from the development and the mitigation measures that are proposed to be implemented in order to avoid, reduce and, if possible, remedy any significant adverse impacts. The contents of the PES are summarised as follows:

Non-technical Summary - this is a separate document to the PES which provides an overview of the main findings of the ES in an easily understandable and accessible format.

Chapter 1: Executive Summary - provides a very brief summary and outline of the main elements of the proposal.

Chapter 2: Introduction & Background to Proposal - this chapter sets out the background and planning history leading to this planning application along with a description of the Applicant's company overall purpose of the PES.

Chapter 3: Pre-application Public Consultation – this chapter states that prior to submitting the previous application (ref: S68/1560/16) the Applicant held a public exhibition where the local community were informed of the main aspects of the proposals and invited to give feedback to assist in their

final development. It is stated that approximately 60 local people attended the exhibition (held in February 2016) with attendees expressing a mixture of support and concerns over the proposals.

Following the withdrawal of this application, the Applicant gave careful consideration to all the comments, representations and concerns raised and as a consequence made fundamental amendments to the scheme. The most notable amendments included the removal of the Eastern Extension which in turn removed the need to divert the Public Right of Way that ran alongside the eastern boundary of the site. The amendments also included a redesign of the restoration proposals for the Western Extension so it no longer required the use of imported inert wastes to aid its restoration.

Chapter 4: Site Location and Setting - describes the general location of the proposal site and its surroundings including the existing means of access and sites proximity to nearby properties/settlements.

Chapter 5: Geology - a description of the underlying geology is given which states that the South Witham Quarry has been developed along the outcrop of the Lower Lincolnshire Limestone Formation. The Lincolnshire Limestone Formation has been subdivided into various members and beds but is more commonly subdivided into a lower and a thinner upper part. The proposed Western Extension is situated on a partly exposed section of the Lower Lincolnshire Limestone. The Lincolnshire Limestone Formation is dominated by limestones that are typically cream coloured, rarely grey or brown, but there can be localised cores of bluish grey stone present. The thickness of beds range in thickness from 25 to 33m but can reach up to 40m in the south of Lincolnshire. The Lincolnshire Limestone Formation is underlain by the Grantham Formation which comprise of a succession of thinly bedded sandstones, siltstones and mudstones which are further underlain by the Northampton Sand Formation which comprise of a relatively thin sequence of fine grained sandy ironstone.

Chapter 6: The Development Proposals - this chapter contains a description of the proposed development including details of the proposed method of working, phased programme and sequence of working and restoration, details of the approximate tonnages of mineral and volumes of inert wastes associated with each phase, details of the restoration landform and after-uses, proposed plant and equipment, hours of operation and employment opportunities. Further details of the main elements of this chapter and proposed development have been provided earlier in this report.

Chapter 7: Planning Policy - this chapter contains an assessment of the proposals against the relevant policies contained within the Development Plan. This includes the National Planning Policy Framework, South Kesteven Core Strategy (2010) and the Core Strategy & Development Management Policies of the Lincolnshire Minerals and Waste Local Plan (2016). Reference is also given to Planning Practice Guidance and the Rutland Minerals Core Strategy & Development Control Policies (2010) as

the southern access road and entrance onto Witham Road fall within Rutland County.

Chapter 8: Need - this chapter sets out the applicants arguments and case on the need to release new limestone reserves as well as the economic considerations and justification to support the proposals.

- (i) Limestone: It is stated that minerals can only be worked where they are found and the proposed extensions would allow production to continue at the quarry without any breaks to the existing operations. The proposed Extension would allow operations to continue beyond 2020 and it is argued that the operations at South Witham account for 25% of the County's current annual sales figures for limestone and therefore the loss of the quarry would have a significant impact on the supply of limestone aggregate.

Although it is acknowledged that the landbank for crushed rock is in excess of 10 years it is argued that the National Planning Policy Framework (NPPF) does not set a maximum limit and therefore permitting the extension would not conflict with the NPPF. Furthermore, the supporting text that accompanies Policy M5 of the recently adopted Lincolnshire Minerals & Waste Local Plan: Core Strategy & Development Management Policies states that support can be given to proposals which may swap working under one permission for another. In this case, the Applicant is offering to swap permission to work the land north of Mill Lane for the Extension proposed as part of this application. The land to the north of Mill Lane is estimated to contain around 1,200,000 tonnes of limestone and lies within 170m of the village of South Witham. The Applicant submits that if this area was to be worked it would have a much greater impact on the surrounding area than the proposed Extension and so the relinquishment of the permission to work this area would offer benefits that would be acceptable and in line with the exceptional circumstances advocated in the supporting text of Policy M5 of the Lincolnshire Minerals & Waste Local Plan: Core Strategy & Development Management Policies.

In addition to the above it is stated that if permission were not to be granted for the proposed Extension then on a practical level it would be unlikely that the limestone reserves would ever be recovered and therefore would be unnecessarily sterilised.

- (ii) Economics: The NPPF recognises that minerals are essential to support sustainable economic growth and directs local authorities to give great weight to the benefits of mineral extraction including to the economy. The quarry directly employs seven staff and the continuation of the operations would ensure the security of these jobs. It is estimated that the quarry contributes in excess of £500,000 per annum in terms of non-domestic rates, wages and spending on local goods and services. It is also stated that without the proposed extensions and

access to further limestone reserves the Applicants business interests would be significantly compromised and affect their ability to maintain supplies to existing customers.

Overall, the proposed development would therefore offer economic benefits including the continued viability of the Applicants business, securing existing jobs and provide potential for job security and creation.

Chapter 9: Alternatives – this chapter sets out the potential alternatives to the proposed development that the applicant has considered in carrying out the EIA. The main alternatives identified and an outline of the reasons given as to why each of these alternatives has been discounted is summarised below:

- (i) 'Do Nothing' Option – this option is not considered viable for the Applicant and the closure of the quarry would result in the loss of a number of jobs as well as its associated supported services. As well as negative economic and social implications the closure of the quarry would also see a reduction in the ability to deliver the County's annual apportionment figure and this could lead to applications for the release of additional reserves from less sustainable locations.
- (ii) Alternatives to Primary Aggregate – the alternative to primary aggregates is the use of recycled and secondary aggregates. Although the use of recycled and secondary materials in the aggregates market has increased rapidly since the early 1990's and it is stated that they will never be able to wholly replace primary aggregate as there can never be a guarantee of a supply of materials of an appropriate quality to meet demands. Therefore there remains a need for the provision of primary aggregate and this is reflected by the continuation of Mineral Planning Authorities apportionment figures and need to maintain mineral landbanks.
- (iii) Alternative Sources of Primary Aggregate within Lincolnshire – it is argued that the limestone aggregate produced at the existing quarry is a better quality limestone than other limestones occurring in the region which tend to be softer and therefore have a limited use in construction works. The proposed extensions would therefore maintain a supply of these higher quality minerals which, if planning permission were not to be granted, would otherwise be sterilised and could result in the need to use lower quality aggregates which would be inappropriate from a sustainability point of view.

In terms of alternative sites/sources, it is stated that whilst substantial reserves for limestone aggregate exist within the County, the Applicant states that these are predominately within old ironstone sites with questionable reliability over the quality for aggregate purposes and their environmental suitability for modern working and demands. More locally it is accepted that planning permission exists for the extraction

of limestone from land to the north of Mill Lane, however, it is stated that this would involve quarrying operations in close proximity to residential properties within the village of South Witham that may result in the loss of amenity. Consequently, although the implementation and commencement of operations as consented by that permission is a feasible alternative to the current proposals the Applicant instead proposes to relinquish this planning permission should planning permission be granted for the proposed Extension.

Finally, it is stated that the proposed extensions have been assessed in accordance with the EIA requirements and demonstrated as capable of being worked in an environmentally acceptable manner.

Consequently, there is less of a requirement for the Applicant to look to develop a new greenfield site whilst environmentally acceptable extensions to the existing quarry can be developed and therefore there is no obvious/better alternative than as an extension to the existing quarry operation.

- (iv) Alternative Methods of Working – alternatives to the proposed methods of working have been considered however it is stated that the methods proposed are considered to be the most economically and environmentally acceptable.

It is stated that working the Extension area on a campaign basis brings numerous benefits when compared with conventional/continuous working methods. For example, by proposing two or three campaigns per year followed by periods of no-working, local residents benefit from periods of zero amenity impacts from the extraction operations. This method of working also reduces the need for plant to continually operate which also results in amenity benefits and helps to reduce operational costs which provides financial benefits to the Applicant and increases the viability of the site operations.

In terms of the Extension area itself, the Extension would simply extend the current working area and follows the general direction of working allowing for a logical direction of extraction which offers benefits both from an environmental perspective as well as from a functional/practical level.

- (v) Alternative Restoration Options – the previous application had proposed to restore the Extension area using imported inert wastes however this has now been removed and instead the Extension would be restored using on-site derived materials only. The depth of working within the Extension would be shallower than the existing quarry to the east and would be above the water table and therefore not require any dewatering to take place. The proposed progressive restoration scheme would create a dry restoration and provide for a mix of after-uses including agricultural land along with calcareous grassland, planting of hedgerows and woodland/scrub as well as exposed quarry faces.

Overall, it is concluded that the restoration proposals provide a balanced range of economic, social and ecological benefits that meet the requirements of both the landowner and statutory and local stakeholders.

- (vi) Alternative Means of Transport – alternative methods of transportation such as the use of rail or water is not practical and the revenues generated by this operation would not make rail connection/water transport a financially viable option.

Chapter 10: Environmental Impact Assessment - this chapter states that in preparing the ES regard has been given to the contents of Schedule 4 of the Town & Country Planning (Environmental Impact Assessment) Regulation 2011 and also identifies the main elements/considerations that have been addressed as part of the ES when assessing the proposals potential impacts (positive or negative).

Chapter 11: Landscape & Visual Considerations - a Landscape & Visual Impact Assessment (LVIA) has been conducted in accordance with the Guideline for Landscape and Visual Impact Assessment (3rd Edition) published by the Institute of Environmental Management and Assessment. The LVIA assesses the potential landscape and visual implications of the development and comprises of a baseline study of the existing site and its surroundings, a study of the landscape and visual characteristics of the development and an assessment of the residual landscape and visual effects likely to be generated after mitigation has been considered and their significance.

The assessment acknowledges that there would be impacts upon the physical landscape as a consequence of the development resulting in the progressive loss of open, undulating farmland and associated hedgerows and a mature tree and enlargement of the existing quarry through the establishment of the new extraction area associated with the Extension. The nature of the effect during initial construction and during working would be adverse however after restoration the effects would be beneficial by replacing the existing intensively managed farmland with farmland at a lower level with greater habitat diversity, connectivity and landscape structure.

In terms of visual effects, field surveys undertaken as part of the LVIA indicate that to a large extent views of the proposed Extension area from the south are reduced by existing hedgerows which, although currently low and trimmed, run along the sites southern boundary and restrict the visibility of the ground surface. Some views from the west are present from parts of Fosse Lane but other sections were restricted by vegetation along the disused railway line, roadside trees and the hedgerow on the western site boundary.

