



23 April 2019

Agenda Item:5

REPORT OF CORPORATE DIRECTOR – PLACE

NEWARK AND SHERWOOD DISTRICT REF. NO.: 3/18/01723/CMA

PROPOSAL: VARIATION OF CONDITIONS 2, 7, 12, 50 AND 51 OF PLANNING PERMISSION 3/15/01880/CMA TO AMEND THE WORKING AND RESTORATION SCHEME TO ALLOW EXTRACTION OF GYPSUM WITHIN AN AREA PREVIOUSLY GRANTED PERMISSION, BUT NOT SHOWN IN THE REVIEW OF MINERAL PERMISSION; TO CLARIFY THE STANDOFF TO THE A1; AND TO VARY HOURS OF OPERATION

LOCATION: BANTYCOCK QUARRY, STAPLE LANE, BALDERTON, NEWARK-ON - TRENT

APPLICANT: SAINT GOBAIN CONSTRUCTION PRODUCTS LIMITED

Purpose of Report

1. To consider a Section 73 (variation of planning conditions) application which seeks to vary extant planning permission 3/15/01880/CMA (the current operational permission) to amend the approved working and restoration scheme to facilitate the extraction of gypsum from an area of approximately 25 hectares (ha.) located in the north-eastern part of Bantycok Quarry, Staple Lane, Balderton, Newark-on-Trent. This area lies within the permitted quarry site but whilst it was originally shown to be worked, the area was excluded from mineral working under a review of the planning permission (Plg. Ref. 3/3-/80/43) in 2006 pursuant to the Environment Act 1995. The proposed development is therefore not referred to as an extension to the mineral workings as it already lies within the boundary of the extant planning permission area.
2. The proposals also seek to clarify the extent of the area adjacent to the public highway where mineral cannot be worked; and to amend the permitted hours of operation.
3. The key issues relate to blasting/vibration, noise, dust, traffic, ecology, restoration and overall residential amenity impacts. The recommendation is to grant planning permission subject to the conditions set out in Appendix 1.

The Site and Surroundings

4. Bantycok Quarry is located 26.5 kilometres to the north-east of the City of Nottingham and approximately 4.7 kilometres to the south of Newark-on-Trent. It is situated in the parish of Balderton to the west of the settlement of

Fernwood. The quarry is located adjacent to the major road network, with the A1 bounding the eastern boundary of the site, and the A46 situated approximately 3.4 kilometres to the west of the quarry site (see Plan 1).

5. The recently constructed western relief road is situated between the Jericho Works (the applicant's associated specialist plaster manufacturing plant) to the north-west of the site and the residential area to the north. The western boundary of the quarry is situated approximately 200 metres to the south of the eastern edge of Balderton and approximately the same distance from the western edge of Fernwood, both of which are the nearest settlements to the quarry site (see Plan 1).
6. Cross Lane extends from the eastern boundary of the north-eastern part of the quarry (the application site), crossing a bridge over the A1 and linking into Fernwood Business Park. A new school (Suthers School) is now under construction on Cross Lane just beyond the bridge in the business park, and other near receptors within this vicinity include a mix of business uses, a public house/restaurant (the Tawny Owl) and a care home. This would be the nearest development to the proposed north-eastern working area. Beyond the business park further to the east lies an extensive residential development at Fernwood, which is the nearest residential settlement to the northern part of the quarry and is situated on the eastern side of the A1 (see Plan 2).
7. Bantycok Quarry extends to approximately 240 ha, with the north-western boundary bounded by Staple Lane and Grange Lane to the west. To the south of the quarry lies agricultural land and to the north-west the Jericho Works, off Bowbridge Lane.
8. Within the wider vicinity, land to the south, east and west of the site is agricultural in character with a patchwork of fields of varying size and shape. Within the agricultural landscape are isolated farmsteads and small settlements. There are former mineral workings (gypsum) to the south within the wider vicinity at Kilvington, at varying stages of restoration, some of which have been restored to a series of lakes; whilst land at Staple Quarry has been landfilled. To the south-west of the quarry is a solar farm and wind turbines on restored quarry land.
9. The boundaries to the site edging the roadside are formed by mature hedgerow, with a narrow track abutting the southern boundary. Vehicular access to the quarry is gained from Staple Lane. The access is hard surfaced, kerbed and drained. The entrance effectively forms a crossroads with Staple Lane, as directly opposite the quarry on the western side of Staple Lane lies an entrance into the Jericho Works. There are no public rights of way either through the quarry or directly adjacent to it.
10. The nearest residential properties to the operational quarry site are Cowtham House and Cowtham House Cottage, which abut its southern boundary; and Balderton Grange Farm located approximately 160 metres to the south-west of the site. Airfield Cottages (Nos. 1 and 2) are situated on the Great North Road (B6326). Further residential development is located approximately 200 metres to the north-east of the Bantycok site on Jericho Road and the same distance to the east in Fernwood (see Plan 2).

11. The nearest residential receptors to the proposed north-eastern working area (the application site) are the new residential properties in Fernwood to the east, and residential properties fronting Jericho Road and Inglewood Close in Balderton, to the north.
12. As an established mineral operation, site infrastructure is already in place including the site access off Staple Lane, wheelwash facilities located close to the site entrance, the haul road between the access and the processing plant; the processing plant; and the internal secondary haul roads between the working face and the plant/overburden disposal areas.
13. A primary crushing plant is located in the void, and comprises crushers, hoppers, interconnecting conveyors, and associated infrastructure. All structures are in a non-reflective grey colouration, to a maximum height of 7 metres, and occupy an area measuring 15 metres by 100 metres. Immediately adjacent to the plant site is a relatively extensive storage area with stockpiles of varying grades of crushed and uncrushed gypsum; together with associated site cabins and mobile plant parking areas.
14. The established quarry site to the south of the proposal site is mainly associated with a mix of mineral workings and agriculture; and in terms of land-use comprises mineral extraction, the movement and placement of interburden and overburden; mineral processing; restoration works; and agriculture.
15. Current mineral workings are located within the south-eastern part of the quarry, with cut 12 currently being worked, with this particular phase extending along the south-eastern boundary, immediately adjacent to the A1. To the north of the working area lies the eastern part of the site which is in agricultural use and comprises a number of large fields. Within this overall area, the land rises slightly in a west to east direction from approximately 17 metres to 19 metres respectively Above Ordnance Datum (AOD).
16. The north-western part of the quarry has been extensively worked out, backfilled with overburden and restored to a gently domed profile, to a maximum elevation of approximately 26 metres AOD. The main haul road to the workings now crosses this area.
17. The application site comprises the north-eastern part of the quarry, and under these proposals would form the northern working area. In terms of its wider context, the proposal site lies within the extent of the boundary of the wider quarry site. The site comprises a single 25ha. field bounded by the A1 to the east, extant workings to the south, Staple Lane to the north and restored workings to the west. Broadly square in shape, the field comprises a relatively gentle domed parcel of land, currently in arable use.
18. Across this area the land rises relatively steeply from 13 metres AOD along the northern boundary to 21 metres AOD within the central and southern parts of the field; and comprises made over ground which reflects a limited amount of storage and placement of overburden associated with the early phases of mineral extraction at Bantycok Quarry.
19. The dominant habitat is an arable field with intermittent areas of immature plantation woodland and a strip of improved grassland. The crop is currently sown to the edges of the field and there are no field margins. Dry ditches abut

the borders of the field together with species poor hedgerows. To the immediate south of the north-eastern arable field between the working quarry and the north-eastern arable field lies an area of dense scrub and tall ruderal vegetation abutting the southern boundary of the application site.

20. There are no statutory wildlife sites within a 2 kilometre radius of the proposed extraction area. Within the vicinity of the quarry lie a number of drainage ditches or dykes, including one non-statutory local wildlife site (LWS) Staple Lane LWS abutting Staple Lane. In terms of heritage designations, this is limited to nine listed buildings within 2 kilometres of the proposal site, most of which are situated within Balderton approximately 1 kilometre from the site boundary.
21. There are no main watercourses in the immediate vicinity of the quarry site, with the closest river being the River Devon (a tributary of the River Trent) approximately 1.7 kilometres to the west. In addition, the River Witham is located approximately 2 kilometres east of the site; the natural catchment divide for the River Witham and River Trent runs through the centre of the site.

Planning history and background

22. The planning application relates to an established gypsum quarry which currently operates under extant planning permission 3/15/01880/CMA granted by the County Council in February 2016.
23. In May 1981, British Gypsum BPB was granted planning permission (Plg. Ref. 3/3/-/80/43) to extract gypsum by opencast mining. The planning permission was subject to 34 planning conditions and operations commenced in 1983, but ceased in 1994 when production was transferred to the nearby site at Kilvington. The Bantycok works continued to be maintained as part of the operator's strategic reserves of gypsum and at no stage was there an abandonment of the site or any intervening use.
24. In October 1997, the County Council listed the Bantycok site as an active phase two site under the minerals review process, putting an onus on British Gypsum to submit an application for the determination of modern planning conditions accompanied by an Environmental Impact Assessment.
25. Attention was drawn to the fact that extant planning permission 3/3/-/80/43 did not meet the required environmental standards, and that mineral extraction could not recommence at Bantycok Quarry until the environmental impacts had been fully assessed and appropriate mitigation measures, reflected in a set of modern planning conditions, were put in place.
26. That submission was finally made and under the provisions of the Environment Act 1995 extant planning permission 3/3/-/80/43 was formally reviewed and a new set of planning conditions were issued in December 2006 (Plg. Ref. 3/06/00991/CMM). It was during the review process that the working of gypsum in the northern area was excluded from the scheme of phased working and restoration, albeit that the red-lined site boundary area remained consistent with that permitted under extant planning permission 3/3/-/80/43.

27. There were no apparent reasons to exclude mineral extraction from this area, for example due to valuable habitats or heritage features or proximity to residential receptors.
28. At the time of the review, planning permission (Plg. Ref. 3/06/01262/CMM) was also granted for a conveyor system spanning Staple Lane, to transport bulked up extracted gypsum from the quarry to the Jericho Works. This provided an alternative method of transport to road haulage, mainly to overcome road safety issues.
29. Since the review permission was issued, several further planning applications have been submitted pursuant to Section 73 of The Town and Country Planning Act 1990. In February 2010, British Gypsum was granted planning permission (Plg. Ref. 3/09/01797/CMM) to vary Condition 1 of planning permission 3/06/01262/CMM to extend the commencement date for constructing the conveyor system between the quarry and the Jericho Works.
30. A further planning permission (Plg. Ref. 3/12/00587/CMA) granted in January 2013 sought to vary Conditions 10, 14, 17, and 23 of planning permission 3/06/00991/CMM amending the phasing of the extraction; changes to the use of the conveyor; and modifications to the shot weight associated with the blasting operations. It placed a requirement on the applicant, to implement the conveyor system only in the event that annual rates of gypsum going into the Jericho Works across Staple Lane, exceed 130,000 tonnes. There continues to be no requirement for this element of the development at the present time.
31. Planning permission (Plg. Ref. 3/13/00603/CMA) was subsequently granted in August 2013 for non-compliance with Conditions 14 and 39 of planning permission 3/12/00587/CMA to remove the need to seed an identified overburden storage mound (as shown on plan titled 'Bantycok Mine Newark Condition 14 Overburden Storage' as received by the County Council on 29th April 2013); and to amend the maintenance regime for any soil storage mounds remaining in place for over 6 months.
32. Finally, British Gypsum was granted planning permission (Plg. Ref. 3/15/01880/CMA) in February 2016 for revised restoration and phasing schemes. It is extant planning permission 3/15/01880/CMA that the current application seeks to vary.

Proposed Development

33. The planning application seeks to excavate and extract gypsum from the north-eastern part of Bantycok Quarry, from a 25 ha. site. Mineral would be extracted at an average production rate of approximately 300,000 to 400,000 tonnes per annum, with extraction expected to be completed by 2025, which is within the permitted timeframe for mineral operations. The total amount of mineral proposed for extraction is 700,000 tonnes over 2 years. This request has been submitted pursuant to Section 73 of the Town and Country Planning Act 1990.
34. In order to both facilitate this and to amend working practices, the planning application seeks to vary a number of planning conditions attached to planning permission 3/15/01880/CMA. In this respect, the following changes are being sought:

- A variation to Condition 2 to amend the plans for the approved working and restoration schemes;
- A variation to Condition 12 to re-evaluate and clarify the stand-off distance required from the A1, for mineral extraction;
- A variation to Conditions 2, 50 and 51 to amend the restoration scheme, to revise the height of the final restoration contour levels (as shown on Restoration Masterplan – Drawing No. 4, Rev. F). This seeks to address a deficit in available backfill space which has arisen since the quarry reached its maximum void in mid-2018;
- A variation to Condition 7 to amend the permitted hours of operation to provide operational flexibility to enable increased product demand to be met. In this respect, the proposals seek to enable 7-day deliveries to the applicant's Barrow factory, which has limited stockpile facilities, but a requirement for Bantycok's high-grade mineral for blending purposes to ensure product quality.

Operational processes

35. With regards to the winning and working of gypsum from the north-eastern part of the quarry the following operational stages are proposed which would follow the method of working previously employed across the quarry site.
36. Gypsum deposits are extracted using a method similar to 'strip mining', with the working area being divided into strips or cuts typically sized to yield approximately six months of production per cut. Initially soils and overburden are stripped from the cut by hydraulic excavator and loaded onto articulated dump trucks for transportation, followed by placement into storage, or direct placement into worked out parts of the quarry to facilitate progressive restoration. Overburden tipped within the void is re-graded by bulldozer, decreasing the bulking factor of the material.
37. Current workings are advancing the gypsum face in a northerly direction. Post 2019, on completion of cut 12, the orientation of the cuts would change from a north-south orientation to an east-west orientation (see Plan 3).
38. Gypsum is extracted using traditional quarrying methods of drill and blast. To fragment the material from the working face, it is necessary to use explosive charges within a series of shot holes, which would be drilled into the bench behind the working face at pre-determined spacings. Pre-determined quantities of explosive charges would be placed in the shot holes and connected up in a pre-determined delay sequence. The holes would then be 'stemmed' with aggregate. Blasting is restricted to the hours of 13:30 hrs to 15:30 hrs Mondays to Fridays, the timing of which has been notified to local residents.
39. Extracted gypsum is transported by articulated dump trucks to the on-site processing plant where it undergoes primary crushing to reduce the size of the extracted material. Mechanical breaking is used to break up large slabs/pieces of gypsum prior to it being fed into the crusher hopper by a wheeled loading

shovel. A loading shovel is also used to manage the stockpiles and load vehicles with processed gypsum for onward transportation.

40. The gypsum to interburden/overburden ratio is expected to be the same as the current working area, approximating to 1 tonne of saleable gypsum to 10.5cu.m of interburden/overburden.

Phasing of operations

41. In order to facilitate the working of the north-eastern part of the site, proposed changes are sought to the phasing scheme for extraction and restoration (see Plan 3).
42. Essentially, mineral extraction would broadly accord with the approved phasing scheme, albeit that the eastern boundary of cuts 17 and 18 would be worked closer to the A1, and the western boundary from cut 13 onwards would be extended on the western boundary. Existing extraction, which extends to cut 18, would be completed in 2023, and the proposed new cuts 19-22 would extend extraction operations until 2025. The additional four cuts remain capable of being worked well within the permitted timeframe, which seeks to ensure that mineral extraction ceases by the year ending 2027, with a requirement to restore the entire site by the 31st December 2029 (see Plan 3).

HGV movements

43. Overall numbers of HGVs would remain unchanged under these proposals. The present HGV numbers comprise approximately 60 loads per day transporting approximately 315,000 tonnes of gypsum per annum to the East Leake, Barrow-on-Soar (Leicestershire) and Fauld Works (Staffordshire). A further 85,000 tonnes per annum would be transferred by dump truck at a rate of 16 loads per day to the adjacent Jericho Works, with vehicles crossing Staple Lane via the dedicated crossing point. The only change to the flow of HGV traffic would involve the proposed export of gypsum from Bantycok Quarry on Sunday mornings between 7am and 1pm, which it is anticipated would slightly decrease the flow of HGV traffic at other times during the week. This would continue to maintain sufficient flexibility to allow for peaks in demand.
44. Annual extraction rates would remain relatively constant with an output of approximately 300,000 – 400,000 tpa. and export of mineral from the site would continue to be accommodated within the current vehicle movements, which historically has not been covered by planning condition.
45. The proposals do not seek to extend the duration of quarrying operations beyond the current end date of 31st December 2027. Extraction is anticipated to cease in the third quarter of 2025, with restoration anticipated to be completed by the second quarter of 2029.

Restriction on working adjacent to the A1

46. Condition 12 of extant permission 3/15/01880/CMA states that:

There shall be no extraction within 30m of the western edge of the A1 highway and the quarry face adjacent to the A1 highway shall not exceed the ratio two vertical to one horizontal.

