

**Open Report on behalf of Richard Wills
Executive Director for Communities**

Report to:	Planning and Regulation Committee
Date:	4 December 2013
Subject:	County Matter Application – S50/0123/11

Summary:

Planning permission is sought by Hanson Quarry Products Europe Ltd (Agent: Hanson Aggregates) to extract 2.25 million tonnes of sand and gravel from land forming an extension to the Baston No 2 Quarry off Langtoft Outgang Road, Langtoft. The site extends over an area of 39.8 ha and would be worked over a period of nine years, with restoration primarily to wetland habitats being completed two years later. The application, which is accompanied by an Environmental Statement, has been assessed against national policies and the Development Plan and it is concluded that:

- it accords with the Council's locational strategy for new mineral working;
- it would help to maintain the landbank of permitted reserves above the 7 year minimum set in out in the National Planning Policy Framework; and
- it would not have unacceptable environmental impacts – subject to appropriate mitigation being secured through a Planning Obligation and appropriate conditions.

Recommendation:

- (1) That the applicant be invited to enter into a s106 Planning Obligation to secure:
 - a contribution of £56,500 towards the improvement of Cross Road (south of Langtoft Outgang Road);
 - the routeing of Heavy Commercial Vehicles via Cross Road to the A1175 (in accordance with the application details);
 - the extension of the aftercare management period to 10 years;
 - the creation of permissive paths for use by the public through the western part of the restored site;
 - the completion of the archaeological works (post fieldwork); and
 - the restoration of the Baston No 2 Quarry plant site area, once reserves at the quarry are depleted.
- (2) On completion of the Planning Obligation, conditional planning permission be granted.

Background

1. The applicant, Hanson Quarry Products Europe Ltd, operate the Baston No 2 Quarry located off Langtoft Outgang Road, Langtoft. The quarry is one of two, operated by the applicant in the Baston/Langtoft area (the other being the Baston No 1 Quarry). The two quarries have been in operation for over 60 years and historically have been operated as separate quarries – with each quarry being subject to a separate review in the 1990s under the provisions of the Environment Act 1995 (the "Initial Reviews"). The Baston No 2 Quarry is currently due for a further review in 2015 (the "First Periodic Review").
2. In more recent years the two quarries have increasingly been operated as a single unit and at present sand and gravel is being extracted at the Baston No 1 Quarry and transported to the plant site at the Baston No 2 Quarry for processing – the washing plant at the Baston No Quarry 1 having been removed several years ago. Some of this material is then transported back to the Baston No 1 Quarry where the coating plant is still located.
3. There are no remaining reserves at the Baston No 2 Quarry (other than under the plant site area), and permitted reserves at the Baston No 1 Quarry are limited to about 3 years' supply. The applicant has therefore made this application to ensure continuity of supply once the reserves at the Baston No 1 Quarry are exhausted.

The Application

4. Planning permission is sought by Hanson Quarry Products Europe Ltd (operating as Hanson UK) to extract 2.25 million tonnes of sand and gravel from land forming a southern extension to the Baston No 2 Quarry, off Langtoft Outgang Road, Langtoft. The site extends over an area of 39.8 ha and would be progressively restored to a variety of habitats to enhance biodiversity, comprising: shallow water bodies, reedbeds, wildflower grassland, areas of scrub woodland together with a small area of agriculture. It is anticipated that with production rates of 250,000 tonnes of sand and gravel per annum, the site would be worked over a period of nine years, with the completion of restoration two years later.
5. The mineral deposit ranges in thickness across the site from 5.0m in the south west to 2.0m in the north east, with an average thickness of 4.0m. It overlies the Jurassic Oxford Clay and is in turn overlain by 0.55m of subsoil/overburden and 0.3m of topsoil. The deposit is comprised of 35% gravel, 55% sand and 10% fines (silt/clay) which compares with the material currently being extracted within the applicant's workings. When processed the mineral would be suitable for use in the majority of ready mix concrete and mortar applications, and applications using coated/bound materials and other building aggregates. It is stated that the quarry is of regional importance, making a vital contribution to the demand for primary aggregates in south Lincolnshire and north Cambridgeshire/Peterborough. The proposal would therefore ensure continuity of supply.

6. The site is divided into two roughly equal parts (a "western half" and an "eastern half") by the Gravel Drain that cuts through the middle of the site. It would be worked in five phases: the first two phases being located to the east of the Gravel Drain and the remainder to the west. Work would commence at the western end of Phase 1, close to the Gravel Drain, with the soil/overburden from this phase being progressively stripped and the underlying mineral deposit worked in an easterly direction. The soils from this phase would be used to create 2m high screening bunds adjacent to the southern and eastern boundaries of this half of the site. Extraction would then progress into Phase 2, with the soils from this phase used directly in the progressive restoration of Phase 1.
7. As extraction nears completion in Phase 2, soil/overburden stripping would commence at the eastern end of Phase 3, located in the northern part of the western half of the site. Extraction would follow soil/overburden stripping in a westerly direction with the soils/overburden used to progressively create screening bunds adjacent to the western and southern boundaries of this half of the site. Extraction would then progress in an anticlockwise direction through Phases 4 and 5, with the remaining soils/overburden being progressively stripped and used directly in restoration works.
8. In practice the five phases would be divided into sub-phases (allowing as much land as possible to remain in agricultural production for longer). Approximately 5 ha would be stripped on each occasion with one or two areas stripped per year. The topsoil, subsoil and overburden would be stripped separately in accordance with DEFRA best practice for soil handling and either stored in screening bunds or used directly in restoration works. These screening bunds would subsequently be removed following the completion of extraction in each half of the site and used in the final restoration works.
9. In each extraction area the sand and gravel would be temporarily dewatered by active groundwater pumping to allow it to be worked in a "dry state". This would involve pumping water from within the mineral extraction area via a local sump to a holding lagoon for settlement. This could then either be used and recycled at the plant site or discharged into the local surface drainage network. To mitigate the impact on the hydrogeological regime, a clay seal would be installed on the phase boundaries where it is important to prevent/control the local ingress of groundwater. Such a seal would be installed:
 - adjacent to the Gravel Drain;
 - adjacent to the eastern drain; and
 - around the perimeter of the western half of the site (other than the northern boundary - see later comments relating to the restoration of this area).
10. Within these phases, the soil would be stripped from a corridor adjacent to the sensitive boundary and a perimeter trench excavated down to the Oxford Clay. The trench would then be backfilled with clay excavated locally

to form a seal (in accordance with established practice at the quarry). Once restoration has significantly progressed, and where not required as permanent features, some of the clay seals would be removed at intervals to allow re-entry of groundwater.

11. On a phase (and a sub phase) basis each area would therefore be worked in accordance with a sequence of:
 - local soil stripping of the perimeter to provide access for seal construction (where required);
 - perimeter trench excavation and clay sealing (where required);
 - dewatering to lower the groundwater levels to the base of the sand and gravel deposit/top of the Jurassic Oxford Clay;
 - wider area soil stripping and storage (if relevant);
 - progressive mineral extraction;
 - infill (with indigenous material) and reshaping to achieve restoration profiles;
 - soil spreading;
 - removal of clay seal (if required); and
 - aftercare and management.
12. The sand and gravel would be excavated from the quarry face by a tracked 360 degree hydraulic excavator(s). The excavator(s) would also load the excavated material either directly or from temporary stockpiles on the quarry floor into dump trucks for transfer via internal haul roads to the existing Baston No 2 plant site for processing. From this point all material would leave the quarry in road vehicles via the existing access on Langtoft Outgang Road.
13. The proposal would maintain existing HGV movements at 88 per day (44 in and 44 out). In addition, it is proposed to transport a small proportion of the material in HGVs to the coating plant at the Baston No 1 Quarry. The applicant states that they have already given the two local communities (Langtoft and Baston) a “unilateral undertaking” to route the HGVs to the A1175 (formerly the A16) via Cross Road, thereby avoiding the two settlements. This has added about 3 miles to northbound traffic, but has substantially reduced HGV traffic passing through Langtoft. The applicant expects that, should planning permission be granted, this matter would be subject to a formal Planning Obligation.
14. The hours of operation would be those that apply to the existing quarry, that is:
 - 07:00 to 17:00 hours Monday to Friday (excluding Bank and Public Holidays)
 - 0700 to 12:00 hours Saturdays; and
 - no operations on Sundays.

15. The existing operations at the quarry require 14 employees comprising: a unit manager, a site foreman, a weighbridge operator and other site operatives. 13 of the 14 employees live within 10 miles of the quarry. The quarry also supports vital jobs for staff based off site at the applicant's regional headquarters in Leicestershire. These employees provide such functions as financial control, ordering and distribution services and the administrative back up necessary for the efficient running of the quarry. Beyond those people employed directly by the applicant, the proposal would also create demand for road hauliers and many skilled local contractors (e.g. electricians, welders, plant hire firms, earthmoving and landscape contractors).
16. The restoration proposal seeks to maximise biodiversity and landscape amenity value for the mutual benefit of wildlife and hence the wider general public. It is proposed to expand the landscape habitat features of wetland and open water that have been created at other sites in the vicinity. This would be achieved using the reclamation materials on site (clays, overburden and soils) without the need to import (waste) materials into the site.
17. The two halves of the site would both be restored to a series of shallow water bodies incorporating reed beds with margins of woodland, scrub and wildflower grassland - but would differ in terms of restoration levels. For the eastern area, the site would be restored to levels relatively close to the original ground level utilising restoration materials from the whole site. Within this area the water level in the water bodies would be in continuity with the groundwater, with a maximum level of 1.6m AOD (typical groundwater level). This level would be maintained by an overflow on the northern boundary into the quarry lagoons and thence to the Gravel Drain.
18. In contrast, the western half of the site would be restored at a lower level to allow it to merge with the land immediately to the north, which is in the advance stage of being restored at a lower level to agriculture with a "pocket park" at the western end (see section on "Site and Surroundings"). A clay seal has already been installed around the perimeter of that area (except along the common boundary with the application site), and this would be extended around the western half of the site to effectively make the two areas into one sealed unit. The water level within this part of the site would then be maintained at -2.0m AOD by pumping into a sump located within the northern area, then from the sump into the Gravel Drain. As part of the process of merging these two areas, a narrow margin of land on the northern boundary of the site would be restored to agriculture (1.4Ha), with some topsoil being used to aid in the agricultural restoration of the land to the north.
19. The proposed reedbeds within the western half of the site, adjoining the low level agricultural restoration, would create a nutrient buffer and filter between the agricultural activities and groundwater recharge (that would take place via the pumping of excess water back into the surrounding drainage system). The extensive reedbeds and other wetland features

would also reduce the amount of water that would need to be pumped from the sealed low level restoration by way of evapo-transpiration throughout the growing season, as well as providing benefits of water storage capacity from the “sponge” effect of the wetland generally.

20. Following restoration, the site would be subject to a 10 year aftercare programme, which the applicant envisages would be negotiated through a Planning Obligation. In addition a new permissive footpath would be created linking the western half of the site to the Pocket Park.
21. The applicant emphasises that the restored site would be connected to habitats already established in the area, with the proposed belt of woodland enclosure forming a continuous corridor for bird and mammal species – i.e. connecting Langtoft Village woodland and the Pocket Park restoration in the north west, with the crossroads wetland in the east and then to the north eastern areas near the Baston No 1 plant site, which are also to be restored to wetland. Consequently, the restoration to a fenland habitat would not only contribute towards Lincolnshire Biodiversity Action Plan targets, but would also have a greater ecological value than it would in isolation.

Environmental Statement and Further Information

22. As the proposal falls within Schedule 1 of the Town and Country Planning (Environmental Impact Assessment) (England and Wales) Regulations 1999, an Environmental Statement was submitted with the application. Following an initial review of the proposal, "Further Information" was requested, namely an Archaeological Scheme of Works and a Flood Risk Assessment – both of which have subsequently been submitted and supplement the information in the Environmental Statement. The principal issues covered by these documents are summarised below:

Landscape and Visual Effects

23. Landscape - It is reported that the published information relating to landscape identifies that the site lies within:
 - Landscape Character Area 2b “The Planned and Drained Fens and Carrlands” as defined by the East Midlands Regional Landscape Character Assessment; and
 - the Fens Landscape Character Area of the South Kesteven Landscape Character Assessment.
24. The site specific assessment indicates that the site lies within an essentially flat landscape that is dominated by arable land in intensive agricultural use. Locally, restored gravel workings, including some low-level restored agriculture, also feature prominently along with wetland habitat creation. The more recent modern restoration areas include significant habitat creation in the form of reedbeds/wetland and low-level agricultural restoration.

25. Settlement is sparse although both Langtoft and Baston, on the fenland margin, are in close proximity. Industrial development is similarly very limited, although recent large scale commercial development has taken place at the North Field Industrial Estate to the south and views of it intrude in the wide panoramas.
26. An assessment of the baseline landscape of the scheme identifies that:
- it has no designation based on landscape quality but is typical of agriculturally improved fenland;
 - the landscape has a high capacity to accommodate the proposal;
 - the study area is assessed as being of low sensitivity to the type of scheme proposed; and
 - most of the landscape of the study area is considered to be of low quality as a result of the degradation of landscape elements such as wetland, hedgerow and woodland exerting a negative effect on landscape quality.
27. The mitigation and enhancement of potential landscape effects of the scheme have been incorporated into the proposals, comprising:
- retention of the hedges and woodland/scrub on the site boundaries (where possible) and appropriate stand-offs to the hedges/boundaries to be retained;
 - soil storage (screening) bunds to be sited in appropriate areas along the site boundaries;
 - phased working and restoration to limit the extent of working at any time;
 - 3D modelling of a permanent restoration landform which qualifies available restoration materials to ensure delivery of the restoration landform;
 - creation of a restoration scheme which replicates characteristic fenland landscape elements such as wetland, reedbeds and open water; and
 - habitat creation to contribute to local biodiversity action plan objectives.
28. With this mitigation in place, the significance of the scheme on landscape character has been assessed by comparison of the sensitivity of the landscape with the magnitude of the landscape effects. Overall it is assessed that the development would have an effect of negligible significance on landscape character during working and slight beneficial significance post restoration.
29. Visual Effects – In total 11 viewpoints were chosen to record typical representative views of the site from the surrounding area. It is reported that views of the site are: largely absent from locations to the north; open from Cross Road to the east, in close proximity; open but more distant from Meadow Road to the south; and limited but present from the more distant locations to the south/east and west.
30. Mitigation of visual impacts would occur through:

- retention of hedges and woodland/scrub on the site boundaries (where appropriate) and appropriate stand-offs to hedges/boundaries around the immediate vicinity of the site;
 - phased working and restoration to limit the extent of working at any one time; and
 - erection of low, grass seeded, screening bunds which would effectively screen views of the quarry void.
31. With this mitigation in place, it is reported that from nine of the viewpoints any adverse impact, if present at all, would be low or very low in magnitude. From these viewpoints the significance of the visual impact from the development is assessed as none/negligible/slight. The impact on the other two (located on Cross Road and at the access of Gibbs farm), however, are assessed as moderate – but only during soil stripping at the beginning of Phases 1 and 3 and again when these soils are removed for restoration purposes (when the workings would be temporarily visible). Such activities would however only last for short periods of time.

