

Open Report on behalf of Andy Gutherson - Executive Director for Place

Report to:	Planning and Regulation Committee
Date:	9 May 2023
Subject:	County Matter Applications – S22/1610 and S22/1612

Summary:

This report deals with two concurrent applications that have been made by Hanson Quarry Products Europe Limited (Agent: AECOM Limited) relating to the Baston No.2 Quarry, Langtoft Outgang Road, Langtoft.

The first application (reference: S22/1610) is seeking permission for a south-western extension to sand and gravel workings with restoration to biodiversity and a lake. The proposal site forms part of a site (reference: MS27-SL) which is identified in the Lincolnshire Minerals and Waste Local Plan Site Locations document as a proposed extension to Baston No.2 Quarry. The proposal site extends 19.6 hectares and comprises of a parcel of agricultural land of Grades 3a and 3b with a 0.2 hectare area of non-agricultural land. This land has approximately 1 million tonnes reserve of sand and gravel and would be worked and restored over a period of seven years at a production rate of between 250,000 and 350,000 tonnes per annum.

The second application (reference: S22/1612) is seeking permission for the retention of the Baston No.2 Plant Site, internal haul roads and ancillary operations including weighbridge, office, wheelwash and established quarry access as well as extraction of underlying mineral and subsequent restoration. The Plant Site is required to be removed and the land restored once extraction operations within the existing permitted quarry cease. Rather than remove the Plant Site, this application is seeking permission which, if granted, would allow the Plant Site to be retained in order that it can also serve and process mineral extracted from the proposed extension area subject of application S22/1610.

An Environmental Impact Assessment has been carried out in relation to both proposals and submitted an Environmental Statement submitted which assesses the potential impacts of both proposals together with the mitigation measures proposed to avoid, reduce and, if possible, remedy any significant adverse impacts.

The key issues to be considered in this case are as follows:

- the need and justification for new mineral reserves and the principle of extracting sand and gravel from both the proposed extension and which currently underlie the Plant Site area; and
- the environmental and amenity impacts associated with both developments including flood risk and drainage; highways and traffic; landscape; nature conservation and biodiversity net gain; historic environment considerations; and including amenity impacts on local residents, in particular traffic, noise, dust and visual impact.

Having considered the information contained within the application and supporting Environmental Statement, I am satisfied that the proposed extension would be acceptable and contribute to maintaining a stable landbank of saleable sand and gravel that accords with the National Planning Policy Framework and Policies M2, M3, and M4 of the Lincolnshire Minerals and Waste Local Plan. Whilst the reserves underlying the Plant Site area are not allocated within the Local Plan they are located within an Area of Search and would effectively be a final phase of working associated with the existing quarry. The removal of these reserves would ensure they are not unnecessarily sterilised and enable this area of the site to be properly incorporated into the wider restoration proposals for the site.

In terms of environmental and amenity impacts, whilst there would be some inevitable impacts from the working of both proposals, these have been assessed as part of the ES and, subject to the implementation of the mitigation measures embedded and proposed as part of the development, would not be so significant or detrimental so as to warrant refusal of the applications. A Section 106 Planning Obligation is nevertheless recommended to ensure the continuation of HGV vehicle routing via Cross Road and to secure the long-term management of the land subject of these proposals reflecting that which has been secured in connection with the wider quarry.

Recommendation:

Following consideration of the relevant development plan policies and the comments received through consultation and publicity it is recommended that:

- A. The applicant be invited to enter into a S106 Planning Obligation to secure:
 - i) the continued routeing of Heavy Commercial Vehicles via Cross Road to the A1175 (in accordance with the application details); and
 - ii) the extension of the aftercare management period to 10 years
- B. Subject to A, that planning permission be granted for the development proposed by application S22/1610 subject to the conditions set out in Appendix B; and
- C. Subject to A and B, that planning permission be granted for development proposed by application S22/1612 subject to the conditions set out in Appendix C.

Background

1. Baston No.2 Quarry has been operating since the 1970's. The current extraction area lies to the south and west of the Plant Site off Langtoft Outgang Road. All soils have now been removed from final Phase 5 of the existing quarry and so the applicant is seeking permission to work an area of land lying to the south of the site in order to enable operations to continue at the site. The current extraction area is subject of planning permission S20/0981 (which varied an earlier permission reference: S11/0123). There is an existing S106 Planning Obligation associated with this permission which secured: a financial contribution for highways improvements; HGV vehicle routing; water management in perpetuity; post-restoration management; public access; archaeological works, and restoration of the Baston No.2 Plant Site area following completion of the quarrying operations.

S22/1610 – this application seeks permission to work an area of land lying to the south of the currently permitted quarry. The proposal site forms part of a larger site (reference: MS27-SL) which is identified in the Lincolnshire Minerals and Waste Local Plan Site Locations document as a proposed extension to Baston No.2 Quarry. This allocation covers an area extending 37 hectares and is estimated to contain around 2.5 million tonnes of sand and gravel reserves. The proposal site extends 19.6 hectares and forms the central part of this wider allocation and seeks to extract approximately 1 million tonnes of sand and gravel and to restore the site over a period of seven years. The remaining part of MS27-SL does not form part of this application.

S22/1612 – this application relates to the Plant Site area which serves Baston No.2 Quarry which includes offices, welfare and weighbridge facilities, stockpiling areas, processing equipment and silt lagoon which cover an area of approximately 33.7 hectares. This application is seeking permission to retain Plant Site so that it can continue to be used to prepare and process the mineral extracted from the proposed extension subject of application S22/1610 - therefore overriding the requirements of the existing S106 Planning Obligation which requires this to be removed. This application also includes proposals to extract an additional 250,000 tonnes of currently unconsented and unallocated sand and gravel reserves which underlie the Plant Site area. These reserves would be removed as final phase of the quarry and ensure this valuable resource is not unduly sterilised.

The Applications

S22/1610 – Proposed southern extension

2. The proposed extension lies to the south of the existing Baston No.2 Quarry and forms the central part of a wider area of land that is allocated in the Site Locations document of the Lincolnshire Minerals and Waste Local Plan. The wider allocation site (reference: MS7-SL) extends approx. 37 hectares and is estimated to contain around 2.5 million tonnes (Mt) of sand and gravel. The land subject of this

application extends 19.6 hectares (which includes the haul road leading back to the Plant Site) and contains approx. 1Mt tonnes of sand and gravel which, based on an anticipated annual production rate of approximately 250,000 to 350,000 tonnes, would be extracted over a period of five years with a further two years proposed to complete restoration. Extraction would be carried out in progressive phases using a 360° swing shovel with sand and gravel being transported by dumper truck, via an internal haul route, to the existing Plant Site (located to the northeast) for processing and stockpiling. It would then be distributed off site as processed aggregate. The site would be restored progressively in phases and a concept restoration scheme has been submitted in support of the application. The current field accesses to the site off Meadow Road would not be used in connection with the proposed quarrying activities.

S22/1612 – Plant Site

3. This application seeks permission to retain the Plant Site beyond the life of the current mineral extraction operations being carried out within Baston No.2 Quarry. This is required in order to support the extraction operations being proposed as part of the proposed extension subject of application S22/1610. The Plant Site area includes offices, welfare and weighbridge facilities, stockpiling areas, processing equipment and silt lagoon that extend to an area of approximately 33.7 hectares. Although much of the area has previously been excavated for sand and gravel, some reserves remain within the footprint of the Plant Site area but are currently sterilised due to the presence of the structures and fixed processing plant and equipment. This application therefore not only seeks to retain the Plant Site but also seeks permission to extract approximately 250,000 tonnes of sand and gravel that are estimated to lie below the Plant Site. The remaining mineral would be removed as the last phase of working with the ‘as raised’ mineral exported offsite and processed elsewhere. Following completion of the extraction operations the whole site would be restored to a mosaic of habitats including lakes, mudflats, marsh and grassland with additional planting of trees and shrubs.

Planning Statement

4. A Planning Statement (PS) has been submitted in support of both applications which contains an overview of the applications; details of the applicant; describes the site and surroundings and describes the developments proposed including how the mineral would be extracted, a summary of the environmental and amenity impacts arising from the proposal and overview of the restoration proposals. The PS identifies the need to bring forward the extension area so as to ensure a continued supply of aggregate within the South Lincolnshire Production Area is maintained. The continuation of extraction from this site would also secure and retain jobs and employment.
5. The PS sets out the legislative background relating to Environmental Impact Assessment submitted pursuant to the Town and Country Planning (Environmental Impact Assessment) Regulations 2017 and refers to Development Plan policies and

material considerations that are considered of relevance in the determination of this application.

Environmental Statement

6. Both applications have been subject of an Environmental Impact Assessment carried out pursuant to the Town and Country Planning (Environmental Impact Assessment) Regulations 2017 (the 'EIA Regulations'). An Environmental Statement (ES) has therefore been submitted which covers both applications and which assesses the potential impacts of both proposals together with the mitigation measures proposed to avoid, reduce and, if possible, remedy any significant adverse impacts. The ES comprises of two documents these being:
 - **Environmental Statement** – this provides an overview of the application and summarises the findings of the individual technical assessments contained in and included as a suite of annexes as follows:
 - Annex A – Landscape and Visual Impact Assessment (LVIA)
 - Annex B – Ecological Impact Assessment (EclA)
 - Annex C – Archaeology & Cultural Heritage Assessment
 - Annex D – Transport Assessment (TA)
 - Annex E – consists of two parts – Part E1 contains a Hydrological and Hydrogeological Impact Assessment (HHIA). Part E2 contains a Flood Risk Assessment (FRA)
 - Annex F – Noise Impact Assessment Annex G – Air Quality and Dust Assessment
 - **Non-Technical Summary (NTS)** - summarises the content of the ES in an easily understandable and accessible format
7. In addition to the ES and NTS, pursuant to Regulation 25 of the Town and Country Planning (Environmental Impact Assessment) Regulation 2017 (EIA Regulations) 'Further Information' was requested and subsequently submitted by the applicant on 5 January 2023. Additional Information was also submitted pursuant to application S22/1612 on 9 January 2023. The Further and Additional Information, in some cases, replaces that which was contained within the original ES. The ES, as amended by the Further and Additional Information, are considered to meet the requirements of the EIA Regulations 2017.
8. **NOTE:** Originally the ES and application S22/1612 (which relates to the Plant Site) had proposed to allow approx. 250,000 tonnes of mineral sourced from other off-site or satellite working areas to be imported to the Plant Site for processing. However, this proposal was later removed and so any comments or statements relating to this can be disregarded. Following the removal of this element the description of application S22/1612 was revised to remove any reference to this.

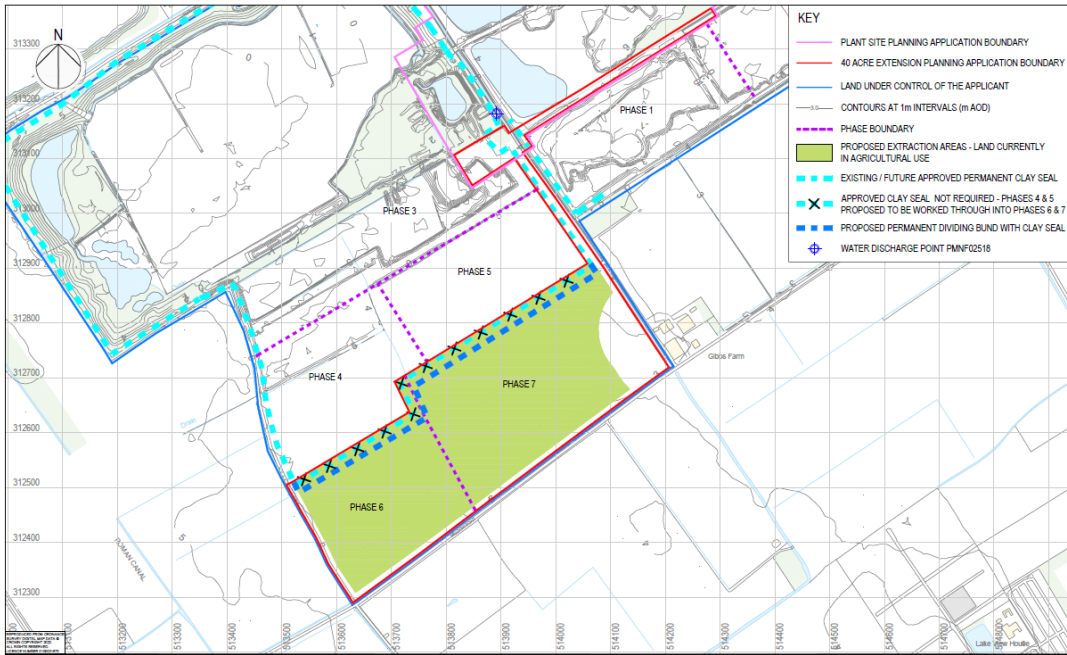
9. The content and findings of the ES, Further and Additional Information submitted in support of both applications can be summarised as follows:

Chapter 1: Introduction – this chapter provides an overview of the applicant, the planning history current, proposed and future for the Baston No 2 Quarry. In addition, definitions have been provided that are commonly used throughout the ES and PS and other supporting documents. This chapter also provides a list of contents, Appendices, Annexes and Figures and identifies the source and cost of copies of the ES.

