

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

Report to:	Planning and Regulation Committee
Date:	12 February 2024
Subject:	County Matter Application – ref S23/2249

Summary:

Planning permission is sought by Cemex UK Operations Ltd, for a 1.97 ha south-eastern extension to existing sand and gravel extraction operations with restoration to amenity/nature conservation at CEMEX West Deeping Quarry, King Street, West Deeping.

The proposed development would allow the removal of approximately 80,000 tonnes of sand and gravel which would extend the duration of the existing quarry by around 2-3 months.

The key issues to be considered in this case are the need and justification for the extraction of the mineral reserves and the principle of extracting sand and gravel from this site; the potential impacts (including cumulative impacts) arising from the development on the highways; water environment (surface and ground); historic setting; landscape; amenity impacts, including arising from fugitive emissions, on surrounding land-users and residential properties; the natural environment, and the potential for impacts on agricultural land as the land is Grade 3a and biodiversity net gain.

It is concluded that the principle of the extraction of sand and gravel is acceptable and would contribute to providing an adequate, steady supply of minerals. Mitigation measures are proposed, or are recommended to be secured through planning conditions, to ensure that any impacts are reduced and ameliorated to ensure that there would not be harmful impacts on the amenities of local residents and land users and would not give rise to unacceptable impacts.

Recommendation:

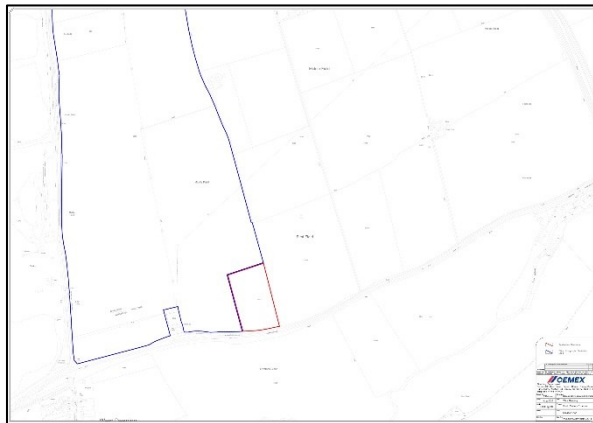
Following consideration of the relevant development plan policies and the comments received through consultation and publicity it is recommended that conditional planning permission be granted.

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, 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. The most recent permissions were for the south-western extension, granted on 4 July 2022 S22/0756 and a section 73 application to accommodate the impact of the south-western extension restoration scheme on the larger quarry was also granted permission at the same time (reference S22/0757).
2. West Deeping (King Street) quarry is Cemex's principal site in South Lincolnshire Production Area and reserves within the current permitted working areas are reaching the latter phases of extraction. Cemex have therefore submitted an application that seeks permission for a small lateral extension to the southeast of the existing quarry. This report contains detail relating to this proposal, with a summary of the main issues raised by the application.

The Application

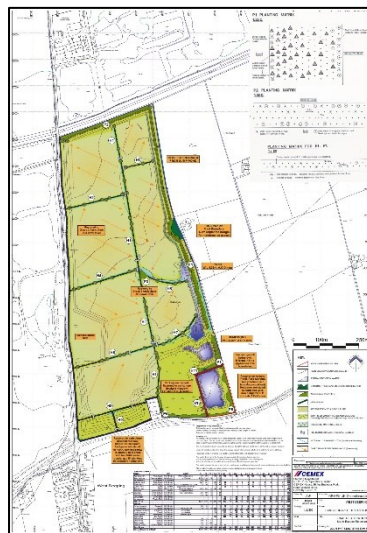
3. This proposal would release approximately 80,000 tonnes of sand and gravel from a field which covers an area of 1.97 hectares lying to the south east of the current quarry. The land is currently in use as agricultural land and it is proposed to be worked as a small lateral extension to the current quarry with subsequent restoration to wetland and lowland meadow with woodland planting and species rich hedgerows.



Location Plan

4. Visual screening and noise attenuation bunds would be created along the southern and eastern boundaries of the Site by temporarily utilising the topsoil and subsoil resources from stripping. The eastern bund would be 3m in height, comprising topsoil only, while the southern bund would be circa 5m in height comprising subsoils. A standoff of no less than 2m from the southern hedgerow would be adhered to.

5. The mineral extracted as an add on to Phase 11 of the existing quarry and would be extracted broadly north to south over a period of 2 months before extraction moves on to the final Phase 12 which comprises the processing and stocking area, bagging plant, site offices and welfare facilities, car parking and weighbridge. The mineral would be transported to the existing quarry Plant Site via an internal haul route and therefore there would be no need for HGVs to access/egress onto the publicly maintained highway over and above that already associated with the site.
6. Restoration of the worked-out area would closely follow the extraction programme to ensure timely and effective remediation of the land. The proposed restoration scheme allows for the creation of a large wetland feature, with reed margins and wet lowland meadow grassland fringes, supplemented with boundary woodland and reinstated, species-rich hedgerows along the western and northern perimeters.



Restoration Plan

7. The hours of operation for the proposed development would mirror those in place for the existing approved operations at West Deeping Quarry, namely 07:00 hours to 17:00 hours Monday to Friday, 07:00 hours to 12:00 hours on Saturdays, and no operations carried out on Sundays or Bank Holidays.

Supporting Information

8. The proposed development was previously subject to a screening opinion (Ref EIA/02/23). which concluded it was not EIA development. A Planning Statement and Appendices containing technical information and reports has nevertheless been provided in support of this application the findings of which are summarised below:

Outline Landscape and visual Impact Appraisal

9. The report sets the proposed development in context against the existing backdrop of extensive mineral extraction and restoration that is being carried out adjacent to

the site. These operations occupy almost all of the land to the north of the of the A1175 between King Street to the west and the Greatford Cut to the east. The broader surrounding landscape to the north and east is also characterised by restored quarry workings incorporating open waterbodies with mature peripheral vegetation that provide both nature conservation, leisure facilities including watersports and holiday accommodation. To the south the landscape is dominated by both arable and livestock farming with the settlement of West Deeping around 0.5km to the south west of the site.

10. The site itself forms the southeast corner of a block of land being worked and restored by the Cemex West Deeping King Street Quarry and it is proposed that this area will be assimilated into the overall restoration of the quarry with a nature conservation bias to create a waterbody with associated meadow grassland and woodland planting.
11. The potential for visual impact has been assessed to include the operational and post restoration phases of the development. The initial phase will incorporate the construction of temporary screening and acoustic bunds. These bunds whilst having an intrinsic visual impact, in conjunction with the existing hedges will ameliorate some of the visual impact from the bulk of the extractive operations. When restored the site will be assimilated into an extensive complex of wetlands, open water, reedbed and wet woodland, and an extensive area to be restored to agriculture at a lower level.
12. The report concludes that the site is not located within a landscape designated of national or local value. The proposal has a very small physical footprint and will be undertaken within a very short timescale, and the proposed restoration scheme will be complementary to the eventual landscape character of the restored consented mineral areas to the north-west and north-east.

Ecology: Extended Phase 1 Survey Report and Construction Environmental Management Plan

13. The findings of the Ecological Assessment undertaken at the application site has established that the general ecological and nature conservation value of the site is likely to be of, at most, local to district level biodiversity value.
14. The site does not include any statutory designated sites. There are two Special Areas of Conservation within 10km of the site Barnack Hills & Holes SAC 6km south west and Baston Fen SAC 7Km to the north. The Baston Fen SAC is encompassed by Baston and Thurlby Fens Site of Special Scientific Interest (SSSI) and Cross Drain (SSSI) lies 6.0 kilometres to the northeast. The nearest statutory ecological designation is SSSI's Langtoft Gravel Pits that lies approximately 1.2 kilometres to the north of the Greatford Cut drain.
15. Three further wildlife sites are in the local vicinity which include The River Welland and Bainton Pits, County Wildlife Sites are 0.3km and 2km to the south and

Deeping Mill Stream Local Wildlife Site 1km to the east. The Ecological Assessment concludes that the proposed development would not result in any direct adverse impact on any of these assets, although the site lies within the Langtoft Gravel Pits SSSI Impact Risk Zone and falls into the indicated risk category for mineral extraction and as such Natural England have been consulted on the proposed development.

