

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

Report to:	Planning and Regulation Committee
Date:	6 November 2023
Subject:	County Matter Application - S23/1472

Summary:

Planning permission is sought by G Webb Haulage Ltd (Agent: Clover Planning) to vary condition 5 of planning permission S19/0636 to allow tipper trucks (HGVs), parked overnight on the site, to leave South Witham Quarry between the hours of 0600 and 0700 at South Witham Quarry, Mill Lane, South Witham.

Under the proposed revised condition HGVs would be allowed to leave the site from 0600 hours which is before the main quarrying operations begin at 0700 hours Monday to Friday. It is proposed that the HGVs would be loaded and sheeted during the permitted working hours the day before which would enable them to leave site early in the morning to serve local markets. The number of vehicles permitted to leave during this early period would be limited to no more than eight HGVs.

A number of representations have been received during the consideration of this application and many of these have raised objections on the grounds of potential adverse impacts, primarily due to traffic but also on the amenity of residents living close to the site. Although the objections and issues raised by the public are noted, the potential impacts are capable of being mitigated, minimised, and reduced through a revised condition. The terms of the other conditions and S106 Planning Obligation would continue to apply.

Recommendation:

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

Background

1. South Witham Quarry (the part subject of this application) extends over an area of approximately 50ha and has a long and complex planning history with several permissions having been granted over the years. In August 2018 planning permission (S17/0563) was granted for a western extension to the quarry and the completion of operations in the existing quarry together with the relinquishment of the permitted area, north of Mill Lane, which was granted under a historic Interim Development Order (IDO). This permission effectively consolidated the operations at the site under a single permission. In May 2019 a further permission was granted (S19/0636) which allowed for a minor material amendment to vary condition 2 of planning permission S17/0563 (Approved plans and documents) to reflect amended restoration contours to the batters along the northern and eastern boundary of the site. This is now the main planning permission under which the quarry operates.
2. In addition to the above planning permissions, in June 2017, Rutland County Council granted planning permission (ref: 2017/0298/MIN) for 'Variation of conditions Nos 1 & 2 (approved plans and limitations on use) of planning permission ref: 2016/0588/MIN on the Access Road, Witham Road, Thistleton'. The effect of this permission was to allow the haul road and access off Witham Road to be retained and used in conjunction with the operations permitted by Lincolnshire County Council planning permission ref S17/0563. There are a number of conditions attached to this planning permission to protect amenity (dust, noise, illumination etc). There are no specific restrictions in terms of hours to limit the use of the haul road.
3. The eastern area of the quarry is the original working area and has been in operation since the 1950s. Much of this area has already been worked for mineral although some reserves remain and are still being extracted. This part of the site is also being restored using imported inert fill. Within the existing quarry area is the former weighbridge located adjacent to the site offices and original quarry entrance off Mill Lane. Up to eight HGVs are parked within this part of the site overnight.
4. The second part of the quarry is a new area of working granted as an extension area in 2017 (planning permission ref S17/0563). This area lies approximately 450m east of the original working area. The extension area extends westwards to Fosse Lane which is bordered by a disused railway line to the north and the county boundary to the south.
5. An existing S106 Planning Obligation attached to the permission affecting the applicants' mineral operations contains a routeing restriction which prevents HGV traffic from accessing/egressing the site via South Witham village (except for carrying out local deliveries). There is also an existing Weight Restriction Traffic Regulation Order in force within Thistleton village which lies to the west of the southern site access and therefore prevents HCV traffic from using this route.

The Application

6. Planning permission is sought by G Webb Haulage Ltd ('the Applicant') to vary condition 5 of planning permission S19/0636 (which amended reference S17/0563) to allow tipper trucks (HGVs) parked overnight on the site to leave South Witham Quarry between the hours of 0600 and 0700.

7. Condition 5 of the permission currently states:

'Except as may otherwise be agreed in writing by the Mineral Planning Authority, no plant or machinery shall be operated within the site (other than in connection with essential maintenance within the plant site area) and no heavy goods vehicles shall enter or leave the site except between the following times:

07:00 - 18:00 hours (Monday to Friday)

07:00 - 13:00 hours (Saturdays)

No such activities shall take place on Sundays, Public Holidays or Bank Holidays.'