Chapter 2: Environmental Statement (EIA) Methodology – this chapter sets out the requirements of the EIA Regulations, including identifying that this application falls within the scope of the EIA Regulations 2017 as it constitutes a development falling within Schedule 2, Category 2(a). Details are provided on the approach taken in preparing the EIA and contains a broad narrative in relation to mitigation, assessment methodology, and cumulative and combined effects arising from the existing and proposed developments including the temporal scope of the proposal.

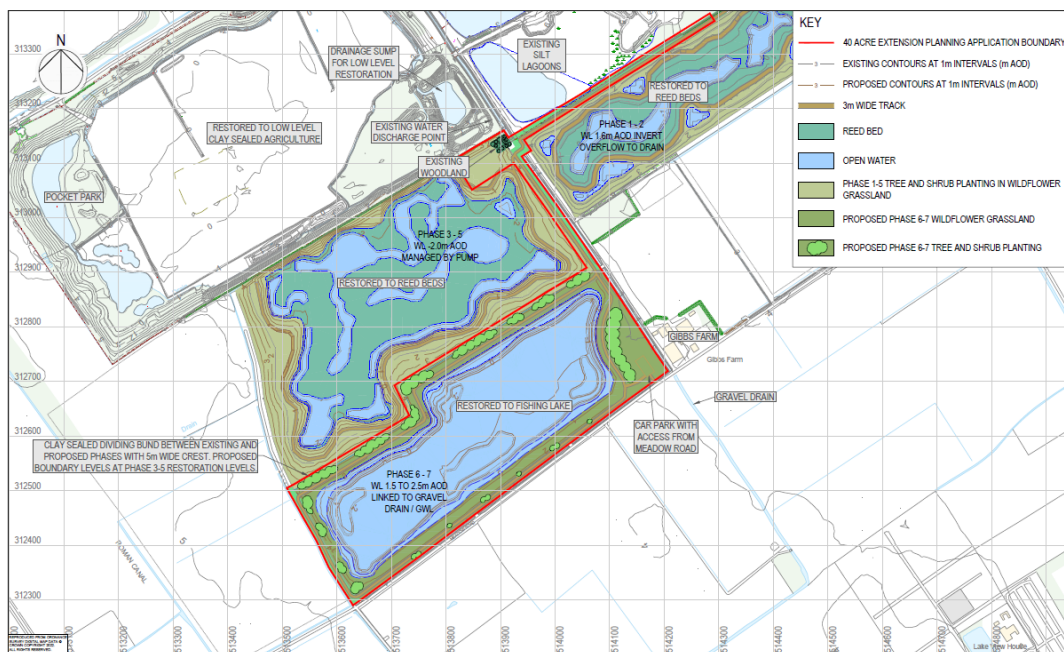
Chapter 3: The Site and Surroundings – this chapter provides a detailed description of the site, surroundings and wider landscape within which the proposed extension and Plant Site lies. The details provided are generalised insofar as technical details are addressed separately in subsequent chapters. Brief references are therefore given to access, topography, geology, soils, designations, landscape, ecology, air quality, water environment, cultural heritage and public rights of way.

Chapter 4: Scheme Description – this chapter gives an overview of the proposals which predominantly focuses on the proposed extension subject of application S22/1610. The proposed extension would be worked following completion of extraction operations within Phase 5 of the current quarry (which forms the northern boundary of the proposal site). The extension would be worked in two distinct phases (Phases 6 & 7) with operations commencing in the western most part of the site (Phase 6) and moving eastwards towards the eastern boundary (Phase 7). Extraction would take place over a period of around five years with sand and gravel being transported via an internal haul road in dumper trucks to the existing quarry Plant Site - which is proposed to be retained to serve this development (subject of application reference: S22/1612).



Site Phase Plan Drawing No 60553951.BAS.10

In respect of the Plant Site, as reiterated in the Additional Information received 9 January 2023, following the completion of working within Phase 7 of the proposed extension, the Plant Site buildings/infrastructure would be removed with the mineral underlying the site then being extracted and the land restored. Final restoration of the Plant Site would take approximately 12-24 months to complete.



Restoration plan - Drawing No 60553951.BAS.11 Rev A

The hours of working would remain the same as those in place for the current quarry with these being between 07:00 and 17:00 hours Monday to Friday and between 07:00 and 12:00 hours Saturdays. No extraction operations shall take place on Sundays, Public Holidays or Bank Holidays.

Chapter 5: Alternatives - this chapter primarily focuses on the proposed extension subject of application S22/1610 and submits that the chosen site is preferable as it was largely dictated by the existing allocation within the Minerals and Waste Local Plan - albeit the allocation covers a much wider area than that proposed as part of this application. Although this proposal only covers some of the allocated site, this part lies within the control of the applicant and/or the applicant has an agreement in place to work the land with the existing landowner. This therefore means there is certainty over the ability to work this area. As the site lies directly to the south of the current Baston No.2 Quarry, direct access can also be gained via an internal haul route to the Plant Site therefore negating the need for any new processing plant or infrastructure to be constructed or installed.

In respect of the proposed Plant Site, it is submitted that there is an expectation that any Plant Site associated with the winning and working of minerals would be removed and the land on which it sits restored. As identified in the Additional Information submitted, the extraction of the underlying mineral would release a modest amount of sand and gravel and prevent its sterilisation. By removing the mineral the land can also be restored to a more diverse habitat which would provide for a mixed after-use that would complement and enhance the existing restoration of the wider quarry and would not give rise to impacts on surface water or increase flood risk.

Chapter 6: Planning Policy – this chapter provides an overview of the Planning Policy and Guidance at both national and local levels.

Chapter 7: Landscape and Visual – the chapter provides a summary of the Landscape and Visual Impact Assessment (LVIA) that forms Annex A of the ES and predominantly relates to the proposed extension subject of application S22/1610.

The LVIA has been carried out in accordance the *“Guidelines for Landscape and Visual Impact Assessment”, Third Edition (2013)* (referred to as GLVIA3) and sets out baseline conditions within a study area up to 3 kilometres from the proposed extension area boundary. The landscape character area is identified as ‘The Fens’ with a topography lying at elevations between 4.0 and 4.5 metres Above Ordnance Datum (AOD). The local area is a combination of arable land intersected by drainage ditches and previously worked sand and gravel restored to large waterbodies or low-level agricultural land. An assessment of effects both landscape and visual using photomontage of a variety of viewpoints. These include identifying significant features within the study area. Embedded and recommended mitigation measures to minimise both landscape and visual impacts both during and up to 10 years after extraction have been proposed and taken into account. It is concluded that subject to the implementation of those measures, the

residual effects over the lifetime of the proposed development would range from minor adverse through to negligible.

Chapter 8: Ecology and Biodiversity – this chapter provides a summary of the Ecological Impact Assessment (EclA) that forms Annex B of the ES.

The EclA outlines the methodology adopted and sets out the baseline conditions with particular reference to statutory and non-statutory designated sites, the Water Framework Directive (WFD), existing waterbodies and habitats, protected and notable individual species.

The assessment of effects identifies that no habitat loss of designated sites would result as a consequence of the proposed extension and that whilst there would be a loss of 320 metres of wet ditch and 0.4 ha of broadleaved woodland, this loss would not be significant. The Plant Site area is generally comprised of bare ground, standing water with reedbed margins and species poor semi-improved grassland. The overall restoration proposals would provide for a minimum 10% Biodiversity Net Gain in the form of open water habitat, wildflower grassland and tree and shrub planting.

Chapter 9: Cultural Heritage – this chapter provides an overview of the potential cultural heritage and archaeological effects of the proposal and summarises the Archaeology & Cultural Heritage assessment that forms Annex C of the ES.

The assessment focuses wholly on the proposed extension area subject of application S22/1610 as the Plant Site area was stripped of soils many years ago and a scheme of archaeological investigation was approved for the wider quarry as part of earlier planning permissions. The chapter includes an outline of the assessment methodology; the baseline conditions and an analysis of the archaeological and historic landscape within which the site lies including reference to finds already recorded within the current extraction area to the north of the proposed extension. A summary is included of the findings of a Geophysical Survey carried out across the proposed extension site, including identifying potential features of archaeological interest. An assessment has also been carried out of the impacts the development may have on the setting of Heritage Assets within 3 kilometres of the site.

An outline of the mitigation proposed to ensure that any adverse effects are mitigated and the assessment of effects both direct and indirect arising from the proposed development is given. The assessment concludes that, subject to adequate mitigation, no significant direct or indirect effects would arise from the extraction of mineral from the extension. Recommended mitigation includes securing a Written Scheme of Investigation (WSI) by way of a planning condition.

Chapter 10: Traffic and Transport – this chapter provides an overview of the potential impacts on the highway network and highway safety. This is a summary of the Transport Statement that forms Annex D of the ES.

Originally the ES and application had proposed to include traffic movements from potential other remote or satellite working areas however this was later removed as part of the Further Information and so any comments or statements relating to this can be disregarded. Following the removal of this element the description of application S22/1612 which relates to the Plant Site was revised to remove any reference to this.

As raised mineral from the proposed southern extension would be hauled back to the existing Plant Site area for processing. There would be no change to the hours of operation, processing rate or the number of HGVs currently associated with the site. All HGV traffic would also continue to follow the HGV routing strategy which directs traffic via Cross Road before turning right onto Langtoft Outgang Road from the Plant Site entrance.

Chapter 11: Hydrogeology, Hydrology and Flood Risk – this chapter is supported by Annex E1 which contains a Hydrological and Hydrogeological Impact Assessment (HHIA) and Annex E2 which contains a Flood Risk Assessment (FRA). This chapter was further supplemented by the Further and Additional Information which amended the soil storage proposals, planting and stand-off distances in respect of the IDB assets.

This chapter sets out the assessment methodology; baseline conditions considered and details the embedded mitigation incorporated into the development to mitigate any impacts. The assessments predominantly focus on the proposed extension subject of application S22/1610 as the ongoing operations of the Plant Site would remain unchanged. A suite of mitigation measures including the engineering of a clay seal to protect the Gravel Drain and IDB assets have been proposed along with extending the existing strategy to minimise accidental spillages and discharges to both ground and surface water. Stand-off distances from Gravel Drain and IDB Drains 15 and 16 have also been increased following comments received during consultation. The proposed extension area would be worked progressively and whilst dewatering would take place, the operator has an existing discharge license from the Environment Agency which limits the discharge rate into the Gravel Drain and ensures the existing (and continued operations) would therefore not impact negatively on the Baston Fen SAC. All surface waters would continue to be managed and in line with the existing consent/licenses issued by the Environment Agency.

Overall, subject to the mitigation measures already operating at Baston No.2 Quarry and those proposed and incorporated into the proposals, no significant effects would arise relating to hydrology or hydrogeology either during or after the development, with no significant flood risk arising.

Chapter 12: Noise – this chapter contains a summary of Noise Impact Assessment (NIA) which has been carried out in support of this application. The assessment takes into consideration previous applications and noise conditions in place associated with the existing permitted quarrying operations which includes a

requirement to carry out routine monitoring of noise to demonstrate compliance with existing noise limit conditions.

The NIA takes into account the guidance and advice on the control of noise from mineral extraction operations as contained within the Planning Practice Guidance (PPG) entitled 'Minerals' which advises that for normal daytime operations noise levels should not exceed 10dB above the background noise level subject to a maximum level of 55dB LAeq, 1 hour (free-field). For temporary operations (such as those essential to site preparation, restoration and bund construction) for periods lasting up to eight weeks in a year, higher levels of up to 70dB(A) LAeq, 1 hour (free-field) may be acceptable.