In order to mitigate any potentially adverse landscape and visual effects a series of measures have been proposed and incorporated into the development. These include:

- retaining the peripheral hedgerow boundaries and increasing their heights to improve screening;
- the carrying out of infill and advanced planting where gaps are present within existing hedgerows;
- the construction of screening bunds around the perimeter of the site;
- the progressive working of the Western Extension area east to west meaning that any disturbance nearest to Fosse Lane would occur at the latest point and would allow advanced planting to become more established;
- the progressive restoration of the quarry and reinstatement of landscape elements and features to ensure that the restored landform assimilates as far as possible with the surroundings.

The LVIA concludes that whilst there would be some temporary landscape and visual effects arising from the proposals, these have not been identified as being significant (i.e. major or moderate/major) and although there would be a slight adverse landscape effect during the working, the effects would become beneficial after final restoration. Similarly it has been assessed that there would be no significant cumulative landscape or visual effects when the proposed development is considered in conjunction with the existing operations carried out by both the Applicant and Mick George Ltd. Consequently it is concluded that the proposed development would not have an unacceptable impact in human beings, flora or fauna and therefore complies with the EIA Regulations.

Chapter 12: Nature Conservation & Ecology – an Ecological Assessment has been carried out which contains the results of an Extended Phase 1 Habitat and Protected Species Surveys of the proposal site.

The ecological assessments confirm that there are no nature conservation sites of international importance located within 2km of the site (e.g. Special Areas of Conservation, Special Protection Areas & RAMSAR sites). Cribbs Lodge Meadow Site of Special Scientific Interest/National Nature Reserve (SSSI/NNR) is however located to the north-west of the Extension area and this is a site of national nature conservation value. The SSSI/NNR is separated from the proposal site by a distance of over 300m and lies on the opposite side of Fosse Lane. There are also a number of non-statutory sites of nature conservation value (e.g. Local Wildlife Sites (LWS)) within 1km of the site which consist of roadside verges which largely comprise of neutral and calcareous/limestone grassland.

The assessments conclude that the Extension site itself comprises of three arable fields with field boundaries bordered by species poor hedgerows with a few mature Ash trees. The site is bound to the north by a wooded former railway line on a raised embankment. To the southwest of the site, the small woodland of Thistleton Gap is located with the surrounding landscape being dominated by arable farmland.

The various species surveys undertaken did not identify the presence of suitable habitats to support otters, water voles or white-clawed crayfish and

due to the intensively managed nature of the arable fields the site provides very few opportunities to support common reptile species. The surveys have identified the existence of badger setts in the locality although none of these fall within the footprint of the site and recorded bat activity was largely associated with commuting bats along hedgerows around the site. No ponds or other wetland features were present within the proposal site either although five ponds were identified within 500m of the site. These ponds have however been assessed as either not being suitable to support great crested newts and/or the distance and intervening features between the site and those ponds would act as barriers to the dispersal of great crested newts (e.g. areas of intensively managed arable fields and the public highway - Fosse Lane). The site does contain habitat features that support a number of winter and ground nesting bird species including species that are listed as Amber or Red on the RSPB's Birds of Conservation Concern List.

A series of mitigation and compensation measures are proposed as part of the development to minimise and off-set any adverse impacts upon flora and fauna within and around the site and these include (inter alia):

- the implementation of a drainage strategy to ensure that there are no significant alterations to the hydrology of the Cribb's Lodge Meadows SSSI/NNR. This would include carefully controlling surface run-off from operational areas;
- implementation of a dust management plan to control and minimise airborne dust particles which could contaminate and pollute nearby statutory and non-statutory designated nature conservation sites;
- the carrying out of precautionary surveys prior to commencement of operations within each phase or the felling of trees in order reassess the potential presence/absence of species such as badgers, great crested newts and bats;
- the use of protective and exclusion fencing to safeguard retained habitats and prevent species such as badgers and great crested newts from entering working areas;
- timing of any site clearance and soil stripping operations to avoid bird nesting/breeding season and minimising the use of artificial lights so as to reduce impacts on foraging and commuting bats;

Subject to the adoption and implementation of the mitigation measures as proposed as part of the development, it is concluded that the proposed development would not have unacceptable impact on sites of nature conservation importance or flora and fauna and therefore complies with the EIA Regulations.

Chapter 13: Noise – a noise assessment has been conducted which considers the potential impacts of the operations on the surrounding area and nearby sensitive receptors. The assessment confirms that existing background noise levels were recorded at the closest noise sensitive premises to the proposal site which are identified as being Cribbs Lodge Farm (approx. 880m north-west), Old Orchard, Thistleton (approx. 600m

south), 1 Witham Road, Thistleton (approx. 550m from the southern boundary of the Extension and 105m west of the southern access road) and properties located on Railway Close, South Witham.

The assessment predicts the potential noise levels arising from both normal operations and temporary activities and considers these in terms of their compliance with the acceptable levels specified within the Planning Practice Guidance (PPG) entitled 'Minerals' which supports the National Planning Policy Framework. The PPG advises that Mineral Planning Authorities should aim to establish a noise limit, through a planning condition, at a noise-sensitive property that does not exceed the background noise level ($L_{A90,1h}$) by more than 10dB(A) during normal working hours (i.e. 07:00-19:00 hours). Where it will be difficult not to exceed the background level by more than 10dB(A) without imposing unreasonable burdens on the mineral operator, the limit set should be as near that level as practicable. In any event, the total noise from the operations should not exceed 55dB(A) LAeq, 1h (free field). For temporary activities (e.g. soil-stripping, the construction and removal of baffle mounds, soil storage mounds and spoil heaps) the PPG advises that a maximum noise limit of up to 70dB(A) LAeq 1h (free field) can be allowed for periods of up to eight weeks in a year at specified noise-sensitive properties to facilitate essential site preparation and restoration works where it is clear that this would bring longer-term environmental benefits to the site or its environs.

In respect of temporary operations (e.g. soil stripping, bund construction, etc) the assessment demonstrates that for all locations the predicted worst case scenario noise levels would fall below the 70 dB(A) maximum level criteria cited within the PPG. During normal operations (e.g. mineral extraction), with the exception of 1 Witham Road, Thistleton, the predicted worst case scenario noise levels at the other noise sensitive locations would not exceed the existing background noise level by more than 10dB(A) and therefore meet the lower noise level limit advocated by the PPG. In the case of 1 Witham Road, Thistleton the predicted worst case scenario noise level experienced at this property (i.e. 50dB LAeq 1hr) would be 12 dB(A) above the existing background level (i.e. 38 dB(A)) and therefore exceed the lower 10 dB(A) limit advocated by the PPG but would still be below the 55 dB(A) maximum level cited within the PPG. The assessment argues that the predicted noise level limits are based on a worst case scenario and by working the proposed extensions on a campaign basis the impacts of noise arising from the extraction operations would be further reduced and may only last a few weeks or days throughout the envisaged life of the proposed development. Given this, in the case of 1 Witham Road, Thistleton and the properties on Railway Close, South Witham, it is argued that for these two locations the higher noise level limit of 55 dB LAeq,1hr (free-field) within the PPG should be applied as to impose the lower limit would place an unreasonable burden upon the site operator.

This chapter consequently concludes that with the implementation of appropriate mitigation and control measures (as proposed within the scheme – e.g. bunds, stand-offs and positioning of equipment, etc), noise

levels associated with the development would fall within acceptable limits and therefore would not have a significant adverse impact on the nearby residents or other nearby land-uses.

Chapter 14: Dust & Air Quality - Air Quality Assessments have been conducted which take into account the advice of the Planning Practice Guidance (PPG) entitled 'Minerals' which supports the National Planning Policy Framework. The assessments consider the potential effects on air quality from the proposed extraction, processing and movement of materials within the proposed Extension. The assessments compare the existing levels of dust experienced at specified locations/receptors around the site, identifies the potential sources of dust arising from the operations as well as possible dust control measures to be implemented to minimise the impacts of dust on the surrounding environment and nearby residents.

The assessments show that the existing and previously recorded levels of dust deposited at identified locations/receptors around the site all fall below the acceptable trigger levels (i.e. 180 mg/m²/day) approved as part of the existing dust monitoring scheme affecting the permitted quarry and below threshold levels which are typically used to determine if a nuisance occurs (i.e. 200mg/m²/day). Similarly the assessments conclude that the operations would not exceed the UK National Air Quality Strategy air quality standards which seek to restrict PM₁₀ emissions to no more than 35 exceedances per year of a 24 hour mean of 50µg/m³ and an annual mean of 40µg/m³.

The assessments identify a series of dust suppression and operational practices that could be adopted and implemented as part of the development in order to minimise and control dust emissions and reduce the potential for nuisance. Subject to the adoption and implementation of these measures, the assessments conclude that the proposed development would be unlikely to cause adverse air quality impacts and that any dust arising from the operations could be controlled to fall within acceptable limits and therefore would not have a significant adverse impact on the nearby residents or other nearby land-uses.

Chapter 15: Archaeology & Cultural Heritage - archaeological and cultural heritage impact evaluations of the proposed Extension have been completed. This comprises of a desk-based assessment and further evaluation works comprising of geophysical surveys (conducted in 2007 and 2017) with a subsequent programme of trial trenching. Additional setting assessments were also conducted in order to assess potential impacts upon designated heritage assets (e.g. Scheduled Monuments and Listed Buildings) in the locality.

The desk-based assessment and initial geophysical survey indicated the potential presence of Iron Age and Romano-British enclosures and associated agricultural and industrial features within the site. As a consequence of this potential presence, a programme of targeted trial trenching was carried out with 24 trenches being excavated across the

Extension area. A further geophysical survey was also conducted in May 2017 to cover those areas of the site not covered by the 2007 similarly identified the remains of a further potential enclosure complex in the western part of the site along with possible pit features to the south. In light of the findings the ES suggests that if further archaeological works are deemed necessary then further excavations should be undertaken within identified and specified areas of interest and details it is recommended that the specification and requirements covering such works could be secured by way of a planning condition.

In terms of designated heritage assets, setting assessments have been undertaken to assess potential impacts on assets within Thistleton which include the St. Nicholas Church (Grade II* Listed) and six properties (all Grade II Listed). The assessments conclude that the settings of five of the Listed properties within Thistleton would not be affected by the proposal as they are entirely screened by vegetation. Whilst the proposed Extension would be partially visible from the western end of the church yard of St. Nicholas Church and potentially the upper storeys of one of the Listed properties (i.e. The Old Rectory), it is concluded that the distant visibility of the proposed development would not alter any of the important elements of their physical surroundings or experience and as such the significance of these assets would not be harmed.

Overall, the archaeological and cultural heritage impact assessments conducted in support of this proposal conclude that there would be no overriding heritage constraints associated with the Extension. Therefore the proposed development would not cause an unacceptable adverse impact on designated assets or archaeological or cultural heritage.

Chapter 16: Water Resources & Flood Risk - a Hydrological and Hydrogeological Assessment has been conducted which considers the potential impacts of the proposed extensions upon surface and groundwater resources and considers issues relating to flood risk.

Groundwaters would not be encountered during the mineral extraction operations and therefore dewatering would not be required. Given the distance of the proposed Extension from the nearby Cribb's Lodge Meadow SSSI no change is expected within the underlying hydrology and therefore the development would not adversely impact upon this area either.

