

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

Report to:	<b>Planning and Regulation Committee</b>
Date:	<b>30 July 2018</b>
Subject:	<b>County Matter Application - N60/47/1208/17</b>

**Summary:**

Planning permission is sought by Breedon Southern (Agent: Pleydell Smithyman Limited) for an extension to extract sand and gravel, together with the retention of all existing ancillary operations for the duration of the extended operations to provide a single consolidated consent for the entire site and a revised restoration strategy at Norton Bottoms Quarry, Stapleford, Lincolnshire in the parishes of Stapleford and Norton Disney.

The proposed development would constitute an extension to the existing Norton Bottoms Quarry with a restoration scheme, incorporating existing operational areas, which would create a blend of habitats and improve public access to the local area. The proposed development 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.

The key issues to be considered in this case is the need and justification for the new mineral reserves and the principle of extracting sand and gravel from this site; the potential impacts on flood risk and drainage, highways, Public Rights of Way, the open countryside, landscape and agricultural land and nature conservation, and impacts on amenity including visual, noise and dust given the proximity to the village of Stapleford, and; any impacts of the development on the historic landscape and air safety with regard to the proximity of the quarry to RAF Waddington.

It is concluded that the principle of the extraction of sand and gravel is acceptable and in line with the approach of providing an adequate supply of minerals. In relation to flood risk and drainage, it has been demonstrated that the development would not have detrimental impacts, subject to relevant measures being secured through an appropriate condition and implemented. The consideration in relation to highways is ensuring that all HGVs arriving and leaving the site follow a prescribed route to avoid local villages, excepting local deliveries and this can be secured through a Section 106 Planning Obligation. Whilst the temporary diversion of Breck's Lane and Bridleway (Stap/3/1) is inconvenient, the proposed phasing of extraction will ensure that the period of diversion is minimal and that the proposed

restoration seeks to create a new network of permissive paths that will complement and enhance existing public access to the restored land. It is acknowledged that the development would result in the net loss of a proportion of the best and most versatile agricultural land during and after extraction. The minerals operation phases of the development would inevitably result in varying degrees of landscape and visual impacts, however, the phased approach for the development and restoration would minimise these impacts, particularly in the longer term and the loss of the agricultural land is considered to be justified in this case. With some exceptions the existing quarry site and proposed extension site have little nature conservation value and whilst certain mitigation measures are proposed to be put in place, it is considered that the restoration scheme can offer biodiversity enhancements without resulting in a risk to aviation, that would also be secured through long term management of the site and incorporate bird management through a Section 106 Planning Obligation.

In relation to noise and dust, measures are proposed, or are recommended to be secured through planning conditions, to ensure that any impacts are minimised and that there would not be harmful impacts on the amenities of surrounding dwellings and land users. It is not considered that the setting of heritage assets would be harmed by the proposed development and the archaeological scheme of works, carried out to date, has identified zones of high archaeological potential for which mitigation can be secured through planning conditions.

Finally, given that this application represents the consolidation of a number of extant planning permissions the revocation of these planning permissions would be secured through a Section 106 Planning Obligation.

**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 subject to the applicant completing a Section 106 Planning Obligation.

**Background**

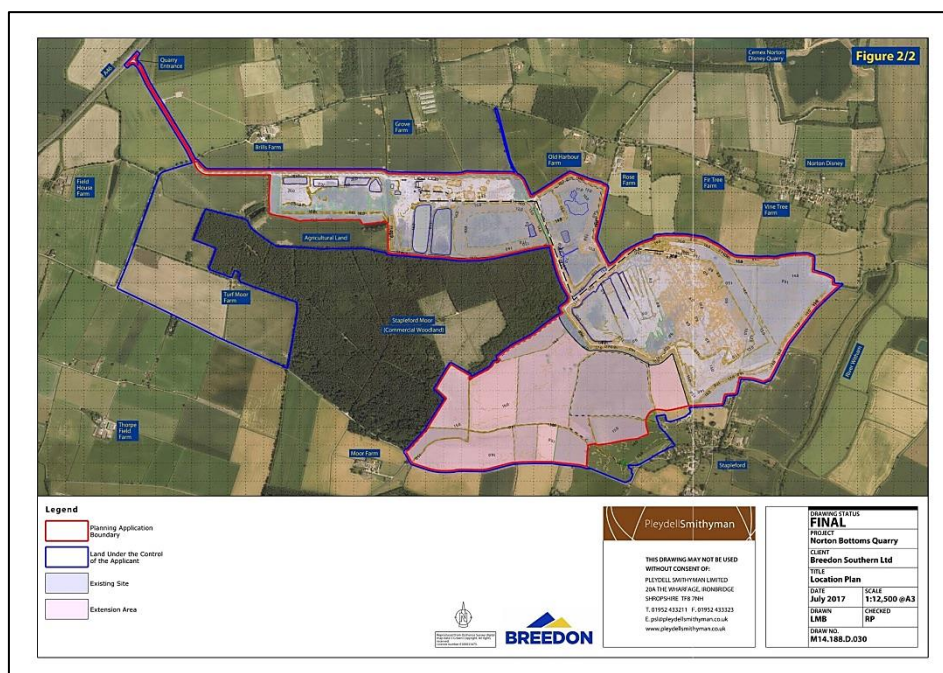
1. Norton Bottoms Quarry is a long established sand and gravel quarry that was first established in the 1980s and been extended considerably since that time. The direction of working within the main quarry initially proceeded to the east of the plant site area towards Norton Disney village (ref: N47/1213/90 granted in 1992 which was subsequently amended by permission ref: N47/0416/97 in 1998). In December 2001 a planning permission (ref: N47/0959/01) was granted to create a borrow pit towards the west of the plant site area which facilitated the construction of the A46 Newark to Lincoln Trunk Road Improvement. As part of this application a dedicated access road for the quarry was constructed across a field between the quarry and the A46 thereby providing a route for HGV traffic away from local villages. This access route continues to be used to this day.
2. In 2003 a further planning permission (ref: N60/1070/00, as amended by N60/0942/06) was granted which extended the extraction area to the east of

the quarry further to the south. The most recent planning permission (ref: N60/0948/06) extended the extraction area further to the east into fields to the north of the village of Stapleford. In total there are 18 separate planning permissions relating to both the mineral extraction and ancillary developments within the site. Several of these planning permissions are subject to a Section 106 Planning Obligation which prevents HGV traffic turning left or right onto the C195 Newark Road, when exiting the quarry (excepting local deliveries).

3. In 2011 Breedon Aggregates Ltd acquired the quarry and has since made some minor changes to address the operations within the plant site and associated infrastructure, concrete batching plant and silt lagoons. In July 2015 the applicant submitted a request for a Screening/Scoping Opinion to determine the extent and nature of the information that should be provided within an Environmental Impact Assessment to support an application for a proposed extension to the quarry. A Scoping Opinion (ref: EIA18/15) was issued 24 September 2015. The proposed extension area was the same as that which is now subject of this application and which has also subsequently been allocated within the Site Locations document of the Lincolnshire Minerals & Waste Local Plan (adopted December 2017). This application and the EIA submission are subject to the transitional provisions contained within the Town and Country Planning (Environmental Impact Assessment) Regulations 2017.

## The Application

4. Planning permission is sought by Breedon Southern Limited to extend Norton Bottoms Quarry for the extraction of sand and gravel, together with the retention of all existing ancillary operations for the duration of the extended operations to provide a single consolidated consent for the entire quarry and a revised restoration strategy at Norton Bottoms Quarry, Stapleford, Lincolnshire in the parishes of Stapleford and Norton Disney.

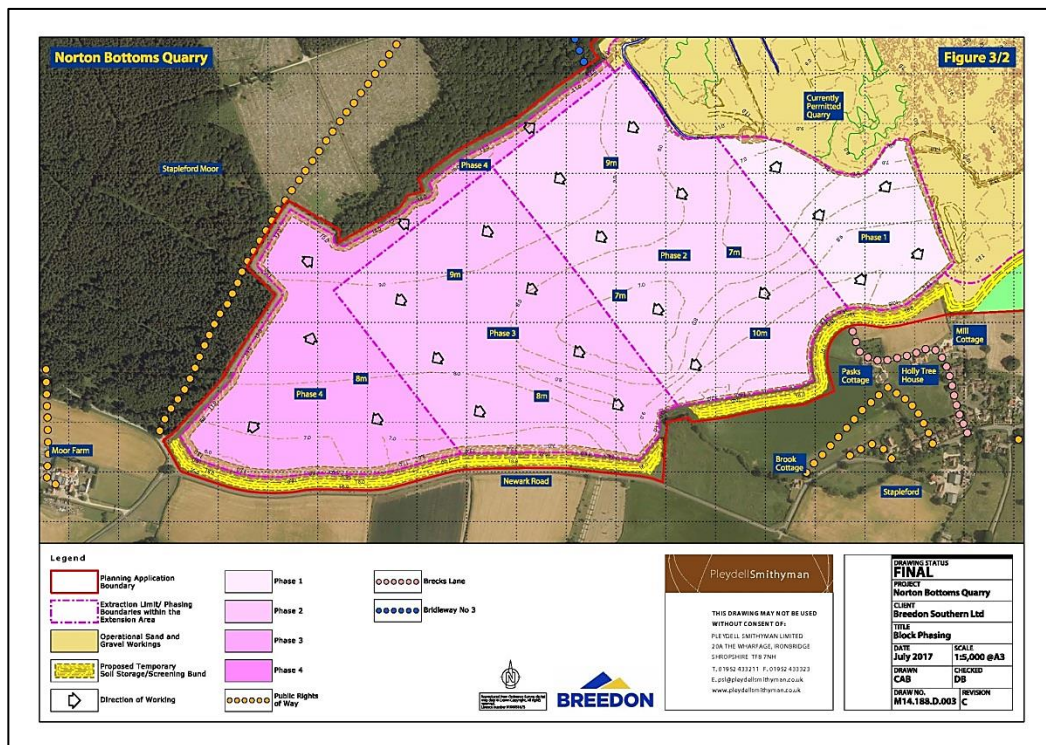


Plan 1 – Norton Bottoms Quarry application site boundary (red line)

5. The proposed extension would release an additional 7 million tonnes of sand and gravel from an area of approximately 78 hectares lying immediately south of the current extraction area and approximately 100 metres west of Stapleford village and approximately 300 metres south of Norton Disney village. The proposal would extend the life of the quarry for approximately 14 years, providing reserves until around 2032. The extraction would be carried out in progressive phases using a 360° swing shovel and sand and gravel would be loaded onto an extended field conveyor to be transported to the plant site for processing and stockpiling. It would then be distributed off site either as processed aggregate or ready mixed concrete. The site would also be restored progressively in phases and the application is supported with a concept restoration scheme which covers the entire site including the proposed extension area, the current extraction area and previously worked land (not yet restored). The plant site area, existing and proposed silt lagoons and haul road have also been included within the boundary of the application and therefore the site covers a total area extending to approximately 238 hectares. The applicant has included the whole site within the application boundary as it is intended to form a single, consolidated permission for the entire site.

Planning Statement

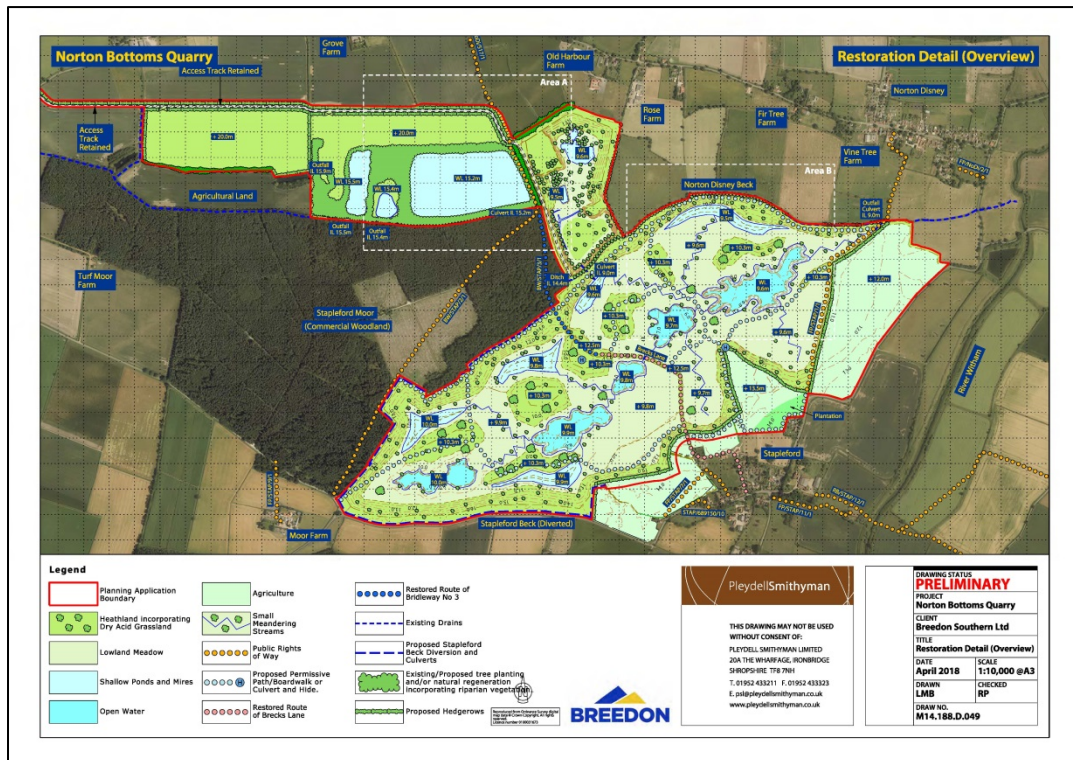
6. The application's supporting Planning Statement provides an overview of the proposed development including the planning history of the site, an assessment of the development against the relevant planning policies within the Development Plan and an outline of the pre-application consultation and public engagement carried out.
7. The Statement confirms that the remaining consented reserves at Norton Bottoms Quarry (as at July 2017) were approximately 1 million tonnes, providing approximately 2 years' worth of reserves at an average extraction rate of 500,000 tonnes per annum. The proposed extension would therefore allow operations to continue once the existing permitted reserves within the current working areas have been exhausted. The remaining reserves within the currently consented areas would be worked out and then operations would advance into the proposed extension area. The proposed extension would be worked as four phases. Phase 1 (the first and smallest phase) would be to the north of Stapleford village and would be worked from the northwest to the southeast and would be the transitional phase from the existing extraction area. Phases 2 to 4 would be worked from in a northeast to the southwest direction with a final retreat along the proposed line for the conveyor route which would run along the western boundary of the site adjacent to the Stapleford Moor woodland.