The NIA notes that the nearest residential property to the proposed extension is Gibbs Farm on Meadow Road, which borders the eastern boundary of the proposed southern extension area. The next nearest properties lie to the west of the proposed southern extension along New Road. The nearest property to the Plant Site is Park Farm. There are no proposed changes to the fixed plant on site, the operations or the number of movements to/from the site. It is proposed that sand and gravel from the extension area would be transported to the existing Plant Site and as such the primary change to noise impact arising from this proposal would come from moving mobile plant closer to Gibbs Farm and the properties along New Road.

An assessment of the likely noise levels associated with the operation of the site indicates that at all the nearest noise sensitive properties assessed, the calculated site noise levels would be between 48 and 52dB which is either equal to, or below, the background sound level (LA90) plus 10dB and below the upper daytime limit of 55 dB LAeq 1 hour (free field) as advised in the PPG. At the majority of assessment locations the site noise levels from temporary operations would also be well below the higher noise level limit of 70dB LAeq 1 hour (free field) and at Gibbs Farm (the nearest sensitive receptor) the calculated site noise level (58dB) would still be significantly below the higher temporary noise limit of 70dB LAeq 1 hour (free field). The Plant Site would continue to operate as it does currently with no changes proposed to the hours of operation or the plant and equipment in use.

Overall, it is stated that there would be no significant noise effects, but it is proposed to continue routine monitoring of noise levels to ensure noise levels remain compliant with the appropriate noise criteria and recommended noise limits for both routine and temporary operations.

Chapter 13: Air Quality – this chapter is an overview of the potential impacts on air quality and dust. This assessment focuses generally on the proposed extension subject of application S22/1610 rather than the Plant Site itself. The assessment methodology is based on the Institute of Air Quality Management's (IAQM) '*Guidance on the Assessment of Mineral Dust Impacts for Planning*'. The principles being based on source – pathway – receptors and considers impacts on amenity, human health and ecology. Baseline conditions are set out including the local

meteorological conditions and existing sources of air pollution. A summary of these findings is set out in Annex G Air Quality and Dust supporting the ES.

The assessment confirms that the proposed extension does not lie within in or in close proximity to a designated Air Quality Management Area (AQMA). Notwithstanding this, embedded mitigation proposals are set out which reflect those dust management controls already implemented in association with the current quarrying operations, together with an assessment of potential effects. It is concluded that subject to the mitigation proposals being implemented (which in the case of Phase 7 include postponing works during periods of dry and warm weather or during periods where strong winds are blowing towards Gibbs Farm), fugitive dust emissions would be capable of being controlled to an acceptable level and any impacts on ecological or residential sensitive receptors would vary from negligible to moderate adverse effects.

Chapter 14: Community/Socio-Economic – this chapter primarily focusses on the potential community and socio-economic impacts of the proposed extension subject of application S22/1610. This includes effects on local amenity reflecting aspects of the previous sections along with further commentary in respect of the applicants existing operations at the quarry which, if permission is permitted, would ensure a continuation of employment on site. In terms of the economy, the proposed release of new mineral reserves from both the extension and underneath the Plant Site would supply high-quality aggregate material which is in demand in Lincolnshire. Overall, it was concluded that no additional mitigation measures were necessary, and any impacts locally would be of minor to moderate significance.

Chapter 15: Other Matters – this chapter considers the cumulative and combined effects; population and health; climate change and major accidents and disasters.

Cumulative and combined effects - this section considers both proposals as well as any other existing or proposed developments external to the Baston No.2 Quarry. The combined effects of the proposed extension and Plant Site as originally assessed within the ES have since been lessened following the removal of the proposal which had sought to allow the importation of as-raised mineral from other unspecified sources and satellite sites. In respect of cumulative effects reference has been made to other authorised mineral extraction sites and residential and industrial development in and around The Deepings. Consideration was given to impacts in terms of amenity, environmental, ecology, landscape and historic setting and referring to the supporting documentation set out in the sections above.

Population and health – this section refers to the World Health Organisation (WHO) and briefing notes produced by Public Health England. Potential effects to human health are considered to be in respect of road safety; flood risk, drainage and water resources; noise and air quality. It is concluded that the potential effects on human health as a result of the developments have been addressed as

part of the assessments undertaken dealing with other environmental issues. On the basis of the assessments undertaken it is considered that the development will not have any significant adverse effect upon human health.

Climate Change - potential effects to climate change are considered in respect of land, soil, water, air and greenhouse gas emissions. In terms of greenhouse gas emissions, this proposal is not considered likely to give rise to a significant effects on the climate as a result of an increase in greenhouse gas emissions and the potential effects on the other factors (land, soil and air) have been addressed as part of the assessments undertaken dealing with other environmental issues. On the basis of the assessments undertaken it is considered that the developments will not have any significant adverse effects in respect of climate change.

Manor Accidents and disasters – this section confirms that the existing quarry operations are regulated by the Health and Safety Executive and required to be carried out in line with the Quarry Regulations 1999. These same management systems and procedures would continue to apply to the proposed extension and operations of the Plant Site and ensure that the risk of accidents are suitably managed and minimised.

Chapter 16: Summary – a summary of likely environmental effects by each topic areas is provided (in table form) highlighting the significance of each effect, further mitigation measures identified and the residual significance of effect.

Site and Surroundings

10. Baston No.2 Quarry forms part of a large area of existing and former sand and gravel workings. The existing Plant Site located approximately 1.65km to the north of the settlement boundary of Market Deeping and approximately 1.4 kilometres to the eastern curtilage of the village of Langtoft. The proposed southern extension site lies approximately 700 metres from the Plant Site and immediately south of the current extraction area of the quarry. An internal haul road would be created as part of this application to connect the proposal area to the Plant Site which is proposed to be retained in order to serve this site.
11. With the exception of the water bodies and low-lying agricultural land lying to the north of the extension area (which have been previously worked for sand and gravel), the immediate landscape is comprised of arable farmland with isolated farmsteads and copses of mature trees (the nearest being adjacent to the Gravel Drain), with field margins defined by drainage ditches and isolated mature trees.
12. The southern boundary of the proposed extension area is defined by Welland and Deepings Internal Drainage Board (IDB) Drain No.15, separating the site from Meadow Road a single two-lane carriageway identified as unclassified that links the A15 (west) to Cross Road (east). The western boundary of the extension area is defined by a farm track and IDB Drain No.16. The eastern boundary of the proposed extension area is formed by Gravel Drain.



View from northern boundary to south east



View from northern boundary to south west



View Meadow Road

13. The closest residential property to the proposed extension site is Gibbs Farm, Meadow Road with the farmyard and farm buildings abutting the Gravel Drain. The residential property is largely screened from the extension area by the farm buildings and a mature coniferous hedge planted to the north of the farmhouse. Other residential properties are located on New Road and on the outskirts of Langtoft more than 500m to the northwest. Some properties on Langtoft Outgang Road are closer to the Plant Site, the closest being about 350m from the stocking area.
14. There are three Sites of Special Scientific Interest (SSSI) in the area but none are in close proximity to the Baston No.2 Quarry. The SSSIs area as follows:
 - Baston and Thurlby Fen (3km to the north of the Plant Site) which is comprised of part of the River Glen, the adjacent Counter Drain and the intervening land also being an internationally designated Special Area of Conservation (SAC);
 - Cross Drain (1.3km to the east of the Baston No. 2 quarry Plant Site); and
 - Langtoft Gravel Pits (2km to the west of the proposed extension area).
15. There is no hydrological connectivity between the Baston No.2 Quarry and the latter two designated sites. The nearest local wildlife site lies immediately north of Langtoft Outgang Road, being the Baston Common Sand and Gravel Pits.

16. The central area of Langtoft village flanking East Road is a Conservation Area which also includes several Listed Buildings. A further isolated Listed Building being a Grade II Milestone lies approximately 900m distant, and to the south of the junction of Meadow Road and the A15. The nearest Scheduled Monument, Iron Age and Roman settlement including a saltern on Hall Meadow 1 kilometre to the east of Market Deeping.
17. 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.



Plant site entrance east to Cross Road

Main Planning Considerations

Planning Policy Context

18. The National Planning Policy Framework (July 2021) sets out the Government's planning policies for England. It is a material consideration in determination of planning applications and adopts a presumption in favour of sustainable development. A number of paragraphs are of particular relevance to this application as summarised:

Paragraphs 7 to 12 (Sustainable development) – presumption in favour, which identifies three overarching objectives - social progress, economic well-being and environmental protection, including making effective use of land, helping to improve biodiversity, using natural resources prudently, minimising waste and pollution, and mitigating and adapting to climate change, including moving to a low carbon economy'.

Paragraph 47 and 48 (Planning law) - requires that applications for planning permission be determined in accordance with the development plan, unless material considerations indicate otherwise. Decisions on applications should be made as quickly as possible. Local planning authorities may give weight to relevant policies in emerging plans according to the stage of preparation of the emerging plan (the more advanced its preparation, the greater the weight that may be given). Paragraphs 84 and 85 (Supporting a rural economy) – states that planning decisions should enable development and diversification of agricultural and other land-based rural businesses and sustainable rural tourism and leisure developments which respect the character of the countryside. Rural sites that are physically well-related to existing settlements, should be encouraged where suitable opportunities exist.

Paragraphs 110 to 112 (Promoting sustainable transport) – states that when considering development proposals it is necessary to ensure that there is safe and suitable access to the site and that any significant impact from the development on highway safety is mitigated, would not have severe residual cumulative impacts on the road network and addresses the needs of people with disabilities and reduced mobility.

Paragraph 120 and 122 (Making effective use of land) – states that decisions should encourage benefits from rural land and take opportunities to achieve net environmental gains such as new habitat creation.

Paragraph 166 and 167 (Planning and flood risk) – directs that decisions should ensure that the development is appropriately flood resistant and resilient such that, in the event of a flood, it could be quickly brought back into use without significant refurbishment.

Paragraph 174 (Conserving and enhancing the natural environment) – directs that planning decisions should contribute to and enhance the natural and local environment, recognising and minimising impacts on best and most versatile agricultural land and providing net gains for biodiversity.

Paragraph 180 (Habitats and biodiversity) – states that development whose primary objective is to conserve or enhance biodiversity should be supported; while opportunities to improve biodiversity in and around developments should be integrated as part of their design, especially where this can secure measurable net gains for biodiversity.

Paragraph 183, 185 and 187 (Ground conditions and pollution) – state that decision should ensure that a site is suitable for its proposed use taking account of ground conditions and any risks arising from land instability and contamination. This includes risks arising from natural hazards or former activities such as mining, and any proposals for mitigation including land remediation (as well as potential impacts on the natural environment arising from that remediation). Ensuring development appropriate for its location by taking into account the likely effects

on health, living condition and the natural environment through mitigation and reduction of potential adverse impacts. The focus should be on whether proposed development is an acceptable use of land, rather than the control of processes or emissions (where these are subject to separate pollution control regimes).

Paragraph 199 (Historic environment) – states that when considering the impact of a proposed development on the significance of a designated heritage asset, great weight should be given to the asset’s conservation (and the more important the asset, the greater the weight should be).

Paragraph 209 to 211 (Facilitating the sustainable use of minerals) – ensure sufficient supply of minerals, which can only be worked where they are found, that do not have unacceptable adverse impacts on the natural and historic environment and weigh the benefits of mineral extraction but ensure that there are no unacceptable local adverse impacts and provide for restoration and aftercare at the earliest opportunity.

Paragraph 213 (Maintaining Supply) - Minerals planning authorities should plan for a steady and adequate supply of aggregates and make provision in the form of specific sites, preferred areas and/or areas of search and locational criteria and ensure that large landbanks bound up in very few sites do not stifle competition. Authorities should use landbanks of aggregate minerals reserves principally as an indicator of the security of aggregate minerals supply, and to indicate the additional provision that needs to be made for new aggregate extraction and maintaining landbanks of at least seven years for sand and gravel and at least 10 years for crushed rock, whilst ensuring that the capacity of operations to supply a wide range of materials is not compromised.

19. In addition to the NPPF, in March 2014 the Government published a series of web based National Planning Policy Guidance notes (NPPGs). The NPPGs sets out the overall requirements for minerals sites, including the need to ensure a steady supply of minerals; the need to ensure the information provided in support of an application is sufficient to enable the environmental impacts to be assessed and that sites are restored at the earliest opportunity to high environmental standards.
20. Lincolnshire Minerals & Waste Local Plan: Core Strategy and Development Management Policies 2016 (CSDMP) – this document was formally adopted on 1 June 2016 and as an adopted document the policies contained therein should be given great weight in the determination of planning applications. The key policies of relevance in this case are as follows (summarised):

Policy M2 (Providing for an Adequate Supply of Sand and Gravel) states that the County Council will ensure a steady and adequate supply of sand and gravel for aggregate purposes. There are three Production Areas and the South Lincolnshire Production Area has a target to produce 15.66 million tonnes during the plan period of 2014 – 2031.