Biodiversity

32. An ecological evaluation has been carried out including:
- a desktop data review of existing biological records and search for statutory and non-statutory designated sites of ecological importance;
 - consultation with a range of nature conservation organisations to agree the scope of surveys and key issues relating to the application;
 - a Phase 1 habitat Survey;
 - an Ecological Risk Appraisal to identify any additional survey needs; and
 - specific field surveys for water voles/otters and badgers.
33. It is reported that there are no internationally designated nature conservation sites within the site or within 2km of the site. Only one nationally designated statutory site was identified within this range: the Cross Drain SSSI, 1.4km to the east. This SSSI represents one of the best remaining areas of open water typical of fenland in an area where no fenland remains. In addition, the Lincolnshire Environmental Records centre identifies the presence of one non-statutory nature conservation designation within 1km of the site. This is the Baston Common Sand and Gravel Pits Site of Nature Conservation Importance (SNCI) that is located approximately 1km to the north of the site, and designated for its ornithological interest.
34. The Phase 1 Habitat Survey concludes that the dominant habitat type is intensively managed arable farmland which is of itself relatively low value, although the freshwater drains and dry ditches delineating the fields were comparatively higher value. The only other habitats present within the site or immediately adjacent to it are semi-improved and improved grassland, an area of existing mineral extraction, a small block of mature plantation woodland and scattered trees and shrubs (predominantly planted by the applicant along the northern site boundary).

35. The main findings of the species surveys are reported as:
- one locally and nationally notable plant species was recorded within the eastern drain of the site - a small population of opposite-leaved pondweed (a species listed as Vulnerable in the Great Britain Red data List);
 - there are two barn owl boxes located on the northern site boundary that are monitored annually by the Wildlife Conservation Partnership as part of the local barn owl recovery project. At least one of these boxes is used annually by barn owls for breeding. In some years kestrel also breed in one of the boxes; and
 - it is likely that badgers need to cross the site to access distant foraging habitat.
36. Without mitigation direct impacts would occur primarily to the north western boundary through the disturbance of barn owl boxes, and also working in close proximity to ditches and drains at the site. As well as direct effects, there would also be potential indirect effects on unworked and retained habitats during the progression of the phased development. However, given the baseline ecological context of the site, it is reported that the potential for indirect effects on habitats to occur would be very limited.
37. The proposal would result in the loss of around 39 ha of arable habitat (including shallow ditches) and some associated limited areas of disturbed improved grassland along the field boundaries. In addition, the construction of the two haul roads and the linking of this site to the former workings would result in the loss of:
- dense scrub of planted origin (at the eastern end of the northern boundary) being typified by a high proportion of non-native taxa such as large-sealed hawthorn and a variety of field maple;
 - a scattered, poorly established line of scrub (along the remainder of the northern boundary);
 - species-poor grassy vegetation that has developed in association with the above line of scrub.
38. Some 4-5 years into the scheme, works on Phases 3, 4 and 5 of the development as well as the construction of the associated haul route would directly impact on the two existing barn owl nest boxes. However, the buffering of the relevant drains in close proximity to the boxes means that barn owl foraging habitat should not be adversely affected by the development. Furthermore, the creation of screening bunds and the phased restoration of the site would result in new foraging habitat as the development progresses.
39. It is acknowledged that barn owls are highly faithful to the nest/roost sites that they use and birds that are forced to abandon the sites due to disturbance (even temporary disturbance) are less likely to survive. It is reported, however, that they can tolerate a certain degree of noise provided that they feel secure in their nest/roost site. For the purposes of the

assessment it is assumed that there would be adverse effect on the resident barn owls. As a result, the magnitude of effect on a barn owl pair of District value for ecology and nature conservation is assessed as moderate adverse and the impact is assessed as moderate and therefore significant (probable).

40. It is concluded, however, that should barn owls be disturbed as a result of the development, provided that pre-emptive mitigation measures are implemented, there would be no reason to expect that these birds would be lost as there would be comparable habitat nearby to provide continuity of nesting provision. Such mitigation would be required under the Wildlife and Countryside Act 1981 (as amended).
41. With respect to Badgers, it is assessed that the magnitude of effect on a badger population of Local value for ecology and nature conservation would be moderate adverse and the impact moderate/low but not significant (certain). It is reported that the requirements of the relevant legislation would apply regardless of this conclusion and would require mitigation.
42. The following mitigation measures are proposed:

General Design Measures

- adoption of two haul road to avoid the need to bridge and transport material across the Gravel Drain;
- implementation of habitat buffers adjacent to key drains and the field boundaries (where possible);
- all soil storage buffered from drains;
- a restoration strategy concomitant with a favourable nature conservation end use in accordance with the objectives of the applicant's UK corporate Biodiversity Action Plan; and
- Scrub planting implemented during restoration would be limited, with the emphasis placed on natural regeneration.

Birds (General)

- where practicable, essential scrub clearance works to facilitate construction of the two haul routes would be undertaken outside the main bird breeding season (end of March to September inclusive);
- where scrub clearance is necessary outside the above period then an ecologist would inspect the relevant habitat for bird nests no more than two days before the required works, and any requirements for mitigation would be identified by the ecologist; and
- arable land in phases scheduled for working would be maintained in a manner to discourage nesting birds e.g. kept free of vegetation and subject to regular mechanical disturbance.

Barn Owl

- the applicant would have a legal duty to ensure continuity of nesting provision for barn owls by providing replacement nesting boxes elsewhere at the quarry. A good lead in time would be essential to

ensure that the barn owls have found and occupied the replacement boxes before work commences in Phase 3.

Badgers

- each phase would be re-surveyed for badgers before any works took place in that phase (including construction of the haul routes). These surveys would identify the current status of the badgers and, where appropriate, a mitigation strategy would be devised or revised.

The report concludes that with mitigation in place, no significant residual impacts are predicted.

Soils and Agriculture

43. A Soil and Agricultural Land Classification (SALC) covering the site was undertaken in April 2003. This included a preliminary desk study followed by field investigations using walkover, auger and trench pitting. This was supplemented by further survey work in 2010, adopting a similar approach, to update (where necessary) the 2003 SALC.
44. It is reported that soils across the site are typically well drained calcareous fine loamy soils directly overlying drift deposits of sand and gravel, which in turn overlie a solid geology of Jurassic Oxford Clay. As is typical of these drift deposits, there is significant variation in depth and occurrence, particularly in the subsoil horizons across the site. Topsoils have been found to be generally consistent over the whole site and range from medium to heavy loams, typically in the range of 26 to 32 cm in depth. The subsoils exhibit great variability with sandy clay loam, clay loam and fine sandy clay loams all found with sand and gravel incursions regularly occurring. Depth to the sand and gravel is typically 55cm with a range between 40cm and 80cm.
45. A detailed assessment of the agricultural land occurring within the site gives the following breakdown:
 - Sub-grade 3a - 9.9ha (25.6%)
 - Sub-grade 3b - 28.3ha (73.3%)
 - Non-agricultural - 0.2 ha (0.1%).
46. The site therefore comprises land that is in part categorised as being “Best and Most Versatile” (BMV) due to the presence of Subgrade 3a soils (25.6%).
47. It is stated that within the context of the soil resources and agricultural practice of the Langtoft and Baston area, the removal of a relatively small proportion of BMV soils would not compromise the agricultural capability of the area. The presumption against development on land classified as BMV has diminished since the 1980s as the pressures for food production have decreased. As a result, Government Guidance states that agricultural land

quality is only one consideration that should be taken into account when determining applications.

48. The mitigation proposals include best practice soil management and handling techniques such as:
- soil stripping when the soils are in a good friable condition and not waterlogged;
 - stripping of topsoil and subsoil sequentially and storing separately in appropriately sized bunds (2.0m high);
 - reusing all excavated soils on site for restoration purposes in accordance with a phasing plan;
 - restoration to follow the guidance in “Good Practice for Handling Soils” published by DEFRA and MAFF where appropriate; and
 - the rapid re-establishment of vegetation cover to preserve soils in-situ.
49. With the implementation of these mitigation measures, the overall impact of the proposal on soils and agriculture is assessed as minor.

Cultural Heritage

50. The impact on archaeological remains and other features of cultural heritage interest have been assessed from information obtained from a desk based study, a geophysical survey and by trial trenching.
51. The desk based study states that there are no Scheduled Monuments, Historic Parks or Gardens within 2km of the site. The nearest Scheduled Monument lies 2.25km to the south-east, this being the site of an Iron Age settlement with associated saltern. There are, however, a number of listed buildings within 2km of the site including: 16 in Langtoft, 11 in Market Deeping and 3 along Bourne Road. The closest of these is located 800m to the north west of the site, comprising a limestone-built threshing barn on the north side of East End. This Grade II structure is presently on English Heritage’s at Risk Register and has no views to the site. The only Grade I building within 2km of the site is the Church of St Michael at Langtoft. However, only the upper tower and spire have obscured views towards the site.
52. There are no Conservation Areas in the immediate vicinity of the site. The nearest Conservation Areas are at Langtoft approximately 600m to the north west of the site and at Market Deeping approximately 2.1km to the south of the site.
53. It is stated that the development would have no impact on the setting of any of the visible cultural assets referred to above. The predicted impact on these assets is therefore of negligible significance.
54. Within the site itself, it is reported that there are no recorded archaeological sites. However, aerial photographs show cropmarks of probable archaeological origin within the confines of the site that are likely to

relate to Bronze Age, Iron Age or Roman occupation. It is stated, however that the site borders an area of prehistoric archaeology that has been recorded in the quarry to the immediate north. Here, ditches and clusters of Bronze Age pits have recently been recorded, one containing a crouched inhumation. Excavations also uncovered part of an extensive Bronze Age field arrangement with associated settlement.

55. To gain an enhanced understanding of the site above and beyond the initial desk top study, the site was subject to a geophysical survey. This recorded the presence of ditched enclosures and a cropmark in Field 5 (to the east of the Gravel Drain). No other similar clearly defined archaeological sites were detected; however various other possible ditch-like linear features and pits were recorded, but their significance could not be confirmed.
56. The site was therefore subject to a targeted trench evaluation comprising the excavation and investigation of 33 trenches. These revealed no prehistoric activity at the site. However, Roman activity was well represented, especially in Field 5 where a small rural settlement is believed to have existed. The northern extent of Field 4 to the west of the Gravel Drain also produced a number of Roman features suggesting a second zone of settlement activity (which was recorded on the existing Quarry to the north). The two sites may have been linked by a trackway, observed only as a cropmark. Other archaeology comprised a series of Medieval/post-Medieval ditches, whose alignment broadly reflects the current field layout, suggesting that most are probably former subdivisions which have been removed over time to create larger fields.
57. It is reported that the identified archaeological remains are considered to represent “sites with specific importance to local interest groups” and are low sensitivity receptors. However, the development would bring about a high magnitude of change to the Romano-British archaeological settlement evidence that would be of “moderate significance”. In mitigation, it is therefore proposed to preserve the archaeological interest of the site “by record”. A Written Scheme of Investigation has been provided that would involve undertaking a “strip, map and sample” exercise over the area of greatest archaeological interest, with an intermittent watching brief held on a further area where archaeology could be expected.
58. The assessment concludes that, due to the low value of the assets and the possibility of sufficient mitigation, the significance of effect of the development on cultural heritage would therefore be limited to a slight/minor negative.

Transport

59. The main issues considered in this report are traffic numbers, safety and technical suitability of both the existing access and the main transport route to and from the primary highway network.

(a) Road Infrastructure and Route

Processed mineral would be transported from the Baston No 2 Quarry by HGVs utilising the existing built access onto Langtoft Outgang Road. HGVs would travel in an easterly direction (except for local deliveries), thus avoiding Baston and Langtoft, along Langtoft Outgang Road for approximately 200m until the road meets Cross Road. The characteristics of Langtoft Outgang Road in the vicinity of the Quarry are stated to be:

- entirely straight single carriageway road constructed from asphalt;
- wide enough to enable two HGVs to travel down its length simultaneously (approximately 7.5m); and
- at the access providing access onto Cross Road the road widens significantly to a marked dual carriageway.

HGVs would turn right at the junction from Langtoft Outgang Road and travel in a southerly direction along Cross Road for approximately 2 km at which point the road meets the A1175 (formerly the A16). The characteristics of the 2km of Cross Road to be utilised are stated to be:

- entirely straight "dual carriageway" [sic] road constructed from asphalt; and
- at the "T" junction with the A1175 the road splits into two physically defined carriageways providing separate access on/off the A1175.

The A1175 forms part of the primary highway network with a dedicated right hand turn lane providing access to Cross Road. The A1175 provides excellent access to Market Deeping and Peterborough to the south and Bourne to the north.

(b) Traffic Volumes

It is anticipated that there would be no change to mineral sales from the existing quarry plant site. Output is expected to remain at approximately 250,000 tonnes per annum. This equates to an average of 44 HGVs per day [i.e. 88 two way HGV movements]. However it is acknowledged that this would be extended over a longer period whilst the site is being worked, and may fluctuate to meet market requirements.

(c) Mitigation

The current working area at Baston No 1 is subject to a Section 106 planning Obligation requiring all HGV travelling to and from that Quarry to be routed directly to from the A16 via Cross Road (thereby avoiding the settlements of Baston and Langtoft) except:

- where an emergency necessitates that all vehicles use Main Street in Baston and/or Langtoft Outgang Road in Langtoft;
- where road works prevent the use of Cross Road;
- where a delivery is made to the settlements of Langtoft or Baston; and

- in such circumstances as may previously have been agreed in writing with the Mineral Planning Authority.

The Baston No 2 Quarry is already subject to an informal agreement that HGVs will not travel through Langtoft or Baston Villages. If planning permission is granted, the applicant is therefore proposing to formalise this through a S106 Planning Obligation.

To ensure that debris is not tracked onto the public highway, the following mitigation measures are presently employed at the Quarry:

- a wheel cleaning facility is provided for vehicles exiting the site;
- the access road is sealed for a distance of at least 200m after the wheelwash to ensure dust and debris are not generated close to the public highway and/or tracked onto the highway;
- regular sweeping and maintenance is utilised to prevent carriageway breakup; and
- a speed limit is in place to reduce the potential for spillage and erosion.