Plan 2 – Proposed extension Phases of working

8. The proposed restoration scheme encompasses the whole quarry and seeks to enhance the green infrastructure with the aim of meeting local biodiversity strategies that are consistent with the objectives of Witham Valley Country Park, the aspiration being for the site to contribute to the 'Mosaic South-West of Lincoln' Opportunity Area. The restored site would create a recreational nature reserve with provision of public access through permissive paths that link into the existing Public Rights of Way network. A number of water bodies would also be created within the restored site and whilst they have been designed to minimise their attractiveness to flocking birds, a Bird Hazard Management Plan (BHMP) has been drawn up which incorporates guidance from the Ministry of Defences (MoD) *"Manual of Aerodrome Design and Safeguarding and the CAA's Wildlife Hazard Management at Aerodromes"*. The applicant has confirmed that the BHMP would be secured through a planning condition and would form part of a Section 106 Planning Obligation to ensure the long term management of the site.





Plan 3 – Proposed restoration

### Pre-application consultation and engagement

9. It is stated that direct contact with the local community was initially carried out through the existing quarry liaison meeting with both Stapleford and Norton Disney Parish Councils in November 2016. This was followed by a Public Event at Norton Disney Village Hall which was held on 13 December 2016. Since then the applicant has continued to engage with the local community and as a consequence the original proposals have evolved to reflect the feedback received. This includes changes to the phases of working so as to minimise the period for extraction in the area immediately affecting Stapleford village and ensuring that Bridleway Stap/3/1, which runs along the route of Brecks Lane, could be reinstated at the earliest opportunity.

### Revocation of extant planning permissions

10. As stated earlier there are 18 planning permissions relating to Norton Bottoms Quarry and as such extant permissions exist that allow the extraction of minerals from the current extraction area and which cover the operations at the plant site. Following the acquisition of the site in 2011, the applicant carried out a review of the site and acknowledges that much of the previously worked land has not been restored in accordance with the relevant planning permissions. Rather than undertake piecemeal works in order to achieve restoration to a variety of different after-uses, the applicant has therefore proposed to consolidate the operations, restoration and after-

care requirements for the while of Norton Bottoms Quarry into a single planning permission.

11. If planning permission were to be granted for this proposal, the applicant therefore would be willing to give up the extant planning permissions to achieve this. The applicant has confirmed that these rights would be revoked by way of a legally binding Section 106 Planning Obligation. The applicant has submitted a draft agreement setting out the Heads of Terms and which confirms this intended commitment.

#### Brecks Lane and Public Rights of Way

12. Brecks Lane crosses the proposal site and this lane has been identified as a public road that does not fall within the remit or control of the Highway Authority (as confirmed by Lincolnshire County Council Highways Officer). As the route of this lane is affected by the development, an application has already been made to the Department for Transport (DfT) which seeks permission to permanently 'stop up' Brecks Lane in accordance with Section 247 of the Town and Country Planning Act 1990 and also the temporary diversion of Bridleway Stap/3/1 which runs along the same route. Following the completion of the extraction of the mineral and restoration of the land upon which the route of Brecks Lane and that part that of Bridleway Stap/3/1 follow, it is proposed to re-instate the route as a Bridleway with way-markers. The application for the Stopping up and Temporary Diversion Order has been consulted upon and it is understood that the DfT has indicated that this would be issued subject to planning permission for this application bring granted.

#### **Environmental Statement**

13. The application is subject of an Environmental Impact Assessment which has been prepared in accordance with the Town and Country Planning (Environmental Impact Assessment) Regulations 2011 (the 'EIA Regulations') and is subject to the transitional provisions contained within the Town and Country Planning (Environmental Impact Assessment) Regulations 2017. An Environmental Statement (ES) has been submitted in support of the application which comprises of three volumes.
  - Volume 1 (Written Statement) - contains the individual technical assessments and reports, plans, tables and appendices which 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.
  - Volume 2 (Non-Technical Summary) - summarises the content of Volume 1 in an easily understandable and accessible format.
  - Volume 3 (Planning Statement) - provides an overview of the application, and identifies the various development plans, policies, planning history

and other material considerations in relation to the proposed development.

14. In accordance with the EIA Regulations, and following the issue of a Regulation 22 notice, further information (hereafter referred to as 'Further Information') was submitted to support, and in some cases replace, that which was contained within the original ES. The Further Information, covering five matters, was received in two parts as follows:
  - (i) information received 18 May 2018 – this contained additional information in relation to archaeology and soil handling and storage as well as photomontages to better demonstrate the landscape and visual effects of the development in specific relation to Pasks Cottage and Bridleway 3/Brecks Lane; and
  - (ii) information received 29 May 2018 – this contained additional information and plans relating to the current and former extraction areas and relating to soil management.
15. The original ES (Volumes 1 to 3) as supplemented and amended by the Further Information are considered to meet the requirements of the EIA Regulations 2011. The summary of the contents of each of these Volumes is set out below.

#### Volume 1 - Written Statement

16. This is the main document and contains details of the assessments undertaken and their findings.

**Chapter 1: Introduction** – this chapter sets out the purpose and format of the ES and identified the volumes of the ES. A description of the applicant's company is included together with a description of the EIA Project Team including the agent Pleydel Smithyman Limited and specialist consultants. A statement was made that there were no technical difficulties in undertaking the EIA.

**Chapter 2: Site & Surroundings** – this chapter describes the general location of the proposal site which includes the existing operational area and the proposed extension area. Details are provided of the existing Norton Bottoms Quarry, including the quarry access, plant site and stocking areas, offices and other ancillary structures and operations, existing silt and settlement lagoon and previously worked land. Reference is made throughout this chapter to details included in subsequent chapters and supporting plans, tables and reports included in the ES Appendices.

The chapter describes the surrounding land uses and proximity to settlements and dwellings. It identifies both environmental and land use designations within 4 kilometres of the planning boundary and confirms that the site lies within the safeguarding zone of RAF Waddington. The topography of the site is described as being predominately flat and low lying



area and comprising of a broad shallow valley between the River Witham and River Trent at approximately 20 metres AOD.

Public Access and Rights of Way directly affected by this application are identified together with the mitigation to manage these throughout the period of and following cessation of the development. With reference to the relevant chapters overviews are provided of the hydrology, hydrogeology, soils and geology.

A description of the underlying geology is also given which states that the area sits over Scunthorpe & Charnmouth Mudstone Formations of the Lower Lias Group. The superficial deposits above the mudstone, represents the economic mineral within the existing and extension areas, identified an Older River Gravel known as the Balderton Sand and Gravel. The mineral across the extension site has been measured through borehole as being between 2.2 and 9.9 metres below ground level. The borehole samples have been analysed with the following split: Gravel 53%, Sand 45% and Fines 2%.

Consideration is given to the cumulative effects with particular emphasis on other sand and gravel operations in the area and concludes that the separation distances between Norton Bottoms Quarry and Norton Disney (still operational albeit under final restoration) are not reducing. With regard to a no development scenario the mineral would remain in situ and the current land use would continue. However, with only two years reserve available in the existing operational area it would result in the quarry operations becoming unsustainable and it may not be economically viable to relocate the quarry and other consented sites within Lincolnshire may not be able to accommodate the shortfall in aggregate supply.

**Chapter 3: The Proposed Development** – this chapter contains a description of the proposed development including details of the need for the extension; consideration of alternatives; access to the quarry; mitigation measures to minimise any adverse impacts of the development; the proposed means transportation of material from the extension area; the generation and management of mining waste; management of water, soil and overburden management; phasing programme and scheme of working; materials processing, stocking and despatch, and; an overview of the current on site operations, progressive restoration strategy, operating hours and employment.

Development Overview: this section confirms that at the time of the application it was anticipated that the existing operations had two more years of mineral available. The extension area would release 7.0 million tonnes of sand and gravel, at a rate of approximately 500,000 tonnes per annum. This would give a predicted life in the extension area of 14 years. The mineral would be extracted using a 360° excavator and loaded via a hopper to a field conveyer that would transport the as-raised mineral to the existing plant site for processing. The proposed rate of extraction is consistent with existing operations and would therefore not result in any

increase in HGVs entering or exiting the site. All access to the site would be by way of the dedicated private access road which connects to the A46(T) dual carriageway.

Consideration of Alternatives: this section provides an understanding of the need to extend the existing site and the implications of not doing so. The currently permitted restoration scheme associated with the consented reserves provided for restoration to low level agriculture that would require permanent pumping to maintain water levels within the site. It has now been recognised that this regime may be unachievable and considered unsustainable in the longer term. Alternative restoration schemes had been considered including a landform that may provide a degree of flood alleviation but it was considered that in this locality such provision was unwanted and the landform would not provide for sustainable soil management or agricultural after-use. Such a regime could also have the potential to raise bird strike issues in relation to RAF Waddington. It was therefore concluded that a restoration programme that provided for a smaller area of high grade agricultural land utilising the best soils, together with an extensive area of diverse habitats would be the most sustainable option.

Through pre-application engagement with the local community the original phasing plan was modified to reflect the local residents' desire for the extraction phasing to move away from the village of Stapleford over time, this would ensure the early restoration of the first phase of extraction and the reinstatement of the Brecks Lane/Bridleway Stap/3/1 at the earliest opportunity. Following the re-evaluation of the original restoration proposals it was identified that there was a likelihood that smaller waterbodies would result that would contribute to greater biodiversity.

Built in Mitigation Measures – this section acknowledges that mitigation and enhancement measure are an integral part of the development proposal. Predominantly mitigation proposals would seek to minimise the visual and noise impacts of the existing (during restoration) and extension area (during extraction and restoration) through the construction and maintenance of top-soil bunds and strengthening of existing hedgerows in proximity to the nearest settlement.

Other mitigation measures include the use of the conveyor to transport the as-raised mineral to the existing plant site; the retention and continued use of the dedicated access road onto the public highway; the design of working schemes that ensures that the phasing of extraction moves away from the nearest settlement together with a phased restoration that would be prioritised in the vicinity of both Norton Disney and Stapleford, and; to improve the visual appearance of the landscape at the earliest opportunity. The scheme of working also ensures that a materials balance would allow the greatest area possible is progressively restored in an efficient manner. The final mitigation being the restoration scheme being designed in a manner to dissuade large numbers of wildfowl from landing through reduced size of waterbodies and the planting of tall trees that would disrupt landing approaches by such birds.

Generation and management of mining waste – this section identifies where the management of mine waste is also subject to other legislation in this instance Environmental Permit (England and Wales) Regulations 2010. There are three sources of 'waste' subject to these regulations:

- soils, excavated in order to expose underlying sand and gravel that would be used in the restoration of the Site;
- overburden and interburden excavated during extraction of the mineral and again used to create the restoration landform; and
- residual material and silt from the processing of sand and gravel this is used to fill lagoons and create a restoration landform.

None of the 'waste' arising would be exported from the quarry and their management can be secured through planning conditions.

Management of Water – this section identifies two distinct water management regimes associated with the development. One is associated with the recirculation and management of waters used in the mineral processing operations and the use of silt lagoons to ensure that a water balance is maintained. The second regime relates to the permanent diversion of the route of Stapleford Beck within the extension area and the de-watering of the quarry to ensure that the mineral can be transported without excess water. Stapleford Beck would be redirected around the perimeter of the extension area prior to entering Phase 3 of the extension. The diverted route would follow the southern perimeter of the site between Newark Road and the screening bunds as the current course of the Beck bisects the extension area. The de-watering of the quarry during mineral extraction operations would be achieved by the circulation of water through a series of channels and sumps to ensure that excess water (without a silt burden) can be discharged via a pump to the Norton Disney Beck. The discharge point into Norton Disney Beck is regulated by a one-way flood control flap valve to ensure that should the River Witham or Norton Disney Beck flow bank-full the site would not exacerbate flood-risk locally. The discharge is managed through an Environment Agency Discharge Consent.

The Quarrying Operations – this section provides a brief overview of the four component parts of the proposed development:

- stripping of soil and overburden;
- extraction of sand and gravel;
- transfer of extracted material for processing; and
- material processing, stocking and dispatch.

Stripping of Soils and Overburden – this section relates wholly to the proposed extension area insofar as the existing quarry had been soil stripped some years ago. The scheme of working for soil stripping seeks to only expose one year's supply of mineral and this would be carried out annually over a period of up to 8 weeks in accordance with published guidance and the recommendations in Chapter 8 of the ES. Where not

required for bund construction stripped soils would be available for direct placement in previously worked areas as part of the progressive restoration programme. Stripped soils would be transported using dump trucks. Where used for the construction of screen bunds or located in temporary storage mounds those constructed of topsoil would not exceed 3 metres in height and where scheduled to be retained for more than 3 months all bunds would be seeded and maintained.

Soil Bund Volumes - this section has indicated that the total available soil resource in bunds has been calculated to be approximately 380,000 cubic metres. Approximately 295,000 cubic metres being in existing topsoil and sub soil bunds and a further 85,000 cubic metres of topsoil to be used to construct bunds around the extension area.

Extraction of Sand and Gravel – this section briefly outlines that the mineral would be extracted and removed for processing. Due to the nature of the mineral it can be dug freely without the use of explosives. Where overburden/interburden are encountered these would be removed separately and cast-back into the quarry void before being re-graded or relocated to achieve the restoration landform.

