

Agenda Item 5.

Lincolnshire County Council

Planning and Regulation Committee 3 October 2016

- Location Map Attached

Item: 5.1 – Land located off Gorse Lane, Denton

The following additional information/representations have been received (comments summarised):

Mick George Ltd (Applicant) - has submitted a 'Supplementary Planning Statement' which contains an assessment of the proposals against the policies contained within the recently adopted Core Strategy & Development Management Policies of the Lincolnshire Minerals and Waste Local Plan (CSDMP) (June 2016). This statement replaces an earlier similar assessment that is contained with the Environmental Statement but which was written before the CSDMP was formally adopted.

It is argued that great weight should be given to the benefits of this proposal in terms of its supply of a scarce high quality resource and the giving up of a damaging historic consent in exchange for this development. It is added that great weight should also be given to the economic effects of the proposal which will bring much needed economic activity to a relatively deprived rural area.

Overall this document concludes that with the appropriate mitigation the proposal could be carried out in an acceptable manner consistent with the recently adopted CSDMP and the Government's sustainable development objectives without causing demonstrable harm to matters of recognised importance.

A further letter has also been received along with a revised proposed scheme of working drawing (attached). This has been submitted in order to try and address the Officer's third reason for refusal (i.e. impact upon the Hill Top Listed Buildings). The revised scheme proposes to retract the mineral extraction limit further back to 300m from the nearest property and therefore allow the woodland to be positioned further away whilst still performing a screening function. This revision would also reduce the duration of the development by 12 to 18 months and would also enable an existing mature Ash tree to be retained.

South Kesteven District Council (SKDC) – has confirmed that the wording on their latest response to the application (dated 25 August 2016) may have implied that they have 'no objections' however this was an administrative error and instead should have read as 'Comments to Make'. The response issued by SKDC made clear that LCC should take into account comments previously made and it is stated that despite the Further Information submitted by the applicant SKDC continue to have significant concerns about the proposal. SKDC are not satisfied that the concerns raised by themselves or those of GOLAG, the Parish Council's and others have been satisfactorily addressed and on that basis objects to the application on the following grounds:

- No satisfactory evidence to demonstrate that the extant permissions are actually capable of implementation, and if so to what extent, and therefore that this is a genuine fallback position.
- The development extends beyond the boundary of the historic permission and no satisfactory additional evidence has been submitted to demonstrate that there is any public benefit which outweighs the resulting conflict with the national and local landscape/environment policies or the harm to the setting of Listed Buildings at Hilltop Farm.
- Other impacts do not appear to have been satisfactorily addressed in particular in respect of impacts upon the King Luds Entrenchment and Drift SSSI, water quality and quantity, loss of best and most versatile agricultural land, dust and noise and traffic.

Denton Parish Council – request that it be noted that although the applicant has stated in their recently submitted 'Supplementary Planning Statement' that '*no statutory bodies have objected*' to the proposals this is not correct. Denton Parish Council along with Harlaxton Parish Council, Croxton Kerrial Parish Council and Hungerton Parish Council have all raised objections to the application.

Gorse Land Action Group (GOLAG) – state that they have studied the applicant's Supplementary Planning Statement but consider that this does not provide any further evidence to support the application or address objections that have been raised. GOLAG maintain that there is no requirement for a new source of limestone aggregate or additional landfill capacity within the County.

GOLAG maintain their view that given the complex hydrogeology of the site and lack of evidence presented the proposal has the potential to have an adverse impact on water supplies. GOLAG disagree with the advice/comments made by the Environment Agency and state that these should be disregarded and that LCC should seek an independent second opinion, supported by a field based assessment to address the concerns raised.

Overall GOLAG maintain their objection to the application.

Representative of the Hungerton Estate – state that there is still uncertainty with respect to the relationship between groundwater at the proposed quarry and the groundwater from the Hungerton Springs and therefore they continue to have deep concerns about the development. Despite the mitigation measures proposed it is considered that the development would result in a derogation of water flows and quality at the Hungerton Springs and the headwaters of the Wyville Brook.

Discussions have taken place between the applicant and the Hungerton Estate regarding the installation of a borehole close to the Hungerton Spring in order to allow further investigation and monitoring to take place. However, agreement on the location of this borehole has not been reached and as such no further monitoring/investigation has taken place. It is stated that until this site investigation and monitoring is completed it is considered that any groundwater mitigation proposed is flawed and may be unfeasible in the long-term and therefore maintain

their objection to the proposals as the development is likely to have a detrimental impact on the water environment.

Public – a further representation letter has been received which objects to the proposal on the grounds that the development would take more land out of production and that the roads in the area are not considered suitable.

Planning Manager's response – the revised working scheme drawing submitted by the applicant is noted however given its late submission it has not been possible to carry out formal consultation on the details. Notwithstanding this, although the changes made would retract the extraction boundary further back, the mineral operations and woodland would still be closer than that which could potentially occur if the historic ironstone consent were to be reactivated and given their closer proximity would still alter the existing rural setting of these designated heritage assets. Given that there is no quantitative need to justify the release of new mineral reserves at this time, and considering the adverse impacts that this development would have upon the setting of these designated heritage assets, it is still considered that there are no overriding reasons which outweigh the need to safeguard the significance of these Grade II Listed Buildings.

In terms of the other additional information/responses, these are noted, however, none of these raise issues/matters that require further consideration or which would justify or warrant delaying the determination of the application. As a result, the Officers recommendation and the cited reasons for refusal remain unchanged.

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