

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

Report to:	Planning and Regulation Committee
Date:	4 July 2022
Subject:	County Matter Application - S22/0759

Summary:

Planning permission is sought by Cemex (UK) Operations Ltd for a temporary change of use/extended use of part of the existing CEMEX West Deeping Quarry to allow for the importation of mineral to the site for processing at Cemex, West Deeping Quarry, King Street, West Deeping.

The key issues to be considered in this case are need and justification for the temporary importation of mineral from another site in the South Lincolnshire Production Area and whether the proposal would not give rise to harmful impacts on the amenities of local residents and land users or unacceptable impacts on the highway network or highway safety.

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 lies to the east of King Street and was first granted planning permission in 1997 (reference: S81/1588/89). Since that time, a number of subsequent amendments have been approved to the original planning permission as well as permissions for new and replacement ancillary facilities such as welfare and office units and the installation of a bagging plant.
2. West Deeping Quarry has become Cemex's principal site in the South Lincolnshire Production Area however reserves within the current permitted working area are nearing exhaustion. Cemex has therefore submitted a number of concurrent applications that seek planning permission for small lateral extension to the south of the quarry (reference: S22/0756); changes to the sites approved working and restoration phasing (reference: S22/0757) as well as an application that seeks permission to extract reserves remaining under the former Manor Pit Plant site area (reference: S22/0758).

3. The application seeking permission to extract mineral from the Manor Pit Plant Site area (reference: S22/0758) does not propose to process the mineral on site. Instead, it is proposed to transport the 'as raised' mineral to West Deeping Quarry where it will be stockpiled, processed, and use the sites existing Plant Site. Planning permission is required for this proposed use/activity as the Plant Site at West Deeping is only permitted to be used for mineral derived from that site. This report therefore considers the planning issues associated with the proposed hybrid use whilst a separate report deals with the planning application for the proposed mineral extraction operations at Manor Pit.

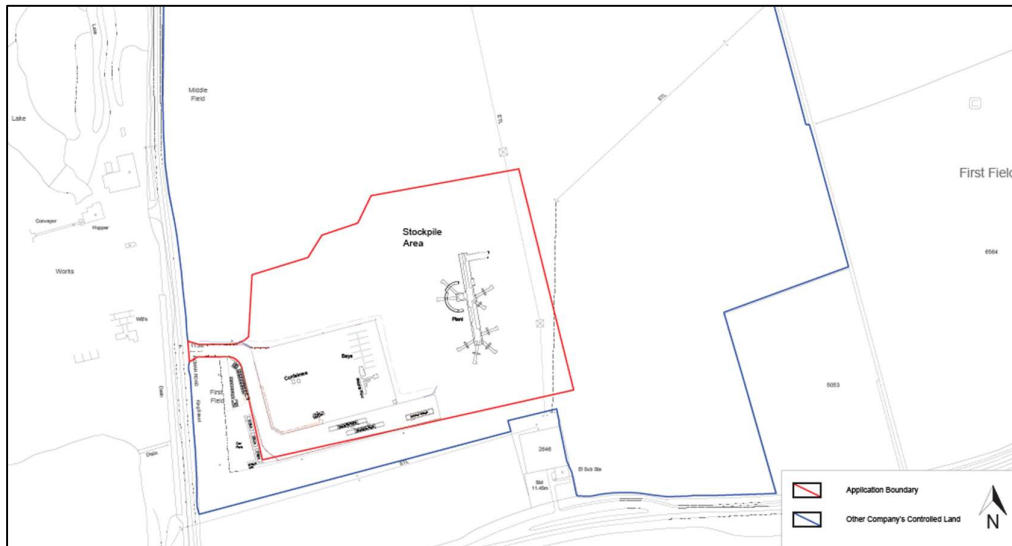
The Application

4. Planning permission is sought by Cemex (UK) Operations Ltd to change of use/extended use of part of the existing CEMEX West Deeping Quarry to allow for the importation of mineral to the site for processing at Cemex, West Deeping Quarry, King Street, West Deeping.
5. The application was supported by a Planning Statement that describes the site and its location, including any designated heritage and habitat sites around the site; summarises the planning history of the site; makes the case for the need for, and benefits of, the proposed development; as well as a consideration of planning policy and overall conclusions.