The applicant proposes to amend Condition 5 to the following:

'Except as may otherwise be agreed in writing by the Mineral Planning Authority, no plant or machinery shall be operated within the site (other than in connection with essential maintenance within the plant site area) and no heavy goods vehicles shall enter or leave the site except between the following times:

07:00 - 18:00 hours (Monday to Friday)

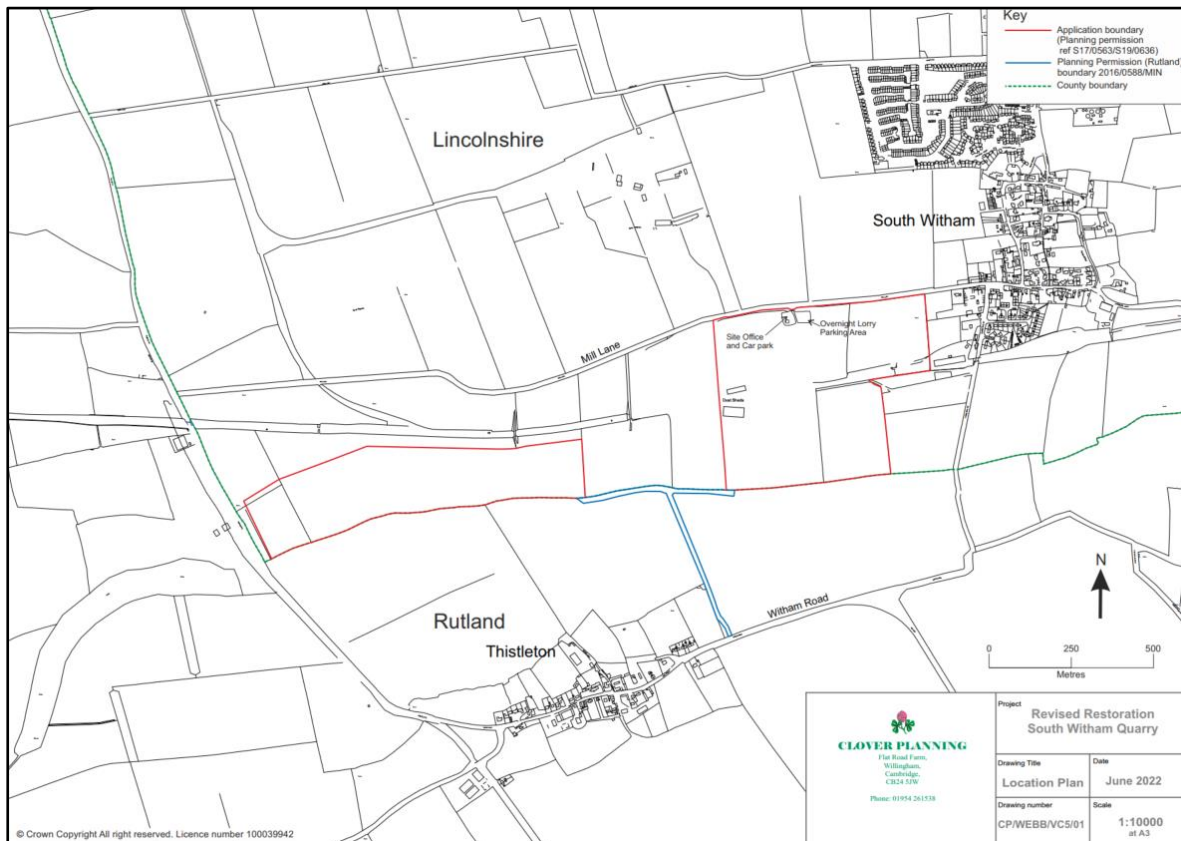
07:00 - 13:00 hours (Saturdays)

Between 06:00 - 07:00 hours – Monday to Friday no more than eight heavy goods vehicles parked overnight on the site are permitted to leave the site. No such activities shall take place on Sundays, Public Holidays or Bank Holidays.'