Transfer of Extracted Material for Processing – as previously stated once excavated all sand and gravel would be loaded into feed hoppers located above the field conveyor for transfer back to the existing plant site for processing. The field conveyor would be relocated in line with the proposed phasing of extraction.

Material Processing, Stocking and Despatch – this section outlines how the as raised mineral is received and processed at the plant site. Aggregate is sold according to size as a consequence initially washed and then screened to separate out into size, oversized material is crushed and re-screened. The silty wash water is transferred to the silt lagoon and following settlement the water is re-circulated back into the system. Processed sand and gravel is stockpiled according to size pending either direct dispatch as aggregate product or for subsequent use to produce concrete materials through the batching plant. All products are removed from site in HGVs or light commercial vehicles. The aggregate is transported around the site by wheel shovel loaders. All HGVs exit the site via the weighbridge and wheelwash and all vehicles carrying aggregates are sheeted. The dispatched vehicles exit the site via the Private Access road onto the A46(T) excepting those delivering locally. This is regulated through both planning conditions and Section 106 Planning Obligation.

Duration and Phasing of Development – this section provides details of the approximate tonnage of mineral by phase from both the existing and the proposed extraction area. At the time the application was submitted it was estimated that there was around 2 years of reserves remaining within the site. Phase 1 of the extension would commence immediately upon cessation of extraction in the existing area with site preparation works taking place during the final year of extraction in the existing site.

It is estimated that Phase 1 would release around 1 million tonnes (Mt) of mineral which would be extracted over a two year period. Phase 2 is estimated to release around 2.5Mt of mineral which would be extracted in 5 years. Phase 3 would release approximately 2Mt of mineral over 4 years and Phase 4 would release approximately 1.5Mt over 3 years. In total this would result in the release of 7Mt of new sand and gravel reserves which, including those within the consented site, would take 16 years to complete (the proposed extension itself would take 14 years to complete). The site would be progressively restored as the operations advance however a further year would be required to complete the restoration once the mineral extraction operations had permanently ceased.

Current on Site Operations - As previously stated all soils and overburden have been retained for screening or restoration or where possible would be directly placed to achieve progressive restoration of previously worked land. The field conveyor would be moved and extended as the phase progress. On cessation of the phased extraction of the existing area the field conveyor would retreat back towards the proposed route for the extension area and the mineral below the exposed route would be extracted and the route restored in accordance with the restoration proposals.

The Norton Disney Beck would have a new outfall constructed to allow the whole area to be drained naturally (by gravity). Once this is achieved the active pumping at the discharge point would cease as active pumping within the working void would not be required other than to remove water from localised areas during progressive restoration works. Following the regrading, soiling and final restoration works within the current working area the existing diverted Public Rights of Way Footpath Stap/1/1 would be re-instated along its original route. Other unrestored areas including that to the south of Old Harbour Farm would have perimeter bunds removed and placed along the southern boundary to create batter slopes down to the quarry floor. The southern central quarry floor area together with the previously infilled platform to the north east of this area have naturally revegetated and provide well established wildlife habitats, as a consequence this area would be left undisturbed, other than to construct a culvert that would link this area to the southern void, allowing the water levels to naturally balance and negate the need for pumping.

To prepare for future workings within the extension area it would be necessary to progressively translocate protected species away from the proposed future Silt Lagoon B to the south of the plant site. Some regrading works would be necessary to the south of the small silt lagoons to the west of the plant site and the stripped soils from Silt Lagoon B would be place in this area to create heathland/acidic grassland habitats. The Silt Lagoon B would be formed into a series of smaller silt ponds using basal clays. Finally the area to the northwest of the existing quarry void would be filled to permit the new route for the field conveyor to the proposed extension area.

Progressive Working of Extension Area



Extension Phase 1 – this section identifies the direction of work being northwest to southeast commencing with soil stripping, bund construction along the boundary of the Phase to screen the residential properties of Pasks Cottage, Holly Tree Farm and Mill Cottage. This bund would link into the existing bund to the north of Stapleford and would remain in place for the duration of Phase 1 and into the commencement of soil stripping in Phase 2. The field conveyor would track each soil strip. Excess soil and overburden would either be used in the restoration of the existing quarry void or be used to progressively restore Phase 1. It is anticipated that ground water would drain back towards the existing sump in the existing quarry area that has been restored in the west to low-lying meadows and small water-bodies, discharging into Norton Disney Beck.

Extension Phase 2 – stripped soils would be used to extend the screening bund in a southerly direction and the direction of working would change to north east towards the south west. This would ensure that the progressive restoration of Phase 1 can be completed in a timely fashion. All excess soils and overburden would be used to restore Phase 1. During the latter period for extraction in Phase 2 the original screening bunds in the former extraction area and Phase 1 of the extension areas would be removed. Drainage from the site would again be back into the former extraction area where a series of streams and ditches would have been established as part of the restoration programme. The southern extension to the screen bund to the west of Pasks Cottage would be extended in a westerly direction to screen views of Phase 2 from the south. The bund would then be retained until all extraction has ceased in the proposed extension area.

Extension Phase 3 – prior to utilising the stripped soils in this phase to extend the southern perimeter screen bund in a westerly direction the Stapleford Beck would be permanently diverted. Bridleway Stap/3/1 would be re-instated along the original route of Brecks Lane. All excess overburden and soils would be used in the progressive restoration of Phase 2. The field conveyor would extend follow the annual progression of extraction.

Extension Phase 4 – the main trunk of the field conveyor would now be extended along the north western boundary of the extension area with the field conveyor tracking the progression of extraction in a south and westerly direction. Soils stripped from this phase would complete the screen bund along the southern perimeter and excess soils and overburden would be directly placed to restore the latter stages of Phase 3 and the early stages of Phase 4.

The final soil strip and extraction would be in from the south west north easterly direction following the retreat of the conveyor along the western boundary of the extension area.

The quarry floor would be regraded and the southern and eastern screen bunds would be removed and the soils distributed across the regraded land.

Progressive Restoration Strategy – this section outlines the overall restoration strategy for Norton Bottoms Quarry identifying that whilst the overall amount of agricultural land would be considerably reduced and approximately 26 hectares would be created using the best topsoil available to create Grade 3a Best and Most Versatile land. This is offset by the restoration of 212 hectares to conservation after-use. The restoration would create 92 hectares of Heathland with acid grassland, 73 hectares of Lowland Meadow, 10 hectares of Woodland, and 30 hectares of Open water and shallow ponds. A total of approximately 6,300 metres of hedgerow and 219 trees would be planted.

Operating Hours – this section identifies that in line with the existing operations at the quarry the extension would be worked 07:00 to 18:00 Monday to Friday and 07:00 and 13:00 on Saturdays and as such could be regulated by a planning condition.

Employment – this section identifies that the quarry supplies the local and regional construction market and provides employment for 23 people directly within the quarry and a further 20 associated local jobs. The applicant's regional sales office is located at Norton Bottoms Quarry and employs 14 additional personnel.

**Chapter 4: Scoping the EIA** – this chapter describes how the scope of the EIA was established and summarises the responses to the matters raised in the Scoping Opinion that was adopted by Lincolnshire County Council in September 2015.

**Chapter 5: Planning Policy** - this chapter sets out the various planning policies and other material considerations that would be taken into account in determination of the Planning Application. Reference is made to the detailed analysis provided in Volume 3 (Planning Statement). The following documents have been identified as forming the Development Plan:

- Lincolnshire Mineral & Waste Local Plan: Core Strategy and Development Management Policies (2016)
- Lincolnshire Mineral & Waste Local Plan: Site Locations (2017)
- Central Lincolnshire Local Plan (2017)

Other relevant policies and documents listed include:

- Central Lincolnshire Green Infrastructure Study (2011)
- Central Lincolnshire Biodiversity Mapping Study

Other material considerations include:

- National Planning Policy Framework (2012)
- National Planning Practice Guidance (2014)

**Chapter 6: Landscape & Visual** - this chapter considers the site in the context of a 3 kilometre study area that encompasses both the natural and

built environment identifying that the site lies within Landscape Character Area 48: Trent and Belvoir Vales. The assessment considered the potential impacts on Stapleford village and Further Information to supplement the original assessment was submitted to address the impacts on Pasks Cottage - the residential property most likely to be affected by the operations in the proposed extension for the longest period of time. In addition the diverted Brecks Lane/Bridleway Stap/3/1 was considered given that this route would have open views into the quarry extraction area for up to 4 years.

The residential amenity assessment in respect of Pasks Cottage indicated that there were no unobscured views from the property towards the proposed screening bund to the north that could pose an unacceptable impact. Notwithstanding this bund would be in place for a minimal period insofar as it would screen Phase 1 only and this is scheduled to be completed and the bund in this area removed within 3 years from commencement.



Photomontage 1 View of proposed bund north of Pask's Cottage

The views towards the west of the cottage would be impacted by a 3 metre bund (approximately 100 metres distant from the cottage) that would have sloping sides of 1:6, this bund would remain in situ for at least 11 years and would screen the three final phases of the extension area. However, this bund would also contribute to mitigating the noise impacts of the quarry operations. This screening bund would only be clearly visible from the first floor gable end of Pasks Cottage, at ground level there is door with window to the western elevation that gives access to the garage (immediately to the west of the house) and parking of the property, there may be limited views from the garden to the south of Pasks Cottage but these are further obscured by the hedgerow planting around the garden that also benefits from a number of mature trees.



### Photograph 1 – View from the north towards Pask's Cottage

In respect of impacts on visual amenity on residential properties it is considered that generally the adverse impacts would be short term, with the exception of Pask's Cottage. However, given the dual role of visual screening and noise attenuation it was considered that, whilst in situ long term, the retention of the bund to the west of Pask's Cottage would not pose an unacceptable impact given the orientation of the principal elevation of the cottage being to the south and that there are only obscured views at ground level in a westerly direction.

Overall the visual impact on the wider landscape is considered to be temporary and that on completion of extraction in the extension area and the progressive restoration of the Quarry, would provide for a positive landscape enhancement with improved public access and enhanced visual amenity.

**Chapter 7: Ecology** - this chapter provides an overview of the methodology for producing the necessary documentation to support the ES. No statutory designated sites were identified within 2 kilometres of the site and seven non-statutory designated sites were identified the closest being Stapleford Moor Local Wildlife Site (LWS) located immediately adjacent to the existing site boundary and Stapleford Wood LWS lies 0.18 kilometres from the southern boundary of the extension area. Stapleford Wood was also identified as having two areas of Ancient Woodland within it. This chapter includes commentary on the various ecological surveys carried out at the quarry and the proposed extension area. An Extended Phase 1 Habitat Survey was completed in two parts in 2015 and this document is supported by genus and species specific surveys carried out between 2015 and 2017. These surveys included breeding birds, winter birds, dormice, bats, badgers, reptiles and great crested newts. A further updated walkover survey was completed May 2017.

Habitats – this section detailed the existing habitats across the site as being standing water, ditches, running water, arable, mixed plantation woodland, broad-leaved plantation woodland, wet woodland/willow carr, semi-improved neutral grassland, regenerated grassland, intact and defunct hedgerows, tall ruderal, dense and scatter scrub, tall ruderal, scrub with scattered trees, scattered trees, hardstanding and quarry/bare earth.

Mammals & Birds – this section detailed the mammals and birds that may be resident in the diverse habitats as advised by the Lincolnshire Environmental Records Centre (LERC) including birds (breeding and wintering), bats, water vole, otter, badger and dormice. The field surveys identified, in addition to those mentioned, fox, field vole, mole, water shrew, brown hare and roe deer. Signs of fallow and red deer were also recorded. A number of non-native species were also identified.

Reptiles – this section identifies a number of habitats suitable for reptiles and the LERC indicated that both lizards and snakes are likely to be present. The site survey reported small breeding populations of common lizard and grass snake, the report recommended that suitable habitats should be protected.

Great crested newts - this section identified that there were no populations of great crested newts within in the site although there are a number of suitable habitats that could support the species.

Invertebrates – this section recorded that during the various surveys a number of invertebrate species were identified including three UKPAB Priority Species and the mosaic of varied habitats, is of ecological value for invertebrates and is considered of County importance.

Potential effects (impact assessment) and mitigation – this section identified the development related impacts on ecology and recommended that the mitigation measures designed into the working scheme and restoration process would ensure that any impacts are minimal and that the restoration scheme would enhance the native ecology and create habitats that would meet national and local BAP priority habitat targets. The four priority habitats that would be created are ponds, lowland heathland, lowland dry acid grassland and lowland meadows. No significant adverse effects were identified in relation to the non-statutory designated sites adjacent and nearby.

Overall the proposed development would have positive impacts through the creation and re-creation of habitats of great biodiversity importance.

**Chapter 8: Agriculture** – this chapter considered the potential impacts of the proposed development upon Agricultural Land Quality and Soil Resources. Setting out the methodology to assess and identifies the baseline data relevant to the existing site and the proposed extension area.

The current consented area and the extension site were assessed to be a combination of Agricultural Land Classification Grade 3a and Grade 3b with a combined area of 33.94 Grade 3a and 125.61 Grade 3b. The restoration proposal would result in a total loss of Grade 3b land and a reduced area of Grade 3a land being in total 25.7 hectares but that land would be the maximum target soil profile achievable above the water table. The chapter also provides the measures necessary to ensure that all soils are managed in a manner to ensure that they retained in the best condition prior to being replaced on cessation of extraction and to ensure that restoration is carried out to the best standards.

It is further recommended that detailed soil movement schemes are agreed in advance of each soil handling season and a monitoring programme is set in place to audit the soil resources. In addition the restored land should undergo a 5 year aftercare period.



**Chapter 9: Hydrology & Hydrogeology** – the chapter describes the hydrological and hydrogeological regimes of the site and surrounding area, together with an assessment of the potential impacts of the proposed development upon those regimes and outlines mitigation necessary to minimise those impacts to an acceptable level. The methodology used to carry out the assessment included a combination of desk study, walkover survey and data logs for on-site piezometers.