Surface water runoff would be confined within the site (during and post restoration) and managed by allowing it to naturally soakaway into the underlying bedrock. This would result in a marginal reduction in surface waters falling within the catchment of the River Witham however this is would only serve to alleviate potential flooding events. The assessment has identified the presence of a culvert which crosses the north-western corner of the proposed Extension area. This culvert is believed to be used to discharge waters to the River Witham from a former mineral working located further to the west (Thistleton Quarry) and therefore it may be necessary to replace or divert this as part of the proposals.

In terms of flood risk, the proposal site is not assessed as being at risk of flooding from external sources and as there would be no discharges from the site there would not be an increased risk of flooding to properties located outside the site.

Given the above, the assessment does not identify the need for any specific mitigation measures to be implemented in order to further reduce the risk of impact upon groundwater or flooding. Therefore the proposed development would not cause an unacceptable adverse impact upon the water environment or have an impact upon human beings, flora and fauna.

Chapter 17: Transportation & Traffic - a Transport Assessment (TA) has been carried out which considers the potential impacts of the development on the local highway network. The TA confirms that it is not proposed to create or modify any access/egress to the site and as the annual throughput of the site would remain unchanged there would be no intensification of traffic movements from the site.

There are two separate accesses to the site: to the north onto Mill Lane and to the south onto Witham Road. Vehicles traveling south would continue to use the southern access onto Witham Road and then would head east along Witham Road before turning right into New Road before continuing to the A1 via Hobby Lane and the B668 Greetham Road. Vehicles travelling north/west would use the access onto Mill Lane. A Weight Restriction Order prevents HCV traffic from entering or exiting the site via Thistleton village and an existing routeing restriction (secured by way of a S106 Planning Obligation) prevents HCV's from entering and exiting the site through South Witham village.

In terms of traffic movements, the TA concludes that on total there would be an average 36 HCVs (72 two-way movements) associated with the site per day. No new mitigation measures are proposed as it has already been shown that the transportation requirements are capable of being accommodated in this location and therefore the existing planning conditions and controls affecting the site could be extended under any new permission for the site. Given this, it is concluded that the proposed development would not have a severe impact upon the local highway network or unacceptable impact upon human being, flora or fauna.

Chapter 18: Soils & Agricultural Land Classification - soil and agricultural land classification assessments have been undertaken which identifies the existing soil resources available within the proposed Extension area.

Two soil types were identified within the Extension area with the largest proportion of the site (i.e. 60%) comprising of shallow, well drained, brashy, calcareous soils over limestone. The remaining 40% of the site comprises of poorly drained, non-calcareous, clayey soils over Chalky Boulder Clay. The assessment concludes that given the nature of these soils the Extension area is effectively entirely classified as being Agricultural

Classification Subgrade 3b with only a narrow strip of land along the southern boundary being classed as Subgrade 3a which is defined as being 'best and most versatile' agricultural land.

The assessment confirms that all soils would be carefully stripped, handled, stored and reused during the development and therefore the development would not have an unacceptable adverse impact on soils, land quality and agriculture and therefore comply with the objectives of the NPPF and policy considerations within the Development Plan.

Chapter 19: Socio Economic Assessment - this chapter considers the potential impacts the development may have on the social and economic lives of local communities.

The assessment states that the quarry has been operational for a number of years and is estimated to contribute around £567,000 per annum (based on figures in 2014) and therefore support the rural economy of South Witham. The existing quarry directly employs seven staff and in-directly supports other jobs such as hauliers and goods and service providers. The proposed development would not create additional jobs as the Extension would essentially be a way of replacing a resource which will soon be exhausted and so instead the development would secure these jobs for a further 8-11 years.

It is concluded that the proposed development would therefore result in direct and in direct benefits to both the local and regional economy.

Chapter 20: Cumulative Impact Assessment - this chapter considers the potential for cumulative effects on the environment and amenity of local communities which can arise from impacts associated with this development and/or due to simultaneous quarrying operations being undertaken within the locality.

The assessment considers potential impacts in terms of successive effects, simultaneous effects from concurrent developments and combined effects from the same development. A range of different environmental criteria and factors are considered including impacts upon the landscape, noise, ecology, archaeology, traffic, water resources, etc. Having assessed the potential impacts the assessment concludes that there would be no significant adverse successive, simultaneous or combined effects as a result of this proposal and therefore the cumulative impacts of the development would not weigh against the scheme to a degree that would justify the refusal of the proposals on the grounds of cumulative impacts.

Chapter 21: Conclusions - this chapter draws together the issues discussed in the previous chapters and concludes that potential residual negative environmental impacts arising from the proposed development are capable of being made acceptable by the imposition of planning conditions and obligations. The potential environmental and local amenity impacts are

therefore considered to be acceptable and would not conflict with the policies contained within the Development Plan.

Site and Surroundings

22. South Witham Quarry is located to the west of South Witham village, with the towns of Grantham approximately 16km to the north and Stamford approximately 16km to the south. The existing mineral operations are located to the south of Mill Lane with the site being split and operated by both the applicant and another operator (Mick George Ltd). The applicants site is located towards the eastern half of the overall site and is closest to the village with the operations of Mick George Ltd being located to the west of that part of the site operated by the applicant. The site is bound by Mill Lane to the north and agricultural land to the east, south and west. The current access to that part of the quarry operated by the applicant is gained both from the north via Mill Lane as well as from the south via an access previously established by Mick George Ltd which connects to Witham Road, Thistleton. An existing S106 Planning Obligation attached to the permission affecting the applicants mineral operations contains a routeing restriction which prevents HCV traffic from accessing/egressing the site via South Witham village (except for carrying out local deliveries). There is also an existing Weight Restriction Traffic Regulation Order in force with Thistleton village which lies to the west of the southern site access and therefore prevents HCV traffic from using this route.
23. The proposed Extension is bordered to the east by that part of the site that is operated by Mick George Ltd, to the west by Fosse Lane, to the north by a disused railway line and to the south by arable fields. The surrounding land use is primarily agricultural with scattered areas of woodland with the villages of Thistleton and South Witham lying to the south and east. The closest residential properties to the site within South Witham village are located on Thistleton Lane and Harold Road which are between 110-150m away from the permitted boundary of the existing quarry. The closest properties to the proposed Extension are located along Main Street, Thistleton village (towards the south) and their rear gardens face out towards the site. These properties are between 600-650m distant from the site boundary of the Extension area and separated by agricultural fields, hedgerows and in some cases areas of woodland. There are also properties located at the entrance of Thistleton village which are located approx. 105m from the existing southern access road.



Northern access on Mill Lane



Southern access onto Witham Road



Southern access onto Witham Road



Southern access onto Witham Road

Main Planning Considerations

National Guidance

24. National Planning Policy Framework (NPPF) (March 2012) sets out the Government's planning policies for England and is a material planning consideration in the determination of planning applications. In assessing and determining development proposals, Local Planning Authorities should

apply the presumption in favour of sustainable development. The main policies/statements set out in the NPPF which are relevant to this proposal are as follows (summarised):

Paragraph 17 - seeks to secure a good standard of amenity for all existing and future occupants of land and buildings.

Paragraph 32 – states that all development that generates significant amounts of movements should be supported by a Transport Statement or Transport Assessment. Decisions should take account of whether, amongst other things, safe and suitable access to the site can be achieved for all people.

Paragraph 103 - seeks to ensure that flood risk is not increased on or offsite as a result of development.

Paragraph 109 - seeks to conserve and enhance the natural environment.

Paragraph 112 - seeks to protect the best and most versatile agricultural land and states a preference for development to be located on poorer quality land to that of a higher quality.

Paragraph 118 - seeks to conserve and enhance biodiversity and gives protection to Sites of Special Scientific Interest.

Paragraph 120 - seeks to prevent unacceptable risks from pollution and protect general amenity.

Paragraph 122 - states that local planning authorities should focus on whether the development itself is an acceptable use of land, and the impact of the use, rather than the control of processes or emissions themselves where these are subject to approval under pollution control regimes. Local planning authorities should assume that these regimes will operate effectively.

Paragraph 123 - seeks to prevent adverse impacts as a result of noise pollution.

Paragraphs 128 to 135 - require that the significance of heritage assets (inc. non-designated assets) be taken into consideration, including any impacts on their setting.

Paragraph 142 - recognises the importance of minerals reserves and the need to make best use of them.

Paragraph 144 - sets out a series of criteria to be taken into account when determining applications for minerals development, including ensuring that there are no unacceptable adverse impacts on the natural and historic environment and human health and that the cumulative effects from multiple individual sites are taken into account; ensure that any unavoidable noise,

dust and particle emissions are controlled and mitigated and establish noise limits for extraction in proximity to noise sensitive properties; and provide for restoration and aftercare at the earliest opportunity to high environmental standards.

Paragraph 145 – states that mineral planning authorities should plan for a steady and adequate supply of aggregates by, amongst other things, making provision for the maintenance of a landbank of at least 10 years for crushed rock. It is also stated that longer periods may be appropriate to take account of locations of permitted reserves relative to markets and productive capacity of permitted reserves.

Paragraphs 186 and 187 – state that local planning authorities should approach decision-taking in a positive way to foster the delivery of sustainable development and should look for solutions rather than problems and decision-takers at every level should seek to approve applications for sustainable development where possible. Local planning authorities should work proactively with applicant to secure developments that improve the economic, social and environmental conditions in the area.

Paragraphs 215 and 216 - state that 12 months after the publication of the NPPF (2012) due weight should be given to relevant policies in existing plans according to their degree of consistency with the NPPF, with the closer the policies in the plan to the policies in the NPPF, the greater the weight that may be given. Weight may also be given to relevant policies contained within emerging plans with greater weight being afforded to taking into account their stage of preparation and/or the extent to which there are unresolved objections to relevant policies.

In addition to the NPPF, in March 2014 the Government published the web-based National Planning Policy Guidance (NPPG). The NPPG also sets out the overall requirements for minerals sites, including in relation to assessing environmental impacts such as noise and dust and the need for minerals sites to be restored at the earliest opportunity to high environmental standards.

Local Plan Context

25. Lincolnshire Minerals & Waste Local Plan: Core Strategy and Development Management Policies (CSDMP) (2016) - the key policies of relevance in this case are as follows (summarised):

Policy M5 (Limestone) states that proposals for extensions to existing limestone extraction sites or new limestone extraction sites (other than small scale extraction of building stone) will be permitted provided that they meet a proven need that cannot be met by existing sites/sources and accord with all relevant Development Management Policies set out in the Plan.

Policy DM1 (Presumption in Favour of Sustainable Development) states that when considering development proposals, the County Council will take a

positive approach. Planning applications that accord with the policies in this Local Plan will be approved without delay, unless material considerations indicate otherwise.

Policy DM2 (Climate Change) states that proposals for minerals and waste management developments should address the following matters where applicable:

- Minerals and Waste – Locations which reduce distances travelled by HCVs in the supply of minerals and the treatment of waste; and
- Waste – Implement the Waste Hierarchy and reduce waste to landfill.
- Minerals – encourage ways of working which reduce the overall carbon footprint of a mineral site; promote new/enhanced biodiversity levels/habitats as part of the restoration proposals to provide carbon sinks and/or better connected ecological networks, and; encourage the most efficient use of primary minerals.