8. Under the proposed revised condition HGVs would be allowed to leave the site from 0600 hours before the main quarrying operations begin at 0700 hours Monday to Friday. It is proposed that the HGVs would be loaded and sheeted during the working hours the day before which would enable them to leave site early in the morning to serve local markets. The number of vehicles permitted to leave during this early period would be limited to no more than eight HGVs. Further loading of HGVs would not be permitted until 0700 hours as currently permitted. HGVs leaving the site at 0600 hours would not use flashing beacons (other than as part of a daily vehicle check before starting work), there would be no use of lighting within the quarry. HGVs would leave the site via the existing accesses with HGVs heading south and east using the quarry access located on Witham Road (avoiding the village of Thistleton) and HGVs travelling north, and west would continue to use the Mill Lane access (avoiding the village of South Witham).

Site and Surroundings

9. South Witham Quarry is located to the southwest of South Witham village, with the towns of Grantham approximately 16km to the north and Stamford approximately 16km to the south. The site is effectively divided into two main parts linked by a haul road which runs to the south. The working quarry area is within Lincolnshire; the haul road connecting the working areas and providing the main vehicular access to Witham Road is within Rutland.



Location plan of the site and surrounding area

10. The site is bound by Mill Lane to the north and agricultural land to the east, south and west. Access to the site is gained from the north via Mill Lane as well as from the south via the access approved by Rutland County Council which connects to Witham Road.
11. The nearest residential property is located approximately 400m to the east of the site in South Witham.



Mill Lane access looking west



Mill Lane access looking east



Witham Road access looking east



Witham Road access looking west

Main Planning Considerations

Planning Policy Context

12. The National Planning Policy Framework (NPPF) (2023) 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:

Paragraph 104 to 109 (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 and would not have severe residual cumulative impacts on the road networks.

Paragraph 174 (Conserving and Enhancing the Natural Environment) - planning decisions should contribute to and enhance the natural and local environment, minimise impact on biodiversity and prevent new and existing development from contributing to unacceptable levels of soil, air, water or noise pollution.

Paragraph 185 (Ensuring Development Appropriate for Its location) - taking into account the likely effects on health, living condition, and the natural environment through mitigation and reduction of potential adverse impacts.

Lincolnshire Minerals & Waste Local Plan (LMWLP): Core Strategy and Development Management Policies (2016) (CSDMP) - the following policies are of relevance in the determination of this application:

Policy DM3 (Quality of Life and Amenity) - states that planning permission will be granted, provided that it does not generate unacceptable adverse impacts arising from, noise, dust, vibration, odour, litter, emissions, illumination, visual intrusion, run off to protected waters or traffic to occupants of nearby dwellings and other sensitive receptors.

Policy DM14 (Transport by Road) - states that planning permission will be granted for mineral development involving transport by road where the highway network is of appropriate standard for use by traffic generated by the development and would not have an unacceptable impact on highway safety.

South Kesteven Local Plan (2011-2036) (SKLP) - the key policies of relevance in this case are as follows (summarised):

Policy EN4 (Pollution Control) - states that (amongst other matters) 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. 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.

Policy DE1 (Promoting Good Design) - states that, amongst other matters, development proposals should ensure that 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 etc.

Results of Consultation and Publicity

13. (a) South Witham Parish Council - Objection. The following comments have been raised.

- An increase in working hours will cause further disturbance and distress for residents;
- The quarry already operates before 7am;
- Unaware that trucks have permission to park in the quarry overnight;

