



County Offices
Newland
Lincoln
LN1 1YL

27 September 2019

Planning and Regulation Committee

A meeting of the Planning and Regulation Committee will be held on **Monday, 7 October 2019 at 10.30 am in Council Chamber, County Offices, Newland, Lincoln LN1 1YL** for the transaction of business set out on the attached Agenda.

Yours sincerely

A handwritten signature in cursive script that reads 'Debbie Barnes'.

Debbie Barnes OBE
Head of Paid Service

Membership of the Planning and Regulation Committee
(15 Members of the Council)

Councillors I G Fleetwood (Chairman), T R Ashton (Vice-Chairman), D Brailsford, L A Cawrey, Mrs J E Killey, D McNally, Mrs A M Newton, Mrs M J Overton MBE, N H Pepper, R P H Reid, S P Roe, P A Skinner, H Spratt, M J Storer and C L Strange

**PLANNING AND REGULATION COMMITTEE AGENDA
MONDAY, 7 OCTOBER 2019**

| Item | Title | Pages |
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| 1. | Apologies/replacement members | |
| 2. | Declarations of Members' Interests | |
| 3. | Minutes of the previous meeting of the Planning and Regulation Committee held on 2 September 2019 | 5 - 10 |
| 4. | Traffic Items | |
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| 5. | County Matter Applications | |
| 5.1 | Extension to West Deeping Quarry at West Deeping Quarry, King Street, West Deeping - Heaton Planning - S19/0486 | 39 - 78 |
| 5.2 | Application for the determination of new (updated) conditions to which a mining site is to be subject (Environment Act 1995: Periodic Review) at West Deeping Quarry, King Street, West Deeping - Heaton Planning - S19/0497 | 79 - 116 |

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Please note: for more information about any of the following please contact the Democratic Services Officer responsible for servicing this meeting

- Business of the meeting
- Any special arrangements
- Copies of reports

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www.lincolnshire.gov.uk/committeerecords



**PLANNING AND REGULATION
COMMITTEE
2 SEPTEMBER 2019**

PRESENT: COUNCILLOR I G FLEETWOOD (CHAIRMAN)

Councillors D Brailsford, L A Cawrey, Mrs J E Killey, D McNally, Mrs A M Newton, Mrs M J Overton MBE, N H Pepper, S P Roe, P A Skinner, H Spratt, M J Storer and C L Strange

Councillor R H Trollope-Bellew attended the meeting as an observer

Officers in attendance:-

Dave Clark, Jeanne Gibson (Programme Leader: Minor Works and Traffic), Neil McBride (Head of Planning), Martha Rees (Solicitor) and Rachel Wilson (Democratic Services Officer)

17 APOLOGIES/REPLACEMENT MEMBERS

Apologies for Absence were received from Councillor T R Ashton.

The Head of Paid Service reported that having received notice under Regulation 13 of the Local Government (Committees and Political Groups) Regulations 1990, she had appointed Councillor B Adams as a replacement member of the Committee in place of Councillor T R Ashton for this meeting only.

18 DECLARATIONS OF MEMBERS' INTERESTS

Councillor I G Fleetwood advised that he had received a telephone call from Councillor David Shelton in relation to the procedure for speaking at the meeting in relation to agenda item 5.1 and he advised him accordingly. It was believed that other councillors on the Committee had received similar telephone calls.

**19 MINUTES OF THE PREVIOUS MEETING OF THE PLANNING AND
REGULATION COMMITTEE HELD ON 29 JULY 2019**

RESOLVED

That the minutes of the meeting held on 29 July 2019 be signed by the Chairman as a correct record.

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PLANNING AND REGULATION COMMITTEE 2 SEPTEMBER 2019

20 TRAFFIC ITEMS

20a Deeping St James, Rycroft Avenue - Proposed Waiting Restrictions

The Committee received a report which set out objections received to the proposed waiting restrictions at Rycroft Avenue, Deeping St James which were publicly advertised from 16 May to 13 June 2019.

The report outlined the existing conditions and the objections received as well as the comments of officers on the objections received.

Members were provided with the opportunity to ask questions to the officers present in relation to the information contained within the report and some of the comments made included the following:

It was queried how many objections there had been and what the reasons for objecting had been. Members were advised that two objections had been received and these were in relation to concerns that parking would move further down Rycroft Road and would start to affect residents.

- One member commented that they did not have an objection to this following the modification that had been made.
- It was noted that the local member was in support of this.
- One member highlighted that in her area, a lot of people seemed to ignore junctions, and would be pleased if there could be similar restrictions in place in her area.

On a motion by Councillor Mrs A M Newton, seconded by Councillor I G Fleetwood, it was:-

RESOLVED (unanimous)

That the Committee approve the amendment to the proposed 'No Waiting at Any Time' restriction as a minor modification and agreed that the objection to the proposed limited waiting bay be overruled so that the order could be confirmed.

21 OTHER REPORTS

21a Application for Village Green Status on Land at Millfield Road, Market Deeping

The Committee was requested to consider the report of the inspector and make a decision on the application to register land on Millfield Road, Market Deeping as a town or village green.

Members were advised that the purpose of the report was to present the recommendation of the Inspector further to a public inquiry held between the 8 – 11 January 2019, so that the Committee could determine the application for land at

Millfield Road, Market Deeping ("the land") to registered as a Town or Village Green under section 15 of the Commons Act 2006 ("the 2006 Act").

An objection was received from the landowner, Lincolnshire County Council, and therefore it was determined by the Commons Registration Authority (LCC) that a non-statutory inquiry should be held and Mr Martin Edwards, Barrister at Law, was appointed to act as the independent inspector.

It was reported that in order for the land to be registered as a town or village green the applicant had to demonstrate on the balance of probabilities that:-

- A significant number of the inhabitants of a locality, or of any neighbourhood within the locality
- Have indulged as of right
- In lawful sports or past-times on the land
- For a period of at least twenty years and
- That this use continued to the date of the application.

The report highlighted that it was necessary that all of these criteria were met before a registration authority could register the land as a town or village green. Therefore if any one element was not satisfied, then the application must be rejected.

Councillor R H Trollope-Bellew was in attendance and spoke as the local councillor and made the following comments:

- She was the local member for Market Deeping. The concerns of the residents over the last 18 months had been considerable.
- The Deepings Show had been taking place for about 75 years and had been on this site since before the bypass was built (possibly the 1960's) and was a very useful addition to the local area.
- The concern was that this space was being removed and it was one of the few places of green space that residents could access, take their children, walk their dogs. Residents felt free to use the area as they wished.
- Resident's concerns about the signage were realistic as it seemed like it had been put up as a last minute way of telling people that the field should not be walked on.
- Things did change when travellers arrived on the site, however residents continued to use the site.
- For good governance, it was suggested it would have been better if this had been passed to a different authority to make the decision.

The Committee was advised that the County Council was the landowner and the officers dealing with the application had appointed an independent inspector in accordance with the ordinary statutory procedure. Members were provided with the opportunity to ask questions to the officers present and the following points were noted:

- It was understood that it was not in the Constitution for anyone other than the officer presenting the report to speak, and it was queried whether the

**PLANNING AND REGULATION COMMITTEE
2 SEPTEMBER 2019**

Chairman had discretion on whether to allow anyone else to speak in relation to the application (other than the Committee). It was noted that the Chairman had set out at the beginning of the item how he planned to deal with this item. Members were reminded that a public inquiry had taken place and the comments made were clearly represented in the report. It was also noted that the Chairman had exercised his discretion by stating that if there was a question that the officer presenting the report was unable to answer, it would be directed to Mandy Withington (Solicitor from Legal Services Lincolnshire representing the objector) and also Mrs Pamela Steel (Applicant).

- Councillor Spratt requested that his disagreement with the applicant not being able to speak be recorded.
- One member commented that they often travelled past the field and it looked like was two separate fields, and it was queried whether the Show used the whole site or if it was confined to one part of the site. It was confirmed that the Show made use of both sections of the field and the entrance was located at entrance B on the plan.
- It was noted that a crop was grown in the field and it was queried whether this would still be allowed if it became a village green. Members were advised that residents would have right to use it for sport and lawful past-times. The field was currently used for the collection of hay and it was clarified that hay was a crop. If this land was registered as a village green, the farmer would not be allowed to harvest the hay.
- Officers reported that they were not aware of any arable crop being grown in the field.
- It would be the responsibility of the landowner to maintain the land.
- One member commented that they did not question the integrity of the solicitor or Traffic Manager and accepted that an independent inspector had been used, but it was recommended that the Committee accepted the Inspector's recommendation. However, it was commented that members were not bound by the Inspector and could take a different view. It was confirmed that the Committee was being asked to accept the recommendation of the Inspector, but it was not bound by the Inspector's report. However, if the Committee chose to go against the recommendation, it would need to provide reasons for this as the decision would be open to legal challenge.
- It was commented that it was very difficult to get a piece of land registered as a village green or open space. This applicant had successfully provided evidence to meet many of the aspects required. These residents had proven that they had used this area for over 20 years. However, members were reminded that it was necessary for all the criteria to be met before land could be registered as a village green.
- It was commented that almost all of the trigger points had been met, but it seemed that the show had a very informal attitude to charging an entrance fee, and any money raised was given to charity.
- It was proposed and seconded that the land be registered as a village green and the recommendation of the Inspector should not be accepted.
- It was subsequently proposed and seconded that the recommendation in the report be accepted.

- It was commented that if in order for land to be registered as a village green all the criteria needed to be met, as all the criteria in this case was not met, one member commented that they could not put forward a reason for it to be overturned.
- It was queried whether there were any other village greens in the area and if there had been any interest in registering this space as a village green before 2017. The Chairman suspended standing orders to allow the Local Member to respond to this query. The Local member advised that there were other village greens in Market Deeping, but not many considering the population.
- It was queried whether, if this application was granted, would the value of the land as an asset, be reduced. Members were reminded that the statutory test was the five bullet points set out in the report and these were the only criteria to be taken into consideration.
- It was queried whether this could be deferred or if there was a case for registering a smaller part of the land. Members were reminded that they could only deal with what was in front of them. It was believed that the Committee did have the discretion to award a smaller piece of land, but it would still need to meet the same five criteria.
- In the report the Inspector advised that the one aspect the Committee may come to a different view was in relation of the signage. In respect of the other criteria, the inspector was very clear on whether the condition had been met or not.
- It was clear that the organisers of the Show had been given permission every year to use the land.
-

As a motion to not accept the recommendation and therefore register the land as a village green had been proposed by Councillor Mrs M J Overton MBE and seconded by Councillor Mrs J E Killey, there was a need for reasons to be put forward as to why the Committee should support this. Reasons were put forward as follows:

- Paragraph (a) of the criteria – a large number of residents had been able to demonstrate that they used the area, which was considered to be a significant point.
- Paragraphs (b), (c) and (d) were demonstrated as set out in the report.
- Paragraph (e) the signs were not appropriately put up, and so should be discounted.
- Paragraph (f) people were still able to use the land and were accessing the land without paying.
- It was believed that the conditions had been met and that the right decision was to register it as a village green.

Upon being put to the vote, the motion was lost with 4 votes in favour, 8 votes against and 2 abstentions.

The vote reverted to the substantive motion, and on being moved by Councillor S P Roe and seconded by Councillor D Brailsford it was:-

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PLANNING AND REGULATION COMMITTEE

2 SEPTEMBER 2019

RESOLVED (7 votes in favour, 4 votes against and 1 abstention) (Councillor Mrs M J Overton MBE wished it to be recorded that she voted against this motion)

That the Committee accept the recommendation of the Inspector and reject the application to register as a town or village green the land at Millfield Road, Market Deeping on the grounds that the statutory criteria for registration under section 15 of the Commons Act 2006 had not been satisfied.

The meeting closed at 11.35 am

Open Report on behalf of Andy Gutherson, Executive Director of Place

| | |
|------------|--|
| Report to: | Planning & Regulation Committee |
| Date: | 07 October 2019 |
| Subject: | Potterhanworth, Main Road |

Summary:

This report considers objections received to the above proposals which were publicly advertised from 14 March to 11 April 2019 inclusive.

Recommendation(s):

That the Committee overrules the objections and supports the making of the order to include the proposed minor modification.

1. Background

- 1.1 Members of the public expressed concerns regarding the safety of pupils at both school entry and exit times because of issues caused by parked vehicles. Investigations into the concerns were undertaken and the local Member was consulted for their view on the proposals in September 2018.

Existing Conditions

- 1.2 The primary school is located at the junction of Barff Road with Main Road B1202. The Primary School is a mature site, with no off street parking within its boundary. Outside the school there is a triangular grassed area in which the village's war memorial is located. There are two bus stops on Main Road in the vicinity of the school. Advisory school keep clear markings are in place along the frontage of the school site.

Proposals

- 1.3 It is proposed to introduce mandatory school keep clear markings in place of the current advisory ones on site. These will apply from Monday to Friday between 8am and 4pm. The northern marking has been reduced to comply with Traffic Signs Regulations and General Directions 2016, and the remainder of the current length is to be replaced by double yellow lines. These will cover the existing dropped crossing point and are mirrored on the opposite side of the road. In order to reduce inconsiderate parking caused by displaced vehicles the junctions at Main Road / B1178 Station Road, Main Road / Cross Street and both Main Road / Barff Road are to be subject to parking restrictions also. The area around the war memorial is also to be protected by double yellow lines.

The limited waiting bay was originally proposed to provide an area for teachers to load and unload and for parents / guardians to drop off and collect pupils. These proposals are shown at Appendix A.

Objections

- 1.4 Two objections were received to the proposals during its public advertisement. These raised concerns that the proposed restrictions will have little impact on parents dropping off and picking up children and any effect will be to displace parking further along both sides of Main Road, resulting in congestion and queuing. There is a view that the rules set out in the Highway Code in relation to parking near to school entrances, junctions or dropped crossings points are adequate to allow enforcement without the need to resort to formal traffic restrictions. It is considered that restricting parking for parents and school staff is draconian given that many have no alternative but to drive to the school. Additionally, it is believed that vehicles parking long term on Barff Road where the limited waiting bay is proposed act as a deterrent to speeding through this narrow section, which will be lost if the restriction is imposed. A question was also raised as to the frequency of the enforcement of the proposed restrictions since this tends to be limited outside the main urban areas.

Comments

- 1.5 Officers met with representatives from the school in April to discuss the proposals. Following the meeting it was agreed that it would be helpful if the unrestricted parking should remain in front of the school, in place of the proposed limited waiting. The proposals have been amended to reflect this minor modification as shown at Appendix B. The issue of buses attending the school to collect pupils for trips was also covered as the proposed mandatory school keep clear markings would render parking by any vehicle an offence. It is suggested therefore that to enable the southbound bus stop on Main Road to be utilised for this purpose the existing hard standing within the triangular grassed area could be extended as footway around to the school side. This would be subject to the Parish Council's approval.

The objectors both highlight the enforcement of the proposals as an issue. The restrictions will be enforced as much as possible in line with operational resources. The second objection mentions the Highway Code and the list of locations where not to park and that these matters should already be enforced. It has already been observed that this type of parking is taking place at this location, the enforcement of which in some cases is the responsibility of Lincolnshire Police. The introduction of the proposals would allow Lincolnshire County Council to enforce any contraventions of the Traffic Regulation Order relating to parking, and generally speaking, the County Council has more resource to deal with these issues than Lincolnshire Police since undertaking Civil Parking Enforcement in 2012.

2. Conclusion

The proposals serve to remove parking in the immediate vicinity of the school frontage and thereby improve visibility of pedestrian movements in the area, and

also propose restrictions around nearby junctions in anticipation of some displacement of parking. Following discussions on site it was agreed to remove the original proposed limited waiting bay on Barff Road to retain on street parking as a means of slowing traffic speeds.

Consultation

The local Member was consulted for their view on the proposals in September 2018. Statutory consultation took place from 8 November to 6 December 2018. The proposals were then advertised from 14 March to 11 April 2019.

a) Have Risks and Impact Analysis been carried out?

No

b) Risks and Impact Analysis

n/a

Appendices

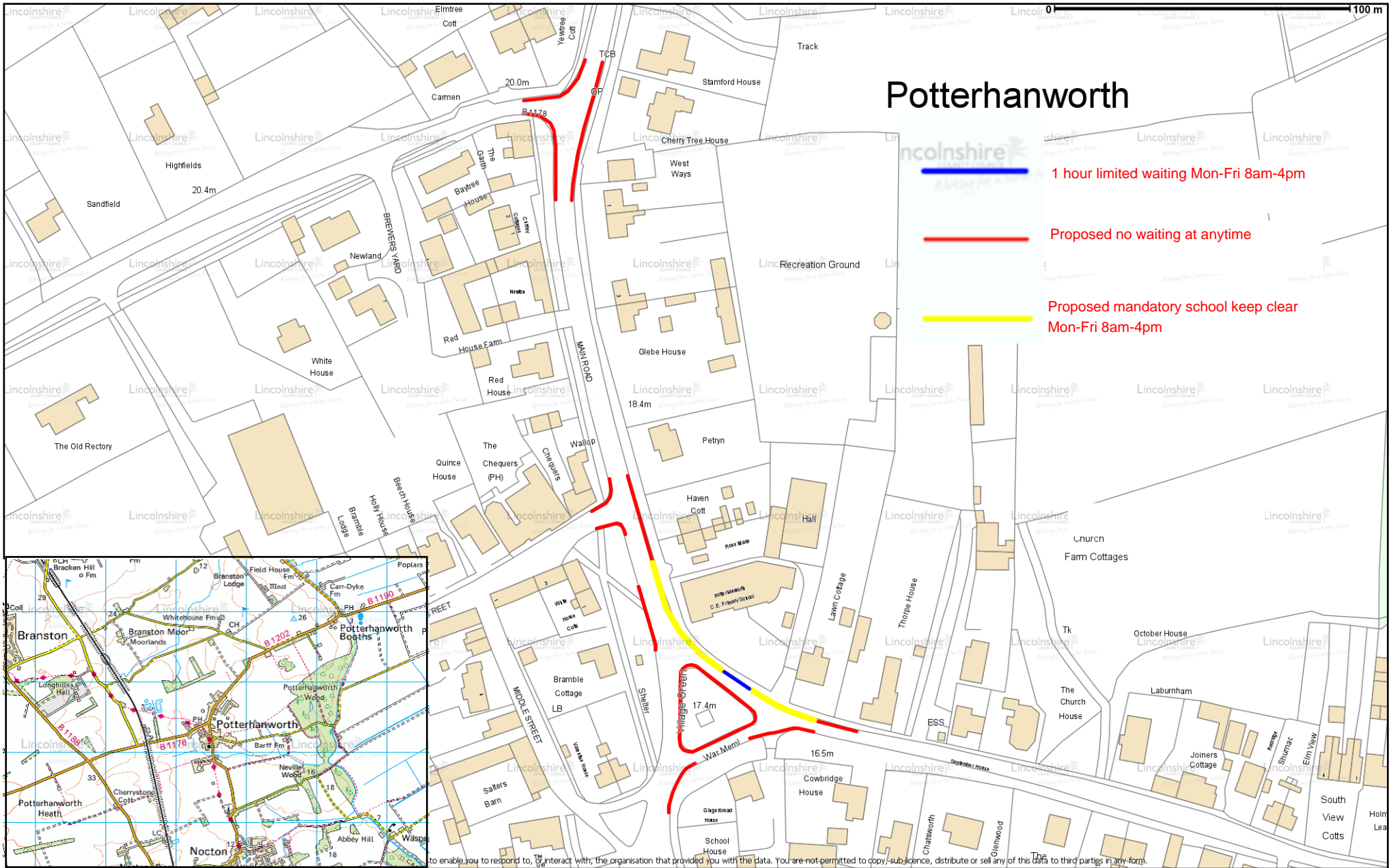
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| These are listed below and attached at the back of the report | |
| Appendix A | Proposed Traffic Regulation Order (original) |
| Appendix B | Proposed Traffic Regulation Order (amended) |

Background Papers

No background papers within Section 100D of the Local Government Act 1972 were used in the preparation of this report.

This report was written by Dan O'Neill, who can be contacted on 01522 782070 or dan.o'neill@lincolnshire.gov.uk.

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Potterhanworth - Proposed Traffic Regulation Orders
Appendix A



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Open Report on behalf of Andy Gutherson, Executive Director of Place

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| Report to: | Planning and Regulation Committee |
| Date: | 07 October 2019 |
| Subject: | South Road, Bourne (A15) - Proposed Waiting Restrictions |

Summary:

The report considers objections received to the above named proposals.

Recommendation(s):

That the Committee overrules the objections received and that the Order as advertised is confirmed and introduced.

1. Background

- 1.1 The County Council received a petition in 2018 asking for traffic issues to be investigated at a number of locations outside schools in Bourne. One of the locations concerned as the A15 South Road, Bourne, in the vicinity of the Grammar School. Concerns here relate to on street parking causing congestion and queuing at school start and finish times.

Existing Conditions

- 1.2 The A15 South Road is a principal road passing through the town of Bourne. The proposed restrictions sit within a residential area which includes both a SEN school and a secondary school, as well as a supermarket and other businesses. In the morning buses dispatch pupils on the south bound A15 on the eastern side, at the bus stop just south of Austerby. Buses also stop opposite Austerby on the northbound side, to drop off pupils. In the afternoon the majority of school buses park within the Grammar School grounds.

There have been 4 reported injury collisions in the past five years, one of which occurred during school start and finish times at the junction of South Road with Austerby.

Proposals

- 1.3 A scheme was proposed to reduce the impact of inconsiderate parking at this location as shown at Appendix A. This introduces a 'No Waiting at Any Time' restriction along stretches of the A15 and side roads, and formalises the bus stops near to the junction with Austerby by way of bus stop clearways.

Consultation with local bus companies indicated that the originally proposed times of operation for the bus stop clearways should be extended to 6am – 9am daily. This amendment was agreed and the revised proposal is shown at Appendix B. Furthermore, as a result of the consultation process the no waiting restriction on the east side of South Road was extended adjacent to the Manor House to aid visibility for motorists exiting Austerby.

The public advert for the amended proposals was advertised in the local press and on site between 24 May and 21 June 2019.

Objections

- 1.4 Objections were received to the proposals advertised and refer to the omission of new restrictions outside Nos. 21 - 25 South Road. The objectors believe that removing parking in this location would further improve traffic flow and have a positive impact upon the safety of both motorists and pedestrians.

Comments

- 1.5 It is proposed to retain on street parking outside Nos. 21 – 25 South Road (see Appendix C) as removing it is likely to encourage drivers to overtake stationary buses at the designated stop. This could lead to overtaking manoeuvres occurring on the approach to the pedestrian crossing further south. By maintaining parking at this location the road is visually narrowed over a longer length and as a result drivers are less likely to proceed past a waiting bus.

2. Conclusion

The restrictions as proposed will improve traffic flow through this section of South Road and enable bus services to run more efficiently. The option to retain on street parking can in certain circumstances serve to enhance road safety as described above.

3. Consultation

a) Have Risks and Impact Analysis been carried out??