(d) Conclusion

With the proposed mitigation in place, it is reported that the overall proposal would have a negligible impact on the highway network and amenity.

Hydrogeology and Hydrology (including Flood Risk)

60. The hydrogeological and hydrological report that is contained within the Environmental Statement has been supplemented/amended by the subsequent submission of a Flood Risk Assessment.

(a) Hydrogeology

It is reported that there are no site specific groundwater monitoring points within the site or in close proximity; however the local hydrogeological regime is apparent from the local information, previous local assessment and the working of the quarry. The mineral deposit which is up to 5m thick is underlain by Jurassic Oxford Clay (>10m thick) which forms an impermeable barrier above the underlying limestone. The groundwater within the sand and gravel is therefore considered to be a shallow perched aquifer that is relatively free draining. The level of the groundwater within the site fluctuates seasonally but lies about 1-3m below ground level- with the flow of groundwater generally towards the River Welland, south of Market Deeping.

(b) Hydrology

It is reported that the Gravel Drain and another drain adjacent to the eastern boundary of the site (the "North Eastern Drain") comprise part of a wide scale land drainage function. Water levels in the drains are artificially managed by the Welland and Deepings Internal Drainage Board. There are

a number of smaller field margin drains located within the site (some dry) that would be extracted and not replaced. Other water features in the area are:

- the Cross Drain SSSI, located 1.5km to the east of the site and designated because it represents one of the best remaining areas of open water typical of fenland in an area where there is little remaining natural fenland;
- the Langtoft Gravel Pits SSSI, located 2.3km to the south west, that comprise flooded former sand and gravel pits supporting plant communities' characteristic of calcareous, eutrophic water;
- the River Glen, located 4km to the north and upgradient of the site, which is stated to be unconnected to the drainage of the site; and
- the River Welland, located 3km to the south and downgradient of the site, which is where the report states it is understood the Gravel Drain discharges.

(c) Abstractions and Discharges

The closest licenced groundwater abstraction borehole is located at Gibbs Farm, 218m from the centre of the site. The licence is for "General Farming and Domestic Use" and allows the abstraction of water from a 60m deep borehole (i.e. the water is taken from the underlying Oolitic Limestone). The Environment Agency has provided information relating to one active discharge consent located within 1km of the site: the applicant's discharge consent for the existing quarry.

(d) Flood Risk Assessment

The site is located in Flood Zone 1 (which is land assessed as having a low probability of flooding) and the fluvial flood risk to the site is stated to be low. Tidal flooding is not considered due to the inland location of the site. Current available information suggests the risk of localised surface water flooding is medium and groundwater flooding is low. Due to the greenfield nature of the site, flooding from sewers is not considered.

(e) Mitigation

The following mitigation measures would be implemented:

- Hydrology/Hydrogeology - during working, the groundwater would be dewatered on a phase by phase basis, using site won clay to form a perimeter seal around the sensitive phase boundaries. The groundwater would be abstracted from each phase via a local sump and discharged into the hydrological regime via a settlement sump in the quarry under the terms of an existing licence into Gravel Drain. This would allow the workings to be worked "dry". The process would minimise the hydrogeological disturbance over the wider environment and prevent any impact on the flow rates within the closest hydrological resources (Gravel Drain and the North Eastern Drain). As the scheme proposes final

restoration to lower ground level and managed groundwater levels, the clay sidewalls should remain in place after restoration to continue these protection measures over the long term.

- Pollution - the potential for impacts to occur as a result of contamination of water by oil or other liquids would be minimised by undertaking site procedures as prescribed by the Environment Agency Pollution Prevention Guidance.
- Flood Risk – In addition to the measures set out above, it is reported that the eastern area would be partially backfilled and restored to a reed bed with a managed water level of 1.6m AOD, the naturally occurring groundwater level in this area. During periods of prolonged wet weather, water from within the reed bed system would drain, on an intermittent basis, via a piped overflow to the land drainage ditch adjacent to the north and north-eastern site boundary. In contrast, it is reported that the western area would be restored to a low level with the groundwater managed at -2m AOD via intermittent pumping from the settlement sump in the quarry under the existing licence terms. An assessment of pumping rates predicts that to accommodate a worst case winter rainfall scenario, an increase in the discharge rate from 70 l/s to 87 l/s would be necessary to maintain this water level.

(f) Significance

With the above mitigation in place, it is reported that the impact of the scheme on hydrology/hydrogeology/flood risk would be no greater than of low significance.

Noise

61. It is reported that a noise assessment has been carried out in accordance with the (former) Minerals Policy Statement 2 (MPS2). This predicts the maximum noise levels that could arise from the development at the closest residential property, Gibbs Farm, approximately 100m from the proposed limit of extraction. This indicates that the maximum noise levels arising from soil stripping/storage would be 38 dB LAeq,1hr - well below the maximum level of 70dB LAeq,1hr prescribed by MPS2. During extraction, the noise level is predicted to be 40dB LAeq,1hr. This is 8 dB LAeq,1hr below the preferred limit based on the background noise measurements, and 15 dB LAeq,1hr below the maximum noise limit for normal operations of 55 dB LAeq, 1hr as specified in MPS 2.
62. The applicant states that they would follow best practice to reduce the noise impact upon the local community, including the following mitigation measures:
 - installation of soil storage mounds on the boundaries adjacent to Gibbs Farm to provide screening;
 - no radios or music would be played on site;

- all plant and equipment to comply with EU noise emission limits;
- machines in intermittent use would be shut down in the intervening periods between work, or throttled down to minimum;
- proper use of plant with respect to minimising noise emissions and regular maintenance;
- all vehicles to be fitted with effective silencers;
- selection of inherently quiet plant where appropriate;
- materials to be handled with care and placed, not dropped.

Based on the above, it is reported that the noise impact of the proposal on sensitive receptors would be low.

Air Quality (Dust)

63. A qualitative assessment has been undertaken of the potential for significant effects to occur as a consequence of uncontrolled emissions of coarse dust and PM10 (fine particulate matter less than 10 microns in diameter) from all parts of the site, and from the access road into the site. It is reported that large and intermediate size particles with a diameter greater than 10 microns make up the greatest proportion of the airborne dust generated by activities such as soil and overburden stripping, handling and storage of materials, and the movement of equipment on unsurfaced areas. Dust particles of this size are not considered to constitute a significant health risk outside the occupational health risk zone (workers close to source) because, due to their relative size, they settle out of the air relatively quickly and do not tend to penetrate deep into the lungs.
64. PM10 are the size fraction of greatest concern to impacts on human health as they can more readily enter the lungs. The principal sources of PM10 are exhaust emissions from combustion processes and the formation of secondary aerosols. Airborne dust generated by mineral activities is composed of a mixture of particles, the majority of which are greater than 10 microns in diameter. Therefore increased levels of visible dust in the air do not necessarily equate to an increase in levels of PM10 or an increased health risk.
65. The assessment methodology indicates that any potentially significant effects from a proposal of this size would be expected within 100m of the site boundary. It then takes the baseline conditions (i.e. without the proposed scheme, but with the existing quarry in operation) and assesses the potential impact of the proposal over and above the baseline conditions on 7 sensitive receptors (residential properties) located within the vicinity of the site. It states that operations at the site would remain essentially the same as those carried out under the current permission (i.e. baseline conditions), that is: the rate of extraction and hours of operation would be consistent with that recently seen at the existing quarry; there would be no increase in the magnitude of on-site or off-site vehicle movements; and site management procedures for the control of dust emissions would remain as before.

66. The extent of the proposed extension to the operational area of the quarry would mean that receptors west and northwest would be further away from potentially dust generating activities from the scheme, whilst receptors to the south and south west would be closer. Nevertheless, all the receptors would be beyond the 100m threshold although the closest, Gibbs Farm, is only just beyond this distance. This receptor would, however, receive some protection from the proposed screening bund and from the substantial/mature boundary tree planting that surrounds it.
67. The proposed mitigation measures would include the proposed screening bund and the continuation of the best practice dust management measures already in place at the quarry, these are:
- dust suppression by means of wetting of haul roads by use of tractor hauled water bowser;
 - all vehicles used for the movement of materials to have exhausts pointing away from the ground;
 - the fitting of all relevant heavy plant with radiator deflector plates;
 - the use of a wheelwash by all lorries exiting the site;
 - all road lorries to have their loads securely sheeted;
 - all vehicles would adhere to the quarry's speed limit;
 - all soil storage bunds to be seeded to grass at the first available opportunity; and
 - in the event of adverse weather conditions, all activities that could give rise to fugitive dust emissions to be suspended until climatic conditions improve and/or dust emissions measures are implemented.
68. In terms of significance, it is reported that any emissions from the site would result in impacts that are minor, infrequent and of short duration. The deposited material would be composed of sand and gravel particles and would not pose a threat to human health. Deposits of this kind can be washed off the surface so any impacts would be reversible. It is therefore reported that the impact of the proposal from dust would be minor.

Site and Surroundings

69. The Baston No 2 Quarry forms part of a large area of existing and former sand and gravel workings (subsequently referred to in this report as "the Baston/Langtoft Mineral Working Area") extending over an area of about 5km² and located 2km to the north of Market Deeping (at its closest point) and close to the eastern curtilages of the settlements of Baston and Langtoft. The Baston/Langtoft Mineral Working Area lies within a wider area of fenland characterised by a landscape of large, flat arable fields bounded by drainage ditches. There are three Sites of Special Scientific Interest within this wider area, but none are in close proximity to the Baston No 2 Quarry. These are:
- the Cross Drain, 1.3km to the east of the Baston No 2 Quarry Plant Site;

- Baston and Thurlby Fen, 3.0km to the north of the Plant Site - which is comprised of part of the River Glen, the adjacent Counter Drain and the intervening land (the Counter Drain also being an internationally designated Special Area of Conservation (SAC)); and
- the Langtoft Gravel Pits, 3.5km to the south west – which forms part of a separate area of active/former sand and gravel workings concentrated around Tallington/West Deeping.

70. The Baston/Langtoft Mineral Working Area contains three quarries:

- the Manor Pit in the north west (owned by a separate operator, Cemex UK Materials Ltd);
- the Baston No 1 Quarry in the north east; and
- the Baston No 2 Quarry in the south.

The area has been worked for sand and gravel since the 1940s and large parts of it have been restored, or are in the process of being restored, to a mixture of low level agricultural land, amenity lakes and wetland (for nature conservation). It is crossed by:

- Baston Outgang Road that runs from Baston easterly through the northern part of the area;
- Langtoft Outgang Road that runs from Langtoft easterly through the southern part of the site; and
- Cross Road that runs north south through the middle of the area and connects the above roads to the A1175 (formerly the A16) to the South.

71. The Baston No 2 Quarry plant site is located to the south of Langtoft Outgang Road and is accessed from the eastern end of that road, close to the junction with Cross Road. This access also forms part of a "crossing point" allowing dump trucks to access a haul road on the opposite side of Langtoft Outgang Road that passes through an area of former workings before reaching a further crossing point on Cross Road that leads to the Baston No 1 Quarry coating plant.

72. The site (i.e. the proposed quarry extension) lies adjacent to the southern boundary of the Baston No 2 Quarry, at the edge of the Baston/Langtoft Mineral Working Area and 450m to the east of Langtoft. It extends over an area of 39.8ha and is primarily comprised of arable fields bounded by drainage ditches. A more substantial drain, the "Gravel Drain", bisects the site, dividing it into two roughly equal halves.

73. Within the eastern half of the site, the northern boundary is marked by a mature hedge, beyond which lies the Baston No 2 Quarry plant site. This differs in the western half of the site where the northern boundary extends beyond the existing field hedge (that would be removed) and a small copse adjacent to the Gravel Drain (that would be retained) to include a margin of land within the existing quarry. This has been included to facilitate the proposed low level restoration, which would allow the integration of this restoration with that being carried out to the north. That area is being

restored partially to agriculture and, further to the west, a "Pocket Park" (i.e a local public amenity park that will be offered to the Langtoft Parish Council on completion).

74. For the remaining boundaries, the site is bounded:

- to the east, by Cross Road beyond which lies a mixture of arable land and wetland;
- to the west, by a track ("Meadow Lane") and beyond this arable land; and
- to the south, mainly by arable fields (that extend up to Meadow Road) but with a small copse adjacent to the Gravel Drain.

75. Other than the vegetation referred to above, there are very few trees/shrubs within the site and the boundaries (except the northern one) are generally open. As a result the site is clearly visible from parts of Cross Road and from Meadow Lane/Meadow Road - and from more distant views. The closest residential property is Glebe Farm over 120m to the south on Meadow Road. This property is, however screened from the site by the farm buildings, a mature coniferous hedge around its boundaries and, in part, by the intervening copse next to the Gravel Drain (referred to above). Other residential properties are located on New Road and on the outskirts of Langtoft more than 390m to the west, and on Langtoft Outgang Road, more than 460m to the north. Some of the properties on Langtoft Outgang Road are however closer to the plant site that would be utilised, the closest being about 350m from the stocking area.

Main Planning Considerations

National Guidance

76. National Planning Policy Framework (NPPF) (March 2012) sets out the Government's planning policies for England and, at its heart, gives a presumption in favour of sustainable development. For decision-taking this means:
- approving development proposals that accord with the development plan without delay; and
 - where the development plan is absent, silent or relevant policies are out-of-date, granting permission unless:
 - any adverse impacts of doing so would significantly and demonstrably outweigh the benefits, when assessed against the policies in the NPPF taken as a whole; or
 - specific policies in the NPPF indicate development should be restricted.

The main policies and principles set out in the NPPF which are of relevance to this proposal are as follows (summarised):

- Paragraph 32 (Transport) – states that all development that generates significant amounts of movement 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 75 (Public Rights of Way) – states that planning policies should protect and enhance public rights of way and access. Local authorities should seek opportunities to provide better facilities for users, for example by adding links to existing rights of way networks including National Trails.
- Paragraph 103 (Flood Risk) – states that when determining applications, local planning authorities should ensure flood risk is not increased elsewhere.
- Paragraph 109 (Natural Environment) – states that the planning system should contribute to and enhance the natural and local environment by:
 - protecting and enhancing valued landscapes, geological conservation interests and soils;
 - recognising the wider benefits of the ecosystem;
 - minimising impacts on biodiversity and providing net gains in biodiversity where possible, contributing to the Government's commitment to halt the overall decline in biodiversity, including by establishing coherent ecological networks that are more resilient to current and future pressures;
 - preventing both new and existing development from contributing to or being put at unacceptable risk from, or being adversely affected by unacceptable levels of soil, air, water or noise pollution or land instability; and
 - remediating and mitigating despoiled, degraded, derelict, contaminated and unstable land, where appropriate.
- Paragraph 112 (Agricultural Land) states that local planning authorities should take into account the economic and other benefits of the best and most versatile agricultural land. Where significant development of agricultural land is demonstrated to be necessary, local planning authorities should seek to use areas of poorer quality land in preference to that of a higher quality.
- Paragraph 118 (Biodiversity) - states, amongst other things, that when determining applications, local planning authorities should aim to conserve and enhance biodiversity by applying a number of principles. In particular, opportunities to incorporate biodiversity in and around developments should be encouraged.
- Paragraph 120 (Pollution and Land Instability) – states that to prevent unacceptable risks from pollution and land instability, decisions should ensure that new development is appropriate for its location. The effects

(including cumulative effects) of pollution on health, the natural environment or general amenity, and the potential sensitivity of the area of proposed development to adverse effects from pollution, should be taken into account. Where a site is affected by contamination or land stability issues, responsibility for securing safe development rests with the developer and/or landowner.