47. This relates to the slope design proposed on the eastern boundary of the quarry site, where mineral would be worked directly adjacent to the A1.
48. Currently there is ambiguity as to whether reference to the standoff means the edge of the public highway or the fence line adjacent to the highway verge. The proposals therefore seek to review Condition 12 and establish a safe standoff distance to the edge of the A1, based on up-to-date geotechnical assessment and a suitable geotechnical design.
49. Clarification has been sought from Highways England and the scheme designed and agreed with them to achieve the primary objectives of ensuring that the stability and safety of the A1 is fully protected, whilst at the same time allowing the operations to extract mineral deposits as fully as possible.
50. The subsequent design submitted to Highways England complies with the 'Design Manual for Roads and Bridges' HD 22/08: Managing Geotechnical Risk. This essentially sets out the procedures to be followed when carrying out any geotechnical works on or adjacent to the public highway, to ensure the geotechnical risk is correctly managed.
51. It is proposed to amend the design of the eastern slope to the A1 boundary, with a proposed standoff distance to the curtilage of the highway of 28 metres from the highway boundary fence, with this allowing for the establishment of soil bunds and vehicular access around the quarry site. The slope proposed on the boundary would be less than 1 in 1, which is less steep than that currently approved.
52. It is proposed to backfill the slope adjacent to the A1 over a two-year period following extraction thereby preventing any long-term risk to the A1 and reducing any slope stability hazards, with the risk being present for only a short period of time. This is particularly relevant regarding cut 12, which would be worked from south to north immediately adjacent to the A1. At no point would the whole length of the slope be in evidence given that as the quarry is advanced, it is backfilled sequentially.
53. In the event that quarrying ceases, under the provisions of the restoration scheme, the workings would be backfilled and all slopes left in a safe long term condition.
54. Monthly survey monitoring of the A1 boundary would be undertaken both prior to, and during excavation, until such time that the backfilling of specific cuts has been completed. The monitoring would determine whether there has been any movement in terms of the boundary, in order to maintain the stability of the A1.
55. It is proposed to amend the wording of Condition 12 as follows:

There shall be no extraction within 28 metres of the western edge of the A1 highway boundary fence line as shown on Plan 4 'Revised Extraction Scheme'. The quarry face adjacent to the A1 highway shall be designed

in accordance with Drawing No. 17-335-D-003 Rev. 1 'Geological Cross Section' dated December 2017 (Key GeoSolutions).

Operating hours

56. The proposals seek to amend the permitted operational hours stated in Condition 7 of extant planning permission 3/15/01880/CMA. These are set out as follows:
- Soil stripping and replacement would commence at 07:00hrs Mondays to Saturdays rather than the currently permitted 7:30hrs Mondays to Saturdays, other than within 350 metres of residential properties which would remain at 07:30hrs;
 - The extraction of gypsum would commence at 07:00hrs Mondays to Saturdays; rather than 07:30hrs Mondays through to Saturdays;
 - The processing of gypsum would commence at 06:00hrs Mondays through to Fridays rather than 07:30hrs; and 07:00hrs on Saturdays rather than 07:30hrs;
 - Transportation of gypsum off site would finish at 13:00hrs on Saturdays rather than 16:00hrs;
 - Finally, gypsum would be transported off site Sunday mornings between 07:00hrs to 13:00hrs. This is currently not permitted.

Restoration

57. The approved restoration scheme is reflected in the plans listed under extant planning permission 3/15/01880/CMA planning Condition 2 (Plan 4, Rev. E entitled 'Restoration Masterplan: Bantycok Gypsum Mine Revised Restoration' dated 02.11.15); and extant planning Conditions 50 and 51 which seek to restore the site progressively in accordance with the approved plan, ensuring all backfilled material is levelled and graded in accordance with the restoration contours identified on this plan.
58. Under the current proposals, two amendments are proposed to the approved scheme:
- The final waterbody has been re-shaped and moved further north so that it extends into the north-eastern working area, with the proposed changes providing for enhanced biodiversity benefits, involving an increase in the area allocated for species rich grassland from 20.2ha. to 30ha; and that of wet grassland from 15.1ha. to 16.4ha;
 - The landform to the south of the waterbody is proposed to increase in height by 5 metres, from 25m AOD to 30m AOD.
59. As referenced earlier, the quarry has reached its maximum void resulting in a lack of available backfill space for direct placement of overburden within the permitted restoration levels. Consideration was given to temporarily storing material elsewhere within the site, but discounted due to the operational

implications involved in being further away from the quarry void. Added to this, there would have been environmental and economic consequences associated with changing existing arrangements, with increased vehicle emissions resulting from longer haulage journeys, and the double handling of overburden incurring haulage costs.

60. To overcome this lack of available backfill space, a revised scheme of restoration has been submitted as part of these proposals, as Plan 4 Revision F 'Restoration Masterplan' (see Plan 4). The proposal continues to meet the established aims and objectives of the original restoration scheme in that:
- It provides significant biodiversity enhancements that contribute to Nottinghamshire's Local Biodiversity Action Plan (LBAP) targets;
 - It would ensure the successful integration of the overburden mound with the gentle undulations of the surrounding land;
 - Assists positive drainage;
 - Minimises the double handling of overburden;
 - Ensures the integration with the revised working/phasing sequence;
 - Minimises visual impact on key receptors;
 - Facilitates agricultural practices on restored land;
 - Ensures the retention of the previously restored area to the north of the void which is now under agricultural production; and
 - Would deliver an attractive network of footpaths for the locality.
61. The restoration scheme continues to secure improvements to the network of ecological corridors both within the site and the surrounding area, through the provision of over 7 kilometres of new hedgerow, 49.3 ha. of woodland including woodland edge, scrub and wet woodland. Other ecological and drainage benefits would be delivered by way of a series of ditches, with some being specifically managed for water vole and grass snake to promote their dispersal throughout the site. A 50 metre wide wildlife corridor provided for in the approved scheme has been retained within the design of the new scheme, with this particular feature aiming to promote the dispersal of grizzled skipper butterflies.
62. The restoration scheme would continue to deliver a mix of agriculture, meadow, woodland and water features; and would retain a broadly similar composition to that of the approved scheme. The only other notable changes would involve a 10ha. net loss in agricultural land, reduced down from 78.3ha. in the approved scheme to 68.4ha. in the proposal scheme; and a net loss in new hedgerow of 190 metres, with a reduction down from 7,308ha. in the approved scheme to 7,118ha. in the proposed scheme.
63. The enhancements incorporated into the revised restoration plan build on a range of habitat features already incorporated into the design of the wider Bantycok site, including suitable habitat for little ringed plovers, a wildlife

corridor to promote the colonisation of the site by grizzled skipper butterflies, plug planting of creeping cinquefoil in the species-rich grassland (the larval plant of the grizzled skipper), a sand martin cliff and a series of field ponds to benefit amphibians and reptiles.

64. As part of these proposals, further enhancement measures aimed at increasing biodiversity are proposed, including the provision of reptile hibernacula; the provision of nesting boxes in the northern woodland belt when established; and log piles for invertebrates.

Environmental Statement

65. The application is accompanied by an Environmental Statement (ES), with supporting technical appendices and plans, which has considered the following environmental effects and aspects of the development:

- (a) Soils and agricultural land;
- (b) Air quality;
- (c) Ecology;
- (d) Archaeology;
- (e) Landscape and visual;
- (f) Noise;
- (g) Blasting;
- (h) Water Environment;
- (i) Cumulative impacts.

66. Subsequently a Regulation 25 submission was submitted in February 2019 seeking to address an objection raised by CLH-PS Pipeline Systems and concerns raised by NWT regarding the limited aftercare period being proposed for the restoration conservation area (primarily wetland habitat), in response to a formal request made by the County Council, under Regulation 25 of the Town and Country Planning (Environmental Impact Assessment) Regulations 2017 (Reg. 25 request).

67. The Reg. 25 response incorporates the following additional information:

- (a) Supplementary information which seeks to clarify the potential blasting effects and associated impacts from the development on the adjacent oil pipeline to the immediate north of the application site. The additional information requested is provided as an addendum to the Blasting chapter contained in the ES;
- (b) A revision to the northern limit of extraction, shown on Plan Drawing No. BAN 127, dated 8/1/2019, titled 'Modified northern boundary' and received by the MPA on 8th February 2019;

- (c) Information regarding the routes used by HGVs outward bound from the Bantymock site;
- (d) Agreement by the applicant to an extended aftercare period of ten years in addition to the statutory five year aftercare period, to allow for the full establishment of the features of ecological interest in the Northern pond/wetland area. This area is labelled as 'Management Compartment 4' on Drawing No. 4 Rev. F titled 'Restoration Masterplan' received by the MPA on 3rd May 2018;
- (e) Other information regarding the gypsum to interburden/overburden ratio; and the depth of the Cocks and Greys Seams.

Consultations

- 68. The planning application has been subject to two rounds of planning consultation, covering the original submission and one subsequent Reg. 25 submission. The subsequent responses are summarised jointly in the following paragraphs, except for those from CLH Pipeline System and Via's Noise Engineer both of which have provided specific comments on the amended scheme.
- 69. **Newark & Sherwood District Council** *No objection subject to the County Council being satisfied that the proposed development complies with relevant development plan policies.*
- 70. **Newark & Sherwood District Council Environmental Health Officer (EHO)** *No objection.*
- 71. *With regards to noise and vibration from blasting related to the extension whilst the working area will be moving closer to sensitive receptors, the submitted reports indicate that there will be little or no problem. Whilst complaints have been received from some residents of the Fernwood housing development regarding vibration from blasting, these have been referred to the County Council as regulator of the site.*
- 72. *Regarding air quality, technical assessment of potential dust emissions from proposed extraction activities based on IAQM Guidance on the Assessment of Mineral Dust Impacts for Planning has given consideration to 10 nearby receptors. Baseline levels have been assessed using various data sources, and consideration has been given to the impact of operations on these receptors. Provided recommended mitigation measures are implemented, magnitude of dust effects on each receptor, is considered negligible.*
- 73. *Operations at Bantymock Quarry are controlled and regulated by the County Council's planning conditions which includes controls of dust emissions.*
- 74. *The EHO agrees with the findings of the assessment subject to mitigation measures set out in table 6.4 of the Air Quality Chapter being effectively enforced under the County Council's planning consent.*
- 75. *Having read the additional noise and vibration assessments and the proposed limits, it is requested that suitable noise and vibration limits are attached to any approval given.*

76. **Balderton Parish Council** *No objection. No representations or comments were made.*
77. **Fernwood Parish Council** *Raises objections.*
78. *It is noted that some residents have concerns regarding the proposals, and it is requested that the County Council commissions a formal assessment by an independent body into possible damage caused by blasting before the variations are approved, given that proposed operations would be close to housing. This is especially the case given that housing has been built, developed or extended since the original permissions were sought and granted.*
79. *The following concerns were raised on behalf of a local parishioner. Whilst vibration levels have been tested with seismology equipment, this has been conducted on the street rather than within the residential property where vibrations were felt. It is understood that vibration results from pressure waves caused by blasting and it is this that is hitting this property, which is acting as a barrier and would either block or diffuse this wave. It is understood that this equipment only monitors ground vibration not pressure waves. To accurately measure, this would require the purchase or building of a property in the sight line of the quarry to measure and understand the effects of blasting on buildings.*
80. *It is queried as to when outline permission was granted and why it was excluded from the minerals review. If planning permission was granted before the building of Fernwood or Low Fields in Balderton, it should be refused outright; 300 metres from residential property is far too close.*
81. *It is queried why only a select few properties have received letters about the planning application. Residents living towards the outer part of Fernwood Village along Hunters Road can hear and feel the explosions; and if the pressure wave is travelling this far, with dust in its wake, then surely all residents should be properly consulted, rather than hoping they see the small signs displayed on lamp posts.*
82. **The Environment Agency (EA)** *No objection.*
83. **Trent Valley Internal Drainage Board (IDB)** *makes the following observations.*
84. *The Board maintained Staple Lane Feeders, an open watercourse, exists along the boundary of the site and to which Byelaws and the Land Drainage Act 1991 applies. The Board's consent is required to erect any building or structure (including walls and fences), whether temporary or permanent, or plant any tree, shrub, willow or other similar growth within 9 metres of the top edge of any Board maintained watercourse or the edge of any Board maintained culvert.*
85. *The Board's consent is required for any works, whether temporary or permanent, in, over or under, any Board maintained watercourse or culvert.*
86. *The erection or alteration of any mill dam, weir or other like obstruction to the flow, or erection or alteration of any culvert, whether temporary or permanent, within the channel of a riparian watercourse will require the Board's prior written*

consent. The Board's Planning and Byelaw Policy, Advice Notes and Application form is available on the website- www.wmc-idbs.org.uk/TVIDB.

87. *The Board's consent is required for any works that increase the flow or volume of water to any watercourse or culvert within the Board's district (other than directly to a main river for which the consent of the Environment Agency will be required).*
88. *The Board's consent is required irrespective of any permission gained under the Town and Country Planning Act 1990. The Board's consent will only be granted where proposals are not detrimental to the flow or stability of the watercourse/culvert or the Board's machinery access to the watercourse/culvert which is required for annual maintenance, periodic improvement and emergency works. The applicant should therefore note that the proposals described within this planning application may need to be altered to comply with the Board's requirements if the Board's consent is refused.*
89. *The Board had a number of concerns regarding their maintained drains and the riparian drains on the site together with discharge, but following an on-site meeting with the applicant, it has been confirmed that the applicant is able to meet the requirements of the IDB without further amendments to the planning application.*
90. **NCC (Flood Risk) No objection.**

1st Consultation Response
91. **CLH Pipeline System (CLH-PS) Ltd Raises an objection.**
92. *It is confirmed that CLH Pipeline System has apparatus in the area that would be affected by the proposals. It appears that the proposed development is to be constructed within close proximity to CLH-PS apparatus. Such works would require consent from CLH-PS and in this instance consent would not be granted as the proposed development would restrict access to the pipeline both for routine maintenance and in an emergency situation.*

2nd Consultation Response
93. **CLH Pipeline System (CLH-PS) Ltd**
94. *The asset protection team have confirmed that they are satisfied that the re-submitted plan adequately demonstrates protection of the oil pipeline infrastructure.*
95. *However, they have stated that they are not prepared to formally withdraw their objection until the applicant has paid CLH's costs. [This is not a material planning consideration and as they are satisfied with the re-submitted plan it is taken that this plan is adequate for pipeline protection purposes].*
96. **Western Power Distribution No objection.**
97. *It is noted that there is no network that is not already covered with legal consents. The applicant has an existing HV supply which would not be affected by the proposals.*

98. **Highways England (HE)** *No objection.*
99. **NCC (Highways) Newark and Sherwood** *No objections.*
100. *It is noted that the application would not change the amount of permitted HGV vehicle movements and would therefore have no impact on the public highway.*
101. **Public Health England (PHE)** *No objections.*
102. *The main changes of concern are the extension of the working area and the variation of the operating hours. The main emissions of potential concern are noise and dust generated as a result of operations in the north-east of the site. It is noted that the applicant has provided a risk assessment of the site, in which mitigation for both noise and dust is provided, however, as a matter of completeness, it is recommended that the County Council consults with the EHO to ensure that no nuisance is or is likely to arise from the site, and that they are satisfied that the mitigation is appropriate.*
103. *Based on the information contained in the application, there are no significant concerns regarding the risk to the health of the local population from the quarry extension.*
104. **NCC (Public Health)** *No objection.*
105. *Provided the Environmental Health Team at Newark and Sherwood District Council have raised no additional health concerns and consider the proposed mitigation to be appropriate, then the Public Health Team is satisfied that there are no significant concerns regarding risk to the health of the local population from the quarry extension.*
106. **Historic England (HE)** *No objection.*
107. *On the basis of the information available to date there are no comments to be made. It is advised that the views of the County Council's specialist conservation and archaeological advisers are sought.*
108. **NCC (Archaeology)** *No objection.*
109. *It is noted that the archaeological assessment provides a very useful update on the works which have been undertaken on the consented part of the scheme and it recommends that this continues should the current scheme be approved.*
110. *There is agreement with this approach, and it is recommended that an appropriately worded condition be attached to the consent should it be approved. The conditions on previous consents for the site have worked well, and it can be seen from this assessment just how much archaeology has been recovered and recorded through the imposition of these conditions.*
111. **NCC (Built Heritage)** *No objection.*
112. *It is confirmed that the site does not contain any built heritage assets and that no known built heritage assets fall within the influence of the proposals. There is no reason to suspect, based on the evidence prepared through the archaeological investigations and provided with the proposals, and further*

research of the Nottinghamshire Historic Environment Records, that any built heritage assets are likely to be affected in the course of the working of the quarry. Accordingly, it is considered that there are no issues of concern from a built heritage perspective and it is identified that no harm would be caused to any such assets by the proposed development in accordance with NPPF Section 16.