No

b) Risks and Impact Analysis

n/a

Appendices

| | |
|---|--|
| These are listed below and attached at the back of the report | |
| Appendix A | Bourne A15 South Road - proposed waiting restrictions (original) |
| Appendix B | Bourne A15 South Road - proposed waiting restrictions (revised) |
| Appendix C | View of area referred to in objections |

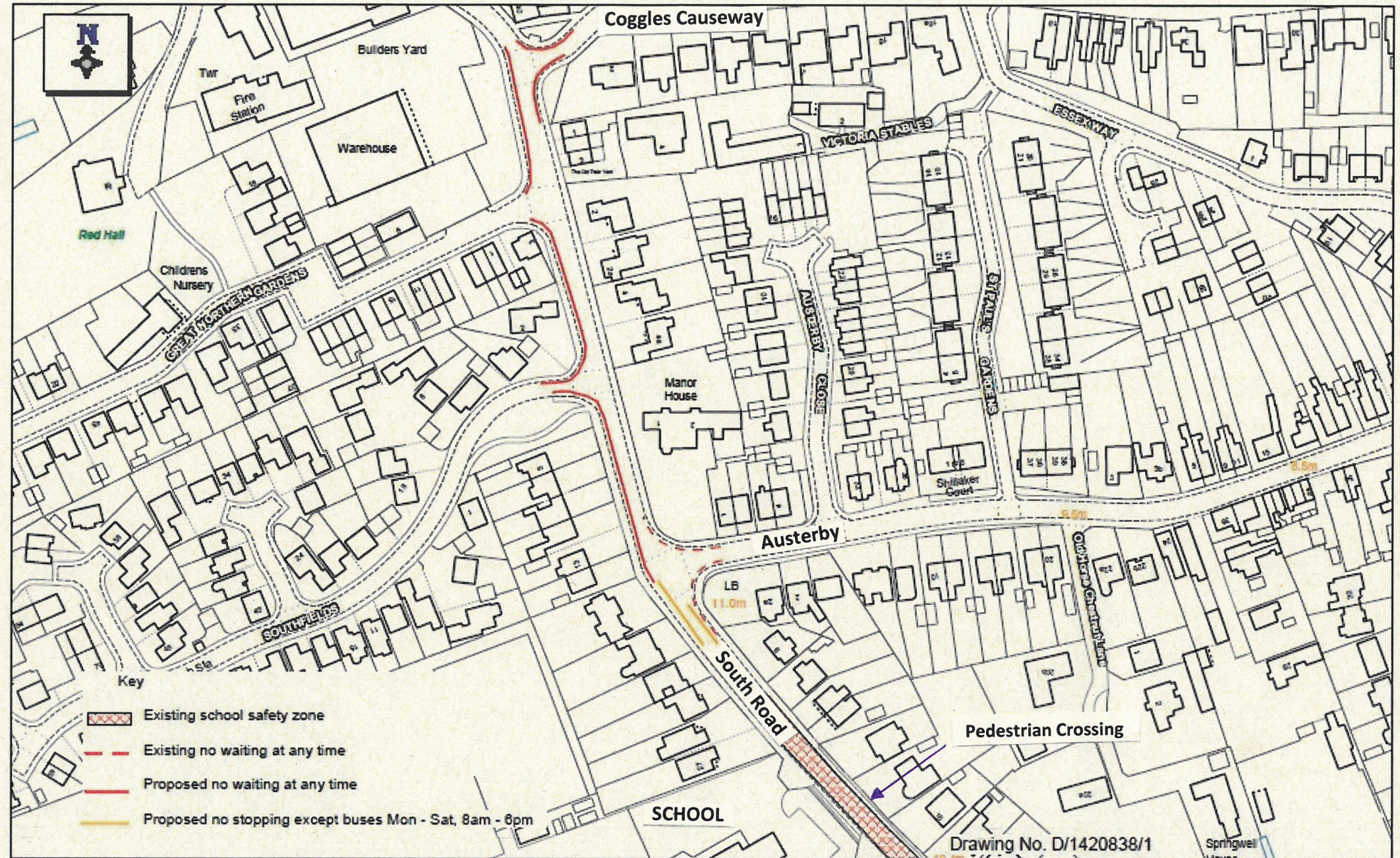
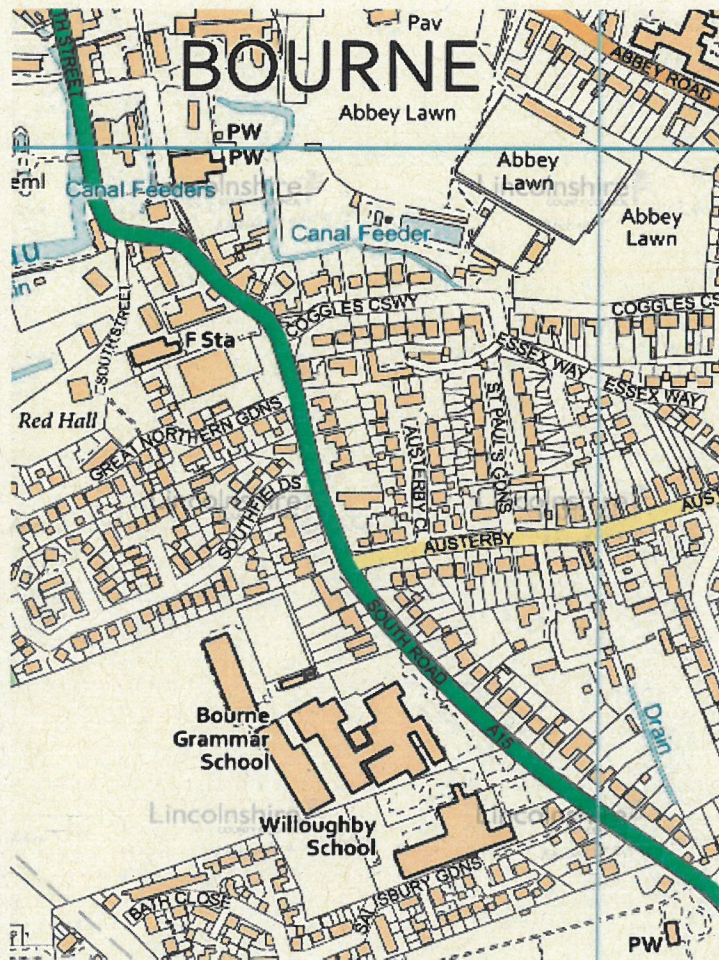
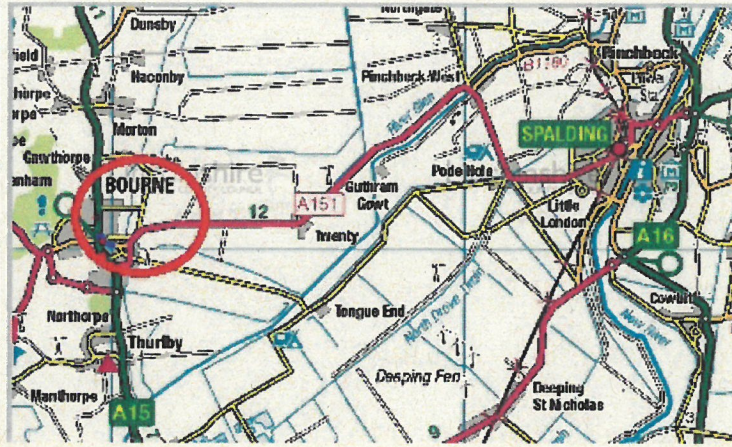
Background Papers

No background papers within Section 100D of the Local Government Act 1972 were used in the preparation of this report.

This report was written by Natasha Gault, who can be contacted on 01522 782070 or natasha.gault@lincolnshire.gov.uk.

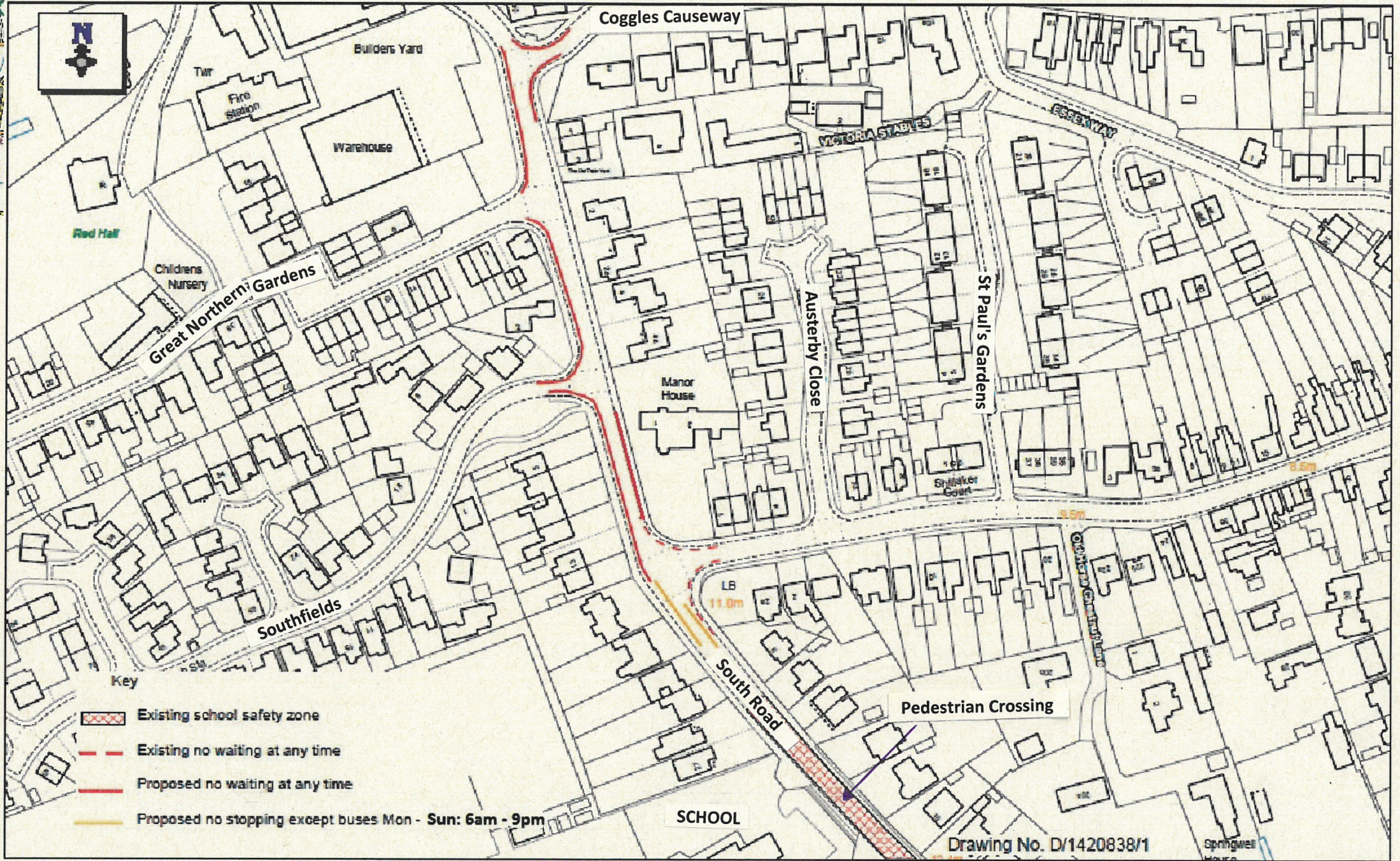
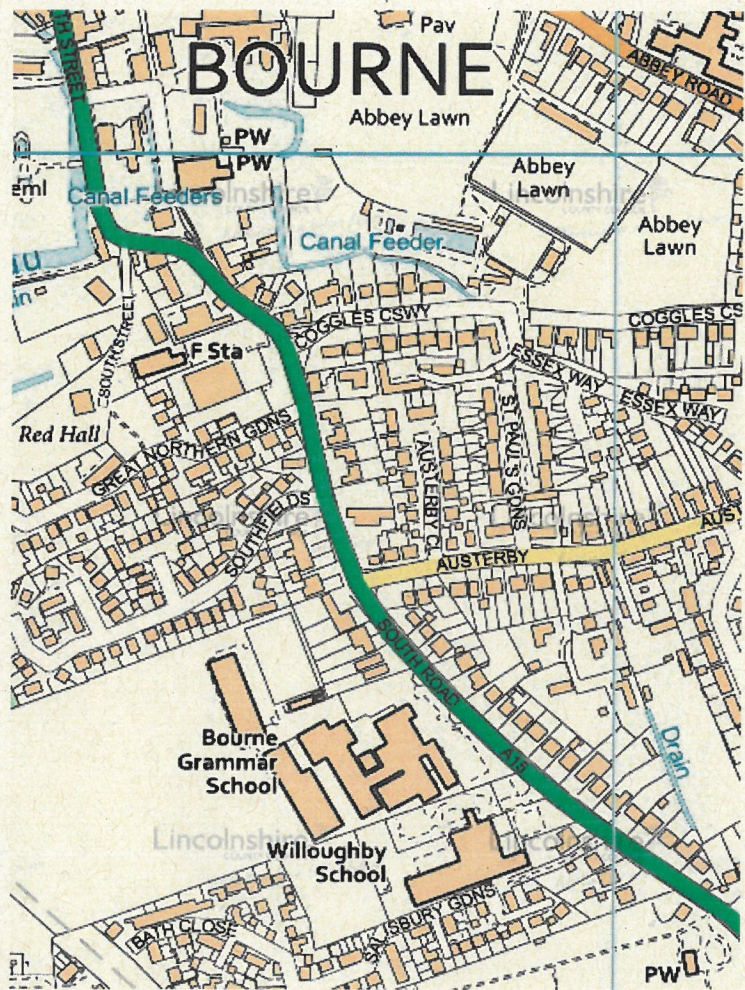
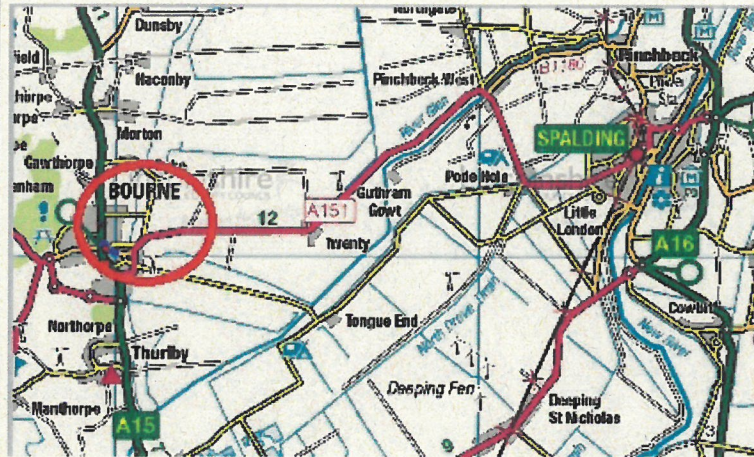
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APPENDIX A



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APPENDIX B



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Appendix C



Area referred to in objections

SCHOOL SAFETY ZONE

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

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|------------|---|
| Report to: | Planning and Regulation Committee |
| Date: | 7th October 2019 |
| Subject: | SHEPEAU STOW / HOLBEACH DROVE B1166 - PROPOSED 50MPH SPEED LIMIT |

Summary:

This report considers objections received to the proposed new 50mph speed limit on the B1166 Drove Road between Shepeau Stow and Holbeach Drove, as shown at Appendix B.

Recommendation(s):

That the Members of the Committee overrule the objections received and that the Order be confirmed as proposed.

Background

- 1.1 A request was received from a resident of Shepeau Stow for the speed limit on the B1166 Drove Road between the villages of Shepeau Stow and Holbeach Drove to be reduced from the 60mph national speed limit. To identify if this could be justified conditions were investigated against the County Council's Speed Limit policy.

Existing Conditions / Investigations

- 1.2 The B1166 through both Shepeau Stow and Holbeach Drove is subject to a 40mph speed limit and Drove Road connects the two villages in a generally east / west direction. There is sporadic residential development along this section with some agricultural usage and two crossroads junctions. The road is an unlit, mainly straight causeway style road with drainage ditches either side. The average daily traffic flow is approximately 4000 vehicles. The lack of frontage development means that the policy would not be met in terms of the development density requirements. The road has therefore been assessed as a rural limit where it will be the accident rate which confirms if a limit can be pursued.
- 1.3 Over the past 5 years there have been 3 injury accidents along the length under consideration and an accident rate of 36 was calculated, justifying the pursuit of a limit. The level of limit is set in accordance with the mean speed of traffic. This was measured at 49mph as shown on the survey sheet at Appendix C.

- 1.4 The opportunity was taken to investigate conditions at the side roads, Dog Drove North and Dog Drove South. Both of these roads met the relevant criteria in terms of development requirements and accordingly a 30mph limit has been proposed for each of these.

Objections

- 1.5 Two objections to the proposals have been received from local residents:

One objector would like the proposal to be reconsidered and the proposed limit to be set at 40mph rather than 50mph. They believe it would make sense to connect the existing 40mph limits in the two villages at each end, and that a reduced limit would promote safety at the two busy crossroads junctions, and reduce the environmental impact of vehicles rapidly changing speeds.

Another objector states that it would be logical to reduce the limit to 40mph rather than 50mph. They are concerned with the existing speed and volumes of traffic here, the difficulties for drivers accessing the B1166 from a side road or residential access, and that it is too dangerous to ride their horse along this road. They also believe that this route is being used as a short cut and that it is not wide enough for the amount of HGVs using it. They are also concerned that accidents could result from speeding drivers having to break sharply on approaching slow moving lorries delivering to businesses in the area.

- 1.6 The local Councillor has been in contact with local residents and the Parish Council. They are sympathetic to the request for the proposed limit to be reduced further but are aware that this would not be supported by the Speed Limit policy. They raise the point that the Community Speedwatch scheme could not operate within a 50mph limit but a reduction to a 40mph limit would allow this to be pursued at this location. No objection has been received from the Parish Councils consulted.

Comments

- 1.7 The criteria for the introduction of a rural speed limit is met on the section of the B1166 Drove Road between the villages of Shepeau Stow and Holbeach Drove. The level of limit imposed is set in accordance with the mean speed of traffic, referenced to Table 4 of the policy, shown below.

Table 4

| Mean Speed | Limit |
|-------------|--------|
| < 33 mph | 30 mph |
| 33 – 43 mph | 40 mph |
| 44 – 53 mph | 50 mph |
| > 53 mph | 60 mph |

Measured at 49mph, the mean speed indicates that a 50mph limit may be implemented and that this cannot be considered as a Borderline Case and as such, be reduced further.

Conclusion

Whilst noting the concerns raised by the interested parties, the 50mph speed limit on the B1166 Drove Road has been proposed in accordance with the County Council's Speed Limit Policy. In this instance, the mean speeds recorded are indicative of a 50mph rather than a 40mph limit.

Consultations

In February and March 2019, consultations took place on reducing the speed limit on the B1166 Drove Road to a 50mph limit and also introducing 30mph limits on Dog Drove North and South.

Statutory consultation letters were sent to the local County Councillor, Lincolnshire Police, EMAS, Fire & Emergency Planning, the Freight Transport Association, the Road Haulage Association, Holbeach Parish Council, Whaplode Parish Council, Gedney Parish Council, South Holland District Council, Stagecoach Buses, and Fowlers Travel. The proposals were illustrated via a plan as shown at Appendix B.

Appendices

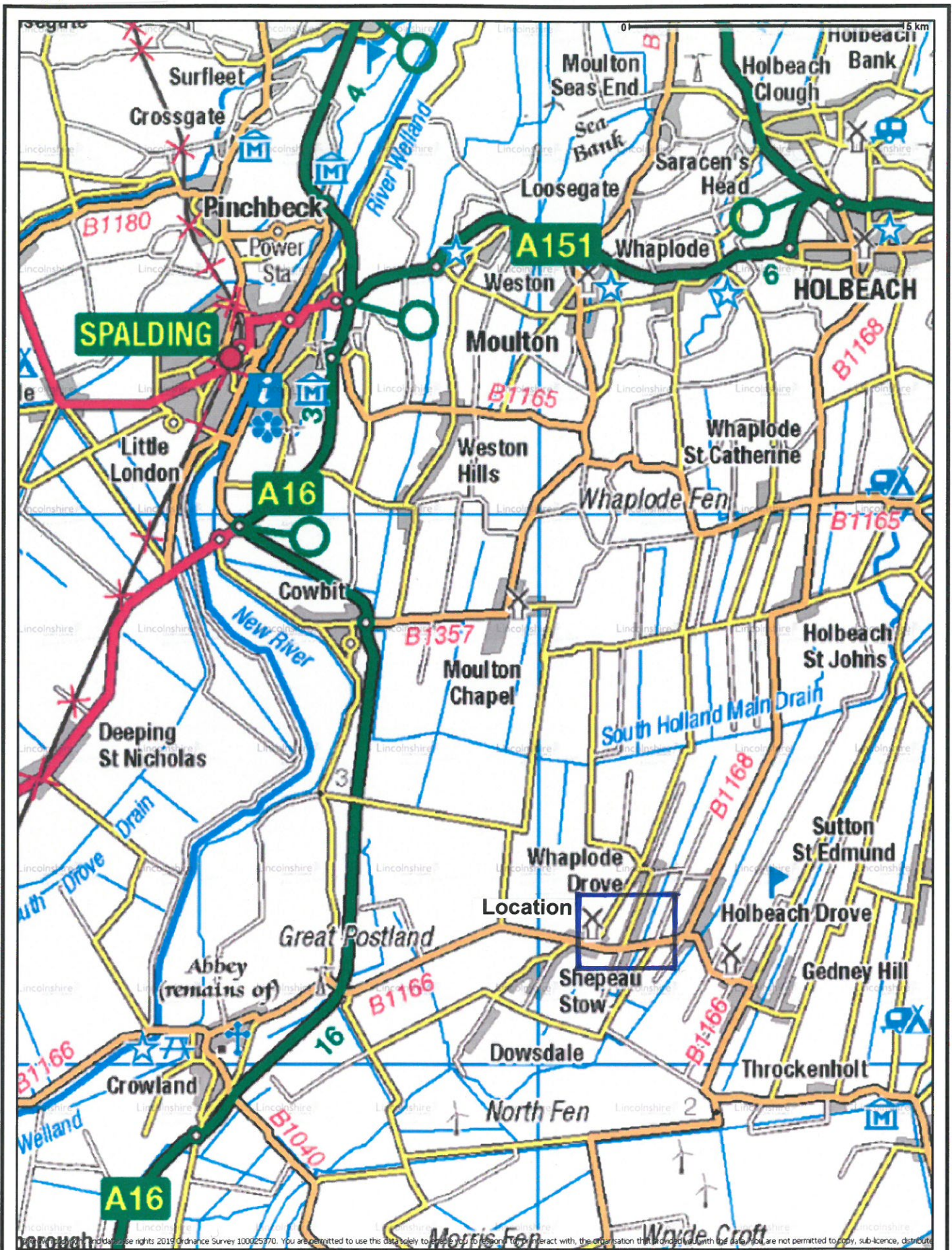
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|---|---------------------------------|
| These are listed below and attached at the back of the report | |
| Appendix A | Location Plan |
| Appendix B | Detail of speed limit proposals |
| Appendix C | Speed survey data |

Background Papers

This report was written Bryan Gault on 01522 782070 or bryan.gault@lincolnshire.gov.uk

No background papers within Section 100D of the Local Government Act 1972 were used in the preparation of this report.