- Paragraph 123 (Noise) – states that planning decisions should aim to avoid noise from giving rise to significant adverse impacts on health and quality of life as a result of new development. Decisions should also aim to mitigate and reduce to a minimum other adverse impacts on health and quality of life arising from noise from new development, including through the use of conditions.
- Paragraph 124 (Air Quality) – states that planning decisions should ensure that any new development in Air Quality Management Areas is consistent with the local air quality action plan.
- Paragraph 125 (Light Pollution) – states that, by encouraging good design, planning decisions should limit the impact of light pollution from artificial light on local amenity, intrinsically dark landscape and nature conservation.
- Paragraph 143 (Mineral Policy) – states that when preparing local plans, local planning authorities should put in place policies that, amongst other things, safeguard the long term potential of the best and most versatile agricultural land and conserve soil resources.
- Paragraph 144 (Mineral Applications) – states that when determining planning applications, local planning authorities should, amongst other things:
 - give great weight to the benefits of mineral extraction, including to the economy;
 - as far as is practical, provide for the maintenance of landbanks of non-energy minerals from outside specified designated areas;
 - ensure, in granting planning permission, that there are no unacceptable adverse impacts on the natural and historic environment, human health or aviation safety, and take into account the cumulative effect of multiple impacts from individual sites and/or from a number of sites in a locality;
 - ensure that any unavoidable noise, dust and particle emission and any blasting vibrations are controlled, mitigated or removed at source and establish appropriate noise limits for extraction in proximity to noise sensitive properties; and
 - provide for restoration and aftercare at the earliest opportunity to be carried out to high environmental standards, through the application of appropriate conditions, where necessary. Bonds or other financial guarantees to underpin planning conditions should only be sought in exceptional cases.

- Paragraph 145 (Aggregate) – states that mineral planning authorities should plan for a steady and adequate supply of aggregates by, amongst other things:
 - preparing an annual Local Aggregate Assessment, either individually or jointly by agreement with another or other mineral planning authorities, based on a rolling average of 10 years sales data and other relevant local information, and an assessment of all supply options (including marine dredged, secondary and recycled sources);
 - making provision for the land-won and other elements of their Local Aggregate Assessment in their mineral plans taking account of the advice of the Aggregates Working Parties and the National Aggregate Co-ordinating Group as appropriate;
 - taking account of published National and Sub National Guidelines on future provision;
 - making provision for the maintenance of landbanks of at least 7 years for sand and gravel, whilst ensuring that the capacity of operations to supply a wide range of materials is not compromised. Longer periods may be appropriate to take account of the need to supply a range of types of aggregates, locations of permitted reserves relative to markets, and productive capacity of permitted sites; and
 - ensuring that large landbanks bound up in very few sites do not stifle competition.

The NPPF is accompanied by Technical Guidance that includes a section on minerals policy. This section provides guidance on a number of issues including dust and noise. In terms of the health effects of dust, it states that additional measures to control PM10 (particles no greater than 10 microns in diameter) might be necessary if, within a site, the actual source of emissions (e.g. the haul road, crushers, stockpiles etc) is within 1000m of any residential property or other sensitive use, depending upon local circumstances. Where sensitive sites lie within this threshold, the guidance indicates that, provided the PM10 does not exceed the Air Quality Objective (AQO) for the area, good practice dust mitigation measures should be sufficient. If the AQO is exceeded [but not to the extent that would justify refusal] monitoring and further control of PM10 may be required.

On noise, the NPPF Technical Guidance advises that, subject to a maximum of 55dB(A)LAeq,1h (freefield), mineral planning authorities should aim to establish noise limits at noise sensitive properties that do not exceed the background level by more than 10dB(A). It is recognised, however, that in many circumstances it will be difficult not to exceed the background level by more than 10dB(A) without imposing unreasonable burdens on the operator. In such cases, the limit set should be as near that level as practicable during normal working hours (07:00 - 19:00) and should not exceed 55dB(A). The NPPF then goes on to advise that certain short term activities (such as soil stripping, baffle mound construction/removal) may be particularly noisy but may bring longer term environmental benefits. For these activities, increased temporary daytime noise limits of up to 70dB(A)

L_{Aeq} 1h freefield for periods of up to 8 weeks in a year at specified noise-sensitive properties should be considered.

Paragraph 186 requires local authorities to approach decision taking in a positive way to foster the delivery of sustainable development. Whilst paragraph 187 requires planning authorities to look for solutions rather than problems and decision takers at every level should seek to approve applications for sustainable development where possible.

Guidance on the Managed Aggregate Supply System (2010) provides further Government advice on aggregates. Amongst other things, this states:

- The Managed Aggregate Supply System (MASS) has been used for over 35 years to address the geographical imbalances in the supply and demand of aggregate. The underpinning concept behind MASS is that Mineral Planning Authorities which have adequate resources of aggregates make an appropriate contribution to national as well as local supply, while making due allowance for the need to reduce environmental damage to an acceptable level.
- Aggregate landbanks are principally a monitoring tool to provide Minerals Planning Authorities with early warning of possible disruption to the provision of an adequate and steady supply of land-won aggregates in their particular area. They should be used principally as a trigger for a Mineral Planning Authority to review the current provision of aggregates in its area.
- The landbank is the sum in tonnes of all permitted reserves for which valid planning permissions exist (with a number of specified exemptions). The length of the landbank should be calculated using the expected provision (supply in response to demand) included in the local minerals plan, expressed on an annual basis.
- Mineral Planning Authorities should seek to maintain a landbank of at least 7 years for land won sand and gravel, based on the past 10 years average sales. Longer landbank periods are often appropriate to address specific operational issues.
- Landbanks are also capable of being used as a development management tool and as an indicator required to assess when new permissions should be considered within each Mineral Planning Authority Area. However, should Mineral Planning Authorities wish to use landbanks in this way, then each application for mineral extraction must be considered on its own merits, regardless of the length of the landbank. Mineral Planning Authorities should not be automatically granting planning permission because the landbank level is under 7 years. Equally an adequate or excess landbank is not a reason for withholding planning permission unless there are other planning objections which are not outweighed by planning benefits. There may be

valid planning reasons why an application of minerals development is brought forward in an area here there exists an adequate landbank, including:

- significant future increases in demand that can be forecast with reasonable certainty;
- the location of the consented reserve is inappropriately located relative to the main market areas;
- the nature, type and qualities of the aggregate such as its suitability for a particular use within a distinct and separate market; and
- known constraints that might limit output over the plan period.

The latest National and Regional Guidelines for Aggregate Provision in England were published by the Government in June 2009 for the period 2005 to 2020. These set out guidelines for land won aggregates (with assumptions for supplies of marine, alternative aggregates and those supplies from outside England) and required the East Midlands region to provide 174 mt of sand and gravel during the 16 year period. From this, a revised sub regional apportionment (SRA) for the East Midlands was agreed by the East Midlands Aggregates Working Party (EMAWP) on 8 January 2010. This required Lincolnshire to provide 52.48 mt of sand and gravel during the forecast period which amounts to 3.28 mt per annum.

At its meeting on 5 March 2010, the former East Midlands Regional Assembly's Housing, Planning & Transport Joint Board agreed that the revised SRA figures be included in the draft replacement Regional Plan Policies for submission to the Secretary of State. Although this was done, the matter was not progressed due to the subsequent revocation of the Regional Spatial Strategies.

Local Plan Context

77. The documents of the Statutory Development Plan that are of relevance to this proposal are the Lincolnshire Minerals Local Plan (1991) and the South Kesteven Core Strategy (2010). As these were adopted prior to the NPPF, due weight should be given to the relevant policies according to their degree of consistency with the NPPF (i.e. the closer the policies in the plan to the policies in the NPPF, the greater the weight that may be given).

The following policies of the Lincolnshire Minerals Local Plan (1991) are considered to be generally consistent with the NPPF and of relevance to the proposal:

Policy M3 (Aggregate Minerals – Extensions to Existing Workings) gives a general presumption in favour of extensions to existing workings with any new quarry normally only permitted where this replaces an existing quarry which has become worked out.

The supporting paragraphs to the policy states that there are strong environmental reasons in maintaining aggregate mineral production in the

County by permitting extensions to existing workings, particularly in those parts of the County where there are concentrations of workings. The reasons given for this are:

- it avoids a proliferation of sites and ensure that future extraction is confined to areas where disturbance to the environment has already taken place;
- by relating the working of the reserves to existing plant and equipment, it permits the County Council to exercise greater control over the release of substantial reserves – a new quarry will invariably require the release of substantial reserves to guarantee continuity of production necessary to justify expenditure in new plant and equipment; and
- extensions to existing workings can provide the opportunity for higher overall standards of restoration.

The explanatory paragraphs relating to this policy state that the County Council expects the shortfall in the landbank of sand and gravel for the most part to be met within the three main sand and gravel resource areas. For this purpose, the County Council has identified within these areas, "Areas of Search" where the Industry should direct its attention when seeking new reserves. The site is located within the South Lincolnshire Area of Search.

Policy M8 (Surface Mineral Working in Areas of Archaeological, Historic, Scientific or Natural History Interest) states that the County Council will not permit surface mineral working where this would have an adverse effect on areas which are of archaeological, historic, scientific or natural history interest. Generally in considering proposals for mineral working the County Council will have regard to the impact on nature conservation and wildlife.

Policy M9 (Planning Applications for Surface Mineral Working) states that an application for surface mineral working should be accompanied by a full supporting statement and sets out the criteria that would normally need to be covered.

Policy M10 (Surface Mineral Working and Working Requirements) states that the County Council will permit applications for surface mineral working only where it is satisfied that the operations can be carried out in such a manner as will minimise disturbance during working and that satisfactory restoration to an appropriate after-use can be achieved. The County Council will normally impose conditions requiring measure to be taken to minimise the effects of the development and to provide for the after-treatment of the mineral site. In particular conditions may provide for:

- restrictions on the hours and days of working which may exclude weekend, public holidays and night time;

- a sequence of mineral extraction and of restoration to minimise the impact on the environment and the amount of land out of agricultural production at any time;
- the separate stripping and storage of all topsoil and subsoil/overburden material for retention for use in the restoration of the worked out site. Stripping operations may be restricted to certain times of the year and weather conditions;
- the landscaping, tree planting or other treatment of the site both to lessen the impact of the development during working, and for the long term improvement of the local landscape having regard to the proposed after-use;
- the position on site, screening and colour cladding of buildings, structures, plant and machinery to minimise their impact on the locality;
- the measures to be taken to minimise dust and noise emissions including housing of plant and machinery, the lining of hoppers and other plant, the use of silencers for mobile plant and machinery, the provision of surfaced on-site haul roads and wheel cleaning facilities, and the sheeting of laden vehicles;
- the provision of safety fencing during the period of mineral extraction and subsequent restoration of the site;
- the removal of buildings, fixed machinery and plant upon completion of quarrying operations and prior to final restoration of the site; and
- acceptable standards of archaeological recording of threatened sites and timetable of access for archaeological work.

Policy M12 (Surface Mineral Working and Requirement for Adequate Local Highway Network to Accommodate the Traffic Generated) states that the County Council will only grant applications for surface mineral working where they are satisfied that the local highway network is adequate to accommodate the traffic that the proposed development is likely to generate.

Policy M13 (Surface Mineral Working and Landscaping and Tree planting Requirements) states that, where planning permission is granted for surface mineral working subject to the carrying out of a landscaping and tree planting scheme, the County Council will impose a maintenance obligation requiring the proper care of the scheme normally for a period of ten years following the initial completion of the scheme.

Policy M14 (Surface Mineral Working and Land Restoration Scheme Requirements) states that the County Council will require proposals for surface mineral working to be accompanied by a detailed scheme of restoration of the worked out site to agriculture, forestry, or recreation/amenity use. The County Council will normally require restoration

to agriculture only where grade 1 and grade 2 agricultural land is concerned **[NB This aspect of the policy could be considered to be inconsistent with the NPPF because grade 3a is also recognised in the NPPF as being "best and most versatile land"]**. Where a recreation/amenity use is proposed it is expected that the scheme will reflect the particular suitability or sensitivity of the worked out site to formal or informal recreation, or nature conservation.

Policy M15 (Surface Mineral Working and Aftercare Conditions) states that, where appropriate, the County Council when granting planning permission for surface mineral working subject to restoration conditions will also impose after-care conditions.

The following policies of the South Kesteven Core Strategy (2010) are considered to be of particular relevance:

Policy EN1 (Protection and Enhancement of the Character of the District) states that development must be appropriate to the character and significant natural, historic, cultural attributes and features of the landscape within which it is situated, and contribute to its conservation, enhancement or restoration. In this case the site lies within the Fens. The policy goes on to state that all development proposals will be assessed in relation to:

1. statutory, national and local designations of landscape features, including natural and historic assets
2. local distinctiveness and sense of place
3. historic character, patterns and attributes of the landscape
4. the layout and scale of buildings and designed spaces
5. the quality and character of the built fabric and their settings
6. the condition of the landscape
7. biodiversity and ecological networks within the landscape
8. public access to and community value of the landscape
9. remoteness and tranquillity
10. visual intrusion
11. noise and light pollution
12. Conservation Area Appraisals and Village Design Statements, where these have been adopted by the Council
13. impact on controlled waters
14. protection of existing open space (including allotments and public open space, and open spaces important to the character, setting and separation of built-up areas).