- Dust and noise are of concern to residents, particularly in relation to out of hours working;
 - It is considered that granting planning permission for HGVs to leave the site from 6am would be contrary to the details set out under Section 7.50 (page 83), 7.28 (page 89), 7.29 (page 90), 7.82 (page 105) of the CSDMP;
 - The current planning permission has been assessed against the Transport Assessment that was submitted in 2015 which highlighted that the HGV movements would equate to 72 movements per day. It is suggested that increasing the working hours would increase the number of HGV vehicle movements and therefore an updated Transport Assessment should have been included in the application;
 - During Appeal ref: App/Q2500/W/17/3190663 (Dunston Quarry), the Planning Inspectorate decided that 7:00am is an early enough start for a quarry;
 - The supporting statement doesn't discuss the effect that the proposal would have on the climate and CO².
- (b) Environment Agency (EA) - has confirmed it offers no comments in relation to this application.
- (c) Lincolnshire Police - has confirmed it has no objection.
- (d) Exolum Pipeline System Ltd - comments received which confirm that there is a pipeline that runs through the site. Officers are aware of this pipeline (which is located towards the western extension area), however, this proposal does not alter the existing permitted scheme of working or involve any works that could impact on this pipeline or lessen the protection already afforded to this apparatus.
- (e) Environmental Health Officer (SKDC) - have reviewed the application and confirm they have no objection to this application.
- (f) Highway and Lead Local Flood Authority (Lincolnshire County Council) - No objections. The proposed development is not expected to have an unacceptable impact upon highway safety or a severe residual cumulative impact upon the local highway network or increase surface water flood risk.
- (g) Local County Council Member Councillor, Mrs C Vernon - who is a member of the Planning and Regulation Committee reserves her position on the application until the date of the meeting.

The following bodies were consulted however, no representations had been received within the statutory consultation period or by the time this report was prepared:

- Local County Council Member, Councillor Mrs C Vernon
- South Kesteven District Council (Conservation Officer)
- Thistleton Parish Council
- Health and Safety Executive

14. The application has been publicised by notices posted at the site and in the local press (Lincolnshire Echo on 17 August 2023) and letters of notification were sent to the nearest neighbouring residents. A total of 12 representations have been received in response to this publicity/notification and a summary of the objections, comments and concerns raised are set out below:

- Noise Pollution - concerns have been raised in relation to the noise generated using quarry machinery from 6am and the effect that this could have on residents physical and mental wellbeing.
- Dust - concerns have been raised in relation to additional impacts from dust being caused due to extra vehicle movements.
- Highway Impacts - concerns have been raised in relation to additional HGV traffic travelling through South Witham village.

District Councils Observations Recommendations

15. South Kesteven District Council - no objection but has requested that should permission be granted then all other conditions of planning permission S19/0636 should be copied over to any new permission to ensure appropriate measures are in place to protect the amenity of neighbouring occupiers.

Conclusions

16. Planning permission is sought to vary condition 5 of planning permission ref S19/0636 to allow tipper trucks (HGVs) parked overnight on the site to leave South Witham Quarry between the hours of 0600 and 0700. The issues that need to be considered in the determination of this application relate to any increased impact on general amenity. This is in terms of potential noise and disturbance, and any impact on the highway network as a result of the proposed amended hours.

17. Policy DM3 of the LMWLP and Policy EN4 of the SKLP set out, amongst others, issues relating to noise, dust and traffic generation, which must be considered when assessing a planning application. This includes impact on highway safety, increase in vehicle movements and capacity of the highway network and potential impacts of dust and noise on the local amenity.

18. Policy DM14 seeks to ensure that traffic generated would not have an unacceptable impact on highway safety, free flow of traffic, residential amenity, and the environment.
19. The planning permission for the operation of the quarry was assessed upon the basis a total of 72 vehicle movements generated by the site per day. Although the applicant is seeking to allow a limited number of HGVs to leave the site earlier than currently permitted there is no suggestion that it is proposed to increase the overall number of HGV movements per day over and above the total of 72 movements that was assessed as part of the previous applications. However, and notwithstanding this position, even if the number of HGV movements were to increase by a further eight movements per day as a consequence of this proposal the Highways Officer has confirmed that an increase of eight vehicle movements per day would not be expected to have an unacceptable impact upon highway safety or a severe residual cumulative impact upon the local highway network or increase surface water flood risk. As a result, whilst the comments and concern regarding the potential increased traffic movements are noted, I am satisfied that should any increase occur this would be very minor and limited and any revised condition could be worded in such a way to limit the number of movements permitted to leave the site during the early period sought so as to ensure this does not give rise to any significant impacts. Therefore, I am satisfied that the proposed revised condition in relation to HGV hours would not conflict with Paragraphs 104 to 109 of the NPPF and Policy DM14 of the CSDMP.
20. In respect of potential impacts on the amenity of residents as a consequence of increased noise, light pollution, etc associated with the proposed early movements, measures are proposed by the applicant to ensure these are minimised. Such measures include ensuring that any HGVs planned to leave early will be loaded and sheeted during the permitted working hours the day before. This would ensure that any noise arising from the site is limited only to that associated with the engines of the HGVs and not from the operation of plant and equipment associated with the transfer and loading of mineral. The revised condition proposed by the applicant confirms this by continuing to make clear that the extended hours sought only apply to the movement of HGVs with no other operations. As a result, the Council would be able to take enforcement action against such activities should they occur in breach of the terms of this condition. In respect of potential impacts arising from lighting and engine noise, the site is located some distance from the nearest residential properties and so whilst it is accepted that HGVs leaving the site early could result in increased noise and light from headlights, these would be confined to the quarry and the separation distances involved mean that any impacts would be negligible. Furthermore, as vehicles leave the site they would be required to still adhere to the routes defined within the S106 routeing agreement which directs traffic away from the villages and so therefore avoids the risk of any disturbance to residents in the early hours as a result of traffic.