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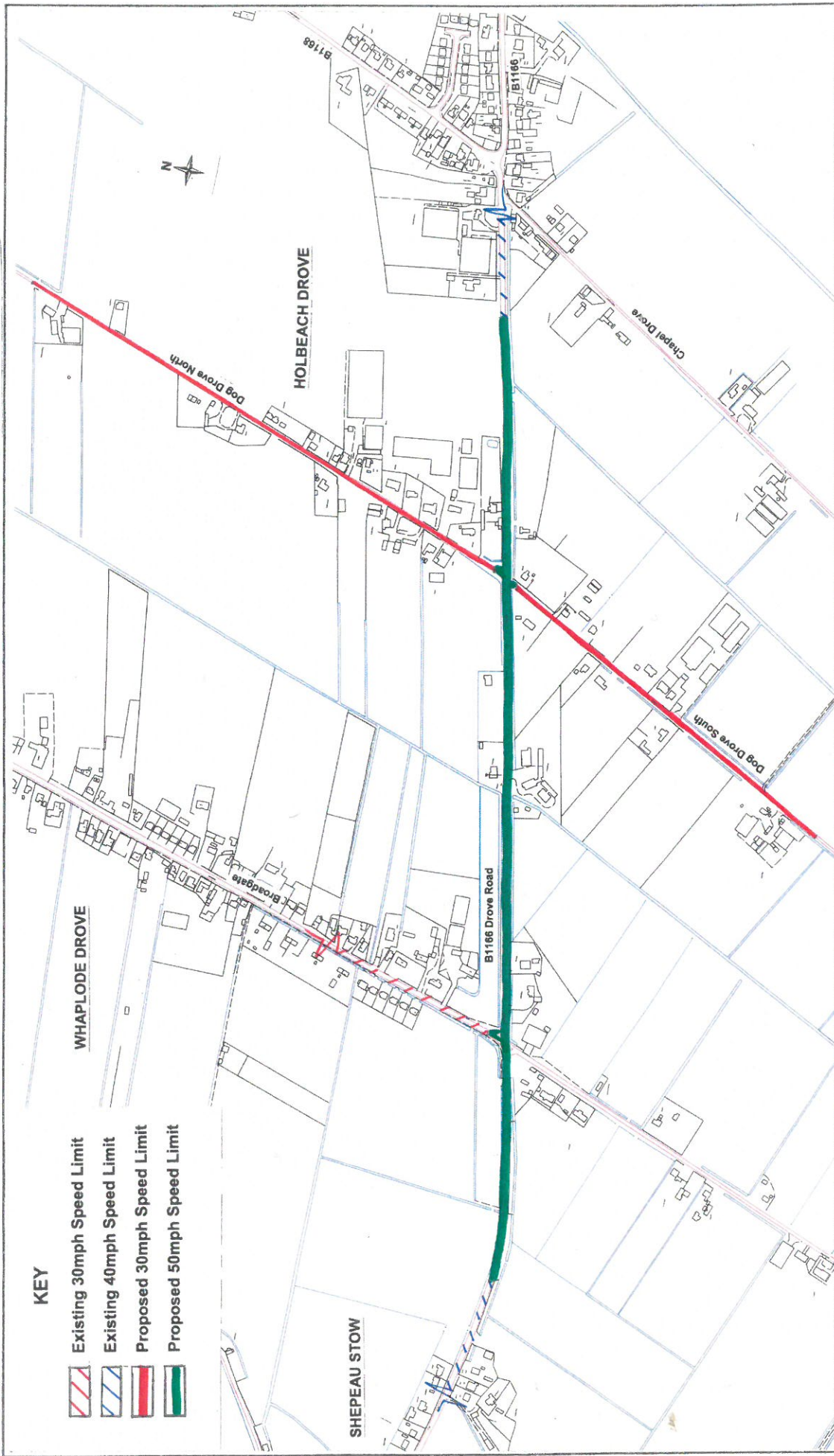


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D 520BG1FEB2019



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|---|----------|-----------------|--------|
| DRAWING NUMBER | | D 520BG1FEB2019 | |
| Shepeau Stow / Holbeach Drive Various Roads Proposed Speed Limits | | | |
| CORR. SEC. | BY | DATE | |
| FILE | SURVEYED | DRAWN | TRACED |
| SCALE | #5000 | | |
| ENVIRONMENT & ECONOMY HIGHWAY ASSET MANAGEMENT LANCASTER HOUSE ORCHARD STREET LINCOLN LN1 1XX | | | |
| Lincolnshire COUNTY COUNCIL | | | |

UDC 426/21 (2/1/2)

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CLASSIFIER SUMMARY RESULTS SHEET for 24 HOURS, VOLUME & SPEED 85%ile

HOLBEACH DROVE B1166

ATTACHED TO TELEGRAPH POLE OPPOSITE THE STABLES

| DAY/DATE | DIRECTION 1 00.00 to 24.00 | | DIRECTION 2 00.00 to 24.00 | | COMBINED TOTALS | |
|----------------------------|----------------------------|------|----------------------------|--------------|-----------------|--------|
| | EASTBOUND>B1168 | | WESTBOUND>A16 | | 00.00 to 24.00 | |
| | Total volume | Mean | 85%ile | Total volume | Mean | 85%ile |
| JAN 2019 | | | | | | |
| WEDS 23 | 1981 | 47 | 54 | 2095 | 51 | 57 |
| THURS 24 | 1954 | 44 | 52 | 1950 | 48 | 55 |
| FRI 25 | 2101 | 47 | 55 | 2043 | 50 | 57 |
| SAT 26 | 1550 | 50 | 58 | 1541 | 53 | 60 |
| SUN 27 | 1245 | 51 | 57 | 1231 | 53 | 60 |
| MON 28 | 1956 | 48 | 56 | 2048 | 51 | 59 |
| TUES 29 | 1986 | 48 | 56 | 1991 | 51 | 59 |
| TOTALS | | | | | | |
| CHANNEL AVERAGES | 1824.7 | 47.9 | 55.4 | 1842.7 | 51 | 58.1 |
| WEEKDAY AVERAGE | 1995.6 | 46.8 | 54.6 | 2025.4 | 50.2 | 57.4 |
| COMBINED DIRECTION TOTALS | | | | | | |
| WEEKDAY AVERAGE (ALL VEH) | 4021 | | | | | |
| WEEKDAY AVERAGE Mean Speed | 49 | | | | | |
| WEEKDAY AVERAGE 85%ile | 56 | | | | | |

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VIEW EASTBOUND TOWARDS B1168



CLASSIFIER SUMMARY RESULTS SHEET - 24 HOUR TRAFFIC FLOWS

HOLBEACH DROVE B1166

ATTACHED TO TELEGRAPH POLE OPPOSITE THE STABLES

| DAY/DATE | DIRECTION 1 00.00 to 24.00 | | DIRECTION 2 00.00 to 24.00 | | COMBINED TOTALS | |
|----------------------------|----------------------------|----------|----------------------------|----------|-----------------|----------|
| | EASTBOUND>B1168 | | WESTBOUND>A16 | | 00.00 to 24.00 | |
| | TOTAL VEH | COMM/HGV | TOTAL VEH | COMM/HGV | TOTAL VEH | COMM/HGV |
| JAN 2019 | | | | | | |
| WEDS 23 | 1981 | 58 | 2095 | 75 | 4076 | 133 |
| THURS 24 | 1954 | 67 | 1950 | 78 | 3904 | 145 |
| FRI 25 | 2101 | 48 | 2043 | 63 | 4144 | 111 |
| SAT 26 | 1550 | 21 | 1541 | 19 | 3091 | 40 |
| SUN 27 | 1245 | 11 | 1231 | 8 | 2476 | 19 |
| MON 28 | 1956 | 79 | 2048 | 79 | 4004 | 158 |
| TUES 29 | 1986 | 83 | 1991 | 93 | 3977 | 176 |
| TOTALS | | | | | | |
| CHANNEL AVERAGES | 1824.7 | 52.4 | 1842.7 | 59.3 | 3667.4 | 111.7 |
| WEEKDAY AVERAGE | 1995.6 | 67.0 | 2025.4 | 77.6 | 4021.0 | 144.6 |
| COMBINED DIRECTION TOTALS | | | | | | |
| WEEK-DAY AVERAGE (ALL VEH) | 4021 | | | | | |
| WEEK-DAY AVERAGE HGV | 145 | | | | | |

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VIEW WESTBOUND TOWARDS A16



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

| | |
|------------|---|
| Report to: | Planning and Regulation Committee |
| Date: | 7 October 2019 |
| Subject: | County Matter Application - S19/0486 |

Summary:

Planning permission is sought by Breedon Southern Ltd (Agent: Heatons) to extract sand and gravel as an extension to West Deeping Quarry at West Deeping Quarry, King Street, West Deeping.

The application is subject of an Environmental Impact Assessment submitted pursuant to the Town and Country Planning (Environmental Impact Assessment) (England and Wales) Regulations 2017 and a Planning and Environmental Statement (PES) has been submitted which assesses the potential impacts of the development together with the mitigation measures proposed to avoid, reduce and if possible remedy an significant adverse impacts. Further Information has also been submitted in support of the ES in accordance with Regulation 25 of the EIA Regulations 2017.

West Deeping Quarry is an extensive sand and gravel quarry to the north of West Deeping village. In 1992 planning permission (reference S81/552/90) was granted to extract sand and gravel from Rectory Farm as an extension to West Deeping Quarry and subsequently the original permission was amended by permissions refs: S81/0896/96, S81/0026/98 and S81/0860/01. In 2017, the quarry was acquired by Breedon Group.

This proposed extension known as 'Tinsley Land' comprises a parcel of agricultural land surrounded on three sides by the existing West Deeping Quarry and to the south by Stamford Road. This land has 0.35 million tonnes reserves of saleable sand and gravel and would be worked as an interim stage of one of the phases of the existing quarry.

The key issues to be considered in the case of this application are the need for the additional reserves and proposed extension, and the impacts (including cumulative impacts) arising from the development on factors including highways, historic environment, landscape and the amenity of surrounding land-users, residential properties and the natural environment.

Appropriate conditions would secure mitigation and monitoring to ensure the minerals operation of an extension to West Deeping Quarry would not result in

detrimental impacts on the surrounding area and would secure a restoration scheme which would be, predominantly, to agricultural use with enhancement of biodiversity through the creation of wetland habitats.

It should be noted that a second application reference S19/0497 has been submitted by the applicant for the Periodic Review (ROMP) of West Deeping Quarry, which has run concurrent with this application. The planning issues relating to the determination of that application are dealt with in a separate report.

Finally, this application will not affect the terms of the existing Section 106 Planning Obligation dated 29 August 2017. The Section 106 addresses the operations at the Plant Site off King Street, traffic routeing, archaeology and long term aftercare including maintenance of pumping to the Langtoft Drain. None of these matters are conflicted by this proposed extension.

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. West Deeping Quarry has been in continuous operation since 1952 and has over time extended with the current extraction area (Rectory Farm) having been granted planning permission in 1992. Further planning permissions followed, extending the date for commencement, the most recent being under reference S81/0860/01. The current operator Breedon Southern Limited acquired the quarry in 2017 and on 29 August 2017 a Planning Agreement and Deed of Release under Section 106 and 106A of the Town & Country Planning Act 1990 was sealed between the land-owner (Rectory Farm) Lincolnshire County Council, Breedon Southern Ltd and former operator Tarmac Aggregates Limited to secure obligations in relation to maintenance of plant site on King Street, conveyor route from Rectory Farm to the plant site, HCV routing arrangements in relation to King Street, drainage and archaeology. The terms of the Planning Agreement are unaffected by this application.

The Application

2. The proposed extension would be to the historic West Deeping sand and gravel quarry which, at the current extraction rate of 0.25 – 0.30 million tonnes per annum, has approximately 4 years remaining to completion, including restoration. The extension area would be accessed using the existing site entrances. The excavated mineral would be transported to the King Street plant site for processing via the overland conveyor located to the north of Rectory Farm House. In line with the wider permitted quarry operations, some of the silt derived from the mineral processing operations

would however be transported back from the plant site and utilised in restoring the extension area.

3. The extension area would be worked in conjunction with the existing permitted quarry operations and restored to after-uses that reflect those of the wider site. The restored landform would predominantly comprise of low-level agriculture with a small water-body created to the south eastern corner providing an enhancement for biodiversity as well as a long term water management regime for the whole quarry site. The extension would be worked and restored in sequence and phases which integrate and complement those of the existing quarry and so would not compromise the restoration and aftercare regimes for the wider site. The proposed extension has therefore been designed to contribute to creating an improved land-form which would maximise the amount of workable agricultural land.

Planning and Environmental Statement

4. The application is subject of an Environmental Impact Assessment which has been prepared in accordance with the Town and Country Planning (Environmental Impact Assessment) Regulations 2017 (as amended). Separate Planning and Environmental Statements (PES) were produced and submitted for both this extension application and the concurrent ROMP application however given their close relationship many aspects of the assessments which form part of the PES's are the same. The PES for this proposed extension into the 'Tinsley Land' comprises of four documents and folders, these being:
 - Planning and Environmental Statement – contains the background and overview of the proposal, policy and statement of need. Chapters 8 to 16 inclusive are the summary reports of the technical reports making up the Technical Appendices. The final chapter being the conclusion.
 - Non-Technical Summary (NTS) – summarises the content of the Planning and Environmental Statement in an easily understandable and accessible format.
 - Application Form and Drawings – contains copies of the application form and certificates, Location plan, existing situation plan, development stages plan, restoration plan and sections plans.
 - Technical Appendices – contains the individual technical assessments and reports, plans and tables which identify the potential impacts arising from the development and the mitigation measures that are proposed to be implemented in order avoid, reduce and, if possible, remedy any significant adverse impacts.
5. In accordance with Regulation 25 of the Town and Country Planning (Environmental Impact Assessment) Regulation 2017 (EIA Regulations) 'Further Information' was requested by letter on 12 April 2019 relating to archaeology, water environment, restoration proposals and clay. A letter

dated 5 July 2019 was submitted by the agent, covering the information required under the Regulation 25 notice and was supported by supplementary plans. Subsequent revisions were made to those plans and further revised plans submitted 16 July 2019. This Further Information (comprising that submitted 5 & 16 July 2019) support, and in some cases replace, that which was contained within the original PES which collectively are considered to meet the requirements of the EIA Regulations 2017. A summary of the contents of the PES is given below:

Planning and Environmental Statement

6. This is the document that provides the background, site and surroundings, proposal, policy, need, alternatives, community engagement, summaries of the technical appendices and conclusion.

Chapter 1: Introduction and Background to Proposal – this chapter sets out the purpose of the report, description of the applicant and the planning and site history.

Chapter 2: Site Location and Setting – this chapter describes the general location of the quarry which includes the proposed extension area, the existing extraction area at Rectory Farm and plant site on King Street. The chapter describes the surrounding land uses and proximity to settlements and dwellings. It identifies both environmental and land use designations, within 1.0 kilometres of the extension planning boundary and ROMP area including the plant site off King Street. In addition the chapter identifies that the extension area is bound to the north, west and east by the ROMP area of West Deeping Quarry and to the south the A1175/Stamford Road that forms the southern boundary and gives vehicular access to Rectory Farm, Crown Farm and Lodge Farm. Finally, this chapter states that the as-raised mineral would be transported from the extension area to the overland convey north of Rectory Farm House and then to the plant site off King Street. There are no proposals to transport mineral to the plant site off King Street by lorry.

Chapter 3: Community Involvement – this chapter records the schedule of events within the locality that provided an opportunity for local residents to discuss the proposals to extend into 'Tinsley Land' and if needed to provide an opinion on the proposal.

Chapter 4: The Development Proposals – this chapter outlines the current and future working practices at West Deeping Quarry. It is identified that there are approximately 4 years of operations remaining at Rectory Farm including restoration. This is calculated on an extraction rate of up to 0.30 tonnes per annum. The transportation of mineral to the plant site would continue via the field conveyor and the phasing plan indicates that the extension would be excavated as an interim operation within Stage C of the ROMP area. A restoration plan has also been submitted to illustrate the proposed landform, water body and planting regime within the 'Tinsley Land'. It has also been proposed, to return a proportion of the residual

materials from the processing plant (silt) at King Street, to be incorporated into the restoration to agriculture. The silt proposal has been considered and assessed in respect of the ROMP application as the amount of silt needed in the 'Tinsley Land' would not be significant.

This chapter also provides an outline of the Working Methods, soil handling and storage, depth of mineral extraction (5.0 metres AOD) and progressive restoration. Details are provided of the mobile plant required for extraction, transportation and restoration within the extension area including excavation by one 36 tonne 360° swing shovel and two A30 dumpers. It should be noted that this equipment is the same machinery and not in addition to that being utilised in the ROMP site.

The reserve of 0.35 million tonnes lies to the west of Crown Farmhouse, with the proposed direction for extraction being from west to east. Immediately following extraction the site would be progressively restored from east to west. It has been predicted that extraction and restoration would be completed by the end of 2020.

The restoration ground level would be consistent with the surrounding ROMP area with an engineered clay seal. The after-use would largely be returned to arable use at low level, with an elevation of around 7.0 above ordnance datum. The 'Tinsley Land' would then be connected via drainage ditches and weirs to the south eastern corner of the ROMP area, where there is an existing catchment pond that would maintain water levels during extraction and restoration. Water would be pumped from this point to discharge into the Internal Drainage Board ditch that flows under the Greatford Cut in the northeast corner of the ROMP site.



Chapter 5: Planning Policy – this chapter sets out the various planning policies and other material considerations that would be taken into account in determination of the application. Detailed analysis is provided in relation to the following documents, having been identified as forming the Development Plan:

- Lincolnshire Mineral & Waste Local Plan: Core Strategy and Development Management Policies (2016);
- Lincolnshire Mineral & Waste Local Plan: Site Locations (2017);
- South Kesteven Core Strategy (2010); and
- South Kesteven – Site Allocations and Policies DPD (2014).

Other material considerations, documents and emerging policy include:

- National Planning Policy Framework (2019);
- National Planning Policy Guidance – Minerals (2014); and
- Lincolnshire Local Aggregate Assessment (2018).

Chapter 6: Need and Socio-Economic Considerations – this chapter identifies the need and supply of sand and gravel; the operators Breedon Southern and economic considerations of West Deeping Quarry; and the wider socio-economic considerations.

The chapter confirms that West Deeping Quarry is an important source of sand and gravel supply within the locality and Lincolnshire as a whole. The lateral extension of the West Deeping Quarry would allow for, the longer term, continuity of supply of sand and gravel from an existing quarry. The modest extension of the ROMP site would be expected to yield 0.35 million tonnes of saleable sand and gravel. The approval of the extension would therefore contribute to maintaining the level of permitted reserves and operational capacity of sand and gravel extraction within Lincolnshire. The permitted reserves stood at 9.45 years at the end of 2016 when the last Local Aggregates Assessment was published January 2018. Whilst the Lincolnshire land-bank for sand and gravel is in excess of the 7 year minimum, there is no set maximum limit.

It is acknowledged that Lincolnshire County Council have adopted the Site Locations Document which makes provision for any expected shortfall in delivery of sand and gravel over the plan period. A site has been allocated to the south of Stamford Road (Ref: MS29-SL) the land would be capable of producing 1.16 million tons during the plan period. To date there is no evidence of the site being brought forward in the foreseeable future.

Returning to the 'Tinsley Land' lateral extension, the justification for winning and working this mineral now would ensure that the mineral within it does not become sterilised. This would be the likely outcome should planning permission not be granted, insofar as the continued extraction and progressive restoration of the ROMP site could make the extraction of mineral economically unviable from the 'Tinsley Land' at a later date.

In respect of employment, minerals can only be worked where they are found and Breedon Southern employ local people to operate their West Deeping Quarry and plant site. Their continued operations would maintain and contribute to sustainable economic growth in the area around the quarry. The quarry also uses contractors, who commonly operate within the

locality and thus provides employment external to the operations by Breedon Southern.

Chapter 7: Alternatives – this chapter outlines the consideration that was given to alternative strategies that may provide an equivalent supply of aggregate. It was concluded that the proposal site was a modest extension of an existing mining site, with proven mineral reserves. Overall the proposed extension and progressive restoration would represent a sustainable use of the land, which would not have unacceptable impacts on the surrounding area and would also contribute to the enhancement of biodiversity in the locality.

Chapter 8: Environmental Impact Assessment – this chapter identifies the main elements of the proposals that have the potential to impact on:

- Human beings;
- Flora and Fauna;
- Soil, water, air, climate and the landscape;
- Material assets and the cultural heritage; and
- The interaction between the first three points.

The main environmental considerations are examined in detail:

- Potential landscape and visual impact;
- Potential for impact on nature conservation and ecology;
- Potential for adverse impact upon amenity, particularly in regards to noise and air quality;
- Potential for impact on archaeology and cultural heritage;
- Potential impact upon water resources;
- Potential for flood risk;
- The potential for impact as a result of transportation and traffic;
- Potential impact upon soils, land quality and agriculture; and
- Cumulative Impact Assessment

Chapter 9: Landscape and Visual Considerations – this chapter considers the site in the context of a 2.5 kilometre study area, which reflects the range of the character areas affected. The site lies within National Character Area 46: Fens and on the western edge of the Landscape Character Area (LCA) The Fens, the key characteristics being low flat terrain, large scale rectangular fields with ditches, sparse tree and woodland cover; and little settlement other than farmsteads.

The Kesteven Uplands LCA lies 400 metres to the west and is characterised as a unified, simple, medium scale agricultural landscape with a high proportion of historic woodland; undulating landform based around river valleys; picturesque villages; farmland under estate management; dispersed, nucleated settlement patterns; hedgerows interspersed with trees; and modern human influence including airfields and the A1. Given that there is the potential to affect the medium distance views, the

Landscape and Visual Impact Assessment (LVIA) concluded that while the area has a more elevated nature, overall the mature vegetation of the former sand and gravel pits screen views and as a consequence the continuing use of the quarry would not affect the Kesteven Upland LCA.

The LVIA states that the landscape character of The Fens LCA is fundamentally a manmade and working landscape dominated by intensive agriculture and sand and gravel extraction.

The assessment considered the potential visual impacts of the continued mineral operations to be medium-term and temporary and on completion of restoration would have permanent direct effects on the character of the setting. The potential interactions between the proposal and visual receptors were cited:

- Removal of trees and hedgerows within the site;
- Construction of temporary road, fencing, signage and stockpiles;
- Earthmoving plant;
- Exposed quarry faces, floor and excavated material;
- Excavation by 360° excavator, conveyor;
- Pump structures;
- Perimeter Bunds;
- Distant views of plant site; and
- Landscape seeding and planting operations.

There are three residential properties adjacent to or in close proximity of the lateral extension, these being Rectory Farmhouse, Lodge Farmhouse and Crown Farmhouse. Visual receptors external to the site were identified as users of the A1175 Stamford Road and the A15 and other minor routes leading to West Deeping and Market Deeping. No Public Rights of Way are directly affected by the operations although the routes of four footpaths are within the study area and all are identified as being of low or medium/low sensitivity.

The LVIA concluded that the site itself is considered to be of low value with the immediate surroundings being of medium/low landscape value. It is considered that the two former sand and gravel pits, which are characteristic of the area, make a positive contribution to its character. Notwithstanding the landscape and cumulative landscape effects of the proposal are not considered overall to be significant and upon restoration beneficial visual effects from the site would be apparent in the short term with further improvements at 15 years, post-restoration, when the site should start to assimilate well into the local landscape.

Chapter 10: Nature Conservation and Ecology – this chapter provides an overview of the potential impacts on habitats and ecology. An Extended Phase 1 Habitat Survey was carried out that established the baseline ecological context of the site and an assessment on how the existing conditions may be impacted by the extension of mineral operations at West Deeping Quarry.