16. Assessment of the existing arable land and associated hedgerows has concluded that the site is of generally low habitat value with some limited priority habitat potential for some of the hedges. Therefore, it is proposed replanting of some species rich hedgerows lost as a consequence of the development and enhancement of the remaining hedgerow to the south as part of the restoration proposals which would be beneficial to increase priority habitat and provide for commuting and foraging opportunities for a range of species.
17. The risk of impacting bats is considered to be low and the risk to disturbance may be minimised by only working during daylight hours within the bat active season (April to September inclusive); and turning off any additional Site lighting at night or using motion sensors within the active bat season.
18. For birds it is considered that any vegetation removal works (including hedgerow and cropland) should take place outside the breeding bird season which runs from March until August inclusive, in order to prevent any impacts upon nesting birds and any works outside of this period should be subject to a pre-clearance survey by a qualified Ecologist.
19. Overall it is concluded that the proposed development would not have an unacceptable impact on flora or fauna but whilst not identified at the time of the survey it is proposed that as there is habitat that may attract reptiles, amphibians and other mammals, suitable mitigation measures should be adopted to avoid any impacts on these species. To this end a Construction Environmental Management Plan has been provided which takes account of all relevant species and identifies the key construction activities, relevant ecological receptors and potential impacts and sets out detailed mitigation measures to be carried out in advance during and post development at the site.

Hydrogeology and flood risk

20. The report provides an assessment of the effects of the proposed development on hydrology, hydrogeology and flood risk. It reviews baseline hydrology for the application Site and surrounding area, assess the likely significant effects from the proposal based on the dewatering assessment during extraction, and makes recommendations for appropriate monitoring and mitigation, including a drainage strategy to manage and mitigate flood risks.

21. The proposals for the south-eastern extension represent a continuation of existing operations with the current water management system utilised and modified where necessary to accommodate the proposed extraction area.
22. During extraction, dewatering will be necessary to allow efficient recovery of the reserve, and any sediment within the water will be allowed to settle out in a void sump prior to being discharged to the existing clay-lined lagoon system. The water from this system is used to top-up the freshwater lagoon which is used for mineral processing. Excess water is discharged off site via the existing field drain network.
23. Groundwater sensitivity around the site has been assessed as low and the effects of dewatering for the short period of mineral extraction proposed is considered to be negligible. Post-restoration, dewatering will cease and groundwater levels will be allowed to recover to achieve their natural level, creating the restoration pond.
24. The site lies entirely in Flood Zone 1 on the Environment Agency's Flood Map for Planning and is therefore classified as low risk. A flood risk assessment has been carried out to consider the effects of potential flooding to and from the site taking into account any nearby sensitive receptors, climate change and potential fluvial and rainfall events.
25. The supporting documents conclude that the proposed development will have a negligible effect on water quality and flow. No significant effects are anticipated on any surrounding sites or receptors, and, in continuing with the current water management system of dewatering and discharge, the site is not exposed to flood risk nor will the development create a flood risk to external areas.

Archaeology and heritage

26. The nearest designated assets to the application site that could be impacted are the West Deeping Conservation Area and related Listed Buildings in its historic core. These have a high/very high significance, but it is considered they will be unaffected by the proposed development due to the intervening distance, vegetation and C20th development, resulting in no harm to their significance.
27. The application site lies within an area of substantial and significant historic landscape interest, containing a wide variety of heritage assets which span the Mesolithic/Neolithic to the later medieval/post medieval period. The King Street site contains important archaeology of major regional significance together with several elements of potential national importance and forms part of a much wider archaeological landscape encompassing the adjacent Crown Farm/ Rectory Farm mineral workings to the east operated by Breedon which has resulted in a substantial body of archaeological research evidencing the history of the West Deeping area.
28. Taking this previous work into account it is considered that the potential for archaeological significance of the application area has already been established.

and to this end a proposed Written Scheme of Investigation has been submitted with the application. This scheme sets out the basic planning and archaeological background to the site, objectives and principles, mitigation strategy, method and programming of works and general procedures which is in accordance with the scheme applied to the adjacent quarry area.

Transport

29. The proposed development provides for an extension of the existing quarry operations for a period of around 2-3 months. This will require the existing transport related infrastructure and mitigation measures to be retained for this period. These measures include, minimising the effects of mud, dust, noise and vibration, appropriate sheeting and containment of HGV loads, regular damping down of internal access roads and, if necessary, the public highway outside the site entrance, maintenance of internal haul routes, and careful segregation of private cars and HGVs.
30. The Transport Assessment (TA) has established that at current rates of extraction, existing operations generate around 160 total daily HGV movements and about 10 staff vehicle movements using the site access via King Street and the West Deeping junction to access the A1175. The development proposals involve the continuation of sand and gravel extraction at the site and envisages that the total average annual rate of extraction and sales will remain much the same as for the existing quarry. The proposal to continue extraction at West Deeping Quarry will therefore not generate additional traffic using the local and wider highway network and a result will not impact on the operation of the network.
31. In relation to highway safety issues and the A1175, the accident analysis presented in the TA identified three accident clusters along this route along with two accidents which involved fatalities. The analysis however also confirmed that none of the serious accidents or those involving fatalities involved HGV's. This suggests that quarry traffic has not contributed to the accident record or compromised highway safety along the A1175 which will not experience an increase in quarry traffic as a proportion of background flows going forward.
32. It is therefore concluded that the proposed development would therefore have no significant impacts on highway safety or amenity.

Noise

33. A noise assessment has been carried out to take account of the potential impact of the proposed development through noise generating activities.
34. The assessment considers the impact of noise from the proposals on the nearest noise sensitive properties, calculating predicted noise levels likely to be generated from the development at five locations in the vicinity of the development, namely

King Street (junction with A1175); The Lane, east of West Deeping village; Rectory Farm; Lodge farm; and Lodges, King Street .

35. The Equivalent Continuous Noise Level, LAeq, T, has been used to assess the potential impact from the development as it is the value of a continuous level that would have equivalent energy to the continuously varying noise over the specified period "T". This unit is recommended internationally for the description of environmental noise and is in general use. It is the chosen unit of BS 5228 for Construction and Open site noise; Planning Practice Guidance to the National Planning Policy Framework and BS 7445 for the Description and measurement of Environmental noise.
36. For the purposes of examining a reasonable worst case, the various mobile plant items have been assumed to operate at the closest practical position of the proposed extension to each dwelling. It has also been assumed that the "fixed" plant items work 100% of each hour.
37. In order to assess the noise levels for the proposed site operations, the contribution from each significant specific noise source has been evaluated separately and then combined together to give the overall noise level.
38. The activities that will take place on the site are:
 - Extraction of mineral using a 360° excavator;
 - Transportation of the extracted mineral to the existing plant site by dump truck;
 - Processing and stockpiling of the extracted mineral in the existing plant site area;
 - Operation of the bagging plant at the existing plant site area;
 - Transportation of processed mineral off site by road going HGVs.
39. No existing or proposed barriers are included in the site noise calculations.
40. A comparison of the calculated site noise levels at the nearest dwellings and the existing site noise limits of 55dB Laeq (1 hour, free-field) based upon a worst-case scenario for routine operations is shown in the following table.

Site Noise Calculation Receiver Location	Calculated Site Noise Level dB Laeq, 1 hour, free field	Site Noise Limit dB Laeq, 1 hr free field
1. Lodge Farm	44	55
2. Rectory Farm	41	
3. King Street (by Stamford Road) 50	50	
4. The Lane (off King Street) 43	43	
5. Lodges off King Street	54	

41. The results for temporary operations of for example topsoil and overburden stripping, bund formation and the final restoration processes carried out for a period of no more than 8 weeks in a 12 month period and required to conform to a noise limit of 70 dB Laeq, 1 hour, free field at dwellings are set out below:

Site Noise Calculation Receiver Location	Calculated Site Noise Level dB Laeq, 1 hour, free field	Site Noise Limit dB Laeq, 1 hr free field
1. Lodge Farm	44*	70
2. Rectory Farm	41*	
3. King Street (by Stamford Road) 50	66	
4. The Lane (off King Street) 43	43	
5. Lodges off King Street	64	

(*) Where the calculated site noise level for temporary operations is less than that presented for routine operations, the higher figure is presented

42. The report has also assessed the cumulative impact of noise in conjunction with the adjacent Breedon Quarry and more distant operations within a 4km area and concludes there would be no significant cumulative impact. The proposed development would therefore conform with the requirements set out in Planning Practice Guidance and it is considered that the extension can be worked while keeping noise emissions to within environmentally acceptable limits.

Air Quality

43. An air quality assessment has been undertaken by the applicant against the requirements outlined in the Technical Guidance to the 2021 National Planning Policy Framework 'Assessing Environmental Impacts from Mineral Extraction – Dust Emissions', the Institute of Air Quality Management guidance on the Assessment of Mineral Dust Impacts and the Secretary of State Quarry Process Guidance Notes PG3/8.
44. The report highlights that the UK Environmental Permitting Regulations indicate that sand and gravel quarries are not required to hold environmental permits as the moisture content of the material excavated will ensure the risk of dust emission is 'trivial' and incapable of causing pollution. The Secretary of State Quarry Process Guidance Note PG3/8 (12)10 states that "the crushing, grinding, screening and grading of sand and gravel at quarries is not normally likely to result in the release into air of particulate matter except in a quantity which is trivial". Taking this into account the report highlights that quarrying has occurred at West Deeping for several years and there is no record of any significant dust problems or complaints.
45. The proposed extension will utilise the same processes and facilities as currently exists including retaining the existing shelter belts to the south of the site and

locating haul roads away from potentially dust sensitive receivers and modern sand and gravel sites utilise extensive dust containment and mitigation measures which are set out in the report.