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

Emerging Policies

78. The County Council is currently reviewing its minerals and waste policies through the preparation of a Lincolnshire Minerals and Waste Local Plan. This will, in due course, replace both the Lincolnshire Minerals Local Plan (1991) and the Lincolnshire Waste Local Plan (2006) and will consist of two documents. The first of these documents, the draft "Core Strategy and Development Management Policies", is currently subject to a non-statutory consultation period (1 November 2013 to 13 December 2013). The second document that will deal with specific "Site Locations" will follow later. The following policies of the draft Core Strategy and Development Management Policies, are relevant, but given that they could be subject to significant change following the consultation period, should only be given very limited weight (NB only the relevant parts of the policies have been cited, and summarised where appropriate):

Draft Policy M2 (Supply of Sand and Gravel Aggregate) states:

The County Council will ensure a steady and adequate supply of sand and gravel for aggregate purposes by:

- Making provision over the plan period (2011 to 2031) for the extraction of 68.88 million tonnes of sand and gravel;
- Maintaining a landbank of at least 7 years based on the past 10 years average sales;
- Giving priority to the extension of existing sites, provided that the extension does not cause unacceptable impacts on local communities and the environment; and
- Making provision for the release of sand and gravel reserves in the Site Locations Document.

Draft Policy M3 (Supply of Sand and Gravel Aggregate from Production Areas) divides the provision made in Draft Policy M2 between three Production Areas. For the South Lincolnshire Production Area, where the site is located, the level of provision is 21 million tonnes. The policy goes on to state that the County Council will seek to maintain a landbank of at least 7 years within each of the Production Areas based on their past 10 years average sales.

Draft Policy M4 (Spatial Strategy for Sand and Gravel Extraction) identifies three "Areas of Search" (i.e. one in each production area) and states that planning permission for sand and gravel extraction for aggregate purposes will be granted within these areas provided that the proposal does not cause unacceptable impacts on local communities or the environment.

Draft Policy DM1 (Presumption in favour of Sustainable Development) – in brief commits the County Council to take a positive approach that reflects the presumption in favour of sustainable development contained in the National Planning Policy Framework. Planning applications that accord with

the policies in the Local Plan should be approved without delay, unless material considerations indicate otherwise.

Draft Policy DM2 (Climate Change) – in brief requires proposals for minerals and waste management developments to:

- Choose locations which reduce distances travelled by HGVs in the supply of minerals unless other environmental/sustainability/geological considerations override this aim;
- Implement energy reduction processes and ways of working which reduce the overall carbon footprint of a mineral site;
- Include new/enhanced biodiversity levels/habitats as part of restoration proposals to provide carbon sinks;
- Make the most efficient use of primary minerals.

Draft Policy DM3 (Quality of Life) - states that proposals for minerals development and waste development will not be permitted where they are likely to generate unacceptable adverse affects arising from noise, dust, vibration, odour emissions, illumination, visual intrusion or traffic to occupants of nearby dwellings and other sensitive receptors.

Draft Policy DM4 (Historic Environment) – states that proposals for minerals and waste development that would adversely affect a designated heritage asset of the highest significance will not be permitted. Proposals that:

- fail to preserve or enhance the character or appearance of Conservation Areas;
- are detrimental to the character or setting of a listed building; or
- damage, obscure or remove any other heritage assets

will not be permitted unless it is demonstrated that the need for and benefits of the development outweigh these interests.

Draft Policy DM6 (Impact on Landscape and Townscape) - states that proposals for minerals and waste development will only be permitted where due regard has been given to the likely impact of the proposed development on the distinctive character of the landscape and townscape of Lincolnshire. If considered necessary by the County Council, additional design, landscaping, planting and screening (including planting in advance of the commencement of the development and a minimum 10 year maintenance period will be required.

Draft Policy DM7 (International Sites of Biodiversity Conservation Value) – states that proposals for minerals and waste development that are likely to have sufficient information for an appropriate assessment of the implications of the proposal, alone or in combination with other plans and projects, for any Special Area of Conservation (SAC), Special Protection Area (SPA) or Ramsar site. The conclusions of the assessment must show that a proposal can be delivered without adverse effects on the integrity of any SAC, SPA or Ramsar site.

Draft Policy DM8 (National Sites of Biodiversity Conservation Value) – states that Sites of Special Scientific Interest (SSSI), National Nature Reserves and Ancient Woodland will be safeguarded from inappropriate minerals development. Proposals for minerals and waste development within or outside these areas will only be permitted where it can be demonstrated that:

- The development would not conflict with the conservation, management and enhancement of the site unless the harmful aspects can be satisfactorily mitigated; or
- The benefits of the development clearly outweighs the impacts that the proposal would have on the key features of the site; and
- In the case of a SSSI, there would be no broader impact on the national network of SSSIs.

Draft Policy DM9 (Local Sites of Biodiversity Conservation Value) – states that proposals for minerals and waste development that are likely to impact adversely upon locally designated sites and priority habitats or species identified in the Lincolnshire Biodiversity Action Plan, and which cannot reasonably be located on any alternative site to avoid harm, will only be permitted if the merits of the development outweigh the likely impact.

Draft Policy DM11 (Soils) – states that proposals for minerals and waste development should protect and, wherever possible, enhance soils. Proposals that would result in the significant loss of the best and most versatile agricultural land will only be permitted where it can be demonstrated that:

- There is an overriding need for the development;
- There is no suitable alternative site of lower agricultural quality that provides the same benefits in terms of sustainability;
- The land could be restored to its previous agricultural quality or better;
- Other beneficial after uses can be secured which outweigh the loss of the agricultural land; or
- The development is consistent with other sustainability considerations.

Draft Policy DM12 (Encouraging Sustainable Transport Movements) – states that proposals for minerals and waste development should seek to minimise road based transport and seek to maximise where possible the use of the most sustainable transport option.

Draft Policy DM13 (Transportation by Road) - states that proposals for minerals and waste development involving transportation by road will only be permitted where:

- the highway network is of, or will be made up to, an appropriate standard for use by the traffic generated by the development; and

- arrangements for site access and the traffic generated by the development would not have an unacceptable impact on highway safety, free flow of traffic, residential amenity or the environment.

Draft Policy DM14 (Flooding and Flood Risk) – states that proposals for minerals and waste developments will need to demonstrate that they are located upon land with the lowest probability of flooding, considering both the Environment Agency Flood Zone Map and the Strategic Flood Risk Assessment maps where available. Proposals will also need to demonstrate that sites can be developed without increasing the risk of flooding both to the sites and to third parties, taking into account all potential sources of flooding and increased risks from climate change induced flooding. 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.

Draft Policy DM15 (Water Resources) – states that proposals for minerals and waste developments will only be permitted if they are unlikely to have an unacceptable impact on surface or ground waters and due regard is given to water conservation and efficiency.

Draft Policy DM16 (Cumulative Impacts) – states that proposals for minerals and waste development will not be permitted where the cumulative impact would result in 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 effect of a number of developments occurring either concurrently or successively.

Draft Policy R1 (Restoration and Aftercare) – states that the County Council will seek to ensure that the restoration of mineral workings and landfill operations is of a high quality, and that it is carried out at the earliest opportunity. Proposals for mineral extraction or landfill should be accompanied by detailed proposals for restoration, including an appropriate after-use of the site. All proposals should demonstrate that:

- restoration will be undertaken using best practice to secure a high standard of restoration and aftercare
- restoration will be completed within a reasonable timescale and is progressive
- the restoration is appropriate for the landscape and wildlife interest of the area and measures to create, protect, restore and enhance biodiversity conservation features are practical, of high quality appropriate to the area and secure their long term safeguarding and maintenance
- there is an aftercare management programme of at least 5 years or longer where required to ensure that the restoration of the site is established successfully

Draft Policy R2 (After-Use) – states that the proposed after-use should be designed in a way that conserves and where possible enhances the

landscape character and historic environment of the area in which the site is located. After-uses that enhance or add to biodiversity and geological conservation interests, conserve soil resources, and decrease the risk of adverse climate change effects will be encouraged. These could include: agriculture, nature conservation, leisure and recreation, and woodland. Restoration proposals should be designed to ensure that they do not give rise to new or increased hazards to aviation.

Draft Policy R3 (Restoration of Sand and Gravel Operations within Areas of Search) – states amongst other things that restoration proposals for sand and gravel operations within the proposed South Lincolnshire Area of Search (other than those involving the restoration of best and most versatile land agricultural land) should be designed to prioritise the creation of wet fenland habitat or enhancement of existing wetland habitats.

Results of Consultation and Publicity

79. The application has been subject to two periods of consultation: the initial consultation taking place on 19 January 2011 and a subsequent consultation (following the submission of the Further Information) on 11-12 January 2012.
- (a) Local County Council Member, Councillor P Robinson – considers that the proposal strengthens the case for a HGV ban on East End, Langtoft. At present HGVs from the existing works are supposed to be routed along Cross Road, so as to avoid Langtoft village centre en route to the A15, but quite a few drivers choose to ignore this (unless there is a traffic survey in progress).
 - (b) County Council Member, Councillor M Trollope Bellew (Member for the adjacent Division of Stamford Rural) – who is a member of the Planning and Regulation Committee, reserves his comments for the meeting.
 - (c) Langtoft Parish Council - has raised the following points:
 - HGV routeing – it is a major concern to the residents in Langtoft that HGVs from the existing operations of this site regularly use inappropriate roads through the village when there are more direct routes to the main roads. Recent planning permissions at the Baston No 1 Quarry have been subject to s106 Planning Obligations to route HGVs away from the settlement. Although the applicant has informally agreed to extend the routeing restrictions on the Baston No 2 Quarry, this does not prevent HGVs that are not directly under the control of the applicant leaving Baston No 2 in a westerly direction and passing through the heart of the settlement. The HGVs then have to access the A15 at the crossroads where visibility is not good, with congestion being worsened at peak times. The alternative route via Cross Road (as in the routeing agreement) should not take any longer and is probably quicker for most

journeys. The Parish Council welcome the proposal for a formal routeing requirement on the Baston No 2 Quarry but would wish to see it apply to all HGVs leaving this quarry. To this end there should be a requirement on Hanson to find a way of having effective control over the routes used by all HGVs. The Parish Council has already applied, without success so far, for HGV weight restrictions to be implemented on the east-west routes through the village. Such restrictions would assist Hanson in meeting a routing restriction and significantly improve the environment within the village.

- Water Table - the Parish Council still have an issue over the effect of the lowering water table on an ancient pond in East End Park. It is not clear why the water level has dropped significantly over the years but areas of the Baston site are at low level and water is pumped from them to allow farming and site workings. They understand that Hanson already have measures to isolate the site from the surrounding water table, but would welcome further re-assurances on this matter.
- Return of Land for Public Enjoyment - there at least three areas of the site that are due to be made accessible to the general public in the near future, particularly the area known as the Pocket Park and an area to the north near Baston village. They appreciate that this may also involve some commitments by Lincolnshire County Council, but would like to see the early release of what could be significant enhancements to the local amenities, e.g. nature study areas for the local primary school.
- Noise - this is not currently a material issue as the Parish Council understands that it is regularly monitored by Hanson. They would, however, like to ensure that this monitoring is a strong condition of the submission and that there is commitment to action should the noise levels change adversely.

(d) Baston Parish Council – does not propose to enter any representation other than to:

- express concern that the site allocation map is out of date by approximately 6 years; and
- state that they would expect a condition be attached that no vehicles whether belonging to the applicant or sub-contractors should be allowed to access the site via Main Street, Baston.

(e) Environmental Protection Officer (South Kesteven District Council) – has looked at the application with particular reference to the noise assessment, and has no objection.

(f) Environment Agency – initially objected to the application on the ground that the flood risk information did not comply with Government

guidance. That objection was however withdrawn following the submission of the Further Information (which included a Flood Risk Assessment).

In addition, the Environment Agency has provided informative comments for the applicant with respect to surface water drainage, waste and pollution prevention.

- (g) Welland Internal Drainage Board – advise that the Board's Gravel Drain bisects the site and carries water into the Counter Drain (at Baston Fen). The Counter Drain at Baston Fen is a designated Special Area of Conservation (SAC) and as such care should be taken that any discharges from the proposed works do not impact on it. The Board has also advised that both this drain and its Baston/Langtoft No 16 drain that runs along the western boundary of the site are subject the Board's Byelaws. These prevent any works being carried out within 9 metres of either drain without the Boards approval. Informative notes are provided for the applicant on this matter.

In response to the Further Information, the Board has advised that it accepts the findings of the Flood Risk Assessment.

- (h) Highways (Lincolnshire County Council) – the application has been subject to detailed discussions with the Principal Highways Officer and Area Highways Manager. The main points arising from these discussions are:
- Cross Road – concerns have been raised over the condition of Cross Road and the impact that additional quarry traffic would have on this road. The metalled carriageway width varies between 5.8m and 6.4m over its length with clear signs of overrun at the edges. The County Council has undertaken a survey of this road that shows that it has a negative cross-fall or camber along some of its length which may be indicative of the impact of wheel tracking by HGVs. To ensure that the road is capable of carrying the additional HGVs that would be generated by this proposal, the applicant should make a contribution to fund the haunch/widening of the southern section of Cross Road (south of Langtoft Outgang Road) to a standard 6.3m with an overlay to designed levels in accordance with the County Council's Design Maintenance Manual. The level of the contribution has been calculated as £56,500 based on the proportion of the total number of HGV traffic movements on Cross Road that would be attributable to this proposal, and the quantity of material to be transported.
 - Access – have expressed concern that the wheel cleaning facilities and/or use of sweepers appears to be inadequate and that this is exacerbated by the longitudinal fall of the haul road towards the highway and lack of surface water run-off collection or maintenance.

A condition should be imposed to make up the access and road to lift the levels.

- HGV Routeing – a Section 106 Agreement should be entered into formalising the routeing arrangement as indicated in the Traffic and Highway Impact Assessment.
- (i) Historic Environment Manager (Lincolnshire County Council) – has advised that the Specification for Archaeological Works prepared by the applicant's archaeological consultant provides an acceptable generic specification for the works, but that a more specific specification will need to be submitted and agreed once an archaeological contractor has been commissioned. This can be secured through an appropriate condition.
- (j) Natural England – has no objection, but has made following comments:

Protected Species

- Badgers - there is potential for badgers to be adversely affected during the lifetime of the development. Natural England has therefore requested that a condition be imposed requiring the submission and agreement of a mitigation strategy. This should be implemented as part of the development and should include a provision for each phase to be re-surveyed before the commencement of any quarrying activity.
- Barn Owls – the proposal indicates that barn owl breeding boxes would be removed from the northern boundary of the site. As barn owls are extremely faithful to their breeding and roosting sites, there is potential for barn owls to be displaced from the site as a result of quarrying activities. Natural England is supportive of the applicant's proposal to negotiate a barn owl mitigation plan. This should be secured through a planning condition, including a requirement for a suitable lead in time for the barn owl to inhabit and use the new barn owl mitigation.
- The boundary and scrub vegetation to be removed from the site would provide suitable habitat for farmland birds that have been recorded in the locality. Natural England therefore request that a condition be imposed prohibiting site clearance operations that involve the destruction and removal of vegetation on site during the months of March to August inclusive, except when approved by the local planning authority, to ensure that breeding birds are not adversely affected.
- Natural England has also provided a number of informative comments for the applicant relating to the law on protected species.