Proposed development

6. The proposal is to allow, for a temporary period, the importation and processing of non-indigenous 'as-raised' sand and gravel within the existing plant site at West Deeping Quarry. The mineral would be sourced from extraction operations proposed within the former Manor Pit Plant Site area which are subject of a separate, concurrent application before the Committee today (reference: S22/0758). If that development is granted planning permission, it is proposed to import approx. 175,000 tonnes of sand and gravel to West Deeping Quarry for stockpiling and processing ready for sale.
7. The mineral underneath the former Manor Pit Plant Site area has become accessible following the closure of the quarry and dismantling of the plant infrastructure. Under that proposal, it is proposed to extract the underlying mineral over a 12 month period. Given the relatively short extraction period it is not proposed to install processing plant at the Manor Pit site and instead it is proposed to transport the mineral to West Deeping where there is already suitable processing plant and equipment available. The mineral would be transported between the sites using HGVs. Upon arrival at West Deeping Quarry the mineral would be temporarily stockpiled before being processed and blended into the products arising at West Deeping Quarry. The processed mineral would be exported at the same rate as that currently associated with West Deeping Quarry and therefore not result in any increased traffic movements over and above that

currently experienced. The additional mineral processed would however result in a modest extension to the life of the quarry which would help to support the continued employment and workforce at the quarry.



Existing Site plan

8. The existing hours of operation would continue and the operations of the Plant Site would not be intensified as a result of the additional mineral imported from Manor Pit. All existing practices in respect of controlling noise and dust would continue to apply and water from the Plant Site would be managed in the same way as it is currently permitted. In terms of traffic movements, an additional 88 two-way HGV movements (44 in, 44 out) would arise per day as a result of the importation of mineral from Manor Pit. These movements are in addition to the 160 two-way HGV movements (80 in, 80 out) already associated with West Deeping Quarry. A Transport Assessment has been carried out to assess the impacts of traffic on the local highway network and this concludes that the proposed increase would equate to a +0.6% change in the total daily movements for the quarry and +7.0% change in daily HGV movements on the A1175 being the route for all HGV's accessing the quarry to the east of King Street. Any increase in traffic would therefore be minimal especially as the processed mineral would be blended with that derived from the West Deeping Quarry and exported at the same rate as it is currently. All existing mitigation measures adopted to ensure that there is no deposit of deleterious material onto the public highway would be maintained and implemented and so it is submitted that the proposed extended use of the Plant Site would not have any adverse amenity impacts on local residents, adjoining land users or statutory and non-statutory designated sites in the locality.

Site and Surroundings

9. The plant site at Cemex's West Deeping Quarry is located to the south of the quarry. The quarry is located east of and adjacent to King Street, approximately 1 kilometre north of the centre of West Deeping village, and 9 kilometres northwest of Stamford. The nearest residential property (Lodge Farm) lies adjacent to the

eastern boundary of the quarry and to the north of the plant site. To the south of the plant site is a Western Power sub-station, with the silt lagoon to the east. The quarry is at varying stages of operations with areas to the east and north already undergoing restoration and aftercare. Within the existing quarry site is an area of archaeological importance that is to be preserved in situ.



Plant site

10. The site is screened from external views through the placement of soil bunds to the perimeter of the site inside native species hedgerows. The quarry lies within the National Landscape Character Area - Kesteven Uplands.
11. To the east of the quarry lies an area of farmland known as Rectory Farm which is also subject of sand and gravel extraction by Breedon, and to the northern boundary of the Cemex quarry is the route of the conveyor to the plant site operated by Breedon to the west of King Street. The northern boundary of the quarry is defined by the Greatford Cut drain, that separates the site from the Langtoft Pits Site of Special Scientific Interest (SSSI). The nearest Special Area of Conservation (SAC) is the Baston Fen lies 7 kilometres to the northeast with Tallington Lakes Site of Nature Conservation Interest (SNCI) to the west of the Breedon plant site.
12. There are Scheduled Monuments within 2 kilometres of the quarry being at Maxey to the southeast and Barholm to the northwest. Several Listed Buildings lie within 1 kilometre of the site the nearest being a Grade II listed Boundary Marker at the junction of King Street and the A1175 south of the existing site entrance.