46. The potential risk of dust related impacts on the closest dust sensitive receivers has been assessed and summarised from the report below with an overall risk rating derived for each receptor. The risk ratings have been derived from assessment of the following:

- the potential risk of dust emissions associated with the proposed activities;
- the distance from potential dust emission sources to dust sensitive receivers;
- the frequency of winds from potential dust emission sources to dust sensitive receivers.

Identified Air Quality Impacts from Continued Operations at West Deeping					
	Receptor	Meteorological Pathway	Dust Sensitivity	Dust Impact Risk	Magnitude of Effects
1	Windynook	Ineffective	High	Negligible Risk	Negligible Effect
2	Southbank Mobile Homes	Ineffective	High	Negligible Risk	Negligible Effect
3	Lodge Farm	Ineffective	High	Negligible Risk	Negligible Effect

47. As the potential dust impact risk for the site is 'negligible' and the identified nearest high sensitivity receptors have a moderately effective meteorological pathway, the highest classification of magnitude of effect is 'negligible'.

48. The report concludes that it is highly unlikely that any of the surrounding neighbouring activities will experience any increase in dust levels. In addition, the likelihood of any potential contributions to local air quality from the proposed activities are classed as negligible.

Land use and soils

49. The application is supported by an agricultural land classification soil resource assessment which sets out the methodology undertaken for the sampling assessment and classification of the soil resources within the site. This has established that the soils on the site are of good quality and comprising Best and Most Versatile Agricultural Land Classification subgrade 3a. Therefore, mineral planning policy recommends that BMV land be afforded a degree of protection from development to avoid losses or irreversible damage to the resource, and that proposals be directed towards lower quality land and to avoid irreversible impacts on BMV land where possible. The policy objective of avoidance of BMV land will not be achieved and impact of the development is set out in the table below:

West Deeping South East Extension Proposed restoration land use		
Land use	Site Area (ha)	Soils required
Conservation grassland retained	0.62	Yes
Extraction area		
Conservation grassland- restored	0.29	Yes
Aquatic Margins	0.13	Yes
Wetland	0.86	No
Total extraction area	1.90	-

50. The report identifies that as a consequence of wetland and marginal planting in the restoration phases, there will be a loss of 0.99 ha of agricultural land of ALC subgrade 3a quality. The remaining 0.91 ha of land impacted will be returned to use as lowland grassland with soil profiles of an equivalent, or slightly improved, status when compared to the existing. To mitigate the potential loss, it is proposed that the remaining soils are utilised in the restoration of the broader quarry site and to improve the soil profile of the restored agricultural land.
51. In addition, the report sets out recommendations for the stripping, storage, handling and placement of soils to ensure they are managed in accordance with best practice namely the Institute of Quarrying “Good Practice Guide” for Handling Soils in Mineral Workings (July 2021).

Cumulative impact

52. The applicant sets out that both national and local planning policy and guidance requires that the planning authority take into account the potential for cumulative impacts from development and that there should not be significant adverse impacts on the environment or the amenity of a local area as a consequence.
53. Cemex, West Deeping Quarry is located immediately adjacent to Breedon’s Quarry, the extraction area of which lies to the east and product moved from the extraction area by conveyor, is exported via an entrance onto King Street located 120m to the north of the Cemex’s main entrance. Planning permission (application reference S20/1351/ACKAAC for a quarry at Greatford, granted in 2021, is yet to be implemented and this will produce around 3.0 million tonnes of sand and Gravel. A further extraction site is located at Tithe Farm to the east of the Greatford Cut (application reference S56/2453/17) for the extraction of sand and gravel to construct an agricultural irrigation reservoir.
54. As part of the technical assessments accompanying the application, the potential cumulative impacts associated with this proposal together with other developments in close proximity, including impacts in terms of noise, air quality, traffic and visual impacts, have been addressed. However, either due to separation distance, timing, and/or the very short term nature of the proposed development at West Deeping and the limited level of impacts arising from it, none of the chapters have identified any significant cumulative impacts.

55. Therefore, it is not considered that the proposal will result in any significant adverse cumulative impacts that would be harmful to the environment or amenity. As a result, the proposed southern extension to West Deeping Quarry is compliant with the relevant policies of the Development Plan and National Planning Practice Guidance in this regard.

Climate Change

56. The proposed development allows for the most efficient method of recovery of mineral from the extension area, given that the resultant mineral can be processed in close proximity to the extraction zone, utilising the existing plant infrastructure already in place at West Deeping, prior to product dispatch. In terms of restoration and aftercare, the schemes for both the proposed extension area and the wider site are providing additional, better connected habitats which increase biodiversity, through hedgerow and tree planting, and lowland meadow restoration, all of which will contribute to mitigating the effects of climate change.
57. Predictions of future climate change in the UK suggest that short duration, high intensity rainfall events and periods of long duration rainfall will become more frequent. As such, an allowance for climate change has been included in the flood risk and drainage calculations, as set out in the Flood Risk Assessment. The calculations indicate that there will not be any adverse impact on flood risk either to the site, or from the site on nearby receptors. Additionally, the proposed restoration will provide significant buffering capacity in terms of being able to accommodate excess runoff arising from storm conditions.
58. As a company, CEMEX use fuel efficient, modern vehicles which are on average under five years old and are constantly being replaced in order to ensure the operation of modern, clean and fuel-efficient vehicles. Over 20% of the current fleet meets Euro IV emissions standards or higher, with the majority of the remaining fleet exceeding Euro III standards.
59. In summary, the application demonstrates that account has been taken of the effects of climate change, as referenced in each topic chapter of the Environmental Statement. Where possible, ways to minimise the impacts during the course of the development have been addressed. Overall, it is considered that the development will have a positive impact on climate change, by creating additional water storage attenuation capacity, planting and biodiversity benefits following restoration.

Site and Surroundings

60. Cemex's existing West Deeping (King Street) Quarry covers an area of 51.4 hectares and is located east of and adjacent to King Street, approximately 1 kilometre north of the centre of West Deeping village in the south of Lincolnshire. The nearest residential property (Lodge Farm) lies adjacent to the eastern boundary of the quarry. To the south and west of the plant site and silt lagoon is a

Western Power sub-station which will be bounded to the east by the haul route into the proposed new southern extension. The site is at varying stages of operations with areas to the east and north already undergoing restoration and aftercare, incorporating an area of archaeological importance to be preserved in situ.

61. The northern boundary of the quarry is defined by the Greatford Cut drain, The southern and western boundaries of the site run parallel with the A1175 and King Street, with a post and rail fence delineating the eastern boundary. 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.
62. The proposed south east extension lies north of the A1175 and is the last remaining pocket of farmland to be subject to mineral extraction, bounded by the existing quarry workings to the north and west and to the east by the access track to Lodge Farm with Rectory Farm beyond which is part of the Breedon West Deeping Quarry and also subject of sand and gravel extraction.



View looking north west from the Lodge Farm access

63. There are Scheduled Monuments within 2 kilometres of the site being at Maxey Castle 1.6km to the southeast and Barholm to the northwest. A number of Listed Building lie within 1 kilometre of the site the nearest being Grade II listed Boundary Markers, the nearest is 260m to the east opposite the entrance to Rectory Farm and another 560m to the west at the West Deeping Village cross roads on the A1175. There are also listed buildings within West Deeping Village at 650m and the Grade 11 Molecy,s Mill lies around 1km to the east.
64. No Public Rights of Way cross or abut the site and the site lies within Flood Zone 1. The nearest statutory ecological designation is SSSI's Langtoft Gravel Pits that lies approximately 1.2 kilometres to the north of the Greatford Cut drain. Barnack Hills & Holes Special Area of Conservation (SAC) lies 6Km south west and Baston Fen

(SAC) lies more than 7 kilometres to the northeast. The Baston Fen SAC is encompassed by Baston and Thurlby Fens Site of Special Scientific Interest (SSSI), Cross Drain lies 6.0 kilometres to the northeast.

Main Planning Considerations

Planning Policy Context

65. The National Planning Policy Framework (December 2023) sets out the Government's planning policies for England. It is a material consideration in determination of planning applications and adopts a presumption in favour of sustainable development. A number of paragraphs are of particular relevance to this application as summarised:

Paragraph 7 to 12 (Sustainable development) – states that there is a presumption in favour of sustainable development. Sustainable comprises of three overarching objectives which are interdependent and need to be pursued in mutually supportive ways. These objectives are economic, social and environmental.

Paragraph 47 & 48 (Determining applications) – 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 114 to 117 (Promoting sustainable transport) – states that when considering development proposals, amongst other things, development should only be prevented or refused on highways grounds if there would be an unacceptable impact on highway safety, or the residual cumulative impacts on the road network would be severe.