Within 2 kilometres of the quarry Langtoft Gravel Pits SSSI, 50 metres to the north, is the only statutory nature conservation designation with the following non-statutory designated sites are as follows:

Deeping Mill Stream – Local Wildlife Site (LWS) – 25 metres south;
Greatford Road Verge South – LWS;
River Welland – County Wildlife Site (CWS) – 25 metres south;
Maxy Quarry – CWS; and
Tallington Gravel Pits – Site of Nature Conservation Interest (SNCI).

Habitats identified within the survey area include arable field margins, hedgerows and ponds. Whilst these habitats exist within the 'Tinsley Land' site, only the peripheral hedgerows along the southern boundaries would qualify as UK BAP priority habitat and the continuation of quarrying would not have an impact on this hedgerow. Further assessment was carried out in respect of fauna, identifying that the operations at the quarry have the potential for impacts on bats, nesting birds, great crested newts and possible badger populations. The report considered that the current site was of low conservation interest.

The report provided a schedule of mitigation measures to be carried out entrain with the phased working and restoration programme for both the 'Tinsley Land' and the ROMP. These measures would include ensuring that site clearance carried out in accordance with 'BS 5837:2012 Trees in relation to design, demolition and construction' to prevent root damage to hedgerows and hedgerow trees. Re-surveying any trees scheduled for removal to limit the potential for impact on bats. Carry out early season survey work on Ponds 2 and 3 to assess presence/absence of great crested newts and considered the need for licencing to manage where present. Restrict the removal of hedgerows, trees, shrubs and vegetation to outside of the nesting season (1 March to 31 August). Where it is necessary to clear watercourses otter and vole surveys would be undertaken.

Overall it was identified that the extension to the ROMP area would not have adverse impacts on the current ecology and associated habitats within the boundary and that no significant impacts would be anticipated on any statutory or non-statutory site designated for nature conservation or ecological value. The surveys identified where further surveys could be undertaken at appropriate times and that the proposed restoration would bring long term nature conservation benefits.

Chapter 11: Noise – this chapter outlines the proposals to mitigate the potential impacts in respect of noise emissions associated with the extraction of mineral at West Deeping Quarry and to identify a scheme of monitoring to BS5228-1: 2009 + A1: 2014 Annex G would be implemented to ensure that noise limits are in accordance with those promoted in the PPG Paragraphs 021 and 022 as follows:

A noise limit of 55 dB LAeq, 1h (freefield) shall be applied during normal working hours and for activities of a temporary nature which includes soil-stripping, the construction and removal of bunds, soil storage stockpiles and spoil heaps, construction of new permanent landforms and aspects of site road construction and maintenance, an increased temporary daytime noise limit of up to 70 dB LAeq, 1h (freefield) shall be applied for periods of up to 8 weeks in a year.

Monitoring of noise would be carried out (at nearest sensitive receptor properties) during key stages of site development and in consultation with the MPA until such time, as agreed with the MPA, that monitoring is no longer necessary. Where a complaint is received monitoring of noise would be carried out.

Monitoring would be carried out under appropriate weather conditions and where all site operations are representatively assessed at an agreed location. Within six weeks of any noise monitoring exercise a report would be prepared detailing the monitoring results and details of any mitigation deemed necessary. The monitoring reports would be retained at West Deeping Quarry for a period of three years and available for inspection by the MPA.

The report submitted with the ES provided detail of proposed mitigation measures to suppress noise emanating from the site. These measures seek to ensure that both static and mobile plant would be suitably attenuated and maintained as follows:

- Checks of mobile plant including inspection of mechanical and hydraulic systems;
- Where diesel driven equipment employed, the equipment would be silenced so as not contribute to an increase above the agreed permissible noise levels; and
- No mobile plant would operate with intrusive audible reversing alarms.

Chapter 12: Dust and Air Quality – this chapter addresses the potential impacts on humans and wildlife, identifying that there are residential properties in close proximity to the site. The assessment submitted as part of the ES considered both normal operations of the quarry and short-term operations such as soil stripping.

A scheme of control and monitoring (within 250 metres of any sensitive receptor) seeks to employ measures in accordance with the recommendations of Air Quality Management 'Guidance on the assessment of mineral dust impacts for Planning' 2016, 'Good Practice Guide: Control and Measurement of Nuisance Dust and PM₁₀ from the Extractive Industries' 2011 and 'The Environmental Effects of Dust from Surface Mineral Workings' 1995. Best practice measures proposed to suppress impact on air quality and dust generation would be as follows:

- Mobile plant regularly serviced and equipped with effective exhausts;

- Haul roads adequately maintained;
- Water bowsers employed in dry conditions to suppress dust on haul routes and other trafficked areas;
- Vehicle speeds restricted on access road and other trafficked areas;
- Vehicles inspected and cleaned as appropriate, prior to leaving the site;
- Vehicles leaving the site shall be suitably sheeted;
- Road Sweeper employed in the event of dust or mud deposited on the public highway;
- Regular inspection of the public highway and record of observations to be maintained;
- Drop heights minimised when loading and unloading;
- Temporary operations to be undertaken with due regard to weather conditions;
- Screening bunds constructed to reduce dust pick-up by wind;
- Construction of bunds at the earliest opportunity; and
- Water sprays or surface binders utilised to maintain damp surfaces on exposed stockpile faces and any exposed friable surfaces during dry and windy weather.

Where a complaint is received, monitoring would be carried out and within six weeks of any dust monitoring exercise a report would be prepared detailing the monitoring results and any mitigation deemed necessary would be implemented without delay. The monitoring reports would be retained at West Deeping Quarry for a period of three years and available for inspection by the MPA.

Chapter 13: Archaeology and Cultural Heritage – this chapter provides a description of the archaeological significance of the site. The Rectory Farm area has been subject to an on-going Scheme of Archaeological Observation, Mapping and Recording approved August 2018 as required under the terms of a Section 106 Obligation. In respect of the proposed lateral extension, initially only a desktop evaluation was carried out and so further evaluation in the form of a geophysical survey was requested as part of the Regulation 25 notice. This was subsequently undertaken and the results submitted as part of the Further Information.

A heritage statement was submitted of the potential for impacts of the proposed extension on the historical landscape within which the site sits. The statement described the wider landscape as being Historic Landscape Character Zone: the Fen Edge Settlements Historic Landscape Character Zone (SCL2), which is within the wider Southern Cliff Historic Landscape Character Area. The search area was set at 0.5 kilometres and no Scheduled Monuments are within that area. One listed building namely a barn associated with Rectory Farm is Grade II listed lies within the quarry boundary and a further Grade II listed nineteenth century milepost lies south of Stamford Road. Further to the east and to the south of Stamford Road stands the Grade II* listed Molecey's Mill and Granary, both now converted to residential use. No other listed buildings fall within the area of search. Notwithstanding, a Scheduled Monument being a moated site at Maxy 1

kilometre to the south east of the site and Grade I listed St Guthlac Church and Rectory, Market Deeping and St Andrew Church, West Deeping lie over 1 kilometre to the east and south west, both within the development of respective settlements. None of these monuments or buildings has inter-visibility at ground level with the ROMP area. It was concluded that the lateral extension of the existing quarry would not have a significant adverse impact in terms of landscape on designated and non-designated assets (i.e. Listed Buildings).

Chapter 14: The Impact on Water Resources and Flood Risk – this chapter considers the potential impact of the proposed mineral extraction from the 'Tinsley Land' on the water environment. The hydrogeological report submitted with the ES provided a description of the underlying geological formations of the site identifying that the sand and gravel deposit at West Deeping Quarry sits over Oxford Clay bedrock and has been classified by the Environment Agency (EA) as Unproductive Strata (non-aquifer). The nearest aquifer identified as within a Source Protection Zone lies 1.5 kilometres to the southwest and extends away from the site in a westerly direction. Groundwater flow within the sand and gravel above the Oxford Clay is not considered as having a significant seasonal fluctuation due to the presence of large water bodies at Tallington Lakes and Langtoft Gravel Pits SSSI to the west and north of the extension site. A number of ground water and surface water abstraction licenses are identified in the vicinity of the site associated with the quarry operated by CEMEX, Anglian Water for public water supply, agricultural for irrigation and for mineral processing. Hydrology was also considered with a description of the surface water features in the wider area including River Welland, Greatford Cut, Welland and Deepings Internal Drainage Board (IDB) drain, Tallington Lakes and Langtoft Gravel Pits. Annual rainfall data over the period 1981 to 2010 was provided together with values of high intensity rainfall in the West Deeping area EA Report 2013.

An assessment was carried out of the proposed water management programme of both the 'Tinsley Land' and the ROMP site that provided commentary on the actual discharge regime, being to a drainage ditch (Langtoft Drain) operated by the IDB and not as previously recorded to the EA Greatford Cut. Notwithstanding the EA have and would continue to compliance monitor the discharge rate to the IDB drain to ensure that it meets their consent of 5450m³/day. There is no indication that the proposed extraction of mineral from the lateral extension would give rise to any changes in the overall water management programme.

Water arising from the dewatering of the extension area would ultimately be discharged to an IDB drain via a collection pond in the south east corner of the ROMP site. Given the comparatively short period of extraction the water pumped from the active working area of the 'Tinsley Land' would be held within ponds located within the ROMP area. This ensures that a water balance is maintained and allows water free excavation, which does not compromise the quality of the restored areas within the ROMP area through inundation. An evaluation was made of the potential impacts beyond the

boundary of the site and it was concluded that Langtoft Gravel Pits SSSI, to the north, would not be compromised insofar as the water management of the extension area would be contiguous with the ROMP area and would be self-contained with sufficient water bodies within the ROMP site to maintain a 'constant head boundary' of around 6 metre above ordnance datum.

It was also reported that the associated plant site at Kings Street has a separate consent to abstract water from Tallington Lakes to provide wash water for the processing plant. The discharge of this water is back to the Lakes and forms a closed system considered to be non-consumptive abstraction.

The Further Information submitted under the Regulation 25 Notice confirmed that there would be no adverse impacts on the proposed water management regime, should this application be granted or not, insofar as the proposed final landform would accommodate a proportionate holding capacity to allow the predicted discharge rate for the ROMP area to be maintained. With regard to final restoration, the progressive nature of the works allows for the creation of a clay seal, this would eventually result in the extension site being incorporated within the ROMP area and that post excavation, the combined sites would be wholly self-contained in respect of water management. The south east area of the ROMP site would become the permanent discharge point for the combined areas of ROMP and 'Tinsley Land' and would be to the IDB drain which runs parallel with the Greatford Cut. The proposed water body within the site would be connected to the south east sump through a series of drains and weirs to maintain the water levels.

Flood Risk was assessed insofar as whilst the site lies within Flood Zone 1 the extension area exceeds 1 hectare. Consideration was therefore given to any potential impacts beyond the boundary of the site. It was reported that the discharge to the IDB drain would be incorporated into the flood relief system operated by the IDB to minimise the potential risk or consequences of flooding in its catchment area. Mitigation would be informed by the implementation of regular water table monitoring to be carried out utilising the site investigation boreholes drilled in 2016 or if not suitable, consideration should be given to installing new piezometers within the restored part of the site. The data gathered from this monitoring would provide evidence on the effectiveness of both short term and long term pumping of the three ponds and drains and where considered necessary, require the changing of the pumping equipment, should insufficient maximum pumping capacity be identified.

Overall it was considered that the lateral extension into 'Tinsley Land' and proposed restoration programme for that area would not have an adverse impact on the water environment and that there would be no significant flood risk beyond the boundary of the site.

Chapter 15: Transportation and Traffic – this chapter considered the impact of the lateral extension to West Deeping Quarry on the local

transport infrastructure and the adequacy of the access arrangement to the existing site, recent safety record and compliance with current standards. Consideration has been given to the proposal to introduce the removal of residual material from the processing of mineral, at the plant site off King Street, back to the extension site for incorporation into the progressive restoration of the site. This proposal does not compromise the terms of the existing routing contained in the Section 106 planning obligation. The principle of the return of this material has been considered separately in respect of the ROMP application.

Chapter 16: Soils and Agricultural Land Classification – this chapter considered the potential impacts of the extraction of mineral from the 'Tinsley Land' upon Agricultural Land Quality and Soil Resources.

The 'Tinsley Land' was assessed to be a combination of Agricultural Land Classification Grade 3a and 3b with the topsoil resource consisting of heavy clay and medium clay loam, of thickness around 30-35 centimetre and sub-soils of permeable heavy clay loam with a thickness of approximately 18 centimetres. The gravel resource below the soils varies in thickness from 35-65 centimetres.

Topsoil and sub-soil would be managed in accordance with the 'Good Practice Guide for Handling Soils' with soil stripping and replacement being undertaken during dry periods of the year. Where soils have to be stored, when they cannot be used directly on previously worked land, bunds of topsoil would not exceed 3 metres in height. Where soil stores are to be retained for extended periods, they would be sown with grass to maintain biological activity and prevent water erosion. No soils, overburden or clay arising from the mineral operations would be removed from site.

The proposed restoration programme seeks to return the 'Tinsley Land' to agricultural land at low level utilising all retained soils and overburden and silts, with the excavated clays being used to engineer seals and a water body would also be created to benefit biodiversity. The proposed water management regime would ensure that there would be no water-logging of the restored agricultural land.

Chapter 17: Cumulative Impact Assessment – this chapter addresses the cumulative impact of the lateral extension when combined with other developments and activities in the area. It was concluded that the 5.4 hectare extension to the existing extraction area of West Deeping Quarry would not give rise to significant impacts on the environment, amenity and highways over and above those already being experienced in respect of the ROMP area. The extension would be modest in nature and any temporary impacts could be controlled through the implementation of appropriate mitigation measures. Finally overall the restoration proposals would not result in unacceptable visual impacts on the landscape.

Non-Technical Summary

7. This volume contains an overview of the main finding of the PES in an easily understandable and accessible format.

Technical Appendices

8. This volume contains the technical data supporting the reports contained in the P&ES including drawings, photographs/photomontages, referenced documents and results of ground investigations such as ground water ingress calculations and results of transport surveys.

Further Information

9. The following Further information supplements were submitted that updates the information contained in the original PES. The information comprises of the following:
 - Revised working phases and restoration (to supplement Chapter 3 of the P&ES);
 - Heritage Assessment (to supplement Chapter 11 of the P&ES);
 - Water management (to supplement Chapter 12 of the P&ES); and
 - Clay management (to supplement Chapter 14 of the P&ES).

Site and Surroundings

10. West Deeping Quarry (Rectory Farm) is an existing sand and gravel extraction area approximately 750 metres north east of West Deeping village and bound to the south by the A1175, to the west by the extraction area of the CEMEX King Street Quarry, to the north the Langtoft Gravel Pit SSSI (separated by the Greatford Cut) and again separated by the Greatford Cut, agricultural land to the east. The main access to the site crosses the footway and verge to the north of the A1175 that provides the farm lane leading to Rectory Farmhouse. A further access, not used by quarry traffic gives access to Crown Farmhouse north of the A1175. The Rectory Farm site is surrounded by a combination of native species hedgerows and grassed bunds constructed of the topsoil arising from the soil stripping. Further bunds are erected around the residential Farmhouses, the loading area around the conveyor hopper. The bunds are constructed to heights of 3 metre (topsoil) and 5 metre (sub-soil).



11. Although there are four public rights of way and other public areas in close proximity to the extraction area, there are few external views into the extraction areas, insofar as they are at a lower level than the surrounding ground level, the maturity of the hedgerows and height of the bunds. More distant views are generally obscure given the boundary treatments and intervening Greatford Cut and mature trees.

Main Planning Considerations

National Guidance

12. The National Planning Policy Framework (February 2019) 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 - economic; social; and environmental.

Paragraph 38 – 45 (Decision making) – LPA's should approach decisions on proposed development in a positive and creative way and work proactively with applicants.

Paragraphs 47 & 48 (Determining applications) - applications for planning permission should be determined in accordance with the development plan; and where at an advanced stage emerging plans, unless material considerations indicate otherwise.

Paragraphs 54 & 55 (Use of planning conditions and obligations) – states that consideration should be given as to whether otherwise unacceptable development could be made acceptable through the use of conditions and conditions should be kept to a minimum.

Paragraphs 83 & 84 (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 108 - 110 (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 118 & 120 (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 163 & 164 (Planning and flood risk) – directs that decisions should ensure that developments do not increase flood risk and is appropriately flood resilient.

Paragraph 170 (Conserving and enhancing the natural environment) – directs that planning decisions should contribute to and enhance the natural and local environment, minimize impacts on and providing net gains for biodiversity.

Paragraph 180 (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.

Paragraph 182 and 183 (Ensuring that new development can be integrated effectively) - with existing businesses and community facilities and whether the proposed development is an acceptable use of land.

Paragraph 189 & 199 (Conserving and enhancing the historic environment) – sets out the requirements necessary to evaluate the historic significance of a site and the level of information necessary to determine a planning application. Local planning authorities should require developers to record and advance understanding of any heritage assets to be lost (wholly or in part).

Paragraph 203 to 205 (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.

13. 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:
- Minerals overview – providing justification for the need to ensure that sites operate to continued high working and environmental standards;
 - Supply – outlines the responsibility of Mineral Planning Authorities to ensure an adequate supply of mineral;
 - Environmental impacts – sets out the criteria necessary to ensure the information provided in support of an application is sufficient to allow for a planning decision that meets the requirements of Statutory consultees;
 - Environmental issues – lists the principal issues that should be addressed by the Mineral Planning Authority;
 - Other regulatory regimes – identifies where mineral activities may require additional licensing/permits other than planning controls;
 - Cumulative impacts – identifying that these are material consideration when determining planning applications;
 - Noise/Dust – specific direction is provided in relation to control or mitigation of noise/dust emissions;
 - Restoration/aftercare – identifies the responsibilities for delivery and maintenance and the planning conditions and detail required to achieve site specific restoration and aftercare to a high quality and appropriate after use;
 - Planning for aggregate minerals – directs planning decision makers to consider aggregate landbanks; and
 - Review of minerals planning conditions – directs the Mineral Planning Authority to the relevant legislation setting out how Periodic Reviews should be carried out and the restrictions on planning conditions imposed as part of the review.

Local Plan Context

14. Lincolnshire Minerals & Waste Local Plan: Core Strategy and Development Management Policies (CSDMP) (2016) – 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 7 years within each of the Production Areas.

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

- A proven need that cannot be met from the existing permitted reserves; or
- A specific shortfall in the land-bank of the relevant Production Area and forms an extension to an existing Active Mining Site.

Policy M11 (Safeguarding of Mineral Resources) states that sand and gravel resources that are considered to be of current or future economic importance within the Minerals Safeguarding Areas, will be protected from permanent sterilisation by other development.

Policy W6 (Landfill) states that planning permission will only be granted for new landfills provided that:

- It has been demonstrated that the current capacity is insufficient to manage that waste arising; and
- There is a long term improvement to the local landscape; and
- The development would not cause a significant delay to the restoration; and
- The proposals accord with all relevant Development Management and Restoration Policies set out in the Plan.

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

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

- Minerals and Waste – Locations which reduce distances travelled by 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 long-term 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) refers specifically to South Lincolnshire (West Deeping/Langtoft): creation of wet fenland habitat or enhancement of existing wetland habitats.

15. South Kesteven Core Strategy 2010 – 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 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.

Policy EN2 (Reducing the Risk of Flooding) – states that any proposal should not contribute to flood risk and not have a detrimental impact on the natural water environment.

16. South Kesteven Local Plan (Proposed Submission) (SKLP) (2011-2036) – the SKLP will replace the current South Kesteven Core Strategy and sets out the vision, objectives and spatial strategy for development up to the year 2036. Examination of the Proposed Submission version of this Plan was completed May 2019. Given its advanced stage of preparation, the emerging plan and policies contained therein can be given more weight in the determination of this application. The following draft policies are of relevance in this:

Policy SD1 (Presumption in Favour of Sustainable Development) states that when considering development proposals, the Council will take a positive approach that reflects the presumption in favour of sustainable development contained in the NPPF. Therefore planning applications that accord with the policies in the Local Plan will be approved without delay, unless material considerations indicate otherwise.

Policy SD2 (Principles of Sustainable Development in South Kesteven) states that development proposals will be expected to minimise the impact on climate change and contribute towards creating a strong, stable and more diverse economy. Development proposals shall consider how they can proactively minimise the effects of climate change and include measures to take account of future changes in the climate; consider how they can proactively avoid developing land at risk of flooding or where development would exacerbate the risk of flooding elsewhere; and proactively encourage, as appropriate the use of sustainable construction materials.

Policy EN1 (Landscape Character) 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 contribute to its conservation, enhancement or restoration.

Policy EN2 (Protecting Biodiversity and Geodiversity) seeks to conserve, enhance and promote biodiversity and geodiversity interests and ensure that designated sites are protected and development not permitted unless the impacts can be avoided, mitigated and if mitigation is not possible, compensated for. Planning permission will be refused for development resulting in the loss, deterioration or fragmentation of irreplaceable habitats, including ancient woodland and aged or veteran trees, unless the need for, and benefits of, the development in that location clearly outweigh the loss or harm.

Policy EN3 (Green Infrastructure) supports development that maintains and improves the green infrastructure network by enhancing, creating and managing green space within and around settlements that are well connected to each other and the wider countryside. Proposals that cause loss or harm will not be permitted unless the need for and benefits of the development demonstrably outweigh any adverse impacts. 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 that, on its own or cumulatively, would result in significant air, light, noise or other environmental pollution or harm to amenity, health or safety 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 EN5 (Reducing the Risk of Flood Risk) states that development should be located in the lowest areas of flood risk, and where this is not possible all development must avoid increasing flood risk elsewhere.

Policy EN6 (Historic Environment) states that 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) - seeks to ensure high quality design is achieved throughout the District. Proposals should (amongst other things) 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; retain and incorporate important on site features, such as trees and hedgerows and incorporate, where possible, nature conservation and biodiversity enhancement into the development and provide well designed hard and soft landscaping.

Results of Consultation and Publicity

17. (a) Local County Council Member, Councillor R Trollope-Bellew – was consulted on 22 March 2019 and 31 July 2019 but no responses have been received within the statutory consultation period or by the time this report was prepared.
- (b) West Deeping Parish Council - have no comments or objections.
- (c) Market Deeping Town Council (Adjacent) – wishes to make no comment.
- (d) Langtoft Parish Council (Adjacent) – have no comment on this application.
- (e) Environment Agency (EA) – has no objection to this proposal and has requested that an Informative be included in relation to Environmental Permitting.
- (f) Historic England (East Midlands) – do not wish to offer any comments.
- (g) Planning Casework Unit – have no comments to make on the environmental statement.
- (h) Highway and Lead Local Flood Authority (Lincolnshire County Council) - does not wish to restrict the grant of permission. Lincolnshire County Council has concluded that the proposed development is acceptable and accordingly, does not wish to object to this planning application.
- (i) Welland & Deepings Internal Drainage Board – note that new tree, wood and hedge would be planted. It is advised that an Informative be attached which advises the operator to contact the IDB prior to any work taking place within 9 metres of the top edge their drains and with respect to discharge flow rates to their infrastructure.
- (j) Natural England – has no objection based on plans submitted, Natural England considers that the proposed development will not have significant adverse impacts on designated site and requested an informative be included with regards to landscape, soils, protect species and other environmental issues.
- (k) Historic Environment Officer (Lincolnshire County Council) – considers the geophysical survey results indicate that the archaeological potential of this site is high however in this case does not think it necessary to further evaluate this site prior to determination. However, it is recommended that a condition be attached to secure an Scheme of Archaeological Works prior to commencement of operations within the extension area and request that an Informative be attached with regard to the specification for the content of the Scheme.