Main Planning Considerations

Planning Policy Context

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

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

Paragraph 47 and 48 (Planning law) - requires that applications for planning permission be determined in accordance with the development plan unless material considerations indicate otherwise. Decisions on applications should be made as quickly as possible. Local planning authorities may give weight to relevant policies in emerging plans according to the stage of preparation of the emerging plan (the more advanced its preparation, the greater the weight that may be given).

Paragraphs 84 and 85 (Supporting a rural economy) – states that planning decisions should enable development and diversification of agricultural and other land-based rural businesses and sustainable rural tourism and leisure developments which respect the character of the countryside. Rural sites that are physically well-related to existing settlements, should be encouraged where suitable opportunities exist.

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

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

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

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

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

Paragraph 183, 185 and 187 (Ground conditions and pollution) – state that decision should ensure that a site is suitable for its proposed use taking account of ground conditions and any risks arising from land instability and contamination. This includes risks arising from natural hazards or former activities such as mining, and any proposals for mitigation including land remediation (as well as potential impacts on the natural environment arising from that remediation). Ensuring development appropriate for its location by taking into account the likely effects on health, living condition and the natural environment through mitigation and reduction of potential adverse impacts. The focus should be on whether proposed development is an acceptable use of land, rather than the control of processes or emissions (where these are subject to separate pollution control regimes).

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

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

Annex 1: Implementation

Annex 3: Flood risk vulnerability classification

In addition to the NPPF, in March 2014 the Government published a series of web-based National Planning Policy Guidance notes (NPPGs). The NPPGs sets out the

overall requirements for minerals sites, including the need to ensure a steady supply of minerals; the need to ensure the information provided in support of an application is sufficient to enable the environmental impacts to be assessed and that sites are restored at the earliest opportunity to high environmental standards.

Lincolnshire Minerals & Waste Local Plan: Core Strategy and Development Management Policies 2016 (CSDMP) – this document was formally adopted on 1 June 2016 and as an adopted document the policies contained therein should be given great weight in the determination of planning applications. The key policies of relevance in this case are as follows (summarised):

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

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

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

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

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

Policy DM3 (Quality of Life and Amenity) states that planning permission will be granted for minerals and waste development provided that it does not generate unacceptable adverse impacts to occupants of nearby dwellings or other sensitive

receptors as a result of a range of different factors/criteria (e.g. noise, dust, vibrations, visual intrusion, etc).

Policy 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 DM7 (Internationally Designated Sites of Biodiversity Conservation Value) states that proposals for minerals development that are likely to have significant effects on internationally important wildlife sites should be supported by sufficient, current information for the purposes of an appropriate assessment and show that a proposal can be delivered without adverse impacts on any SAC.

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 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.

South Kesteven District Council Local Plan 2011- 2036 (2020) – as an adopted document, the policies contained therein should be given great weight in the determination of planning applications. The key policies of relevance in this case are as follows (summarised):

Policy SP5 (Development in the Open Countryside) states development in the open countryside will be limited to that which has an essential need to be located outside of the existing built form of a settlement.

Policy E8 (Other Employment Proposals) states that other employment proposals in locations not covered by the above policies will be supported, provided there is a clear demonstration that;

- a. there are no suitable or appropriate sites or buildings within allocated sites or the built up area of existing settlements;
- b. there is no significant adverse impact on the character and appearance of the area and the amenity of neighbouring uses;
- c. there is no significant impact on the local highway network;
- d. there is no significant likely adverse impact on the viability of delivering any allocated employment site.