Paragraph 119-128 (Making effective use of land) – local planning authorities should also take a positive approach to applications for alternative uses of land which is currently developed but not allocated for a specific purpose in plans, where this would help to meet identified development needs.

Paragraph 165 to 179 (Planning and flood risk) – When determining any planning applications, local planning authorities should ensure that flood risk is not increased elsewhere and decisions should ensure that the development is appropriately flood resistant and resilient.

Paragraph 180 (Conserving and Enhancing the Natural Environment) – amongst other things, decisions should contribute to and enhance the natural and local environment by protecting and enhancing valued landscapes, sites of biodiversity or geological value and soils.

Paragraph 185 to 188 (Habitats and Biodiversity)- states, the presumption in favour of sustainable development does not apply where the plan or project is likely to have a significant effect on a habitats site (either alone or in combination with other plans or projects), unless an appropriate assessment has concluded that the plan or project will not adversely affect the integrity of the habitats site. If significant harm to biodiversity resulting from a development cannot be avoided (through locating on an alternative site with less harmful impacts), adequately mitigated, or, as a last resort, compensated for, then planning permission should be refused.

Paragraphs 189 to 194 (Ground conditions and pollution) – state that decisions 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).

Paragraphs 195, 200, 203 to 214 (Conserving and enhancing the historic environment) – state that heritage assets are an irreplaceable resource, and should be conserved in a manner appropriate to their significance, so that they can be enjoyed for their contribution to the quality of life of existing and future generations

Paragraph 215 to 223 (Facilitating the sustainable use of minerals) – It is essential that there is a sufficient supply of minerals to provide the infrastructure, buildings, energy and goods that the country needs. Great weight should be given to the benefits of mineral extraction, including to the economy, whilst ensuring that development does not have unacceptable adverse impacts on the natural and historic environment and also ensuring that there are no unacceptable local adverse impacts and with restoration and aftercare carried out at the earliest opportunity.

Paragraph 219 (Maintaining Supply) – Minerals planning authorities should plan for a steady and adequate supply of aggregates based on a based on a rolling average of 10 years' sales data and other relevant local information and by making provision for the land-won and other elements of their Local Aggregate Assessment in their mineral plans. 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. Authorities should also be 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.

Planning Practice Guidance - in addition to the NPPF, in March 2014 the Government published a series of web based National Planning Policy Guidance notes (NPPGs). Planning Practice Guidance 'Minerals' – 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 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 seven years within each of the Production Areas.

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

- a proven need that cannot be met from the existing permitted reserve; or
- a specific shortfall in the landbank of the relevant Production Area and either:
 - i) forms an extension to an existing Active Mining Site; or
 - ii) Is located in the relevant Area of Search as shown on the Policies Map (Figure 5) and will replace an existing Active Mining Site that is nearing exhaustion.

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 DM7 (Internationally Designated Sites of Biodiversity Conservation Value) – requires that proposals for mineral and waste development that are likely to have significant effects on internationally important wildlife sites can be delivered without adverse effect on the integrity of any SAC, SPA or Ramsar site.

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) – advises that sand and gravel operations (other than those involving best and most versatile agricultural land that would be restored back to agricultural land of comparable quality) should have regard to the landscape scale objectives of the area and specific to South Lincolnshire (West Deeping/Langtoft) area these include the creation of wet fenland habitat or enhancement of existing wetland habitats.

The Lincolnshire Minerals and Waste Local Plan Site Locations document (2017) was formally adopted on in December 2017 and as an adopted document the policies contained therein should be given great weight in the determination of planning applications. The key policy of relevance in this case is as follows (summarised):

Policy SL1 (Mineral Site Allocations) – states that a steady and adequate supply of sand and gravel for aggregate purposes, in accordance with Policy M2 of the Core Strategy and Development Management Policies document, will be provided through the continued provision of sand and gravel from the remaining permitted reserves at existing sites and also the identified allocated sites. The proposal site is not identified as an allocated site.

South Kesteven District Council Local Plan - 2011 to 2036 (SKLP) – 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:

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 SD1 (Principles of Sustainable Development in South Kesteven) – Requires that development proposals in South Kesteven will be expected to minimise the impact on climate change and contribute towards creating a strong, stable and more diverse economy.

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 ...

Policy EN3 (Green Infrastructure) – states that the Council will maintain and improve the green infrastructure network in the District by enhancing, creating and managing green space within and around settlements that are well connected to each other and the wider countryside. Development proposals should ensure that existing and new green infrastructure is considered and integrated into the scheme design, taking opportunities to enrich biodiversity habitats, enable greater connectivity and provide sustainable access for all. 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 should seek to minimise pollution and where possible contribute to the protection and improvement of the quality of air, land and water.

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.

Policy EN6 (The Historic Environment) – states that the Council will seek to protect and enhance heritage assets and their settings in keeping with the policies in the National Planning Policy Framework. Development that is likely to cause harm to the significance of a heritage asset or its setting will only be granted permission where the public benefits of the proposal outweigh the potential harm.

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.

Policy ID2 (Transport and Strategic Transport Infrastructure) – states amongst other things that development will not severely impact on the safety and movement of traffic on the highway network or that any such impacts can be mitigated through appropriate improvements, including the provision of new or improved highway infrastructure

Emerging Local Plan

Lincolnshire Minerals and Waste Local Plan Review – work has begun on replacing the current Lincolnshire Minerals & Waste Local Plan with an ‘Issues and Options’ paper and ‘Call for Sites’ consultation having been carried out. Given the review is at an early stage of preparation and no draft policies or preferred allocated sites have yet been identified, this document and any sites currently put forward in response to the ‘call for sites’ carry no weight in the determination of this application.

Other relevant information

The Lincolnshire Local Aggregates Assessment (LAA) dated July 2023 contains the most recent published data on aggregate sales and reserves available within the County at the end of December 2022. The latest LAA shows that at the end of 2022 there were approximately 22.364 Mt of sand and gravel reserves available within the County equating an estimated landbank of 9.62 years (based on 10-year average sales). This is above the recommended minimum of seven years identified by the NPPF however the distribution of those reserves is not even with some Production Areas containing a higher proportion of these overall reserves than others.

Results of Consultation and Publicity

66. (a) South Kesteven District Council – No Objection. However they would wish to ensure that the impact of the proposal on the following matters are fully assessed and appropriately mitigated where necessary if planning permission is to be granted:- Highway safety and capacity, noise, impact on the setting of a neighbouring listed building, archaeology, landscape impact, ecology, air quality and dust, and impact on residential amenity including in neighbouring villages; West Deeping and Baston.
- (b) West Deeping Parish Council (summarised) – The West Deeping community have endured mineral extraction for over 70 years and through “planning creep” and continued moving of the goalposts for the community, this has destroyed the trust in those that we elected to look after us.
- South Lincolnshire’s preferred ‘area of search’ for sand and gravel extraction covers some 85 sq km of which only about 11 sq km has so far been subject to mineral extraction. Some of this already far too close to people’s lives. Yet the quarry companies and the minerals and waste team

have recently had you believe that the only place to extract this mineral is 25m from someone's home. There are vast deposits of sand and gravel in the ground in the area of search which aren't yet another knife to the heart of the West Deeping Community. To have you believe otherwise is patently untrue.

- This application as has been shown in other similar ones recently, shows a complete disregard of Lincolnshire County Council's own policies, especially Policy DM17 Cumulative Impacts and Policy DM3 Quality of life and Amenity. It is our contention that the MPA is deliberately steering councillors away from the severity of the cumulative impacts in order to fulfil their landbank supply targets or in this instance to cover the fact that a proper assessment has not been done and isn't being done correctly. There has been no Cumulative Impact assessment provided by Cemex or Breedon in respect of their recent and current planning applications. LCC has a duty to ensure that their policies are considered. This is a systemic and repeated omission.
 - The Parish Council is of the opinion that references to the potential impacts or significance of future proposals for minerals working in the West Deeping Area (i.e. proposed allocations in the Updated Minerals and Waste Local Plan) are relevant and a material consideration to the current application and so should be taken into account as this is well founded within planning law. To not do so is either an ignorance of the planning policies or a deliberate attempt to divert due process. It is the Parish Councils contention that previous decisions on similar recent applications and the reports and the information that they are based on did not adequately assess the cumulative impact of the multitude of sites working successively and concurrently around West Deeping.
 - The Parish response goes on to set out what they consider is an appropriate methodology and should be included in a cumulative assessment with reference to recent case law and Schedule 4 of the Town and Country Planning (Environmental Impact Assessment) Regulations 1999 (as amended). They strongly object to this application as there has been no cumulative impact assessment provided by Cemex taking into account the combined activities from the existing Breedon and Cemex sites, the existing cement plant at Tallington, and all of the other existing and planned quarrying activities in the area including the proposed MS29-SL, SG17 and SG11 sites.
- (c) Deeping St James Parish Council – Would like to reiterate the objection comments supplied by West Deeping Parish Council on 26 January 2023.
- (d) Environment Agency (EA) – No Comments. Requested that informative comments be attached to any decision issued.