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

Policy M4 (Proposals for Sand and Gravel Extraction) states that for sites not allocated in the Site Locations Document, planning permission will be granted for sand and gravel extraction for aggregate purposes where the site is required to meet:

- a proven need that cannot be met from the existing permitted reserve; or
- a specific shortfall in the landbank of the relevant Production Area and either:
 - i). forms an extension to an existing Active Mining Site; or
 - ii). is located in the relevant Area of Search as shown on the Policies Map (Figure 5) and will replace an existing Active Mining Site that is nearing exhaustion.

Policy M13 (Associated Industrial Development) states that planning permission will be granted for ancillary industrial development within or in proximity to mineral sites where it can be demonstrated that there are close links with the mineral development and the proposals accord with all relevant Development Management Policies set out in the Plan. Where permission is granted, the operation and retention of the development will be limited to the life of the permitted reserves.

Policy DM1 (Presumption in favour of sustainable development) states that when considering development proposals, the County Council will take a positive approach. Planning applications that accord with the policies in this Local Plan will be approved without delay, unless material considerations indicate otherwise.

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

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

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

Policy DM4 (Historic Environment) states that proposals that have the potential to affect heritage assets including features of historic or archaeological importance should be assessed and the potential impacts of the development upon those assets and their settings taking into account and details of any mitigation measures identified. Planning permission will be granted for minerals and waste development where heritage assets, and their settings, are conserved and, where possible enhanced and where adverse impacts are identified planning permission will only be granted provided that:

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

Policy DM6 (Impact on Landscape and Townscape) – states that planning permission will be granted provided that due regard has been given to the likely impact of the proposed development on the landscape, including landscape character, valued or distinctive landscape features and elements and important views. If necessary additional design, landscaping, planting and screening will also be required and where new planting is required it will be subject to a minimum 10-year maintenance period. Development that would result in residual, adverse landscape and visual impacts will only be approved if the impacts are acceptable when weighed against the benefits of the scheme. Where there would be significant adverse impacts on a valued landscape considered weight will be given to the conservation of that landscape.

Policy DM8 (Nationally Designated Site of Biodiversity and Geological Conservation Value) states that any harmful aspects of minerals operations can be satisfactorily mitigated so as not to adversely impact on SSSI's.

Policy DM9 (Local Sites of Nature Conservation Value) states that planning permissions should ensure any adverse effects are adequately mitigated or, as a last resort compensated for, with proposal resulting in a net-gain in biodiversity through the creation of new priority habitat in excess of that lost.

Policy DM11 (Soil) states that proposals should protect, and wherever possible, enhance soils and will only be permitted where there is an overriding need for the development, no suitable alternative site of lower agricultural quality, the land can be restored to its previous agricultural quality or better, or other beneficial after uses consistent with other sustainability considerations.

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

Policy DM13 (Sustainable Transport Movements) states that proposals for minerals development should seek to maximise where possible the use of the most sustainable transport option.

Policy DM14 (Transport by Road) states that planning permission will be granted for minerals and waste development involving transport by road where the highways network is of appropriate standard for use by the traffic generated by the development and arrangements for site access would not have an unacceptable impact on highway safety, free flow of traffic, residential amenity or the environment.

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

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

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

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

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

Policy R3 (Restoration of Sand and Gravel Operations within Areas of Search) advises that sand and gravel operations (other than those involving best and most

versatile agricultural land that would be restored back to agricultural land of comparable quality) should have regard to the landscape scale objectives of the area and specific to South Lincolnshire (West Deeping/Langtoft) area these include the creation of wet fenland habitat or enhancement of existing wetland habitats.

21. Lincolnshire Minerals and Waste Local Plan: Site Locations (2017) – the policies contained therein should be given great weight in the determination of planning applications. The key policies of relevance in this case are as follows (summarised):

Policy SL1 (Mineral Site Allocations) states that a steady and adequate supply of sand and gravel for aggregate purposes, in accordance with Policy M2 of the Core Strategy and Development Management Policies document, will be provided through the continued provision of sand and gravel from remaining permitted reserves at existing sites and also the identified allocated sites. Of relevance in this case is Site MS27-SL Baston No.2 Quarry Phase 2 of which this proposal site forms part of.

22. South Kesteven District Council Local Plan (SKLLP) – as an adopted document, the policies contained therein should be given great weight in the determination of planning applications. The key policies of relevance in this case are as follows (summarised):

Policy SP5 (Development in the Open Countryside) states development in the open countryside will be limited to that which has an essential need to be located outside of the existing built form of a settlement. In such instances, the following types of development will be supported: a. agriculture, forestry or equine development

Policy E8 (Other Employment Proposals) states that other employment proposals in locations not covered by the above policies will be supported, provided there is a clear demonstration that; a. there are no suitable or appropriate sites or buildings within allocated sites or the built up area of existing settlements; b. there is no significant adverse impact on the character and appearance of the area and the amenity of neighbouring uses; c. there is no significant impact on the local highway network; d. there is no significant likely adverse impact on the viability of delivering any allocated employment site.

Policy EN1 (Protection and Enhancement of the Character of the District) states that development must be appropriate to the character and significant natural, historic and cultural attributes and features of the landscape within which it is situated and features of the landscape within which it is situated, and contribute to its conservation, enhancement or restoration.

Policy EN2 (Protecting Biodiversity and Geodiversity) states that the Council working in partnership with all relevant stakeholders will facilitate the conservation, enhancement and promotion of the District's biodiversity and geological interest of the natural environment. This includes seeking to enhance

ecological networks and seeking to deliver a net gain on all proposals, where possible. Proposals that are likely to have a significant impact on sites designated internationally, nationally or locally for their biodiversity and geodiversity importance, species populations and habitats identified in the Lincolnshire Biodiversity Action Plan, Geodiversity Strategy and the Natural Environment and Rural Communities (NERC) Act 2006 will only be permitted in exceptional circumstances:

- In the case of internationally designated sites (alone or in combination), where there is no alternative solution and there are overriding reasons of public interest for the development.
- In the case of national sites (alone or in combination) where the benefits of development in that location clearly outweigh both the impact on the site and any broader impacts on the wider network of national sites.
- In the case of Local Sites (e.g. Local Wildlife Sites) or sites which meet the designation criteria for local sites, the reasons for development must clearly outweigh the long term need to protect the site.

In exceptional circumstances where detrimental impacts of development cannot be avoided (through locating an alternative site) the Council will require appropriate mitigation to be undertaken by the developers or as a final resort compensation. Where none of these can be achieved then planning permission will be refused. Where any mitigation and compensation measures are required, they should be in place before development activities start that may disturb protected or important species. Development proposals that are likely to result in a significant adverse effect, either alone or in combination, on any internationally designated site, must satisfy the requirements of the Habitats Regulations. Development requiring Appropriate Assessment will only be allowed where it can be determined, taking into account mitigation, that the proposal would not result in significant adverse effects on the site's integrity.

Policy EN3 (Green Infrastructure) states that the Council will maintain and improve the green infrastructure network in the District by enhancing, creating and managing green space within and around settlements that are well connected to each other and the wider countryside. Development proposals should ensure that existing and new green infrastructure is considered and integrated into the scheme design, taking opportunities to enrich biodiversity habitats, enable greater connectivity and provide sustainable access for all. Where adverse impacts on green infrastructure are unavoidable, development will only be permitted if suitable mitigation measures for the network are provided.

Policy EN4 (Pollution Control) states that development should seek to minimise pollution and where possible contribute to the protection and improvement of the quality of air, land and water. In achieving this:

Development should be designed from the outset to improve air, land and water quality and promote environmental benefits. Development that, on its own or

cumulatively, would result in significant air, light, noise, land, water or other environmental pollution or harm to amenity, health well-being or safety will not be permitted. New development proposals should not have an adverse impact on existing operations. Development will only be permitted if the potential adverse effects can be mitigated to an acceptable level by other environmental controls, or by measures included in the proposals. Development that would lead to deterioration or may compromise the ability of a water body or underlying groundwater to meet good status standards in the Anglian River Basin Management Plan (required by the Water Framework Directive) will not be permitted.

Policy EN5 (Water Environment and Flood Risk Management) directs that development should be located in the lowest areas of flood risk, in accordance with the South Kesteven Strategic Flood Risk Assessment (SFRA). Where this is not possible the sequential approach to development will be applied. Where the requirements of the sequential test are met, the exception test will be applied, where necessary. A Flood Risk Assessment (FRA) will be required for all development in Flood Zones 2 and 3 and for sites greater than 1 hectare in Flood Zone 1, and where a development site is located in an area known to have experienced flood problems from any flood source, including critical drainage. All development must avoid increasing flood risk elsewhere. Runoff from the site post development must not exceed pre-development rates for all storm events up to and including the 1% Annual Exceedance Probability (AEP) storm event with an allowance for climate change. The appropriate climate change allowances should be defined using relevant Environment Agency guidance. Surface water should be managed effectively on site through the use of Sustainable Drainage Systems (SuDs) unless it is demonstrated to be technically unfeasible. 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. Opportunities must be sought to achieve multiple benefits, for example through green infrastructure provision and biodiversity enhancements in addition to their drainage function. The long-term maintenance of structures such as swales and balancing ponds must be agreed in principle prior to permission being granted. Development proposals should demonstrate that water is available to serve the development. Suitable access should be maintained for water resource and drainage infrastructure. Where development takes place in Flood Zones 2 and 3, opportunities should be sought to:

- a. Reduce flooding by considering the layout and form of the development and the appropriate application of sustainable drainage techniques;
- b. Relocate existing development to land in zones with a lower probability of flooding; and
- c. Create space for flooding to occur by restoring functional floodplains and flood flow pathways and by identifying, allocating and safeguarding open space for storage.

Policy EN6 (The Historic Environment) states that the Council will seek to protect and enhance heritage assets and their settings in keeping with the policies in the National Planning Policy Framework. Development that is likely to cause harm to the significance of a heritage asset or its setting will only be granted permission where the public benefits of the proposal outweigh the potential harm. Proposals which would conserve or enhance the significance of the asset shall be considered favourably. Substantial harm or total loss will be resisted. Where development affecting archaeological sites is acceptable in principle, the Council will seek to ensure mitigation of impact through preservation of the remains in situ as a preferred solution. When in situ preservation is not practical, the developer will be required to make adequate provision for excavation and recording before or during development.

Policy DE1 (Promoting Good Quality Design) states that to ensure high quality design is achieved throughout the District, all development proposals will be expected to:

- a. Make a positive contribution to the local distinctiveness, vernacular and character of the area. Proposals should reinforce local identity and not have an adverse impact on the streetscene, settlement pattern or the landscape/townscape character of the surrounding area. Proposals should be of an appropriate scale, density, massing, height and material, given the context of the area;
- b. Ensure there is no adverse impact on the amenity of neighbouring users in terms of noise, light pollution, loss of privacy and loss of light and have regard to features that minimise crime and the fear of crime; and
- c. Provide sufficient private amenity space, suitable to the type and amount of development proposed.

Development proposals should seek to:

- d. Retain and incorporate important on-site features, such as trees and hedgerows and incorporate, where possible, nature conservation and biodiversity enhancement into the development;
- e. Provide well designed hard and soft landscaping; and
- f. Effectively incorporate onsite infrastructure, such as flood mitigation systems or green infrastructure, as appropriate.

Emerging Local Plan

23. Lincolnshire Minerals and Waste Local Plan Review – work has begun on replacing the current Lincolnshire Minerals & Waste Local Plan with an ‘Issues and Options’ paper and ‘Call for Sites’ consultation having been carried out. Given the review is at an early stage of preparation and no draft policies or preferred allocated sites have yet been identified, this document and any sites currently put forward in response to the ‘call for sites’ carry no weight in the determination of this application.

Other material considerations

24. The Lincolnshire Local Aggregates Assessment (LAA) dated July 2022 contains the most recent published data on aggregate sales and reserves within the County. The latest LAA does not provide a breakdown of reserves available within each Production Area but does show that at the end of 2021 there were approx. 21.927 Mt sand and gravel reserves within the County equating an estimated landbank of 9.68 years (based on 10 year average sales). This is above the recommended minimum of seven years identified by the NPPF but the distribution of those reserves is not even with some Production Areas containing a higher proportion of these overall reserves than others.