Baston and Thurlby Fen SSSI and Baston Fen SAC

- Initially Natural England did not make any comments with respect to the Baston and Thurlby Fen Site of Special Scientific Interest or Baston Fen (Cross Drain) Special Area of Conservation. However, in response to the subsequent issues raised by the Welland Internal Drainage Board and Lincolnshire Wildlife Trust, they have advised that at present they are satisfied that the Environment Agency's permitting (discharge) regime and the S106 Planning Obligation (relating to the existing mineral operations) would ensure that there would be no adverse impact on these sites.

Restoration to Biodiversity

- Natural England welcomes the reedbed and open water restoration that has been proposed. This is in keeping with the wider vision for the area of the Fens and they particularly welcome the links to Langtoft Village and the already restored Baston No 2 Quarry (including the Pocket Park area). If necessary this should be subject to a planning condition. This could include an overall Ecological Management Plan detailing: the timings of each phase; explicit details such as species planting and composition within each phase; and the identity and mechanism through which this restoration would be secured and managed in the long term. Natural England would be happy to offer comment on the restoration proposals throughout the life of the quarry and aftercare period.

Landscape

- Owing to the ongoing quarrying in the locality, planned restorations to biodiversity within these quarries, and the suitable scheme of landscape buffers and bunds, Natural England is satisfied that there would be no adverse impact on the landscape character and visual amenity.

Agriculture and Soils

- It is understood that the restoration proposals for the site include a small area of agricultural land but mostly woodland and reedbeds. Whilst it is stated that all soil resources would be used in the restoration, it is also stated that the loss of the Best and Most Versatile (BMV) soils are not considered to compromise the agricultural capability of the area and that the need for BMV restoration has diminished since the 1980s as the pressure for food production have decreased. However, the importance of food security has been raised in recent years and the widest number of options for the future use of the land should be maintained, wherever possible, when restoring mineral sites. Irrespective of the overall loss of the BMV land and the assertion that all soil would be

used in the restoration for habitat creation, there is concern that there will be surplus resources, which they would not wish to see deployed as over deepened topsoils in the agricultural areas, or buried as a way of achieving nutrient depletion.

- Natural England has also provided informative notes on the handling and storage of soil.

- (k) Lincolnshire Wildlife Trust – consider that most of the relevant ecological issues appear to have been taken into account and welcome the recommendations made by the consultants to mitigate against adverse effects on habitats and species. However the Trust point out that Gravel Drain that crosses the site is an important environmental asset feeding into the Counter Drain Site of Special Scientific Interest (SSSI) and Special Area of Conservation (SAC), supporting spined loach and other important plants and invertebrates. The Trust support the 10 metre stand-off proposed to Gravel Drain to reduce the chance of pollutants entering the drain and adverse impacts on the habitats and species of the drain. However, potential impacts on the SSSI and SAC from the development do not appear to have been specifically assessed in the Environmental Statement. As recommended by the Welland and Deepings Internal Drainage Board in their response to the application, care should be taken that any discharges from the proposed works do not impact on the Counter Drain SSSI and SAC. As the statutory conservation agency, Natural England must be satisfied that the development would not adversely affect the features of interest of the SSSI and SAC.

The Trust advise that the site lies within the South Lincolnshire Fenlands project area. This partnership project is seeking ways to redress the dramatic loss of Lincolnshire's historical wet-fenlands and their associated plants, animals and human heritage by restoring fenland and wetland habitats. They therefore support the restoration proposals to complex reedbeds and shallow water habitats, and welcome the opportunities to work toward the wetland and fenland habitat and species targets detailed within the Lincolnshire Biodiversity Action Plan.

- (l) South Lincolnshire Fenlands – has made the following comments:

1. The application lies within the South Lincolnshire Fenland project area. The partnership project is seeking ways to re-address the dramatic loss of Lincolnshire's historical wet-fenlands and their associated plants, animals and human heritage by restoring fenland and wetland habitats.
2. They welcome the restoration and after-use proposals which seek to maximise biodiversity opportunities for National and Local Biodiversity Action Plan Habitats and Species – through restoration

to a complex interface of terrestrial margins, reedbed and shallow open water habitats.

3. A water management plan, with regard to the long-term management of water levels would be welcomed. It is unclear as to how surplus surface water run-off feeds into Gravel Drain and at what level Gravel Drain is maintained.
 4. Consideration should be made to the potential carbon dioxide sequestration gains made through the creation and management of wetland habitats.
 5. The Baston and Langtoft Minerals working areas do not have a relevant up to date landscape Mineral Strategy or Plan in which to define or determine the weight or value of each subsequent and individual mineral planning application. The failure or lack of previous plans and policies has been to develop mineral working areas without a strategic assessment of mineral utilisation or post work restoration plans, which has resulted in poor environmental, economic, social and community gains from such works in this area. A new, relevant and sustainable plan for the area should be a priority for the Mineral Planning Authority.
- (m) Tree Officer (Lincolnshire County Council) – has no objection to the proposals on the grounds of impacts on trees or landscape.
- (n) EON - consulted separately on 9 February 2011 but has not responded.
- (o) Health and Safety Executive – consulted separately on 10 May 2013 but has not responded.

The following bodies/organisations were consulted but have not responded:

Lincolnshire Biodiversity Partnership
Anglian Water Services
Countryside Officer (Lincolnshire County Council).

80. The application has been subject to two periods of publicity. Initially it was publicised by way of two notices posted near the site, a notice in the local press (Peterborough Evening Telegraph on 2 February 2011) and by the notification of 44 nearby neighbours. A second period of publicity was then carried out following the receipt of the Further Information comprising: a site notice; a notice in the local press (Bourne Local on 20 January 2012), and the re-notification of all residents that had responded to the initial notification. Three representations have been received from local residents raising the following issues:

- Traffic – no increase in the number of HGVs on Langtoft Outgang Road (west of the quarry access) should be allowed. The traffic is a danger to children, cyclists and animals, and vibrations could damage buildings.
- Roads – the road is very badly potholed at present from all the big lorries. The development would result in more wear and tear, mud in the winter and dust in the summer.
- Pollution – concerns raised over the potential noise and dust levels from the extraction, and noise/vibration levels from the associated traffic.
- Visibility – the land in question is totally flat and devoid of hedges or trees.
- Agricultural Land – further loss of this valuable asset to the country in light of world food shortages. Once the land has been ransacked it is destroyed for ever more.
- Water Table – question if the extraction of gravel over such a large area would have a major effect on the surrounding land i.e. house foundations, tree roots and natural drainage.
- Devaluation of Property – one elderly resident in particular points out that he/she is living in a relatively remote location and needs to move soon because his/her health is declining. Should planning permission be granted it could make it more difficult for him/her to sell the property.

In addition, representations have been received from the Baston Environment Group. Although they have stated that the application "meets with the BEG approval at this time" they have expressed concerns over the visual impact of mineral working on the area. In particular, they point out that the applicant's site location plan is out of date, inadequate and arguably false. The OS base plan may say 2010, but the date of it has to be 2006 or earlier. The BEG has provided aerial photographs updated to show the heavy level of extraction that has blighted the area since 2007. It would cost the applicant less than £100 to hire a small aircraft and produce an accurate visual map of the area. According to BEG:

.....in the quest for understandably commercial gain, Hanson is changing 'a surface visible and colourful landscape' into one of possibly 'scrubby, water edge trees', above and hiding a lower level of 'invisible' water landscapes. The inhabitants are losing their visibility of open and clear farmed productive landscapes.....

The BEG question whether the public would have access to enjoy the renovated biodiverse lakes and habitats, but doubt that this would be the case due to health and safety demands. The BEG add:

The point is strongly and ably made by Hanson in the four photos at the start of the 3 documents supplied – here we see 2 visual farmed landscapes,

highly credible and worthwhile visually and commercially; the next is a reed-bed (which in itself hides a mound of sand and gravel and is seen like this once a year as the reed bed matures each season, before exposing a bare landscape for 9 months; then we see a water-filled pit – a moonscape of what might be called derelict land, with scrubby trees and bushes – not an encouraging result!

District Council's Recommendations

81. The South Kesteven District Council have no objections subject to due consideration of relevant Mineral Policy Statements, highway impacts and environmental considerations.

Conclusions

82. This application seeks planning permission for an extension to the Baston No 2 Quarry that would allow the applicant to continue supplying sand and gravel to the local/regional market for a period of nine years and would result, on restoration, in the creation of an area primarily of wetland habitat.
83. In accordance with Section 38(6) of the Planning and Compulsory Purchase Act 2004, the application must be made in accordance with the Development Plan unless material considerations indicate otherwise. The relevant Development Plan documents for this application comprise:
- the Lincolnshire Minerals Local Plan, 1991 (LMLP); and
 - the South Kesteven Core Strategy, 2010 (SKCS).
84. In terms of the "other material considerations" referred to above, of primary importance is the National Planning Policy Framework (NPPF) (March 2012) that postdates the documents of the Development Plan. Notwithstanding this, it is considered that the policies cited from those documents in this report are generally consistent with the NPPF and should therefore be given substantial weight, except where indicated otherwise.
85. In addition, the Draft Lincolnshire Core Strategy and Development Management Policies of the Lincolnshire Minerals and Waste Local Plan (Draft LMWLP) is a material consideration, but at this stage should only be given very limited weight.
86. Having regard to the policies in the above documents, it is considered that four broad issues need to be considered in the determination of this application, these are:
1. whether the proposal complies with the Council's locational strategy;
 2. whether there is a need for the development in terms of maintaining a landbank of permitted reserves sufficient for at least 7 years' supply;
 3. whether the restoration proposals meet policy objectives; and
 4. whether the environmental impacts would be acceptable.

These four issues are considered in turn below.

Locational Strategy

87. Policy M3 of the LMLP gives a presumption in favour of extensions to existing quarries. In this case the proposal is for an extension, and therefore meets that criterion. It also lies within an "Area of Search", as identified in that plan, where the minerals industry is encouraged to direct its attention. As this spatial approach is echoed in the Draft LMWLP (Draft Policies M2 and M4), it is considered that, in this respect, it complies with both documents.

Landbank

88. The NPPF states that mineral planning authorities should plan for a steady and adequate supply of aggregates by making provision for the maintenance of a landbank of permitted reserves of at least 7 years for sand and gravel. Further Government advice set out in the "Guidance on the Managed Aggregate Supply System" indicates that whilst landbanks are capable of being used as a development management tool (i.e. as an indicator as to when new permissions should be considered), this should be done with caution. MPAs should not automatically grant planning permission if the landbank is less than 7 years, and equally an adequate or excess landbank is not a reason for withholding planning permission unless there are other planning objections that are not outweighed by the benefits.
89. The advice states that the landbank should be calculated using the expected provision included in an up-to-date mineral local plan. Unfortunately, the LMLP is not up-to-date, whilst at this stage the approach to calculating the landbank in the Draft LMWLP should be given very limited weight. As a precautionary approach, it is therefore considered that the landbank should be calculated using two methods:
- firstly, basing it on the average of the last 10 years sales data (an approach advocated in the Draft LMWLP) - which would reflect the recent sales trend; and
 - secondly basing it on the higher anticipated sales arising from the 2005-2020 apportionment (as modified for the South Lincolnshire Production Area by the Draft LMWLP) – which may be more appropriate if there is a sustained recovery in the market.
90. Using the latest published information from the East Midlands Aggregates Working Party that relates to the year 2011, and adjusting the data to take into account both additional reserves that have been granted and anticipated sales since the end of 2011, it is calculated that the landbank at the end of 2013 will be:

	<u>Based on Average Sales</u>	<u>Based on Apportionment</u>
Lincolnshire	8.2 years	6.6 years
South Lincolnshire	6.3 years	6.4 years

91. Based on the apportionment, the landbank is therefore below the recommended level of 7 years both in the County as a whole and in the South Lincolnshire Production Area. It is also below 7 years in the South Lincolnshire Production Area based on average sales. If approved the proposal would make up this shortfall, increasing the overall landbank for the County by 0.69 years (based on the apportionment) and by 2.2 years in the South Lincolnshire Production Zone (based on average sales and the apportionment).

Restoration Proposals

92. Policy M14 of the LMLP only requires restoration to agriculture where grade 1 and grade 2 agricultural land is concerned. In this case, as only grade 3a and 3b agricultural land is involved, the restoration of the site to nature conservation is not at odds with that policy. Although this policy could be considered to be inconsistent with the NPPF for not treating grade 3a land as the best and most versatile, it should be noted that the NPPF does not require the restoration of any high grade land (grades 1, 2 or 3a land) back to agriculture.
93. In contrast, the restoration of the site to nature conservation would contribute to biodiversity action targets and would be in keeping with the wider vision for the Fens. As such it is supported by Natural England, the Lincolnshire Wildlife Trust and the South Lincolnshire Fenland partnership. It is also considered to accord with Draft Policies DM11 and R3 of the Draft LMWLP. The only concern is that the applicant is proposing to allow the restored site to "naturally regenerate". Whilst this may have an advantage from a nature conservation viewpoint, it needs to be balanced against the need to assimilate the restored site into the landscape with the minimum of delay. On this basis it is considered that, should planning permission be granted, a condition be imposed to require the landscaping (planting) of the site on a phased basis.
94. The applicant has stated that the site would be subject to a 10 year management programme and that public access would be allowed over part of the site. Both these matters could be secured through a Planning Obligation.
95. The application has not specifically covered the restoration of the plant site area because this is already covered by the Initial Review Conditions for the existing Baston No 2 Quarry. However, this quarry is due for a further review in 2014 and, given that reserves are very limited (and restricted to the plant site area) it is possible that the permissions will be allowed to lapse. On this basis it is considered that it would be appropriate to secure the restoration of this area through a Planning Obligation.