18. The following bodies/persons were consulted on the application on 22 March 2019 and again on 31 July 2019 following the receipt of the Further Information. No response or comments had been received within the statutory consultation period or by the time this report was prepared:

South Kesteven District Council Environmental Health
MoD Safeguarding (RAF Wittering);
Lincolnshire Wildlife Trust
Public Health (Lincolnshire County Council)
Tallington Parish Council (Adjacent)
Barholm & Stowe Parish Council (Adjacent)
Countryside Access (Lincolnshire County Council)
Ramblers Association
Arboricultural Officer (Lincolnshire County Council)

19. The application was originally advertised in the Lincolnshire Echo on 28 February 2019 and through the display of three site notices at King Street Plant Site, the entrance to Rectory Farm and the entrance to Crown Farm.

20. Following receipt of the Further Information in relation to a request made under Regulation 25 of the Town and Country Planning (Environmental Impact Assessment) Regulations 2017 this Further Information was publicised by a notice in the Lincolnshire Echo on 8 August 2019. Nine letters of notification were sent to the nearest residents. No representations have been received within the statutory consultation period or by the time this report was prepared

District Council's Recommendations

21. South Kesteven District Council has no objection to the proposal.

Conclusions

22. The main issues to be considered in the determination of this application are whether the applicant has demonstrated a proven need for mineral extraction from an site not allocated in the Lincolnshire Minerals and Waste Local Plan Site Locations Document and; whether, removal of the minerals from the site and impacts associated with the development, would have a significant detrimental and unacceptable adverse impact on the environment and amenity of nearby residents and land-users.

Need for the proposed extension

23. The NPPF and Policy M11 of the CSDMP seek to ensure that Mineral Resources are adequately safeguarded against sterilisation by other development. The proposed extension to West Deeping Quarry has a known reserve of 0.35 million tonnes of saleable sand and gravel. The agent (Heatons), for the applicant (Breedon Southern), has indicated that should this mineral not be excavated, there is a danger that the reserve

would become sterilised. The agent has identified that there would be engineering difficulties, which would render extraction at a future date commercially unviable, should the mineral not be exploited at this time. The engineering difficulties are in respect of the clay seals around the ROMP site that would constrain the ability to fully extract the known reserve.

24. The agent acknowledged that an area to the south of Stamford Road has been identified in the Site Location Document (ref MS29-SL) as an extension to the West Deeping Quarry, which has total reserves of 2.2 million tonnes of which 1.16 million tonnes are forecast to be worked during the plan period. This site is therefore the preferred extension to follow on from the cessation of sand and gravel in the ROMP area. Whilst MS29-SL may be the preferred extension there are no indications that this site will be brought forward in the foreseeable future, insofar as West Deeping Quarry (subject to the ROMP application) has reserves for at least two more years. Whilst the agent has identified that overall Lincolnshire has allocated reserves at the end of 2016 to supply for 9.45 years, it has also been stated that there is no maximum limit for a land-bank.
25. In this instance the proposed extension area is modest in size and considered a logical extension to West Deeping Quarry. The site would be excavated as an extended Phase of working, namely Stage C, of the ROMP site and not on completion of the final Stage D. This would allow the extension area to be incorporated into the overall progressive restoration programme for West Deeping Quarry. The resulting landform would provide for a larger area of workable agricultural land. It is proposed that a small body of water, to the south east of the extension area, would represent an enhancement of the natural environment and consistent with the biodiversity gains being created in and around the wider quarry. The period for extraction would equate to an additional 18 months to the predicted life span of West Deeping Quarry, thus ensuring that there would be continuity in terms of supply of mineral and employment for the existing workforce. Alternatives have been considered, including do nothing that could result in loss of employment.
26. It is therefore considered by your officer that the proposed extension to West Deeping Quarry would be acceptable and would prevent the sterilisation of a known reserve of saleable sand and gravel and meets the aims and objectives of the NPPF, Policies M2, M3, M4 and M11 of the CSDMP which seeks to provide for and maintain a seven year supply of sand and gravel and to protect against sterilisation of mineral resources.

Hours of Work

27. With regard to the hours of operation, your Officers consider that the existing hours of operation which apply to the West Deeping Quarry and operations with the plant site off King Street are appropriate and should be applied to any permission for this extension. A condition is therefore recommended which would ensure the hours of operation are consistent and would be a reasonable balance between maintaining the operational requirements and

interests of the applicant whilst protecting the amenity of residents living and visiting close to the quarry. It is considered that subject to a condition being attached the hours of work are consistent with the NPPF and Policy DM3 of the CSDMP and would not conflict with nor compromise Policies EN5 and DE1 of the emerging South Kesteven Local Plan that seeks development that does not have adverse impacts on the amenity of residents and the wider environment.

Highway Network and Highway Safety

28. The proposed access to the 'Tinsley Land' would be wholly via the approved routes subject to the ROMP area and as a consequence also subject to the terms of the routing within the Section 106 Planning Obligation dated 29 August 2017 and conditions relating to the highway proposed in the ROMP application. Notwithstanding your Officer considers it appropriate to attach a condition preventing the use of the existing field gate onto A1175/Stamford Road for the duration of the development. As a consequence the proposed extension would be in accordance with the aims and objectives of the NPPF and Policies DM13 and DM14 of the CSDMP insofar as there would be no impacts on the Highway Network or Highway Safety over and above those already associated with the current operations at West Deeping Quarry.

The Water Environment

29. The extension site would be largely subject to the same water management regime as the ROMP area. Submitted with as part of the ES was a 'Water Environment Report' that provided a recommendation for monitoring the water table level of restored land during on-going extraction operation including that of the ROMP area, to prevent water-logging of restored areas and to provide through monitoring evidence of the effectiveness of the water management regime during excavation and restoration and provide evidence that the success of the progressive restoration would not be compromised through inundation. The Welland and Deepings IDB have no objection to the proposal but requested that an informative be attached to any decision notice with regards to the management of the IDB infrastructure. It is therefore considered appropriate for your officers to impose a planning condition requiring the applicant to submit a monitoring scheme reflecting the recommendation of the ES. As a consequence the proposed extension is consistent with the aims and objectives of the NPPF and Policies DM2, DM15 and DM16 of the CSDMP and would not conflict with nor compromise Policy EN2 of the South Kesteven Core Strategy and Policies SD2 and EN5 of the emerging South Kesteven Local Plan that seeks to reduce flood risk beyond the boundary of the site.

Ecology

30. An Extended Phase 1 Habitat Survey had been submitted with this application and the findings of this are included within the ES. Notwithstanding the proximity to the Langtoft Gravel Pits SSSI and local sites of biodiversity conservation value, the Survey identified that overall the

extension area is of low ecological value. The survey confirmed that a number of habitats capable of supporting wildlife did exist and that it may be necessary to manage these habitats in such a way as to protect wildlife, in particular birds during the nesting season. Natural England did not object to the proposed extension but have provided an informative to be attached to a decision notice in respect of landscape, designated sites and protected species. It is therefore considered appropriate for your officers, given the recommendations of the Phase 1 Survey, to attach to a decision, a planning condition restricting the clearance of vegetation between the 1 March and 31 August unless otherwise agreed in writing with the MPA following further surveys being carried out by a qualified ecologist reporting no bird activity. As a consequence the proposed extension would accord with the aims and objectives of the NPPF and Policies DM8 and DM9 of the CSDMP and would not conflict with nor compromise Policy EN2 of the emerging South Kesteven Local Plan that seeks to protect biodiversity.

Noise and Dust

31. Assessments of the impacts of noise and dust were submitted as part of the ES and a series of mitigation measures are recommended to be implemented to ensure no fugitive emissions would arise from the site that would adversely impact the surrounding locality. The ES also included a clear programme for the management of complaints and your officers consider it appropriate to impose planning conditions that would set maximum noise levels for normal operational activity and temporary operations (i.e. such as soil stripping) and which require the implementation of the dust management practices and complaints procedure. Subject to such conditions the proposed extension would meet the aims and objectives of the NPPF and Policy DM3 of the CSDMP and would not compromise Policies EN5 and DE1 of the emerging South Kesteven Local Plan that seeks development that does not have adverse impacts on the amenity of residents and the wider environment.

Archaeology and Cultural Heritage

32. The ES initially contained a desktop study and Heritage Statement only however, as a result of the Regulation 25 notice, a geophysical survey was carried out that returned significant indications of potential archaeological interest across the whole of the 'Tinsley Land'. As a consequence the Historic Environment Officer for Lincolnshire County Council recommended that a condition be attached to a decision notice to secure a Working Scheme of Archaeological Investigation (WSAI). The purpose of the WSAI would ensure that heritage assets within the site be recorded prior to their destruction. It is therefore considered by your Officer that a condition be attached that secures the WSAI prior to commencement of the development. Subject to the imposition of a condition the proposed extension would accord with the aims and objectives of the NPPF and Policy DM4 of the CSDMP and would not conflict with nor compromise Policy EN1 of the South Kesteven Core Strategy or Policies EN1 and EN6 of the emerging South Kesteven Local Plan that requires developers to make

adequate provision to excavate and record archaeological assets before and during development.

Materials Handling

33. The 'Tinsley Land' has been assessed as containing Grade 3a and 3b agricultural soils and therefore it is considered best and most versatile agricultural land. Measures would be adopted to ensure soils are carefully handled during site operations and therefore preserved so they can be used in the restoration of the site. The restoration scheme proposes to restore the extension site to an arable after-use and therefore there would be no overall loss of agricultural land in the long-term. Your officers recommend that conditions be imposed to ensure the soil handling and management regimes within the ES are implemented so that restoration of the site to an arable use can be ensured. Finally, silt derived from processing the mineral at the King Street plant site would be transported back into the site to aid the creation of the restoration profiles. Given that the silt is a residual waste of the processing of the indigenous sand and gravel extracted from the West Deeping Quarry and the proposed extension, the return of this material to aid restoration is not considered unacceptable. As a consequence with the appropriate use of conditions securing the handling and storage of all material arising from the extraction of mineral, the proposed development would meet the aims and objectives of the NPPF and Policies W6, DM11 and DM12 of the CSDMP.

Restoration and Aftercare

34. Overall the proposed restoration would be consistent with that of the ROMP area, being low-level agriculture with areas of water and planting that would deliver biodiversity gain. The restored site would contribute positively to returning the site to agricultural use, increase the ecological value of West Deeping Quarry and mitigate the visual impacts of the site within the wider landscape. Within the planning statement was an undertaking to use native species of trees, shrubs and grasses however no detail was included as to a restoration landform, water management proposal and planting scheme. As a consequence your officer considers that attaching a condition to secure a scheme of restoration including landform, water-body, drainage infrastructure, planting species, numbers, spacing and locations would ensure that the restoration would be of an acceptable standard. It would also be appropriate to secure through condition an aftercare scheme to ensure the success of the restoration planting in the long term. It is therefore considered that subject to appropriate conditions, the proposed restoration and aftercare of the 'Tinsley Land' extension would meet the aims and objectives of the NPPF and Policies DM6, DM12, R1, R2 and R3 of the CSDMP and would not conflict with nor compromise Policy EN1 of the South Kesteven Core Strategy and Policies EN1, EN2 and EN3 of the emerging South Kesteven Local Plan which seeks development appropriate to its setting, enhance landscape character and habitat creation to improve the Green Infrastructure of the District.

Cumulative Impacts

35. Consideration has been given to the potential for all impacts of both the 'Tinsley Land' extension and the ROMP areas in combination. The Landscape and Visual Impact Assessment submitted with the ES does not consider the working of the extension or continuing operation at West Deeping Quarry would impact adversely on the landscape given that the whole area has been substantially quarried for a considerable number of years. The proposed extension would increase the amount of low level agriculture, consistent with the ROMP area, this is considered a common feature in the area and both applications in combination do not pose an unacceptable adverse visual impact, insofar as the characterisation of the locality is one of arable land, water bodies and sand and gravel quarries. From an amenity perspective the operations at the extension would be carried out as an extension to Stage C of the proposed working phases of the ROMP and as a consequence extraction and restoration would be sequential and not concurrent. This would ensure that there would be no cumulative impacts insofar as there would be no increase in day to day activity at the Quarry. In addition mitigation proposals in respect of noise, dust and hours of work would ensure the amenity of sensitive receptors have been addressed. It is therefore considered that with the imposition of appropriate conditions the extension of West Deeping Quarry into the 'Tinsley Land' is sustainable and that adverse impacts can be appropriately mitigated and ameliorated. As a consequence the proposed extension meets the aims and objectives of the NPPF and Policy DM1 of the CSDMP and Policy SD1 of the emerging South Kesteven Local Plan that promotes sustainable development.

Human Rights Implications

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

RECOMMENDATIONS

It is recommended that:

- (A)** Planning permission be granted subject to the following conditions:

Definition and commencement

1. This permission relates to the site edged red on Drawing No.W23_LAN_002 REV A - 'Location Plan' (hereafter referred to as 'the Site') for the

progressive winning and working of sand and gravel and restoration of the Site.

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

2. The winning and working of sand and gravel from the Site hereby permitted shall begin before the expiration of three years from the date of this permission. Written notification of the date of commencement of winning and working operations within shall be sent to the Mineral Planning Authority within seven days of such commencement.

Reason: To enable the Mineral Planning Authority monitor the development.

Scope of the Permission

3. The development hereby permitted shall only be carried out in accordance with the submitted documents and drawings, unless modified by the conditions attached to this decision notice or details subsequently approved pursuant to those conditions, including:

Documents

- Planning Application Form (date stamped received 23 January 2019) and Planning and Environmental Statement prepared by Heaton Planning Ltd dated January 2019 (date stamped received 23 January 2019) including all appendices and supporting technical assessments as amended by the Further Information submitted in response to the Regulation 25 Notice (date stamped received 5 July 2019);

Drawings

- Drawing No. W23_LAN_002 REV A – Location Plan date stamped received 5 February 2019;
- Drawing No. W23_LAN_004_E – Development Stages date stamped received 23 January 2019;
- Drawing No. W23_LAN_005_E REV A – Final Restoration date stamped received 5 July 2019; and
- Drawing No. as illustrated in Drawing No: W23_LAN_006_E – Sections date stamped received 23 January 2019;

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

4. There shall be no access or egress by Heavy Commercial Vehicles from the site using the field gate onto the A1175/Stamford Road for the duration of the development.

Reason: In the interest of highway safety.

Archaeology

5. (a) No development shall take place until a written scheme of archaeological investigation regarding an archaeological watching brief has been submitted to and approved by the Mineral Planning Authority. This scheme should include the following:
1. An assessment of significance and a proposed mitigation strategy (i.e. preservation by record, preservation in situ or a mix of these elements).
 2. A methodology and timetable for site investigation, recording and reporting.
 3. Provision for site analysis.
 4. Provision for publication and dissemination of analysis and records.
 5. Provision for archive deposition.
 6. Nomination of a competent person/organisation to undertake the work.

The scheme of archaeological investigation shall thereafter be carried out and implemented in full accordance with the approved details.

- (b) The applicant shall notify the Mineral Planning Authority of the intention to commence at least fourteen days before the start of each phase of archaeological work in order to facilitate adequate monitoring arrangements. No variation shall take place without the prior consent of the Mineral Planning Authority.
- (c) A report of the archaeologist's findings shall be submitted to the Mineral Planning Authority and the Historic Environment Record Officer at Lincolnshire County Council in accordance with the approved scheme unless otherwise agreed in writing by the Mineral Planning Authority. The condition shall not be discharged until the archive of all archaeological work undertaken hitherto has been deposited with the County Museum Service, or another public depository willing to receive it.

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

Landscape and Ecology

6. 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.
7. No site preparation works that involve the destruction or removal of vegetation shall be undertaken during the months of March to August

inclusive, unless otherwise approved in writing by the Mineral Planning Authority.

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

Materials Handling Strategy

8. Nothing in this determination shall be construed as permitting the removal of soils and/or overburden and/or clay from the site.
9. The stripping, excavation, movement, storage, lifting and placement of topsoil, subsoil, clay and soil forming materials that may be encountered, shall only take place in accordance with the recommendations in Section 4 of the 'Soil Resources and Agricultural use and Quality of Land at West Deeping Quarry, Lincolnshire' (Appendix G of the ES).
10. All materials excepting topsoil shall be stored to a height not exceeding 5 metres and shall not be located on restored land or land that has not been stripped of topsoil.

Reason: To preserve the quality of topsoil and protect the visual amenity of the surrounding area.

Hours of operation

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

Monday to Friday 0700 to 1700;

Saturdays 0700 to 1200; and

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

Noise and Dust

12. All dust prevention, control and management measures as set out in Chapter 11 of the Environmental Statement shall be implemented in full for the duration of the operational/construction/restoration phases of the development.
13. Except for temporary operations (as referred to in Condition 14 below) noise levels as a result of any operation or item of plant and machinery operating within the site shall not exceed 55dB LAeq (1 hour, free-field) when measured at any noise sensitive property in the vicinity of the site.

14. For temporary operations, which includes soil stripping and bund construction and removal, noise levels shall not exceed 70 dB LAeq (1-hour free-field) when measured at any noise sensitive property in the vicinity of the site.

Complaints Procedures

15. In the event of a complaint relating to dust and/or noise being received by the operator or the Mineral Planning Authority, the programme of monitoring and complaints procedure (as set out in Appendix C 'Supporting Statement in Respect of Noise and Dust' of the ES) shall be implemented in full and any further mitigation measures considered necessary identified and implemented. The results of the monitoring and details of any further mitigation measures implemented shall be recorded and retained at West Deeping Quarry for a period of three years and made available to the Mineral Planning Authority on request.

Reasons: To protect the amenities of the surrounding area

The Water Environment

16. Any facilities for the storage of oils, fuel or chemicals shall be sited on impervious bases and surrounded by impervious bund walls, or shall be stored in an approved double skin proprietary tank/s. The volume of the bunded compound shall be at least equivalent to the capacity of the tank/s and other containers plus 10%. All filling points, vents, gauges and sight 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.
17. Prior to commencement of extraction in Stage D, as illustrated in Drawing No: W23_LAN_004_E, a groundwater monitoring scheme shall first be submitted and approved in writing by the Mineral Planning Authority. The scheme shall provide for monitoring to be undertaken during the restoration and aftercare phases of the development and reflect the recommendations as set out in the Appendix E 'Water Environment Report for West Deeping Quarry, King Street, West Deeping, Lincolnshire' of the ES and provide for the following:
 - a) contain details of the location of all monitoring boreholes to be established;
 - b) provide for the carrying out of baseline surveys and levels;
 - c) identify triggers and measures to be adopted to ensure and maintain the water table level within the areas of the site restored to agriculture to no greater than 6 metres above ordnance datum; and
 - d) contain a timetable setting out the frequency for on-going monitoring and reporting of results to the Mineral Planning Authority for the duration of the development hereby permitted.

Following the approval of the scheme it shall be implemented in full and in accordance with the approved details.

Reason: In order to afford appropriate protection to the environment and to demonstrate that the water table is maintained in restored areas.

Restoration and Aftercare

18. Prior to commencement of mineral extraction in Stage D, as illustrated in Drawing No: W23_LAN_004_E, full details of a restoration scheme for the extension site shall be submitted and approved in writing by the Mineral Planning Authority. The restoration scheme shall include information on landform, locations and cross-section of the water body and drainage ditches and weirs together with native planting species, numbers, spacing and locations. The site shall be progressively restored in accordance with the approved scheme and completed in full within 12 months of the permanent cessation of mineral extraction. All planted trees, shrubs and hedgerows shall be maintained for a period of 5 years during which all losses shall be replaced in the following planting season.

19. Prior to commencement of mineral extraction in Stage D, as illustrated in Drawing No: W23_LAN_004_E, an aftercare scheme for the site shall be submitted to and approved in writing by the Mineral Planning Authority. For avoidance of doubt the submitted scheme shall provide the following details:
 - The steps as may be necessary to bring the land to the required standard for use for agriculture, water management and nature conservation;
 - For the annual submission of a schedule of aftercare works to be undertaken in any calendar year from the commencement of the aftercare period; and
 - For the annual submission of a record of the works carried out in the previous year.

The approved scheme shall be implemented in full. Aftercare shall commence on the date cited in condition 18 above of the completion of restoration.

20. In the event of permanent cessation of mineral extraction, a revised restoration scheme and programme aftercare shall be submitted to and approved in writing by the MPA. Such a scheme shall be submitted within 6 months of cessation of extractive operations and implemented in full.

Reason: To ensure that the site is restored appropriately and at the earliest opportunity and that the restored land is subject to appropriate aftercare in the interests of agricultural land quality.

- (B)** 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.

Informatives

Attention is drawn to:

- (i) Natural England – letter reference 274726 dated 12 March 2019 referring to Standing Advice and Designated Sites.
- (ii) Lincolnshire Wildlife Trust – letter received 26 March 2019 referring to the South Lincolnshire Fenlands Partnership (SLFP) project.
- (iii) Welland & Deepings Internal Drainage Board – letter reference CS/JP/P/D/1 dated 13 March 2019 referring to IDB infrastructure responsibilities
- (iv) Historic Environment Officer (Lincolnshire County Council) – e-mail dated 12 August 2019 advising that the applicant contacts the Historic Environment Officer to secure an outline for the work required in respect of the Scheme of Archaeological Investigation.
- (v) Environment Agency letter dated 14 March 2019 Ref: AN/2019/128722/01-L01 referring to Environmental Permits
- (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.

(vii) In dealing with this application the Mineral Planning Authority has worked with the applicant in a positive and proactive manner by seeking further information to address issues identified/enhancements to the proposal 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.