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

Policy EN2 (Protecting Biodiversity and Geodiversity) states that the Council working in partnership with all relevant stakeholders will facilitate the conservation, enhancement and promotion of the District's biodiversity and geological interest of the natural environment. This includes seeking to enhance ecological networks and seeking to deliver a net gain on all proposals, where possible. Proposals that are likely to have a significant impact on sites designated internationally, nationally or locally for their biodiversity and geodiversity importance, species populations and habitats identified in the Lincolnshire Biodiversity Action Plan, Geodiversity Strategy and the Natural Environment and Rural Communities (NERC) Act 2006 will only be permitted in exceptional circumstances:

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

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

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

Development should be designed from the outset to improve air, land and water quality and promote environmental benefits. Development that, on its own or cumulatively, would result in significant air, light, noise, land, water or other environmental pollution or harm to amenity, health well-being or safety will not be permitted. New development proposals should not have an adverse impact on existing operations. Development will only be permitted if the potential adverse effects can be mitigated to an acceptable level by other environmental controls, or by measures included in the proposals. Development that would lead to

deterioration or may compromise the ability of a water body or underlying groundwater to meet good status standards in the Anglian River Basin Management Plan (required by the Water Framework Directive) will not be permitted.

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

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

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

- a. Make a positive contribution to the local distinctiveness, vernacular and character of the area. Proposals should reinforce local identity and not have an adverse impact on the streetscene, settlement pattern or the

landscape/townscape character of the surrounding area. Proposals should be of an appropriate scale, density, massing, height and material, given the context of the area;

- b. Ensure there is no adverse impact on the amenity of neighbouring users in terms of noise, light pollution, loss of privacy and loss of light and have regard to features that minimise crime and the fear of crime; and
- c. Provide sufficient private amenity space, suitable to the type and amount of development proposed.

Development proposals should seek to:

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

Results of Consultation and Publicity

- 14. (a) Local County Council Member, Councillor A Baxter – was notified of the application but no response or comments had been received by the time this report was prepared.
- (b) Baston Parish Council (adjacent) - have raised no objections to either application but have serious concerns regarding increased volumes of traffic, particularly HGV's coming through the village. The Council therefore insist that a S106 Planning Obligation to restrict HGV's (employed or sub-contracted) from using Main Street or Greatford Road during the hours of 17:30 to 08:00 weekdays, weekends and Bank Holidays.
- (c) Environment Agency (EA) – does not wish to make any comments on this application.
- (d) Environmental Health Officer (South Kesteven District Council) – has reviewed the documents submitted with the above application and have no comments to make.
- (e) Highway and Lead Local Flood Authority (Lincolnshire County Council) – does not wish to restrict the grant of permission stating that the proposed change of use/extended use would utilise the quarry's existing access onto King Street. This access has good visibility, is of a high constructional standard that is suitable to accommodate the extended use and is just a short distance from the national primary road network, the A1175. The King Street junction with the A1175 does have a history of collisions but those collisions do not involve HGVs. The extended use would mean an increase in the period for which the access is in use but it would not increase the daily volume of traffic

using the access. It is concluded that the proposed change of use/extended use would not be expected to have an unacceptable impact upon highway safety or a severe residual cumulative impact upon the capacity of the local highway network and does not wish object to this planning application.

- (f) Welland and Deepings Internal Drainage Board – have no comments to make.

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

Tallington Parish Council (adjacent)
Barholm and Stow Parish Council (adjacent)
Market Deeping Town Council (adjacent)
Langtoft Parish Council (adjacent)
Historic Places – Quarries and Mineral Sites (Lincolnshire County Council)
Public Health – (Lincolnshire County Council)
CPRE The Countryside Charity
Health & Safety Executive – Quarries
Ministry of Defence (Safeguarding)
Arboricultural Officer (Lincolnshire County Council)
Lincolnshire Wildlife Trust.

15. The application has been publicised by site notices posted at the entrance to the site and in the local press (Lincolnshire Echo on 14 April 2022) and letters of notification were sent to the three nearest occupied sites/properties to the site. No response or comments had been received within the statutory consultation period or by the time this report was prepared.

District Council's Recommendations

16. South Kesteven District Council has no objection in principle to the proposal but would ask that the comments from Baston Parish Council, in relation to the Manor Pit Quarry and vehicle movements, be taken into consideration in the determination of the application.

Conclusions

17. Planning permission is sought by Cemex (UK) Operations Ltd for a temporary change of use/extended use of part of the existing CEMEX West Deeping Quarry to allow for the importation of mineral to the site for processing at Cemex, West Deeping Quarry, King Street, West Deeping.
18. The key issues to be considered in this case are need and justification for the temporary importation of mineral from another site in the South Lincolnshire Production Area and whether the proposal would not give rise to harmful impacts

on the amenities of local residents and land users or unacceptable impacts on the highway network or highway safety.