- (e) Welland and Deepings Internal Drainage Board – Notes the existing Environmental Permit PRNNF/18805 will be utilised to cater for water displaced by this proposal with no increase in the permitted rate or volume .
- (f) Historic Places (Lincolnshire County Council) – This application is for land adjacent to the existing King Street Quarry. The previous quarry site has been the subject of an extensive campaign of archaeological investigation. On the basis of this evidence, the applicant has submitted a WSI for further archaeological recording measures based on an extrapolation of evidence from the earlier work. Content with the proposed WSI and this can be secured by condition on the planning permission, should it be granted.
- (g) Highway and Lead Local Flood Authority (Lincolnshire County Council) – No Objections subject to condition.

In respect of Highway Safety/capacity, it is not anticipated that, as a result of the proposed development, HGV movements will be increased. All existing and future quarry traffic will route south from the access to the A1175. Therefore, it is not considered that the proposals will result in an unacceptable impact on highway safety.

Flood risk and drainage, do not consider that this proposal would increase flood risk in the immediate vicinity of the site subject to the imposition of a planning condition to secure a Construction Management Plan and Method Statement indicating measures to mitigate the adverse impacts of vehicle activity and the means to manage the drainage of the site during the construction stage of the permitted development. The condition shall include:

- the phasing of the development to include access construction;
- the on-site parking of all vehicles of site operatives and visitors;
- the on-site loading and unloading of all plant and materials;#
- the on-site storage of all plant and materials used in constructing the development;
- wheel washing facilities;
- the routes of construction traffic to and from the site including any off-site routes for the disposal of excavated material; and
- strategy stating how surface water run off on and from the development will be managed during construction and protection measures for any sustainable drainage features. This should include drawing(s) showing how the drainage systems (temporary or permanent) connect to an outfall (temporary or permanent) during construction.

- (h) Lincolnshire Police – No Objection.
- (i) Ministry of Defence (Safeguarding) – No Objection.
- (j) Natural England – No Objection.

- (k) Lincolnshire Wildlife Trust – Generally, the restoration plans of the south-eastern section of the quarry is satisfactory and appropriate for the natural ecology of the area. We wish to highlight that use of herbicides should only be used where other alternatives are not viable.
- (l) Historic England – We suggest that you seek the views of your specialist conservation and archaeological advisers.
- (m) National Grid – identified assets in proximity to the proposal sites and requested an informative be attached to any decisions issued.
- (n) Cadent Gas- identified assets in proximity to the proposal sites and requested an informative be attached to any decisions issued.

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:

Local County Council Member, Councillor A Baxter
 Tallington Parish Council (adjacent)
 Barholm and Stow Parish Council (adjacent)
 Market Deeping Town Council (adjacent)
 Langtoft Parish Council (adjacent)
 Environmental Health Officer (South Kesteven District Council)
 Public Health – (Lincolnshire County Council)
 Health and Safety Executive

67. The application has been publicised by notices posted at the site on 6 December 2023, on social media (facebook) on 4 December 2023 and in the local press (Lincolnshire Echo) on 7 December 2023 and letters of notification were sent to the nearest neighbouring residents. A total of 17 representations have been received in response to the application. The following summarises the main issues/objections/comments made:

- Concerned by series of invasive, stealth planning applications and the combined “mission creep” and the cumulative impact and effect on the quality of life following the 7th application in 7 years.
- That the listed buildings and fenland landscape are being blighted by the landscape created by mineral working.
- There are concerns about encroachment onto West Deeping Village with existing and prolonged environmental deterioration following 70 years of minerals activity, including increased noise, dust for residents, loss of habitat for wildlife and the potential for quarry workings to increase flooding.

- Whilst mitigation measures are proposed to reduce the impact of operations, there are concerns there will not be adequate monitoring and enforcement of potential impacts and vehicle movements and of operations carried outside of permitted hours at 7am.
- Concern over additional HGV movements on the A15 and at the Waterside Junction used by elderly drivers. Increased vehicle movements on the A1175, with the safety risk to other road users already at an unacceptable level as evidenced by the many recent incidents on this road. The proposed new quarry will further increase this unacceptable level of safety risk.

Conclusions

68. Section 38(6) of the Planning & Compulsory Purchase Act 2004, states that all applications for planning permission should be determined in accordance with the development plan, unless material considerations indicate otherwise. The NPPF does not change the statutory status of the development plan as the starting point for decision taking and in fact confirms that proposed developments which conflict with an up-to-date development plan should be refused unless other material considerations indicate otherwise.
69. The proposed development would constitute an extension to an existing sand and gravel quarry with restoration wetland habitat and species rich meadow with woodland planting.
70. The key issues to be considered in this case are:
- the need and justification for new mineral reserves and the principle of extracting sand and gravel from this unallocated site; and
 - the environmental and amenity impacts associated with the development including flood risk and drainage; highways and traffic; landscape; nature conservation and biodiversity net gain; historic environment considerations; and including amenity impacts on local residents, in particular traffic, noise, dust and visual impacts given the developments proximity.

Need and justification for sand and gravel aggregate

71. The NPPF advises that Mineral Planning Authorities make provision for a landbank of at least seven years for sand and gravel and Policies M2 and M3 of the CSDMP reflect this policy by seeking to ensure that there is an adequate and steady supply of sand and gravel to meet projected demands and that a landbank of at least seven years is maintained within each of the Production Areas. Policy M2 confirms that 42.66 million tonnes (Mt) of sand and gravel is required to meet projected demands up to 2031 and that 15.66 Mt of this would be required within the South Lincolnshire Production Area. In order to meet this demand provision for the release of new sand and gravel reserves has been provided for in the Site Locations

Document and this includes the allocation of three specific sites in the South Lincolnshire Production Area.

72. The land subject to this application, is not Identified within the Site Locations document as a future area for mineral extraction and would result in the release of currently unconsented reserves. Therefore, this application will need to be considered and assessed as development proposed for a non-allocated site and therefore Policy M4 of the CSDMP is key.

Policy M4 states that sites not allocated in the Site Locations Document will be granted planning permission for aggregate purposes provided that, in the case a of an extension to an existing quarry, there is a proven need that cannot be met from the existing permitted reserve; or a specific shortfall in the landbank of the relevant Production Area and either:

- (i) forms an extension to an existing Active Mining Site; or
- (ii) is located in the relevant Area of Search as shown on the Policies Map (Figure 5) and will replace an existing Active Mining Site that is nearing exhaustion.

73. The Lincolnshire Local Aggregates Assessment (LAA) dated July 2023 contains the most recent published data on aggregate sales and reserves within the County. In terms of proven need, the latest LAA does not provide a breakdown of reserves available within each Production Area but does show that at the end of 2022 there were approximately 22.364 Mt of sand and gravel reserves available within the County equating an estimated landbank of 9.62 years (based on 10 year average sales). This is above the recommended minimum of seven years identified by the NPPF and Policy M3, however, the distribution of those reserves is not even with some Production Areas containing a higher proportion of these overall reserves than others.

74. Since December 2022, the Mineral Planning Authority has resolved to grant planning permission for the extraction of 1.25Mt of sand and gravel reserves from part of the allocated Baston No.2 extension site (reference: MS27-SL) and from underneath the associated Plant Site (planning applications references: S22/1610 and S22/1612). These decisions are pending the completion of a S106 Planning Obligation. More recently it has also been resolved to grant permission for the extraction of 30,000 tonnes of reserves from underneath the former readymix plant at the former Manor Pit Plant site (ref: S23/0903 issued 9 August 2023) and a further 200,000 tonnes from the West Deeping (Breedon) Quarry by reducing the stand off distances from Rectory Farm and Crown Farm and to reduce the stand off from the quarry boundary and Lodge Farm (planning application references S23/0102 and S23/0103) .

75. These decisions post-date the data contained within the latest LAA and together would add a further 1.3Mt of reserves to the landbank. However, Officers are aware that aggregate sales have continued to be high during 2022/23 and so notwithstanding the increase in reserves and landbank that will occur as a result of

the above-mentioned decisions, there will have also been a reduction in reserves as a result of sales during the intervening period. Taking this into account and whilst it is still likely that the actual landbank is above the seven-year minimum advocated by the NPPF and Policy M3, this is a minimum and as a result should not be seen as a barrier to allowing the release of new reserves where this can be achieved in appropriate locations and with minimal environmental effects.