Much of the mitigation has already been described above (identified in Chapter 3) and this chapter concluded that the proposed development could proceed in a manner that would protect the water environment in and around the quarry.

**Chapter 10: Traffic & Transport** – this chapter considered the impact of the proposed development on the local transport infrastructure and the adequacy of the access arrangement to the existing site, recent safety record and compliance with current standards.

It is concluded that the current arrangements for the existing site are adequate and that there are no proposals to increase the output from the site over and above that already being dispatched.

**Chapter 11: Cultural Heritage** - this chapter of the ES was supplemented by the Further Information submitted in response to the Regulation 22 Notice.

Following the initial desktop study submitted with the ES a geophysical scheme of investigation followed by trial trenching was undertaken. The findings of the trial trenching have identified features that are considered of high national significance and a programme of archaeological work is recommended to be secured and carried out as part of the excavation works. A scheme would not only allow for a full record and better understanding of these assets to be made but also add to the understanding of the previously recorded assets which surround the site.

Consideration was also given to the impacts of the development on the historic landscape including the relationship of the site to known historic assets including Listed Buildings located within Stapleford – these being The Hall and The Laurels. None of these buildings have open, unobscured views into the proposed extension area or the existing site and so the impacts of the development would be limited and temporary.

The assessments and reports have been submitted to the Historic Environment Officer (Lincolnshire County Council) who has provided a recommendation for further investigation and recording to be carried out.

**Chapter 12: Noise** – this chapter outlines the findings of a noise impact assessment undertaken in respect of the existing operational quarry and the proposed extension area. The assessment has identified and recommended noise limits at the nearest sensitive receptors to the site.

These are as follows and fall below the recommended levels cited in National Planning Guidance:

Location	Noise limit from Site Operations LAeq, 1hr (free field)
Moor Farm	51
Brook Cottage	51
No.4 Norton Road	53
Pasks Cottage	50
Mill Cottage	51
Rose Farm	55

It is concluded that provided the mitigation measures incorporated into the design of the working schemes were implemented (e.g. bunds, method and direction of working, hours of operation, etc) there would not be an unacceptable adverse impact on residents and land users in the locality. Notwithstanding this the assessment recommends that the site operators also provide a noise monitoring scheme that demonstrates compliance with the recommended noise limits.

**Chapter 13: Air Quality** – this chapter addresses the potential impacts on the closest residential properties to the extension site with particular consideration of the impacts of dust. It was considered that the periods with the potential to be a nuisance are during soil stripping and restoration as the actual extraction of the mineral is of comparatively low impact potential. A scheme of investigation was carried out to evaluate the existing air quality and dust emissions. Using the data recorded it was concluded that the magnitude of dust effect on Pasks Cottage in Phases 1 and 2 were likely to be Moderate Adverse and it was recommended that the mitigation measures already employed in relation to the existing operations at the site should be adopted in the extension area. These measures included:

- limiting the use of dump trucks in the extraction areas;
- the setting of a site speed limit;
- minimising drop heights during soils handling;
- the use of a water bowser during dry periods to dampen haul routes;
- all soil bunds or storage mounds to be seeded if in situ for more than 3 months;
- regular maintenance of mobile plant and equipment in order to minimise exhaust emissions;
- all mineral to be processed in a wet state and, where possible, stockpiles shielded from the prevailing wind;
- sheeting of all vehicles carrying aggregate; and
- in extreme weather conditions any dust generating activity should be suspended until appropriate dust mitigation measures have been implemented or the weather conditions change.

**Chapter 14: Summary & Mitigation** – this chapter provides an overview of the contents of the ES summarising the proposal and each section of the ES. The conclusion indicates that whilst there is a likelihood of significant

environmental effects occurring from the proposed changes to the site and surroundings, by adopting the mitigation measures embodied with the project design and through the imposition of planning conditions, any identified impacts can be maintained within acceptable limits.

#### Volume 2 - Non-Technical Summary

17. This Volume contains an overview of the main findings of the ES in an easily understandable and accessible format.

#### Volume 3 – Planning Statement

18. This document provides an overview of the application, and identifies the various development plans, policies, planning history and other material consideration in relation to the proposed development.

#### Further information

19. The following Further Information supplements were submitted which updates the information contained within the original ES. The information comprises of the following:
  - Information on Archaeology (to supplement Chapter 11 of the ES)
  - Consideration of Landscape and Visual Effects relating to the potential impacts of the development on Pasks Cottage and Brecks Lane/Bridleway Stap/3/1 (to supplement Chapter 6 of the ES)
  - Information on Agriculture, Soils and Restoration materials (referring to Table 3/1 and Chapter 8 of the ES)
  - Restoration – revised plans in relation to the current and former extraction areas
  - Soil Management

#### Site and Surroundings

20. Norton Bottoms Quarry is situated approximately 2.5km to the south-east of the A46(T) running between Newark and Lincoln, 1.5km to the west of the village of Norton Disney and 1.5km north-west of the village of Stapleford.
21. The existing quarry is located within 200 metres of Norton Disney village and the nearest residential dwelling to the plant site is Grove Farm approximately 300 metres to the north. The route of Public Right of Way BW/Stap/3/1 bisects the existing quarry (running north to south) from Newark Road (C195) to Stapleford Moor Plantation and links into Brecks Lane which runs in an easterly direction towards Stapleford. The route of Public Right of Way FP/Stap/1/1 has been temporarily diverted to accommodate the extraction of mineral from the existing working area and runs north to south adjacent to Norton Disney Road. The northern boundary of the current working area is adjacent to Norton Disney Beck that flows west to east. The River Witham flows 300 metres to the east of the quarry

and Norton Disney Road and is linked to the proposed extension area via Stapleford Beck that runs west/east.

22. The proposed extension area lies in close proximity (less than 100 metres) to west of Stapleford village. The western boundary of the extension area is adjacent to Stapleford Moor (a Forestry Commission owned commercial conifer woodland) through which is the route of a Public Right of Way - BW/Stap/2/1 from BW/Stap/3/1 to Brough Road (C186). The surrounding land uses are predominantly level arable agricultural fields bisected by drainage ditches and enclosed by planted native hedgerows. Stapleford Moor is a Local Wildlife Site and the nearest to the extension site. Stapleford Wood Local Wildlife Site is also located nearby at 0.18 kilometres to the south.
23. The quarry has a long internal haul road that extends from the plant site to the site entrance/crossing point on Newark Road (C195) to the north. A dedicated access road extends out across a field to the north of this access and provides a direct point of access/egress onto the A46 and therefore avoids the need for traffic to travel through nearby villages.



Photograph 2 – Private Access Road from C195 Entrance

## 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):

Paragraphs 6 to 16 – presumption in favour of sustainable development and core planning principles.

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.

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 would 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 191 and 192 – state that consenting bodies in pre-application discussion should enable early consideration of all the fundamental issues relating to a particular development. Wherever possible, parallel processing of other consents should be encouraged. The right information is crucial to good decision-taking, particularly where formal assessments are required such as Environmental Impact Assessment and Flood Risk Assessment.

Paragraphs 203 to 206 – advise on the use of planning conditions and planning obligations and states these should only be sought where they are acceptable, necessary, directly related to the development, enforceable and fairly and reasonably related in scale and kind to the development.

Paragraph 215 - states 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. This is of relevance to the Lincolnshire Minerals & Waste

Local Plan: Core Strategy and Development Management Plan (2016) Site Locations Document (2017) and Central Lincolnshire Local Plan (2017).

25. In addition to the NPPF, in March 2014 the Government published a series of web-based National Planning Policy Guidance notes (NPPGs). The NPPGs sets out the overall requirements for minerals sites, including in relation to assessing environmental impacts such as noise, light and visual amenity.
26. Consultation on a 'Draft revised National Planning Policy Framework' closed 10 May 2018. Although a material consideration, it is at an early stage and carries little weight but does include the following addition which is of relevance to this application (summarised):

Paragraph 168 - states that planning policies and decisions should contribute to and enhance the natural and local environment by:

b) recognising the intrinsic character and beauty of the countryside, and the wider benefits from natural capital – including the economic and other benefits of the best and most versatile agricultural land, and of trees and woodland.

#### Local Plan Context

27. Lincolnshire Minerals & Waste Local Plan: Core Strategy and Development Management Policies (CSDMP) (2016) – this document was formally adopted on 1 June 2016 and as a recently adopted document the policies contained therein should be given great weight in the determination of planning applications. The key policies of relevance in this case are as follows (summarised):

Policy M2 (Providing for an Adequate Supply of Sand and Gravel) states that the County Council will ensure a steady and adequate supply of sand and gravel for aggregate purposes. There are three Production Areas and the Lincoln/Trent Valley Production Area has a target to produce 18 million tonnes during the plan period of 2014 – 2031. The County Council will make provision for the release of sand and gravel reserves in the Site Locations Document. This will give priority to extensions to existing Active Mining Sites.

Policy M3 (Landbank of Sand and Gravel) states that to ensure a steady and adequate supply of sand and gravel for aggregate purposes, the County Council will seek to maintain a landbank of permitted reserves of sand and gravel of a least 7 years within each of the Production Areas.

Policy M4 (Proposals for Sand and Gravel Extraction) states that sites allocated in the Site Locations Document will be granted planning permission for sand and gravel extraction for aggregate purposes provided that:

- In the case of an extension to an existing Active Mining Site, extraction would follow on after the cessation of sand and gravel extraction from the existing areas supplying the plant site.

In all cases the proposal must accord with all relevant Development Management Policies and Restoration Policies set out in the Plan.

Policy M13 (Associated Industrial Development) states that planning permission will be granted for ancillary industrial development within or in proximity to mineral site and the proposals accord with all relevant Development Management Policies set out in the Plan. The operation and retention of the development will be limited to the life of the permitted reserves.

Policy DM1 (Presumption in favour of sustainable development) states that when considering development proposals, the County Council will take a positive approach.<sup>c</sup> 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 HGVs 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 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 (Soil) states that proposals should protect, and wherever possible, enhance soils and will only be permitted where there is an overriding need for the development, no suitable alternative site of lower agricultural quality, the land can be restored to its previous agricultural quality or better, or other beneficial after uses consistent with other sustainability considerations.

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 R3 (Restoration of Sand and Gravel Operations within Areas of Search) specifically Trent Valley (south west of Lincoln within the Witham Valley Country Park): creation of habitats (particularly wet woodland, reedbed, acid grassland and heathland) to enhance local nature conservation and biodiversity value; provision of improved public access including links to surrounding green infrastructure; and the development of additional recreational facilities.



28. Lincolnshire Minerals and Waste Local Plan - Site Locations (2017) - this document was formally adopted December 2017 and as a recently adopted document the policies contained therein should be given great weight in the determination of planning applications. The key policies of relevance in this case are as follows (summarised):

Policy SL1 (Mineral Site Allocations) states that a steady and adequate supply of sand and gravel for aggregate purposes, in accordance with Policy M2 of the CSDMP, will be provided through the continued provision of sand and gravel from the remaining permitted reserves at a number of existing sites and by granting permission working from allocated sites identified within the Plan.

Norton Bottoms Quarry is listed as an existing site and also an extension to the site has been allocated which corresponds with that which is now subject of this application. The allocated site is reference MS05-LT and was estimated to release approximately 6.8 million tonnes of reserves of new reserves.

29. Central Lincolnshire Local Plan (2017) – as a recently adopted document the policies contained therein should be given great weight in the determination of planning applications. The key policies of relevance in this case are as follows (summarised):

Policy LP1 (Presumption in Favour of Sustainable Development) direct the Central Lincolnshire districts to take a positive approach and where planning applications accord with the policies of the Local Plan will be approved without delay, unless material considerations indicate otherwise.

Policy LP2 (Spatial strategy and Settlement Hierarchy) identifies the site in the countryside and that Norton Disney is identifies as a small village and Stapleford as a hamlet.

Development in the countryside will be restricted to:

- proposals falling under policy LP55; and
- to minerals or waste development in accordance with separate Minerals and Waste Local Development Documents.

Policy LP12 (Infrastructure to Support Growth) states that all development should be supported by, and have good access to, all necessary infrastructure.

#### Infrastructure

Planning Permission will only be granted if it can be demonstrated that this sufficient infrastructure capacity to support and meet all the necessary requirements arising from the proposed development. Conditions or planning obligations, as part of the package or combination of infrastructure

delivery measures, are likely to be required to ensure that development meets this principle.

Policy LP14 (Managing Water Resources and Flood Risk) states that in respect of Flood Risk all development proposals should demonstrate:

- a. that they are informed by and take account of available information from all sources of flood risk or by site specific FRA;
- b. that there is no unacceptable increase risk of flooding;
- c. that the development will be safe during its lifetime, does not affect the integrity of existing flood defences and any necessary flood mitigation have been agreed with the relevant bodies;
- d. that any mitigation measures have been considered and any necessary agreements are in place;
- e. how proposals have taken a positive approach to reducing overall flood risk and the potential to contribute towards solutions for the wider area.

In Protecting the Water Environment development proposals that are likely to impact on surface or ground water should consider the requirements of the Water Framework Directive and should demonstrate:

- g. that water is available to support the development proposed;
- h. that development contributes positively to the water environment and its ecology and does not adversely affect surface and ground water quality in with the requirements of the Water Framework Directive;
- i. that relevant site investigations, risk assessments and necessary mitigation measures for source protection zones around boreholes, wells, springs and water courses have been agreed with the relevant bodies (e.g. the Environment Agency and relevant water companies);
- q. that suitable access is safeguarded for the maintenance of water resources, flood defences and drainage infrastructure; and
- r. that adequate provision is made to safeguard the future maintenance of water bodies to which surface water is discharged, preferably by an appropriate authority (e.g. Environment Agency, Internal Drainage Board, Water Company, the Canal and River Trust or local council).