Appendix

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

Background Papers

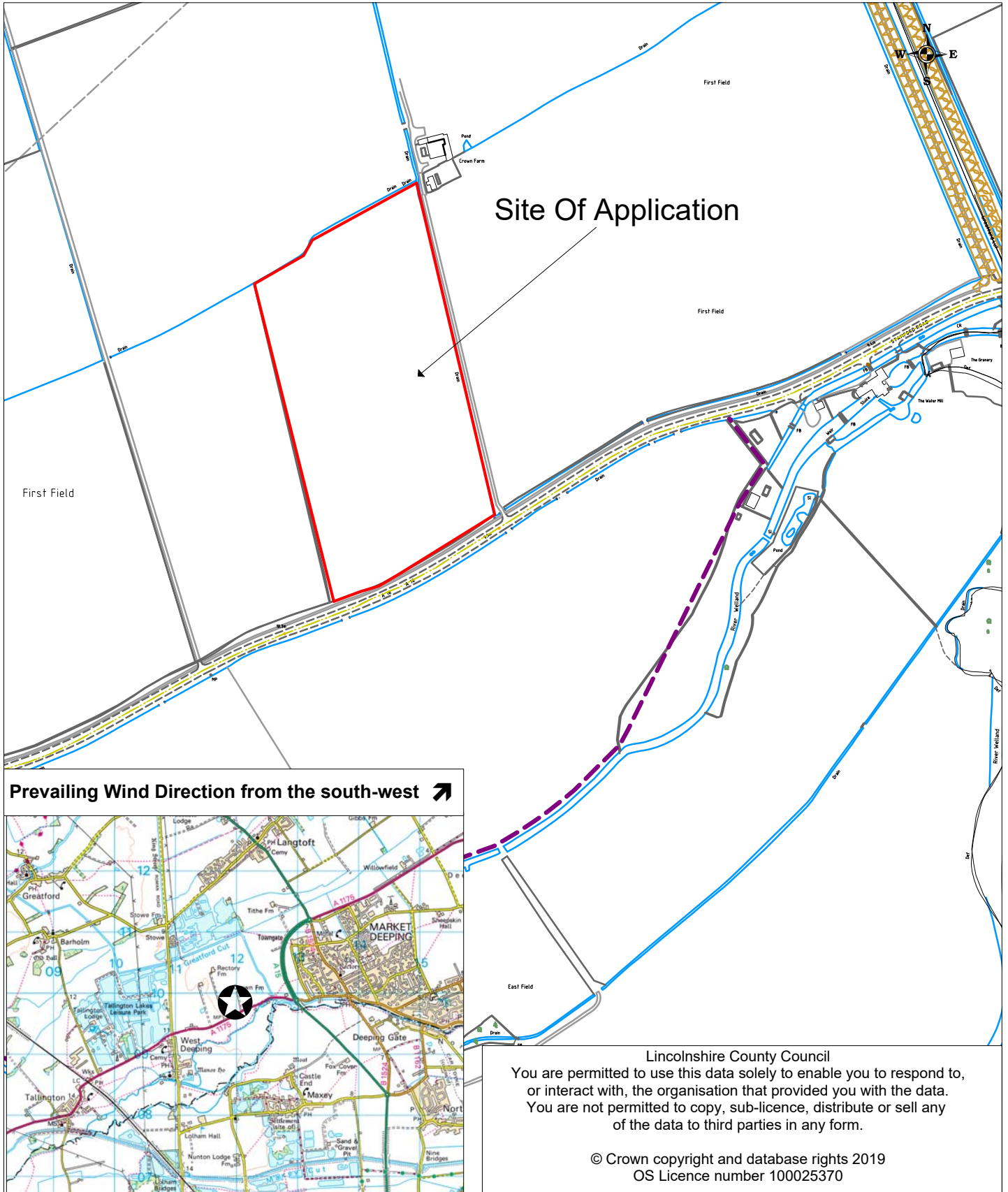
The following background papers as defined in the Local Government Act 1972 were relied upon in the writing of this report.

| Document title | Where the document can be viewed |
|--|---|
| Planning Application Files S19/0486 S19/0497 | Lincolnshire County Council, Planning, Lancaster House, 36 Orchard Street, Lincoln, LN1 1XX |
| National Planning Policy Framework (2019) National Planning Policy Guidance (2014) - Minerals | The Government's website www.gov.uk |
| Lincolnshire Mineral and Waste Local Plan Core Strategy and Development Management Plan (2016) Lincolnshire Mineral and Waste Local Plan Site Location (2017) | Lincolnshire County Council website www.lincolnshire.gov.uk |
| South Kesteven Core Strategy (2010) South Kesteven Local Plan 2011 – 2036 (emerging plan) | South Kesteven District Council website www.southkesteven.gov.uk |

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

LINCOLNSHIRE COUNTY COUNCIL

PLANNING AND REGULATION COMMITTEE 7 OCTOBER 2019



Location:
 West Deeping Quarry
 King Street
 West Deeping

Application No: S19/0486

Scale: 1:5000

Description:
 Extension to West Deeping Quarry

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

| | |
|------------|---|
| Report to: | Planning and Regulation Committee |
| Date: | 7 October 2019 |
| Subject: | County Matter Application - S19/0497 |

Summary:

An application has been made by Breedon Southern Ltd (Agent: Heaton Planning) under the provisions of Schedule 14 of the Environment Act 1995 for the First Periodic Review of the conditions by which West Deeping Quarry, King Street, West Deeping operates. The purpose of the Periodic Review process is to update and modernise the old mining permissions and their conditions to ensure that quarries operate to modern standards.

The Periodic Review is subject of an Environmental Impact Assessment submitted pursuant to the Town and Country Planning (Environmental Impact Assessment) (England and Wales) Regulations 2017 and a Planning and Environmental Statement (PES) has been submitted which assesses the potential impacts of the development together with the mitigation measures proposed to avoid, reduce and if possible remedy an significant adverse impacts. Further Information has also been submitted in support of the ES in accordance with Regulation 25 of the EIA Regulations 2017.

West Deeping Quarry is an extensive sand and gravel quarry to the north of West Deeping village. In 1992 planning permission (reference S81/552/90) was granted to extract sand and gravel from Rectory Farm as an extension to West Deeping Quarry. Subsequent permissions (refs: S81/0896/96, S81/0026/98 and S81/0860/01) have since been made which also relate to the quarry. In 2017, the quarry was acquired by Breedon Group and following discussions relating to the restoration of Rectory Farm, the Mineral Planning Authority (MPA) served a notice in accordance with the Environment Act 1995 to initiate a First Periodic Review of the site.

The key issues to be considered in the case of this Review of Old Minerals Permissions (ROMP) application are the appropriateness and acceptability of the proposed conditions put forward within the ROMP application and the impacts of the ongoing extraction of sand and gravel with particular consideration in relation to impacts on the water environment, extraction and restoration phasing, highways, historic environment, landscape and the amenity of surrounding land-users, residential properties and the natural environment.

The applicant submitted a set of proposed planning conditions as part of the application and these have been revised and updated following discussions between the applicant and the MPA. The revised conditions secure appropriate mitigation and monitoring to ensure the continued operations at West Deeping Quarry would not result in significant detrimental impacts on the surrounding area and also secure a restoration scheme which would predominantly be agricultural uses with enhanced biodiversity through the creation of wetland habitats.

Concurrent to this ROMP application, the applicant has also submitted a second application (reference S19/0486) which is seeking a lateral extension to the Rectory Farm site by extending operations into a parcel of land surrounded by the existing quarry. Given the close relationship and implications of this extension that application and the development is also considered and assessed as part of the ES, however, details of this application and the planning issues associated with that proposal are dealt with in a separate report.

Finally, the ROMP will not affect the terms of the existing Section 106 Planning Obligation dated 29 August 2017. The Section 106 addresses the operations at the Plant Site off King Street, HGV routing, archaeological obligations and secures long term aftercare including maintenance of pumping to the Langtoft Drain.

Recommendation:

That the scheme of conditions set out in this report be approved.

Background

1. West Deeping Quarry has been in continuous operation since 1952 and has over time extended to the north, west and east with the current extraction area (Rectory Farm) having been granted planning permission in 1992. Further planning permissions followed and in 2017 the site was acquired and taken over by Breedon Southern Limited. In August 2017 a Planning Agreement and Deed of Release under Section 106 and 106A of the Town & Country Planning Act 1990 was sealed between the land-owner (Rectory Farm) Lincolnshire County Council, Breedon Southern Ltd and former operator Tarmac Aggregates Limited to secure obligations in relation to maintenance of plant site on King Street, conveyor route from Rectory Farm to the plant site, HCV routing arrangements in relation to King Street, drainage and archaeology. The terms of the Planning Agreement are unaffected by this application.
2. The purpose of the Periodic Review process is to update and modernise planning conditions to ensure that a site operates to modern standards. The applicant has therefore made an application for the determination of new conditions which would update, consolidate and replace those attached to the existing planning permissions. Whilst it is open to the MPA to issue conditions that differ from those proposed by the applicant, it is not an option to refuse the application. Therefore, for the avoidance of doubt the Planning

and Regulation Committee is not being asked whether or not to grant planning permission for the operations at the West Deeping (as permissions for those activities already exist) but are instead being asked to consider whether the proposed revised conditions set out in this report are acceptable.

The Application

3. West Deeping Quarry is a historic sand and gravel quarry which, based on the current rate of extraction, has approximately 4 years remaining until it is completed and restored. Although the site is nearing completion, it has recently been acquired and taken over by a new operator and following discussions between the MPA, the former owners (Tarmac) and the current operator (Breedon Southern) it was agreed to carry out a Periodic Review of the permissions affecting the site. Such a Review presents an opportunity to review the operations and address any issues which could not be adequately resolved or regulated by the existing planning conditions.
4. Under the provisions of Schedule 14 of the Environment Act 1995, the applicant has therefore made an application for the First Periodic Review of the conditions by which West Deeping Quarry operates. This application was received in November 2018 and provides a description of the existing permitted operations and includes schedule of new planning conditions which the applicant proposes replace those attached to the planning permissions affecting the site. The application has been subject to additional information and amendments during the course of its determination and the conditions as originally proposed by the applicant have also been amended since the application was first submitted.
5. There are no proposals to change the transportation of the as-raised mineral to the plant site other than via a field conveyor excepting during emergency situations. All processing of the mineral would be at the plant site on Kings Street.
6. Currently no residual silts, clays and other non-saleable material, arising from the processing, is returned to the extraction area. The applicant is proposing to remove this material back to Rectory Farm to be incorporated into the restoration. The residual material would be transported using HCV's in two campaigns of 500 tonnes per annum.
7. With regards to the restoration, the original proposed restoration regime is no longer achievable and a revised phasing schedule has been submitted that seeks to regularise the over-digging of clay from the south east corner of Rectory Farm. The need to dig extra clay being a direct consequence of the original Phase 3 not being extracted due to the poor quality of the mineral in that area. As a consequence of not extracting, there was a need to engineer along the eastern perimeter of Phase 3, to ensure the required clay seal was created to fulfil the requirements of the ground water management.



8. The application is subject of an Environmental Impact Assessment which has been prepared in accordance with the Town and Country Planning (Environmental Impact Assessment) Regulations 2017 (as amended). A single Planning and Environmental Statement (PES) has been produced which jointly covers this ROMP application and a concurrent planning application for a lateral extension to the site (application ref: S19/0486). Although the ES considers and assesses the potential impacts of both proposals given their close relationship and as they give rise to potential impacts on similar matters, there are also clear distinctions between each proposal particularly in respect of their working and restoration programmes. Consequently, this ROMP application is capable of being determined separately and independent of the proposed extension application. This report therefore deals solely with the operations and proposed conditions that would affect that part of the site which already benefits from planning permission and does not extend or authorise any operations within the extension site – which are subject of a separate report.
9. The original PES which supports the application comprises of four documents and folders which are as follows:
 - Planning and Environmental Statement – which contains the background and overview of the proposal, policy and statement of need. Chapters 6 to 14 (inclusive) summarise the main findings of technical reports and assessments that have been carried out and which form the ES - copies

of these are included as technical appendices within a separate folder (see below)

- Non-Technical Summary (NTS) – this document summarises the content of the PES in an easily understandable and accessible format.
- Application Form and Drawings – this folder contains copies of the application form and certificates as well as a series of supporting plans which show and explain the proposed working and restoration proposals for the site.
- Technical Appendices – this contains the individual technical assessments and reports, plans and tables which identify the potential impacts arising from the development and the mitigation measures that are proposed to be implemented in order avoid, reduce and, if possible, remedy any significant adverse impacts.

10. In accordance with Regulation 25 of the EIA Regulations 2017, the MPA requested Further Information be provided in relation to a range of matters which included heritage, the water environment and information regarding the restoration proposals. This Further Information was submitted on 5 July 2019 and was supported by supplementary plans and information that should be read alongside the PES and, where relevant, update and replace relevant sections of PES.
11. The original PES, as supplemented and amended by the Further Information are considered to meet the requirements of the EIA Regulations 2017 (as amended). A summary of the main content and findings of the ES and the proposed development is as follows:

Planning and Environmental Statement

12. This document is broken down into several chapters as follows:

Chapter 1: Introduction and Background to Proposal – this chapter sets out the purpose of the report, description of the applicant and the planning and site history.

Chapter 2: Site Location and Setting – this chapter describes the general location of the quarry which includes the existing extraction area at Rectory Farm and plant site on King Street. The chapter describes the surrounding land uses and proximity to settlements and dwellings. It identifies both environmental and land use designations within 1km of the planning boundaries of the extraction and plant sites including the adjacent sand and gravel quarry off King Street. It also identifies the proposed extension area to the site which is bound to the north and east by the Greatford Cut and to the south by the A1175/Stamford Road which forms the southern boundary which gives vehicular access to Rectory Farm, Crown Farm and Lodge Farm.

Chapter 3: The Development Proposals – this chapter outlines the current and future working practices at West Deeping Quarry. It identifies that there are approximately 4 years of operations remaining at Rectory Farm based on the current extraction rate of up to 0.30 million tonnes per annum. Mineral would continue to be transported 'as raised' for processing at the existing plant site located to the west of the site (off King Street) via a field conveyor. A revised phasing and restoration plan has been submitted which would regularise and reflect changes that have already been made to some of the previously restored sections of the site as a result of the extraction of underlying clays on the south eastern corner. This chapter also confirms that in order to achieve the restoration proposals presented, a proportion of the residual fines/materials from the processing plant at King Street would be transported back into the Rectory Farm site in order to achieve the restoration level required for those parts to the site that are to be restored to agriculture. The residual fines/material would be transported by HCV but would continue to respect the S106 routeing agreement and would be carried out on the basis of two campaigns of 500 tonnes annually.

This chapter also provides an outline of the working methods, soil handling and storage proposals as well as confirms the depth of mineral extraction and that restoration will be progressive. Details are also provided of the plant, buildings and traffic management measures undertaken along with an overview of the operations at the plant site. A description of the mitigation employed to protect the amenity of neighbours and maintain highway safety, including the use of a wheel wash and road sweeper are explained and further detail has been provided of the machinery used for extraction, transportation and restoration within the Rectory Farm area.

The site would be worked and restored in a phased manner with the remaining permitted reserves lying to the south of Rectory Farmhouse and west of Crown Farmhouse. Extraction would continue by moving from east to west and then from south to north in a clockwise direction. It has been predicted that extraction and restoration would be completed by the end of 2023. To facilitate extraction of all remaining viable mineral deposits it has been proposed that the existing access to Rectory Farmhouse would be permanently closed with a new access route created from the existing Crown Farmhouse access.

The areas to the north and east of Rectory Farmhouse have now largely been returned to agricultural use at low level with an elevation of around 7m above ordnance datum. The area to the south eastern corner of Rectory Farm, where the underlying clay has also been extracted, is currently the main catchment pond and to maintain water levels during extraction operations water is being pumped from this point and discharged into the Internal Drainage Board ditch that flows under the Greatford Cut in the northeast corner of the site.

The field conveyor used to transport mineral terminates at a stockpile and loading area to the north of Rectory Farmhouse. The route of the conveyor back to the plant site traverses the restored area to the north and then turns

to run west toward King Street adjacent to the Greatford Cut, crosses below King Street through a concrete culvert and then continues in a southerly direction to the plant site processing area. The final phase of working would end adjacent to the terminal end of the field conveyor with two catchment ponds being established to the west and north east of Rectory Farm which both drain via ditches and weirs into the main catchment pond in the south east corner. The field conveyor would be removed and the haul routes either restored to agricultural land or field access routes for farming and the site would be restored predominantly to agricultural after-uses with water storage bodies and biodiversity habitat creation.

The agricultural fields would be defined by native species hedgerows and the open water areas would be steep sided to discourage attracting flocks of waterfowl with limited areas of species rich grassed areas. Belts of native tree species would be created in close proximity to the houses of Rectory, Crown and Lodge Farms and reed marsh would be created in and around the south east discharge pond which would be shallow (approximately 0.3 metres) with a small area of open water (0.8 metres) to the centre to ensure that the discharge pump is always submerged. Following restoration a programme of aftercare and management of the restored areas would be carried out over a 5 year period with planting/seeding failures being replaced with like species annually

The site would continue to operate during the same hours as those currently permitted which are as follows:

0700 hours to 1700 hours Mondays to Friday;
0700 hours to 1200 hours Saturday; and
No working on Sundays, Public or Bank Holidays.

The applicant is however also seeking to allow for operations outside of these hours in exceptional circumstances including emergencies and to notify the MPA of such incidents.

Finally, the applicant has identified that the quarry operations directly employs 6 local people and that the use of the plant site sustains a larger work force, which in part services the mining operations, with the associated developments contributing to supporting local business and the local economy.

Chapter 4: Planning Policy – this chapter sets out the various planning policies and other material considerations. Detailed analysis is provided in relation to the following documents having been identified as forming the Development Plan:

- Lincolnshire Mineral & Waste Local Plan: Core Strategy and Development Management Policies (2016);
- Lincolnshire Mineral & Waste Local Plan: Site Locations (2017);
- South Kesteven Core Strategy (2010); and
- South Kesteven – Site Allocations and Policies DPD (2014).

Other material considerations, documents and emerging policy include:

- National Planning Policy Framework (2019);
- National Planning Policy Guidance – Minerals (2014); and
- Lincolnshire Local Aggregate Assessment (2018).

Chapter 5: Need and Socio-Economic Considerations – this chapter identifies the need and supply of sand and gravel; Breedon Southern and economic considerations; and the wider socio-economic considerations.

West Deeping Quarry is identified as an important source of sand and gravel supply within the locality. The purpose of the ROMP is to ensure the continuation of mineral operations in accordance with a modern set of conditions. The approval of the ROMP would maintain the level of permitted reserves and operational capacity of sand and gravel extraction within Lincolnshire.

Minerals can only be worked where they are found and Breedon Southern employ local people to operate their quarry and plant site and their continued operations would maintain and contribute to sustainable economic growth in the area around the quarry. The quarry also uses contractors who commonly operate within the locality and thus provides employment external to the operations by Breedon Southern.

Chapter 6: Environmental Impact Assessment – this chapter identifies that the operations have the potential to be impact upon human beings; flora and fauna; soil, water, air, climate and the landscape; material assets and the cultural heritage. The main environmental considerations are examined in detail include:

- Potential landscape and visual impact;
- Potential for impact on nature conservation and ecology;
- Potential for adverse impact upon amenity, particularly in regards to noise and air quality;
- Potential for impact on archaeology and cultural heritage;
- Potential impact upon water resources;
- Potential for flood risk;
- The potential for impact as a result of transportation and traffic;
- Potential impact upon soils, land quality and agriculture; and
- Cumulative Impact Assessment

Chapter 7: Landscape and Visual Considerations – this chapter considers the site in the context of a 2.5 kilometre study area, which reflects the range of the character area affected. The site lies within National Character Area 46: Fens and on the western edge of the Landscape Character Area (LCA) The Fens, the key characteristics being low flat terrain, large scale rectangular fields with ditches, sparse tree and woodland cover; and little settlement other than farmsteads.

The Kesteven Uplands LCA lies 400 metres to the west and is characterised as a unified, simple, medium scale agricultural landscape with a high proportion of historic woodland; undulating landform based around river valleys; picturesque villages; farmland under estate management; dispersed, nucleated settlement patterns; hedgerows interspersed with trees; and modern human influence including airfields and the A1. Given that there is the potential to affect the medium distance views the Landscape and Visual Impact Assessment (LVIA) concluded that while the area has a more elevated nature overall the mature vegetation of the former sand and gravel pits screen views and as a consequence the continuing use of the quarry would not affect the Kesteven Upland LCA.

The LVIA states that the landscape character of The Fens LCA is fundamentally a manmade and working landscape dominated by intensive agriculture and sand and gravel extraction.

The assessment considered the potential visual impacts of the continued mineral operations to be medium-term and temporary and on completion of restoration would have permanent direct effects on the character of the setting. The potential interactions between the proposal and visual receptors were cited:

- Removal of trees and hedgerows within the site;
- Construction of temporary road, fencing, signage and stockpiles;
- Earthmoving plant;
- Exposed quarry faces, floor and excavated material;
- Excavation by 360° excavator, conveyor;
- Pump structures;
- Perimeter Bunds;
- Distant views of plant site; and
- Landscape seeding and planting operations.

There are three residential properties within or adjacent to the extraction area being Rectory Farmhouse, Lodge Farmhouse and Crown Farmhouse. Visual receptors external to the site were identified as users of the A1175 Stamford Road and the A15 and other minor routes leading to West Deeping and Market Deeping. No Public Rights of Way are directly affected by the operations although the routes of four footpaths are within the study area but all are of low or medium/low sensitivity.

The LVIA concluded that the site itself is considered to be of low value with immediate surrounding being of medium/low landscape value. It is considered that the two former sand and gravel pits which are characteristic of the area make a positive contribution to its character. Notwithstanding the landscape and cumulative landscape effects of the proposal are not considered overall to be significant and upon restoration beneficial visual effects from the site would be apparent in the short term with further improvements at 15 years post-restoration when the site should start to assimilate well into the local landscape.

Chapter 8: Nature Conservation and Ecology – this chapter provides an overview of the potential impacts on habitats and ecology. An Extended Phase 1 Habitat Survey was carried out that established the baseline ecological context of the site and an assessment on how the existing conditions may be impacted by the continuation of mineral operations at West Deeping Quarry.

Within 2 kilometres of the quarry Langtoft Gravel Pits SSSI 50 metres to the north, is the only statutory nature conservation designation with the following non-statutory designated sites are as follows:

Deeping Mill Stream – Local Wildlife Site (LWS) – 25 metres south;
Greatford Road Verge South – LWS;
River Welland – County Wildlife Site (CWS) – 25 metres south;
Maxy Quarry – CWS; and
Tallington Gravel Pits – Site of Nature Conservation Interest (SNCI).

Habitats identified within the survey area include arable field margins, hedgerows and ponds. Whilst these habitats exist within the ROMP site only the peripheral hedgerows along the southern and south eastern boundaries would qualify as UK BAP priority habitat and the continuation of quarrying would have not have an impact. Further assessment was carried out in respect of fauna identifying that the operations at the quarry have the potential for impacts on bats, nesting birds, great crested newts and possible badger populations. The report considered that the current site was of low conservation interest.

The report provided a schedule of mitigation measures to be carried out entrain with the phased working and restoration programme. These measures would include ensuring that site clearance carried out in accordance with 'BS 5837:2012 Trees in relation to design, demolition and construction' to prevent root damage to hedgerows and hedgerow trees. Re-surveying any trees scheduled for removal to limit the potential for impact on bats. Carry out early season survey work on Ponds 2 and 3 to assess presence/absence of great crested newts and considered the need for licencing to manage where present. Restrict the removal of hedgerows, trees, shrubs and vegetation to outside of the nesting season (1 March to 31 August). Where it is necessary to clear watercourses otter and vole surveys would be undertaken.

Overall it was identified that the continued quarrying of the site would not have adverse impacts on the current ecology and associated habitats within the boundary and that no significant impacts would be anticipated on any statutory or non-statutory site designated for nature conservation or ecological value. The surveys identified where further surveys could be undertaken at appropriate times and that the proposed restoration would bring long term nature conservation benefits.

Chapter 9: Noise – this chapter outlines the proposals to mitigate the potential impacts in respect of noise emissions associated with the extraction of mineral at West Deeping Quarry and to identify a scheme of monitoring to BS5228-1: 2009 + A1: 2014 Annex G would be implemented to ensure that noise limits are in accordance with those promoted in the PPG Paragraphs 021 and 022 as follows:

A noise limit of 55 dB LAeq, 1h (freefield) shall be applied during normal working hours and for activities of a temporary nature which includes soil-stripping, the construction and removal of bunds, soil storage stockpiles and spoil heaps, construction of new permanent landforms and aspects of site road construction and maintenance, an increased temporary daytime noise limit of up to 70 dB LAeq, 1h (freefield) shall be applied for periods of up to 8 weeks in a year.

Monitoring of noise would be carried out (at nearest sensitive receptor properties) during key stages of site development and in consultation with the MPA until such time, as agreed with the MPA, that monitoring is no longer necessary. Where a complaint is received monitoring of noise would be carried out.