Policy DM3 (Quality of Life and Amenity) states that planning permission will be granted for minerals and waste development provided that it does not generate unacceptable adverse impacts to occupants of nearby dwellings or other sensitive receptors as a result of a range of different factors/criteria (e.g. noise, dust, vibrations, visual intrusion, etc).

Policy DM4 (Historic Environment) states that proposals that have the potential to affect heritage assets including features of historic or archaeological importance should be assessed and the potential impacts of the development upon those assets and their settings taking into account and details of any mitigation measures identified.

Planning permission will be granted for minerals and waste development where heritage assets, and their settings, are conserved and, where possible enhanced and where adverse impacts are identified planning permission will only be granted provided that:

- the proposals cannot reasonably be located on an alternative site to avoid harm, and;
- the harmful aspects can be satisfactorily mitigated; or
- there are exceptional overriding reasons which outweigh the need to safeguard the significance of heritage assets which would be harmed.

Policy DM6 (Impact on Landscape and Townscape) – states that planning permission will be granted provided that due regard has been given to the likely impact of the proposed development on the landscape, including landscape character, valued or distinctive landscape features and elements and important views. If necessary additional design, landscaping, planting and screening will also be required and where new planting is required it will be subject to a minimum 10 year maintenance period.

Development that would result in residual, adverse landscape and visual impacts will only be approved if the impacts are acceptable when weighed

against the benefits of the scheme. Where there would be significant adverse impacts on a valued landscape considered weight will be given to the conservation of that landscape.

Policy DM8 (Nationally Designated Sites of Biodiversity and Geological Conservation Value) states that planning permission will be granted for developments on or affecting such sites (e.g. SSSI's and Ancient Woodland) provided it can be demonstrated that the development, either individually or in combination with other developments, would not conflict with the conservation, management and enhancement of the site to have any other adverse impact on the site. Where this is not the case, planning permission will be granted provided that:

- the proposal cannot be reasonably located on an alternative site to avoid harm; and
- the benefit of the development would clearly outweigh the impacts that the proposal would have on key features of the site; and
- the harmful aspects can be satisfactorily mitigated or, as a last resort, compensated by measures that provide a net gain in biodiversity/geodiversity; and
- in the case of a SSSI, there are no broader impact on the network of SSSIs.

Policy DM9 (Local Sites of Nature Conservation Value) states that planning permission will be granted for development on or affecting such sites (e.g. Local Wildlife Sites, Local Nature Reserves) provided that it can be demonstrated that the development would not have any significant adverse impacts on the site. Where this is not the case, planning permission will be granted provided that:

- the merits of development outweigh the likely impacts; and
- any adverse effects are adequately mitigated or, as a last resort compensated for, with proposal resulting in a net-gain in biodiversity through the creation of new priority habitat in excess of that lost.

Policy DM11 (Soils) states that proposals should protect and, wherever possible, enhance soils.

Policy DM12 (Best and Most Versatile Agricultural Land) states that proposals that include significant areas of best and most versatile agricultural land will only be permitted where it can be demonstrated that no reasonable alternative exists and for mineral sites the site will be restored to an after-use that safeguards the long-term potential of the best and most versatile agricultural land.

Policy DM14 (Transport by Road) states that planning permission will be granted for minerals and waste development involving transport by road where the highways network is of appropriate standard for use by the traffic generated by the development and arrangements for site access would not

have an unacceptable impact on highway safety, free flow of traffic, residential amenity or the environment.

Policy DM15 (Flooding and Flood Risk) states that proposals for minerals and waste developments will need to demonstrate that they can be developed without increasing the risk of flooding both to the site of the proposal and the surrounding area, taking into account all potential sources of flooding and increased risks from climate change induced flooding. Minerals and waste development proposals should be designed to avoid and wherever possible reduce the risk of flooding both during and following the completion of operations. Development that is likely to create a material increase in the risk of off-site flooding will not be permitted.

Policy DM16 (Water Resources) states that planning permission will be granted for minerals and waste developments where they would not have an unacceptable impact on surface or ground waters and due regard is given to water conservation and efficiency.

Policy DM17 (Cumulative Impacts) states that planning permission will be granted for minerals and waste developments where the cumulative impact would not result in significant adverse impacts on the environment of an area or on the amenity of a local community, either in relation to the collective effect of different impacts of an individual proposal, or in relation to the effects of a number of developments occurring either concurrently or successively.

Policy R1 (Restoration and Aftercare) states the proposals must demonstrate that the restoration of mineral workings will be of high quality and carried out at the earliest opportunity and accompanied by detailed restoration and aftercare schemes.

Policy R2 (After-use) states that proposed after-uses should be designed in a way that is not detrimental to the local economy and conserves and where possible enhances the landscape character and the natural and historic environment of the area in which the site is located. After-uses should enhance and secure a net gain in biodiversity and geological conservation interests, conserve soil resources, safeguard best and most versatile agricultural land and after-uses including agriculture, nature conservation, leisure recreation/sport and woodland. Where appropriate, the proposed restoration should provide improvements for public access to the countryside including access links to the surrounding green infrastructure.

Policy R4 (Restoration of Limestone and Chalk Workings) states that proposals for limestone and chalk operations should be sympathetic to the surrounding landscape and prioritise the creation of calcareous grassland habitat, except best and most versatile agricultural land that would be restored back to agricultural land of comparable quality. Restoration should also seek to retain suitable exposures for geological educational use where appropriate.

South Kesteven Core Strategy (SKCS) (2010) - forms part of the Development Plan and therefore, as confirmed by the NPPF, due weight should be given to relevant policies within the Plan according to their degree of consistency with the policies of the NPPF. The following policies are considered to be of particular relevance (summarised):

Policy EN1 (Protection and Enhancement of the Character of the District) sets out a number of criteria against which all development proposals are required to be assessed including (amongst others) statutory, national and local designations of landscape features, including natural and historic assets; local distinctiveness and sense of place; the condition of the landscape; biodiversity and ecological networks within the landscape; visual intrusion; noise and light pollution, and; impact on controlled waters.

Policy EN2 (Reducing the Risk of Flooding) states that all planning applications should be accompanied by a statement of how surface water is to be managed and in particular where it is to be discharged. On-site attenuation and infiltration will be required as part of any new development wherever possible.

Results of Consultation and Publicity

26. (a) Local County Council Member, Councillor B Adams - has been notified of the application but had not provided any comments at the time of writing this report.
- (b) South Witham Parish Council – has stated that although they understand that there are some in the village who are still not happy with this revised application the Parish Council has no objection at this stage. It is added that they feel that this revised application is fair and thank the applicant for listening and taking into consideration the objections raised by the residents of South Witham with regard to their previous application by withdrawing the proposed Eastern Extension to the quarry.

The Parish Council would however like to ensure that the applicant fully complies with previous agreed conditions with regard to access, working hours and dust & noise levels of the quarry. This is of particular concern, as noise from the quarry carries across the whole village at times, depending on the direction of the wind. There are also concerns about dust levels and we have received complaints that dust has been carried to nearby premises, which indicates that the present methods of dust suppression are inadequate. The Parish Council acknowledges the gesture to sign a Section 106 legal agreement relinquishing permitted areas to the north of Mill Lane and feel this should be a binding guarantee for the village that this land will not be used for any future quarrying activities by any party. Finally, the existing Public Right of Way alongside the eastern side of the quarry should remain in place and should not be removed, remodelled or reshaped as part of this development.

- (c) Thistleton Parish Meeting (adjoining Parish within Leicestershire) – has made comments based on a review of the applications Non-Technical Summary. These are summarised as follows:
- (i) Landscape & Visual Impacts – the viewpoints selected as part of the LVIA do not actually determine the clearest views of the site and has failed to consider the views from the rear of the residential properties located within Thistleton Village which lie to the south of the Extension area. If the development is permitted these properties would not only be subject to disruption caused by the building the new spur road leading to the Extension but also its use by large lorries causing noise and dust pollution. The planting of trees and shrubs would only be effective if they are evergreen and fast growing and the use of bunds which themselves are ugly and would have a visual impact on the residences looking directly onto the proposed site.
 - (ii) Noise – the proposed noise limits and construction of noise screening bunds indicate that without this noise from the Extension would be very significant. Questions and comment are made about the visual impact of these and whether the bunds would have the desired effect in terms of reducing noise and how long they would be in place. It is also commented that wind direction makes a difference and the close proximity of the Extension to the village could exacerbate noise and air pollution.
 - (iii) Traffic – the Weight Restriction imposed at the entrance of the village is not always observed by drivers with an example being cited of a contractor associated with the site having breached this in the past. Concerns that if one driver is willing to flout this then so too could others.
 - (iv) Property prices – comments made that the price of property in Thistleton would drastically be affected if permission is granted.
- (d) Wyomondham & Endmonthorpe Parish Council (nearby Parish within Leicestershire) – has no objection to the proposed Extension itself but do have concerns about the prospect of further HCV traffic travelling through the village and in particular on the Main Street of Wyomondham. Whilst it is acknowledged that recently thanks to co-operation with the applicant there has been a reduction in traffic through Wyomondham, the Parish Council is reticent to see a return to the time when it was common for the village to be used as a thoroughfare by HCV traffic.

The Parish Council agrees and endorses Leicestershire County Council's request (see below) that consideration be given to appropriate routing arrangements to ensure that HCVs only leave and enter the site via the sites southern entrance. It is also recommended that consideration be given to the closure of the

northern entrance on Mill Lane to all incoming and outgoing traffic. It is stated that this would protect all local villages from the impact of quarry traffic and not just the villages of South Witham and Thistleton.

- (e) Environment Agency (EA) – has confirmed that, like the current operations, the proposed extensions are not anticipated to encounter groundwater and so there would be no need for any dewatering. Therefore they have no objection to the proposal.
- (f) Fisher German (agent acting on behalf of CLH Pipeline Systems - CLH-PS) – has commented that there is an easement of 3m either side of the pipeline which crosses the proposed Extension area although there are other factors outside of the easement width to be taken into consideration which may affect the integrity of the pipeline. Although the applicant has proposed a 10m easement either side of the pipeline, CLH-PS has advised that they will require proof that the necessary surveys have been carried out to ensure the quarrying activities do not detrimentally affect the pipeline. The safe working distance should therefore be stated within the quarry operators survey and recommendations made to ensure the safety of the pipeline. At this stage CLH-PS state that they are not in a position to comment on the specific safe working distance from the pipeline and would therefore reserve the right to approve this matter at a later date following the submission of full Risk Assessments and Method Statements to show how risk of damage to the pipeline is to be avoided. Such documents would be reviewed and signed off by CLH-PS and it is recommended that a planning condition be imposed which would require the submission of this prior to any works taking place in proximity to the pipeline (i.e. Phase 4C) and that the haul road crossing the pipeline is upgraded (i.e. installation of a concrete slab) and that the use of explosives will not be permitted within 400 metres of the pipeline.
- (g) Highway & Lead Local Flood Authority (Lincolnshire County Council) – has commented that so long as the existing routeing agreement restricting quarry vehicles from turning right out of the site onto Mill Lane remains in effect, then the only part of the County's highway network that would be directly affected by the proposed development would be the section between the site entrance on Mill Lane to the County boundary at Fosse Lane junction (to the west). This section of highway is considered to be suitable to accommodate the vehicles movements associated with the proposed development. It is added that the proposed development would not be expected to have any material impact upon surface water flood risk and therefore overall they have no objection to the proposed development.
- (h) Leicestershire County Council (acting as adjoining Highway Authority) – confirm that they do not consider the residual impacts of the proposals to be severe in accordance with paragraph 32 of the NPPF but also note that consideration be given to appropriate routeing arrangements to ensure that all HCVs would enter and leave the site

via the southern access onto the A1 and thereafter onto the wider principal road network so as to protect all local villages from the impact of quarry traffic and not just the villages of South Witham and Thistleton.