19. The proposal would allow, for a temporary period not exceeding 12 months, the importation of non-indigenous 'as-raised' sand and gravel for processing within the existing plant site at West Deeping Quarry. The need for the extraction of the mineral itself would be considered in respect of a concurrent planning application for Manor Pit Quarry (reference: S22/0758) that would release 175,000 tonnes of mineral. In respect of this application, it is necessary to consider whether using West Deeping Quarry to process the mineral arising from another site is acceptable.
20. Permission is sought to extend the use of the Plant site for a time limited period reflecting that which is sought for the extraction of mineral from the nearby Manor Pit site (subject of a separate application). The imported mineral would be stockpiled and processed within the existing Plant Site and blended with the on-site derived mineral prior to export off site. It is not proposed to intensify operations within the quarry and the processed mineral would be exported in HGVs at the same rate as it is currently. The additional reserves would not therefore result in any significant increase in traffic movements but would result in a slight increase to the life of West Deeping Quarry as the additional reserves are processed. This minor extended timeframe would thereby ensure economic security for the existing workforce for a longer period than that originally predicted, and the additional reserves processed would help contribute to the current landbank and reserves available to meet current market demands. It is therefore considered that the proposal meets the aims and objectives of the NPPF and Policies M2, M11 and DM1 of the CSDMP and does not conflict with or compromised Policy E8 of the SKLP that seeks other employment proposals where there is no significant likely adverse impact on the viability of delivering any allocated employment site.

Transport

21. A Transport Assessment (TA) has been submitted in support of this application which has taken taking into consideration and assessed the frequency of HGV movements and the potential impacts of the development on the highway network and highway safety. The TA acknowledges that there would be a very minor increase in HGV traffic as result of this development but argues that this would not have an adverse impact overall. Baston Parish Council have responded to consultation on this application (and the other concurrent applications) and, despite the findings of the TA, has requested that a S106 planning obligation be secured to restrict the use of Main Street and Greatford Road between the hours of 17:30 to 08:00 hours weekdays and all weekends and Bank Holidays. The Parish Council's comments are noted however such a request is not considered necessary or reasonable as there are no proposals to work at the site during the evening or overnight and West Deeping Quarry is already subject of an existing S106 Planning Obligation which includes a HGV restrictive route clause preventing vehicles using

the King Street route north to Baston. This S016 Planning Obligation would remain in force should planning permission for this development be secured and therefore provide the safeguards sought by the Parish Council. Furthermore, the Highways Officer (Lincolnshire County Council) has confirmed that the proposed temporary increase in the number of HGV movements to facilitate the importation over and above the existing vehicular activity would not give rise to adverse impact on highway network capacity or safety and has raised no objection. It is therefore considered that subject to a condition to implement the existing on-site measures to mitigate transport effects the proposal would meet the aims and objectives of the NPPF and Policies DM13 and DM14 of the CSDMP and would not conflict with nor compromise Policy E8 of the SKLP that promotes other employment proposals that do not give rise to adverse impacts on the public highway.

Amenity

22. The proposal site lies within the existing quarry and would be subject to existing mitigation measure in respect of noise, dust, and visual impacts on local residents and land users; the landscape; and statutory and non-statutory designated sites. It is therefore considered that subject to reiterating existing conditions already in place for the quarry, the proposed importation would be an acceptable use of the existing plant site and would be consistent with the aims and objectives of the NPPF, NPPG and Policies DM3, DM6, DM7 and DM8 of the CSDMP and would not conflict with or compromise Policies EN1, EN2, EN4 and DE1 of the SKLP that seeks to control amenity impacts arising from development proposals through good design.

Water Resources, Climate Change and Flood Risk

23. Except for a modest increase in HGV movements for a temporary period, the activity at the existing plant site would be maintained, with no intensification of annual throughput. In terms of impacts on water resources, climate change and flood risk there would be no escalation in risk to watercourses or give rise to increased risk of flooding within the site or external to the site. It is therefore considered that the proposal meets the aims and objectives of the NPPF and Policies DM2, DM3, DM15 and DM16 and would not conflict with or compromise Policies EN4, EN5 and DE1 of the SKLP that seeks to protect water resources, minimise impacts of climate change and not give rise to flood risk through good design.