113. **Natural England (NE)** *No objection.*
114. *There are no comments to make regarding the variation of Conditions 2, 7, 12, 50 and 51.*
115. **NCC (Nature Conservation)** *No objection.*
116. *The extension area is of generally low ecological value, being dominated by an arable field with small areas of associated semi-natural habitat; no part of it is covered by any ecological designations, and it has limited potential to support protected species. In summary, the ecology chapter identifies that 'small' areas of broad-leaved plantation woodland and semi-improved grassland would be lost to the proposals, but whilst the extent of these losses is not quantified it is unlikely to be significant, and the vast majority of habitat affected is arable farmland of low inherent interest. With the exception of reptiles, no further assessment of impacts on any habitat or protected/notable species is taken forward as part of the impact assessment although general mitigation is proposed.*
117. *No bat roosts would be affected and impacts on foraging habitat and commuting routes are minimal as these form the periphery of the application site; no evidence of water vole was found; a small range of generally common and widespread breeding bird species occur in the application site in small numbers, but no breeding bird habitat is present on the application site. It is considered likely that reptiles could be harmed during the proposed development, although populations of reptiles are considered likely to be low at the site. Slow-worms have previously been recorded in the application area. With mitigation, the residual impact on reptiles is considered to be not significant.*
118. *In terms of mitigation, adherence to the general mitigation measures outlined under sections 7.52 and 7.53 of the ES should be made a condition of any planning permission granted, as should delivery of the enhancement measures listed in section 7.56.*
119. *Regarding Conditions 2, 50 and 51 (amended restoration scheme), it is noted that the principle of the restoration scheme is essentially unchanged albeit with a larger waterbody. Whilst this comes at the expense of agricultural land, there would be a net increase in species-rich and wet grassland.*
120. *It is considered that the Restoration Management Plan (parts 1 and 2) are satisfactory, given that it is based on what was previously approved.*
121. *It is not envisaged that any amended working hours would give rise to any significant ecological impact.*

122. *There are no further comments regarding the Regulation 25 submission other than to welcome confirmation that the applicant will accept a ten year extended aftercare period.*
123. **Nottinghamshire Wildlife Trust (NWT)** *Raises an objection.*
124. **Birds** - *the application is not supported by an up to date bird survey, with 2015 results being used, which is beyond the 2-year recommendation period for a valid survey. 2018 survey data required under the extant planning permission would be expected to inform this application.*
125. *The 2015 bird surveys found red list breeding birds present within the proposal area or nearby, including skylark which breed on site. An up to date survey would show which species are currently using the habitat, so impacts can be properly assessed and mitigated accordingly.*
126. *It is proposed to clear vegetation only outside the breeding season, and this should be conditioned. Mitigation should be put in place for the scheme's duration for red list birds of conservation concern, that use the arable, grassland and hedgerow habitats, such as skylark, yellow hammers and grey partridge, including seeding of soil mounds with rapid establishment grassland mix containing high proportions of oil-rich seed-bearing herbaceous native plants. Retained hedgerows should be left uncut for the duration of the scheme to provide higher and denser nesting habitat to replace scrub habitat currently used by birds such as willow warbler, for nesting.*
127. *Up to date data would provide further information regarding the bird assemblage; identify whether further mitigation is required for red list species; and establish whether any Schedule 1 species identified in the surrounding area, are present on site.*
128. **Amphibians and reptiles** – *the proposal area contains no amphibian breeding habitat; but there may be terrestrial amphibian habitat present used by Sn41/BAP species., such as frogs and toads. Mitigation measures already referenced for birds would help mitigate for the loss of such habitat.*
129. *Slow worms were found in the area when previously surveyed, but no further survey work has been carried out in the last 2 years to establish whether they are still present. Given its scarcity in this county its presence or absence on site should be established to determine appropriate mitigation. Whilst there is a proposed method of vegetation removal to prevent injury to reptiles, it does not resolve the issue of what the loss of any breeding habitat would mean to what may be a very localised slow worm population.*
130. **Mammals** – *no suitable bat roosting habitat is present, but previous bat foraging surveys have recorded 5 species present. Up to date surveys would identify which habitats are being used for foraging and what mitigation may be required. There is no suitable habitat on site for riparian mammals so no impact is anticipated. Hares have been recorded on site and mitigation for habitat loss should be provided.*
131. **Invertebrates** – *no surveys have been undertaken for key groups; with BAP/Sn41 species dingy and grizzled skippers in close proximity, it is essential any suitable habitat is retained throughout the proposed working scheme. These areas should be identified and protected, or an alternative supplied in*

advance of the loss of habitat. Most invertebrates have annual lifecycles, so if foodplants are lost at critical times in the season, the population cannot persist.

132. **Designated sites and BAP/Sn 41 Habitats** – *the proposal area does not include any SSSIs or LWS and direct impacts appear unlikely. However further work is required to establish that there will be no hydrological impacts on the nearest LWS ditches.*
133. *There would be a loss of SI grassland habitat; and whilst the restoration scheme would create more grassland this would not mitigate for the immediate loss of this area from the local ecological network; and this should be mitigated for in this scheme.*
134. *Proposed minor enhancements such as reptile hibernacula, bird boxes, etc. whilst beneficial do not outweigh the impacts that appear likely from the proposals.*
135. **Restoration** – *there is support for the proposed increase in species-rich grassland and a reduction in arable land in the final restoration scheme. However, given the scale of the proposed extension, further increases in species-rich grassland would be expected, which is capable of being managed through hay cutting and/or extensive grazing. It is expected that there would be a concurrent reduction in arable restoration; and there should be more shallow wetland habitat and variation in topography around the wetland, which is still large and deep and has a profile largely unsuited to the development of biodiversity. Finally, a considerably increased aftercare period is sought, to reflect the time it would take to properly establish these habitats, and also to ensure their protection, given that the habitats are being used as compensation to justify losses that would result from this scheme.*
136. **Protected Species** - *it is noted that routine surveys for the current quarry have not recorded any signs of protected species activity within the proposal area. If the development proceeds, mitigation measures in the restoration management plan are considered sufficient to prevent harm to a protected species. It is essential that activity checks are undertaken every 6 months covering the northern working area along with the rest of the site, and immediately prior to any excavation works.*
137. **NCC (Planning Policy)** *No objection.*
138. *The principle of excavation in these areas is supported by details contained within the adopted Nottinghamshire Minerals Local Plan (MLP) (2005). Where the plan notes extant planning permission being in place for the site (at that time dormant), its stated expectation is that work would at some time recommence (with conditions). In the Nottinghamshire Draft Minerals Local Plan (2018) the area subject to this application is stated as an area of reserves permitted for extraction.*
139. *Amended reclamation proposals are supported by Policy M4.8 (reclamation proposals for existing sites) and are unlikely to contravene the requirements of M4.15 relating to Minerals Review. Providing reclamation proposals are in accordance with aftercare and landscape treatment saved policies within Chapter 4 of the Minerals Local Plan, the development is likely to be in accordance with minerals local plan policy.*

140. *The variations stated would need to be in accordance with saved policies within Chapter 3 of the adopted Minerals Local Plan in respect of environmental protection and provided proposals are acceptable to relevant consultees regarding environmental impacts, there is unlikely to be an issue.*
141. **Via (Landscape)** *No objection.*
142. *In terms of landscape and visual impact issues, there are no comments to make concerning the variation of conditions, from a landscape and visual impact point of view. It is noted that the extended aftercare period of 10 years has been agreed in consultation with Nottinghamshire Wildlife Trust and the County Council's Nature Conservation Officer and therefore there are no further comments to make concerning this matter.*

1st Consultation Response

143. **Via (Noise Engineer)** *No objection.*
144. **Noise Impacts** - *It is noted that in terms of noise prediction undertaken using the methodology in BS5228-1 in all cases the noise levels would be below 55dB level except for a slight exceedance at 10 Inglewood Close where an exceedance of 0.7dB has been predicted. It is accepted that whilst a slight exceedance is predicted this assumes all plant working at the closest approach and as such, is a 'worst case' scenario and is therefore likely to be of short duration. As such, the installation of further mitigation would likely lead to greater disturbance over a similar timeframe and is therefore not likely to provide any greater benefit.*
145. *The noise impact assessment has considered the new school/care home receptors to the east, which would be in closer proximity to the future approved development to the east and is therefore considered worst case where noise levels are predicted to comply.*
146. *Processing of gypsum will occur between the hours of 06:00-07:00hrs; and noise levels during this period should comply with the night-time noise limit of 42dB LAeq, 1hr in accordance with the PPG. The assessment indicates that this level will be complied with at all sensitive receptors.*
147. **Blasting Impacts** – *In terms of ground vibration it is noted that a limit at inhabited properties of 6 mms-1 at a 95% confidence level is proposed. It is noted that an assessment of the recorded vibration data from the quarry has been used to create a regression line showing the 95% confidence limit to inform the allowable maximum instantaneous charge-weights (MIC) for various blast/receiver separation distances which are presented in Table 11-6 of the report and demonstrates that through careful blast design the criterion of 6.0mm's PPV at a 95% confidence can be complied with.*
148. *In terms of air over-pressure it is noted that this is often an area of concern for local residents as it is readily perceived internally within properties, and screening is less effective due to the low frequency of the pressure wave. However, despite being readily perceptible, levels experienced are usually well within safe limits to avoid damage to property. There are strict controls on the timing of blasting events and the assessment states that levels are well within the guideline levels and would not cause damage to property.*

149. *It is recommended that existing noise and blasting conditions are carried forward, however Condition 24 should be reworded to place a limit on vibration levels of 6mm/s PPV at a 95% confidence level. Whilst it was originally proposed to replace extant condition 20 with a blast/separation distance table contained in the assessment, to ensure that the corresponding maximum instantaneous explosive charge weights would comply with a maximum PPV of 6mm/s at a 95% confidence level, the Noise Engineer is now agreeable that this table is not necessary to achieve the appropriate mitigation.*
150. *Furthermore, a new noise condition should be included placing controls over processing plant noise between the hours of 06:00-07:00hrs, to ensure that it does not exceed 42dB LAeq, 1hr at any nearby noise sensitive receptor.*
151. *Finally, attention is drawn to the fact that Condition 7 should be amended to include the extended hours for gypsum processing from 06:00hrs in the morning.*

2nd Consultation Response

152. **Via (Noise Engineer)** *No objection.*
153. *Having reviewed the additional information with regards to blasting impacts on the oil pipeline, it is noted that the extraction extents have been amended to ensure compliance with 25mm/s on the pipeline, with vibration monitoring to be undertaken when extraction works are within 400m of the pipeline. Therefore, it is considered prudent to include a planning condition to ensure that for blasting operations within 400m of the oil pipeline, vibration monitoring shall be undertaken to ensure compliance with a maximum PPV of 25mm/s and shall only be undertaken with the prior agreement of the pipeline operator.*
154. **Via (Reclamation)** *No objection.*
155. *It is confirmed that the applicant has provided the necessary documentation to support the planning application. The aspects of concern in relation to contaminated land management are related to air quality and the water environment. The correct assessments have been undertaken to evaluate the risks associated with these potential impacts and through the indicated dust management plan, operational mitigation measures, environmental design measures and best practice measures any potential impacts to air, groundwater and surface water quality associated with the proposed works would be negligible.*
156. *Having examined the supplied information, it is observed that the applicant has satisfactorily considered the potential risks and implemented measures accordingly. There is therefore no reservation in terms of endorsing this planning application.*
157. **Via (Countryside Access)** *No objection.*
158. *There are no comments to be made.*
159. **Cadent Gas Limited Company** and **Severn Trent Water Limited** *have not responded. Any responses received will be orally reported.*

Publicity

160. The application has been publicised by means of a press notice and 43 site notices which were placed at the site entrance/egress to the quarry; on Staple Lane, Jericho Road, Balderton and throughout Fernwood on the main residential streets and around the business park, including outside the Tawny Owl Public House and the Residential Care Home on Cross Lane. 49 neighbour notification letters have been sent to the nearest occupiers on Bilton Close, Balderton, Cottage Close, Balderton, Elton Close, Balderton, Jericho Road, Balderton, Airfield Cottages, Great North Road, Fernwood, Balderton Grange Farm, Grange Lane, Balderton, Cowtham House, Main Road, Long Bennington, Cowtham House Cottage, Main Road, Long Bennington and the nursing home at Fernwood, in accordance with the County Council's adopted Statement of Community Involvement.
161. Eleven objections have been received, one of which is a 'tick-box' objection without attached comments, with ten letters of representation received from ten separate households, one of which is from one household signed by two occupiers, raising objections on the following grounds:

Blasting impacts

- a) Blasting is already causing minor damage to property, even at distances of over a mile away; moving blasting closer will only cause more dwellings to suffer damage and structural issues to become more serious;
- b) Moving the quarry to within 300 metres of property on Ainsdale Close is cause for grave concern; structurally property will be compromised both now, when the quarry is insured against causing damage, but also in the future long after quarrying is finished;
- c) Minor structural damage has been reported to the quarry and is being investigated;
- d) A survey has been conducted to confirm that mortar and tiling have fallen from property as a result of blasting; whilst still awaiting official findings from a surveyor, verbally it has been confirmed that the fallen masonry is likely to result from constant daily vibrations; other residents have received a survey advising that the damage is consistent with blasting operations, and it is anticipated that the survey will be identical;
- e) Property (2 Airfield Cottage) lived in since 1977, had no visible cracks until Saint Gobain started blasting close by; now there are a number of exterior and interior cracks.

Vibration and noise impacts

- f) There are regular vibrations which constitute a public nuisance, interfering with the enjoyment of the land many residents live upon;
- g) Moving the quarry operations closer to residential property will only serve to cause further nuisance increasing vibrations and noise, potentially leaving the quarry open to action by the local people of Fernwood and Balderton;

- h) Interference with residential amenity; since late August, one resident has recorded 16 occasions at the time of blasting, when the house or ground have been physically shaken. Based on this evidence, it would suggest vibrations are currently being experienced more than 190 times a year. Estimates of the number of current blasts, at 9 a week, equate to at least 468 a year, all of which would be felt if operations are moved closer, and all of which would potentially compromise the structural integrity of properties;
- i) Whilst levels of vibrations have been tested with seismology equipment, such tests have been conducted on the street where no vibration has been detected, rather than the property where vibration has been detected;
- j) Vibration results from pressure waves caused by blasting at the quarry, which will have limited or no effect on the ground at the current distance, but it is the pressure wave that is hitting the property, which in turn acts like a 'huge sail or block' for this wave. There is very little between the quarry and residential property to diffuse or block a pressure wave, which would not be noticeable outside;
- k) The quarry's monitoring equipment, placed at varying distances from the blast site is only set up to monitor ground vibration not pressure waves. To accurately measure the effects of these waves would require the purchase or build of a property, in the sight-line of the quarry to measure and understand the effects of blasting on buildings;
- l) Monitoring of vibrations has not been undertaken independently but has only taken place using equipment from Saint Gobain;
- m) Can feel the blasts in Fernwood when they take place, however consultations with the operator have confirmed that the measured vibrations are well within tolerance levels.

Impacts of subsidence

- n) Concern over subsidence and sink holes created by old unused gypsum mines in other parts of the country;
- o) What measures are now being taken to prevent subsidence; and in the short and long-term future to safeguard against damage to residences on Bilton Close, Jericho Road and other residential areas which are local to the planned extension area.

Safety issues

- p) Concerns over the safety and protecting of residents from falling masonry.