- (i) Public Rights of Way (Lincolnshire County Council) – has confirmed that there is a Public Right of Way (No.12) running alongside the existing quarry however it is expected that the definitive line and width of this path would not be affected by this proposal. It is however commented that during any works allowed by this proposal, users of the Public Right of Way should not be inconvenienced or exposed to hazards by any such works.
- (j) Historic Environment (Lincolnshire County Council) – has no objection but has recommended that a condition be imposed which would require a Scheme of Archaeological Works in accordance with a written scheme of investigation to be submitted and approved in writing before any groundworks take place within the Extension area. This should be secured by an appropriate condition to enable heritage assets within the site to be recorded prior to their destruction. It is added that this would comprise strip, map and record across the whole site and, dependant on the results of this it could include some targeted more detailed recording.
- (k) Lincolnshire Wildlife Trust (LWT) – has commented that they generally welcome the ecological assessment and the mitigation measures identified as part of the proposals in order to safeguard and protect species present in and around the Extension area. LWT have however stated that they feel the ecological assessment should have also covered the impact on species within the existing quarry especially as bats have previously been known to be present within the eastern most faces of the existing quarry. Phases 1 and 2 have the potential to affect this quarry face and therefore it is recommended that this quarry face is assessed for the presence of bats before the application is determined and if bats roosts are identified then appropriate mitigation secured.

In respect of the restoration proposals, LWT advise that the site is located within a priority area for calcareous grassland recreation and creation and whilst they therefore welcome the creation of calcareous grassland as part of the restoration plans, they are disappointed that the majority of the site would be restored to agricultural land. It is therefore recommended that calcareous grassland is created across the whole of the quarry site or, if only on the slopes, the amount of tree and shrub planting should be reduced. Finally, LWT also support the retention of open rock faces as part of the restoration proposals as the site is a candidate Local Geological Site and these would add geological educational value to the site.

- (l) Natural England (NE) – has no objection to the proposal. In respect of potential impacts on the nearby Cribs Lodge SSSI it is commented that there is a considerable stand-off between the proposed quarry and SSSI and so concerns such as dust should be adequately buffered by the existing hedges along Fosse Lane and Mill Lane. Additionally the development should not have any negative hydrological impacts since the plant communities within the SSSI are not dependant on groundwater.

In respect of impacts on soils, it is noted that the assessment undertaken indicates that the majority of the site falls within Grade 3b and as such is not considered as best and most versatile land. However, it is important that the soils are handled appropriately to make best use of the different soils on site.

Finally NE welcomes the final restoration proposal of the reinstatement of farmland at a lower level with greater habitat diversity including the creation of calcareous grassland and broadleaved woodland, species rich hedgerows and the sensitive management of field margins.

- (m) The Open Spaces Society – have advised that they are pleased that the previous eastern extension proposed has now been removed from the development and that consequently the public footpath alongside the site will no longer be diverted. This is a definite improvement, however, concerns remain about the effect of the quarry extension on users of the existing public rights of way, since it will be visible and noisy, dusty and smelly. We trust the planning authority will require the necessary mitigation to ensure that users of public paths in the area are not adversely affected.
- (n) The Wymondham Traffic Group (a fully voluntary organisation) – have advised that whilst not being opposed to the proposed extension of the quarry they are opposed to the current planning application for not making provision to ensure that all HCV traffic enters/leaves the site via the southern access only so as to avoid residential areas such as Wymondham, Sewstern, South Witham and Thistleton.

It is stated that Wymondham is a conservation village on a C-classification road not designed for the volume and speed of such heavy traffic and at points is only 5.4m wide thereby creating a danger to road users, pedestrians and properties alike. In 2006 Lincolnshire County Council turned down a planning application at the quarry stating that *"the carriageways in this area including Mill Lane [on which the north entrance is located] are inadequate in terms of width and general physical layout to serve further development from the quarry and the intensification of vehicles thereon...Such conditions are contrary to the interests of safety and free passage of vehicles and pedestrians with the public highway"*.

The Group argue that the situation with regards to the carriageways remains the same and so therefore request that a Section 106 agreement/condition be imposed to ensure ALL HCVs leave and enter by the south gate regardless of whether the quarry is given the go-ahead or not. This would allow Breedon Aggregates to then close the north entrance entirely.

The following bodies/persons were also consulted on the application but no response had been received by the time this report was prepared:

Rutland County Council (adjoining Authority)
Melton Mowbray Borough Council (nearby Local Authority)
Environmental Health (Melton Mowbray Borough Council) (nearby Local Authority)
Buckminster Parish Council (nearby Parish Council)
Campaign to Protect Rural England
Ministry of Defence (Safeguarding)
Lincolnshire Fieldpaths Association
Ramblers Association (Lincolnshire South)
Arboricultural Officer (Lincolnshire County Council)
South Lincs and Rutland Local Access Forum
Western Power
National Grid (Transco).

27. The application has been publicised by notices posted at the site and in the local press (Grantham Journal on 31 March 2017) and letters of notification were sent to the nearest neighbouring residents as well as those persons that made representations on the previous application which was subsequently withdrawn.
28. A total of 35 representations have been with the vast majority of these being from residents of Wymondham (20 representations) and Thistleton (10 representations). The remaining five representations include those received online (who have not identified where they live) and residents of South Witham (two representations).
29. The majority of the objections received relate to concerns over the impacts of traffic. These include objections/comments which are summarised as follows:
 - The proposal would increase traffic movements. In 2006 Mick George Ltd were refused planning permission (ref: S68/1162/06) for the installation of a concrete batching plant at the site as Mill Lane was stated as being inadequate in terms of its width and general physical layout to serve further development and increased traffic. The same therefore applies here as nothing has changed.
 - Traffic movements associated with the importation of wastes to restore the existing quarry have not been taken into consideration.

- All traffic associated with the quarry should be prevented from using the northern access onto Mill Lane and instead should be required to use the southern access onto Witham Road only. It is argued that the southern access provides a more suitable and direct route towards the A1 and would therefore avoid the need for traffic to use routes which pass through villages including South Witham, Thistleton and Wymondham.
- Wymondham village is not wide enough and suitable for HCV traffic and traffic using this route poses a safety risk to parents and school children and other road users. Speed limits are also not adhered to.
- The weight limit within Thistleton is ignored and should be enforced.
- Impact and further deterioration of roads as a result of heavy traffic.

Objections and comments have also been received on the following grounds:

- There is no need to release new limestone reserves and therefore, like the decision at Denton, the application should be refused for the same reasons.
- Concerns over the timescale for extraction and extending the life of the quarry.
- The proposed Extension would be within 400-600m of residential properties within Thistleton and this would undoubtedly result in significant impacts including noise, dust and vibration. The application has also not properly assessed the visual impacts of the development on these properties which have direct sight over the proposed Extension.
- Concerns over the impact of the development on wildlife such as foxes, badgers, deer and birds, etc which could be frightened away and displaced.
- Impacts on air quality as a result of dust created by the quarry which would settle in the local area.
- Impacts of noise which would be repetitive and annoying could be detrimental to the mental health of local residents.
- The development would reduce property values.
- Concerns that the restoration scheme would alter aspects of the development previously approved and remove agricultural land with land restored to a lower level which would have a drastic visual impact on the area. It is suggested that the quarry should therefore be mined underground. Concerns also raised about elements of the restoration plans including planting area, creation of water bodies and retention of

dangerous quarry faces at the eastern end of the site which are close to the adjoining footpath.

- There is a an eleven acre nature reserve (referred to as Chut Wutty's Forest Garden) which is a habitat restoration project which is located adjacent to southern boundary of the site. This has not been referenced in the application and concerns that this would therefore be impacted upon.

District Council's Observations Recommendations

30. South Kesteven District Council have no objection in principle, however, requests the following comments be taken into consideration:
- a. that any grant of permission should include adequate measures to ensure that the residential amenities of the occupiers of nearby properties are adequately protected, particularly from dust and noise pollution;
 - b. recommend that conditions attached to previous planning permission(s) for the wider site would be appropriate for this extension; and
 - c. note that South Witham Parish Council have submitted a representation on the application and request that the issues raised in the Parish Council's representation are duly considered in the assessment and determination of the application.

Conclusion

31. Section 38(6) of the Planning & Compulsory Purchase Act 2004 states that all applications for planning permission should be determined in accordance with the development plan unless material considerations indicate otherwise. The NPPF does not change the statutory status of the development plan as the starting point for decision taking and in fact confirms that proposed developments which conflict with an up-to-date development plan should be refused unless other material considerations indicate otherwise.
32. This is a very complex proposal and the key issues are considered to be:
- the need and justification for the new mineral reserves;
 - an assessment of the main impacts associated with the development, and;
 - whether the applicants offer to rescind their interest in an area of land lying to the north of Mill Lane as a swap for planning permission to work the proposed Extension area (subject of this application) offers an environmental or amenity benefit which outweighs any policy considerations or impacts associated with this proposal.