76. In this case, the reserves lying within the additional proposed extraction area are not reserves that benefit from any existing planning permission and as such would constitute previously unconsented and unallocated reserves. Whilst the additional reserves released may not be required to meet an identified shortfall in the landbank (based on data available at the end of 2022) the proposed extension area is a small, logical extension to Cemex's West Deeping Quarry. The site would be excavated as an extension to Phase 11 to the current working of the adjoining existing quarry and utilise the existing Plant Site and infrastructure. Following extraction, the extension area would be incorporated into the overall progressive restoration programme for the quarry with the creation of a new waterbody, lowland meadow and woodland planting with native species rich hedgerows.
77. The NPPF confirms that great weight should be afforded to the benefits of mineral extraction and these additional reserves would make a positive contribution towards ensuring the County maintains a sufficient landbank of aggregate reserves. The resource contained within this parcel of land would arguably not be viable for extraction as a future stand-alone operation. The extraction operations would be temporary in nature and extracting these reserves as part of the current quarry operations would prevent this valuable resource from being otherwise unnecessarily sterilised. Once extracted the additional areas of working would be restored as part of the on-going restoration works and so could provide beneficial and biodiverse habitat that is appropriately assimilated into the wider landscape.
78. In principle therefore, I am satisfied that the release of these currently unconsented reserves is acceptable and would accord with the objectives of Policies M2, M3 and M4 of the CSDMP and so should be afforded great weight in the planning balance. However, before it can be determined whether this proposal is acceptable, it is also necessary to also consider the environmental and amenity impacts that could arise from this proposal and the extent to which this proposal accords with all relevant Development Management Policies and Restoration Policies contained within the Development Plan. A consideration of each of these factors is set out in turn below.

Environmental and Amenity Impacts

Dust/Air Quality and Noise

79. A number of objections and concerns have been raised by local residents in respect of the potential for this development to have a negative impact on local amenity.

80. Taking these matters into account, the application was supported by a number of technical assessments and reports relating to the potential adverse impacts of the proposal and include mitigation measures to ameliorate any effects arising from the development on both the environment and neighbouring land users.
81. Examples of measures to be adopted and implemented as part of the development include:
- restricting hours of operation to between 07:00 to 17:00 hours Monday to Friday; 07:00 to 12:00 hours Saturday with no operations Sundays, Bank and Public Holidays;
 - setting noise limits that ensure noise levels experienced at the nearest noise sensitive receptors do not exceed the recommended limits as set out in the Planning Practice Guidance;
 - adoption of good site management and best practices measures to minimise and reduce the potential for fugitive dust from the site.

The mitigation measures identified and embedded into the working proposals and to be adopted and incorporated as part of the development are established and effective good site management practices and these, would ensure that the amenities of nearby residential properties and land-users would not be significantly adversely affected.

82. No objections have been received from the Environmental Health Officer, District Council or Environment Agency. I am therefore satisfied that the development would be acceptable in relation to noise, dust and air quality and so accord with the objectives of the NPPF, NPPG and Policy DM3 of the CSDMP and Policies E8, DE1 and EN4 of the SKLP that seek to ensure employment proposals do not give rise to adverse impacts through appropriate pollution control and the design of development.

Water Environment and Flood Risk

83. The application was supported by Hydrogeological, Hydrological and Flood Risk (FRA) Assessments. The excavations would be carried out in line with the existing quarry using de-watering, with drainage of the whole quarry including extension to a series of ditches, settlement, clean water and balancing ponds. The final discharge being to an adjacent watercourse in line with the requirements of an existing Discharge Permit issued by the Environment Agency.
84. Lincolnshire County Council as Lead Flood authority in respect of flood risk and drainage, do not consider that this proposal would increase flood risk in the immediate vicinity of the site, but this is subject to the imposition of a planning condition (set out above) that would need to be satisfied before development is commenced, to secure a Construction Management Plan and Method Statement indicating measures to mitigate both the adverse impacts of vehicle activity and

the means to manage the drainage of the site during the construction stage of the permitted development.

85. In respect of this requirement, it must be taken into account that the proposed development will not operate in isolation but is a minor element of the larger West Deeping Quarry operation. The applicants supporting Flood Risk Assessment has indicated that the extraction site will not create any surface water run off or impact upon drainage infrastructure as it will be dewatered and managed as part of the approved drainage and water management system already approved for the broader site and would not give rise to flooding outside of the application boundary. The Environment Agency and the Welland and Deepings Internal Drainage Board have not raised objections to the proposal.
86. I consider that the limited potential impacts from surface water runoff and flood risk from this proposal will be adequately mitigated by the controls placed upon the broader quarry infrastructure and do not consider that imposing a planning permission to control these elements would meet the required tests under Paragraph 55 of the NPPF. I consequently do not propose to attach the proposed condition to the development.
87. It is therefore considered that subject to general conditions, the development would be acceptable and would not give rise to adverse impacts on the environment including water environment, flood risk or to any nearby residents. This would accord with the aims and objectives of the NPPF, NPPG and Policies DM2, DM3, DM15, DM16 and R3 of the CSDMP and would not conflict with or compromise Policies E8, EN1, EN4, EN5 and DE1 of the SKLP.

Transport and Highways

88. The Transport Assessment provided evidence of the potential for impacts arising from the proposed operations and the applicant has indicated that the HGV traffic from the site would be a continuation of the current quarry output and not exceed that already permitted. The Highways Officer has confirmed that they do not consider the proposal will result in an unacceptable impact on highway, but as set out above, this is subject to the approval of a Construction Management Plan and Method Statement setting out measures to mitigate any adverse impacts of vehicle activity and the means to manage the drainage of the site during the construction stage of the development.
89. Notwithstanding this requirement the area proposed for mineral extraction will not have direct access onto the public highway and none of the operations set out within the criteria to be controlled by the condition will be carried out within the permission area, so do not apply to the proposed development. These operations will be facilitated by the associated quarry infrastructure and all of these elements are already approved and controlled by conditions and S106 legal agreement on the extant quarry planning permission. Therefore, I do not consider that imposing a planning permission to control these operations would meet the required tests

under Paragraph 55 of the NPPF and consequently do not propose to impose the proposed condition on any permission granted.

90. Subject to necessary conditions and to reiterate existing conditions on the broader quarry such as hours of work etc, the proposal would meet the aims and objectives of the NPPF, NPPG and Policies DM13 and DM14 of the CSDMP and would not conflict or compromise Policy E8 of the SKLP that seeks Employment proposals that do not give rise to adverse impact on the highway network or highway safety.

Ecology, Landscape, Soils and Restoration

91. The applications is supported by an Extended Phase 1 Survey Report ; Construction Environmental Management Plan (Ecology) (CEMP); Agricultural Land Classification Soil Resource Assessment; Restoration proposals, Aftercare Plan; and an Outline Landscape and Visual Impact Appraisal (LVIA).
92. The LVIA concluded that the site is not located within a landscape designated for national or local value. The revised proposal has a very small physical footprint and will be undertaken within a very short timescale, and the proposed restoration scheme will be complementary to the eventual landscape character of the restored consented mineral areas to the north-west and north-east.
93. The Extended Phase 1 Survey Report concluded that the proposed development would not have an unacceptable impact on flora or fauna but whilst not identified at the time of the survey it is proposed that as there is habitat that may attract reptiles, amphibians and other mammals, suitable mitigation measures should be adopted to avoid any impacts on these species. The accompanying CEMP which takes account of the Ecological Survey findings, identifies the key construction activities, relevant ecological receptors and potential impacts, sets out detailed mitigation measures to be carried out in advance during and post development at the site. The Plan provides a comprehensive mitigation programme to ensure that the operations at West Deeping Quarry would not have adverse impacts on wildlife (including protected species), retained habitats in and around the quarry including maintaining stand-off from perimeter planting to protect roots.
94. As a consequence of wetland creation, the proposed extension would result in the loss of 0.99Ha of ALC Grade 3A Best and Most Versatile Agricultural Land. Although only a modest area of loss it is proposed that to both mitigate and safeguard the long term potential of BMV soil resources, the remaining soils are recovered and utilised in the restoration of the broader quarry site to improve the soil profile of the adjacent low level agricultural land which on balance would accord with the aspirations of Policies DM11 and DM12.
95. The creation of an area of wetland would serve as a drainage sump for the adjacent restored land, provided for by natural ingress of water. Peripheral areas of wet grassland and lowland meadow will be fringed by species rich hedges and mixed woodland planting to create a continuous ecological corridor to link with the

broader Quarry restoration. A detailed aftercare plan submitted with the application will ensure successful establishment of a high-quality and biodiverse wetland and terrestrial habitat.

96. It is concluded that the development would not give rise to adverse impacts on the natural environment including designated and non-designated sites of wildlife interest. Therefore, subject to conditions the proposed development would meet the aims and objectives of the NPPF, NPPG and Policies DM2, DM3, DM6, DM7, DM8, DM9, DM11, DM12, R1, R2 and R3 of the CSDMP and would not conflict with or compromise Policies SP5, E8, EN1, EN2, EN3, EN6 and DE1 that requires employment proposals do not adversely impact on the landscape of the district and where possible seek to enhance the natural environment through good design.