Environmental Impacts

(a) Landscape and Visual Impacts

96. The site is open to views from Cross Road and Meadow Road/Lane so during working it would have the potential to become an intrusive feature in the landscape. Although the applicant is proposing to construct perimeter bunds to screen the site, the working of the site in "sub-phases" could delay the completion of these important screens. It is therefore considered that, if planning permission is granted, the period for the completion of the bunds should be brought forward by an appropriate condition.
97. The Baston Environment Group has raised concerns over the restoration proposals pointing out that:
- the application site location plan is out-of-date and misleading in that it does not show all the water bodies that have been created in the area;
 - the applicant is changing the landscape from an area of intensive agriculture to scrubby wetland; and
 - that open landscapes are being lost.
98. In response to the first point, whilst the location plan does not show all the mineral workings in the area, it does show that the area has been subject to extensive working and that large areas of water have been formed. It is not therefore considered to give a misleading impression. Indeed, some of the "additional" water bodies identified by the Baston Environment Group have been, or are scheduled to be, restored to agriculture.
99. On the other points, although the proposal would lead to a change in the landscape from open arable fields to wetland, that change would accord with the wider landscape vision for the Fens (as previously noted) and is considered to be a positive impact. Furthermore, it should be noted that the Baston Environment Group are inconsistent in their comments: on a concurrent application in the area they have objected to a site being restored to agriculture, favouring nature conservation instead (Application reference number S7/2618/13).

(b) Biodiversity

100. The Environmental Statement has identified potential impacts on badgers, owls and birds in general. However, these impacts can be adequately mitigated and subject to the imposition of appropriate conditions (on the lines recommended by Natural England), it is considered that they would be limited and acceptable. Furthermore, any short term impact on nature conservation in general from the working of the site, would be more than offset by the benefits brought about on restoration by the creation of habitats that would contribute to the County's biodiversity action targets.

(c) Soils and Agriculture

101. The proposal would result in the loss of 39.8 ha of agricultural land, 25.6% of which is classified as "best and most versatile" (i.e. Grade 3a). Although Natural England has raised the point that the soils should be utilised in a sustainable way, in practice the options are limited. On balance, therefore, it is considered that the applicant's proposal to use some of the soil to aid in the restoration of an adjacent area of land to agriculture is acceptable and that any negative impacts would be limited and outweighed by the benefits to nature conservation.

(d) Cultural Heritage

102. The archaeological potential of the site has been fully evaluated through a combination of a desk based study, a geophysical survey and trial trenching. On the advice of the County Council's Historic Environment Manager, it is considered that the archaeological remains are of limited value, but should be preserved by record through further investigations. Although most of this work can be secured through an appropriate condition, it is considered that it would be prudent to include the latter stages (i.e. following the completion of the fieldwork) in a Planning Obligation.

(e) Transport

103. Three principal issues have been identified through the consultation process, these being: the adequacy of Cross Road; the condition of Langtoft Outgang Road in the vicinity of the quarry access; and the need to route HGVs away from the settlements of Langtoft and Baston.
104. On the first issue, the Environmental Statement has not identified any problems with the condition of the public highway between the site access and the A1175 (the proposed route for the HGVs), describing Cross Road as a "dual carriageway". This road, however, is single carriageway, and the Highway Division has raised concern over its condition and the impact that additional HGVs would have on the road. As a result, following negotiations, the applicant has agreed in principle to contribute towards the cost of upgrading this road. This contribution (£56,500) is based on the proportion of the total HGVs movements on Cross Road that would be attributable to this proposal and could be secured through a Planning Obligation.
105. On the second issue, it is considered that improvements to Langtoft Outgang Road can be secured through an appropriate condition.
106. The final issue relates to concerns raised by the Parish Councils of Langtoft and Baston that no HGVs from the proposal should be allowed to pass through those settlements (including those not directly under the control of the applicant). In this respect, the applicant has already given the local communities an informal undertaking that it will route all HGVs via Cross Road to the A1175 (thereby avoiding the settlements) and has agreed that, if planning permission is granted, this would be formalised through a

Planning Obligation. It is therefore considered that whilst a Planning Obligation would not provide a cast iron guarantee that all HGVs would observe the agreed route, in the past they have generally been successful and are considered to be the most appropriate way of securing this objective.

107. On the basis of the above, it is considered that the proposal, which would only sustain HGV movements at current levels, would not have a significant impact on the environment.

(a) Hydrogeology and Hydrogeology (including Flood Risk)

108. The Environmental Statement has not identified any significant impact on the hydrology or the hydrogeology of the area, or to flood risk. This is generally because it would be an extension of an existing quarry, with the existing practice of water management (involving clay seals and pumping) being extended to the new site. Notwithstanding this, both the Lincolnshire Wildlife Trust and the Welland Internal Drainage Board initially raised concerns that the de-watering of the site to the Gravel Drain could subsequently impact on the Counter Drain (a designated Special Area of Conservation - SAC). This was not identified as an issue in the Environmental Statement, but on advice from Natural England, it is considered that this is unlikely because:

- the site is further away from the SAC than the existing operations;
- the proposal would only lead to a relatively small increase in the amount of water to be discharged to the Gravel Drain; and
- the discharge is controlled through a consent issued by the Environment Agency.

In addition, the incorporation of reed beds into the restoration design should also help to reduce the volume and improve the quality of the water discharged to the Gravel Drain.

If planning permission is granted, the clay seals can be secured with an appropriate condition, whilst their subsequent maintenance and the long term water management can be included in a Planning Obligation. It is therefore considered that the proposal is unlikely to have a significant impact on hydrology/hydrogeology or flood risk.

(b) Noise

109. There is only one residential property in relatively close proximity to the site, and this would be well screened from the site. Furthermore, the Environmental Statement indicates that the anticipated noise levels would be well within the range recommended in the NPPF Technical Guidance. The Environmental Statement has not specifically covered the noise from the processing plant because this is already covered by the Initial Review Conditions for the existing Baston No 2 Quarry. However, as noted above, these conditions may not be updated under the review procedures. It is

therefore considered that, if planning permission is granted, a condition be imposed to control the noise levels from both the site and the remaining operational area of the quarry, and secure arrangements for monitoring. Subject to this provision, it is considered that the proposal is unlikely to have a significant impact on the area from noise.

(c) Air Quality (Dust)

110. The Environmental Statement has not identified any significant impacts from dust subject to the continuation of the existing dust management measures which can be secured by condition both for the site and the remainder of the quarry. However, it is considered on the advice of the Highways Division that the existing wheel wash at the quarry needs to be upgraded to prevent material being carried onto Langtoft Outgang Road. This is a matter that can also be secured by an appropriate condition.

On the basis of the above, it is considered that the proposal would not have an unacceptable impact on the environment or on the local amenity and would accord with the NPPF and the relevant policies of the LMLP, the SKCS and the Draft LMWLP.

Final Conclusion

111. This proposal meets the criteria for granting planning permission for mineral working and, subject to the imposition of appropriate conditions and the conclusion of a Planning Obligation, is considered to be acceptable.

RECOMMENDATIONS

That:

- (A) The applicant be invited to enter into a s106 Planning Obligation to secure:
- a contribution of £56,500 towards the improvement of Cross Road (south of Langtoft Outgang Road);
 - the routing of Heavy Commercial Vehicles via Cross Road to the A1175 (in accordance with the application details);
 - the extension of the aftercare management period to 10 years;
 - the creation of permissive paths for use by the public through the western part of the restored site;
 - the completion of the archaeological works (post fieldwork); and
 - the restoration of the Baston No 2 Quarry plant site area, once reserves at the quarry are depleted.
- (B) Subject to the completion of the Planning Obligation referred to above, the Executive Director be authorised to grant planning permission subject to the conditions set out below.

- (C) That this report forms the Council's Statement under paragraph 21 of the Town and Country Planning (Environmental Impact Assessment) (England and Wales) Regulations 1999 (which require the Council to make available for public inspection at the District Council offices specified information regarding decisions) which contains:
- the content of the decision and any conditions attached to it;
 - the main reasons and considerations on which the decision is based including information about participation of the public;
 - a description of the main measures to avoid reduce and if possible offset the major adverse effects of the development; and
 - information recording the right to challenge the validity of the decision and procedures for doing so.

Conditions

Commencement

1. The development hereby permitted shall be begun within three years from the date of this permission.
2. The date of commencement of the development shall be notified in writing to the Mineral Planning Authority (MPA) within seven days of commencement.
3. No sand and gravel shall be removed from the site until mineral extraction has been completed within the following areas:
 - the area initially granted planning permission under (LCC) reference S7/122/92 and subject to an Initial Review under (LCC) reference S7.50/1124/98; and
 - the area granted planning permission under (LCC) reference number S7/0659/08.

Approved Details/Plans

4. The development shall only be carried out in accordance with the details and plans contained in the following documents unless otherwise agreed in writing with the MPA, or where amendments are made pursuant to the other conditions of this planning permission:
 - the application and supporting statement dated 19 November 2010 (received on 25 November 2010) including drawing number SS.013, SS.014 and SS.015;
 - the Environmental Statement dated November 2010 (received on 25 November 2010);
 - the additional information and amendments contained in the letter from URS Scott Wilson Ltd dated 21 November 2011 (received on 22 November 2011) including drawing numbers: SS.004 Rev A, SS.007 Rev A, SS.008 Rev A, SS.009 Rev A, SS.010 Rev A, SS.011 and ES.012 Rev A;

- the Flood Risk Assessment dated November 2011 (received on 22 November 2011); and
 - the Specification for Archaeological Works dated 2 November 2011(received on 22 November 2011).
5. From the commencement of the development to its completion, a copy of this permission including all plans and documents hereby approved, and any other plans and documents subsequently approved in accordance with this permission, shall always be available at the site office for inspection by the MPA during normal working hours.

Duration of Planning Permission

6. All mineral extraction shall cease within nine years from the date of commencement of the development, with all restoration works completed within two years from the cessation of mineral extraction.

Access

7. No development authorised by this planning permission shall be commenced until the Baston No 2 access and that part of the adjoining carriageway of Langtoft Outgang Road shown on the plan attached to this decision notice (but excluding the access on the opposite side of Langtoft Outgang Road), has been improved in accordance with details to be submitted to and approved in writing by the MPA.

Haul Routes

8. No development authorised by this planning permission shall be commenced until full details of the haul route between the eastern part of the site (east of the Gravel Drain) and the Baston No 2 Plant Site have been submitted to and approved in writing by the MPA, including details of any vegetation to be removed and the timing of that removal. Thereafter the details shall be implemented as approved, and all sand and gravel extracted from Phases 1 and 2 shall only be removed from the site via this haul route.
9. Prior to the commencement of operations in Phase 3, full details of the haul route between the western part of the site and the Baston No 2 Plant Site shall be submitted to and approved in writing by the MPA, including details of any vegetation to be removed and the timing of that removal. Thereafter the details shall be implemented as approved, and all sand and gravel extracted from Phases 3, 4 and 5 shall only be removed from the site via this haul route.
10. All sand and gravel extracted from the site shall only be exported from the Baston Number 2 Quarry in commercial road vehicles, and these shall only enter and leave the quarry from Langtoft Outgang Road at the access identified on drawing SS.004 Rev A (received on 22 November 2011). No dump trucks shall be used for transporting sand and gravel from the Baston No 2 Quarry to the Baston No 1 Quarry.

HGV Routeing

11. No development authorised by this planning permission shall be commenced until details of a sign (or signs) to be erected near the Baston No 2 Quarry access advising drivers of the approved route to the A1175 have been submitted to and approved in writing by the MPA. The sign(s) shall be erected in accordance with the approved details before any mineral is removed from the site and shall thereafter be maintained until mineral extraction permanently ceases.

Scheme of Working

12. The site shall be worked strictly in accordance with:
 - the application and supporting statement dated 19 November 2010 (received on 25 November 2010); and
 - the additional information and amendments contained in the letter from URS Scott Wilson Ltd dated 21 November 2011 (received on 22 November 2011), including drawing numbers: SS.004 Rev A, SS.007 Rev A, SS.008 Rev A, SS.009 Rev A, SS.010 Rev A, SS.011, and ES.012 Rev A,

except where modified by other conditions of this planning permission.

Hours of Working

13. Except as may otherwise be agreed in writing by the MPA, no plant or machinery shall be operated either within the site or within the overall Baston No 2 Quarry (other than water pumps necessary for the disposal of water, or equipment in connection with essential maintenance within the plant site area) and no heavy goods vehicles shall enter or leave the Baston No 2 Quarry except between the following times:
 - 07:00 – 17:00 hours Monday to Friday
 - 07:00 – 12:00 hours Saturdays

and no such activities shall take place on Sundays, Public Holidays or Bank Holidays.

14. Except as may otherwise be agreed in writing by the MPA, essential maintenance work shall only take place within the Baston No 2 Quarry plant site area during the normal hours of working for the quarry (set out in the above condition), and between the hours of 12:00 - 17:00 hours Saturdays.

Clay Seals

15. No development authorised by this planning permission shall be commenced until full details of the clay seals identified on drawing number SS.013 (received on 25 November 2010) have been submitted to and approved in writing by the MPA. Such details shall include a specification(s)

to demonstrate that the seals will be fit for purpose, a programme for their installation, and clarification on which bunds within Phases 1 and 2 will be removed on restoration. Thereafter the clay seals shall be constructed in accordance with the approved details.

Soil and Overburden

16. Before any part of the site is excavated or traversed by heavy vehicles or machinery (except for the purpose of stripping that part or stacking topsoil on that part), or is used for the storage of subsoil or overburden or for the construction of a haul road, all available soil shall first be stripped from that part.
17. Soil mounds/bunds shall be constructed with only the minimum of compaction necessary to ensure their stability, and shall not be traversed by heavy vehicles or machinery except during their construction and removal.
18. No movement of topsoil shall take place except when the full depth of topsoil to be stripped, replaced or otherwise transported is in a suitably dry soil moisture condition, i.e. the soil is in a non plastic state such that damage to its structure shall be avoided. Conditions shall be sufficiently dry for the topsoil to be separated from the subsoil without difficulty. Soil handling and movement shall not be carried out between the months of October to March inclusive, unless otherwise agreed in writing with the MPA.
19. All soil and overburden shall be retained and used in the reclamation of the site, except where specific provision is made in the approved scheme of restoration for its use elsewhere within the Baston No 2 Quarry.

Screening Bunds

20. No development authorised by this planning permission shall be commenced until full details of the soil bunds shown on drawing number SS.004 Rev A (received on 22 November 2011) have been submitted to and approved in writing by the MPA. These shall include:
 - a description of the means of construction (demonstrating that the conditions relating to "Soil and Overburden" set out in this decision notice can be met);
 - appropriate cross sections of the bunds;
 - the distance between the bunds and the boundary drains; and
 - the grass seeding mix and sowing rate that would be applied.

The soil bund to the east of the Gravel Drain shall be constructed in its entirety in accordance with the approved details prior to any sand and gravel being extracted from Phase 1. Following construction the bund shall be seeded in accordance with the approved details in the first available sowing season and shall thereafter be maintained until the soil is required for use in the approved restoration programme.