Results of Consultation and Publicity

25. (a) Langtoft Parish Council - do not object to the retention of the Plant Site (application S22/16012) and in relation the proposed extension (application S22/1610) requests that due consideration is given to the potential harmful effect on the living conditions of the residents of the Parish and the character and appearance of the area. It is stated that measures should be secured through a S106 agreement to ensure such harms are mitigated.
- (b) Environment Agency (EA) – has raised no objection to either application. The EA has however requested a condition be attached which would require the developments to be carried out in accordance with the submitted FRA. Following submission of the Further and Additional Information, the EA confirmed that they had no additional comments to make.
- (c) Historic England – have offered no specific comments and instead advised that the views of LCC's own conservation and archaeological advisers be taken into account.
- (d) Historic Places (Lincolnshire County Council) - acknowledges that discussions have taken place with the applicants archaeological consultant and that the geophysical survey carried out within the proposed extension site identified some features which are potentially of archaeological interest and significance. It is therefore recommended that an archaeological scheme of work be secured through condition. In respect of the historic landscape and setting of known historic assets the proposals would not appear to have adverse impacts.
- (e) Highway and Lead Local Flood Authority (Lincolnshire County Council) – following the amendment and removal of a proposal that had sought to allow the importation of mineral from other sites to the Plant Site area (subject of application S22/1612), the Highways Officer has confirmed they have no objection to both proposals/applications.

The rate of extraction is expected to be the same as existing levels and therefore no anticipated increase in the number of HGV's over and above that currently experienced and associated with the Baston No.2 Quarry. The impact on highway capacity over and above the existing conditions would be negligible. Should future applications be made which seek to introduce satellite working areas beyond the current proposed extension area a further assessment would need to be made.

HGV routing is also proposed to remain unchanged with HGV's heading eastbound towards the Langtoft Outgang Lane/Cross Road junction before routing southwards towards the A1175.

As Lead Local Flood Authority, the Council does not consider that either proposal would increase flood risk in the immediate vicinity of the site however it is recommended that the requirements and advice of the Welland and Deepings Internal Drainage Board be taken into account.

- (f) Natural England (NE) – has raised no objection to either application. Based on the plans submitted and the Further and Additional Information provided, Natural England considers that the proposed development will not have significant adverse impacts on European and Nationally designated sites and so raises no objection.
- (g) Lincolnshire Wildlife Trust (LWT) - have submitted a holding objection as they have concerns regarding biodiversity and feel that a management and monitoring plan is required and more information to ensure the effects of the development on water quality within the Gravel Drain is not adversely affected.

In respect of biodiversity, LWT appreciate that there is currently no legal requirement to achieve biodiversity net gain to a minimum of 10% or to provide a 30-year management and monitoring, however, during this transition period whilst these mandatory requirements come into force, LWT would expect that these measures be put in place. Policies within the NPPF and the SKLP and CSDMP seek to ensure developments deliver biodiversity gain and these policies are separate from the biodiversity net gain legislation that is scheduled to come into effect in November 2023.

In respect of concerns about water quality in the Gravel Drain, due to the downstream connectivity of the Gravel Drain to Baston Fen SAC it is vital that the water flow and quality of the drain is not affected by the proposed development. LWT acknowledge that the effect of flow has been addressed by way of sluices and weirs and the effect of contamination partially addressed by the implementation of a standoff around the Gravel Drain. These measures should be conditional to the approval of the extension, however there is no reference to the effect discharging abstracted water

back into the Gravel Drain would have on the water quality. Further information on this is therefore stated as necessary.

- (h) Welland and Deeping Internal Drainage Board (IDB) - have no objection subject to an appropriate condition to secure a scheme of restoration that demonstrates that planting of trees and shrubs would not be within 9 metres of their assets. The IDB has also provided some Informative advice relating to their regulatory functions which could be attached to any decisions issued.
- (i) Ministry of Defence Safeguarding (RAF Wittering) - has no safeguarding objections.
- (j) Lincolnshire Police (Designing Out Crime Officer) - do not have any objections.
- (k) Western Power (now National Grid Electricity Distribution) - has provided Informative advice relating to utilities infrastructure which could be attached to any decisions issued.

The following bodies/persons were consulted on both applications. No response or comments had been received within the statutory consultation period or by the time this report was prepared:

- Local County Council Member, Councillor P Dilks
- Public Health (Lincolnshire County Council)
- Arboricultural Officer (Lincolnshire County Council)
- Environmental Health Officer (South Kesteven District Council)
- Health and Safety Executive (Quarries)
- Lincolnshire Fire and Rescue.

26. The applications have been publicised by notices posted at the Plant Site entrance on 12 August 2022 and 12 January 2023 and in the local press (Lincolnshire Echo on 18 August 2022 and 18 January 2023). Letters of notification were also sent to the two nearest occupied sites/properties to the site. No response or comments had been received within the statutory consultation period or by the time this report was prepared.

District Council's Recommendations

27. South Kesteven District Council has no objection to either application subject to suitable conditions regarding operating procedures and the restoration of the site.

Conclusions

28. Section 38(6) of the Planning & Compulsory Purchase Act 2004, states that all applications for planning permission should be determined in accordance with the development plan, unless material considerations indicate otherwise. The NPPF

does not change the statutory status of the development plan as the starting point for decision taking and in fact confirms that proposed developments which conflict with an up-to-date development plan should be refused unless other material considerations indicate otherwise.

29. Both applications have been subject of an Environmental Impact Assessment carried out pursuant to the Town and Country Planning (Environmental Impact Assessment) Regulations 2017 (the 'EIA Regulations'). An Environmental Statement (ES) has therefore been submitted which covers both applications and which assesses the potential impacts of both proposals together with the mitigation measures proposed to avoid, reduce and, if possible, remedy any significant adverse impacts.
30. The key issues to be considered in both cases are:
 - the need and justification for extracting new sand and gravel reserves from both the proposed extension area (which is an allocated site) and from underneath the Plant Site (which is an unallocated site); and
 - the environmental and amenity impacts associated with both proposals including impacts in terms of flood risk and drainage; highways and traffic; landscape; nature conservation and biodiversity net gain; historic environment considerations; and including amenity impacts on local residents, in particular traffic, noise, dust and visual impact.

Need and justification for sand and gravel aggregate

31. The NPPF advises that Mineral Planning Authorities make provision for a landbank of at least seven years for sand and gravel. Policies M2 and M3 of the CSDMP reflect the NPPF by seeking to ensure that there is an adequate and steady supply of sand and gravel to meet projected demands and that a landbank of at least seven years is maintained within each of the Production Areas. Policy M2 confirms that 42.66 million tonnes (Mt) of sand and gravel is required to meet projected demands up to 2031 and that 15.66 Mt of this would be required within the South Lincolnshire Production Area. In order to meet this demand, provision for the release of new sand and gravel reserves has been provided for in the Site Locations Document and this includes the allocation of three specific sites in the South Lincolnshire Production Area. One of these sites is MS27-SL and the land subject of application S22/1610 forms part of this allocated site. The Plant Site associated with Baston No.2 Quarry is not a site that is identified within the Site Locations document for future mineral working and therefore the extraction of mineral from underneath this land should be considered as an unallocated site.
32. Policy M4 states that for sites allocated in the Site locations Document planning permission will be granted provided that, in the case of an extension to an existing Active Mining Site, extraction would follow on after the cessation of sand and gravel extraction from the existing areas supplying the plant site. For non-allocated sites, permission will be granted where there is a proven need that

cannot be met from the existing permitted reserve or there is a specific shortfall in the landbank of the relevant Production Area and either:

- (i) the site forms an extension to an existing Active Mining Site; or
- (ii) the site is located in the relevant Area of Search as shown on the Policies Map and will replace an existing Active Mining Site that is nearing exhaustion.

33. The latest LAA does not provide a breakdown of reserves available within each Production Area but does show that at the end of 2021 there were approx. 21.927 Mt of sand and gravel reserves available within the County equating an estimated landbank of 9.68 years (based on 10 year average sales). This is above the recommended minimum of seven years identified by the NPPF however the distribution of those reserves is not even with some Production Areas containing a higher proportion of these overall reserves than others. Officers have however been able to review the data that sits behind the LAA and this shows that permitted reserves available within the South Lincolnshire Production Area at the end of 2021 meant that the landbank in this area would be below the seven year minimum as recommended by the NPPF and Policy M3 of the CSDMP.
34. There are a total of seven permitted sand and gravel working/quarries within the South Lincolnshire Production Area (e.g. Red Barn; Baston No.2; West Deeping (Breedon); King Street Quarry (Cemex); Tithe Farm Pastures (a large-scale irrigation lagoon); Manor Farm, Greatford and former Manor Pit Quarry Plant Site). Red Barn Quarry is currently inactive and so does not supply mineral to the market and during 2022 planning permissions were granted/issued for a small extension to King Street Quarry (Cemex) and which allow for the extraction of mineral from beneath the former Manor Pit Plant Site. The planning permission for Manor Farm, Greatford was also issued following the completion of a S106 Planning Obligation however the site has yet to come into production as there is a need to carry out some significant highway improvement works along King Street before the export of mineral can commence. These decisions post-date the figures cited in the latest LAA and together have added an additional circa 3.31Mt to the permitted sand and gravel reserves cited as being available at the end of December 2021. When these additional reserves are added to the landbank figures for the South Lincolnshire Production Area, these increase the landbank to just above the seven year minimum. However, during 2022/23 sales of sand and gravel have continued to be high and therefore this will have further impacted on the tonnage or reserves available and therefore the actual landbank as it stands today.
35. S22/1610 – in this case the proposed extension area forms part of an allocated site and would be excavated following the cessation of extraction operations within the current Baston No.2 Quarry. Following extraction, the proposal site would be progressively restored to create a lake with peripheral wetland habitat. The extraction period would extend the life of the existing quarry by five years and the additional reserves released would contribute to maintaining the current landbank and ensure there is a steady and adequate supply of reserves available whilst preparation and work on the replacement Lincolnshire Minerals & Waste Local

Plan is ongoing. The release of these additional reserves would not therefore undermine the overall objective of the Plan but instead ensure continuity in terms of sufficient reserves to meet market demands whilst securing continued employment for the existing workforce.

36. S22/1612 -in this case the reserves identified as underlying the existing Plant Site area are not reserves that benefit from any existing planning permission and as such would constitute previously unconsented and unallocated reserves. These reserves would however be worked once mineral extraction within the wider quarry (and above proposed extension) have ceased and would effectively be the last and final phase of working as operations retreat from the site. Whilst these reserves are not identified as a potential future source of reserves in the Local Plan, by extracting them once the reserved within the wider quarry have been exhausted would prevent them from being unnecessarily sterilised. Any impacts associated with the removal of these reserves would be temporary and short-term with the resulting restored landform being incorporated into that of the wider quarry and which better reflects the after-uses proposed.
37. Overall, in principle, I am satisfied that the proposed extension to Baston No.2 Quarry proposed by application S22/1610 would be acceptable and would contribute to maintaining a stable landbank of saleable sand and gravel that accords with the NPPF, Policies M2, M3, and M4 of the CSDMP. In respect of the working and release of the reserves from underneath the Plant Site (proposed by application S22/1612) whilst the additional reserves released by this development are not required to meet an identified shortfall they are located within an Area of Search and would effectively be a final phase of working associated with the existing quarry. The removal of these reserves would not therefore fundamentally undermine the overall objective of Policies M2, M3 and M4 of the CSDMP and are therefore also considered acceptable.
38. Notwithstanding the above, before planning permission can be granted for either development it is also necessary to ensure that the proposals accord with all relevant Development Management Policies and Restoration Policies contained within the Development Plan.

Environmental and Amenity Impacts

Dust, noise and pollution control

39. The ES supporting both applications is supported by a number of technical assessments and reports which consider the potential adverse impacts of the proposals and which include mitigation measures to ameliorate any effects on both the environment and neighbouring land users. Examples of measures to be adopted and implemented as part of the development to minimise potential impacts of noise, dust and pollution include:

- restricting hours of operation to the same as those associated with the current quarry;
 - setting noise limits that ensure noise levels experienced at the nearest noise sensitive receptors do not exceed the recommended limits as set out in the Planning Practice Guidance;
 - adoption of good site management and best practices measures to minimise and reduce the potential for fugitive dust from the site.
40. The mitigation measures identified and embedded into the working proposals for the proposed extension area are largely a continuation of those which are currently applied and implemented as part of the existing quarrying operations. These include the implementation of established and effective good site management practices which ensure that the amenities of nearby residential properties and land-users are not significantly adversely affected. In terms of the Plant Site operations, its use would remain unchanged from that currently and the only difference proposed by the current proposal would be the operations associated with the extraction and removal of the underlying sand and gravel as the last phase of working. The underlying mineral would be worked in the same way as that of the wider quarry with the same controls and conditions in place to ensure that potential impacts are minimised and reduced as far as is practicable.
41. No objections have been received from the District Council or Environment Agency and the Parish Council has raised no objections providing adequate planning controls/conditions are in place. Overall, I am satisfied that both developments, subject to appropriate conditions being attached, would be acceptable in relation to noise, dust and pollution and so accord with the objectives of the NPPF, NPPG and Policy DM3 of the CSDMP and Policies E8, DE1 and EN4 of the SKLP that seek to ensure employment proposals do not give rise to adverse impacts through appropriate pollution control and the design of development.