Policy LP17 (Landscape, Townscape and Views) states that proposals must seek to protect and enhance the landscape value and character of the area including the setting of settlements, proposals should have particular regard to maintaining and responding positively to any natural features within the landscape which positively contribute to the character of the area. All development proposals should take account of views in to, out of and within development areas. Particular consideration should be given to views within landscapes which are more sensitive to change due to their open, exposed nature and extensive inter-visibility from various viewpoints. In considering the impacts of a proposal, the cumulative impacts as well as the individual impacts will be considered.

Policy LP20 (Green Infrastructure Network) seeks to maintain and improve the green infrastructure network in Central Lincolnshire by enhancing,

creating and managing multifunctional green space around settlements that are well connected to each other and the wider countryside. Development proposals must protect the linear features of the green infrastructure network that provide connectivity between green infrastructure assets, including public rights of way, bridleways, cycleways and waterways, and take opportunities to improve such features. Identifying Strategic Green Corridors, Green Infrastructure Zones (24 Stapleford Wooded Vales) and Mosaic Heath Wet Wood Opportunity Areas.

Policy LP21 (Biodiversity and Geodiversity) states that proposed development should seek to protect, manage and enhance habitat networks, species and site of local importance (statutory and non-statutory) including sites that meet the criteria for selection as a Local Site. Minimise impacts on biodiversity and seek to deliver a net gain in biodiversity. Proposals for major development should adopt an ecosystem services approach, and for large scale major development schemes (such as Sustainable Urban Extensions) also a landscape scale approach, to biodiversity and geodiversity protection and enhancement identified in the Central Lincolnshire Biodiversity Opportunity Mapping Study. In this instance the site falls within South-West Lincoln Wetlands and Heathlands.

Policy LP25 (The Historic Environment) requires that development proposals should protect, conserve and seek opportunities to enhance the historic environment of Central Lincolnshire. Planning applications for such development should be accompanied by an appropriate and proportionate assessment to understand the potential for and significance of remains, and the impact of development upon them. Wherever possible and appropriate, mitigation strategies should ensure the preservation of archaeological remains in-situ. Where this is either not possible or not desirable, provision must be made for preservation by record according to an agreed written scheme of investigation submitted by the developer and approved by the planning authority. Any work undertaken as part of the planning process must be appropriately archived in a way agreed with the local planning authority.

Policy LP26 (Design and Amenity) states that development must make effective and efficient use of land and should minimise adverse impacts on amenity. All development proposals must take into consideration the character and local distinctiveness of the area (and enhance or reinforce it, as appropriate) and create a sense of place. As such, and where applicable, proposals will be required to demonstrate, to a degree proportionate to the proposal, that they:

- a. make effective and efficient use of land;
- g. incorporate appropriate landscape treatment to ensure that the development can be satisfactorily assimilated into the surrounding area;
- h. provide well designed boundary treatments, and hard and soft landscaping that reflect the function and character of the development and its surroundings;
- i. protect any important local views into, out of or through the site.

The amenities which all existing and future occupants of neighbouring land and buildings may reasonably expect to enjoy must not be unduly harmed by or as a result of development. Proposals should demonstrate, where applicable and to a degree proportionate to the proposal, how the following matters have been considered, in relation to both the construction and life of the development:

- m. compatibility with neighbouring land uses;
- r. adverse noise and vibration;
- s. adverse impact upon air quality from odour, fumes, smoke, dust and other sources.

Policy 55 (Development in the Countryside) defines the schedule of uses deemed appropriate (summarised) as follows:

#### Part E: Non-residential development in the countryside

Proposals for non-residential developments will be supported provided that:

- a. the rural location of the enterprise is justifiable to maintain or enhance the rural economy or the location is justified by means of proximity to existing established businesses or natural features;
- b. the location of the enterprise is suitable in terms of accessibility;
- c. the location of the enterprise would not result in conflict with neighbouring uses; and
- d. the development is of a size and scale commensurate with the proposed use and with the rural character of the location.

#### Part G: Protecting the best and most versatile agricultural land

Proposals should protect the best and most versatile agricultural land so as to protect opportunities for food production and the continuance of the agricultural economy.

With the exception of allocated sites, development affecting the best and most versatile agricultural land will only be permitted if:

- b. the impacts of the proposal upon ongoing agricultural operations have been minimised through the use of appropriate design solutions; and
- c. where feasible, once any development which is permitted has ceased its useful life the land will be restored to its former use, and will be of at least equal quality to that which existed prior to the development taken place (this requirement will be secured by planning condition where appropriate).

## Results of Consultation and Publicity

30. (a) Local County Council Member – Councillor M Overton as a member of the Planning and Regulation Committee reserves her position until the meeting.
- (b) Norton Disney Parish Council – has no objections to the application.
- (c) Environment Agency (EA) – does not object to the proposed development and acknowledges that the site lies within Flood Zone 3 although concurs that any flood risk would be to the quarry only and would not have an adverse effect on third parties.

With respect to groundwater, the EA considers that the evaluation of hydrology and hydrogeology demonstrates that there would be no significant effects to groundwater users or surface water fed by groundwater. The permanent diversion of Stapleford Beck would only impact on the current land owners (i.e. the quarry operator). The proposed scheme of working would mean that groundwater levels changes around the site would be minimised during the extraction process.

- (d) Environmental Health Officer (North Kesteven District Council) – has commented that the noise report has assessed existing noise levels at nearby noise sensitive receptors and predicted noise generation based on proposed site activity. Noise limits have been proposed for the noise sensitive properties closest to the site and conditions should be imposed to secure these should permission be granted. It is also recommended that the air quality (e.g. dust) and noise mitigation/control measures as identified within the ES be secured and implemented as part of the development.
- (e) Historic Environment Officer (Lincolnshire County Council) – has confirmed that the site has undergone an extensive programme of evaluation including geophysical surveys and targeted trial trenching. In relation to the extension area, this evaluation has highlighted areas of less significant archaeology as well as areas of significant archaeology which will require more extensive work and recording. It is therefore recommended that an archaeological scheme of works condition be attached to any permission granted which would enable archaeological remains within the site to be recorded prior to their destruction. The scheme of works would require the applicant to record and advance understanding of the significance of any heritage assets to be lost (wholly or in part), in a manner proportionate to their importance and the impact, and to make this evidence (and any archive generated) publically accessible.
- (f) Highways & Lead Flood Authority Officer (Lincolnshire County Council) – has commented that having given due regard to the appropriate local and national planning policy guidance, it is concluded that the residual

cumulative transportation impacts of the proposed development would not be expected to be severe and accordingly do object to this planning application. It is added that although Nottingham County Council has requested that consideration be given to securing a routeing restriction prohibit HGV movements to and from the site via the A1133 through Collingham village, this is not considered reasonable or necessary.

With regard to formalising the closure of Brecks Lane and the temporary diversion of Public Rights of Way that cross the application site, an application seeking the necessary Legal Orders has already been made to the Department for Transport. Those Orders are the subject of a separate consenting process and there is no reason to withhold the grant of this application pending the completion of those Orders.

- (g) Trent Valley Internal Drainage Board (adjoining IDB) – identified that the IDB maintains Scaffold Drain which is an open watercourse that exists in close proximity of the site. It is therefore requested that an Informative be attached reminding the application of the requirements of their Byelaws and the Land Drainage Act 1991 which requires the applicant to seek their consent if it is proposed to carry out any works or erect a building or structure within 9m of the top edge of the watercourse. It should be noted that this IDB asset is located approximately approximately 750 metres to the west of the proposed extension area and unlikely to be influenced by the development during the period of operation.
- (h) Upper Witham Internal Drainage Board – has commented that the site affects Norton Disney Beck and Stapleford Meadow Drain which are watercourses maintained by the IDB. The IDB has no objection to the proposed development provided it is constructed in accordance with the submitted details and Flood Risk Assessment. In relation to the diversion of Stapleford Beck and discharge into Norton Disney Beck consent from the IDB would be required and has requested that an Informative be attached to any decision.
- (i) MoD Safeguarding (RAF Waddington) – stated that the application site is approximately 12.4 kilometres southwest from the centre of the runway at RAF Waddington and falls within the statutory bird-strike safeguarding zone surrounding the aerodrome. The MoD does not object to the application and has confirmed that the submitted Bird Hazard Management Plan is adequate to manage bird-strike and requested that it be incorporated as part of any planning permission granted including within the Section 106 Planning Obligation so that it is implemented in perpetuity or until the aerodrome at RAF Waddington is no longer required.
- (j) Lincolnshire Wildlife Trust (LWT) – supports an ecologically led restoration strategy and the restoration of the majority of the proposed extension to wildlife habitat compliant with the aspirations for the

'Mosaic South-West of Lincoln' Opportunity Area in a way that enhances the green infrastructure of the Witham Valley Country Park. LWT appreciate that water body size is limited due to the risk posed to air traffic from bird strikes and believe that better biodiversity gain would be achieved from several small, shallow edged water bodies. LWT advise against the introduction of trees with a preference to colonisation as part of natural succession but acknowledges that would require maintenance of the heathland would require early intervention. The proposal to relocate understorey onto the land surface of the restoration area is also supported as the use of scrapings from this area would be a source material of local provenance for heath and acid grassland recreation. LWT supports the mitigation measures advised for protected species and recognise that the proposed measures will mitigate disturbance to the adjacent Stapleford Moor Local Wildlife Site.

LWT request that an Informative be attached to any decision issued requiring that seeds of local provenance with a suitable species composition are used where practicable and where not that they be sourced from local suppliers who can guarantee provenance.

- (k) Forestry Commission – has requested that where trees are removed that new planting takes place to replace them within the restoration programme. It is added that these comments do not imply support or objection to the application because as a Government Department they can neither support nor object to an application.
- (l) Collingham Parish Council (adjoining Parish Council) – support the application but would like it noted that HGVs should not use the A1133 and the A46 should instead be used. This is an agreement which is already in place with the local quarries.
- (m) Nottinghamshire County Council (adjoining Highways & Mineral Planning Authority) – stated as follows (summarised):

Strategic transport – has commented that the distribution of HGV traffic once it leaves the site is of concern. The applicant has indicated that all HGV traffic leaving the site access onto the A46 would be directed to turn left only and so vehicles wishing to travel into Lincolnshire or to the north would travel along the A46 into Nottinghamshire and use the A46/A1133 roundabout junction to turn around. This arrangement is welcomed however there is no assurance that the A1133 would not also be used by HGV traffic wishing to travel north. Nottinghamshire County Council has introduced an experimental part time Weight Restriction on the A1133 to limit HGV movements overnight and other arrangements (S106 Planning Obligations) with quarry operators in Nottinghamshire are being used to protect Collingham village from quarry HGV traffic at all times. It is therefore requested that Lincolnshire County Council seek to impose similar planning conditions or legal obligations on the applicant to ensure that no HGV movements arising from the development are permitted to travel on the A1133



through Collingham village at any time. A contact has been provided should the applicant wish to discuss this matter further.

Nature conservation – the proposed extension is within 700 metres of the County boundary at its nearest point and so it is requested that the potential indirect impacts of the development on ecological receptors within Nottinghamshire (such as the nearby Turfmoor LWS 2/811) be taken into consideration as part of the determination process.

Landscape and visual impact – it is acknowledged that there is limited visibility of the site from Nottinghamshire and it is considered that the proposed extension to the working area of the quarry will not have any significant impact on views from Nottinghamshire.

- (n) Highways England – offer no objection.
- (o) Historic England – does not wish to offer any comments and has suggested that the views of the County's own specialist conservation and archaeological advisers be sought and taken into account.
- (p) Cadent (Gas Network) – has confirmed that their infrastructure crosses the site of the application (i.e. the site access road which crosses the field to the north) but do not object as the pipeline would not be affected by this proposal.
- (q) Natural England (NE) – has confirmed that based on the plans submitted the proposed development would not have significant adverse impacts on designated sites and protected landscapes and therefore have no objection.

It is added that NE generally welcomes the proposed restoration scheme and considers that it will provide a valuable opportunity to increase the biodiversity value of the site itself and the wider Witham Valley area. A net gain in biodiversity should be achieved at each phase of the development as the scheme progresses and the opportunities to make ecological links to surrounding habitats, such as the adjacent woodland, should be maximised.

NE particularly welcome the range and ecological variability of the habitats illustrated on the restoration scheme, including woodland, heathland and dry acid grassland and lowland meadows which are characteristic of the area. They also welcome the provision for access within the restored site including the retention of existing public rights of way and the proposed permissive path, boardwalk and bird hide. These positive measures for countryside access would be compatible with the Witham Valley Country Park initiative. An informative has been forwarded in respect of the management of protected species.

- (r) Public Rights of Way (Lincolnshire County Council) – has made no specific comments regarding the diversion of Brecks Lane or Bridleway

3 other than confirming that the diverted and restored routes would fall to be managed by the County Council following their initial setting out and construction and that waymarking would be required.

31. The following bodies/persons were consulted on the application on 24 August 2017 and again on 29 May 2018 following the receipt of the Further Information. No response or comments had been received within the statutory consultation period or by the time this report was prepared:

Stapleford Parish Council  
Carlton le Moorland Parish Council  
Arboricultural Officer (Lincolnshire County Council)

32. The application has been publicised by site notices which were posted on 30 August 2017 at the entrance to the quarry on Newark Road; on Stapleford Village Green; on Brecks Lane (Public Bridleway way-marker); Norton Disney Road (Public Footpath way-marker) and Newark Road (Public Bridleway way-marker). The application was also publicised in the local press (Lincolnshire Echo on Thursday 7 September 2017 and again on 31 May 2018 following the receipt of the Further Information). Letters of notification were also sent to the nearest 53 residents to the site including those within Stapleford village and the surrounding area.