Need for limestone

33. The NPPF advises that Mineral Planning Authorities make provision for a landbank of at least 10 years for crushed rock and Policy M5 of the CSDMP states that proposals for extensions to existing limestone extraction sites or new sites will be permitted provided that they meet a proven need that cannot be met by existing sites/sources and accord with all relevant policies set out in the Plan.
34. At the time of adoption (i.e. June 2016), the Lincolnshire Minerals and Waste Local Plan: Core Strategy & Development Management Policies (CSDMP) indicated that there was a need to supply 11.16 Mt of limestone aggregate during the Plan period (i.e. 2016-2031) and that there was around 40.25 million tonnes of limestone aggregate within the landbank. Based upon these figures there would therefore be an estimated surplus of around 29.09 million tonnes of limestone aggregate available in 2031 and consequently more than sufficient reserves available to meet future requirements. It is accepted that the landbank reserve figure cited in the CSDMP is out of date and does not take into account intervening sales/production rates along with planning decisions that have led to consequential changes in the overall landbank reserve figure. More recent information and figures collected by the County Council as part of the Aggregate Working Party's 2016 annual survey (to be published later this year) show that when these are taken into account the landbank figure is more likely to be within the region of 20 million tonnes rather than 40.25 million tonnes as cited in Table 3 of the CSDMP. Whilst the landbank of available limestone reserves has therefore been substantially reduced, even this lower figure means that there would be a surplus of around 9 million tonnes of reserves available in 2031 and therefore ample reserves available to meet projected demands. Given the size of the limestone landbank there is no quantitative need to release additional reserves at this time.
35. Notwithstanding the above, this application includes proposals to extend the existing quarry and, if permitted, would enable 1.7 million tonnes of previously unconsented limestone aggregate reserves to be worked. The applicant acknowledges that there is no quantitative need for additional limestone reserves to be released at this time and therefore has offered to give up an existing permission to work land to the north of Mill Lane as a 'swap' for planning permission for the proposed Extension. The land to the north of Mill Lane is estimated to contain around 1.2 million tonnes of limestone aggregate and lies adjacent to the village of South Witham. The permission and planning conditions covering this area have been reviewed and so unlike the situation and application that was recently considered at Denton (ref: S26/1611/15), given the status of this consent there is a realistic prospect that this permission could be activated and the area worked in the near future. Whilst planning conditions attached to that consent do seek to minimise the impacts that would be experienced by working this area given its very close proximity to the village there could still be a degree of disturbance and impacts which could not be completely removed. The applicants offer to exchange the planning permission to work

the land north of Mill Lane as a swap for the proposed Extension is therefore welcomed and although it is accepted that permission to work the Extension would result in a net increase of around 500,000 tonnes being added to the current landbank, when considered on balance, I am satisfied that the environmental and amenity benefits that would be gained by giving up the permission to work the land north of Mill Lane over the release of these additional reserves is acceptable and should be supported. This situation is therefore different and in contrast to the recent decision to refuse planning permission to extend Dunston Quarry (ref: N26/0437/17) which had proposed an extension and the release a similar tonnage of limestone reserves, however in that case, the proposal was not offering to give up permission to work an area already consented elsewhere and did not offer the same degree of environmental and amenity benefits as that which would be gained by this development.

36. Finally, the supporting text² of Policy M5 of the CSDMP advocates and lends support to scenarios such that proposed by this application and therefore I am satisfied that this proposal would be an exceptional circumstance allowing the application to be supported and would not conflict or undermine the objectives of Policy M5.

Environmental and Amenity Considerations/Impacts

Landscape & Visual Impacts

37. A number of local residents within Thistleton along with the Thistleton Parish Council have raised concerns/objections to the proposal on the grounds that views of the Extension would be possible from the rear gardens and properties that lie to the south of the site. It is argued that the assessments undertaken have failed to properly take into account the impact of views from this location and argue that these would be adverse.
38. As with all mineral operations the proposed development would change the existing visual appearance of the proposal site and whilst the objections and representations received on these grounds are noted, a number of measures have been proposed as part of the development which, as far as possible, aim to minimise and reduce any impacts upon the surrounding area and nearby residents. During the operational phase, such measures include the retention and management of existing hedgerows so they would increase in height and help to filter views into the Extension area. Additional measures include the construction of screening bunds along the sites southern boundary which would be extended as the operations advance. These measures, along with the fact that the extraction operations would be carried out at depth, would mean that for majority of the time working would take place below existing ground level and therefore would not be visible at surface level. Although views of operational plant and machinery and HCV's using the haul road between the Extension site and existing main quarry area would be possible (i.e. during the initial box cut and as minerals

² Paragraph 5.43 of the CSDMP

transported for stocking) these would only be for short periods of time. The screening mitigation measures, along with the separation distance between the site and the nearest properties (varying between approx. 540-650m) and presence of intervening trees, hedgerows and the disused rail embankment would all help to ensure that views from public vantage points both within the immediate surroundings as well as at distances from outside the site are largely limited. Therefore whilst the objections are noted I am satisfied that the LVIA undertaken as part of the ES has been conducted in accordance with the relevant guidance and provide an accurate assessment of the potential impacts of this development and, with the implementation of the mitigation measures proposed within the application, the development would not have a significant unacceptable adverse impact upon the visual appearance or character of the area during either the working or restoration phases. Therefore the proposed development would not conflict with the objectives of CSDMP policies DM1, DM3 and DM6 and SKCS Policy EN1.

Noise & Dust

39. The assessments contained within the supporting ES identify the operations or processes likely to cause noise and dust and makes recommendations for mitigation measures to be adopted to minimise and control the impacts of these upon nearby sensitive receptors. As an operational quarry a number of measures are already implemented at the site in order to minimise dust emissions from the site and these would continue to be implemented for the proposed Extension area the Extension area itself is fairly remote with few residential properties being close by and those that are located to the south and west and set back some distance from the site and the prevailing wind is predominately from the southwest and therefore unlikely to be affected by any fugitive emissions that may escape the site boundary.
40. In terms of noise, the assessment undertaken as part of the ES has demonstrated that the quarrying operations could be carried out without exceeding the recognised acceptable noise limits as set out within the NPPG and therefore would not have an adverse impact on noise sensitive receptors close to the site. Consequently, whilst the objections and criticisms from local residents and representations received on the application are noted, I am satisfied that the potential amenity or environmental problems that could occur as a result of noise and dust could be adequately controlled and mitigated against. Therefore if planning permission were to be granted then conditions could be imposed to deal with issues relating to dust and noise and used to secure the implementation of the mitigation measures/schemes/practices proposed within the ES. Such conditions would ensure that proposed development would not have a significant adverse impact in terms of noise and dust and therefore accord with advice contained within the NPPG and CSDMP Policy DM3 and relevant criterion of SKCS Policy EN1.

Heritage and Archaeology

41. There are no designated heritage assets (i.e. Scheduled Ancient Monuments, Listed Buildings, etc) lying within or close to the site which are considered likely to be adversely affected by the development. As this development would involve the excavation and removal of minerals it does however have the potential to affect non-designated features of archaeological interest and therefore assessments have been undertaken as part of the ES which have identified and evaluated this potential. These assessments have been considered by the County Council's Historic Environment Team and considered acceptable and consequently no objections have been raised. None of the assessments identify features of such significance that the development should not proceed however a planning condition is recommended to ensure that an appropriate scheme of works is adopted during the groundworks so that any features of interest encountered are appropriately recorded. Such a condition would ensure that all reasonable measures are taken to record and preserve (by record) any features and would therefore ensure that the development accords with the objectives of the NPPF and CSDMP policies DM1 and DM4 and relevant criterion of SKCS Policy EN1.

Ecology

42. The application site includes both the existing operational quarry as well as the proposed Extension area. Given the active and operational nature of the existing quarry this part of the application site is considered to currently be of little ecological value and so has not been assessed as part of this ES. Although LWT has raised concerns about the potential impacts upon bats which are known to roost in the eastern faces of the existing quarry, there are no proposals to actually work or remove this face and so would not be directly impacted upon by this proposal. An existing condition attached to the permission covering this part of the quarry (e.g. Condition 30 of S68/1533/11) already places an obligation on the applicant to adopt and implement mitigation measures when works take place in the vicinity of this area and so if permission were to be granted than this same conditional requirement could be replicated on any new permission. Such a condition would ensure that the same and existing protection measures are in place as the current permission.
43. In respect of the Extension area, this largely comprises of farmed agricultural land and ES shows this to be of limited ecological value and does not contain any statutory or non-statutory sites of nature conservation value. Notwithstanding this objections have been received on the grounds of potential impacts upon local wildlife and that the application has failed to give consideration to a local nature site called 'Chut Wutty's Forest Garden'. In respect of this site, although it has been referenced as a local nature reserve when compiling the ecological baseline for the ES, the applicant states that information was requested from statutory and non-statutory organisations both within Lincolnshire and Leicestershire as well as web-based resources and this site was not listed on those records. As a result it

does not appear to have any formal status. Notwithstanding this, the ES has already taken into account potential impacts of the development upon sites that do fall within 1km of the site and, subject to the mitigation measures identified within the application, it is concluded that these would not be adversely impacted upon as a result of factors such as noise, dust and changes in hydrology.

44. In light of the above, I am satisfied that despite the objections received sufficient information and details have been provided to assess the impacts of the proposals on flora and fauna falling within the footprint of the site and that appropriate mitigation measures would be implemented to ensure that the proposed development would not have an adverse impact on a range of species which may be present and/or which use the site as terrestrial and foraging habitat. If planning permission were to be granted, planning conditions could therefore be imposed to secure and require the implementation of those measures. It is therefore concluded that the proposal would accord with the objectives of the NPPF and not conflict with CSDMP policies DM8 and DM9 and SKCS Policy EN1.

Highways & Traffic

45. A number of objections have been received on the grounds of increased traffic and several of these have commented that the road network in the locality is unsuitable for the size and frequency of traffic associated with the site. A number of objectors have referenced a previous decision which refused an application by Mick George Ltd (ref: S68/1162/06) on the grounds of potential highways impacts as a means to support their view and also several have suggested that the routing of traffic should be restricted to that is can only use the southern access and not the northern access onto Mill Lane.
46. Whilst these objections are noted, the Extension would be worked as a continuation of the existing quarrying operations and therefore would not increase annual production rates or increase traffic movements over and above that associated with the existing quarry. This is therefore different to that which was proposed by the application in 2006 which was refused planning permission.
47. The proposed Extension would be accessed via new spur road that has already been granted planning permission by Rutland Council. No new access onto the public highway is therefore required and so instead all traffic would continue to use the two existing entrances. The routes and highway network used by traffic associated with this development fall within the administrative boundaries of both Lincolnshire and Leicestershire and whilst the concerns raised by members of the public are noted, no objections have been received from either party in their capacities as Local Highway Authority. Traffic associated with the quarry is subject to an existing Routing Agreement (secured by a previous S106 Planning Obligation) and the applicant has confirmed that this would continue to be implemented should permission be granted. An existing Traffic Regulation Order on the

entrance to Thistleton village would also prevent HCVs from entering and travelling through the village should vehicles exit the site via the southern access/entrance. Whilst Leicestershire County Council has suggested that consideration should be given to restricting traffic from using routes through the village of Wymondham, this is not considered justified given that other HCV traffic would/could still use this route. The applicant has indicated that following concerns raised last year they have instructed their fleet /drivers not to use this route and this has been effective in reducing traffic issues within the village. If it was felt necessary to formalise this arrangement then this would have to be agreed by way of a voluntary agreement with the applicant and as the roads/route in question lie within Leicestershire it would be for Leicestershire County Council to enforce rather than Lincolnshire should any breach be identified. Consequently even if this was secured it would not be a matter that Officers could guarantee would be enforced. Furthermore, if Leicestershire County Council felt that the road network through Wymondham was so unsuitable for the HCV traffic then they could consider imposing a Weight Restriction Traffic Regulation Order on the route instead. As this has not been pursued it is assumed that this is because this is not considered practicable or feasible.

48. Consequently, although it is accepted that a significant number of objections have been raised with regard to traffic and potential highway safety issues, given that there is no technical objection from either of the responsible Highway Authorities, if planning permission were to be granted, planning conditions/agreements could be secured which would ensure that the development would not have a significant adverse impact upon the highway network and as such would be acceptable in highways terms and in accord with the objectives of the NPPF, CSDMP Policy DM14 and relevant criterion of SKCS Policy EN1.