21. Finally, whilst comments have been made regarding the hours imposed on another quarry within the County (Dunston Quarry) it should be noted that all cases need to be assessed on their own merits and so the hours at one site should not be taken as setting a precedent for hours on all sites. Although it is accepted and typical that the hours of operation on quarry's tend to not commence until 0700 hours this is not universal and there is nothing to say extended hours cannot be accepted so long as they do not give rise to demonstrable adverse effects. For the reasons explained above, I am satisfied that the extended hours sought for a limited number of HGV movements is acceptable given the specific circumstances in this case and this view is supported by the lack of any objection from the Environmental Health Officer and District Council. Therefore, the development would not give rise to a conflict with paragraphs 174 and 185 of the NPPF, Policy DM3 of the CSDMP or Policy EN4 of the SKLP.

Human Rights Implications

22. 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 Conclusion

23. A number of representations have been received during the consideration of this application and many of these have raised objections on the grounds of potential adverse impacts, primarily due to traffic but also on the amenity of residents living close to the site. Although the objections and issues raised by the public are noted, the potential impacts are capable of being mitigated, minimised, and reduced through a revised condition. The terms of the other conditions and S106 Planning Obligation would continue to apply. Therefore, and for clarity and the avoidance of any doubt, it is recommended that the decision notice be issued with a comprehensive set of conditions which consolidates and (where relevant) recites the conditions attached to planning permission S19/0636.

RECOMMENDATIONS

That planning permission be granted subject to the following conditions:

1. The development hereby permitted shall be commenced within three years of the date of this permission. Written notification of the date of commencement of

development shall be sent to the Mineral Planning Authority within seven days of commencement.

Reason: To comply with Section 91 of the Town and Country Planning Act 1990.

2. The development hereby permitted shall continue to be carried out and operated in accordance with the following documents and plans unless otherwise modified by the conditions attached to this planning permission or details subsequently approved pursuant to those conditions. The approved documents and plans are as follows:

- Planning Application Form, Planning and Environmental Statement (February 2017) and supporting technical appendices (received 3 March 2017)
- Specification for Scheme of Archaeological Strip, Map and Record dated November 2019 (Date stamped received 5 December 2019)
- BRE-001-M-LP1 - Location Plan (received 1 March 2019)
- 17-019-D-001 Rev.1 - Proposed Quarry Development (received 10 March 2017)
- 17-019-D-002 Rev.1 - Proposal Plans - Block Phased Extraction (received 10 March 2017)
- 17-019-D-003 Rev.2 - Phase 1 Development (received 1 March 2019)
- 17-019-D-004 Rev.2 - Phase 2 Development (received 1 March 2019)
- 17-019-D-005 Rev.2 - Phase 3 Restoration Works within Current Permitted Area (received 1 March 2019)
- 17-019-D-006 Rev.1 - Proposed Extension Phase 4A (received 10 March 2017)
- 17-019-D-007 Rev.1 - Proposed Extension Phase 4B (received 10 March 2017)
- 17-019-D-008 Rev.1 - Proposed Extension Phase 4C (received 10 March 2017)
- 17-019-D-009 Rev.1 - Proposed Restoration Phase 4 (received 10 March 2017)
- 17-019-D-010 Rev.1 - Proposed Extension Phase 5A (received 10 March 2017)
- 17-019-D-011 Rev.1 - Proposed Extension Phase 5B (received 10 March 2017)
- 17-019-D-012 Rev.1 - Proposed Restoration Phase 5 (received 10 March 2017)
- 17-019-D-013 Rev.2 - Phase 6A - Remaining Permitted Reserves (received 1 March 2019)
- 17-019-D-014 Rev.2 - Phase 6B - Final Restoration of Current Permitted Area (received 1 March 2019)
- 1 Rev.B - Restoration Concept (received 1 March 2019)
- CP/WEBB/SW/C - Condition 21 Pipeline Protection