Historic Environment

97. The application site lies within an area of substantial and significant historic landscape interest, containing a wide variety of heritage assets which span the Mesolithic/Neolithic to the later medieval/post medieval period with the broader quarry and adjacent workings subject to ongoing archaeological schemes of investigation. With the archaeological potential of the proposed site already inferred by the results of investigations into the adjoining land, the applicant has provided an Archaeological Written Scheme of Investigation (WSI) relating to the proposed southeast extension. This document has been drafted in accordance with the recommendation of the Historic Places Manager of Lincolnshire County Council to whom Historic England have in their response deferred judgement on this matter.
98. It is considered that subject to a condition securing the WSI the proposed extraction and amendments to the working of the existing quarry would be consistent with the aims and objective of the NPPF and Policy DM4 of the SDMP and would not compromise or conflict with Policy EN1 of the SKLP which seeks to protect the historic character of the district.

Cumulative Impacts

99. West Deeping Parish Council and some of the representations received have criticised and made reference to the potential impact of sites that have been put forward by the applicant and operators for consideration as part of this current Minerals & Waste Local Plan Review. These sites include land lying to the south of the A1175 and east of West Deeping village as well as an existing allocated site within the currently adopted Minerals and Waste Local Plan (referred to as MS29-SL). The Parish Council in particular has stated that they feel the potential cumulative impacts of allocated future workings needs to be taken not account in the determination of planning applications that are before the Committee both previously but also in respect of this application. It is argued that failure to do so is contrary to planning law and the EIA Regulations.

100. The Parish Council's comments are noted however this proposal has been deemed not to constitute EIA development and as a result the EIA Regulations do not apply in this case. Notwithstanding this, Policy DM17 of the CSDMP does require the cumulative impacts of development to be taken into account and this includes the impact of multiple impacts from an individual site and/or from a number of sites in the locality. In this case whilst this proposal is not EIA development the applicant has nevertheless carried out and submitted a number of assessments which have considered the impacts of individual aspects of the development such as noise, dust, hydrology, etc. In all cases these assessments have identified measures that reflect those already adopted and implemented as part of the existing operations which have or can continue to be adopted and implemented as part of this proposal. I am therefore satisfied that subject to suitable conditions any impacts arising from the various aspects of this proposal are capable of being controlled and/or minimised to an acceptable level.
101. In respect of potential impacts as a result of other sites in the locality, whilst there is an allocation for a new site within the Local Plan (i.e. MS29-SL), no planning application has been made to work this site and as no detailed information or proposals about how these sites are proposed to be worked at this stage. With regard to future sites that are currently being promoted as part of the Local Plan review, these are still under consideration and a decision on whether these sites will be taken forward to the next stage of the Plan has yet to be made. In light of this it is not possible or necessary for Officers to assess the potential cumulative impacts arising from these potential future proposals and so whilst the Parish Council disagree, as has correctly been advised by Officers previously, the comments and references made regarding perceived potential impacts arising from these proposals are not relevant or material to consideration of the acceptability of this proposal and so are given no weight in the determination of this application. In terms of potential in combination cumulative impacts as a result of other operational sites in the locality, as stated above, measures have been identified and would be adopted as part of this development which reflect existing measures, practices and controls imposed on the current site. I am therefore satisfied that subject to the continuation of these same measures, which can be secured through condition, the proposed development would not give rise to any significant adverse environmental or amenity impacts, either individually or when considered in combination with other operations nearby. Any impacts would be very localised to the site and that taking account that the proposal is time limited, any perceived cumulative impacts from extending the duration of quarrying activity would be short lived. Consequently, the proposal would meet the aims and objectives of the NPPF and Policy DM17 of the CSDMP.

Human Rights Implications

102. 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

It is recommended that planning permission S23/2249 be granted subject to the planning conditions set out below:

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 winning and working of minerals and restoration land forming of the site must be completed not later than the expiration of the period of 9 months beginning with the date of commencement.

Reason: To comply with the requirements of Schedule 5 of the Town and Country Planning Act 1990 (as amended) and to ensure that the development is completed in accordance with the approved details and to ensure the Mineral Planning Authority can monitor the progress of operations to ensure the duration and any impacts associated with those activities are time-limited, temporary and accord with those identified and assessed at the time planning permission for these works was granted.

Approved Documents and Plans

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

Documents:

- Planning Application Form and Covering Letter (received 13 October 2023)
- Planning Statement and Appendices 4 to 12 (received 13 October 2023)

Plans/Drawings:

- Drawing No. 23-08/P7/WSTDEEPING/1A – ‘Location Plan’(received 06 November 2023)
- Drawing No. 23-01 P1 / 1425 4 / 10 Rev A, Final Restoration: South-Eastern Extension (received 09 January 2024)
- Drawing No. 22 – 01 – 1291 REV A, Mineral Extraction (received 06 November 2023)
- Drawing No. Draw-21-11-1194-006 Phase 11A (received 18 January 2024)

Reason: To ensure the development is carried out in accordance with the details contained within the application.

Archaeology

4. (a) The development shall be carried out subject to archaeological mitigation in strict adherence to the Planning Statement Appendix 7.1 South East Extension, Cemex Quarry, West Deeping (King Street) Lincolnshire Written Scheme of Investigation (Project Design Specification) for Archaeological Strip, Map and Sample (received 13 October 2023).
- (b) The applicant will notify the Mineral Planning Authority of the intention to commence at least fourteen days before the start of archaeological work in order to facilitate adequate monitoring arrangements.
- (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. This part of 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: To ensure that satisfactory arrangements are made for the investigation, retrieval and recording of archaeological deposits within the site.

Transport and access

5. No Vehicular access to the site from the A1175 or the Lodge Farm access track shall be created or used for the duration of this development.
6. All sand and gravel shall be transported to the adjacent West Deeping Quarry site prior to export.

Reason: In the interests of the safety and free passage of those using the adjacent public highway and to ensure that the permitted development is adequately drained without creating or increasing flood risk to land or property adjacent to, or

downstream of, the permitted development during construction.

Soil and materials handling

7. The site shall be worked and soils stored in accordance with the details as shown on Drawing No 22 – 01 – 1291 REV A, Mineral Extraction (received 06 November 2023).
8. All soils shall be handled in accordance with ‘Good Practice Guide for Handling Soils in Mineral Workings, Institute of Quarrying, 2021’ and Section 5.16 to 5.51 of the Planning Statement Appendix 12 Agricultural Land Classification Soil Resource Assessment (received 13 October 2023) shall be implemented in full for the duration of the development.
9. Topsoil, subsoil or soil making material shall only be stripped and handled when they are in a dry and friable condition and no movement of soils shall take place between the months October and March (inclusive) unless otherwise agreed in writing by the Mineral Planning Authority.

Reason: To ensure the development is carried out in accordance with the details contained within the application and that soils are retained and maintained to ensure restoration of Best and Most Versatile Agricultural Land.

10. Only on-site derived mineral wastes, overburden and soils shall be used in the site restoration. Nothing in this decision shall be construed as permitting the use of imported materials to achieve site screening, site restoration or for any other purpose.

Reason: To prevent the importation of material to aid the restoration of the site as this lies outside the scope of the development hereby permitted.

11. Stockpiles of ‘as raised’ sand and gravel shall not exceed 5 metres in height above surrounding ground level. No processing of sand and gravel shall take place at any time on the site.

Reason: To ensure that the stockpiles in the southern extraction area do not give rise to external adverse visual impacts.

12. All sand and gravel shall be transported to the adjacent West Deeping Quarry site prior to export.

Reason: To ensure the development is carried out in accordance with the details contained within the application.

Hours of Operation

13. Other than in an emergency, no operations and activities authorised or required in association with this development, including the entry and egress of quarry traffic, shall take place except between the following hours:

07:00 hours to 17:00 hours Mondays to Friday;

07:00 hours to 12:00 hours Saturday;

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

Reason: To minimise potential impacts and disturbance from the operations on local residents and the surrounding areas.

Noise Controls

14. All vehicles, plant and machinery operated within the site shall be maintained in accordance with the manufacturer's specifications at all times and shall be fitted with and use effective silencers and white noise reversing devices.
15. Except for temporary operations, noise levels as a result of any operation or item of plant and machinery operating within the site shall not exceed 55dB(A) LAeq, 1 hour free field when measured at any noise sensitive property identified in the Planning Statement Appendix 10: Cemex West Deeping Quarry SE Extension – Noise Assessment, received 13th October 2023.
16. For temporary operations, such as soil stripping, replacement and bund formation, the noise level at any noise sensitive locations identified in the Planning Statement Appendix 10: Cemex West Deeping Quarry SE Extension – Noise Assessment, received 13th October 2023, shall not exceed 70dB(A) LAeq, 1 hour free field. Temporary operations shall be limited to a total of eight weeks in any twelve month period.
17. In the event of a substantiated complaint being notified to the operator by the Mineral Planning Authority relating to noise arising as a result of the operations undertaken at the site, the operator shall carry out a noise survey to establish whether or not the relevant permitted noise levels are being breached. The results of the noise survey, along with details of any additional mitigation measures to be implemented to address and remedy any identified breaches, shall be submitted for the attention of the Mineral Planning Authority. Any additional measures identified as part of the survey shall be implemented and thereafter maintained for the duration of the development.