Dust issues including health effects

- q) Considerable amounts of gypsum dust, especially when blasting has taken place that day and the wind is blowing in the direction of nearby properties (Airfield Cottages);

- r) Main concern for the proposed variation relates to dust levels from blasting, with windows, windowsills and paint surfaces already covered in a grey dust, and presumably residents are inhaling dust from the quarry site; inevitably as the quarry site moves closer to Fernwood, dust levels will be exacerbated, and local residents wish to see an assessment being made to show there is no detriment to human and animal habitation; if such an assessment has been made and there is no detriment to life, then there would be support for the application, but objection will be made until such an assessment has been made and published with concerns safely addressed;
- s) Planning permission has been given for a school within close proximity to the suggested site; hundreds of pupils will then be affected by the development also;
- t) Whatever systems the operator has in place to control dust are not working;
- u) Contact has been made with the County Council on numerous occasions and they have been 'absolutely useless'. All that has been suggested is that a dust monitor could be sited on nearby property, however months have gone by with no follow up on this;
- v) Dust pollution and possible adverse impact on nearby housing already in situ and about to be built, along with a secondary school also to be built;
- w) Videos of dust blowing away from the quarry in vast amounts, which is harmful, and for planning to be granted for another ten years is of great concern;
- x) The dust is a health hazard as residents are breathing it in every day not to mention the mess it makes; it affects conditions like asthma and causes more dust to be in the air of residential homes;
- y) Dust and airborne particles are already affecting the environment and air quality over 1.5 miles away, despite the quarry operators claiming that the prevailing winds carry dust and airborne particles away from Fernwood and Balderton;
- z) The quarry accepts there is a problem with dust and airborne particles, which residents have shown makes its way into Fernwood, causing corrosive gypsum dust to settle on houses or vehicles; this is bound to have a negative effect on health, especially those pre-disposed to breathing difficulties;
- aa) Pollution from gypsum becomes corrosive when it comes into contact with moisture and has a life-threatening effect on health. Based on this alone, the County Council would be in breach of its duty-of-care to residents if it were to allow the proposed extension towards residential areas;

Publicity arrangements

- bb) The drawing of the extension area seems out of date, as it does not show the extension in relation to the recent changes made to Staple Lane, so it is difficult to see how close the development comes in relation to property on Bilton Close and its relation to this;

- cc) The proposed development does not accord with the provisions of the development plan in force in the area; and the development is in contradiction of another development plan in force in this area;
- dd) Residents towards the rear of Fernwood village (Hunters Road) can hear and feel the explosions, so it is questioned why only a select few properties have received letters about the planning application;
- ee) If the pressure wave is travelling this far, with dust in its wake, surely all residents should be properly consulted rather than hoping they see the small signs displayed on lamp posts dotted around the area.

Existing planning permission

- ff) It is understood outline planning permission is already granted, but the resident has been unable to ascertain when exactly this was granted or why it was excluded from the review of mineral permission. If planning permission was granted before the building of Fernwood or Low Fields in Balderton, it should now be refused outright, given the residential development of these areas since the original permission.

Traffic impacts

- gg) As a resident living on Staple Lane, there are concerns about the amount of enormous vehicles using it as a 'rat-run'. It is understood that the end of Staple Lane was due to be closed off and turned into a cul-de-sac once sufficient building had happened. However, residential property is now being built and lived in, but there is no sign of the road being closed off to through traffic or a new, more fit-for-purpose road being built;
- hh) Staple Lane is already a death trap as it pulls onto London Road literally a few metres away from the roundabout coming off the A1; there have been many accidents and near misses, so more heavy plant vehicles are not likely to improve the situation. It is only a matter of time before fatalities are witnessed;
- ii) Residents object to the planning application until someone takes responsibility for the building of a fit-for-purpose road which Staple Lane in its current position most definitely is not.

Proximity to residential development

- jj) 300 metres from residential property is far too close;
- kk) The quarry is no longer in a suitable position for its works, due to the increased number of residential properties;
- ll) The development is too close to residential properties; there is also a new comprehensive school being built right near the boundary plus over a thousand more houses due to be built any time;
- mm) Mining took place many years ago when there was no residential property in close proximity; that situation has now changed and needs taking into

consideration. Dust and vibrations from blasting are already a problem; this has been brought up with the quarry at previous meetings and closer blasting is only going to make it worse;

- nn) The quarry is now in the wrong place, so that it is extracting so close to residential properties. Several properties are already suffering the effects of blasting, and local residents dread to think how much worse it will be if it gets any closer.

Residential amenity impacts

- oo) Whilst the quarry is a place of business, for those living in Fernwood, no one has a definitive answer as to whether houses in the area will suffer any damage or whether dust in the air will get worse. Blasting is felt and could get worse; residents would be happier if there was insurance in place to cover potential damage to property or potential financial loss from a fall in house prices due to mineral operations being so much closer.

Regulation 25 representations

162. Three further letters of representation have been received in response to the Regulation 25 re-consultation from three separate occupiers living in Fernwood. The only new issue that has been raised relates to the perception that blasting activities have recently moved closer to residential development in Fernwood. Other than this, the representations restate the concerns raised in the original consultation process. The grounds of objection are set out as follows:
- a) Vibration accompanying the blasts, which are likened to 'deep drilling underneath the building', has recently been felt in short bursts, but there are fears for the long-term effects on building foundations;
 - b) Potential for airborne dust particles as the quarry moves closer to residential development in Fernwood, with the potential to exacerbate existing health conditions;
 - c) Residents are already experiencing dust impacts, with one local resident having his car and first floor flat windows covered in a film of grey dust;
 - d) Deeply concerned about the future effects if approved and blasting moves even closer to residential homes given the current situation before blasting has even moved to the proposed northern area;
 - e) The effects on homes and the local environment can only become more acute as the blasting moves closer and given the vibration now being experienced, there is strong opposition to the proposed northern extension adjacent to Fernwood;
 - f) Blasting would come within 300 metres of residential property, and there is already damage to property from existing blasting, with even the surveyor's report saying it is a possible cause of damage;
 - g) Serious concerns about the foundations of property which are being disturbed by tremors from the quarry already, let alone when they get closer;
 - h) Residential property is rattled every time there is a blast;
 - i) Already feel the blasting 2 or 3 times a week and the operator now wants to be even closer;
 - j) Dust is horrendous;

- k) The previous planning permission was granted well before all the developments that have happened in this area in the past few years.
- 163. Councillor Keith Walker has been notified of the application.
- 164. The issues raised are considered in the Observations Section of this report.

Observations

- 165. As with all minerals, gypsum can only be worked where it is found and, in the UK, workable gypsum deposits are restricted to the Midlands through Nottinghamshire, Leicestershire and Staffordshire, the Eden Valley in Cumbria and the Wealden area of East Sussex. Bantymock Quarry mines a thin seam of high purity Newark gypsum, which is only found in this area.
- 166. Nottinghamshire is a major producer of gypsum, and Newark's Bantymock Quarry is critical to the applicant's operations, with the quarry supplying gypsum primarily to the associated Jericho Works, together with Saint Gobain's manufacturing plants in Nottinghamshire (East Leake), Leicestershire (Barrow-on-Soar) and Staffordshire (Fauld); where there is an increasing demand for Bantymock's high purity gypsum. Some 75 percent of gypsum is used in plaster and plasterboard, 20 percent in cement, and the remainder, comprising high quality gypsum found only in Nottinghamshire, has a wide range of specialist uses including ceramics, paint, dentistry, medicine, metal casting, food additives and decoration.
- 167. Historically, 'synthetic' gypsum (known as 'de-sulphur gypsum' or DSG) produced as a by-product of the treatment of flue gases emitted from coal-fired power stations has been blended with mined gypsum, reducing the need for high purity gypsum. This has resulted in lower depletion rates of consented reserves of natural gypsum and the conserving of resources at the quarry. However, coal fired power stations are progressively being phased out under Government initiatives to tackle climate change, and consequently DSG production has significantly reduced over recent years, with a corresponding increase in the requirements for high purity gypsum. This is a trend that is anticipated to continue.
- 168. The principle of extracting mineral in the north-eastern part of the Bantymock Quarry site has been established under extant planning consent 3/3/-/80/43, with the suitability of the site at that time having been assessed against relevant policy criteria, with this including the physical and environmental constraints on the development; existing neighbouring land uses; and any significant adverse impacts on the quality of the local environment. However, this assessment was some thirty-seven years ago, and the northern extraction area was excluded from the minerals review process in 2006. Since the original planning permission was issued, there has been the establishment of new housing development, including at Fernwood, bringing residential development into closer proximity of mineral operations, and particularly, for the purposes of this planning application, the northern-eastern part of the Bantymock site. Furthermore, the new Suthers School is under construction on Cross Lane, and will create a 830-place senior school anticipated to open at the start of the Summer Term in April 2020, with this being the nearest sensitive receptor to the north-eastern working area.

169. Therefore, material to the decision is an assessment of the environmental and amenity effects associated with working the north-eastern part of the quarry site; the proposals compliance with relevant saved environmental protection policies contained in Chapter 3 of the Nottinghamshire Minerals Local Plan (MLP), adopted in December 2005; and whether the environmental effects can still be appropriately mitigated.
170. Reference is now made to those material considerations relevant to the determination of this planning application.

Extended use of the site and compliance with planning policy

171. In national planning policy terms, the proposed development is given due consideration in light of the revised National Planning Policy Framework (NPPF) (revised in February 2019), and the on-line Planning Practice Guidance (PPG) which is periodically updated including a section on minerals (March 2014) which replaces the NPPF technical guidance. The NPPF does not change the fundamental premise of Section 38(6) of the Planning and Compulsory Purchase Act 2004, which is that planning law requires that planning applications must be determined in accordance with the development plan, unless material considerations indicate otherwise.
172. In this instance, the most relevant part of the development plan is the adopted MLP which focuses on meeting the supply needs of the minerals industry in Nottinghamshire for the period up to the 31st December 2014. Whilst this period has expired, its saved policies remain in force until the new MLP is adopted. Whilst the adopted MLP pre-dates both the NPPF and PPG, in the absence of a replacement plan, it remains the main policy consideration where it remains consistent with the NPPF.
173. For the purposes of this application, the development plan comprises not only the key strategic policies and relevant saved environmental protection policies contained in Chapter 3 of the MLP, but also policies within the Newark and Sherwood Local Development Framework comprising the Amended Core Strategy (adopted March 2019) (ACS) and the Allocations and Development Management Development Plan Document (DPD) adopted in July 2013. Whilst the Fernwood Parish Neighbourhood Plan (FNP) 2016-2031 (Submission Version) covers the Bantymock application area, paragraphs 37 and 38 make reference to the quarry and confirm that matters pertaining to the quarry are dealt with in the MLP.
174. In terms of assessing the relative weight that should be given to policies contained in the adopted MLP, the revised NPPF advises that existing policies should not be considered out-of-date simply because they were adopted prior to the publication of the NPPF. Paragraph 213 states that due weight should be given to such policies, according to their degree of consistency with the Framework, with the closer the policies in the plan to the policies in the Framework, the greater the weight that may be given.
175. Chapter 10 of the adopted MLP relates to the supply and demand for gypsum in the county and states that, unlike aggregates, there is no national demand forecast, nor is there any reliable data regarding its supply and demand (paragraphs 10.17 and 10.14 respectively). Paragraph 10.14 states that

although there is no reliable data, the demand for gypsum, which depends on the construction industry, is broadly in line with that for aggregate production; although the trend in demand for primary gypsum has been significantly reduced due to the availability of DSG. However, it is recognised that the future demand for natural gypsum remains uncertain with no guarantee that DSG would continue to be produced in anywhere near the same quantities and qualities going forward (paragraph 10.17).

176. Overarching policy direction is established under paragraph 205 of the revised NPPF. It states that in determining planning applications for minerals development great weight should be given to the benefits of mineral extraction, subject to there being no unacceptable adverse environmental impacts.
177. The revised NPPF seeks to ensure that adequate supplies of minerals are maintained to support the development of infrastructure, buildings, energy and goods that the country needs (paragraph 203). As such, there is a requirement on minerals planning authorities to plan for an adequate and steady supply of minerals including industrial minerals such as gypsum to ensure an adequate provision of industrial minerals to support their use in industrial and manufacturing processes (paragraph 208). However, there is no requirement to identify a local apportionment figure for gypsum production and it is up to the industry itself to identify adequate reserves to maintain production. In support of this approach, the revised NPPF encourages local planning authorities to incorporate allocations within their local development plans, of specific sites where reserves have been permitted. Whilst pre-dating the revised NPPF, the adopted MLP approach is consistent with the NPPF in its allocation of Bantycok Quarry and reflects the fact that there is neither a national demand forecast (reference adopted MLP paragraph 10.17) nor a local apportionment figure for gypsum.
178. The adopted MLP incorporates three allocations for Gypsum extraction:
 - Bantycok Quarry;
 - Policy M10.2 – safeguarded area at Costock (Marblaegis Mine);
 - Policy M10.3 Bantycok Allocation comprising 98 hectares of land to the south of Bantycok Quarry are allocated for gypsum extraction.
179. There is no specific policy relating to the north-eastern extension under consideration in this application as the principle of extraction in this area is supported by details contained in the adopted MLP. The proposed northern-eastern extraction area subject to this planning application is consistent with land identified on the Proposals Map – Inset 13 of the MLP as having planning permission to extract minerals. There are no apparent constraints of any significance that would exclude this area from being excavated and worked for mineral extraction. Whilst the site was dormant at the time of the MLP being adopted, the stated expectation of the MLP was that current and future provision of gypsum in this part of the county would be met by existing permitted reserves, sufficient until 2015, and an allocation to the south of the permitted reserves (Policy M10.3).
180. Paragraph 10.21 of the MLP recognises that existing permitted reserves at Bantycok Quarry, in addition to the southern allocation, offer a number of

important planning and economic advantages comprising proximity to the Jericho Works with reduced traffic and haulage costs, a relative remoteness from settlements, and an existing landscape of limited merit, the site having previously been used as an airfield.

181. In the Nottinghamshire Draft Minerals Local Plan (2018) the area subject to this application is part of an area of permitted reserves identified in Policy MP7b. A larger southern allocation with an estimated 8.5 million tonnes of reserves is provided by Policy MP7c and the Plan considers that existing permitted reserves and the southern extension would be sufficient to provide an adequate supply of gypsum over the plan period. The draft plan provides some context to future planning policy direction but, given it is at a very early stage of preparation, extremely limited weight can be given to the policies the plan incorporates or its proposed allocations, within the decision on this planning application at this present time.
182. The County Council's most recent assessment of gypsum provision in Nottinghamshire is provided in the Nottinghamshire Minerals Local Plan Authority Monitoring Report (February 2017) (AMR) covering the period from 1st April 2015 to 31st March 2016.
183. With regards to the supply of gypsum, it noted that there are no production forecasts, landbank criteria or specific government guidance that relates to gypsum provision. Whilst there has been an overall trend towards a reduction in demand for natural mill and cement grade gypsum used in the manufacture of plasterboard and plaster, due to the increasing substitution by DSG, this trend is now anticipated to be reversed, due to a significant reduction in available DSG with the closure of coal-fired power stations.
184. The report identifies that the current landbank of permitted reserves for gypsum in Nottinghamshire remains high, both in terms of mineral worked by opencast methods (Bantycok Quarry) and also by underground methods (Marblaegis Mine). Paragraph 3.17 indicates that permitted reserves at Bantycok Quarry are adequate until around 2028, and that in overall terms, permitted and allocated reserves of gypsum provision remain high.
185. Whilst not strictly an industrial mineral, gypsum does have its industrial applications and therefore it does not seem unreasonable to consider this particular mineral in this context. The revised NPPF makes reference to industrial minerals at paragraph 208, and states that MPAs should plan for a steady and adequate supply of industrial minerals including by maintaining a stock of permitted reserves to support the level of actual and proposed investment required for new or existing plant, and the maintenance and improvement of existing plant and equipment. Specifically, it directs that these reserves or landbanks should be at least 15 years for cement primary (chalk and limestone) materials to maintain an existing plant.
186. Whilst it is recognised that there is no specified landbank requirements for gypsum there is nevertheless scope within the NPPF's policy relating to industrial minerals to provide support for ensuring that a stock of permitted reserves of at least 15 years of primary cement materials is maintained when associated with an existing plant, as in the case of Bantycok Quarry and the associated Jericho Works. Given the high purity of the gypsum deposit at

Bantymock, it is considered reasonable to argue in support of the higher landbank.

187. Whilst gypsum is not directly referenced in paragraph 208 of the revised NPPF there is reasoned justification behind these proposals insofar as they would:
- ensure that there is a steady and continuing output of primary material to the manufacturing works at the Jericho Works and for dispatch off site for use in the manufacture of cement products;
 - ensure that all permitted remaining reserves in Bantymock Quarry are worked out sustainably prior to the cessation of mineral extraction in the extant permission area at Bantymock Quarry thereby protecting minerals from being sterilised prior to any move towards developing the southern extraction area. Adopted MLP Policy M2.2 and Paragraph 204 of the revised NPPF seek to ensure that minerals are not needlessly sterilised, and the proposals would comply with these policies;
 - Paragraph 203 of the revised NPPF states that since minerals are a finite resource, and can only be worked where they are found, and best use needs to be made of them to secure their long-term conservation. Again, the proposal would comply with this policy;
 - significant weight is attached to the importance of the quarry and associated Jericho Works to the local economy in terms of local employment and to the wider economy due to the relative scarcity of gypsum resources. Paragraph 205 of the revised NPPF requires planning authorities, when making decisions, to give great weight to the benefits derived from mineral extraction, including those to the economy, and the proposals would comply with this policy.
188. It is acknowledged that the use of DSG within the applicant's plants including the East Leake and Jericho Works has reduced the need for primary won gypsum, the consequence of which has been the enhanced management and conserving of primary mineral reserves. However, as noted in the AMR, supplies of DSG are falling and the applicant has experienced a relatively marked decline in DSG production with a rapid reduction over the last year or so. In response, the applicant has invested in the installation of new plant at a number of the works, including East Leake, to address the exhaustion of DSG stockpiles from coal-fired power stations. As such, there will be a progressive move back to using primary gypsum extracted from mines and quarries, including Bantymock Quarry, as a replacement for DSG.
189. The applicant's analysis of the reserves remaining at Bantymock, along with the projected demand from the applicant's works, indicates that the reserves would be exhausted by the middle to end of 2023 without working the north-eastern part of the quarry. By including the north-eastern area, the reserves would be increased by around 2 years which, whilst still not sufficient to re-instate a 15 year landbank, would secure the annual production rate of 300,000 to 400,000 tpa (equating to approximately 130,000 cubic metres annually) until 2025. It would maximise the extraction rates of a high quality first grade mineral resource and ensure that permitted reserves are exhausted prior to the permitted end date of 2027, allowing for the timely implementation of restoration works.