3. The continued deposition and use of imported inert wastes to help achieve the restoration works and profiles associated with Phases 1, 2, 3, 6A and 6B shall be restricted to those phases only.

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

4. Nothing in this determination shall be construed as permitting the removal of topsoil, subsoil or overburden from the site.

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

5. Except as may otherwise be agreed in writing by the Mineral Planning Authority, no plant or machinery shall be operated within the site (other than in connection with essential maintenance within the plant site area) and no heavy goods vehicles shall enter or leave the site except between the following times:

07:00 - 18:00 hours (Monday to Friday)

07:00 - 13:00 hours (Saturdays)

Between 06:00 - 07:00 hours – Monday to Friday no more than eight heavy goods vehicles parked overnight on the site are permitted to leave the site.

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

6. Except as may otherwise be agreed in writing by the Mineral Planning Authority, essential maintenance work may only take place during the normal hours of working for the quarry (set out in the above condition), and between the hours of 13:00 - 17:00 Saturdays provided it is confined to the plant site area.

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

7. (a) All archaeological works undertaken shall be carried out in accordance with the Specification for Scheme of Archaeological Strip, Map and Record dated November 2019 (Date stamped received 5 December 2019) and approved on 8 January 2020.
- (b) The archaeological site work shall be undertaken only in full accordance with the approved written scheme. The applicant will notify the Mineral Planning Authority of the intention to commence at least fourteen days before the start of archaeological work in order to facilitate adequate monitoring arrangements. No variation shall take place without prior consent of the Mineral Planning Authority.
- (c) A copy of the final report will be submitted within three months of the work to the Mineral Planning Authority for approval (or according to an agreed programme). The material and paper archive required as part of the written scheme of investigation shall be deposited with an appropriate archive in accordance with guidelines published in The Lincolnshire Archaeological Handbook.

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

8. Except for temporary operations, the free-field Equivalent Continuous Noise Level, dB LAeq, 1 hour free field, due to the daytime operations on the site, shall not exceed the site noise limits at the noise sensitive locations specified in the report "Noise Assessment of the Proposed Western Extension" contained in the Environmental Statement.
9. For temporary operations such as soil stripping, replacement and bund formation, the noise level shall not exceed 70dB(A) LAeq, 1 hour free field, at any noise sensitive property. Temporary operations which exceed the normal daytime criterion (set out in the above condition) shall be limited to a total of eight weeks in any twelve month period at any individual noise sensitive property; the dates of these occurrences shall be notified in writing to the Mineral Planning Authority.
10. In the event of any substantiated complaint being notified to the operator by the Mineral Planning Authority relating to noise arising as a result of the operations undertaken at the site, the operator shall provide the Mineral Planning Authority with a scheme of noise monitoring for its written approval. Following the written approval of the Mineral Planning Authority the noise monitoring scheme shall be carried out within one month of this written approval and the results of the survey and details of any additional mitigation measures to be implemented as part of the development shall be submitted for the attention of the Mineral Planning Authority. Any additional mitigation measures identified as part of the survey shall be implemented within one month of the survey and thereafter implemented for the duration of the development.
11. All plant, machinery, and vehicles (excluding delivery vehicles which are not owned or under the direct control of the operator) used on the site shall incorporate white noise reversing warning devices and be fitted with silencers maintained in accordance with the manufacturer's recommendations and specifications to minimise noise disturbance.