Water Environment and Flood Risk

42. The ES was supported by a Hydrogeological, Hydrological and Flood Risk Assessment (FRA) which confirms that both the proposed southern extension and the mineral underlying the Plant Site would be worked in line with the existing quarrying operations. This includes de-watering working areas and discharging waters at a controlled rate into the Gravel Drain. Lincolnshire Wildlife Trust have requested that the applicant provide further information relating to the discharge of waters into the Gravel Drain as a result of this being upstream of the Baston Fen Special Area of Conservation (SAC). However, Natural England does not consider that the proposals pose an adverse environmental risk to this designated site as final discharge into the adjacent Gravel Drain would be in line with the requirements of an existing Discharge Permit issued by the Environment Agency (EA). The NPPF directs Planning Authorities not to duplicate controls by other regulatory authorities (in this instance the EA) and given that the discharge rate would be no greater from the site than that which is currently deemed acceptable, I

am satisfied the proposals do not pose a risk to designated sites downstream of the site.

43. In terms of flood risk, the FRA identifies that the proposal is considered water compatible in terms of vulnerability to flood risk and would not give rise to flooding outside of the application boundary. Neither the Welland and Deeping Internal Drainage Board or the EA have raised objections to the proposal, but both have referred to their own permitting regimes to be attached to any decisions should the applications be approved.
44. It is therefore considered that subject to conditions both developments would be acceptable. Conditions for the southern extension area are however recommended which would restrict the depth of extraction to the underlying basal clay, which would be utilised to protect both the Gravel Drain and IDB Drains 15 and 16 during extraction. Other conditions would ensure that the development would not give rise to adverse impacts on the environment including water environment, flood risk as well as any nearby residents and maintain sufficient stand-off to allow maintenance of drainage ditches. This would ensure the developments accord with the aims and objectives of the NPPF, NPPG and Policies DM2, DM16 and R3 of the CSDMP and would not conflict with or compromise Policies E8, EN1, EN4, EN5 and DE1 of the SKLP.

Transport and Highways

45. The Transport Assessment has assessed the impacts arising from the proposed developments which originally included a proposal to allow mineral from other external locations to be imported to the Plant Site for processing. This aspect of the proposal was however later removed and therefore is no longer being considered. Instead only traffic movements associated with the transportation of mineral resources derived and sourced from with the Baston No.2 Quarry (including those from underneath the current Plant Site) are not proposed and taken into account in the determination of these applications. The applicant has stated that the mineral would be extracted at the same rate as the current permitted quarrying operations and as such HGV traffic would not increase over and above that currently experienced. Traffic from the quarry would continue to follow the routeing strategy secured as part of the existing S106 Planning Obligation and the Highway Officer has confirmed that they have no objection to either proposal. Whilst the existing S106 Planning Obligation does secure HGV routeing (amongst other matters) this only relates to the operations subject of the current planning permissions and so would not cover the operations and activities proposed by these two applications. Accordingly, in order to ensure that the HGV routeing strategy remains in place in association with the operations proposed by these two applications, it is recommended that a new S106 Planning Obligation be secured as part of any planning permission granted. Such a S106 Planning Obligation, along with suitable conditions, would ensure that both proposals are acceptable and would not give rise to any significant or severe impacts upon the function and safety of the highway network and therefore be consistent with the

aims and objectives of the Policies DM13 and DM14 of the CSDMP and would not conflict or compromise Policy E8 of the SKLP.

Landscape, Ecology, Soils and Restoration

46. The application and ES contain and are supported by an Ecological Impact Assessment (EclA); Environmental Design & Management Scheme (EDMS); procedures for soil stripping, short- and long-term storage and post extraction placement; Restoration and Aftercare (R&A); and a Landscape and Visual Impact Assessment (LVIA).
47. The LVIA concluded that given that only one property lies in close proximity to the proposed extension area and is largely screened by virtue of a substantial stand of mature conifers and large agricultural buildings between the site and the dwelling. Views are extensive from public external viewpoints on Meadow Road however it would be unlikely that any adverse visual impacts would result from the proposed workings given the proposed placement of soil bunds to screen views into the extraction area. In addition, the proposed restoration would be consistent with other features in the surrounding landscape and continue the creation of water bodies already a common feature in the surrounding landscape as a consequence of the historical progression of sand and gravel extraction in and around Langtoft.
48. Lincolnshire Wildlife Trust has responded with a holding objection and stated that a Habitats Impact Assessment should be undertaken and that the Biodiversity Metric should be used to demonstrate minimum 10% a net gain in biodiversity in line with the requirements of the Environment Act 2021. As reported earlier, given the distance of the site from the Baston Fen SAC and as discharge rates from the site would be consistent with those already associated with the existing permitted workings, Natural England has confirmed it has no objection to this proposal and on this basis Officers are satisfied that a Habitats Impact Assessment is not required.
49. In terms of the comments relating to biodiversity net gain, it should be noted that the requirement to use the Biodiversity Metric and provide a minimum 10% gain as mandated in the Environment Act 2021 does not come into force until November 2023. Therefore at this moment in time it is not mandatory but rather advisory. Notwithstanding this, the NPPF and Policy DM9 of the CSDMP do require developments to protect and provide opportunities to enhance biodiversity reflecting the requirements of the Environment Act 2021. In this instance, the proposed extension is largely comprised of agricultural land of which some is classed as 'best and most versatile' (BMV) farmland. The site itself however is considered to be devoid of any habitat or ecological features of significant value and the proposed restoration programme would deliver a higher value wetland habitat and meadow area than the previous arable agricultural use. The EDMS provides a comprehensive mitigation programme to ensure that the operations would not have adverse impacts on wildlife (including protected species) and any retained habitats in and around the quarry and ensure that suitable stand-offs are

maintained from the Gravel Drain and IDB Drains 15 and 16. Although there would be a net loss of BMV the proposed restoration would be in line with the objectives of Policy R3 and result in a restored landform that would be secure biodiversity net gains above those which exist currently.

50. A S106 Planning Obligation has been secured as part of the permitted quarrying operations which, amongst other matters, places a requirement on the operator to maintain clay seals and water levels within the restored site and secures a longer-term 10 year restoration management scheme. This S106 Planning Obligation only relates to the operations subject of the current planning permission and so would not cover the operations and activities proposed by these two applications. Accordingly, in order to ensure these same provisions are in place in association with the operations proposed by these two applications, it is recommended that a new S106 Planning Obligation be secured as part of any planning permission granted.
51. Subject to the above, and the imposition of appropriate conditions, the developments would meet the aims and objectives of the NPPF, NPPG and Policies DM2, DM3, DM6, DM7, DM8, DM9, DM11, DM12, R1, R2 and R3 of the CSDMP and would not conflict with or compromise Policies SP5, E8, EN1, EN2, EN3, EN6 and DE1 that requires employment proposals do not adversely impact on the landscape of the district and where possible seek to enhance the natural environment through good design.

Historic Environment

52. There are no designated heritage assets (i.e. Scheduled Monuments, Listed Buildings, etc) lying within or close to the site which are considered likely to be adversely affected by the development. In respect of potential impacts on non-designated assets (buried archaeology) the desk-based assessment confirms that there are known assets in and around the site and a geophysical survey has identified the presence of archaeological features within the proposed southern extension area. It is accepted that this proposal, involving the excavation and removal of minerals, does have the potential to result in the direct loss of features of archaeological interest however none of the assessments carried out identify such features as likely of being of such significance that the development should not proceed. Notwithstanding this the applicant proposes to undertake and adopt an appropriate level of archaeological investigation/recording prior to mineral extraction taking place in those areas of suspected archaeological activity. Such a scheme would be secured by way of Written Scheme of Investigation (WSI) that would be agreed with the County Council's Historic Environment Officer and would ensure that all reasonable measures are taken to record and preserve (by record) of any features.
53. In respect of the Plant Site, this area has previously been stripped of soil and as a consequence a WSI is not considered necessary. Historic England have advised that the views of the County Council's conservation and archaeological advisers be

taken into account and offered no comments on either proposal as submitted. No objections have been received from the County Council's Historic Environment Team and therefore, subject to suitable conditions, including one which would secure the WSI for the proposed extension area, this proposal would be consistent with the aims and objectives of the NPPF and Policy DM4 of the SDMP and would not compromise or conflict with Policy EN1 of the SKLP which seek to ensure that the historic environment and heritage assets are adequately protected.

Cumulative Impacts

54. Having taken into account the content of the ES, the Further and Additional Information and all the other supporting documentation, the proposed developments would not give rise to any significant or unacceptable adverse impacts on the local area. Any cumulative impacts that may arise would be very localised to the site, time limited and would diminish over time. Consequently, the proposals would meet the aims and objectives of the NPPF and Policy DM17 of the CSDMP.

Human Rights Implications

55. The Committee's role is to consider and assess the effects that the proposal will have on the rights of individuals as afforded by the Human Rights Act (principally Articles 1 and 8) and weigh these against the wider public interest in determining whether or not planning permission should be granted. This is a balancing exercise and matter of planning judgement. In this case, having considered the information and facts as set out within this report, should planning permission be granted the decision would be proportionate and not in breach of the Human Rights Act (Articles 1 & 8) and the Council would have met its obligation to have due regard to its public sector equality duty under Section 149 of the Equality Act 2010.

Final Conclusions

56. Having considered the information contained within the applications and supporting Environmental Statement, I am satisfied that the proposed extension would be acceptable and contribute to maintaining a stable landbank of saleable sand and gravel that accords with the National Planning Policy Framework and Policies M2, M3, and M4 of the Lincolnshire Minerals and Waste Local Plan. Whilst the reserves underlying the Plant Site area are not allocated within the Local Plan they are located within an Area of Search and would effectively be a final phase of working associated with the existing quarry. The removal of these reserves would ensure they are not unnecessarily sterilised and enable this area of the site to be properly incorporated into the wider restoration proposals for the site.
57. In terms of environmental and amenity impacts, whilst there would be some inevitable impacts from the working of both proposals, these have been assessed as part of the ES and mitigation measures embedded and proposed as part of the development to address and minimize identified impacts. Subject to the

imposition of appropriate planning conditions and a Section 106 Planning Obligation to ensure the continuation of HGV vehicle routeing and which secures a long-term post-restoration management scheme for the site, the proposed developments are acceptable.

RECOMMENDATIONS

It is recommended that:

- A. The applicant be invited to enter into a S106 Planning Obligation to secure:
 - i) the continued routeing of Heavy Commercial Vehicles via Cross Road to the A1175 (in accordance with the application details);
 - ii) the extension of the aftercare management period to 10 years.

- B. Subject to A, that planning permission be granted for the development proposed by application S22/1610 subject to the conditions set out in Appendix B; and

- C. Subject to A and B, that planning permission be granted for development proposed by application S22/1612 subject to the conditions set out in Appendix C; and

- D. That this report (including appendices) forms part of the Council’s Statement pursuant to Regulation 24 of the Town and Country Planning (Environmental Impact Assessment) (England and Wales) Regulations 2017 – which requires the Council to make available for public inspection at the District Council’s offices specified information regarding the decision. Pursuant to Regulation 24(1)(c) the Council must make available for public inspection a statement which contains:
 - the content of the decision and any conditions attached to it;
 - the main reasons and consideration on which the decision is based;
 - including, if relevant, information about the participation of the public;
 - a description, when necessary, of the main measures to avoid, reduce and if possible offset the major adverse effects of the development;
 - information recording the right to challenge the validity of the decision and the procedures for doing so.