Hydrology & Water Environment

49. The assessments undertaken as part of the ES confirm that given the proposed depth of working groundwaters would not be encountered during the mineral extraction operations and therefore dewatering would not be required. The assessments also conclude that the development would not have any adverse impacts on the nearby Cribb's Lodge Meadow SSSI and so LWT and Natural England have consequently raised no objections to the proposals. The Environment Agency, who are the statutory body responsible for providing advice to Mineral Planning Authorities on matters relating to hydrology and hydrogeology, has similarly raised no objection and so, subject to the implementation of the mitigation measures proposed as part of the application, the development would not have an adverse impact upon the underlying groundwater or surface water regimes and therefore would not be contrary to the objectives of the NPPF or CSDMP Policies DM8 and DM16 and SKCS Policy EN2.

Impacts on the gas pipeline

50. A gas pipeline cuts across the proposed Extension area and rather than remove or divert it the proposed working and restoration schemes have been designed so that it can remain in-situ throughout the development. Discussions have taken place between the applicant and CLH-PS (the pipeline operator) and they have suggested that any concerns could be addressed if measures are taken to ensure the pipeline is protected from potential disturbance/damage. Such measures include the installation of a concrete slab across the pipeline so as to protect it from heavy traffic, restricting the use of explosives and blasting and securing a suitable stand-off from the pipeline during the mineral extraction operations. CLH-PS has indicated that they wish to agree what the suitable stand-off would be via a scheme that is to be submitted for approval at a later date and that a planning condition could be imposed to secure this. Planning conditions are therefore recommended to be imposed to ensure that measures are secured as part of the development and these would include the need to keep a minimum 10m stand-off from the pipeline, restricting the use of blasting within the site and also a requirement to submit a scheme which would confirm further details of the works to be undertaken to protect the pipeline before works take place in proximity to it. Subject to these, adequate measures would be in place to ensure that the integrity of the pipeline is maintained and not adversely affected by this proposal.

Final Conclusions

51. The proposed extension would result in the release of an additional 1.7 million tonnes on previously unconsented limestone reserves and extend the life of the quarry by a further 8-11 years. Given the existing landbank of limestone reserves there is not a quantitative need to release new limestone reserves at this time, however, in this case the applicant is offering to exchange a planning permission to work land north of Mill Lane as a swap for permission to work the proposed Extension. Although this would result in a net increase of around 500,000 tonnes of limestone reserves still being added to the current landbank, when considered on balance, I am satisfied that the environmental and amenity benefits that would be gained by this proposal are such that this application can be supported and would represent an exceptional circumstance as recognised by the supporting text of Policy M5 of the CSDMP and therefore not conflict or undermine the objectives of this policy or the plan overall.
52. In terms of environmental and amenity impacts, a number of representations have been received during the consideration of this application and many of these have raised objections on the grounds of potential adverse impacts primarily due to traffic but also on the environment and amenity of residents living close to the site. Although the objections and issues raised by the public are noted, having taken into account the advice and comments received from statutory and non-statutory consultees, I am satisfied that the potential impacts are capable being mitigated, minimised and reduced through the implementation of the mitigation measures proposed within the

application and through the securing of a S106 Planning Obligation and imposition of planning conditions.

53. The proposed development has been considered against Human Rights implications especially with regard to Article 8 – right to respect for private and family life and Protocol 1, Article 1 – protection of property and balancing the public interest and well – being of the community within these rights and the Council has had due regard to its public sector equality duty under Section 149 of the Equality Act 2010.

RECOMMENDATIONS

That planning permission be granted subject to:

- (A) The applicant, and all other persons with an interest in the land, entering into a S106 Planning Obligation to cover the following matters:
- to allow the revocation of that part of the existing mineral permission that covers the identified land north of Mill Lane (subject to an Initial Review under reference number S68/0921/97) without compensation;
 - to continue to route all HGVs travelling to or from the site away from the settlement of South Witham;
- (B) Subject to the completion of the Planning Obligation referred to above, the Executive Director of Environment and Economy be authorised to grant planning permission subject to the conditions set out below.
- (C) That this report forms part of the Council's Statement pursuant to Regulation 24 of the Town and Country Planning (Environmental Impact Assessment) Regulations 2011 which required the Council to make available for public inspection at the District Council's Offices specified information regarding the decision. Pursuant to Regulation 24(1)(c) the Council must make available for public inspection a statement which contains:
- content of decision and any conditions attached to it;
 - main reasons and considerations on which decision is based;
 - including if relevant, information about the participation of the public;
 - a description, when necessary, of the main measures to avoid, reduce and if possible offset the major adverse effects of the development;
 - information recording the right to challenge the validity of the decision and procedure for doing so.

Conditions

1. The development authorised by this permission shall be commenced no later than three years from the date of this planning permission and the permission shall be deemed as implemented only when the following details and schemes have been submitted and formally approved in writing by the Mineral Planning Authority:

- (i) A dust management scheme shall be submitted to and approved in writing by the Mineral Planning Authority. The scheme shall include details of all dust suppression measures and the methods to monitor emissions of dust arising from the development. Once approved the development shall be implemented in accordance with the approved scheme with the approved dust suppression measures being retained and maintained in a fully functional condition for the duration of the development hereby permitted.
- (ii) Detailed final restoration proposals, including hedgerow management and landscape planting details, and aftercare scheme shall be submitted to and approved in writing by the Mineral Planning Authority. The scheme shall be in general accordance with the indicative proposals shown on Drawing No.1 Rev A 'Restoration Concept' and shall make provision for and/or include details to cover the following:
- a) details of the final levels of the restored land;
 - b) full details of the grass/tree/shrub/hedge planting to be carried out as part of the restoration works which shall include details of the species, densities, heights and means of protection;
 - c) details of the measures to be taken to manage hedgerows to be retained as part of so that they provide additional natural screening to the proposed extension area, and;
 - d) a scheme of aftercare detailing the steps to be implemented to bring the restored quarry to the required standard for each of the specified uses as shown as part of the final restoration proposals for the quarry. The aftercare period shall be a minimum of five years from the date that restoration works within each phase of the development have been completed to the satisfaction of the Mineral Planning Authority.

All restoration, landscaping and aftercare works shall thereafter be carried out and implemented in accordance with the approved details (or any updated or revised details subsequently approved by the Mineral Planning Authority).

2. Upon the implementation of this permission, the development and operations hereby permitted shall be carried out in strict accordance with the following documents and plans except where modified by conditions attached to this notice or details subsequently approved pursuant to those conditions. The approved documents and plans are as follows:

- Planning Application Form, Planning and Environmental Statement (February 2017) and supporting technical appendices (received 3 March 2017)
- BRE-001-M-LP1 – Location Plan
- 17-019-D-001 Rev.1 – Proposed Quarry Development
- 17-019-D-002 Rev.1 – Proposal Plans – Block Phased Extraction
- 17-019-D-003 Rev.1 – Phase 1 Development
- 17-019-D-004 Rev.1 – Phase 2 Development

- 17-019-D-005 Rev.1 – Phase 3 Restoration Works within Current Permitted Area
 - 17-019-D-006 Rev.1 – Proposed Extension Phase 4A
 - 17-019-D-007 Rev.1 – Proposed Extension Phase 4B
 - 17-019-D-008 Rev.1 – Proposed Extension Phase 4C
 - 17-019-D-009 Rev.1 – Proposed Restoration Phase 4
 - 17-019-D-010 Rev.1 – Proposed Extension Phase 5A
 - 17-019-D-011 Rev.1 – Proposed Extension Phase 5B
 - 17-019-D-012 Rev.1 – Proposed Restoration Phase 5
 - 17-019-D-013 Rev.1 – Phase 6A – Remaining Permitted Reserves
 - 17-019-D-014 Rev.1 – Phase 6B – Final Restoration of Current Permitted Area
 - 1 Rev.A – Restoration Concept.
3. The continued deposition and use of imported inert wastes to help achieve the restoration works and profiles associated with Phases 1, 2, 3, 6A and 6B shall be restricted to those phases only.
 4. Nothing in this determination shall be construed as permitting the removal of topsoil, subsoil or overburden from the site.
 5. Except as may otherwise be agreed in writing by the Mineral Planning Authority, no plant or machinery shall be operated within the site (other than in connection with essential maintenance within the plant site area) and no heavy goods vehicles shall enter or leave the site except between the following times:

07:00 – 18:00 hours - Monday to Friday
07:00 – 13:00 hours – Saturdays.

No such activities shall take place on Sundays, Public Holidays or Bank Holidays.
 6. Except as may otherwise be agreed in writing by the Mineral Planning Authority, essential maintenance work may only take place during the normal hours of working for the quarry (set out in the above condition), and between the hours of 13:00 - 17:00 Saturdays provided it is confined to the plant site area.
 7. (a) No development shall take place until a written scheme of archaeological investigation has been submitted to and approved by the Mineral Planning Authority. This scheme should include the following and should be in accordance with the archaeological brief supplied by the Lincolnshire County Council Historic Environment advisor:
 1. An assessment of significance and proposed mitigation strategy (i.e. preservation by record, preservation in situ or a mix of these elements).

2. A methodology and timetable of site investigation and recording.
 3. Provision for site analysis.
 4. Provision for publication and dissemination of analysis and records provision for archive deposition.
 5. Nomination of a competent person/organisation to undertake the work.
 6. The scheme to be in accordance with the Lincolnshire Archaeological Handbook.
- (b). The archaeological site work shall be undertaken only in full accordance with the approved written scheme. The applicant will notify the Mineral Planning Authority of the intention to commence at least fourteen days before the start of archaeological work in order to facilitate adequate monitoring arrangements. No variation shall take place without prior consent of the Mineral Planning Authority.
- (c). A copy of the final report will be submitted within three months of the work to the Mineral Planning Authority for approval (or according to an agreed programme). The material and paper archive required as part of the written scheme of investigation shall be deposited with an appropriate archive in accordance with guidelines published in The Lincolnshire Archaeological Handbook.
8. Except for temporary operations, the free-field Equivalent Continuous Noise Level, dB LAeq, 1 hour free field, due to the daytime operations on the site, shall not exceed the site noise limits at the noise sensitive locations specified in the report "Noise Assessment of the Proposed Western Extension" contained in the Environmental Statement.
 9. For temporary operations such as soil stripping, replacement and bund formation, the noise level shall not exceed 70dB(A) LAeq, 1 hour free field, at any noise sensitive property. Temporary operations which exceed the normal daytime criterion (set out in the above condition) shall be limited to a total of eight weeks in any twelve month period at any individual noise sensitive property; the dates of these occurrences shall be notified in writing to the Mineral Planning Authority.
 10. In the event of any substantiated complaint being notified to the operator by the Mineral Planning Authority relating to noise arising as a result of the operations undertaken at the site, the operator shall provide the Mineral Planning Authority with a scheme of noise monitoring for its written approval. Following the written approval of the Mineral Planning Authority the noise monitoring scheme shall be carried out within one month of this written approval and the results of the survey and details of any additional mitigation measures to be implemented as part of the development shall be submitted for the attention of the Mineral Planning Authority. Any additional mitigation measures identified as part of the survey shall be implemented within one month of the survey and thereafter implemented for the duration of the development.