Monitoring would be carried out under appropriate weather conditions and where all site operations are representatively assessed at an agreed location. Within six weeks of any noise monitoring exercise a report would be prepared detailing the monitoring results and details of any mitigation deemed necessary. The monitoring reports would be retained at West Deeping Quarry for a period of three years and available for inspection by the MPA.

The report submitted with the ES provided detail of proposed mitigation measures to suppress noise emanating from the site. These measures seek to ensure that both static and mobile plant would be suitably attenuated and maintained as follows:

- Checks of mobile plant including inspection of mechanical and hydraulic systems;
- Where diesel driven equipment employed, the equipment would be silenced so as not contribute to an increase above the agreed permissible noise levels; and
- No mobile plant would operate with intrusive audible reversing alarms.

Chapter 10: Dust and Air Quality – this chapter addresses the potential impacts on humans and wildlife, identifying that there are residential properties in close proximity to the site. The assessment submitted as part of the ES considered both normal operations of the quarry and short-term operations such as soil stripping.

A scheme of control and monitoring (within 250 metres of any sensitive receptor) seeks to employ measures in accordance with the recommendations of Air Quality Management 'Guidance on the assessment

of mineral dust impacts for Planning' 2016, 'Good Practice Guide: Control and Measurement of Nuisance Dust and PM₁₀ from the Extractive Industries' 2011 and 'The Environmental Effects of Dust from Surface Mineral Workings' 1995. Best practice measures proposed to suppress impact on air quality and dust generation would be as follows:

- Mobile plant regularly serviced and equipped with effective exhausts;
- Haul roads adequately maintained;
- Water bowsers employed in dry conditions to suppress dust on haul routes and other trafficked areas;
- Vehicle speeds restricted on access road and other trafficked areas;
- Vehicles inspected and cleaned as appropriate, prior to leaving the site;
- Vehicles leaving the site shall be suitably sheeted;
- Road Sweeper employed in the event of dust or mud deposited on the public highway;
- Regular inspection of the public highway and record of observations to be maintained;
- Drop heights minimised when loading and unloading;
- Temporary operations to be undertaken with due regard to weather conditions;
- Screening bunds constructed to reduce dust pick-up by wind;
- Construction of bunds at the earliest opportunity; and
- Water sprays or surface binders utilised to maintain damp surfaces on exposed stockpile faces and any exposed friable surfaces during dry and windy weather.

Where a complaint is received monitoring would be carried out and within six weeks of any dust monitoring exercise a report would be prepared detailing the monitoring results and any mitigation deemed necessary would be implemented without delay. The monitoring reports would be retained at West Deeping Quarry for a period of three years and available for inspection by the MPA.

Chapter 11: Archaeology and Cultural Heritage – this chapter provides a description of the archaeological significance of the site. The Rectory Farm area has been subject to an on-going Scheme of Archaeological Observation, Mapping and Recording approved August 2018 as required under the terms of a Section 106 Obligation. There are no proposals to deviate from this approved scheme and it would be implemented for the duration of continuing quarrying activities. Archaeological investigations have been carried out at the site since the early 1990's and to date evidence has been found of a multi-period landscape dating back to the Neolithic period. Further finds have confirmed the presence of early and late Bronze Age, Iron Age and Roman. Finally, there are extensive remains of a medieval open field system of cultivation referred to as ridge and furrow.

However as a consequence of the issue of a Regulation 25 notice a heritage statement was submitted of the potential for impacts of the continuing quarrying operations on the historical landscape within which the site sits.

The statement described the wider landscape as being Historic Landscape Character Zone: the Fen Edge Settlements Historic Landscape Character Zone (SCL2), which is within the wider Southern Cliff Historic Landscape Character Area. The search area was set at 0.5 kilometres and no Scheduled Monuments are within that area. One listed building namely a barn associated with Rectory Farm is Grade II listed lies within the quarry boundary and a further Grade II listed nineteenth century milestone lies south of Stamford Road. Further to the east and to the south of Stamford Road stands the Grade II* listed Molecey's Mill and Granary, both now converted to residential use. No other listed buildings fall within the area of search. Notwithstanding, a Scheduled Monument being a moated site at Maxy 1 kilometre to the south east of the site and Grade I listed St Guthlac Church and Rectory, Market Deeping and St Andrew Church, West Deeping lie over 1 kilometre to the east and south west, both within the development of respective settlements. None of these monuments or buildings has inter-visibility at ground level with the ROMP area. It was concluded that the ROMP development would not have a significant adverse impact in terms of landscape on designated and non-designated assets (i.e. Listed Buildings).

Chapter 12: The Impact on Water Resources and Flood Risk – this chapter considers the potential impact of the continuation of mineral extraction on the water environment. The hydrogeological report submitted with the ES provided a description of the underlying geological formations of the site identifying that the sand and gravel deposit at West Deeping Quarry sits over Oxford Clay bedrock and has been classified by the Environment Agency (EA) as Unproductive Strata (non-aquifer). The nearest aquifer identified as within a Source Protection Zone lies 1.5 kilometres to the southwest and extends away from the site in a westerly direction. Groundwater flow within the sand and gravel above the Oxford Clay is not considered as having a significant seasonal fluctuation due to the presence of large water bodies at Tallington Lakes and Langtoft Gravel Pits SSSI to the west and north of the ROMP site. A number of ground water and surface water abstraction licenses are identified in the vicinity of the site associated with the adjacent quarry operated by CEMEX, Anglian Water for public water supply, agricultural for irrigation and for mineral processing. Hydrology was also considered with a description of the surface water features in the wider area including River Welland, Greatford Cut, Welland and Deepings Internal Drainage Board (IDB) drain, Tallington Lakes and Langtoft Gravel Pits. Annual rainfall data over the period 1981 to 2010 was provided together with values of high intensity rainfall in the West Deeping area EA Report 2013.

An assessment was carried out of the existing water management programme that provided commentary on the actual discharge regime being to a drainage ditch (Langtoft Drain) operated by the IDB and not as previously recorded to the EA Greatford Cut. Notwithstanding the EA have and would continue to compliance monitor the discharge rate to the IDB drain to ensure that it meets their consent of 5450m³/day.

Whilst water arising from the dewatering of the ROMP area is discharged to an IDB drain, this is only the final stage of water management. Initially, water pumped from the active working areas is held within ponds located to the northwest and north east and currently pumped to an area to the south east which is the final sump area prior to discharge to the IDB drain. This ensures that a water balance is maintained and allows water free excavation, which does not compromise the quality of the restored areas through inundation. An evaluation was made of the potential impacts beyond the boundary of the site and it was concluded that Langtoft Gravel Pits SSSI to the north would not be compromised insofar as the water management of the ROMP area is self-contained with sufficient water bodies to maintain a 'constant head boundary' of around 6 metre AOD.

It was also reported that the associated plant site at Kings Street has a separate consent to abstract water from Tallington Lakes to provide wash water for the processing plant. The discharge of this water is back to the Lakes and forms a closed system considered to be non-consumptive abstraction.

The Further Information submitted under the Regulation 25 Notice confirmed that there would be no adverse impacts on the proposed water management regime, should the application for the extension be granted or not, insofar as the proposed final landform would accommodate a proportionate holding capacity to allow the predicted discharge rate for the ROMP area to be maintained. With regard to final restoration, the progressive nature of the works allows for the creation of a clay seal, this would eventually result in the whole ROMP area, post excavation becoming self-contained in respect of water management. The south east area would become the permanent discharge point from the site to the IDB drain. A number of water bodies around the site would be connected to the south east sump through a series of drains and weirs to maintain the water levels in those ponds. The south east area would be restored to marshland, with a relatively small area of deep open water at its centre to sustain the efficient operation of a submersible pump. The pump would be powered from a small pump house to be erected on completion of the restoration.

Flood Risk was assessed insofar as whilst the site lies within Flood Zone 1 the ROMP area exceeds 1 hectare. Consideration was therefore given to any potential impacts beyond the boundary of the site. It was reported that the discharge to the IDB drain would be incorporated into the flood relief system operated by the IDB to minimise the potential risk or consequences of flooding in its catchment area. Mitigation would be informed by the implementation of regular water table monitoring to be carried out utilising the site investigation boreholes drilled in 2016 or if not suitable consideration should be given to installing new piezometers within the restored part of the site. The data gathered from this monitoring would provide evidence on the effectiveness of both short term and long term pumping of the three ponds and drains and where considered necessary, change the pumping equipment, should insufficient maximum pumping capacity be identified.

Overall it was considered that the continuation of extraction of the ROMP area and proposed restoration programme would not have an adverse impact on the water environment and that this would be no significant flood risk beyond the boundary of the site.

Chapter 13: Transportation and Traffic – this chapter considered the impact of the continuation of minerals operations at West Deeping Quarry on the local transport infrastructure and the adequacy of the access arrangement to the existing site, recent safety record and compliance with current standards. Consideration has been given to the proposal to introduce the removal of residual material from the processing of mineral at the plant site off King Street back to the ROMP site for incorporation into the progressive restoration of the site. This proposal does not compromise the terms of the existing routing contained in the Section 106 planning obligation. The material would be returned to the site using HCV transportation on a campaign basis of two periods relocating 500 tonnes per campaign per year.

The Transport Statement submitted in support of the ES analyses the current situation and provides data on traffic flows, collision data, trip generation and traffic routing. It is concluded that the current arrangements for the existing site are adequate insofar as the rate of extraction and use of conveyor to transport mineral from the ROMP area being maintained. Consideration was also given to the proposal to return a proportion of the residual silts from the mineral processing at the plant site back to the ROMP area. Overall the increased HCV movements would equate to an annual increase of 50 vehicles (100 movements) and would not represent a significant rise in adverse impacts on the highway network or highway safety.

Chapter 14: Soils and Agricultural Land Classification – this chapter considered the potential impacts of the continuing extraction of mineral at Rectory Farm upon Agricultural Land Quality and Soil Resources.

The ROMP area was not subjected to a detailed soil survey given that a significant proportion of the site has already been restored back to agricultural use. Localised sampling of the remaining land was carried out and the soils were assessed to be a combination of Agricultural Land Classification Grade 3a and 3b with the topsoil resource consisting of heavy clay and medium clay loam, of thickness around 30-35 centimetre and sub-soils of permeable heavy clay loam with a thickness of approximately 18 centimetres. The gravel resource below the soils varies in thickness from 35-65 centimetres.

Topsoil and sub-soil would be managed in accordance with the 'Good Practice Guide for Handling Soils' with soil stripping and replacement being undertaken during the driest periods of the year. Where soils have to be stored, when they cannot be used directly on previously worked land, bunds of topsoil would not exceed 3 metres in height. A plan was provided indicating where the current topsoil bunds are retained for screening around

the residential properties in and around the site, top and sub-soil stores, clay/overburden stores and undisturbed land. Where soil stores are to be retained for extended periods, they would be sown with grass to maintain biological activity and prevent water erosion. No soils, overburden or clay arising from the mineral operations would be removed from site.

The proposed restoration programme seeks to return the majority of the ROMP area to agricultural land at low level utilising all retained soils and overburden, with the excavated clays being used to engineer seals. The proposed water management regime would ensure that there would be no water-logging.

Chapter 15: Conclusions – this chapter outlines the purpose of the ROMP and identifies revisions to the restoration scheme to regularise the clay over dig in the south eastern corner. The applicant has submitted a schedule of proposed planning conditions to control and monitor the continuation of extraction at West Deeping Quarry which have been revised to reflect the submission of further information. The ES has identified the likely significant impacts and relevant national and local planning policy. As a consequence it is concluded that the continued working of mineral at West Deeping Quarry would subject to imposition of conditions to secure appropriate mitigation measures, not give rise to unacceptably adverse impacts.

Non-Technical Summary

13. This volume contains an overview of the main finding of the PES in an easily understandable and accessible format.

Technical Appendices

14. This volume contains the technical data supporting the reports contained in the PES including drawings, photographs/photomontages, referenced documents and results of ground investigations such as ground water ingress calculations and results of transport surveys.

Further Information

15. The following Further information supplements were submitted that updates the information contained in the original PES. The information comprises of the following:
 - Revised working phases and restoration (to supplement Chapter 3 of the PES);
 - Heritage Assessment (to supplement Chapter 11 of the P&ES);
 - Water management (to supplement Chapter 12 of the P&ES); and
 - Clay management (to supplement Chapter 14 of the P&ES).

Site and Surroundings

16. West Deeping Quarry (Rectory Farm) is an existing sand and gravel extraction area approximately 750 metres north east of West Deeping village and bound to the south by the A1175, to the west by the extraction area of the CEMEX King Street Quarry, to the north the Langtoft Gravel Pit SSSI (separated by the Greatford Cut) and again separated by the Greatford Cut, agricultural land to the east. The main access to the site crosses the footway and verge to the north of the A1175 that provides the farm lane leading to Rectory Farmhouse. A further access, not used by quarry traffic gives access to Crown Farmhouse north of the A1175. The Rectory Farm site is surrounded by a combination of native species hedgerows and grassed bunds constructed of the topsoil arising from the soil stripping. Further bunds are erected around the residential Farmhouses, the loading area around the conveyor hopper. The bunds are constructed to heights of 3 metre (topsoil) and 5 metre (sub-soil).
17. Although there are four public rights of way and other public areas in close proximity to the extraction area there are few external views into the extraction areas, insofar as they are at a lower level than the surrounding ground level, the maturity of the hedgerows and height of the bunds. More distant views are generally obscure given the boundary treatments and intervening Greatford Cut and mature trees.

Main Planning Considerations

National Guidance

18. The National Planning Policy Framework (February 2019) 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 - economic; social; and environmental.

Paragraph 38 – 45 (Decision making) – LPA's should approach decisions on proposed development in a positive and creative way and work proactively with applicants.

Paragraphs 47 & 48 (Determining applications) - applications for planning permission should be determined in accordance with the development plan; and where at an advanced stage emerging plans, unless material considerations indicate otherwise.

Paragraphs 54 & 55 (Use of planning conditions and obligations) – states that consideration should be given as to whether otherwise unacceptable

development could be made acceptable through the use of conditions and conditions should be kept to a minimum.

Paragraphs 83 & 84 (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 108 - 110 (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 118 & 120 (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 163 & 164 (Planning and flood risk) – directs that decisions should ensure that developments do not increase flood risk and is appropriately flood resilient.

Paragraph 170 (Conserving and enhancing the natural environment) – directs that planning decisions should contribute to and enhance the natural and local environment, minimize impacts on and providing net gains for biodiversity.

Paragraph 180 (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.

Paragraph 182 and 183 – (Ensuring that new development can be integrated effectively) - with existing businesses and community facilities and whether the proposed development is an acceptable use of land.

Paragraph 189 & 199 (Conserving and enhancing the historic environment) – sets out the requirements necessary to evaluate the historic significance of a site and the level of information necessary to determine a planning application. Local planning authorities should require developers to record and advance understanding of any heritage assets to be lost (wholly or in part).

Paragraph 203 to 205 (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.

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:
- Minerals overview – providing justification for the need to ensure that sites operate to continued high working and environmental standards;
 - Supply – outlines the responsibility of Mineral Planning Authorities to ensure an adequate supply of mineral;
 - Environmental impacts – sets out the criteria necessary to ensure the information provided in support of an application is sufficient to allow for a planning decision that meets the requirements of Statutory consultees;
 - Environmental issues – lists the principal issues that should be addressed by the Mineral Planning Authority;
 - Other regulatory regimes – identifies where mineral activities may require additional licensing/permits other than planning controls;
 - Cumulative impacts – identifying that these are material consideration when determining planning applications;
 - Noise/Dust – specific direction is provided in relation to control or mitigation of noise/dust emissions;
 - Restoration/aftercare – identifies the responsibilities for delivery and maintenance and the planning conditions and detail required to achieve site specific restoration and aftercare to a high quality and appropriate after use;
 - Planning for aggregate minerals – directs planning decision makers to consider aggregate landbanks; and
 - Review of minerals planning conditions – directs the Mineral Planning Authority to the relevant legislation setting out how Periodic Reviews should be carried out and the restrictions on planning conditions imposed as part of the review.

Local Plan Context

20. Lincolnshire Minerals & Waste Local Plan: Core Strategy and Development Management Policies (CSDMP) (2016) – 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):
21. 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.
22. Policy M3 (Landbank of Sand and Gravel) states that to ensure a steady and adequate supply of sand and gravel for aggregate purposes, the County

Council will seek to maintain a landbank of permitted reserves of sand and gravel of a least 7 years within each of the Production Areas.

23. Policy W6 (Landfill) states that planning permission will only be granted for new landfills provided that:

- It has been demonstrated that the current capacity is insufficient to manage that waste arising; and
- There is a long term improvement to the local landscape; and
- The development would not cause a significant delay to the restoration; and
- The proposals accord with all relevant Development Management and Restoration Policies set out in the Plan.

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

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

- Minerals and Waste – Locations which reduce distances travelled by 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 long-term 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) refers specifically to South Lincolnshire (West Deeping/Langtoft): creation of wet fenland habitat or enhancement of existing wetland habitats.

24. South Kesteven Core Strategy 2010 – 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 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.

Policy EN2 (Reducing the Risk of Flooding) – states that any proposal should not contribute to flood risk and not have a detrimental impact on the natural water environment.

Results of Consultation and Publicity

25. (a) Local County Council Member, Councillor R Trollope-Bellew – was consulted on 22 March 2019 and 31 July 2019 but no responses have been received within the statutory consultation period or by the time this report was prepared.
- (b) Market Deeping Town Council (Adjacent) – wishes to make no comment.
- (c) Langtoft Parish Council (Adjacent) – has no comment on this application.
- (d) Environment Agency (EA) – have no objection to the proposed conditions.
- (e) Highway and Lead Local Flood Authority (Lincolnshire County Council) – does not wish to restrict the grant of permission. The proposed development is acceptable and accordingly does not wish to object to this planning application.
- (f) Welland & Deepings Internal Drainage Board – note that new tree, wood and hedge would be planted. It is advised that an Informative be attached which advises the operator to contact the IDB prior to any work taking place within 9 metres of the top edge their drains and with respect to discharge flow rates to their infrastructure.
- (g) Planning Casework Unit – has no comments to make on the environmental statement.
- (h) Historic England (East Midlands) – do not wish to offer any comments and suggest to seek the views of your specialist conservation and archaeological advisers.
- (i) Historic Environment Officer (Lincolnshire County Council) – acknowledges the on-going Scheme of Archaeological Investigation and confirmed that the Heritage Statement accurately reflects the historic landscape.
- (j) Natural England – has no objection and considers that the proposed development will not have significant adverse impacts on designated

sites. An Informative has been provided in respect of a designated site and other natural environment issues.

- (k) South Lincolnshire Fenlands Project Officer (Lincolnshire Wildlife Trust) – supported all the recommendations with the Ecological Assessment and identified that the site lies within the South Lincolnshire Fenlands Partnership (SLFP) project area and suggested that the proposed restoration could be strengthened to enable long term outcomes for people and wildlife. An informative was provided with regard to the SLFP project.
- (l) Ministry of Defence Safeguarding (RAF Wittering) – identified that the site is 9.94 kilometres north east of the main runway and confirmed that there are no aerodrome height safeguarding concerns. In relation to bird strike, the proposed open bodies of water are no larger than what is already within the surrounding environment and therefore MOD has no safeguarding concerns.

26. The following bodies/persons were consulted on the application on 22 March 2019 and again on 31 July 2019 following the receipt of the Further Information. No response or comments had been received within the statutory consultation period or by the time this report was prepared:

West Deeping Parish Council
Environmental Health (South Kesteven District Council)
Barholm and Stow Parish Council (Adjacent)
Tallington Parish Council (Adjacent)
Countryside Access (Lincolnshire County Council)
Public Health (Lincolnshire County Council)
Arboricultural Officer (Lincolnshire County Council)

27. The application was originally advertised in the Lincolnshire Echo on 28 February 2019 and through the display of three site notices at King Street Plant Site, the entrance to Rectory Farm and the entrance to Crown Farm.
28. Following receipt of the further information in relation to a request made under Regulation 25 of the Town and Country Planning (Environmental Impact Assessment) Regulations 2017 this Further Information was publicised by a notice in the Lincolnshire Echo on 8 August 2019. Nine letters of notification were sent to the nearest residents. No representations have been received within the statutory consultation period or by the time this report was prepared.

District Council's Recommendations

29. South Kesteven District Council has no objection to the proposal

Conclusions

30. The application is a First Periodic Review of an old minerals planning permission under the provisions of Schedule 14 of the Environment Act 1995. The Periodic Review is the subject of an Environmental Impact Assessment submitted pursuant to the Town and Country Planning (Environmental Impact Assessment) Regulations 2017 and a Planning and Environmental Statement has been submitted which assesses the potential impacts of the proposed development along with the mitigation measures proposed to avoid, reduce and, if possible, remedy any significant adverse impacts.
31. The key issues to be considered in this case are the appropriateness and acceptability of the proposed conditions put forward within the ROMP application as revised during consideration of the application and an assessment of any potential adverse environmental and amenity impacts arising from the continued mineral extraction operations within the existing permitted quarry boundaries. The principal receptors these impacts addressed are nationally designated Site of Special Scientific Interest (Langtoft Gravel Pits) and biodiversity, best and most versatile agricultural land, highways and amenity. As stated above, the conditions originally proposed by the applicant have been amended during the consideration of this application and the final set, of proposed conditions, were submitted September 2019. Where relevant, in paragraphs below, the differences between the original (existing) and the currently proposed conditions will be discussed.
32. It should be noted that in cases where a Mineral Planning Authority determines that conditions different from those proposed and submitted by the applicant should be imposed and the effect of those conditions as compared with the effect of the existing conditions, except where they were restoration or aftercare conditions, is to impose a restriction on working rights, then the applicant is entitled to claim compensation. Working rights in respect of a mining site are deemed to have been restricted if any of the following is restricted or reduced:
 - (a) the size of the area which may be used for the winning and working of minerals or the depositing of mineral waste;
 - (b) the depth to which any operations for the winning and working of minerals may extend;
 - (c) the height of any deposit of mineral waste;
 - (d) the rate at which any particular mineral may be extracted;
 - (e) the rate at which any particular mineral waste may be deposited;
 - (f) the period at the expiry of which any winning and working or minerals or the depositing of mineral waste is to cease; or
 - (g) the total quantity of mineral which may be extracted from, or of mineral wastes may be deposited on, the site.
34. The conditions proposed by the applicant cover a range of topics and are generally acceptable. However, amendments have been made to some of

the suggested conditions in order to improve their enforceability and (where necessary) additional conditions recommended to secure further details and/or address matters including the need to retain the existing hours of operation, to identify the maximum height of and secure monitoring of the water table, protection of wildlife, secure a complaints procedure in respect of noise and dust, expand soils to materials handling, secure a restoration planting scheme and secure details for wheel washing of commercial vehicles leaving the site.

Hours of Work

35. The NPPF and Policy DM3 of the CSDMP seek to protect the amenities of nearby residential properties and land-users.
36. With regard the hours of operation, Officers do not consider the revised hours put forward by the applicant to be appropriate. Following negotiation with the applicant it has been agreed that the hours currently cited by conditions attached to the existing permissions be retained. If the existing hours of operation were to be extended this could have an indirect adverse impact on the amenity of adjacent land users of the plant site, insofar as no evidence has been submitted of noise assessment being carried out in and around the plant site or in respect of the ROMP area. The existing hours of operation are therefore considered acceptable and a reasonable balance between maintaining the operational requirements and interests of the applicant whilst protecting the amenity of residents living and visiting both close to the quarry and the plant site off King Street. As the same hours of operation are therefore recommended to be imposed there would be no impact upon the applicants existing working rights. It is therefore considered by the MPA that this condition does not fall within one of the examples or types of restriction listed above [i.e. (a) to (g)] and which could therefore result in a claim for compensation.