Appendices

These are listed below and attached at the back of the report	
Appendix A	Committee Plan
Appendix B	Recommended Conditions for application S22/1610
Appendix C	Recommended Conditions for application S22/1612

Background Papers

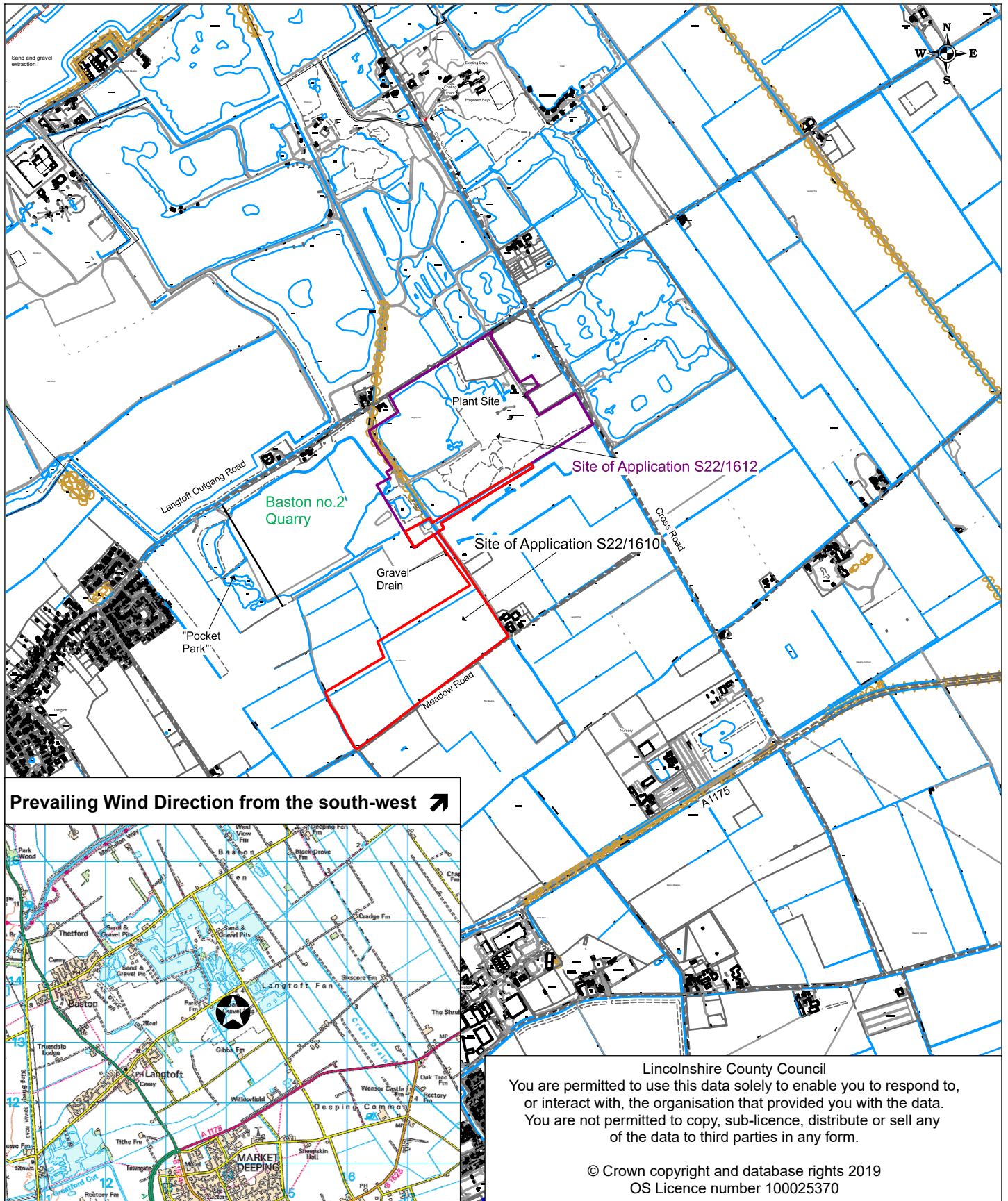
The following background papers as defined in the Local Government Act 1972 were relied upon in the writing of this report.

Document title	Where the document can be viewed
Planning Application Files S22/1610 S22/1612	Lincolnshire County Council's website https://lincolnshire.planning-register.co.uk/
National Planning Policy Framework (2021) National Planning Policy Guidance (2014)	The Government's website www.gov.uk
Lincolnshire Minerals & Waste Local Plan (2016) Site Locations (2017) Lincolnshire Local Aggregate Assessment (reporting 2021 data)	Lincolnshire County Council's website www.lincolnshire.gov.uk
South Kesteven Local Plan (2020)	South Kesteven District Council's website www.southkesteven.gov.uk

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

LINCOLNSHIRE COUNTY COUNCIL Appendix A

PLANNING AND REGULATION COMMITTEE 9 MAY 2023



Location:

Baston No. 2 Quarry, Langtoft
Outgang Road, Langtoft

Description:

S22/1610 - For a south-west extension etc
S22/1612 - For the retention of the Plant Site etc

Scale: 1:20,000

Appendix B - Recommended Conditions for application S22/1610

Commencement

1. The development hereby permitted shall be begun before the expiration of three years from the date of this permission. Written notification of the date of commencement shall be sent to the Mineral Planning Authority (MPA) within seven days of such commencement.

Reason: To comply with the requirements of Section 91 of the Town and Country Planning Act 1990 (as amended).

Approved Documents and Plans

2. The development and operations hereby permitted shall only be carried out in accordance with the following documents and drawings, unless otherwise modified by the conditions attached to this planning permission or details subsequently approved pursuant to those conditions:

- Planning Application Form and Covering Letter (received 15 July 2022);
- Planning Statement including Appendices A and B (received 15 July 2022);
- Environmental Statement including Annexes A to G inclusive (received 15 July 2022) and as amended by the Further Information including ES Annex A (received 5 January 2023).
- Drawing Number 60663951.BAS.03 Rev A – ‘Planning Application and Land Ownership Boundaries 40 Acre Extension’ (received 15 July 2022);
- Drawing Number 60663951.BAS.05 Rev A – ‘Development Masterplan’ (received 5 January 2023);
- Drawing Number 60663951.BAS.08 Rev A – ‘Phase 6 Development’ (received 5 January 2023);
- Drawing Number 60663951.BAS.09 Rev A – ‘Phase 7 Development’ (received 5 January 2023);
- Drawing Number 60663951.BAS.10 - ‘Phase 1 Development’ (received 15 July 2022);
- Drawing Number 60663951.BAS.11 Rev A – ‘Restoration Plan 40-Acre Extension’ (received 5 January 2023);
- Drawing Number 60663951.BAS.12 Rev A – ‘Section A-A’ (received 5 January 2023);
- Drawing Number 60663951.BAS.13 – ‘Section B-B’ (received 15 July 2022); and
- Drawing Number 60663951.BAS.14 - ‘Traffic Routeing’ (received 15 July 2022).

Reasons: To define the extent and scope of the planning permission and for the avoidance of doubt as to the nature of the development hereby permitted and to ensure development is carried out in accordance with the approved application details.

Archaeology

3. (a) No development shall take place until a written scheme of archaeological investigation has been submitted to and approved by the MPA. The scheme of archaeological investigation shall thereafter be carried out and implemented in accordance with the approved details.
- (b) The applicant will notify the MPA of the intention to commence at least fourteen days before the start of archaeological work in order to facilitate adequate monitoring arrangements. No variation shall take place without prior consent of the MPA.
- (c) A copy of the final report will be submitted within three months of the work to the MPA for approval (or according to an agreed programme). The material and paper archive required as part of the written scheme of investigation shall be deposited with an appropriate archive in accordance with guidelines published in The Lincolnshire Archaeological Handbook.

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

Phasing and Soil Management

4. The site shall be worked and restored in accordance with the phased programme as shown on approved Drawing Numbers 60663951.BAS.08 Rev A; 60663951.BAS.09 Rev A and 60663951.BAS.10. The applicant will notify the MPA in writing within seven days of the following:
 - i) commencement of mineral extraction in Phase 7
 - ii) the completion of mineral extraction within the site
 - iii) the completion of restoration in each phase.

Reason: To ensure the development is carried out in accordance with the details contained within the application.

5. All soils shall be retained on site and no soil storage mound or bund shall exceed 3.0 metres in height.
6. All soils shall be handled in accordance with Section 4. Scheme Description - Design and Management Measures (Embedded Mitigation) 'Soils and Agriculture' of the Environmental Statement.

Reason: To ensure that soils are maintained appropriately and available for restoration of the site.

7. Only in-situ basal clay shall be used to construct clay seals.

8. Only on-site derived mineral wastes, overburden and soils shall be used in the site restoration. Nothing in this decision shall be construed as permitting the use of imported materials to achieve site screening, site restoration or for any other purpose.

Reason: To prevent the importation of material to aid preparation and restoration of the site as importation of materials lies outside the scope of the development hereby permitted.

9. Stockpiles of sand and gravel shall not exceed 3.0 metres in height above surrounding ground level.

Reason: To ensure that the stockpiles in the southern extraction area do not give rise to external adverse visual impacts.

10. Sand and gravel extracted from the site shall be transported to the Plant Site via the internal haul roads and shall not be transported via the publicly maintained highway.

Reason: To ensure the development is carried out in accordance with the details contained within the application.

Hours of Operation

11. (a) 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 and 17:00 hours Monday to Friday

07:00 and 12:00 hours Saturdays

No such activities shall take place on Sundays, Public Holidays or Bank Holidays; and

- (b) 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 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.

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

Noise Controls

12. All vehicles, plant and machinery operated within the site shall be maintained in accordance with the manufacturer's specifications at all times and shall be fitted with and use effective silencers and white noise reversing devices.
13. Except for temporary operations noise levels at any other noise sensitive property around the site shall not exceed the levels identified in Table 5.2 of Annex F to the Environmental Statement.
14. For temporary operations such as soil stripping, replacement and bund formation, the noise level at any noise sensitive location identified in Table 5.3 of Annex F to the Environmental Statement shall not exceed 70dB(A) LAeq, 1 hour free field. Temporary operations which exceed the normal daytime criterion (set out in the above condition) shall be limited to a total of eight weeks in any twelve month period at any individual noise sensitive property and the dates of these occurrences shall be notified in writing to the MPA.
15. In the event of a substantiated complaint being notified to the operator by the MPA relating to noise arising as a result of the operations undertaken at the site, the operator shall carry out a noise survey to establish whether or not the relevant permitted noise levels are being breached. The results of the noise survey, along with details of any additional mitigation measures to be implemented to address and remedy any identified breaches, shall be submitted for the attention of the MPA. Any additional measures identified as part of the survey shall be implemented and thereafter maintained for the duration of the development.

Reasons: To minimise potential impacts and disturbance from the operations on local residents and the surrounding areas as a result of noise. To reflect the recommendations as set out in the Environmental Statement and to ensure that noise levels arising from the development do not have an adverse impact upon local amenity or the surrounding environment and to reduce the impacts of dust disturbance from the site.

Dust Management

16. All dust mitigation measures as set out in Annex G to the Environmental Statement 'Appendix G2 Dust Management Plan' shall be implemented in full for the duration of the development.

Reason: To ensure that local amenity is protected from fugitive dust emissions.

Ecology

17. The Environmental Design and Management (Embedded Mitigation) set out in Annex B Section 5 and expanded on in Annex B Section 7 to the Environmental Statement shall be implemented in full.

18. Soils and overburden will be stripped outside the season for ground nesting birds or during the season when surveys have established that there is no risk to ground nesting birds.

Reason: To ensure the interests of wildlife amenity and wildlife conservation.

Water Environment and Pollution Control

19. No facilities for the storage of oils, fuels or chemicals shall be sited within the southern extraction area.
20. There shall be no discharge of foul or contaminated drainage from the site into either the ground water or any surface waters, whether direct or via soakaway.

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

21. The development shall be carried out in accordance with the submitted flood risk assessment prepared by Hafren Water REF: ES Annex E2 – Flood Risk Assessment (FRA) dated July 22 and the mitigation measures detailed in the FRA. These mitigation measures shall be fully implemented prior to occupation and subsequently in accordance with the scheme's timing/phasing arrangements. The measures detailed above shall be retained and maintained thereafter throughout the lifetime of the development

Reason To reduce the risk of flooding to the proposed development and future occupants.

External Lighting

22. No fixed lighting, including security lighting, shall be erected, or installed within the southern extraction area until details of the location, height, design, sensors, and luminance have been submitted to and approved in writing by the MPA. The details shall ensure that the lighting is designed to minimize the potential nuisance of light spillage outside of the site. The lighting shall thereafter be erected, installed, and operated in accordance with the approved details.

Reason: To minimise the potential nuisance and disturbances to the local wildlife and the surrounding area.