33. Two representations have been received as a result of this publicity/notification. Both of these are from property owners in the local area and a summary of the comments and observations received are summarised below:

- The applicant owns and controls land that lies to the north of the Stapleford Village Green and the quarry. This land is outside the planning application boundary but it is suggested that the applicant develop this area into a plantation as it would be of benefit to the village and would augment the village green.
- Questions have been raised as to where cars would park to access the network of permissive paths proposed as part of the restoration scheme. It is commented that there are already problems associated with the nearby Stapleford Woods.
- A request has been made that Members of the Planning & Regulation Committee undertake a site visit before determining this application.
- Concerns have been raised regarding the close proximity of a bund along the southern boundary of the proposed extension area and a residential property (e.g. Pask Cottage). The separation distance between the bund and the property is circa 60m and there are concerns that the bund (and the quarrying operations behind) would have an adverse impact in terms of noise, dust and visual amenity. It was also added that the bund would also be place for circa 13 years and therefore would have a long-term impact on the amenity of the nearest resident. It was therefore requested that the separation distance be increased to 250m and that consideration be given to the size and shape of the bund to reduce its visual impact.

Following the submission of the Further Information by the applicant (which included photomontages to demonstrate the visual impacts of the bund and which confirmed a gentler profile would be adopted for the bund) a further response was received. This response acknowledges that the change to the gradient would reduce the overall visual impact and ensure the bund is more in-keeping with the surrounding landscape. Concerns however remain regarding the proposed separation distance (which remains unchanged) and the period of time the bund would be in place. An increase in the proposed buffer zone between the bund and Pasks Cottage would significantly reduce the negative impact on visual amenity and increase the visibility of the tree line of Stapleford Moor.

#### District Council's Recommendations

34. North Kesteven District Council – has advised that they do not wish to make any observations on the application.

#### Conclusion

35. 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.
36. The proposed development would constitute an extension to the existing Norton Bottoms Quarry with a revised restoration scheme, incorporating existing operational areas that would create a blend of habitats and improve public access to the local area. The proposed development 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.
37. The key issues to be considered in this case are:
- the need and justification for new mineral reserves and principle of extracting sand and gravel from this site;
  - an assessment of the environmental and amenity impacts associated with the development including flood risk and drainage; highways and traffic; Public Rights of Way; landscape and agricultural land; nature conservation interests; historic environment considerations; aviation safety and amenity impacts on local residents and villages in particular to noise, dust and visual impacts given the developments proximity.

### Need for sand and gravel aggregate

38. The NPPF advises that Mineral Planning Authorities make provision for a landbank of at least 7 years for sand and gravel and Policies M2 and M3 of the CSDMP reflects this policy by ensuring that there is an adequate and steady supply of sand and gravel to meet the projected demands and to ensure a suitable landbank is secured for the Plan period. Policy M2 confirms that 42.66 Mt of sand and gravel is required to meet projected demands up to 2031 and 18 Mt of this would be required within the Lincoln/Trent Valley Production Area. Provision for the release of sand and gravel has therefore be provided for in the Site Locations Document and it is stated that priority will be given to extensions to existing Active Mining Sites. Policy M4 states that sites allocated in the Site Locations Document will be granted planning permission for aggregate purposes provided that extraction at an extension to an existing site would follow on after the cessation of sand and gravel extraction from the existing areas supplying the plant site.
39. In this case, Norton Bottoms Quarry is identified by Policy SL1 of the Site Locations Document as being an existing quarry within the Lincoln/Trent Valley Production Area and the proposed extension area is identified as an allocated site within this document (ref: MS05-LT). The current extraction area had only two years of consented reserves available at the time this application was submitted and the proposed extension would be worked once those reserves have been exhausted. The proposed extension would therefore allow the quarrying operations at the quarry to continue and would release the additional sand and gravel reserves that have been identified and planned for as being necessary to meet the projected demands as identified within the CSDMP. In principle therefore, the extension would meet the objectives of Policies M2, M3 and M4 of the CSDMP and ensure compliance with the strategic objectives of the NPPF.
40. Notwithstanding the benefits the development offers in terms of ensuring the provision of an adequate supply of aggregate, this planning application also offers to consolidate all existing planning permissions at Norton Bottom Quarry and therefore provide a comprehensive, single permission that would govern all operations within the site. As part of this application the applicant has also taken the opportunity to review the restoration proposals for the site and proposed a site wide restoration strategy which would deliver greater biodiversity and provide access to the public. Such a strategy is in line with the aims and objectives of the NPPF and Policies R2 and R3 of the CSDMP that seeks restoration of mineral workings that provide after-uses that should enhance and secure a net gain in biodiversity and provide for leisure recreation. The proposal would create habitats specific to the Trent Valley (within the Witham Valley Country Park) and would be in keeping with and enhance the landscape in which it lies. As a consequence the restoration strategy would also support the improvement of the Green Infrastructure Network promoted by Policy LP20 (CLLP) and would not conflict or compromise Policy LP21 (CLLP) that seeks to protect, manage and enhance habitat networks.

## Environmental and Amenity Considerations/Impacts

### Landscape & Visual Impacts

41. It is inevitable that any extractive industry, that does not include importation of material to achieve restoration back to original ground levels, would permanently alter a landscape. It is therefore necessary to consider whether the proposed programme of works and restoration strategy are acceptable in terms of visual impact and would not pose an unacceptable impact on the amenity of local communities and adjacent land-users and that the restoration would contribute in the long term to improving the overall landscape.
42. The applicant engaged and consulted local communities before submitting the planning application and following feedback received from residents of Stapleford, the phasing proposals have been designed to ensure that extraction operations would move away from the village in a north east to south west direction. This arrangement would ensure the progressive and early restoration of Phase 1 of the site (which is the closest to the village) and ties in with the restoration proposals for the final phases of the existing mineral extraction area.
43. A representation has been received which has expressed concerns regarding the visual impacts of the proposed screening bund to the north and west of Pasks Cottage and claims this is overpowering in both scale and proximity. The Further Information submitted by the applicant in support of the application has further evaluated the visual impact of the bund on Pasks Cottage and includes photomontages which confirm the bund would not exceed 3 metres in height and that the slopes would be at a 1:6 gradient. Whilst part of the bund (to the west of Pask Cottage) would remain in-situ for a period of at least 11 years, part of the bund to the north would only be retained for approximately 4 years whilst operations within Phases 1 and part of Phase 2 are completed. The principal elevation of Pasks Cottage is to the south and the visual assessment has identified that views from Pasks Cottage would be gained across the site from the first floor windows in the gable end of the property (which face west). As the bund is only 3 metres high it would not obscure views from this position and it is not feasible or possible to do so entirely given the differences in height. Therefore whilst views across and into the extension would be possible, I am satisfied that the impact of this would not be so significant to warrant refusal of this proposal given that the visual impacts of the working would be reduced as the site is progressively worked and restored (thereby reducing the footprint of the operational areas at any one time) and as the operations would move away from the property as the phasing advances. In respect to other views, none of the views from the property at ground level would be interrupted given the presence of an existing garden hedge and mature trees and the garage to the west of the cottage. Overall I am satisfied that the bund, which also contributes to noise attenuation, is acceptable and that

the development as a whole would not have a significant unacceptable adverse impact on visual amenity of the residents of this property.

44. In addition to the above, the Further Information also evaluated the visual impacts of the extension on the diverted route of Brecks Lane and Bridleway Stap/3/1 which would bisect Phases 2 and 3 of the proposed works. The extraction operations within Phase 1 and the early stages of Phase 2 would be visible from the diverted route however, the extraction operations would be at a lower level than the natural ground level and, together with the distance from the Public Right of Way, the impacts are considered to be minimal. Furthermore when the route of Brecks Lane is re-instated it would be flanked by new landscape planting which would create, in time, screening to obscure views of the later phases of the extension area.
45. Overall therefore, the proposed extraction in the extension area and the restoration of the current operational area could be carried out without significant unacceptable adverse visual impacts and therefore the development meets the aims and objectives of the NPPF and Policies DM3 and DM6 of the CSDMP and would not conflict with nor compromise Policies LP17, LP20 and LP26 and LP55 of the CLLP.

#### Noise & Dust

46. The assessments contained within the supporting ES identify the operations and 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. These are essential in that the extension area is in close proximity to a number of properties along to the west of Stapleford.
47. Such dust mitigation measures include extracting the sand and gravel in a damp state, transportation of mineral to the plant site using a field conveyor, processing the mineral in a wet state, soil handling in a manner to minimise drop heights and suspending such operations in adverse weather conditions, seeding bunds and storage mounds where retained for more than 3 months, maintaining an internal speed limit of 10 mph and sheeting vehicles carrying aggregates dispatched from the site.
48. In terms of noise, the assessment undertaken as part of the ES has demonstrated that the quarrying operations in the existing extraction area and the proposed extension area 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. To achieve these levels the construction of bunds was factored into the modelling to contribute to the mitigation of any potential adverse impacts on the amenity of sensitive receptors. The operations within the proposed extension area would be carried within the same time constraints of the existing quarry being as follows:

07:00 to 18:00 Monday to Friday;  
07:00 to 13:00 Saturday; and  
No operations on Sundays, Bank or Public Holidays.

49. Consequently 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 and practices proposed within the ES. Such conditions would ensure that proposed development would not have 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 Policy LP26 of the CLLP.

#### Heritage & Archaeology

50. 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 further information to the ES which have identified and evaluated this potential. These assessments have been considered by the County Council's Historic Environment Officer 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 the features identified of varying degrees of significance are when 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 Policy LP25 of the CLLP.

#### Ecology

51. The application site includes both the existing operational quarry as well as the proposed extension area and the ES was supported by a comprehensive suite of reports and surveys as part of an Extended Phase 1 Habitat Survey that encompassed all areas of Norton Bottoms Quarry. The existing and proposed development related impacts on ecology (including species specific) were assessed and recommendations to implement mitigation measures have been designed into the working scheme and restoration programme that would ensure that any impacts are minimal. Where necessary precise details of the proposed mitigation measures could be secured through appropriate conditions attached to a decision, should



the application be approved. Lincolnshire Wildlife Trust and Natural England welcomed the restoration strategy insofar as it would enhance the native ecology and create habitats that would meet national and local BAP priority habitat targets. No significant adverse effects were identified in relation to statutory or non-statutory designated sites adjacent and nearby.

52. Overall the proposed development would have positive impact through the creation and re-creation of habitats of great biodiversity importance. Therefore the priority habitats that would meet the aims and objectives of the NPPF, emerging Draft revision to the NPPF and Policies DM2, DM9 and R3 of the CSDMP and meets the criterion set out in Policies LP1, LP20 and LP21 that seeks to ensure sustainable development that enhances the Green Infrastructure Network and habitat networks in Central Lincolnshire.

#### Bird Management

53. A Bird Hazard Management Plan (BHMP) was submitted to address safeguarding of RAF Waddington from the potential of bird strike. The aims of the working schemes and restoration proposals is to remove as far as possible, the key habitats that will be attractive to large or flocking birds hazardous to air traffic. The applicant has worked closely with the MoD who are seeking that the BHMP is implemented in full and maintained in perpetuity or as long as RAF Waddington remains operational. Should this permission be granted the long term implementation of the BHMP would be secured through a S106 Planning Obligation.

#### Highways, Traffic & Public Rights of Way

54. The proposed extension area represents a continuation of the operations at Norton Bottoms Quarry and there are no proposals to increase the throughput at the site. The only access to the extension area would be via a continuation of the existing internal haul routes and the mineral would be transported back to the plant site using the existing conveyor, thus ensuring the only vehicles operating within the extraction areas are associated with soil stripping, management and restoration. Norton Bottoms Quarry has a dedicated private access road which leads directly onto the A46(T). Highways England has not objected to the continued use of this access or the traffic arising from this development using their network. Although Nottinghamshire County Council and Collingham Parish Council have requested that consideration be given to the applicant entering into a voluntary agreement to prevent HGV traffic using the A1133, no technical objection to this use of this route has been put forward by any Highways Authority. Only a proportion of HGVs associated with the quarry are expected to use the A1133 which is an A classified road and so forms part of the strategic road network. Whilst the request is therefore noted, such roads are suitable for such traffic and given this I do not consider it reasonable or necessary to impose a routing restriction in this case. Like other road users, traffic is free and able to travel on the highway network at any time, however, the hours of operation governing when HGV traffic associated with this development would remain unchanged from those

already permitted. Existing conditions and controls would therefore remain in place to minimise the impacts of traffic and would prevent traffic from using the route during the night-time period and therefore minimise the impacts on residents that live along the A1133 and in particular Collingham village.

55. In respect of the Public Rights of Way, the closure of Brecks Lane and the temporary diversion of Bridleway Stap/3/1 are subject to a separate application and Order that is being considered by the Department for Transport. No objections have been received during consultation on this application regarding either the proposed temporary diversion and its proposed alternative route or the proposal to reinstate Brecks Lane as a bridleway once the restoration works have been completed. The diversion of these routes would be necessary in order to enable the development to take place and as these routes would be restored at the earliest opportunity following the extraction of the mineral, any impacts on the public rights of way network would be minimised and would not have an unacceptable or long-lasting negative effect upon them.
56. I am therefore satisfied that the development would not have a significant adverse impact upon the highway network or public rights of way and as such would be acceptable in highways terms and in accord with the objectives of the NPPF, Policy DM14 of the CSDMP and Policy LP12 of the CLLP.

#### Hydrology, Hydrogeology & Flood Risk

57. The assessments undertaken as part of the ES confirm that given the proposed working schemes for the extension and the restoration strategy there would be no adverse impacts on the groundwater and the surface water management as the restoration progresses. The current active management of surface water and discharge to the Norton Disney Beck would be maintained until such time as the restoration strategy has been fully implemented. The proposal also seeks to permanently divert the route of the Stapleford Beck, insofar as the Beck bisects the extension area and the diversion would be wholly within the land owned by the applicant and would not pose a flood risk elsewhere. The Environment Agency, Trent Valley IDB and Upper Witham IDB have confirmed that the proposals relating to water management are acceptable but requested that informatives be attached should a decision for approval be issued. As a consequence 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 or pose a risk of flooding elsewhere and therefore would not be contrary to the objectives of the NPPF and Policies DM15 and DM16 of the CSDMP and does not conflict with nor compromise Policy LP14 of the CLLP that states that all development proposals should demonstrate management of water resources in line with the requirements of the Water Framework Directive and not pose a flood risk elsewhere.