The Water Environment

37. The NPPF and Policies DM2, DM15 and DM16 of the CSDMP and Policy EN2 of the South Kesteven Core Strategy seek to protect water resources and not contribute to flood risk.
38. A requirement to annually monitor the water table was a recommendation of the 'Water Environment Report' submitted with the ES that stated the importance of the water table not exceeding 6 metres AOD. The monitoring would provide evidence that water-logging would not compromise the quality of restored areas and to provide, monitoring data to confirm the effectiveness of the water management regime during and after excavation. The Welland and Deepings IDB have no objection to the proposal but requested that an Informative be attached to any decision notice with regards to the management of the IDB infrastructure. Your Officers have imposed a planning condition requiring the applicant to submit a groundwater monitoring scheme reflecting the recommendation of the ES. As this condition should not restrict the continuing winning and working of

mineral, insofar as the water management regime has been identified and any changes would be relating to that regime and not the extraction operations. It is therefore considered by the MPA that this condition does not fall within one of the examples or types of restriction listed above [i.e. (a) to (g)] and which could therefore result in a claim for compensation.

Ecology

39. The NPPF, Policies DM8 and DM9 of the CSDMP and Policy EN1 of the South Kesteven Core Strategy seek to protect the natural environment, with a particular emphasis being placed on Sites of Special Scientific Interest (SSSI), Local Site of Biodiversity Conservation V and protected species and their habitats.
40. An Extended Phase 1 Habitat Survey has been submitted with this application and the findings of this are included within the ES. Notwithstanding the proximity to the Langtoft Gravel Pits SSSI, the Survey identified that overall the ROMP site is of low ecological value, it did confirm that a number of habitats capable of supporting wildlife did exist and that it may be necessary to manage this habitats in such a way as to protect wildlife, in particular birds during the nesting season. Natural England did not object to the proposed continuation of quarrying but have provided an informative to be attached to a decision notice in respect of protected species. Your Officers have as a consequence of the recommendations of the Phase 1 Survey imposed a planning condition restricting the clearance of vegetation between the 1 March and 31 August unless otherwise agreed in writing with the MPA following further surveys being carried out by a qualified ecologist reporting no bird activity. As these condition should not restrict the continuing winning and working of mineral, insofar as there are sufficient periods remaining in the year to carry out vegetation clearance. It is therefore considered by the MPA that this condition does not fall within one of the examples or types of restriction listed above [i.e. (a) to (g)] and which could therefore result in a claim for compensation.

Noise and Dust

41. The NPPF and Policy DM3 of the CSDMP seek to protect the amenities of nearby residential properties and land-users.
42. The 'Supporting Statement in respect of Noise and Dust' submitted with the ES set out a clear programme for the management of complaints and as a consequence it was considered by Officers that it would be appropriate to secure the complaints procedure through the imposition of a planning condition. As this condition should not restrict the continuing winning and working of mineral, insofar as the complaints procedure seeks only to reinforce the mitigation measures already proposed in the ES any changes would be relating to that management of noise and dust and not restrict the extent of the extraction operations. It is therefore considered by the MPA that this condition does not fall within one of the examples or types of

restriction listed above [i.e. (a) to (g)] and which could therefore result in a claim for compensation.

Materials Handling

43. The NPPF and Policies DM11 and DM12 of the CSDMP seek to protect and enhance soils and to safeguard the long-term potential of the best and most versatile agricultural land.
44. The 'Soil Resources and Agricultural Use and Quality of Land' report submitted with the ES provided limited information as to the quality of land. However, given that the restoration of the ROMP site would be to arable use, the principles for preserving soils during extraction were evaluated and recommendations made as to the appropriate management of soil, overburden and clay arising from the operations at West Deeping Quarry (Rectory Farm). The proposed condition submitted with the application did not fully reflect the narrative provided relating to the management of all materials arising from the winning and working of the mineral. As a consequence, officers are proposing to impose conditions to address the management of topsoil, sub-soil, overburden, clay and the mineral as excavated and stockpiled within the ROMP area. As the proposed conditions seek to ensure the appropriate management of all materials excavated at the site and does not seek to restrict the extent of the minerals being won and worked it is therefore considered by the MPA that these conditions do not fall within one of the examples or types of restriction listed above [i.e. (a) to (g)] and which could therefore result in a claim for compensation.

Restoration

45. The NPPF and Policies R1, R2 and R3 of the CSDMP seek to ensure that sand and gravel operations are appropriately restored and subject to aftercare.
46. The applicant proposed a condition to carry out restoration in accordance with a drawing and statement submitted with the ES. South Lincolnshire Fenlands Project Officer (Lincolnshire Wildlife Trust) considered the proposal acceptable but requested that an informative be attached with regard to future restoration proposal within their Project Area.
47. Within the planning statement was an indicative restoration plan, providing landscape proposals and an undertaking to use native species of trees, shrubs and grasses however no detail was included as to a restoration scheme. It is therefore considered by your Officers that it is appropriate to impose a condition to secure a restoration scheme to include details landform, locations and cross-section of all water bodies and drainage ditches and weirs together with native planting species, numbers, spacing and locations. Such a condition does not seek to restrict the extent of the minerals being won and worked and it is therefore considered by the MPA that this condition does not fall within one of the examples or types of

restriction listed above [i.e. (a) to (g)] and which could therefore result in a claim for compensation.

Highways

48. The NPPF and policies DM13 and DM14 of the CSDMP seek to ensure that highway safety and network capacity are not adversely affected by new development.
49. The proposed development would essentially be a continuation of the existing operations at West Deeping Quarry. However, as a departure from the extraction of minerals currently undertaken at the ROMP site, the applicant is proposing to annually return 1000 tonnes of the silts, arising from the processing of mineral and stored in lagoons at the plant site at Kings Street. The relocation would entail the use of HCV's in two campaigns totalling 100 vehicle movements, per annum, to and from the ROMP site. The silt material would be incorporated into the restoration sub-soil profiles, to contribute to attaining proposed restoration ground levels of 7 metre above ordnance datum. The use of silt for this purpose is not unprecedented and the silt is considered indigenous material excavated from the ROMP site.
50. Whilst the plant site does have wheel wash facilities, such provision is not available at the ROMP site. The Lincolnshire Highways Officers concluded that the proposed development is acceptable and did not seek to impose restrictions. However, whilst the importation of silt using a comparatively small number of vehicles is unlikely to have impacts on the highway network, consideration has been given to the possible adverse impacts on highway safety of commercial vehicles leaving the ROMP site (50 in total). It is considered that the installation of a fixed wheel wash would be unreasonable however some provision should be made to ensure that vehicles do not enter the public highway with the potential to deposit extraneous materials and therefore the give rise to adverse impacts on highway safety. As a consequence your Officers have imposed a condition requiring the submission for approval of details for wheel washing of commercial vehicles leaving the site. Such a condition does not seek to restrict the extent of the minerals being won and worked and it is therefore considered by the MPA that these conditions do not fall within one of the examples or types of restriction listed above [i.e. (a) to (g)] and which could therefore result in a claim for compensation.

Cumulative Impacts

51. The NPPF, Policies DM4, DM6 and DM17 of the CSDMP and Policy EN1 of the South Kesteven Core Strategy seek to preserve the historic environment in terms of archaeology and landscape and to ensure that development does not have an impact when considered cumulatively with other developments existing and proposed.

52. Consideration has been given to the potential for all impacts of both the Periodic Review and the proposed extension areas in combination. The archaeological scheme of work is on-going at the site and the heritage assessment submitted as Further Information does not consider the continuing operation at West Deeping Quarry would impact adversely on the historic landscape given that the whole area has been substantially quarried for a considerable number of years. Although the proposed extension would increase the amount of low level agriculture this is a common feature in the area. In respect of the modern landscape, the ROMP area and extension in combination do not pose an unacceptable adverse visual impact insofar as the characterisation of the locality is one of arable land, water bodies and sand and gravel quarries. As a consequence it is not considered necessary to impose additional conditions but simply to make minor amendments to those proposed by the applicant.
53. Overall, it is your Officer view that the amended and additional conditions recommended to be imposed in approving the ROMP application are not considered to unduly restrict working rights further than the current conditions attached to permission S81/0860/01 (which together with S81/0896/ and S81/0026/98 carried forward the conditions of S81/552/90) and therefore the Council is not likely to be at risk of a claim for compensation.

Human Rights Implications

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

RECOMMENDATIONS

It is recommended that:

- (A) The amended schedule of conditions as set out in Appendix B be approved.
- (B) 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.

Informatives

Attention is drawn to:

- (i) Natural England – letter reference 274787 dated 12 March 2019 referring to Standing Advice and Designated Sites.
- (ii) Lincolnshire Wildlife Trust – letter received 26 March 2019 referring to the South Lincolnshire Fenlands Partnership (SLFP) project.
- (iii) Welland & Deepings Internal Drainage Board – letter reference CS/JP/P/D/1 dated 13 March 2019 referring to IDB infrastructure responsibilities.
- (iv) In dealing with this application the County Planning Authority has worked with the applicant in a positive and proactive manner by giving pre-application advice in advance of the applications and seeking further information to address issues identified to enable the applications to be processed 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
- (v) The validity of the grant of planning permission may be challenged by judicial review proceedings in the Administrative Court of the High Court. Such proceedings will be concerned with the legality of the decision rather than its merits. Proceedings may only be brought by a person with sufficient interest in the subject matter. Any proceedings shall be brought promptly and within six weeks from the date of the planning permission. What is prompt will depend on all the circumstances of the particular case but promptness may require proceedings to be brought at some time before the six weeks has expired. Whilst the time limit may be extended if there is good reason to do so, such extensions of time are exceptional. Any person considering bringing proceedings should therefore seek legal advice as soon as possible. The detailed procedural requirements are set out in the Civil Procedure Rules Part 54 and the Practice Directives for these rules.

Appendix

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|---|--------------------------------|
| These are listed below and attached at the back of the report | |
| Appendix A | Committee Plan |
| Appendix B | Amended schedule of conditions |

Background Papers

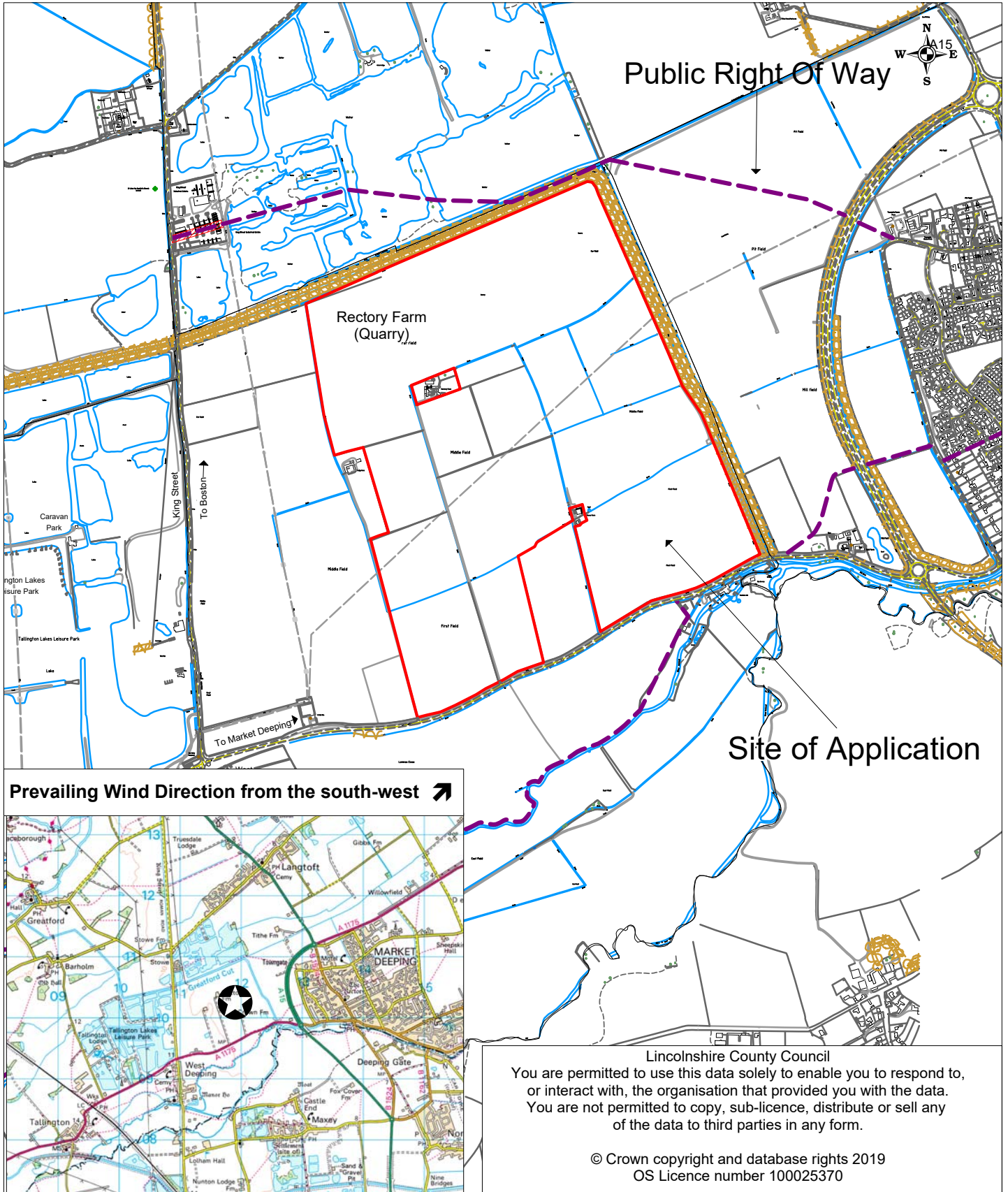
The following background papers as defined in the Local Government Act 1972 were relied upon in the writing of this report.

| Document title | Where the document can be viewed |
|--|---|
| Planning Application File S19/0497 S19/0486 | Lincolnshire County Council, Planning, Lancaster House, 36 Orchard Street, Lincoln, LN1 1XX |
| National Planning Policy Framework (2019) National Planning Policy Guidance (2014) - Minerals | The Government's website www.gov.uk |
| Lincolnshire Mineral and Waste Local Plan Core Strategy and Development Management Plan (2016) Lincolnshire Mineral and Waste Local Plan Site Location (2017) | Lincolnshire County Council website www.lincolnshire.gov.uk |
| South Kesteven Core Strategy (2010) South Kesteven Local Plan 2011 – 2036 (emerging plan) | South Kesteven District Council website www.southkesteven.gov.uk |

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

LINCOLNSHIRE COUNTY COUNCIL

PLANNING AND REGULATION COMMITTEE 7 OCTOBER 2019



Location:
 West Deeping Quarry
 King Street
 West Deeping

Application No: S19/0497
Scale: 1:15000

Description:
 Application for the determination of new (updated) conditions to which a mining site is to be subject (Environment Act 1995: Periodic Review)

Lincolnshire County Council
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Amended Schedule Of Conditions

Duration

1. The winning and working of minerals shall be limited to a period expiring on 21 February 2042.

Reason: To comply with the requirements of Section 72(5) and paragraph 1 of Part 1 of Schedule 5 to the Town and Country Planning Act 1990.

Scope of the Permission

2. The development hereby permitted shall only be carried out in accordance with the submitted documents and drawings, unless modified by the conditions attached to this decision notice or details subsequently approved pursuant to those conditions, including:

Document

- Planning Application Form (date stamped received 5 November 2018) and Planning and Environmental Statement prepared by Heaton Planning Ltd dated October 2018 (date stamped received 5 November 2018) including all appendices and supporting technical assessments as amended by the Further Information submitted in response to the Regulation 25 Notice (date stamped received 5 July 2019);

Drawings

- W23_LAN_001 ROMP 'Location Plan' (date stamped received 5 November 2018)
- W23_LAN_004_R REV B 'Development Stages Plan' (date stamped received 16 July 2019)
- W23_LAN_005_R REV B 'Restoration Plan' (date stamped received 16 July 2019)
- W23_LAN_006_R 'Sections' (date stamped received 5 November 2018)

Reason: 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.

3. Nothing in this determination shall be construed as permitting the removal of soils and/or overburden and/or clay from the site.

Reason: For the avoidance of doubt as to the nature of the development hereby permitted and to ensure these materials remain on site for use for restoration purposes.

4. Nothing in this determination shall be construed as permitting the importation of materials (with the exception of silt from the existing lagoons at West

Deeping Quarry Plant Site) for any purpose including achieving landscaping or restoration of the site.

Reason: For the avoidance of doubt.

Hours of Operation

5. No operations and activities authorised or required in association with this development, including HGVs accessing and egressing the quarry, shall be carried out except between the following hours:

Monday to Friday 0700 to 1700

Saturdays 0700 to 1200

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

Reason: To protect the amenities of the surrounding area.

The Water Environment

6. Any facilities for the storage of oils, fuel or chemicals shall be sited on impervious bases and surrounded by impervious bund walls, or shall be stored in an approved double skin proprietary tank/s. The volume of the bunded compound shall be at least equivalent to the capacity of the tank/s and other containers plus 10%. All filling points, vents, gauges and sight 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.
7. Prior to commencement of mineral extraction in Development Stage D, a groundwater monitoring scheme shall first be submitted and approved in writing by the Mineral Planning Authority. The scheme shall provide for monitoring to be undertaken during the extraction, restoration and aftercare phases of the development and reflect the recommendations as set out in the Appendix E 'Water Environment Report for West Deeping Quarry, King Street, West Deeping, Lincolnshire' of the ES and provide for the following:
- a) contain details of the location of all monitoring boreholes to be established;
 - b) provide for the carrying out of baseline surveys and levels;
 - c) identify triggers and measures to be adopted to ensure and maintain the water table level within the areas of the site restored to agriculture to no greater than 6 metres above ordnance datum; and
 - d) contain a timetable setting out the frequency for on-going monitoring and reporting of results to the Mineral Planning Authority for the duration of the development hereby permitted.

Following the approval of the scheme it shall be implemented in full and in accordance with the approved details.

Reason: In order to afford appropriate protection to the environment and to demonstrate that the water table is maintained in restored areas.

Landscape and Ecology

8. All existing trees, shrubs, hedges, walls and fences on and adjacent to the site boundary shall be retained and protected from disturbance, damage or destruction throughout the approved period of quarrying and until the restoration of the whole of site has been completed and the after-care period expired.

Reason: To ensure that these features are properly maintained and protected for the duration of the development and in the interest of visual amenity and landscape character.

9. No removal of hedgerows, trees, shrubs or vegetation shall take place between the 1 March and 31 August inclusive, unless otherwise agreed in writing with the Mineral Planning Authority. If these works cannot be undertaken outside this time, they should be evaluated and checked for breeding birds by an appropriately qualified ecologist and where appropriate, an exclusion zone set up. No work shall be undertaken within the exclusion zone until birds and any dependent young have vacated the area.

Reason: In the interest of the natural environment.

Archaeology

10. Unless otherwise agreed in writing by the Mineral Planning Authority all archaeological works undertaken as part of the development shall continue to be undertaken in accordance with the requirements previously approved and secured as part of the existing S106 Planning Obligation dated 29 August 2017

Reason: In order to afford appropriate protection to the historic environment.

Dust Suppression

11. All dust prevention, control and management measures as set out in Chapter 10 of the Environmental Statement shall be implemented in full for the duration of the operational/construction/restoration phases of the development.

Noise

12. Except for temporary operations (as referred to in Condition 14 below) noise levels as a result of any operation or item of plant and machinery operating within the site shall not exceed 55dB LAeq (1 hour, free-field) when measured at any noise sensitive property in the vicinity of the site.

13. For temporary operations, which includes soil stripping and bund construction and removal, noise levels shall not exceed 70 dB LAeq (1-hour free-field) when measured at any noise sensitive property in the vicinity of the site.

Complaints Procedures

14. In the event of a complaint relating to dust and/or noise being received by the operator or the Mineral Planning Authority, the programme of monitoring and complaints procedure (as set out in Appendix C 'Supporting Statement in Respect of Noise and Dust' of the ES) shall be implemented in full and any further mitigation measures considered necessary identified and implemented. The results of the monitoring and details of any further mitigation measures implemented shall be recorded and retained at West Deeping Quarry for a period of three years and made available to the Mineral Planning Authority on request.

Reason: To protect the amenities of the surrounding area.

Materials Handling Strategy

15. The stripping, excavation, movement, storage, lifting and placement of topsoil, subsoil, clay and soil forming materials that may be encountered, shall only take place in accordance with the recommendations in Section 4 of the 'Soil Resources and Agricultural use and Quality of Land at West Deeping Quarry, Lincolnshire' (Appendix G of the ES).
16. All materials excepting topsoil shall be stored to a height not exceeding 5 metres and shall not be located on restored land or land that has not been stripped of topsoil.

Reason: To preserve the quality of topsoil and protect the visual amenity of the surrounding area.

Restoration and Aftercare

17. Prior to commencement of mineral extraction in Development Stage D, identified in Drawing No. W23_LAN_004_R REV B, full details of a restoration scheme for the site illustrated in Drawing No. W23_LAN_005_R REV B 'Restoration Plan' shall be submitted and approved in writing by the Mineral Planning Authority. The restoration scheme shall include information on landform, locations and cross-section of all water bodies and drainage ditches and weirs together with native planting species, numbers, spacing and locations. The site shall be progressively restored in accordance with the approved scheme and completed in full within 12 months of the permanent cessation of mineral extraction or 21 February 2042, whichever is sooner. All planted trees, shrubs and hedgerows shall be maintained for a period of 5 years during which all losses shall be replaced in the following planting season.

18. Prior to commencement of mineral extraction in Development Stage D, identified in Drawing No. 23_LAN_004_R REV B, an aftercare scheme for the whole site shall be submitted to and approved in writing by the Mineral Planning Authority. For avoidance of doubt the submitted scheme shall provide the following details:

- The steps as may be necessary to bring the land to the required standard for use for agriculture, water management and nature conservation;
- For the annual submission of a schedule of aftercare works to be undertaken in any calendar year from the commencement of the aftercare period; and
- For the annual submission of a record of the works carried out in the previous year.

The approved scheme shall be implemented in full. Aftercare shall commence on the date cited in condition 17 above of the completion of restoration.

19. In the event of a permanent cessation of mineral extraction, a revised restoration scheme and programme aftercare shall be submitted to and approved in writing by the MPA. Such a scheme shall be submitted within 6 months of cessation of extractive operations and implemented in full.

Reason: To ensure that the site is restored appropriately and at the earliest opportunity and that the restored land is subject to appropriate aftercare in the interests of agricultural land quality.

Transport

20. All mineral shall only be transported to the King Street plant site using the overland field conveyor.

21. The total number of HGV movements per year associated with the importation of silt from the King Street plant site shall not exceed 100 movements.

22. No commercial vehicle shall leave the site unless its wheels and underside chassis are clean so as to prevent materials, including mud and debris, being deposited on the public highway.

23. Prior to the first importation of silt to the site a scheme for the wheel and chassis washing shall be submitted to and approved in writing by the Mineral Planning Authority. The approved scheme shall be implemented in full and maintained for the duration of the development hereby permitted.

Reason: In the interest of highway safety and to ensure that the highway is clear of mud and extraneous deposits.