190. Although permitting the north-eastern area would provide an additional two years reserves until 2025, this falls short of guidance in the NPPF which advocates at least 15 years of permitted reserves for existing plants, increasing to 25 years where investment is needed in new plant and machinery. So whilst the proposed development, in terms of bringing the north-eastern part of the quarry site into production, is in compliance with the adopted MLP and the revised NPPF, it also provides support for the approach of the emerging MLP in allocating additional gypsum reserves through the southern extension.
191. The Government's Planning Practice Guidance with regards to minerals (Paragraph 086) defines industrial minerals as essential raw materials for a wide range of downstream manufacturing industries, and states that their economic importance extends well beyond the sites from which they are extracted, and that the loss of supply of one mineral could create difficulties for manufacturers even if the other minerals remain available (Paragraph: 086 Reference ID: 27-086-20140306).
192. Paragraph 207 of the revised NPPF requires MPA's to plan for a steady and adequate supply of industrial minerals. The NPPF expects planning decisions to proactively drive and support sustainable economic development and places significant weight on the need to support economic growth through the planning system.
193. Whilst the adopted MLP allocates additional land for mineral extraction to the south of the currently consented extraction area at Bantycok Quarry, there are considered to be sufficient permitted reserves in the northern extraction area to ensure the quarry is able to fulfil the supply side of its business operations until at least 2025. It is noted that the mineral is an essential raw material for the applicant's manufacturing sites in Nottinghamshire (East Leake), Leicestershire (Barrow-on-Soar) and Staffordshire (Fauld), as well as its directly associated plant at the Jericho Works; and that there is increasing demand for Bantycok's high purity gypsum in a wide range of specialist products. Current demand can be met through the extraction of remaining reserves at the permitted Bantycok site. The proposals would therefore be in accordance with the revised NPPF and paragraph 086 of the supporting PPG.
194. The recovery of permitted reserves in the northern part of the quarry would allow the quarry to continue to operate and maintain the existing economic and employment benefits which the quarry provides both in terms of direct employment and associated operations such as road haulage. It would maintain a vital release and supply of high grade gypsum into the Midlands region and support the continuing contribution of the site to the local and regional economy. The socio-economic benefits of the scheme are material in the determination of this planning application.
195. Overall, there is sufficient policy support and other supporting material considerations to indicate that the proposals should be permitted subject to there being no unacceptable environmental and amenity impacts associated with this development.

Environmental impacts of the development

196. An assessment of the environmental effects of the development has been undertaken by way of an Environmental Impact Assessment (EIA) prepared under the 2017 Environmental Impact Assessment Regulations. This has been provided as supporting information to assist the County Council in its assessment of the potential environmental impacts associated with the development. The rigorous assessment of the environmental implications of the development contained in the EIA has been examined and appropriate technical advice sought through the planning consultation process. The findings, conclusions and recommendations are given due consideration in the following observations.

Landscape and Visual Impact

197. Saved Policies M3.3 and M3.4 of the Adopted MLP seek to reduce the visual impact of minerals developments to acceptable levels by controlling the location, colour and height of on-site infrastructure and encouraging screening and landscaping measures to mitigate impacts as far as is practicable. Policy M3.22 requires landscape character and local distinctiveness to be fully taken into consideration as part of development proposals and does not support development which adversely impacts the character and distinctiveness of the landscape unless there are wider benefits to be gained from the scheme in conjunction with ameliorative measures that can reduce the impact to acceptable levels.
198. Paragraph 170 of the revised NPPF states that planning decisions should both contribute to and enhance the natural and local environment by protecting and enhancing valued landscapes, in a manner commensurate with their statutory status or identified quality in the development plan.
199. The landscape and visual impact of the development has been assessed as part of the ES. The assessment includes a review of the baseline (pre-development) landscape and visual characteristics of the proposal site and its surroundings, and then identifies the probable impacts of the development on the landscape character and visual context. It then goes on to assess the residual landscape and visual impacts likely to occur after mitigation has been taken into consideration and the significance of these effects.
200. In terms of the national level landscape character assessment, the application site is defined as being part of the Trent and Belvoir Vales, with this providing the landscape context for the site. At a county level, the site is situated within the South Nottinghamshire Farmlands Regional Character Area (Newark and Sherwood Landscape Character Assessment, SPD, December 2013); and is typically characterised by rolling lowland landscape dominated by arable cultivation, a low level of woodland and a regular pattern of medium to large-scale hedged fields. Within the South Nottinghamshire Farmlands zoning policy, the site lies entirely within Policy Zone SN PZ 08: Cotham Village Farmlands, which is assessed as being of 'very poor' landscape condition and of 'very low' landscape sensitivity. The overall landscape strategy for this area is to conserve and enhance, with specific reference being made to the conservation of hedgerows; and the creation of historic field patterns where feasible and the containment of new development within historic boundaries. Objectives for this area also include the enhancement of tree cover and

landscape planting, particularly along the A1 to create increased visual unity and habitat across the policy zone.

201. Regarding the landscape characteristics of the site and its immediate surroundings, it is noted that the landscape to the south of Balderton, including the proposal site, has a more open, rural character and is distinguished by large arable fields, which are enclosed by a mix of ditches, hedgerows and highways. The proposed northern working area is generally characteristic of the landscapes within this area, and it is identified that the generally flat to slightly undulating topography, and existing hedge lines and element of woodland, limit views across the proposed development site.
202. Past and present mineral workings are evident throughout the area; with large overburden bunds and screening mounds forming prominent features, to the south and west of the site. The wider quarry site of which the northern proposal area forms but a part, comprises restored and as yet unworked agricultural land, extensive tree planting, the existing quarry workings and associated operational infrastructure. Both the wider quarry site and the localised landscape display industrialised characteristics, with a complex of large-scale, tall industrial buildings at the Jericho Works. Other man-made features including wind turbines, solar PV farms, high voltage transmission lines, and the A1 trunk road further detract from the rural setting.
203. The landscape value attributed to the site area is low; there are no national landscape related designations, nor protected or locally designated features within the site. The overall condition of the landscape within the wider setting is considered to be poor, due to large-scale agricultural practices and existing gypsum operations. Overall, the proposal site and its immediate surroundings are assessed as being of low landscape sensitivity.
204. In landscape terms, the main changes associated with the proposed development include the additional mineral extraction from the north-eastern part of the site, and modifications to the approved restoration scheme involving the loss of some 10ha. of agricultural land, 0.6ha. of lake area and 0.6ha. of tree planting. Other changes include the creation of additional species rich and wet grassland, and the increased height of the hill feature to the south-east from 25m AOD (approved scheme) to 30m AOD (proposed scheme).
205. Some adverse physical effects to the landscape would occur during the extraction and restoration phases. These effects would result from changes to the landform, the partial loss of some young recently planted trees, and the progressive loss of higher grade productive agricultural land in the north-eastern part of the site, all of which would adversely affect the landscape character of the area. Some permanent topographical changes would occur as a result of the development, involving an existing man-made hill feature to the northeast being extracted and replaced by a lake feature. In addition, the proposed hill feature to the south-east would increase in height. The landscape assessment concludes that the overall magnitude of these effects on the landscape would be 'low adverse' during the extraction and restoration phases, resulting in a 'minor' significance of effect.
206. In the main, these effects would however be temporary and short-term and, over the long-term, most of the adverse effects on the landscape would be reversed, delivering long-term improvements in both the quality and diversity

of the landscape compared to that existing. 15 years post restoration, the overall magnitude of landscape effects is assessed as being marginally beneficial, mainly as a result of the introduction of new species rich and wet grassland habitat, enhancing both the site's landscape character and its biodiversity value.

207. Post restoration, groundwater levels would recover to create the lake, and associated lake margin habitats would be established; tree and vegetation planting would assist in the integration of the permanent established landforms into the wider landscape.
208. It is considered that the proposed development would not give rise to any residual landscape effects and that subject to appropriate planning conditions to secure the revised restoration scheme, the proposals would comply with Adopted MLP Policy M3.22 and the revised NPPF.

Visual impacts

209. The visual impact assessment indicates that the potential visual effects associated with the proposed development are less than significant. This is mainly the result of the small magnitude of change between the approved scheme and the proposed development. Added to this, the proposal site is screened by existing perimeter vegetation and where views into the site are possible, these would mainly be partial, glimpsed or transient.
210. In considering the potential visual effect associated with the proposal, this has to be set against the context of the wider quarry site which is extensive, fully operational and exhibits, at least in part, an industrialised appearance. The baseline (pre-development) visual context therefore helps to minimise the magnitude of any potential visual effects associated with the proposed development. In terms of assessing the visual effects, the key activities considered include the extraction of gypsum and associated soil stripping in the north-eastern part of the quarry; and the proposed changes to the restoration scheme which would see the restored southern hill feature increase in height from 25 to 30 metres AOD; and the relocation of the northern lake and associated wetland habitats.
211. A 2km Zone of Theoretical Visibility (ZTV) was established around the proposed site, and twelve viewpoints selected in agreement with the County Council's Landscape Consultant, to represent views from potential key receptors at varying distances and orientations from the site. It is noted that despite the scale and prominence of the quarry, there are comparatively few residential receptor locations within the ZTV afforded views of the proposed site. Only five residential properties and areas of settlement were identified in Jericho Road, Church Lane, Dale Way, Fen Lane and Balderton Grange Farmhouse. Even for these identified residential receptors, potential views of the proposal site would be significantly limited by vegetation around the site perimeter and adjacent to areas of residential settlement. Any identified visual effects would be of minor to negligible significance during the extraction and restoration phases; being confined to the above ground restoration activities involved in the formation of the southern landform, with views being mainly from first floor windows. It is concluded that where visual effects have been identified, these would be of minor to negligible significance during the

extraction and restoration phases, with some improvements in views, 15 years post restoration.

212. Any identified visual effects arising from the development during the extraction and restoration phases would be limited to a very localised area. Of the twelve viewpoint locations assessed, only one location would experience a 'medium adverse' magnitude of effect, resulting in visual effects of 'minor' significance. This would be from the bridge over the A1. From this viewpoint, direct views of mobile plant and the proposed working area to the northeast would be possible during extraction and restoration operations, but such views would be transient. Any identified adverse effects would be both temporary and short-term.
213. Overall, the design of the development has sought to minimise visual impact and ensure the objectives of Adopted MLP Policies M3.3 and M3.4 are met. In this respect, visual mitigation measures have been incorporated into the scheme, including the partial retention of the northern tree planting around the proposed working area, to provide visual screening; the retention of perimeter hedgerows and the various landforms being designed with gentle gradients, to appear natural and to improve assimilation with the existing landscape.
214. All works would occur below ground level thus ensuring the works are kept as low as is practicable. Further mitigation would be provided by direct placement of soils wherever possible together with progressive restoration of the site, to minimise disturbed areas visible at any one time. The visibility of the site from the wider surroundings would be restricted mainly by existing intervening vegetation.
215. It is noted that there are no concerns from a landscape and visual impact point of view from the County Council's Landscape Consultant. The proposal is therefore considered to be in accordance with Adopted MLP Policies M3.3 and M3.4, given that any adverse visual impacts associated with this development can be kept acceptably low, subject to securing the proposed attenuation measures through appropriate planning conditions.
216. Overall, it is concluded that the proposed development would not give rise to any significant residual landscape or visual effects.

Blasting effects

217. Policy M3.6 (Blasting) of the Adopted MLP states that planning permission for minerals development will only be granted if blasting levels can be kept within acceptable limits. Where appropriate, conditions will be imposed to: set a maximum vibration limit; restrict the hours when blasting can occur; limit air overpressure levels by the adoption of best practice blast design; and finally place requirements on the operator to monitor blast vibration levels in sensitive locations and to provide reports of blast levels on a regular basis to the County Council.
218. Paragraph 205 of the revised NPPF states that when determining planning applications minerals planning authorities should ensure that any blasting vibrations are controlled, mitigated or removed at source.

219. The PPG regarding minerals (published 17 October 2014), indicates that the environmental effects of blast vibration need to be considered, but does not offer any specific guidance, either on assessment methodology or allowable limits.
220. In terms of general amenity impacts, Policy DM5 of the Newark & Sherwood DPD states that development proposals should have regard to the impact on the amenity or operation of surrounding land uses and where necessary mitigate for any detrimental impact.
221. The use of controlled explosive charges is a necessary part of the operations at Bantycok Quarry to loosen the harder deposits of gypsum. In this respect, only two of the gypsum seams are blasted due to their relative thickness, namely the Cocks and Greys seams. The Cocks seam is 26-30 metres below ground level, with the Greys seam immediately below this seam, to a maximum depth of 36 metres below ground level. The combined seams are 10 metres thick. The remaining gypsum seams together with the overburden and interburden are removed by mechanical means. It is noted that blasting operations at Bantycok Quarry are moderated by the fact that there is no requirement to break rock away from the working face, unlike blasting operations associated with quarries producing aggregates. Blasting is more limited in scope and needs to be sufficient merely to fracture the gypsum so that it can be lifted by excavator.
222. Members observed the blasting on a site visit (pre-committee) to the quarry earlier in the year. The process of blasting, involving the detonation of explosive charges in a borehole or 'shot hole', generates stress waves, the effect of which is localised, causing localised distortion and fracturing of the rock seam. Beyond this immediate vicinity, permanent deformation does not occur. Instead, the rapidly decaying stress waves cause the ground to exhibit elastic properties whereby rock particles are returned to their original position. Notwithstanding this, all blasting generates vibration, and if not properly controlled and regulated, the blast induced vibration has the potential to cause damage to property or structures, and a loss of amenity to residential receptors. Evidence suggests that it is not possible to design out vibration altogether, despite the detailed design process involved when determining the parameters of the blast itself, including the borehole diameter, its depth, spacing, and quantity of explosive. All blasts will generate vibration, which occurs both through the ground and through the air as a pressure wave.
223. A typical blast consists of several boreholes into which are placed explosive charges. Each borehole is detonated individually using a series of detonators, each with differing millisecond delays. Detonating explosives within a confined borehole generates stress (seismic) waves causing localised vibration, distortion or cracking. Even the most well-designed blasts generate this type of ground vibration, which then radiates away from the blast source, attenuating as distance increases. The widely accepted aspect of vibration that requires monitoring is the peak particle velocity (PPV), which is the maximum value of particle velocity in any stress wave.
224. The representations from the local community and Fernwood Parish Council highlight substantial concerns regarding the potential for significant blasting impacts arising from the proposals given that quarrying activities would move closer to residential property, including to within 300m of residential

development in Ainsdale Close. It is alleged that minor structural damage has already been caused to property from existing operations and that moving blasting closer would only result in an increasing number of dwellings being affected; and any damage arising being more serious.