## Soil Management and Agriculture

58. The ES acknowledges that the development would result in a total loss of Grade 3b land and there would be a reduced area of Grade 3a land recreated as part of the restoration proposals. However, overall the restoration proposal would ensure that the Grade 3a land would be in the optimum area of the restored land and the loss of agricultural land is balanced by the creation of an enhanced and improved natural environment that would be made available for public access. Throughout the ES, and reiterated in the Further Information submitted, reference is given to the effective management of soils so as to ensure these are handled, stored and utilised at the earliest opportunity in restoration. Subject to conditions which would ensure these regimes are implemented, whilst it is concluded that the development would reduce the availability of best and most versatile agricultural land, on balance, the benefits of the scheme on whole, in particular through the enhanced habitat creation, would outweigh this loss and so I am satisfied that the development would not be contrary to the objectives of the NPPF, emerging revision to the NPPF and Policies DM11, DM12, R1 and R2 of the CSDMP and Policy 55 of the CLLP that seeks to protect the best and most versatile land.

## Restoration & Aftercare

59. A revised concept restoration scheme, which provides for the progressive restoration of both the existing and proposed extension areas, has been submitted which would result in a net increase in habitats within the restored site and improves that which has previously been approved and exists for the permitted site. The restoration proposals include the creation of water bodies which, if not managed correctly, could attract birds and therefore pose a potential bird strike risk to RAF Waddington. As indicated above, a Bird Hazard Management Plan (BHMP) has therefore been submitted that provides for a comprehensive scheme of bird control during extraction, restoration and into aftercare. The BHMP is supported with a number of drawings outlining the landscaping proposals for the restoration of parts of the site including depths of waterbodies, treatment of water margins along with details of the proposed tree/shrub/hedge planting and grassland management in those areas. Overall the revised restoration proposals are acceptable and would contribute to the objectives outlined in the NPPF and emerging Draft revisions to the NPPF and the restoration objectives set out in Policy R3 of the CSDMP and Policies LP20 and LP21 of the CLLP that seek green infrastructure and enhancements to local nature conservation in the Trent Valley, south west of Lincoln within the Witham Valley Country Park. Full details of the proposed landscape and tree planting to be carried out across the whole of the site, along with details of an initial 5 year aftercare programme, are however required and therefore it is recommended that conditions be imposed to secure these. In addition to these conditions, it is also recommended that as part of the proposed S106 Planning Obligation, schemes be secured which would provide for an extended and longer-term period of aftercare and management plan of the site (to ensure that the permissive paths and public access proposed as part

of the restoration are secured and maintained after the initial 5 year period) and which ensures that the BHMP is implemented in perpetuity (or unless RAF Waddington is no longer operational). The applicant has confirmed their willingness to include these provisions into a S106 Planning Obligation should planning permission be granted.

## Final Conclusions

60. The existing permitted reserves within Norton Bottoms Quarry are nearing exhaustion and the proposed extension would release an additional 7 million tonnes of sand and gravel and extend the life of the quarry by a further 14 years. The extension area is identified and allocated within the Site Locations Document of the Lincolnshire Minerals & Waste Local Plan and would therefore ensure a continuity of supply from Norton Bottoms Quarry but also ensure that there are reserves available within this area to meet demands and which would increase the landbank within the Trent Valley Production Area above the recommended minimum 7 years. The proposed extension and release of new sand and gravel reserves from the extension would therefore be in line with the advice and policies contained within the NPPF and Policies M2, M3 and M4 of the CSDMP.
61. In terms of environmental and amenity impacts, whilst there would be some landscape and visual impact from the working of the extension area, it is not considered that these would be detrimental and would be in any case very localised. The cumulative impacts of the proposed development have also been assessed through the ES and these focus not only on the existing operations but also consider other sand and gravel operations in the locality. The assessment concludes that the progressive restoration of the existing site, coupled with the increase in the separation distances between the new areas of working and other existing quarries, would mean the impacts are not considered adverse on the villages of Norton Disney and Stapleford. The potential highway impacts are also considered to be acceptable insofar as the private access road arrangement to the site would be maintained and the existing routing restrictions (as secured by the current S106 Planning Obligation) would continue to be in place. I am therefore satisfied that the proposal is in accord with the NPPF and Policy DM17 of the CSDMP.
62. Overall I am satisfied that the potential impacts of the development would largely be mitigated, minimised and reduced through the implementation of the mitigation measures proposed within the application and the proposed extension, consolidation of existing planning permissions and overall improved restoration strategy would accord with the relevant policies as cited and identified within the Lincolnshire Minerals & Waste Local Plan and Central Lincolnshire Local Plan.
63. Finally, 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**

It is recommended that planning permission be granted subject to:

- (A) The applicant entering into a S106 Planning Obligation to cover the following matters:
- to secure the revocation of all existing permissions that relate to Norton Bottoms Quarry without compensation;
  - to continue to route all HGVs travelling to and from the site to the A46(T) and not to use the C195 (Newark Road) except to for local deliveries;
  - to secure the implementation of the Bird Hazard Management Plan in perpetuity or until such time as RAF Waddington ceases to operate;
  - to provide a Long Term Management Plan to ensure continuous aftercare of the restored site and maintenance of permissive paths, watercourse crossing points and bird hides.
- (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

#### Definition and commencement

1. This permission relates to the site edged red on Drawing No. M14.188.D.030 'Location Plan' (hereafter referred to as 'the Site') for the continued progressive winning and working of sand and gravel and restoration of the Site, a lateral extension to the quarry and continued operation of a concrete batching facility and ancillary operations. The lateral

extension (hereafter referred to as 'the Extension') is defined and relates to the land shaded pink on Drawing No. M14.188.D.030 'Location Plan'.

*Reason: For the avoidance of doubt as to scope and nature of the development that is permitted*

2. The winning and working of sand and gravel from the Extension hereby permitted shall begin before the expiration of three years from the date of this permission. No sand or gravel shall be extracted from the Extension until the remaining permitted reserves from within the existing Norton Bottoms Quarry have been extracted. Written notification of the date of commencement of winning and working operations within the Extension shall be sent to the Mineral Planning Authority within seven days of such commencement.

*Reason: To ensure the extension is worked following the completion of mineral extraction operations within the existing site and so as to minimise the cumulative impacts and to enable the Mineral Planning Authority monitor the development.*

3. No materials shall be imported or deposited within the Site for any purpose other than lime, cement or other products utilised in the concrete batching plant.

*Reason: For the avoidance of doubt as waste is not permitted to be imported for processing or landfilling within the site.*

#### Approved documents and plans

4. 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:

#### Documents

- Planning Application Form (dated stamped received 28 July 2018);
- Environmental Statement, Non-technical Summary and Planning Statement (Volumes 1 to 3) (date stamped received 28 July 2017) including all appendices and supporting technical assessments;
- Further Information (Regulation 22) letter dated 18 May 2018 and accompanying appendices;
- Further Information (Regulation 22) letter dated 29 May 2018 and accompanying appendices;
- 'Bird Hazard Management Plan' Version No.1 Rev A date stamped received 2 July 2018 and appendices date stamped received 29 May 2018; and

## Drawings

- Drawing No. M14.188.D.001 - Context Plan (Figure 2/1)
- Drawing No. M14.188.D.030 - Location Plan (Figure 2/2)
- Drawing No. M14.188.D.003 Rev. C - Block Phasing (Figure 3/2)
- Drawing No. M14.188.D.008 Rev. C - Phase 1 (Western Extension) (Figure 3/3)
- Drawing No. M14.188.D.009 Rev. C - Phase 2 (Western Extension) (Figure 3/4)
- Drawing No. M14.188.D.010 Rev. C - Phase 3 (Western Extension) (Figure 3/5)
- Drawing No. M14.188.D.011 Rev. C - Phase 4 (Western Extension) (Figure 3/6)
- Drawing No. M14.188.D.012 Rev. C - Final Restoration (Figure 3/7)
- Drawing No. M14.188.D.049 – Restoration Detail (Overview)
- Drawing No. M14.188.D.050 – Restoration Detail (Area A)
- Drawing No. M14.188.D.051 – Restoration Detail (Area B)
- Drawing No. M14.188.D.052 – Restoration Section A-A
- Drawing No. M14.188.D.053 – Restoration Section B-B
- Drawing No. M14.188.D.054 – Restoration Section C-C
- Drawing No. M14.188.D.026 - Current Situation (Plant Site) (Figure 2/6)
- Drawing No. M14.188.D.027 - Current Situation (Current Working Area) (Figure 2/7)
- Drawing No. M14.188.D.029 - Consented Working (Figure 3/1)
- Drawing No. M14.188.D.032 - Temporary Soil Storage Bunds (Figure 3/9)

*Reason: To ensure that the development is completed in accordance with the approved details.*

## Phasing Development, Restoration and Aftercare

5. The Site and Extension shall be progressively worked and restored in accordance with the phased programme as set out in Chapter 3 'The Proposed Development' of the Environmental Statement and as shown on the following drawings:

- Drawing No. M14.188.D.003 Rev. C - Block Phasing (Figure 3/2)
- Drawing No. M14.188.D.008 Rev. C - Phase 1 (Figure 3/3)
- Drawing No. M14.188.D.009 Rev. C - Phase 2 (Figure 3/4)
- Drawing No. M14.188.D.010 Rev. C - Phase 3 (Figure 3/5)
- Drawing No. M14.188.D.011 Rev. C - Phase 4 (Figure 3/6)
- Drawing No. M14.188.D.012 Rev. C - Final Restoration (Figure 3/7)
- Drawing No. M14.188.D.049 – Restoration Detail (Overview)
- Drawing No. M14.188.D.050 – Restoration Detail (Area A)
- Drawing No. M14.188.D.051 – Restoration Detail (Area B)
- Drawing No. M14.188.D.052 – Restoration Section A-A



- Drawing No. M14.188 D.053 – Restoration Section B-B
  - Drawing No. M14.188 D.054 – Restoration Section C-C
  - Drawing No. M14.188.D .032 - Temporary Soil Storage Bunds (Figure 3/9)
6. No winning and working of mineral shall take place within Phase 1 of the Extension until full details of all landscaping and tree planting scheme for the Site has first been submitted and approved in writing by the Mineral Planning Authority. The landscaping and tree planting scheme shall include information on the species, numbers, spacing and locations of all grasses, trees, shrubs, hedgerows and bushes to be planted as part of the Site restoration works. Thereafter the landscaping and tree planting shall be implemented in accordance with the approved details. All trees shall be maintained for a period of 5 years during which all losses shall be replaced in the following planting season.
  7. No winning and working of mineral shall take place within Phase 1 of the Extension as shown on Drawing No. M14.188.D.008 Rev C until a detailed 5 year aftercare scheme for the Site has first been submitted and approved in writing by the Mineral Planning Authority. The scheme shall detail the steps to be taken to ensure that the land is prepared and suitable to support the habitats and/or after-uses to be created as part of the restoration scheme and include details for their management and maintenance during the after-care period. In the case of agricultural land this shall include ensuring those areas are sown to grass prior to the first winter following soil placement and details of tillage, cropping programme and use of artificial fertiliser. In respect of heathland, acid grassland and meadow the scheme should reflect the details as set out in Appendix 7 of the Environmental Statement. The aftercare scheme shall be thereafter be implemented in accordance with the approved details.
  8. No winning and working of mineral shall take place within Phase 1 of the Extension as shown on Drawing No. M14.188.D.008 Rev. C until details of the signage associated with the diversion of Public Right of Way Bridleway No. 3 and Brecks Lane have first been submitted and approved in writing by the Mineral Planning Authority. The details shall include information on the design, wording and size of the signage and their location. The approved details and signage shall thereafter be implemented and retained until completion of restoration within Phases 1 and 2 of the Extension.
  9. No winning and working of mineral shall take place within Phase 3 of the Extension as shown on Drawing No. M14.188.D.010 Rev. C until all restoration works have been fully completed within the Current Working Area (i.e. areas shaded beige, pink and blue) as shown on Drawing No. M14.188.D.027 and Area A (including the removal of all perimeter bunds) as shown on Drawing No. M14.188.D.029.
  10. No winning and working of mineral shall take place within Phase 3 of the Extension until the diversion of Stapleford Beck illustrated on Drawing No. M14.188.D.010. Rev C has been completed in full.

11. Prior to the construction of Future Silt Lagoon B (as shown on Drawing No. M14.188.D.029) a detailed drawing showing how the area will be developed for silt management at the quarry shall first be submitted and approved in writing by the Mineral Planning Authority. The silt lagoon shall thereafter be constructed in accordance with the approved details.
12. No mineral extracted shall be transported to the plant site, other than by means of field conveyor.
13. A topographical survey of the site shall be submitted to the Mineral Planning Authority by 31 December each year following the commencement of mineral extraction from the Extension. The survey shall identify areas of the site which are unworked, those restored, those undergoing mineral extraction and those to be restored.

*Reason(s): To ensure that the development is completed in accordance with the approved details, to minimise the extent and size of operational areas of the site at any one time so as to minimise the visual impact of the development and to ensure the progressive restoration and proper aftercare of the site.*

#### Archaeology

14. (a) Prior to the commencement of each phase a written scheme of archaeological investigation regarding an archaeological watching brief has been submitted to and approved by the Mineral Planning Authority. This scheme should include the following:
  1. An assessment of significance and a proposed mitigation strategy (i.e. preservation by record, preservation in situ or a mix of these elements).
  2. A methodology and timetable for site investigation, recording and reporting.
  3. Provision for site analysis.
  4. Provision for publication and dissemination of analysis and records.
  5. Provision for archive deposition.
  6. Nomination of a competent person/organisation to undertake the work.

