

**Open Report on behalf of Richard Wills
Executive Director, Environment & Economy**

Report to:	Planning and Regulation Committee
Date:	14 May 2018
Subject:	Outcome of Planning Appeal – Proposed Quarry, Gorse Lane, Denton, Grantham – S26/1611/15

Summary:

This report sets out the outcome of an appeal following the Council's decision to refuse planning permission relating to Mick George Limited's application for the extraction of limestone and importation of sustainable inert fill to achieve a beneficial restoration of a proposed quarry located off Gorse Lane, Denton.

A copy of the Inspector's decision letter is attached as Appendix A.

Recommendation:

That the decision of the Planning Inspectorate is noted.

The Proposal and Decision

1. In May 2015 Mick George Limited submitted a planning application (ref: S26/1611/15) seeking permission for the extraction of limestone and importation of sustainable inert fill to achieve a beneficial restoration on land located off Gorse Lane, Denton. The site is located approximately 3.8km from the south-western edge of Grantham, 800m south of the entrance to the village of Denton, 1.5km to the south-west of the village of Harlaxton and 1.5km to the north-west of the village of Wyville.
2. The proposal sought to extract 5.65 million tonnes of limestone from an extraction area covering 77 hectares and an overall site area of 104 hectares. The quarry would be worked on a phased basis, extracting about 200,000 tonnes of limestone per annum over a 30 year period and would be backfilled with inert waste, generally to pre-extraction contours, at an annual rate of about 65,000 to 70,000 cubic metres.
3. Most of the proposed working area also formed part of a much larger area of land that is covered by a historic mineral permission that allows for the winning and working of ironstone and the overlying limestone. The permission was granted in 1955 by the then Minister of Housing and Local Government and extended in 1958 and covers an area of approximately 900



Appeal Decision

Inquiry Held on 16-27 January and 5 February 2018

Site visit made on 25 January 2018

by Melvyn Middleton BA(Econ) DipTP Dip Mgmt MRTPI

an Inspector appointed by the Secretary of State

Decision date: 26 March 2018

Appeal Ref: APP/Q2500/W/17/3172131

Land at Gorse Lane, Denton, Lincolnshire, NG32 1AJ

- The appeal is made under section 78 of the Town and Country Planning Act 1990 against a refusal to grant planning permission.
 - The appeal is made by Mick George Ltd against the decision of Lincolnshire County Council.
 - The application Ref S15/1611, dated 6 May 2015, was refused by notice dated 3 October 2015.
 - The development proposed is the extraction of limestone and importation of sustainable inert fill to achieve a beneficial restoration of the site.
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Decision

1. The appeal is dismissed

Background

2. The proposal would extract 5.65 million tonnes (mt) of limestone from a quarry extraction area covering 77 hectares (h) and an overall site area of 104 h. The quarry would be worked on a phased basis, extracting about 200,000 tonnes of limestone per annum over a 30 year period. It would be backfilled with inert waste, generally to pre-extraction contours, at an annual rate of about 65,000 to 70,000 metres (m)³.
3. Most of the proposed working area forms a part of an area of historic ironstone workings. Planning permissions were granted in 1955 by the then Minister of Housing and Local Government and extended in 1958 to win and work, by opencast methods, ironstone and any minerals overlying such ironstone. Lincolnshire limestone overlies the ironstone in this area. Mineral extraction, which never directly affected the appeal site, ceased around 1974. However, in the Review of Old Mining Permissions (ROMPs) undertaken under the provisions of the Environment Act 1995, such historic minerals consents were considered to be dormant. Nevertheless, the winning and working of the minerals, whilst subject to an extant planning permission, is not possible until activated by an 'initial review' through which modern conditions would be imposed, in accordance with the provisions of Schedule 13 of the 1995 Act.
4. The landowner began the 'initial review' process in 2012, by requesting a Scoping Direction under the Town and Country Planning (Environmental) Impact Assessment (England and Wales) Regulations 2011. A direction in 2012, issued by the Department for Communities and Local Government, detailed the information required to be dealt with in an Environmental