The soil bund to the west of the Gravel Drain shall be constructed in its entirety in accordance with the approved details prior to any sand and gravel being extracted from Phase 3. Following construction the bund shall be seeded in accordance with the approved details in the first available sowing season and shall thereafter be maintained until the soil is required for use in the approved restoration programme.

Storage Heights

21. No development authorised by this planning permission shall be commenced until details of the temporary mineral stockpiles to be created within the site have been agreed in writing with the MPA. Thereafter any mineral stockpile created shall accord with the approved details.

Surveys

22. A topographical survey of the site shall be submitted to the MPA by 31 December each year following the commencement of mineral extraction. The survey shall identify areas of the site which are unworked, those restored, those undergoing mineral extraction and those to be restored.

Dust and Mud

23. No development authorised by this planning permission shall be commenced until details for the upgrading of the wheel cleaning facility (including the provision of an associated drainage system) within the Baston No 2 Quarry plant site area have been submitted to and approved in writing by the MPA. The facility shall be installed in accordance with the approved details prior to any sand and gravel being removed from the site and shall thereafter be used by all commercial vehicles leaving the site.
24. No commercial vehicles from the Baston Number 2 Quarry shall enter the public highway unless their wheels and chassis have been cleaned to prevent material being deposited on the public highway.
25. The access road between the Baston No 2 Quarry plant site and the quarry access onto Langtoft Outgang Road shall be swept on a regular basis and no mud or dust shall be allowed to accumulate.
26. No loaded lorries carrying sand or gravel shall leave the Baston No 2 Quarry unsheeted.
27. No development authorised by this planning permission shall be commenced until a Dust Management Scheme has been submitted to and approved in writing by the MPA, covering both the site and the other operational areas of the Baston No 2 Quarry. Such scheme shall include a provision for the monitoring and reporting of dust emissions and a complaints procedure. Thereafter the approved Dust Management Scheme shall be implemented in full until the site has been fully restored.

Noise

28. No development authorised by this planning permission shall be commenced until a Noise Emissions Assessment has been submitted to and approved in writing by the MPA. This should incorporate the information from Appendix G of the Environmental Statement, but extend this to include details of the noise emissions from the Baston No 2 Quarry plant site area on noise sensitive properties on Langtoft Outgang Road. The assessment should accord with the Technical Guidance to the National Planning Policy Framework and should set the maximum noise levels at nearby noise sensitive properties both during normal operations and during short-term operations (as defined in the Technical Guidance). Thereafter the noise levels at the noise sensitive properties arising from the site or from the overall Baston No 2 Quarry shall not exceed the approved limits.
29. No development authorised by this planning permission shall be commenced until a scheme of noise monitoring has been submitted to and approved in writing by the MPA. The scheme shall include:
- noise monitoring locations;
 - frequency of measurements;
 - modelling procedures;
 - procedures to be adopted if noise levels go above the limits approved under the above condition; and
 - the presentation of results to the MPA.
- Thereafter the scheme shall be implemented as approved.
30. All vehicles, plant and machinery operated within the site shall be maintained in accordance with the manufacturer's specification at all times and shall be fitted with and use effective silencers.

Waste

31. No waste material shall be imported for restoration or any other purpose.

Pollution Prevention

32. Any facilities for the storage of oils, fuels or chemicals either within the site or within the overall Baston No 2 Quarry shall be sited on impervious bases and surrounded by impervious bund walls. The volume of the bunded compound shall be at least equivalent to the capacity of the tank plus 10%. If there is multiple tankage, the compound shall be at least equivalent to the capacity of the largest tank, or the capacity of interconnected tanks, plus 10%. All filling points, vents, gauges and site glasses must be located within the bund. The drainage system of the bund shall be sealed with no discharge to any watercourse, land or underground strata. Associated pipework shall be located above ground and protected from accidental damage. All filling points and tank overflow pipe outlets shall be detailed to discharge downwards into the bund.

33. The site shall only be de-watered in accordance with the details set out in the application and supporting statement dated 19 November 2010 (received on 25 November 2010) and, where specified in those details, the water shall be settled before being discharged into the surface drainage network.

Retention of Existing Vegetation

34. The existing trees and shrubs on the north western boundary of the site, to the east of the Gravel Drain, shall be retained and shall not be felled, lopped, topped or removed except where authorised under other conditions of this planning permission. Any such vegetation removed without consent, dying, being severely damaged or becoming severely diseased as a result of operations permitted by this permission shall be replaced with trees or shrubs of such size and species as may be specified by the MPA, in the planting season immediately following such occurrence.

Ecology

35. Site clearance operations that involve the destruction and removal of vegetation on site shall not be undertaken during the months of March to August inclusive, except when approved in writing by the MPA.
36. No development authorised by this planning permission shall be commenced until a scheme for the mitigation of any undue adverse effects to barn owl has been submitted to and approved in writing by the MPA. Such scheme shall include a working design, methods statement and timetable of works. Thereafter the approved scheme shall be implemented in full.
37. No development authorised by this planning permission shall be commenced until a scheme for the mitigation of any undue adverse effects to badger has been submitted to and approved in writing by the MPA. Such scheme shall include a working design, methods statement and timetable of works. Thereafter the approved scheme shall be implemented in full.

Archaeology

38. Prior to each stage of soil stripping, the written approval of the Mineral Planning Authority shall be secured for a Project Design (as referred to in the Specification for Archaeological Works dated 2 November 2011) for the area to be stripped. Thereafter, the archaeological works shall be carried out in accordance with the Specification for Archaeological Works dated 2 November 2011 (received on 22 November 2011) and the Project Design approved for the area concerned.

Restoration

39. No development authorised by this planning permission shall be commenced until full details of the restoration shown on the Restoration

Masterplan (Drawing No SS.015) and the associated Drawing No SS.014 (both received on 25 November 2010) have been submitted to and approved in writing by the MPA. These shall include:

- details of the planting to be undertaken to achieve the habitats shown on the Restoration Masterplan (Drawing No SS.015) (i.e. the species, numbers, heights on planting, planting methods and means of protection);
- details of the final land levels, the drainage and the surface water levels; and
- for the land to the west of the gravel drain, details of how the drainage would be tied in with the drainage of the restored land to the north.

Thereafter the site shall be restored in accordance with the approved details and in accordance with the phased programme shown on drawing numbers SS.007 Rev A; SS.008 Rev A; SS.009 Rev A; SS.010 Rev A; SS.011 Rev A; and ES.012 Rev A (all received on 22 November 2011).

Aftercare

40. No development authorised by this planning permission shall be commenced until a scheme of aftercare has been submitted to and approved in writing by the MPA. Such scheme shall set out the steps to be taken to bring the restored land to a condition suitable for an amenity use (nature conservation). Thereafter the scheme shall be implemented as approved and shall last for a period of five years within each of the two parts of the site, as divided by the Gravel Drain, commencing: in the eastern part, from the completion of the restoration of Phase 2; and in the western part, from the completion of the restoration of Phase 5.

Reasons

1. To comply with the requirements of Section 91 of the Town and Country Planning Act 1990.
- 2 & 22
For the avoidance of doubt and to enable the MPA to monitor compliance with the conditions of this planning permission.
3. To ensure that the commencement of this development does not delay the completion of working and subsequent restoration of the Baston No 1 Quarry.
4. For the avoidance of doubt.
5. To ensure the information is available for site operatives.
6. To secure proper restoration of the site within a reasonable timescale.

7, 11 & 26

In the interests of highway safety and safeguarding the local environment.

8 & 9

In the interests of wildlife conservation

10. To ensure the development is carried out in accordance with the approved details and to reduce the potential for the deposition of extraneous material on the public highway.

12, 13, 14 & 21

To enable the MPA to adequately control the development and to minimise its impacts on the amenities of the area.

15. To ensure that the seals are fit for purpose for preventing the ingress of groundwater.

16, 17, 18 & 19

To ensure the protection of soils for restoration purposes.

20. To ensure the Screening Bunds are in place at the right time to minimise any impacts of the development on local amenities and that they are constructed in a manner that: minimises damage to the soils; allows the bunds to assimilate into the landscape; safeguards perimeter hedges; and does not conflict with the requirements of the Welland Internal Drainage Board.

23, 24 & 25

In the interests of highway safety and to prevent mud and dust getting on the public highway.

27. To protect the amenities of the locality from the effects of dust arising from the development.

28, 29 & 30

To protect the amenities of local residents.

31. For the avoidance of doubt over the scope of this permission.

32 & 33

To prevent pollution of the water environment.

34. In the interests of amenity and wildlife conservation.

35. To ensure that breeding birds are not adversely affected by the development.

36. To minimise the impact of the development on barn owls.

37. To minimise the impact of the development on badgers.

38. In order to ensure that satisfactory arrangements are made for the investigation, retrieval and recording of any possible archaeological remains on site.
39. To enable the MPA to adequately control the development and to ensure that the land is restored to a condition capable of beneficial use.
40. To comply with the requirements of Schedule 5 of the Town and Country Planning Act 1990, to ensure that the reclaimed land is correctly husbanded, and to bring the land to the standard required for amenity use.

Informatives

Attention is drawn to the following:

- (i) 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 should be brought within six weeks of the date of the planning permission. Any person considering bringing proceedings should therefore seek legal advice as soon as possible. The detailed procedural requirements are set out in the Civic Procedure Rules Part 54 and the Practice Directives for those rules.
- (ii) The attached correspondence from:
 - the Welland Internal Drainage Board dated 3 February 2011 and 26 January 2012;
 - the Environment Agency dated 8 February 2011 and 31 January 2012; and
 - Natural England dated 14 February 2011 and 18 January 2012.
- (iii) The works required under condition 7 may need to be subject to an agreement under section 278 of the Highways Act 1980 between the developer/landowner and the Lincolnshire County Council as Highway Authority prior to any development being carried out.

Appendix

These are listed below and attached at the back of the report	
Appendix A	Committee Plan
Appendix B	Plan referred to in Condition no. 7 of Planning Permission (LCC) Reference no. S50/0123/11

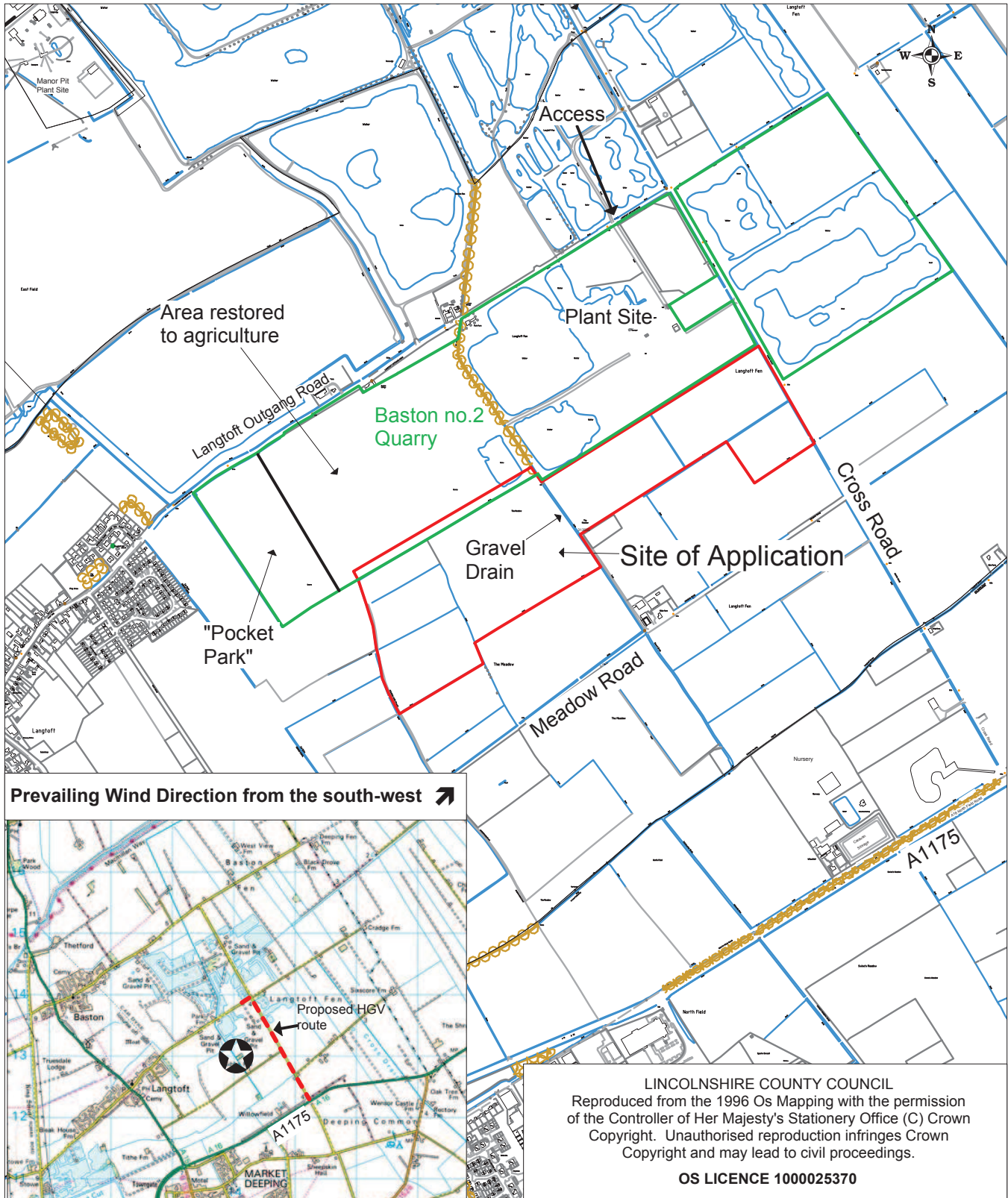
Background Papers

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 S50/0123/11 S50/1125/98 S7/2618/13	Lincolnshire County Council, Spatial Planning, Witham Park House, Waterside South, Lincoln
National Guidance – National Planning Policy Framework (2012)	Communities and Local Government website www.gov.uk
Lincolnshire Minerals Local Plan (1991) Draft Core Strategy and Development Management policies: Lincolnshire Minerals and Waste Local Plan (2013) South Kesteven Core Strategy (2010)	Lincolnshire County Council website www.lincolnshire.gov.uk South Kesteven District Council website www.southkesteven.gov.uk

This report was written by Adrian Winkley, who can be contacted on 01522 782070 or dev_pcg@lincolnshire.gov.uk

LINCOLNSHIRE COUNTY COUNCIL Appendix A
PLANNING



Location:

Baston No. 2 Quarry
Langtoft Outgang Road
Langtoft

Application No: S50/0123/11

Scale: 1:15000

Description:

To extract sand and gravel from land forming an extension to Baston No. 2 Quarry with restoration to biodiversity



This page is intentionally left blank