The scheme of archaeological investigation shall thereafter be carried out and implemented in accordance with the approved details.
- (b) The applicant will notify the Mineral Planning Authority of the intention to commence at least fourteen days before the start of each phase of archaeological work in order to facilitate adequate monitoring arrangements. No variation shall take place without the prior consent of the Mineral Planning Authority.
- (c) A report of the archaeologist's findings shall be submitted to the Mineral Planning Authority and the Historic Environment Record Officer at Lincolnshire County Council in accordance with the approved

scheme unless otherwise agreed in writing by the Mineral Planning Authority. The condition shall not be discharged until the archive of all archaeological work undertaken hitherto has been deposited with the County Museum Service, or another public depository willing to receive it.

*Reason(s): To ensure that satisfactory arrangements are made for the investigation, retrieval and recording of archaeological deposits within the site.*

#### Trees & Ecology

15. 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.
16. No trees within the Extension shall be removed or pruned until they have been resurveyed for bats and a copy of the survey has been submitted and approved in writing by the Mineral Planning Authority. In the event bats are found to be present, the survey shall include a scheme to mitigate any undue adverse impacts also make provision for bat boxes to be erected around the Site. The scheme shall include details of the number, design and location of the bat boxes and the scheme shall thereafter be implemented in accordance with the approved details and the bat boxes retained and maintained for the duration of the development.
17. No works shall take place within Areas A and Future Silt Lagoon B (as shown on Drawing No. M14.188.D.029) until the reptile mitigation and enhancement measures as detailed within the Section 4 of the Reptile Survey Report contained within Appendix 7 of the Environmental Statement have been carried out and implemented in full.
18. No site preparation works that involve the destruction or removal of vegetation shall be undertaken during the months of March to August inclusive, unless otherwise approved in writing by the Mineral Planning Authority.

*Reason(s): To ensure that the existing boundary trees are retained throughout the development so as to help minimise the visual impact of the development, to secure the ecological mitigation measures and enhancements proposed as part of the development and to avoid disturbance to birds during the breeding season in the interests of wildlife conservation.*

#### Soil stripping, storage and replacement

19. No topsoil, subsoil or overburden shall be removed from the Site.
20. Topsoil, subsoil and soil making materials shall be stored in separate mounds which shall not exceed 3 metres in height in the case of topsoil and not exceed 5 metres in height in the case of subsoils and soil making

materials. Where soils are to be stored, any mounds should be constructed with only the minimum amount of soil compaction to ensure stability and shaped so as to avoid the collection of water in surface undulations and shall not be subsequently moved or added to until required for restoration, unless otherwise agreed in writing by the Mineral Planning Authority.

21. Where topsoil, subsoil or soil making material shall be stored for periods in excess of three months the surface shall be grass seeded immediately following construction and shall be maintained weed free for as long as they are retained.
22. Topsoil, subsoil or soil making material shall only be stripped and handled when they are in a dry and friable condition and no movement of soils shall take place between the months November and March (inclusive).
23. The movement and handling of soils shall be in accordance with sheets 1-4 (soils handling using excavators and dump trucks) and sheet 15 (soils replacement with bulldozers and dump trucks) of the "Good practice guide for handling soils" published by the Ministry of Agriculture Fisheries and Food in April 2000 or any subsequent amending or replacement edition or guidance thereof.

*Reason(s): To minimise soil compaction and structural damage and to prevent the loss of soil and ensure that resources are available to aid the final restoration of the site.*

#### Hours of operation

24. Unless otherwise agreed in writing with the Mineral Planning Authority no operations and activities authorised or required in association with this development, other than water pumping, including the concrete batching facility shall be carried out except between the following hours:

0700 hours to 1800 hours Mondays to Friday;

0700 hours to 1300 hours Saturday; and

No such operations shall be carried out on Sundays, Public or Bank Holidays.

#### Noise and Dust

25. Except for temporary operations, noise levels as a result of the development hereby permitted at the identified noise sensitive locations in Appendix 12/1 of the Environmental Statement shall not exceed the levels set out in the table below.

No.	Location	Noise limit from Site Operations (dB)(A) LAeq, 1 hour free field
1	Moor Farm	51
2	Brook Cottage	51
3	No.4 Norton Road	53
4	Pasks Cottage	50
5	Mill Cottage	51
6	Rose Farm	55

Noise levels at any other noise sensitive property around the Site shall not exceed 55dB(A) LAeq, 1 hour free field.

26. 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.
27. 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 noise monitoring scheme for its written approval. Following the written approval of the Mineral Planning Authority the noise monitoring scheme shall be carried out within one week of this written approval and the results of the survey shall be submitted for the attention of the Mineral Planning Authority within one week of the completion of the survey.
28. Any water pumping required during the night-time period (22:00 – 07:00 hrs) should not exceed 42dB(A) LAeq, 1 hour free field, at any noise-sensitive property.
29. All vehicles, plant and machinery operated within the Site shall be maintained in accordance with the manufacturer's specifications at all times and shall be fitted with and use effective silencers and white noise reversing devices.
30. All noise mitigation measures as set out in Section 6.2 of the Noise Impact Assessment contained within Appendix 12 of the Environmental Statement shall be implemented in full for the duration of the development.
31. All dust mitigation measures as set out in Appendix 13/3 of the Environmental Statement shall be implemented in full for the duration of the development.
32. In the event of any substantiated complaint being notified to the operator by the Mineral Planning Authority relating to dust arising as a result of the

operations undertaken at the Site, the operator shall provide the Mineral Planning Authority with a dust monitoring scheme for its written approval. Following the written approval of the Mineral Planning Authority the dust monitoring scheme shall be carried out within one week of this written approval and the results of the survey, along with details of any additional mitigation measures identified as necessary to address the complaint received, shall be submitted for the written approval of the Mineral Planning Authority within one week of the completion of the survey. Any additional mitigation measures identified shall thereafter be implemented within one week of the having received the written approval of the Mineral Planning Authority.

*Reason: To reflect the recommendations as set out in the Environmental Statement and to ensure that noise levels arising from the development do not have an adverse impact upon local amenity or the surrounding environment and to reduce the impacts of dust disturbance from the site.*

#### Access, highways and traffic

33. The surface of the access and internal site roads shall be maintained in a good state of repair and kept clean and free of mud and other debris at all times for the duration of the development so as to prevent such materials being deposited on the public highway. Any deposition of mud, debris or other deleterious materials onto the public highway shall be removed immediately.
34. No HCV shall enter the public highway unless, where necessary, its wheels and chassis have been cleaned to prevent material being deposited on the public highway.
35. No HCV loaded with aggregate shall leave the Site unsheeted.

*Reason(s): To ensure a safe access to the Site and to prevent mud or other deleterious materials derived from the development being transferred onto the public highway in the interests of highway safety and safeguarding the local amenity and the environment.*

#### Pollution Control

36. Any fuel, oil, lubricant and other potential pollutants shall be handled on Site in such a manner as to prevent pollution of any watercourse or aquifer. For any liquid other than water, this shall include storage in suitable tanks and containers which shall be housed in an area surrounded by bund walls of sufficient height and construction as to contain 110% of the total contents of all containers and associated pipework. The floor and walls of the bunded areas shall be impervious to both water and oil. The pipes should vent downwards and into the bund.

*Reason: To prevent and minimise the risk of pollution to watercourses and groundwater.*

### Cessation

37. Within 12 months of the permanent cessation of mineral operations at the Site the processing, stocking and silt management areas as Drawing No. M14.188.D.026 shall be restored in accordance with the approved restoration scheme as shown on Drawing No. M14.188.D.049.
38. In the event of a premature cessation of mineral operations for period in excess of 2 years and prior to the achievement of the completion of the restoration of the Site, a revised scheme of restoration and aftercare shall be submitted for the written approval of the Mineral Planning Authority. The restoration works shall thereafter be carried out and implemented in accordance with the revised scheme of restoration and aftercare.
39. Any building, plant, machinery, foundation, hardstanding, roadway, structure or erection in the nature of plant or machinery used in connection with the development hereby permitted shall be removed from the Site when no longer required for the purpose for which built, erected or installed and in any case shall not be retained such that it would delay or prevent the progressive restoration of the site.

*Reason: To ensure that the cessation of operations of the site is managed appropriately and to secure restoration of the land.*

### Informatives

Attention is drawn to:

- (i) Lincolnshire Wildlife Trust Letter dated 28 September 2017 relating to source of seeds;
- (ii) Trent IDB Letter Ref WMCLC03 dated 8 June 2018 and plan dated 06 July 2018 relating to permitting;
- (iii) Upper Witham IDB Email dated 21 September 2017 relating to permitting;
- (iv) Environment Agency Letter Ref: AN/2017/126154/01/-L01 dated 13 September 2017 relating to permitting; and
- (v) Natural England Annex A to Email Ref: 224807 dated 06 October 2017 relating to protected species.
- (vi) 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.

## **Appendix**

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

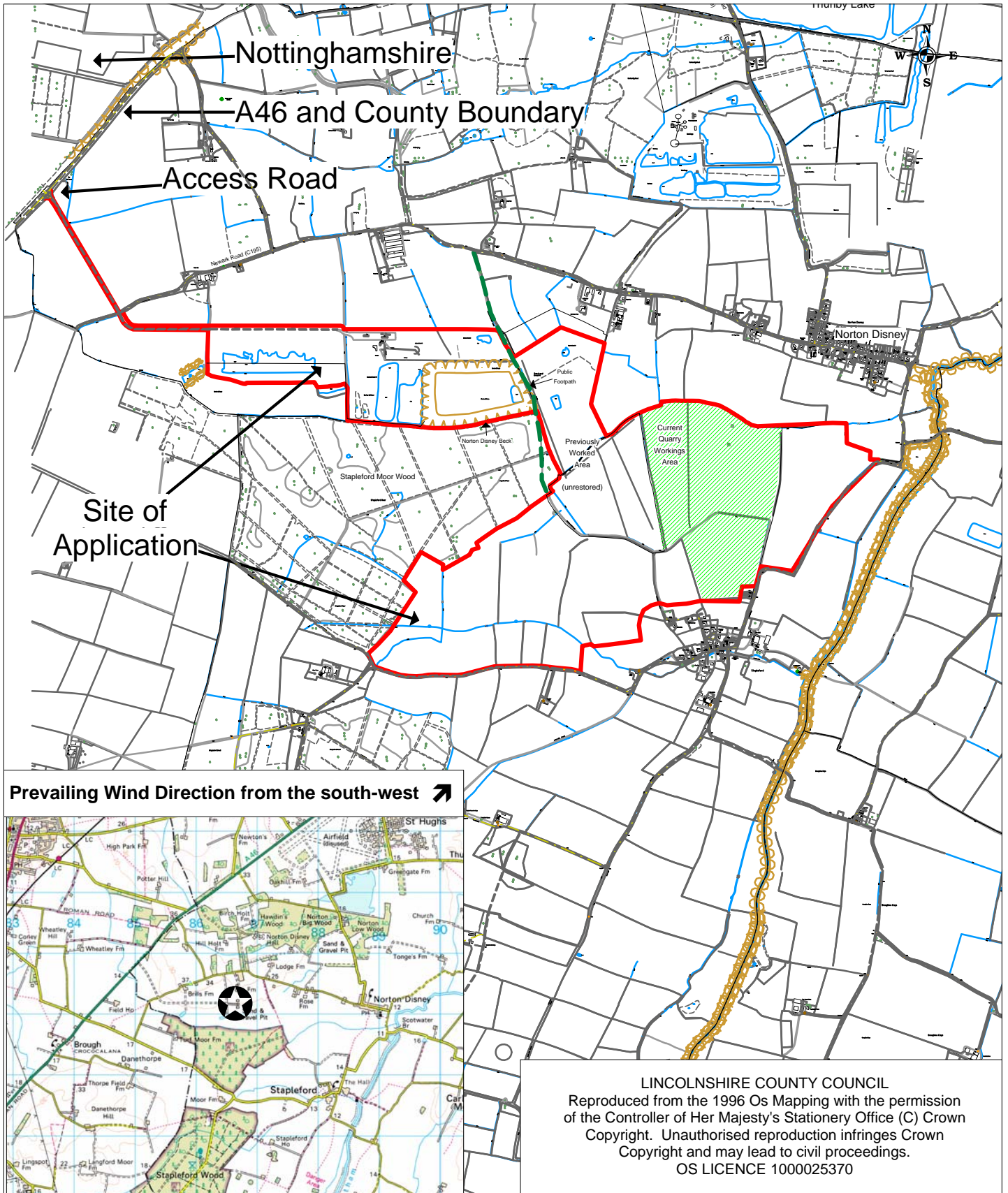


## Background Papers

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 N60/47/1208/17	Lincolnshire County Council, Planning, Lancaster House, 36 Orchard Street, Lincoln, LN1 1XX
National Planning Policy Framework (2012) National Planning Policy Guidance (2014) Draft revised National Planning Policy Framework (2018)	The Government's website <a href="http://www.gov.uk">www.gov.uk</a>
Lincolnshire Mineral and Waste Local Plan Core Strategy and Development Management Plan (2016) Lincolnshire Mineral and Waste Local Plan Site Location (2017)	Lincolnshire County Council website <a href="http://www.lincolnshire.gov.uk">www.lincolnshire.gov.uk</a>
Central Lincolnshire Local Plan (2017)	Central Lincolnshire Local Plan website <a href="http://www.n-kesteven.gov.uk/cental-lincolnshire/local-plan">www.n-kesteven.gov.uk/cental-lincolnshire/local-plan</a>

This report was written by Felicity Webber, who can be contacted on 01522 782070 or [dev\\_planningsupport@lincolnshire.gov.uk](mailto:dev_planningsupport@lincolnshire.gov.uk)



**Location:**

Norton Bottoms Quarry  
Stapleford

**Application No:** N60/47/1208/17

**Scale:** 1:25 000

**Description:**

To extend Norton Bottoms Quarry for the extraction of sand and gravel, together with the retention of all existing ancillary operations for the duration of the extended operations to provide a single consolidated consent for the entire site and a revised restoration strategy

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