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

12. No commercial vehicles shall enter the public highway unless they are sheeted and, when necessary, their wheels and chassis have been cleaned to prevent material being deposited on the public highway.
13. No mud, debris or other deleterious materials shall be deposited on the public highway and any accidental deposition of such materials shall be removed immediately.

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

14. Mineral extraction shall not proceed below a level of 104m AOD in the Western Extension area as outlined on Drawing Nos. 17-019-D-006 Rev.1 to 17-019-D-011 Rev.1 (inclusive).
15. Any facilities for the storage of oils, fuels or chemicals shall be sited on impervious bases and surrounded by impervious bund walls. The volume of the bunded compound shall be at least equivalent to the capacity of the tank plus 10%. If there is multiple tankage, the compound shall be at least equivalent to the capacity of the largest tank, or the capacity of interconnected tanks, plus 10%. All filling points, vents, gauges and site glasses must be located within the bund. The drainage system of the bund shall be sealed with no discharge to any watercourse, land or underground strata. Associated pipework shall be located above ground and protected from accidental damage. All filling points and tank overflow pipe outlets shall be detailed to discharge downwards into the bund.
16. No dewatering of the site shall be carried out.

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

17. The existing trees and shrubs around the boundary of the site shall be retained except where provision for their removal has been made in the approved scheme of working and shall not be felled, lopped, topped or removed without the prior written consent of the Mineral Planning Authority. Any such vegetation removed without consent, dying, being severely damaged or becoming severely diseased as a result of operations permitted by this permission, shall be replaced with trees or shrubs of such size and species as may be specified by the Mineral Planning Authority in the planting season immediately following such occurrence.
18. Outside the approved hours of working, floodlighting shall be restricted to security lights activated by intruder sensors.
19. Site clearance operations that involve the destruction and removal of vegetation on site shall not be undertaken during the months of March to August inclusive, except when approved in writing by the Mineral Planning Authority.
20. Prior to any quarrying operations or restoration works taking place in the immediate vicinity (i.e. 15m) of the north-eastern corner of the existing quarry face situated to the south of the former railway line (as shown during Phase 2 on Drawing No. 17-019-D-004 Rev.2) a reassessment survey of the potential for this area to support bats shall be undertaken and the results submitted for the approval of the Mineral Planning Authority. No works or operations shall take place until that approval has been secured and, if necessary, the follow up action identified within the submitted scheme completed.

Reasons: To reflect the existing conditional requirements imposed by the earlier mineral planning permission in the interests of protecting bats and their habitats

and in the interests of amenity and wildlife conservation and to protect the amenity of the local area.

21. The measures to protect and ensure the integrity of the pipeline running across the site, as set out in the details previously submitted and approved pursuant to Condition 21 of planning permission S19/0636 (as confirmed by the Council's decision notice dated 25 November 2022) shall continue to be implemented, retained and maintained for the duration of the development hereby permitted.
22. Notwithstanding any details approved by Condition 20 above, no mineral extraction operations shall take place closer than 10m from the pipeline as shown on Drawing No. 17-019-D-008 Rev.1.
23. No blasting shall be carried out within the approved application site boundary.

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

24. All plant and buildings shall be removed from the site on completion of quarrying and restoration.

Reason: To ensure the restoration of the site is not compromised.

Informatives

Attention is drawn to:

In dealing with this application the Mineral Planning Authority has worked with the applicant in a positive and proactive manner by processing 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.