225. It is recognised that the involvement of blasting as a necessary part of the minerals operations has the potential to cause structural damage to property situated within the vicinity of the quarry. Accordingly, an assessment of the blasting effects associated with working the northern part of the quarry has been carried out to assess the likely impacts at the nearest sensitive receptors to the blast site.
226. The ES reports the findings of a quantitative assessment of the potential effects upon nearby sensitive receptors, from vibration generated by blasting operations within the proposed northern working area.
227. Blasts Limit Zones for the proposed north-eastern working area, based on using a 10kg charge weight and a 6mm/s PPV blast vibration limit, have been assessed, with consideration being given to all of the existing nearest vibration sensitive receptors, including the school in the process of being constructed on Cross Lane, and residential development located to the east of the northern working area including in the settlement of Fernwood.
228. In terms of the assessment, proposed blasting operations associated with working the northern part of the quarry have been assessed against the established standards of BS 6472-2:2008 and BS 7385-2:1993 to determine the proposal's acceptability. Standard maximum vibration levels have been established to avoid property damage and general disturbance.
229. BS 6472-2:2008 gives guidance on human exposure to blast-induced vibration inside buildings and is applicable to blasting operations associated with mineral extraction, as in the case of Bantymock.
230. With regards to residential amenity, ground vibration limits of between 6mm/s and 10 PPV mm/s at a 95 per cent confidence limit, measured at a sensitive property, are considered acceptable, for up to three blast vibration events per day during day time hours which is between 8am and 6pm Mondays to Fridays and between 8am to 1pm on Saturdays. For offices and workshops, this goes up to 14.0 PPV mm/s at any time.
231. In accordance with BS 6472-2:2008, the assessment looked at the impact of blasting upon residential receptors and the school, both of which are of high sensitivity, in relation to achieving the standard 6.0 to 10.0 PPV mm/s levels during daytime hours.
232. The other aspect followed up in the assessment is that of blast induced damage to properties, and it is specifically BS 7385-2:1993 that gives guidance on vibration levels above which building structures have the potential to be damaged. In compiling the standard, a significant number of case histories were reviewed in the UK, but very few cases of vibration-induced damage were actually found. To prevent cosmetic damage to property, vibration-induced damage thresholds and guide values have been established. For residential or light commercial buildings, between 4 Hz and 15 Hz, a guide value of 15-20 mm/s is recommended, whilst above 40 Hz the guide value is 50 mm/s. These

are set at extremely low levels, with any blast-induced impacts being felt at twice these values for potentially minor damage and four times these values for major damage. The established thresholds are set significantly below the point at which structural damage to buildings can be expected.

233. The ES assessment followed recognised best practice, measuring blast-induced vibration using a seismograph to record three component particle velocities, from which peak values could be identified. As set out in BS 7385-2:1993 measurements were taken on a hard-surface at the base of any buildings involved in the assessment (on the side of that building facing the source of vibration) with the objective being to assess the blast-induced ground vibration's compliance with the prescribed limits. It is noted that with experience and knowledge of the factors which influence ground vibration, including blast type and design, site geology and receiving structure, the magnitude and significance of the blast induced waves can be accurately predicted at any location.
234. BS 6472-2:2008 states that in order to predict the likely vibration limits, a series of measurements should be taken from one or more trial blasts, at several locations.
235. In accordance with this, the ES contains an assessment of predicted blast-induced vibration levels to vibration sensitive receptors, with the predictions being based on 471 blast induced vibration events (production blasts), which were measured at various locations around the existing quarry site. Based on this evidence, a blast regression line has been plotted using the measured data. This has demonstrated that for a maximum instantaneous charge (MIC) weight of 10kg, a separation distance of 200 metres between the blast and the receptor is required, to comply with the prescribed vibration limit. A change to the current blast design would be required, to carry out blast operations at a distance of less than 200 metres to a receptor, either by reducing the MIC, borehole diameter or borehole spacing. It has been demonstrated that the 6mm/s criterion is capable of being complied with at an explosive charge weight of 2.5kg at 100m distance from the site, which is the approximate distance to the nearest vibration sensitive receptor, namely the new school (Suthers School) to the east of the northern area. The assessment has demonstrated that the criterion of 6.0mm/s PPV at 95 percent confidence is capable of being achieved by suitable blast design using the recommended instantaneous charge weights. It is therefore proposed that the results of the regression analysis (set out in the table) be used to inform the blast design as mineral extraction with associated blasting moves northwards.
236. The extant planning permission provides limits to the amount of blast vibration permissible at the nearest receptors to the quarry workings. Currently, under Condition 24 of extant planning permission 3/15/01880/CMA, that limit is 8mm/s Peak Particle Velocity at a 95% confidence level. As part of these proposals, the limits would be reduced by 2mm/s to provide a new limit of 6mm/s at the 95% confidence level, in compliance with the lowest limits set in BS 6472-2:2008. Based on extensive research around the world this level is well below that which would cause damage to properties. The assessment has shown that the criterion of 6mm/s PPV at a 95% confidence level is capable of being achieved by suitable blast design using the recommended instantaneous charge weights set out in the table.

Allowable maximum instantaneous charge weights

Blast/receiver separation distance (m)	Allowable maximum instantaneous explosive charge (MIC) weight to comply with 6mm/s criterion (kg)
50	0.6
75	1.4
100	2.5
125	3.9
150	5.6
175	7.6
200	9.9
225	12.6
250	15.6
275	18.9

237. Where it is predicted that the levels of vibration at a sensitive receptor would exceed the relevant criteria then it would be necessary to reduce the MIC. Effective mitigation would involve the normal blast design being modified and there are various techniques by which to achieve this. One method of achieving such a reduction is to 'deck' the explosives within the borehole, a technique which splits the column of explosives in two, separated by inert material. To achieve blasting at closer distances, double decking would be a successful strategy. Such matters would form part of the detailed design of individual blasts in order to achieve the blast vibration limit of 6mm/s PPV, rather than the practice of placing prescriptive blast design requirements on the operator. By shifting the emphasis onto achieving this lower 6mm/s PPV level, it is considered that extant condition 20, which has controlled the weight of explosives permissible in shotholes at Bantymock to no more than 12.5kg, could be removed from any new planning permission issued. This would provide flexibility in the design process, whilst continuing to make sure that blast vibration levels remain acceptable.
238. The County Council's Noise Consultant is agreeable to this approach and considers that it would achieve the appropriate levels of control over blasting operations at Bantymock. To this effect, a single planning condition would ensure that blasts would not exceed a PPV of 6mm/s at a 95% confidence level when measured at the nearest blast sensitive receptors. This would indirectly place controls over the MIC weight without being highly prescriptive, given that at any given distance the charge weight would need to be compliant with a maximum PPV of 6mm/s at a 95% confidence level. Subject to the changes to extant planning conditions 20 and 24; and carrying forward all other extant blasting conditions, the County Council's Noise Consultant is satisfied

that through careful blast design the criterion of 6.0mm/s PPV at 95% is capable of being complied with at the given distances from the blast sensitive receptors including the new school which is the nearest sensitive receptor. In terms of ground vibration, the limit at inhabited properties of 6mms-1 at 95% confidence level is satisfactory in terms of residential amenity. The applicant routinely submits blast monitoring results to the MPA and Monitoring and Enforcement Officers also oversee the blasting as part of their routine site inspection regime.

239. Airborne vibration or air overpressure is another aspect of blasting that has been raised as a particular concern by both local residents and Fernwood Parish Council. This is the second aspect of the effects associated with every blast operation at Bantycok Quarry. Essentially, when blasting occurs, energy is transmitted from the blast site in the form of airborne pressure waves in a wide range of frequencies, most of which are below the audible range, and consequently are sensed as a concussion or pressure. 'Air overpressure' is a combination of this concussion or pressure and sound. In terms of measuring air overpressure, the same equipment is used to measure this aspect of the blast effects as is used to measure ground vibration, with the equipment having an adequate low frequency response to capture fully the dominant low frequency component.
240. To set the effects of air overpressure into context, it is noted that the standard BS 6472-2-2008 identifies that there is no known evidence of structural damage having occurred in the UK as a result of air overpressure levels from blasting associated with mineral extraction. To add further context, even the highest levels measured in the UK are generally less than 1 per cent of the levels known to cause structural damage.
241. In general, the weakest part of most structures exposed to air overpressure are windows, and those that are poorly mounted and pre-stressed have the potential to crack at 150 dB(lin) but with most cracking at 170 dB(lin). It is noted by BS 6472-2-2008 that air overpressure levels measured at properties near quarries in the UK are generally around 120 dB(lin), which is actually 30 dB(lin) below, or only 3 per cent of the limit required for cracking pre-stressed poorly mounted windows. Putting this into context, air overpressure levels of 120 dB(lin) are equivalent to the pressure generated by a constant wind velocity of 5m/s (Beaufort force 3, which is a gently breeze).
242. It is noted that the intensity of air overpressure levels for any given location is influenced by meteorological conditions including wind direction and velocity, cloud cover, humidity and temperature inversions. Certain atmospheric conditions can produce a localized enhancement of the air overpressure in a particular direction. For instance, temperature inversions are frequent in the morning and evening, as the air and ground surface get warmer and cooler at differing rates. To counter this, blasting at Bantycok Quarry takes place around the middle of the day. Another significant influence on weather is wind, which is capable of resulting in a 10-15dB increase in sound level downwind, compared with levels in cross or no wind conditions. The variance in overall weather conditions including atmospheric conditions means that the level of air overpressure experienced is often outside of the operator's control. In light of this, it is recognised that the best means of limiting air overpressure is at source through appropriate blast design, and this comes down to the experience of the operators at Bantycok.

243. Whilst air-overpressure has been raised as a cause of concern by both residents and Fernwood Parish Council given that it is perceptible inside residential properties and screening it out is ineffective due to low frequency of the pressure wave, levels experienced tend to be well within the guideline's safe limits and would not cause damage to properties. There are strict controls on the timing of blasting events and the assessment states that levels are well within the guideline levels and would not cause damage to property.
244. Therefore, based on the evidence presented in the ES and the responses from the County Council's Noise Consultant, the District Council's EHO and the County Council's Public Health team, vibration generated by blasting events is not considered to be a limiting factor with regards to continued blasting within the north-eastern working area of the quarry.
245. Whilst a number of complaints have been received by the County Council from local residents, on investigating these matters including monitoring of blasting operations, these complaints have never been substantiated and the blasting operations have been compliant with the levels established under the suite of planning conditions covering these activities.
246. It is noted that vibration from blasting operations is routinely monitored and recorded by the applicant at various locations around the quarry using up to 3 seismographs; and periodically, members of the County Council's Monitoring and Enforcement Team attend monitoring to check it is being carried out correctly, and to check compliance with extant planning conditions covering blasting operations.
247. The second round of re-consultation has led to a resident raising concerns regarding vibration arising from blasting activities, which has recently felt like deep drilling underneath his block of flats. This has occurred intermittently, in what are described as 'short bursts' of activity and has led to concerns regarding the long-term effects on the building's foundations. These matters have been raised with the applicant, with the operator confirming that the only recent changes to blasting operations has been the steady progress northwards, adjacent to the A1. As matters currently stand, operations are no closer to Fernwood than they were in May 2018, with no changes having been made to the blasting specification, with all aspects remaining the same, including the drill rig and charge weights. It is noted that whilst the operator has offered to adjust the monitoring scheme, to include monitoring at any specified location, this has not historically produced any results at the distances involved, given the distance of blasting activities from residential development in Fernwood. The monitors do not detect vibration at distances above 600 metres from the blast site, as the levels are below the threshold of blast monitoring. At the present time, minerals operations are approximately 900 metres from the south-western edge of Fernwood.
248. It is considered that any occasional events that are being experienced by a number of local residents in Fernwood indicate that it is the air over-pressure that is being reported. Air over-pressure is influenced by atmospheric conditions, such as wind direction/speed, cloud cover, temperature, humidity, etc. rather than ground vibration which would be present for every single blast event.

249. Subject to planning conditions, including controls over the timing of blasting events which would be carried over from extant planning permission 3/15/01880/CMA, it is considered that these operations can be undertaken in an appropriately controlled, safe and compliant manner. In terms of material impact on residential amenity and structural damage to property, all the indications arising from the blasting assessment indicate that any impacts are capable of being suitably controlled to within acceptable levels subject to planning controls. As such, the proposals would accord with adopted MLP Policy M3.6, Policy DM5 of the Newark & Sherwood DPD, the revised NPPF and the supporting PPG.

Structural surveys

250. A number of residents have had structural surveys carried out which evidently shows mortar and tiling having fallen from their properties and which they consider is as a result of blasting. The County Council does not have any evidence to substantiate these allegations. The MPA has monitored the planning permission and the relevant planning conditions, and it has been found that there is no evidence of any breaches of the attached planning conditions, which are suitably robust, and compliant with the relevant environmental and technical standards to ensure that structural damage does not result to residential development within the locality. The County Council therefore has no evidence to link the blasting activities associated with mineral extraction at Bantycok Quarry with the alleged structural damage to homes within the vicinity of the quarry.

Noise

251. Policy M3.5 (Noise) of the adopted MLP states that planning permission for minerals development will only be granted where noise emissions outside the boundary of the mineral workings do not exceed acceptable levels. It enables conditions to be imposed on planning permissions to reduce the potential for noise impact. The policy advises restrictions over operating hours, sound proofing plant and machinery, setting maximum noise levels at sensitive locations, and the use of acoustic screening, such as baffle mounds or fencing.
252. Paragraph 205 of the revised NPPF states that when determining planning applications minerals planning authorities should ensure that any unavoidable noise emissions are controlled, mitigated or removed at source, and establish appropriate noise limits for extraction in proximity to noise sensitive properties.
253. Paragraph 020 of the PPG on minerals advises that minerals planning authorities should take account of the prevailing acoustic environment and consider whether or not noise from the proposed operations would give rise to any significant adverse impact; and whether a good standard of amenity is capable of being achieved.
254. Paragraph 021 of the PPG sets out appropriate noise standards for mineral extraction sites and states that mineral planning authorities should impose controls, through appropriate planning conditions, which limit noise at any noise-sensitive property, to ensure that it does not exceed the background noise level (LA90,1h) by more than 10dB(A) during normal working hours (07:00 to 19:00hrs). It is acknowledged that there may be instances where achieving this noise limit places an unreasonable burden on the mineral

operator. In such cases, the noise limit should be set as near as possible to a 10dB(A) increase, with the total noise from the operations not exceeding 55dB(A) LAeq,1h (free field). For operations during the evening (1900-2200hrs) the noise limits should not exceed the background noise level (LA90,1h) by more than 10dB(A) and should not exceed 55dB(A) LAeq, 1h (free field). For any operations during the period 22.00 – 07.00, the noise limit should not exceed 42dB(A) LAeq,1h (free field) at any noise sensitive property.

255. The representations from the local community highlight concerns regarding the potential for noise nuisance arising from the proposals which would involve quarrying activities being brought closer to residential property, and potential impacts on residential amenity.
256. It is recognised that the processes involved in working the mineral including the aspect of blasting have the potential to generate significant levels of noise, and accordingly a noise assessment has been undertaken of the proposed operations to determine the likely impact at noise sensitive receptors.
257. A noise assessment undertaken as part of the ES has calculated the noise impact from normal quarrying activities, in line with the PPG's technical guidance, and has been carried out in accordance with the Guidelines for Environmental Noise Impact Assessment (Institute of Environmental Management and Assessment, October 2014), at three noise monitoring locations, which were considered representative of the nearest noise sensitive properties to the north-eastern part of the site. These locations, detailed on Plan 5, are:
 - Location 1 – Care Home to the east of the northern extension area (considered representative of the school);
 - Location 2 – No. 17 Williams Lane to the east of the northern extension area; and
 - Location 3 – No. 10 Inglewood Close to the north of the northern extension area.
258. In terms of the scope of the assessment, it was agreed with the District Council's EHO to complete the assessment in accordance with the PPG; with a baseline noise survey to be completed at the three locations detailed above. At each location, measurements would be completed between 07:00 and 19:00 hrs. For at least one location, the survey would cover the entire period between 07:00 and 19:00 hrs, and at the remaining locations, attended monitoring would be completed. During the relevant time period, the surveyor would rotate between monitoring locations, undertaking one-hour measurements between the time period 07:00 and 19:00 hrs.
259. In accordance with the guidelines and the PPG's established noise levels, the noise impact, the noise effect, and the significance of the effect have been determined.
260. The noise assessment was based on a baseline sound survey undertaken over midweek and weekend periods at locations considered representative at the nearest noise-sensitive receptors to the development site. The assessment has considered the potential noise impacts of the operation of the

proposed development and has been undertaken in conjunction with BS5228:2009+A1:2014.

261. Noise monitoring was initially undertaken to determine the existing noise environment around the northern working area. In this respect, an environmental noise survey was carried out between 4th and 8th January 2018, and in order to assess the potential impact of the development upon existing receptors close to the site, daytime noise measurements were taken at the three identified locations.
262. The noise survey demonstrated that:
- at all three receptors each operation in isolation would be below the limit of 55dB LAeq,1hour;
 - at the care home (proposed school) and No. 17 Williams Lane if all operations were to operate simultaneously, the cumulative noise level would be below the limit of 55dB LAeq,1hour. Only in the case of No. 10 Inglewood Close would the cumulative noise level be above the limit of 55dB LAeq,1hour. However, as the exceedance would be just 0.7dB(A), it is considered that mitigation would not be required. Allied to this, it is noted that the predictions are based on worst case scenario when all plant is working at the closest approach to the receptor, which is unlikely to occur in reality;
 - at all three receptors when operating between 06:00 and 07:00 hrs the processing plant would be below the night-time limit of 42dB(A).
263. The assessment also considered the machinery/plant used within each of the phasing cuts, with the cuts closest to the receptor under assessment having been considered as follows:
- Care Home: Cut 19, with restoration in Cut 18;
 - The school: Cut 19, with restoration in Cut 18;
 - No. 17 Williams Lane: Cut 21, with restoration in Cut 20;
 - No. 10 Inglewood Close: Cut 22, with restoration in Cut 21.
264. The measured levels reflected current extraction operations from top soil stripping to gypsum extraction using traditional quarrying methods (drill and blast), with extracted rock being transferred to the processing area and then onto the gypsum works on the northern side of Staple Lane. Throughout all extraction operations, crushing and screening plant would be operating in the processing area.
265. Potential noise sources have been included in the noise model as point sources at a height of 2 metres, operating for 80 percent of the time. In the plant area, the exceptions to this have been the trommel, stacker, and screener which have all been modelled as line sources at appropriate elevations; with the crushers and loading shovels being modelled as a point source with a height of 4 metres. The HGV movements on the haul route between the plant

processing area and the adopted highway have been modelled as a moving point source, with 7 movements per hour, and a speed of 10mph.