Cumulative Impacts

24. Having taken into account the content of the Planning Statement and supporting documentation it is considered that the proposed development would not contribute adversely on the local area insofar any cumulative impacts would be very localised to the site and that overall, the proposal is time limited. Consequently, the proposal would meet the aims and objectives of the NPPF and Policy DM17 of the CSDMP.

Human Rights Implications

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

RECOMMENDATIONS

That planning permission be granted subject to the following conditions:

Commencement and Duration

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

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

2. The temporary use of the plant site as set out in the description shall cease not later than the expiration of the period of 12 months beginning with the date of commencement.

Reason: For avoidance of doubt as to the temporary use of the proposal site.

Approved Documents and Plans

3. The development and operations hereby permitted shall only be carried out in accordance with the following documents and drawings received 8 March 2022, unless otherwise modified by the conditions attached to this planning permission:

- Planning Application Form;
- Covering Letter;
- Planning Statement;
- Document No: 21425-PTPR-01 – 'Transport Assessment'; and
- Drawing No: 21-12/P6/WSTDEEPING/2 – 'Existing Site Plan'.

Stockpiles

4. Imported mineral shall only be stockpiled within the red-line area illustrated in Drawing No: 21-12/P6/WSTDEEPING/2 – ‘Existing Site Plan’.
5. Imported mineral shall be stored in stockpiles not exceeding 9 metres in height above the ground level in the red-line area illustrated in Drawing No: 21-12/P6/WSTDEEPING/2 – ‘Existing Site Plan’.

Reason: In the interest of visual amenity.

6. No operations authorised or required under this permission shall be carried out except between the following times other than with the written consent of the Mineral Planning Authority:-

07:00 hours to 17:00 hours Monday to Friday

07:00 hours to 12:00 hours Saturday

and no such operations shall be carried out on Sundays or Bank Holidays.

Reason: To reflect the permitted hours of operation and protect the amenities of local residents.

Noise Controls

7. Noise levels emitted from the site shall not exceed 55dB LAeq (1 hour, free-field) at Lodge Farm.

Reason: To minimise the disturbance from operations and avoid noise nuisance to local residents.

Dust Mitigation

8. The dust mitigation and monitoring measures as identified in the document entitled “Dust Monitoring Scheme” (received 7 December 2016) approved in accordance with planning permission S19/2127 shall be fully implemented and all operations shall be carried out in accordance with this scheme throughout the course of the development.

Reason: To minimise the disturbance from operations and avoid nuisance to local residents from the effects of dust.

Highway Safety

9. The site access, car parking and internal and vehicular turning and circulation areas as shown on Drawing No. 16_C033_WTDP-009 Rev.O (received 7 December 2016) approved in accordance with planning permission S19/2127, shall be kept available

for use and swept or otherwise cleaned to prevent the accumulation of mud, dirt or debris whilst ever the development hereby permitted subsists.

Reason: To ensure that the means of access to the site and vehicular circulation and parking spaces are provided in the interests of highways safety and that no deleterious material is deposited onto the highway.

Informative

Attention is drawn to:

In dealing with this application the Mineral Planning Authority has worked with the applicant in a positive and proactive manner by giving pre-application advice in advance of the application and processed the application efficiently so as to prevent any unnecessary delay. This approach ensures the application is handled in a positive way to foster the delivery of sustainable development which is consistent with the requirements of the National Planning Policy Framework and as required by Article 35(2) of the Town & Country Planning (Development Management Procedure)(England) Order 2015.