Reason: To minimise potential impacts and disturbance to amenity from the operations on local residents and the surrounding areas as a result of noise.

Dust and pollution management

18. All dust mitigation measures as set out in the “Existing West Deeping Dust Management Scheme” incorporated into the Planning Statement, Appendix 11 (received 13th October 2023) shall be implemented in full for the duration of the development.

Reason: To ensure that local amenity is protected from fugitive dust emissions.

Ecology

19. All operations including site preparation works shall be carried out in accordance with the Planning Statement Appendix 6.2 Construction Environmental Management Plan: Ecology (received 13 October 2023)

Reason: To ensure the interests of wildlife amenity and wildlife conservation.

Water Environment and Pollution Control

20. Excavation shall be limited to soils and sand and gravel. No basal clay shall be exported from the site.

Reason: For avoidance of doubt as to the scope of the permission and maximum depth of extraction.

21. No facilities for the storage of oils, fuels or chemicals shall be sited within the site.

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

22. There shall be no discharge of foul or contaminated drainage from the site into either the ground water or any surface waters, whether direct or via soakaway.

Reason: To prevent and minimise the risk of pollution to watercourses and groundwater.

External Lighting

23. No fixed lighting, including security lighting, shall be erected, or installed within the permission area until details of the location, height, design, sensors, and luminance have been submitted to and approved in writing by the Mineral Planning Authority. The details shall ensure that the lighting is designed to minimize the potential nuisance of light spillage outside of the site. The lighting shall thereafter be erected, installed, and operated in accordance with the approved details.

Reason: To minimise the potential nuisance and disturbances to the local wildlife and the surrounding area.

Existing Planting Restoration and Aftercare

24. The existing trees, hedgerows and shrubs around the boundary of the Site shall be retained except where provision for their removal has been made and approved in the scheme of working or details are approved subject to conditions attached elsewhere to this planning permission. Any vegetation removed without the prior written consent of the Mineral Planning Authority or which dies, becomes severely damaged or diseased as a result of operations permitted by this permission, shall be replaced with trees or shrubs of such size and species as may be specified by the Mineral Planning Authority in the planting season immediately following such occurrence.
25. A root protection stand-off distance of 2.0 meters shall be implemented in accordance with Section 7.7 of the Planning Statement' (received 13 October 2023) between the southern hedgerow and all boundary trees and hedgerows that are to be retained as part of the development.

Reason: To ensure that the existing boundary trees and hedgerows are retained throughout the development so as to help minimise the visual impact of the development and in the interests of amenity and wildlife conservation.

26. All restoration including planting and seeding shall be carried out within 24 months of the commencement of development and in accordance with Drawing No. 23-01 P1 / 1425 4 / 10 Rev A, Final Restoration: South-Eastern Extension (received 09 January 2024) and Planning Statement Appendices 4.1 to 4.5 (received 13 October 2023). Any planting which dies, becomes severely damaged or diseased within the five years of being planted shall be replaced in the planting season immediately following such occurrence.
27. Restoration and planting aftercare, shall be carried out for a period of five years in accordance with the details set out in Planning Statement Appendix 4.1 Aftercare Management Plan (received 13 October 2023) with an annual report detailing aftercare carried out in the previous 12 months and the programme of works scheduled for the following 12 months to be submitted to the Mineral Planning Authority on an annual basis.

Reason: To ensure that the Best and Most Versatile Agricultural Land and biodiversity gain habitats created are established and remain healthy.

Informatives

Attention is drawn to:

- (i) National Grid letter reference: 31886858 dated 18 December 2023;
- (ii) Cadent Gas LSBUD reference: 31886858;

- (iii) Environment Agency letter reference: AN/2023/135084/01-L01 dated 12 December 2023;
- (iv) Natural England letter reference: 460536 dated 20 December 2023;
- (v) 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.

Appendices

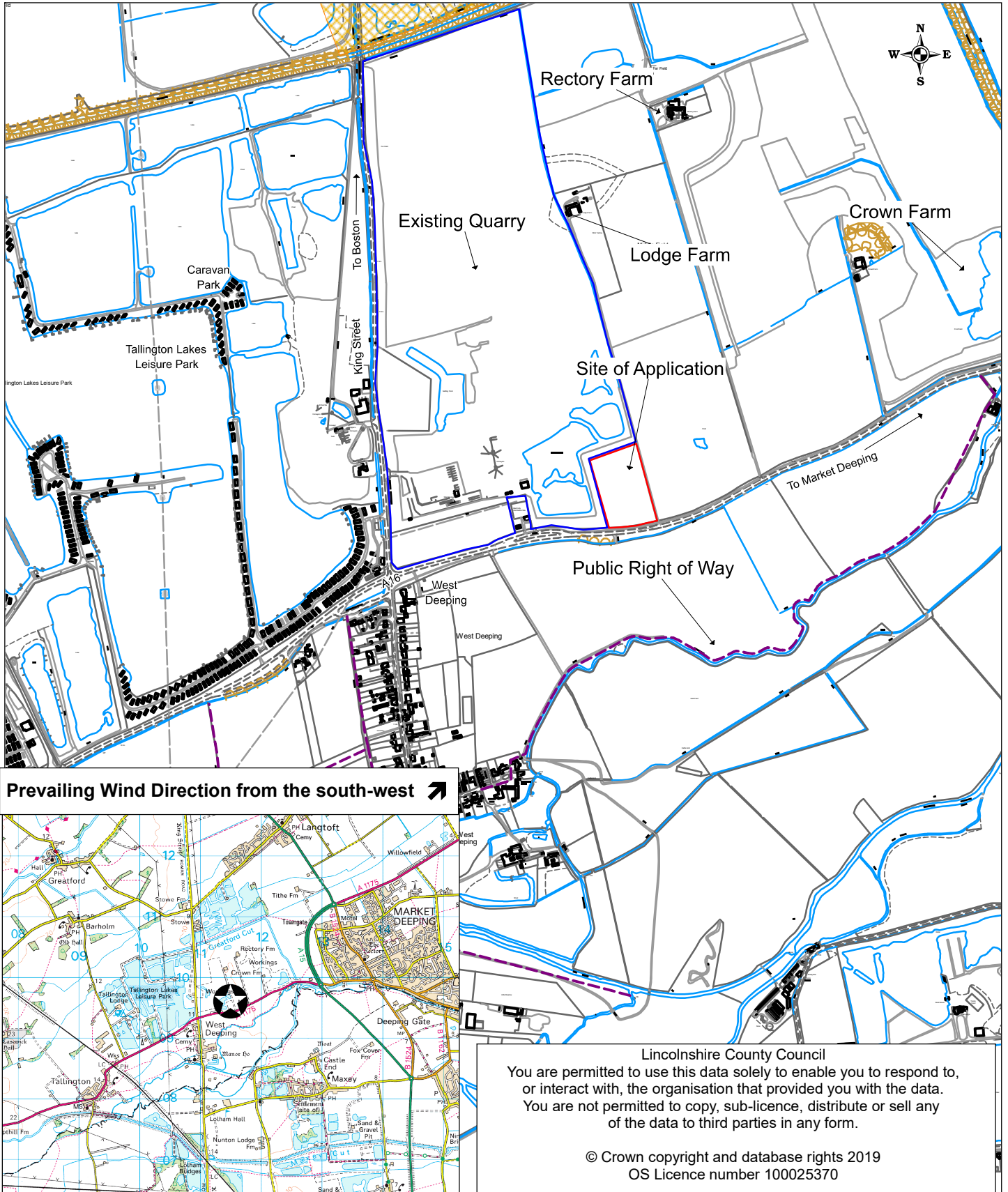
These are listed below and attached at the back of the report	
Appendix A	Committee Plan

Background Papers

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

Document title	Where the document can be viewed
Planning Application File S23/2249	Lincolnshire County Council's website https://lincolnshire.planning-register.co.uk/
National Planning Policy Framework (2023)	The Government's website www.gov.uk
Lincolnshire Minerals & Waste Local Plan: Core Strategy and Development Management Policy document (2016) and Site Locations Document (2017) Lincolnshire Local Aggregates Assessment (2023)	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 Mike Daley, who can be contacted on 01522 782070 or dev_planningsupport@lincolnshire.gov.uk



Location:
 CEMEX West Deeping Quarry
 King Street
 West Deeping

Application No: S23/2249
Scale: 1:12,000

Description:
 For a 1.97 ha south-eastern extension to the existing sand and gravel extraction operations with restoration to amenity/nature conservation