Appendix

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

Background Papers

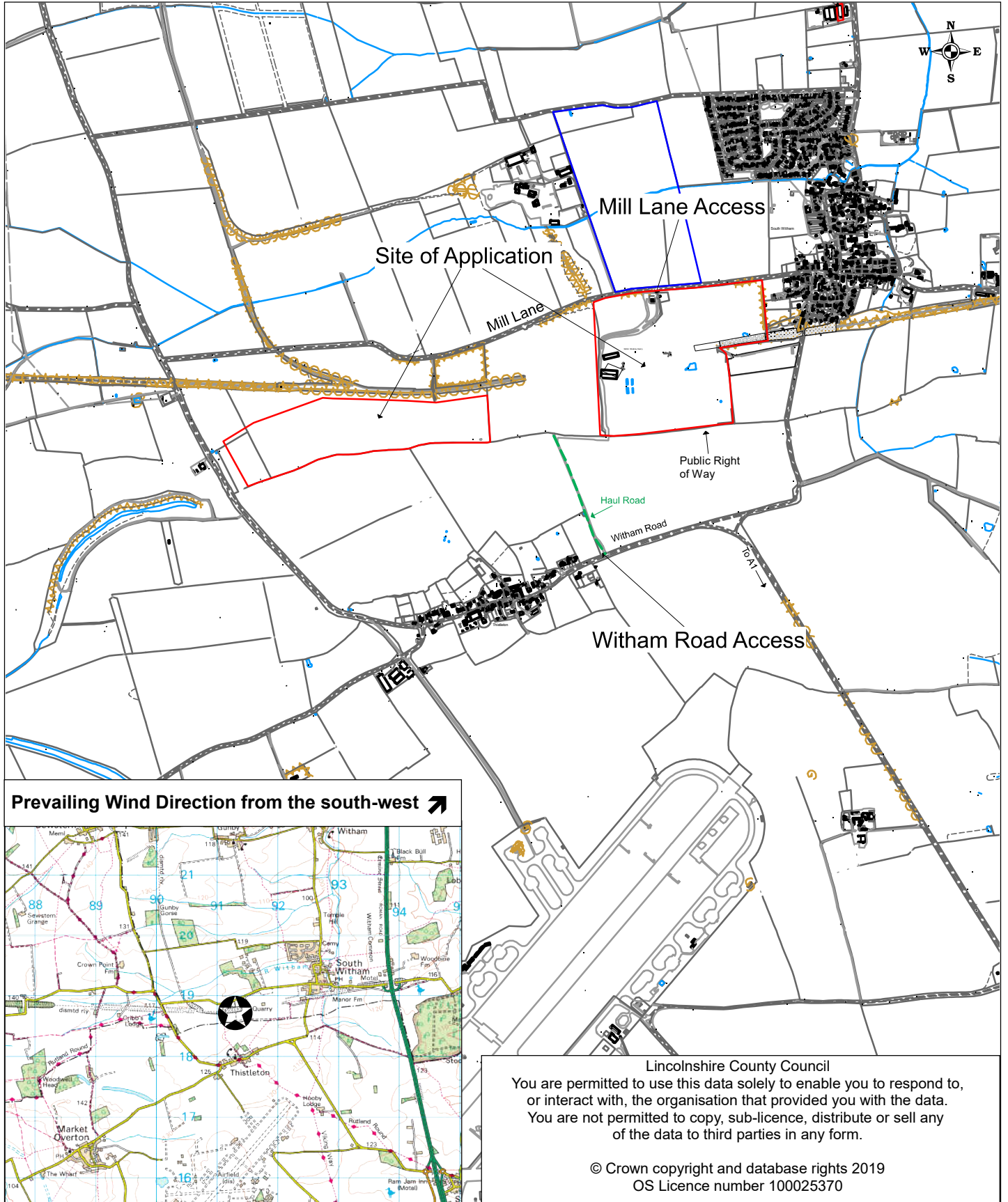
The following background papers as defined in the Local Government Act 1972 were relied upon in the writing of this report.

Document title	Where the document can be viewed
Planning Application File S23/1472	Lincolnshire County Council's website https://lincolnshire.planning-register.co.uk/
National Planning Policy Framework (2021)	The Government's website www.gov.uk
Lincolnshire Minerals & Waste Local Plan (2016)	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 Eloise Shieber, who can be contacted on 01522 782070 or dev_planningsupport@lincolnshire.gov.uk

LINCOLNSHIRE COUNTY COUNCIL

PLANNING AND REGULATION COMMITTEE 6 NOVEMBER 2023



Location:

South Witham Quarry, Mill Lane, South Witham

Application No: S23/1472

Scale: 1:20,000

Description:

To vary condition 5 of planning permission S19/0636 (reference S17/0563) to allow tipper trucks (HGVs) parked overnight on the site to leave South Witham Quarry between the hours of 06:00 and 07:00

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