Appendix

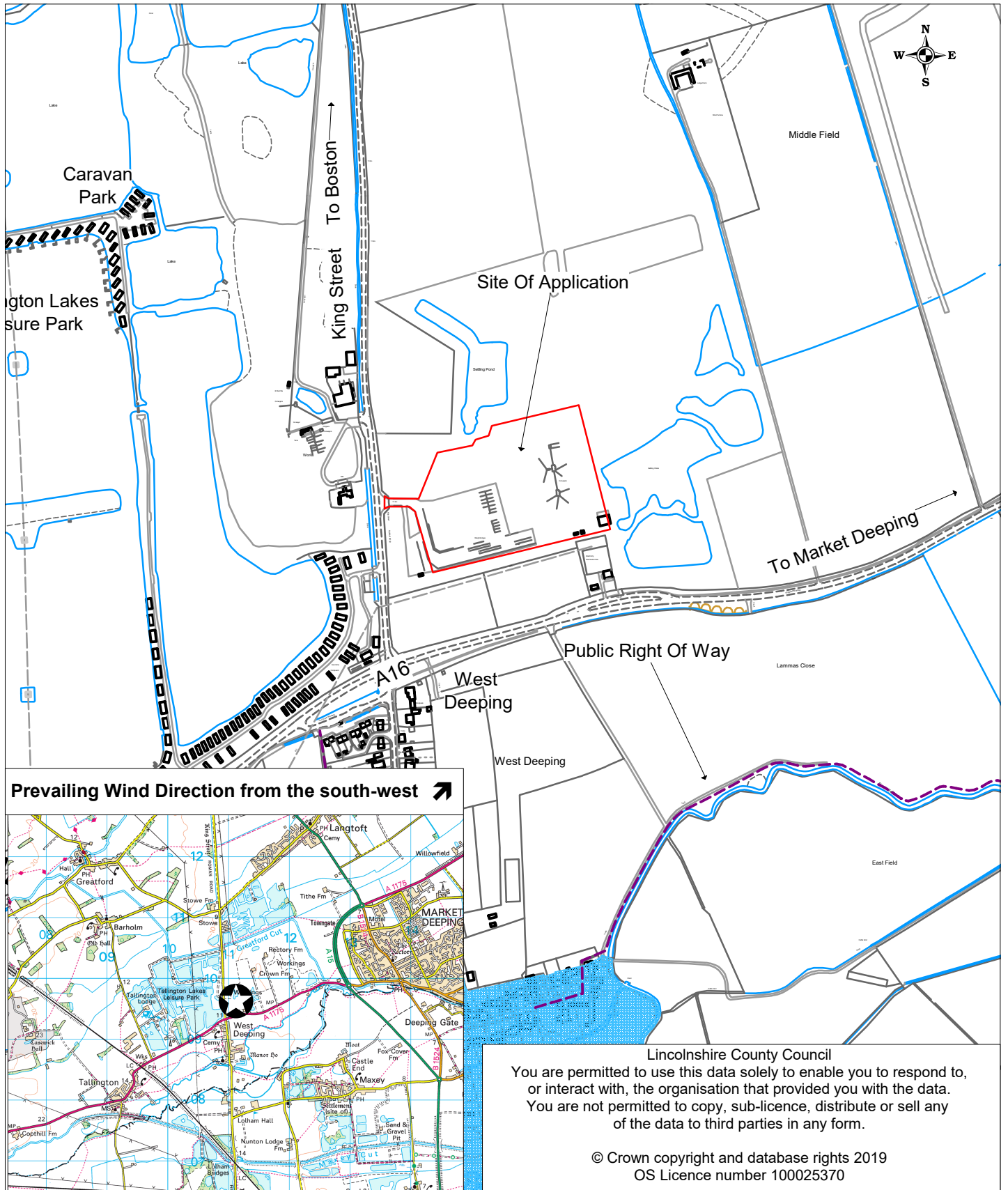
These are listed below and attached at the back of the report	
Appendix A	Committee Plan

Background Papers

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

Document title	Where the document can be viewed
Planning Application File S22/0759	Lincolnshire County Council's website https://lincolnshire.planning-register.co.uk/
National Planning Policy Framework (2021)	The Government's website www.gov.uk
Lincolnshire Minerals & Waste Local Plan (2016)	Lincolnshire County Council's website www.lincolnshire.gov.uk
South Kesteven Local Plan (2020)	South Kesteven District Council's website www.southkesteven.gov.uk

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



Location:

West Deeping Quarry
 King Street
 West Deeping

Application No: S22/0759

Scale: 1:7500

Description:

To change the use / extended use of part of the existing CEMEX West Deeping Quarry to allow for the importation of mineral to the site for processing