266. The noise assessment has shown that if all operations were to operate simultaneously, at each of the receptors assessed, the cumulative noise level would be below the limit of 55dB LAeq,1 hour (except at Inglewood Close where the exceedance would be just 0.7dB(A) and, when operating between 06:00 and 07:00 hrs, processing plant operations would be below the limit of 42dB LAeq,1hour.
267. It is therefore concluded that the potential operational noise associated with the proposed development would have a low impact during all times, when considered in conjunction with the relevant guidance. Even at No. 10 Inglewood Close it has been demonstrated that the magnitude, and potential significance and nature of any effects, would be negligible.
268. The County Council's Noise Consultant is satisfied with the noise assessment, in terms of its methodology which is in accordance with BS5228-1 and its conclusions. It is accepted that the slight exceedance above the 55dB level, at 10 Inglewood Close, is based on an assumption that all plant is working at the closest approach and represents a 'worst case' scenario, which if it were to happen is likely to be of short duration. It is therefore considered that the installation of any further mitigation above and beyond that already existing is likely to lead to greater disturbance than not implementing any further measures at all. It is considered that there are no significant benefits to be gained from implementing further mitigation measures, particularly given the relatively limited duration of the proposed excavation/extraction operations in the northern part of the quarry.
269. The noise assessment has shown that there would be no significant noise impact on the new school, proposed to the immediate east of the proposed development. Even at this location, which is the nearest and most sensitive of all the receptors, the noise levels are predicted to be in compliance with the PPG. Relaxing operational hours to enable processing of gypsum between the hours of 06:00-07:00 hrs would still comply with the night-time noise limit of 42dB LAeq, 1 hr in accordance with the PPG. The assessment has confirmed that this level would be complied with at all sensitive receptors. Subject to extant noise conditions being carried over from planning permission 3/15/01880/CMA, albeit adjusted to reflect the extended operating hours, together with a new planning condition placing controls over processing plant noise between the hours of 06:00-07:00hrs, so as not to exceed 42dB LAeq, 1hr at any nearby noise sensitive receptor, the proposed development would accord with the PPG and BS5228-1.
270. Similarly, the District Council's EHO is satisfied that despite the fact that the working area is proposed to move closer to sensitive receptors, the submitted noise assessment has demonstrated that no noise nuisance is likely to arise from the site.
271. In accordance with adopted MLP Policy M3.5, planning conditions would seek to ensure that maximum noise levels at the nearest sensitive receptors are not exceeded (both for normal and temporary operations), including a requirement on the part of the applicant to undertake regular noise monitoring in accordance with an approved noise monitoring scheme. This would ensure

that free-field noise levels generated by the operation of the quarry would not exceed 55 dB LAeq 1 hr as measured at the boundary of the site, except during a maximum 4 week period in any calendar year to permit soil stripping, storage and replacement operations, when the maximum noise level would not exceed 70 dB LAeq 1hr again as measured at the site boundary. Other controls would include restrictions on operational hours, and the appropriate use of silencers and reversing alarms on mobile plant, machinery and vehicles. Therefore, it is concluded that residential amenity in respect of noise would not be adversely affected by the proposals subject to planning conditions.

272. Subject to the imposition of controls over noise emissions from the development, the proposals including the operation of the northern working area are considered capable of complying with nationally established noise limits for minerals development. The proposals would therefore accord with adopted MLP Policy M3.5 and Policy DM5 of the Newark & Sherwood DPD.. The extended quarry is capable of being worked with noise emissions controlled to within environmentally acceptable limits.

Air Quality/Dust

273. Adopted MLP Policy M3.7 (Dust) and paragraph 205 of the revised NPPF support the careful siting of potential dust creating activities and the implementation of dust mitigation measures to minimise the impact from dust emissions, encouraging the use of controls through planning conditions to appropriately regulate activities.
274. Dust impacts from minerals operations, particularly from blasting including detrimental health effects on surrounding residents, has been raised as an issue in the neighbour representations. There are significant concerns that as the quarry site moves closer to sensitive receptors, especially to those in Fernwood, dust levels would be exacerbated.
275. It is recognised that quarrying activities and notably blasting have the potential to generate significant levels of dust, and accordingly an air quality assessment has been undertaken of the proposed operations to determine the likely dust impacts at the nearest sensitive receptors from the proposed working of the north-eastern area.
276. The potential for adverse dust emissions to the atmosphere from extraction and restoration activities in the northern area of the quarry together with the magnitude and significance of these impacts has been assessed within an air quality assessment, using the source-pathway-receptor concept, which forms part of the technical appendices to the ES. This references the Institute of Air Quality Management (IAQM) technical guidance, which is based on unavoidable dust emissions being suitably controlled, mitigated or removed at source to satisfy the air quality objectives. The assessment has considered any potential significant environmental effects that the proposed extension would have on the baseline environment; the mitigation measures required to prevent, reduce or offset any significant adverse effects; and the likely residual impacts after mitigation measures have been implemented.
277. With respect to dust amenity impacts, the IAQM guidance requires an assessment to be undertaken for receptors within 250 metres of a gypsum

quarry. Ten receptors (see Plan 5) have been considered in the assessment of dust amenity impacts. DR1 to DR5 comprise residential development to the north and north-east of the proposal area within Balderton and Fernwood respectively, and for the purposes of this assessment are considered to be of high sensitivity to dust amenity impacts. DR5 to DR9 comprise workplaces associated with the Fernwood Business Park, situated to the east of the proposal area, and are of medium sensitivity whilst DR10, located to the south-east of the proposal area is the site of Suthers School, which is categorised as a highly sensitive receptor.

278. Regarding statutory ecological designations and non-statutory local wildlife sites, there are none within 250 metres of the site boundary and as such, impacts on sensitive ecological receptors have been screened out for the purposes of this assessment.
279. Regarding the current dust climate, dust deposition has been monitored at four boundary locations at the quarry, and from these results it is noted that the highest dust deposition rates occurred towards the vicinity of the Airfield Cottages on the eastern boundary, downwind of prevailing wind, with active mineral extraction, topsoil and overburden removal taking place within the area. Notwithstanding this, these results demonstrate that dust deposition rates are well below 200mg/m²/day which is the criteria most commonly applied across the mineral sector for protecting local amenity.
280. The air quality assessment also includes a full PM10 assessment which essentially assesses the effects of suspended airborne dust with a diameter of less than 10 microns, for which standards do exist for the protection of human health.
281. Local climatic parameters governing the release and dispersal of fugitive dust emissions from the proposed development have been assessed and analysed to ascertain how often the site could be susceptible to fugitive dust events.
282. Activities or sources with the potential to result in the release of dust through the development of the proposed northern area are:
 - site preparation and restoration operations;
 - gypsum extraction (including blasting operations);
 - haulage and transfer of material; and
 - soil and overburden storage/bund construction.
283. Crushing and screening take place in the south-western part of the site and whilst being included in the assessment of 'source emission magnitude' would not be undertaken in the northern extension area.
284. The recovered soils are placed in designated storage bunds around the perimeter of the site or directly placed for restoration. This phased working of the site would restrict the amount of dust available to become airborne during soil and overburden removal. Whilst the potential for dust emissions from soil and overburden removal can be significant, it is temporary and would vary considerably from day to day depending on the level of activity, site mitigation measures and the prevailing meteorological conditions.

285. The majority of infilling with overburden and interburden would take place behind the advancing face below ground level within the excavated void and as such would be sheltered from the action of the wind. The latter stages of restoration at ground level using the soils would present a moderate to high risk of dust generation in the absence of mitigation. The reinstatement of soils would involve tipping, spreading, shaping and compaction activities in areas to be restored. During dry and windy meteorological conditions these intermittent yet intensive operations have an increased potential for dust generation; however such activities would be intermittent in nature so that over the duration of the proposed extraction there is the potential for short-term moderate to high levels of dust emissions in the absence of mitigation measures. The phased working would reduce the potential impact of this activity.
286. The extraction of overburden, interburden and gypsum is of lower dust potential than the soils and subsoils, given the inherent moisture content of the material. However, the drilling of boreholes for explosives has the potential for significant dust emissions. To mitigate this, drill rigs use shrouds and dust extraction meaning that dust emissions are minimised and limited to the immediate vicinity of the rig. Although having the potential for a large short-term release of dust given its limited duration, blasting results in the overall magnitude being limited.
287. The soil storage bunds initially present a potentially large source of dust, with the magnitude of dust generation dependent upon the surface conditions (moisture and level of disturbance) and erosion due to rainfall and wind. As the bund weathers, the potential for dust emissions are reduced, as particles aggregate and a crust forms (provided disturbance levels are low). After formation of soil storage mounds, the bunds are left to re-vegetate naturally. In accordance with the soil handling report, within a very short time, the seed bank within the topsoil is activated and the topsoil bunds quickly become colonised by a diverse range of arable plants and grasses. Consequently, in a short amount of time, soil storage bunds reduce to having a low potential for dust emissions.
288. Regarding the haulage and transfer of material, excavated mineral would be transported using a fleet of dump trucks via internal haul roads to the plant area. The emissions from unpaved haul roads are dependent on the weight, speed and number of wheels in contact with the road surface. Particulate emissions from road surfaces are primarily due to re-suspension of loose material present on the road surface as a result of either deposition from the undercarriage of passing vehicles or through the erosion of the surface. However, the application of water is highly effective at mitigating such emissions and the applicant uses a water bowser to apply water to haul roads during periods of dry weather.
289. Off-site transfer of materials can potentially lead to dust emissions as mud is trafficked out of the site. Transport of material has the potential to generate moderate to high levels of dust emission in the absence of mitigation. Whilst material is transported off-site in covered HGV lorries, and a short distance across Staple Lane by dump truck to the Jericho Works, it is noted that all vehicles would use existing wheel-wash facilities and consequently, there would be limited potential to generate dust.

290. With regards to extracted gypsum, it undergoes limited processing, subject to crushing and screening, using a plant located within the quarry void. Mobile crushing and screening plant are regulated as a Part B process under the Environmental Permitting Regulations. Plant is fitted with spray bars to control dust, which is identified as best practice.
291. The working of the quarry would be undertaken on a phased basis, with progressive restoration of all phases, which would minimise the exposed surface areas that may be subject to erosion and lead to dust generation.
292. Given the proximity of receptors to the north and east of the proposed northern area, a number of specific mitigation measures have been incorporated into the site layout and phasing. These screening measures disrupt the pathway between dust source and receptor and encourage the impaction and deposition of dust. These measures include: mature hedgerows forming the boundaries to the A1 and Staple Lane; and emplacement of soil storage screening bunds to the perimeters of the site.
293. Measures to mitigate and control dust are set out in the site Dust Management Plan (DMP).
294. With regards to operational mitigation measures, it is noted that the site operations in the proposed northern area would be undertaken as with the main site, in line with industry good practice. As such, dust management includes monitoring procedures comprising:
- monitoring weather forecasts in order to inform potential mitigation requirements, e.g. the need for dampening down and the cessation of particular activities particularly during dry and windy periods;
 - monitoring of current weather conditions, particularly wind direction; and
 - visual monitoring for airborne dust, or emerging dust sources (e.g. haul road drying out).
295. It is noted that as part of the dust monitoring the applicant currently undertakes dust monitoring at various points around the site using 'frisbee' type gauges. Further monitoring points would be added to the established network, along with adding in directional dust monitoring.
296. The monitoring of dust emissions with regards to the operation of the existing quarry has not identified any significant dust concerns, and the level of complaint in relation to dust from a site the size of Bantycok is considered to be low.
297. In this respect, County Council's Monitoring and Enforcement Officers have received five separate complaints relating to dust: received in August 2016, April and June 2017, and February and March 2018. Notwithstanding this, it is recognised that there is the potential for dust from such large-scale operations but to date there has been no evidence of peripheral dust upon investigation by this authority, with no direct evidence of dust off-site. Any recommendations made by the County Council regarding improvements to on-site practices have been implemented by the operator, including increased levels of monitoring for dust deposition and using deposition gauges (frisbees).

298. The air quality assessment has clearly identified both dust generating activities associated with the proposed extension, and the appropriate mitigation strategies necessary to avoid, reduce and remedy the effects of dust generation. An existing dust monitoring scheme, which has proven to be effective across the consented areas, would be extended to cover the proposal site. The purpose of the dust scheme is to control dust generation and movement at source, through appropriate mitigation measures, and to monitor dust emissions to ensure recommended levels are not exceeded. Specific measures identified to control dust emissions at source include the use of water bowsers and sprays to control dust, the sheeting of lorries, defined haulage routes with a maintained surface dampened as necessary; dampening of surface restoration areas as necessary; suspension of operations in extreme wind; bunding as required; and the progressive restoration of the site to minimise exposed areas. There are no consultee objections on environmental or public health grounds from either the pollution control authorities (Environmental Health and the EA) or the public health authorities (Public Health England and NCC (Public Health)), provided that these measures are secured through the Dust Management Plan and put into operation across the northern part of the quarry. Planning conditions, as carried over from the extant planning permission, would continue to place suitable controls over dust emissions. Whilst there are public objections on dust, it is concluded that subject to mitigation measures, dust is capable of being suitably controlled.
299. It is considered that, with the continued implementation of the dust mitigation measures currently in operation at the site, the impact and effect of working the proposal area would be negligible.
300. The conclusions of the assessment are that both the effect on amenity and the effect on PM10 concentrations at sensitive receptors is considered to be 'not significant' subject to extant planning conditions covering dust impacts remaining in place. The overall residual impact of the proposals on PM10 levels, suspended dust and deposited dust is considered to be insignificant.
301. The indications are that there would be no significant effects on human health from fine dust particles, PM10s, and air quality would remain well within the national air quality standards. With regards to amenity effects from deposited dust, the overall significance is predicted to be negligible in accordance with IAQM guidance at all receptor locations subject to a range of existing dust control measures remaining in place for the duration of mineral extraction within the proposal area, as well as incorporating environmental design measures into the scheme.
302. The designed-in mitigation measures together with the operational measures are considered to be appropriate to mitigate any potential impacts. Subject to the dust control measures continuing to be regulated by planning conditions, significant impacts to air quality or residual dust emissions are not anticipated. As such, the proposed development is compliant with adopted MLP Policy M3.7, Policy DM5 of the Newark & Sherwood DPD, and the revised NPPF.

Traffic

303. MLP Policy M3.13 states that planning permission will not be granted for minerals development where vehicle movements cannot be satisfactorily accommodated on the highway network or where such movements cause unacceptable impact upon the environment and disturbance to local amenity.
304. The proposals to work the northern area would not result in an intensification of extraction operations and simply seek to maintain the current yearly mineral output from Bantycok for a further twenty-four months, extending the life of the minerals operations until 2025. This equates to around 400,000 tonnes per annum, of which around 85,000 tonnes is delivered direct to the adjacent Jericho Works. Extraction is anticipated to cease in the third quarter of 2025. As such, the proposed development would not result in an overall increase in the number of HGV movements to and from the site on a daily basis. Moreover, as the proposals seek permission to export gypsum on Sunday mornings, it is anticipated that the daily flows of vehicles would on average, decrease slightly over the working week. However, it should be noted that the existing permission does not include any condition limiting the number of HGVs entering and leaving the site.
305. The Planning Statement accompanying the application states that daily HGV numbers would equate to 60 loads per day Mondays to Fridays (120 movements, 60 in and 60 out). Over the existing permitted 12 hour day for transportation of gypsum off site (7am to 7pm), this equates to five HGV trips per hour, or 10 movements. On this basis, there would be 60 movements (30 in and 30 out) on Saturday and Sunday mornings between 7am and 1pm.
306. In addition to there being no condition limiting the number of HGVs entering and leaving the site, there is no agreed lorry route either and HGVs tend to take a number of routes, depending on the destination of the primary mineral, and any given traffic issues and road works at the time. The established routes are the A1 north, the A1 south, the A46 south and A617 routes, as detailed on Plan 6.
307. The A46 southbound route is heavily congested at the A1/A46/A17 junction and as a result is very infrequently used. Lorries delivering to British Gypsum's sites at East Leake, Barrow and Artex's Ruddington site therefore tend to access the A46 southbound via Bowbridge Lane, Bowbridge Road, the B6326 London Road and the B6166 Portland Street/Farndon Road (Figure 3 – Option 2 on Plan 6), or use the C3 road network via the villages of Staunton in the Vale, Alverton, Orston and Elton (Figure 4 – Option 3 on Plan 6). This follows an amendment to the weight restriction order in 2015 by the Highways Authority which effectively brought the Bantycok site within the weight restriction area, thereby allowing the use of the C3 road by HGVs transporting gypsum from the site.
308. It is anticipated that on the eventual completion of the Newark Southern Link Road, this new road would become the primary route for HGVs leaving the Bantycok site and travelling towards the A46 southbound, thereby alleviating the need to use the C3 road. The planned route for the Southern Link Road and its relationship to the existing quarry, the Jericho Works and the proposed northern extension are detailed on Plan 7.
309. No significant effects would arise with regards to lorry movements or traffic flows associated with site operations given that the working of the north-

eastern part of the quarry would not increase the daily number of HGVs making trips to the site above and beyond current levels. The proposed operations would not result in any intensification of vehicular movements either and in fact there would likely be a minor reduction in the number of vehicle movements per hour given the introduction of HGV loads leaving the site on Sunday mornings.