11. All plant, machinery and vehicles (excluding delivery vehicles which are not owned or under the direct control of the operator) used on the site shall incorporate white noise reversing warning devices and be fitted with silencers maintained in accordance with the manufacturer's recommendations and specifications to minimise noise disturbance.
12. No commercial vehicles shall enter the public highway unless they are sheeted and, when necessary, their wheels and chassis have been cleaned to prevent material being deposited on the public highway.
13. No mud, debris or other deleterious materials shall be deposited on the public highway and any accidental deposition of such materials shall be removed immediately.
14. Mineral extraction shall not proceed below a level of 104m AOD in the Western Extension area as outlined on Drawing Nos. 17-019-D-006 Rev.1 to 17-019-D-011 (inclusive).
15. Any facilities for the storage of oils, fuels or chemicals shall be sited on impervious bases and surrounded by impervious bund walls. The volume of the bunded compound shall be at least equivalent to the capacity of the tank plus 10%. If there is multiple tankage, the compound shall be at least equivalent to the capacity of the largest tank, or the capacity of interconnected tanks, plus 10%. All filling points, vents, gauges and site glasses must be located within the bund. The drainage system of the bund shall be sealed with no discharge to any watercourse, land or underground strata. Associated pipework shall be located above ground and protected from accidental damage. All filling points and tank overflow pipe outlets shall be detailed to discharge downwards into the bund.
16. No dewatering of the site shall be carried out.
17. The existing trees and shrubs around the boundary of the site shall be retained except where provision for their removal has been made in the approved scheme of working and shall not be felled, lopped, topped or removed without the prior written consent of the Mineral Planning Authority. Any such vegetation removed without consent, dying, being severely damaged or becoming severely diseased as a result of operations permitted by this permission, shall be replaced with trees or shrubs of such size and species as may be specified by the Mineral Planning Authority in the planting season immediately following such occurrence.
18. Outside the approved hours of working, floodlighting shall be restricted to security lights activated by intruder sensors.
19. Site clearance operations that involve the destruction and removal of vegetation on site shall not be undertaken during the months of March to August inclusive, except when approved in writing by the Mineral Planning Authority.

20. Prior to any quarrying operations or restoration works taking place in the immediate vicinity (i.e. 15m) of the north-eastern corner of the existing quarry face situated to the south of the former railway line (as shown during Phase 2 on Drawing No. 17-019-D-004 Rev.1) a reassessment survey of the potential for this area to support bats shall be undertaken and the results submitted for the approval of the Mineral Planning Authority. No works or operations shall take place until that approval has been secured and, if necessary, the follow up action identified within the submitted scheme completed.
21. Prior to the construction of the haul road and any mineral extraction operations taking place within Phase 4C (as shown on Drawing No. 17-019-D-006 Rev.1) further details of the measures to be adopted to ensure the integrity of the pipeline is maintained throughout the development shall first be submitted and approved in writing by the Mineral Planning Authority. Such a scheme shall include confirmation of the specific stand-off distance from the pipeline and details of any measures to be taken to protect the pipeline from traversing heavy traffic. Once approved the measures shall be retained and maintained for the duration of the development hereby permitted.
22. Notwithstanding any details approved by Condition 20 above, no mineral extraction operations shall take place closer than 10 metres from the pipeline as shown on Drawing No. 17-019-D-008 Rev.1
23. No blasting shall be carried out within the approved application site boundary.
24. All plant and buildings shall be removed from the site on completion of quarrying and restoration.

Reasons

1. In recognition that the development is in part retrospective as it consolidates operations previously authorised by earlier mineral planning permissions and therefore to ensure that schemes relating to the matters specified in the condition are submitted for the written approval of the Mineral Planning Authority within a reasonable timescale.

2 to 3

For the avoidance of doubt and to reflect existing operations authorised by previous planning permissions and to ensure that the development is completed in accordance with the approved details.

4. To ensure that materials remain on site for use for restoration purposes.

5, 6, 8, 9, 10 & 11

To enable the Mineral Planning Authority to adequately control the development and to minimise its impacts on the amenities of the local area.

7. To ensure that satisfactory arrangements are made for the investigation, retrieval and recording of archaeological deposits within the site.

12 & 13

To prevent mud, dust and other extraneous material being deposited on the public highway, in the interests of highway safety and safeguarding the amenities of the area.

14 to 16

To prevent pollution of the water environment and reduce flood risk to the area.

17 to 20

To reflect the existing conditional requirements imposed by the earlier mineral planning permission in the interests of protecting bats and their habitats and in the interests of amenity and wildlife conservation and to protect the amenity of the local area.

21 to 23

To ensure that adequate measures are taken to protect the pipeline that crosses the extension area.

24. To ensure the restoration of the site is not compromised.

Informatives

Attention is drawn to:

1. The validity of the grant of planning permission may be challenged by judicial review proceedings in the Administrative Court of the High Court. Such proceedings will be concerned with the legality of the decision rather than its merits. Proceedings may only be brought by a person with sufficient interest in the subject matter. Any proceedings shall be brought promptly and within six weeks from the date of the planning permission. What is prompt will depend on all the circumstances of the particular case but promptness may require proceedings to be brought at some time before the six weeks has expired. Whilst the time limit may be extended if there is good reason to do so, such extensions of time are exceptional. Any person considering bringing proceedings should therefore seek legal advice as soon as possible. The detailed procedural requirements are set out in the Civil Procedure Rules Part 54 and the Practice Directives for these rules.
2. In determining this application the Mineral & Waste Planning Authority has worked positively and proactively with the applicant. The proposals have been assessed against relevant Development Plan policies, the National Planning Policy Framework and National Planning Practice Guidance. The Mineral and Waste Planning Authority has identified all material considerations; drawn the applicants attention to relevant consultation responses that may have been received in a timely manner; considered any

valid representations received; liaised with consultees to resolve issues, and; progressed towards a timely determination of the application. This applicant has been given advance sight of the draft planning conditions. The approach to this application has been taken in accordance with the requirement of the National Planning Policy Framework as set out in Article 35 of the Town & Country Planning (Development Management Procedure) (England) Order 2015.

Appendix

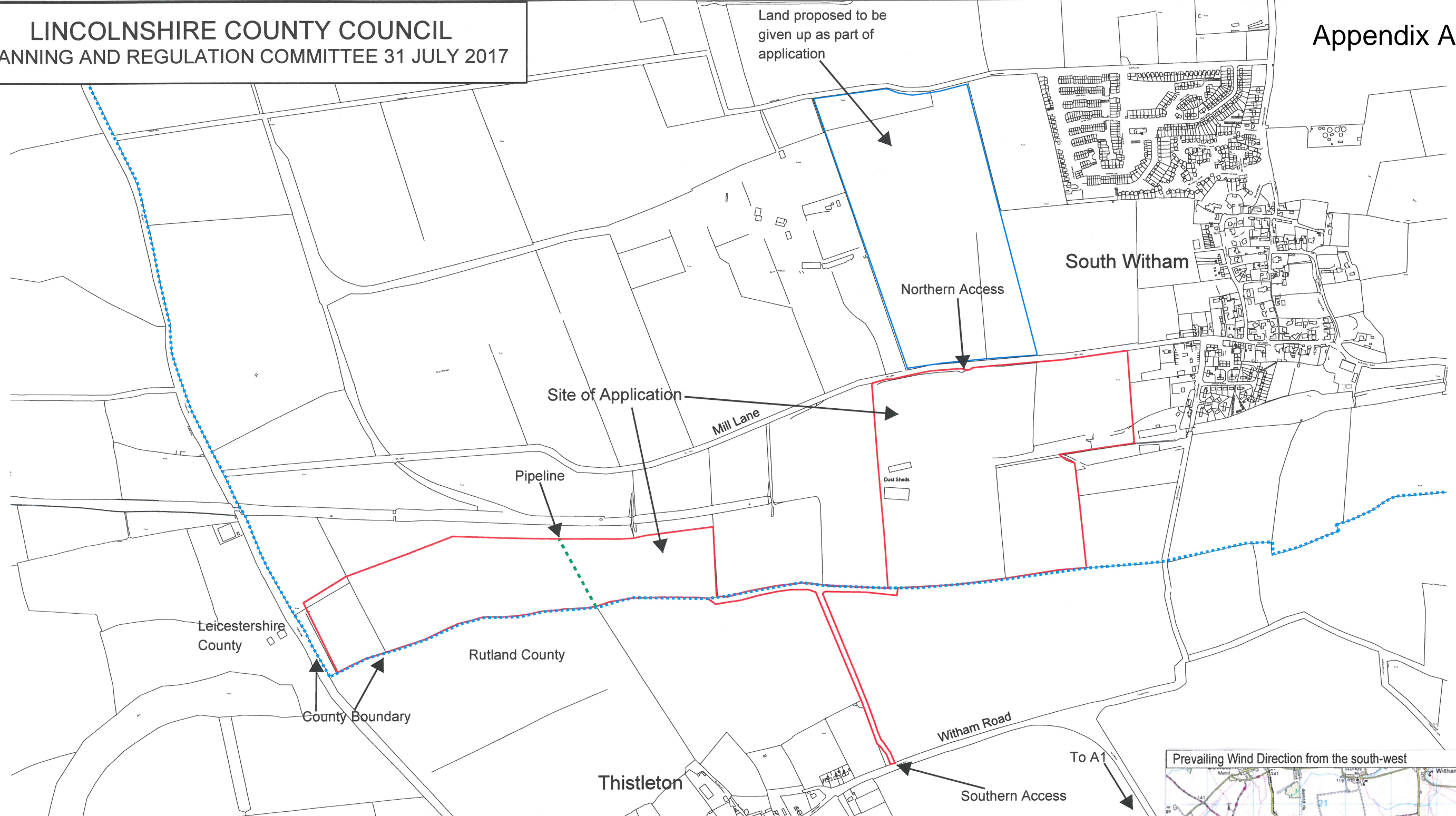
These are listed below and attached at the back of the report	
Appendix A	Committee Plan

Background Papers

The following background papers as defined in the Local Government Act 1972 were relied upon in the writing of this report.

Document title	Where the document can be viewed
Planning Application File S68/0563/17	Lincolnshire County Council, Planning, Witham Park House, Waterside South, Lincoln
National Planning Policy Framework (2012)	The Government's website www.gov.uk
Lincolnshire Minerals & Waste Local Plan: Core Strategy and Development Management Policies (2016)	Lincolnshire County Council's website www.lincolnshire.gov.uk
South Kesteven Core Strategy (2010)	South Kesteven District Council's website www.southkesteven.gov.uk

This report was written by Marc Willis, who can be contacted on 01522 782070 or dev_planningsupport@lincolnshire.gov.uk



LINCOLNSHIRE COUNTY COUNCIL

Reproduced from the 1996 OS Mapping with the permission of the Controller of Her Majesty's Stationery Office (C) Crown Copyright. Unauthorised reproduction infringes Crown Copyright and may lead to civil proceedings.

OS LICENCE 100025370

Location:
 South Witham Quarry
 Mill Lane
 South Witham

Description:
 For western extension to South Witham Quarry, the completion of operations in the existing quarry together with the relinquishment of the permitted area to the north of Mill Lane granted under a historic Interim Development Order (IDO)

Application No: S68/0563/17
Scale: Not to Scale