Restoration and Aftercare

23. Prior to the commencement of soil stripping in Phase 7, a scheme of restoration planting as illustrated in Drawing No 60663951.BAS211 Rev A shall be submitted to and approved in writing by the MPA. The scheme shall include planting locations,

species and density of trees and shrubs; and details of wildflower grassland species mix and spreading regime. The approved scheme shall be implemented in full in the first available planting season following completion of the restoration land formation in Phases 6 and 7.

Reason: To ensure that a 9 metre stand off from the Welland and Deepings IDB assets be maintained and for avoidance of doubt that the proposed restoration will achieve Biodiversity Net Gain.

24. Prior to commencement of soil stripping in Phase 7 a detailed five-year aftercare scheme has been submitted to and approved in writing by the MPA. The aftercare scheme shall include details of the management and maintenance practices to be taken to ensure the successful establishment of the after-uses identified for each part of Site created as part of the approved restoration scheme. The aftercare programme, which shall cover a period of five years for each sub phase, shall commence following the final placement of soils within each sub phase. The aftercare programme shall be implemented in accordance with the approved details and a site meeting shall be held each aftercare year with a representative of the MPA to review progress on site.

Reason: To ensure that the biodiversity net gain habitats created are established and remain healthy.

Informatives

Attention is drawn to:

- (i) Western Power (Now National Grid) letter - reference: 26508754 dated 5 August 2022
- (ii) Natural England letter - reference: 419161 dated 21 February 2023
- (iii) Environment Agency letter - reference: AN/2022/13340/01-L01 dated 1 September 2022
- (iv) Welland & Deepings Internal Drainage Board letter - reference: MSM/JP/P/L/1 dated 23 February 2023
- (v) In dealing with this application the Mineral Planning Authority has worked with the applicant in a positive and proactive manner by giving pre-application advice in advance of the application and processed the application efficiently so as to prevent any unnecessary delay. This approach ensures the application is handled in a positive way to foster the delivery of sustainable development which is consistent with the requirements of the National Planning Policy Framework and as required by Article 35(2) of the Town & Country Planning (Development Management Procedure)(England) Order 2015; and

- (vi) The validity of the grant of planning permission may be challenged by judicial review proceedings in the Administrative Court of the High Court. Such proceedings will be concerned with the legality of the decision rather than its merits. Proceedings may only be brought by a person with sufficient interest in the subject matter. Any proceedings shall be brought promptly and within six weeks from the date of the planning permission. What is prompt will depend on all the circumstances of the particular case but promptness may require proceedings to be brought at some time before the six weeks has expired. Whilst the time limit may be extended if there is good reason to do so, such extensions of time are exceptional. Any person considering bringing proceedings should therefore seek legal advice as soon as possible. The detailed procedural requirements are set out in the Civil Procedure Rules Part 54 and the Practice Directives for these rules.

Approved Documents and Plans

1. The development and operations hereby permitted shall only be carried out in accordance with the following documents and drawings, unless otherwise modified by the conditions attached to this planning permission or details subsequently approved pursuant to those conditions:

Documents

- Planning Application Form and Covering Letter received 15 July 2022;
- Planning Statement including Appendices A and B received 15 July 2022;
- Environmental Statement including Annexes A to G inclusive received 15 July 2022 and as amended by Further Information received 09 January 2023; and
- Non-Technical Summary received 15 July 2022 as amended by Further Information received 09 January 2023.

Plans/Drawings

- Drawing Number 60663951.BAS.04 - 'Planning Application And Land Ownership Boundaries Plant Site' received 15 July 2022;
- Drawing Number 60663951.BAS.05 Rev A – 'Development Masterplan' received 05 January 2023;
- Drawing Number 60663951.BAS.16 – 'Restoration Masterplan Plant Site' received 15 July 2022; and
- Drawing Number 60663951.BAS.14 - 'Traffic Routeing' received 15 July 2022.

Reasons: To define the extent and scope of the planning permission and for the avoidance of doubt as to the nature of the development hereby permitted and to ensure development is carried out in accordance with the approved application details.

Archaeology

2. (a) Prior to the stripping of any in-situ soils that remain within the Plant Site area, a written scheme of archaeological investigation shall first be submitted to and be approved in writing by the MPA. The scheme of archaeological investigation shall thereafter be carried out and implemented in accordance with the approved details.
- (b) The applicant will notify the MPA of the intention to commence at least fourteen days before the start of archaeological work in order to facilitate adequate monitoring arrangements. No variation shall take place without prior consent of the MPA.

- (c) A copy of the final report will be submitted within three months of the work to the MPA for approval (or according to an agreed programme). The material and paper archive required as part of the written scheme of investigation shall be deposited with an appropriate archive in accordance with guidelines published in The Lincolnshire Archaeological Handbook.

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

Site Clearance, Extraction and Soil Management

3. Within 12 months of the completion of mineral extraction all buildings, structures and erections shall be removed from the site. The applicant will notify the MPA in writing within seven days of the following:

- i) the completion of mineral extraction within the site
- ii) the completion of restoration within the site.

Reason: To ensure the development is carried out in accordance with the details contained within the application.

4. All soils shall be retained on site and no soil storage mound or bund shall exceed 3.0 metres in height.

5. All soils shall be handled in accordance with Section 4. Scheme Description - Design and Management Measures (Embedded Mitigation) 'Soils and Agriculture' of the Environmental Statement shall be implemented in full for the duration of the development.

Reason: To ensure that soils are maintained appropriately and available for restoration of the site.

6. Only in-situ basal clay shall be used to construct clay seals.

7. Only on-site derived mineral wastes, overburden and soils shall be used in the site restoration. Nothing in this decision shall be construed as permitting the use of imported materials to achieve site screening, site restoration or for any other purpose.

Reason: To prevent the importation of material to aid preparation and restoration of the site as importation of materials lies outside the scope of the development hereby permitted.

8. Stockpiles of sand and gravel shall not exceed 3.0 metres in height above surrounding ground level.

Reason: To ensure that the stockpiles in the southern extraction area do not give rise to external adverse visual impacts.

Hours of Operation

9. 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

No such activities shall take place on Sundays, Public Holidays or Bank Holidays; and

10. 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 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.

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

Noise Controls

11. All vehicles, plant and machinery operated within the site shall be maintained in accordance with the manufacturer's specifications at all times and shall be fitted with and use effective silencers and white noise reversing devices.
12. Except for temporary operations noise levels at any other noise sensitive property around the site shall not exceed the levels identified in Table 5.2 of Annex F to the Environmental Statement.
13. For temporary operations such as soil stripping, replacement and bund formation, the noise level at any noise sensitive location identified in Table 5.3 of Annex F to the Environmental Statement shall not exceed 70dB(A) LAeq, 1 hour free field. Temporary operations which exceed the normal daytime criterion (set out in the above condition) shall be limited to a total of eight weeks in any twelve month period at any individual noise sensitive property and the dates of these occurrences shall be notified in writing to the MPA.
14. In the event of a substantiated complaint being notified to the operator by the MPA relating to noise arising as a result of the operations undertaken at the site, the operator shall carry out a noise survey to establish whether or not the relevant permitted noise levels are being breached. The results of the noise survey, along

with details of any additional mitigation measures to be implemented to address and remedy any identified breaches, shall be submitted for the attention of the MPA. Any additional measures identified as part of the survey shall be implemented and thereafter maintained for the duration of the development.

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

Dust Management

15. All dust mitigation measures as set out in Annex G to the Environmental Statement 'Appendix G2 Dust Management Plan' shall be implemented in full for the duration of the development.

Reason: To ensure that local amenity is protected from fugitive dust emissions.

Ecology

16. The Environmental Design and Management (Embedded Mitigation) set out in Annex B Section 5 and expanded on in Annex B Section 7 to the Environmental Statement shall be implemented in full.

Reason: To ensure the interests of wildlife amenity and wildlife conservation.

Water Environment and Pollution Control

17. Any facilities for the storage of oils, fuels or chemicals shall be sited on impervious bases and surrounded by impervious bund walls. The volume of the bunded compound shall be at least equivalent to the capacity of the tank plus 10%. If there are multiple tanks, 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.
18. There shall be no discharge of foul or contaminated drainage from the site into either the ground water or any surface waters, whether direct or via soakaway.

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

19. The development shall be carried out in accordance with the submitted flood risk assessment prepared by Hafren Water REF: ES Annex E2 – Flood Risk Assessment (FRA) dated July 22 and the mitigation measures detailed in the FRA. These mitigation measures shall be fully implemented prior to occupation and subsequently in accordance with the scheme’s timing/phasing arrangements. The measures detailed above shall be retained and maintained thereafter throughout the lifetime of the development

Reason To reduce the risk of flooding to the proposed development and future occupants.

External Lighting

20. No fixed lighting, including security lighting, shall be erected, or installed within the southern extraction area until details of the location, height, design, sensors, and luminance have been submitted to and approved in writing by the MPA. The details shall ensure that the lighting is designed to minimize the potential nuisance of light spillage outside of the site. The lighting shall thereafter be erected, installed, and operated in accordance with the approved details.

Reason: To minimise the potential nuisance and disturbances to the local wildlife and the surrounding area.

Transport

21. All as-raised sand and gravel shall be exported from the site in HGV road vehicles.
22. No Heavy Goods Vehicle (HGVs) or commercial vehicle shall enter Langtoft Outgang Road unless its wheels and chassis have been cleaned to prevent mud, sand and any other deleterious material being deposited on the public highway. Any deposition of mud, debris or other deleterious materials onto the public highway shall be removed immediately.
23. No loaded HGV shall leave the site unsheeted.
24. Upon exiting the Site all Heavy Goods Vehicles (HGVs) and commercial vehicles shall turn right onto Langtoft Outgang Road*.

*Reason: To ensure a safe access and in the interests of highway safety and safeguarding the local amenity and the environment. * The routeing of quarry traffic associated with the Site is also subject of a Section 106 Planning Obligation and therefore this decision should be read in conjunction with that agreement.*

Restoration and Aftercare

25. Prior to commencement of the removal of plant site infrastructure a scheme of restoration planting as illustrated in Drawing Number 60663951.BAS.16 shall be

submitted to and approved in writing by the MPA. The scheme shall include planting locations, species and density of trees and shrubs; and details of wildflower grassland species mix and spreading regime. The approved scheme shall be implemented in full in the first available planting season following completion of the restoration land formation.

Reason: To ensure that a 9 metre stand off from the Welland and Deepings IDB assets be maintained and for avoidance of doubt that the proposed restoration will achieve Biodiversity Net Gain.

26. Prior to the commencement of the removal of plant site infrastructure a detailed five-year aftercare scheme has been submitted to and approved in writing by the MPA. The aftercare scheme shall include details of the management and maintenance practices to be taken to ensure the successful establishment of the after-uses identified for each part of Site created as part of the approved restoration scheme. The aftercare programme, which shall cover a period of five years for each sub phase, shall commence following the final placement of soils within each sub phase. The aftercare programme shall be implemented in accordance with the approved details and a site meeting shall be held each aftercare year with a representative of the MPA to review progress on site.

Reason: To ensure that the biodiversity net gain habitats created are established and remain healthy.

Informatives

Attention is drawn to:

- (i) Welland & Deepings Internal Drainage Board letter - reference: MSM/JP/P/L/1 dated 23 February 2023;
- (ii) Western Power Distribution (now National Grid) letter - reference: 26508754 dated 5 August 2022;
- (iii) In dealing with this application the Mineral Planning Authority has worked with the applicant in a positive and proactive manner by giving pre-application advice in advance of the application, seeking further information to address issues identified and processed the application efficiently so as to prevent any unnecessary delay. This approach ensures the application is handled in a positive way to foster the delivery of sustainable development which is consistent with the requirements of the National Planning Policy Framework and as required by Article 35(2) of the Town & Country Planning (Development Management Procedure)(England) Order 2015; and
- (iv) The validity of the grant of planning permission may be challenged by judicial review proceedings in the Administrative Court of the High Court. Such

proceedings will be concerned with the legality of the decision rather than its merits. Proceedings may only be brought by a person with sufficient interest in the subject matter. Any proceedings shall be brought promptly and within six weeks from the date of the planning permission. What is prompt will depend on all the circumstances of the particular case but promptness may require proceedings to be brought at some time before the six weeks has expired. Whilst the time limit may be extended if there is good reason to do so, such extensions of time are exceptional. Any person considering bringing proceedings should therefore seek legal advice as soon as possible. The detailed procedural requirements are set out in the Civil Procedure Rules Part 54 and the Practice Directives for these rules.