310. Despite this, it is considered appropriate to introduce HGV limits through a condition attached to any planning permission granted given that no such controls exist at present and due to the fact that such controls are regularly used on minerals and waste sites across the county. The applicant is prepared to accept a limit on the number of HGV movements but requires sufficient operational flexibility to be reflected in the condition to enable increased product demand to be met. To achieve this, the limit on the number of HGV movements cannot simply be a straightforward daily average taken from the planning statement i.e. 60 loads per day (i.e.60 in and 60 out) given that it needs to reflect the variance in site sales which are controlled by demand at Fauld, East Leake and Barrow mines. This aspect is dictated by natural quality variations in the geology which on occasions result in the need to improve the quality of the mineral with high grade imports from Bantymock. Those periods of time when additional quantities of gypsum are required to deal with these geological variations are not predictable and have on occasion been of a duration of up to 4 weeks. Working stockpiles are held at each of the sites to cater for day to day variations in the plant usage, which is highly variable, relating to product mix and plasterboard/plaster plants run times. There is an established requirement for Bantymock's high-grade mineral for blending purposes to ensure product quality, and it is considered that an appropriately worded condition can reflect this.
311. Recommended condition 10 therefore restricts daily maximum HGV trips to 100 (200 HGV movements per day, 100 in and 100 out), (pro-rata for Saturdays and Sundays) which is above the 60 detailed in the application in order to provide the applicant with some flexibility but which is reflective of HGV levels presently entering and leaving the site. A rolling 6-week average is also recommended, which is based on 80 HGV trips per day, (160 HGV movements per day, 80 in and 80 out). Annually, the average figure would be 60 HGV trips per day (120 HGV movements per day, 60 in and 60 out), thereby ensuring that the average figure remains as detailed in the application. What this would also mean, in light of the daily 100 HGV trip limit, is that the number of trips on many days would be significantly less than the 60 trip average in order to achieve this average. Such a condition would comply with MLP Policy M3.13, particularly in respect of protecting local amenity of residents living along the route of the C3 road through Staunton in the Vale, Alverton, Orston and Elton.
312. Whilst the current Section 73 application does not allow the County Council to pursue controls over daily HGV numbers other than controls over Sunday lorry movements given that this is a new aspect of the development, the applicant has agreed to a condition covering HGV numbers at all times and this is based on present levels of HGV movements associated with quarrying activities. To this effect, planning condition 10 above has been agreed. With this control now in place, officers do not consider it appropriate to recommend HGV routing since the proposals do not involve a material change to lorry routing but merely involve a continuation of established routes, including the C3 route, which has historically been the main route for HGVs leaving Bantymock and

continues to be the primary route. It is noted that on completion of the Newark Southern Link Road, routed to the south of Newark, this would become the main route for HGVs leaving Bantymock, headed towards the A46 southbound, thereby diverting lorries away from the C3 route.

313. Whilst there would be a material impact on the highway, in terms of HGV trips to and from Bantymock on Sundays for the export of mineral off site, including taking lorries along the C3 route through the villages of Staunton in the Vale, Alverton, Orston and Elton, it is considered that this would be less than significant in terms of its effects. The County Highways Authority has not raised any objection in relation to the proposals, and on balance there is substantial weight in terms of policy support for the development. Paragraph 203 of the revised NPPF (February 2019) seeks to ensure that there is a sufficient supply of minerals to provide for infrastructure, buildings, energy and goods that the country needs and paragraph 205 highlights the benefits of mineral extraction, including to the economy. This offers overarching policy support for these proposals which contribute towards supporting a sufficient supply of minerals in the local economy.
314. It is concluded in this instance that the need for the mineral and the economic benefits that would be derived from extending the extraction and release of a high purity mineral into the Midlands economy for a further twenty-four months outweigh any limited material impact to the local amenity of those residents living along the C3 route. The development therefore is assessed as being compliant with revised NPPF mineral Policy. Further weight is added to these proposals by way of the NPPF's highways policy which states that development should only be prevented or refused on highway grounds if there would be an unacceptable impact on highway safety, or where the residual cumulative impacts on the road network would be severe (paragraph 109). There is nothing to indicate that the proposed development would be anything other than compliant with this policy.
315. It is considered that the impact of the Sunday morning lorry movements, in terms of capacity and safety along the local highway would be less than significant and capable of being accommodated along the C3 route.
316. By undertaking deliveries in the Sunday morning period the development would access the public highway during a quieter period of time over the weekend when there is less traffic on the road network and the road network has the capacity to accommodate these lorry movements potentially reducing vehicle numbers on the public highway during the week. In terms of material impacts, this would appear to promote the improved dispersal of HGV trips across a seven day working week (albeit that HGVs would only operate in the mornings on Saturdays and Sundays). Planning conditions would seek to ensure that lorry numbers are controlled to half that permitted on a full working day, to mitigate local amenity impacts from lorry movements on Sundays. It is noted that Sunday morning lorry movements would be both temporary and time-limited with mineral operations anticipated to cease by the end of 2025. It is noted that there are no concerns raised by the County Highways Authority to the introduction of Sunday morning HGV trips, or the proposals overall. Overall, the material impact of the proposals in terms of highway capacity and residential amenity impacts is considered to be less than substantial, and the proposed development is considered to accord with the revised NPPF in terms of both mineral and transport policy.

317. All other elements would remain the same, from the purpose-built access arrangements off Staple Lane to the existing wheel-wash facilities which control mud and debris from being deposited onto the public highway including from the transporting of gypsum across Staple Lane to the Jericho Works.
318. A key issue raised by local residents relates to potential traffic impacts associated with the proposals. Specifically, there is concern relating to traffic congestion, the capacity of the local road network to accommodate traffic associated with the development, and safety aspects. A resident living along Staple Lane is concerned about the large vehicles using the lane, and the dangers posed to the safety of drivers as they pull onto London Road.
319. These concerns would appear to be unfounded given that the proposals would only result in the continuation of current production levels for a further two years, and as a result, traffic movements associated with these operations would remain as currently experienced at the permitted quarry site. The only alteration to the pattern of traffic flows would be relatively low levels of HGVs leaving the site on Sunday mornings, transporting gypsum off site between the hours of 07:00 hrs to 13:00 hrs. County Highways has reviewed the planning application and is satisfied that the proposed development would not change the volume of HGV traffic associated with the quarry and would therefore have no material impact on the public highway.
320. It is noted that Highways England is satisfied with the revised working distance from the A1, as reflected in the re-worded extant planning Condition 12, which ensures no mineral extraction within 28 metres of the western edge of the A1 highway boundary fence-line.
321. Overall, the proposed development would not have a material impact on either the surrounding local road network, or the closest strategic route (the A1), with the highway network remaining capable of satisfactorily accommodating the vehicle movements associated with this development. It is considered that the proposals would not generate any additional environmental impacts or disturbance to local amenity. As such, the proposed development is compliant with adopted MLP Policy M3.13.

Ground and Surface Water/Flood Risk

322. Regarding the water environment, the northern area lies within Flood Zone 1 and is not underlain by a Source Protection Zone (SPZ), with the nearest SPZ being situated approximately 1 kilometre to the north of the quarry. To the immediate north, land lies within Flood Zone 3 and Staple Lane is located in Flood Zone 2.
323. Given the development site's location in Flood Zone 1 there is an extremely low probability of the site flooding during the working life of the quarry. Adopted MLP Policy M3.9 supports minerals development where it does not give rise to unacceptable impact on flood flows and flood storage capacity, or on the integrity or function of flood defences and local land drainage systems.
324. Also of relevance is adopted MLP Policy M3.8 (Water Environment) which states that planning permission will only be granted for minerals development where surface water flows and groundwater levels are not altered and there are no risks of pollution.

325. An assessment of the hydrogeological and hydrological impacts of the proposed development has given material consideration to the potential effects upon ground and surface water flows and quality, including assessing whether flood risk downstream could be affected by this development. The assessment also considers potential cumulative effects associated with adding on additional development to that already existing at the quarry complex together with other proposed developments within the same surface water catchment.
326. Baseline (pre-development) conditions across the site indicate that the sensitivity of the surface water receptors within the site and its immediate vicinity can be assessed as being medium to high given that:
- there are no water-based ecological receptors or surface water abstractions within and adjacent to the application site boundary;
 - there are a number of smaller water courses and drainage ditches within the immediate vicinity of the proposed northern working area, which drain to main rivers; and
 - the EC Water Framework Directive places a statutory requirement on the operator to protect surface water quality.
327. Similarly, the sensitivity of groundwater within the Triassic and Jurassic bedrock aquifers can also be assessed as being medium to high given that:
- there are no known current licensed or unlicensed abstractions utilising the aquifers within the northern area;
 - notwithstanding this, there is potential for future abstractions to be developed within these aquifers; and
 - the EC Water Framework Directive places a statutory requirement on the operator to protect groundwater quality.
328. Baseline conditions indicate that infiltration rates across the site are relatively low. This reflects the mudstone dominated bedrock strata close to ground level within the general vicinity of the proposed northern working area together with the presence of low permeability overburden (alluvium) deposits close to the surface across the northern part of the proposal area, both of which limit the direct infiltration of rainfall. The Triassic and Jurassic bedrock strata underlying the site and surrounding vicinity are secondary aquifers. Seven groundwater monitoring boreholes are installed at the quarry and have been used to monitor groundwater elevations in the immediate vicinity since 2000. These indicate that whilst groundwater dewatering from the quarry void extends for at least 260 metres from the void, these impacts are not significant and it is not anticipated that the proposed development would significantly influence this.
329. Groundwater inflows into the current quarry void during mineral extraction are low-level and are removed by way of sump pumps located on the quarry floor. It is expected that this would continue to be the case during quarrying within the proposed northern working area.
330. It is concluded that the proposed development would not have any significant effect on the existing (baseline) regional groundwater flow regime within the

bedrock aquifer, either during operational quarrying activities or following restoration and site closure. This is due to the fact that any influence on groundwater flow and levels would be extremely localised as a result of the relatively low permeability of the bedrock.

331. Current baseline conditions indicate that there is a low to high risk of flooding from surface water and overland flow within the drainage ditches to the perimeter of the proposed northern working area. It is assessed that the proposed development would not increase the risks from overland flow and surface water flooding, given that the proposed restoration scheme has been designed to reduce surface water to the perimeter drains. In this respect, a waterbody and wetland area known as the Northern Pond/Wetland proposed for the existing quarry void, has been extended northwards to reflect the proposed northern working area. The restoration scheme would prevent: increases in run-off; modifications to local surface water drainage patterns and flow rates; increased erosion and sedimentation; and changes in flood risk either within or downstream of the application site. In addition, the site would be restored using site derived overburden and topsoil, and as such, would have similar run-off characteristics to the existing baseline conditions.
332. No significant effects from the development would occur on surface water flows and flood risk downstream of the application site, due to the following controls:
- During mineral extraction, surface water run-off would be retained within the quarry void prior to settlement and controlled discharge off-site via the existing surface water management scheme;
 - The drainage ditch network in the vicinity of the northern working area, in terms of its location, would not be significantly altered from that approved under the current restoration scheme. As such, it would continue to drain into the Middle Beck, situated to the north of the proposal area;
 - Although the surface water catchment area draining into the Northern Pond/Wetland area would increase by 10 ha. (from 90ha. to 100ha.), the increased surface area of the Northern Pond/Wetland area (increasing from 26.6ha. to 28.6ha.) would provide additional storage capacity to attenuate to Greenfield runoff rates for rainfall events up to the 1% Annual Exceedance Probability plus climate change event. In order to achieve this, a flow control orifice could be fitted at the base of the control weir, at the outlet point of the Northern Pond, and adjustments made to the approved surface water management and restoration scheme for the quarry. A planning condition could secure this aspect of the proposed scheme;
 - A direct consequence of extending the Northern Pond/Wetland further northwards, would be to significantly reduce the surface water catchment area, draining to the perimeter drainage ditches to the northern boundary of the proposal area. As a consequence, flows within these ditches would be reduced.
333. It is concluded that the magnitude of change and any potential effects on the hydrogeological and hydrological regimes and flooding would be negligible.
334. There is a risk of contaminated runoff being generated from a number of potential sources, during the operational and restoration phases of the

proposed northern working area. Potential sources would include the accidental spillage of fuels, lubricants, and other potentially contaminating liquids; and suspended solids within surface water runoff.

335. In order to reduce potential risks of pollution to the water environment, existing best practice and mitigation measures already employed at the quarry would be extended to the development and restoration of the proposed northern working area. Good site and surface water management practices, employing sustainable drainage systems would be followed, with all surface water run-off generated on-site being allowed to settle within low points, before being pumped via the surface water management system to the current discharge locations (approved by the EA). Other pollution prevention measures would be implemented at the proposed northern working area, including fuel and oil storage being regulated by way of a planning condition.
336. It is considered that any magnitude of change on groundwater quality due to spillage of fuels, lubricants and other potentially contaminative liquids would be negligible. Furthermore, any suspended solids generated within surface water runoff from the proposed working of the northern part of the quarry, would settle out within the water management system, as is current practice.
337. Consequently, the significance of any potential direct effects on groundwater quality would be negligible and no additional mitigation measures would be required.
338. It is concluded that the site design and mitigation measures have ensured that there would be no significant residual or cumulative effects on ground or surface water during either the operational or restoration phases of the proposed development. Mitigation measures are not required above and beyond those already designed into the scheme. It is therefore concluded that the proposed mineral operations in the northern part of the wider quarry site, together with the revised restoration scheme, are appropriate and capable of being carried out in compliance with Adopted MLP Policies M3.8 and M3.9.
339. It is noted that the County Council's Reclamation Consultant is satisfied that any potential impacts to ground and surface water quality associated with the proposed works would be negligible.
340. No significant long-term impacts on ground and surface water flows are anticipated. It is recommended that routine groundwater monitoring continues to be carried out for the duration of minerals operations, together with the monitoring of the rate of dewatering from the excavation and extraction activities.

Ecological Impact

341. National policy regarding the conservation and enhancement of the natural environment is set out in Chapter 15 of the revised NPPF. Of particular relevance are paragraphs 170 and 175, which establish the overall objective regarding ecology, which is to minimise impacts on and provide net gains for biodiversity. Where harm to biodiversity cannot be wholly avoided applicants are required to either mitigate impacts or alternately compensate any ecological harm that may result from the development.

342. Adopted MLP Policy M3.17 broadly reflects revised NPPF policy in terms of seeking to protect priority habitats as identified in the UK and/or Nottinghamshire Local Biodiversity Action Plan (LBAP) from adverse effects. In this respect, policy directs that minerals development should only be granted planning permission on such sites where it can be demonstrated that the importance of the development outweighs the ecological value of the site taking into account measures to either mitigate or compensate for any adverse effects. Also of relevance is Core Policy 12 (Biodiversity and Green Infrastructure) of the Newark & Sherwood ACS which seeks to secure development that maximises the opportunities to conserve, enhance and restore biodiversity. FPNP's Community Objective 5 states that development should minimise impacts on the natural environment, and Policy NP5 (Green Spaces, Landscaping and Biodiversity) states that development should incorporate appropriate mitigation in order to achieve zero net impact on biodiversity. Schemes would be supported where net enhancements would be achieved.
343. The Environmental Statement incorporates an ecological assessment which assesses and defines the existing ecological baseline of the site and considers the likely ecological impact of the scheme. An overview of the key ecological findings and potential effects of the development are outlined below.

Habitats

344. An area of arable farmland/arable habitat would be lost as a result of the proposed development. Whilst it is noted that field margins are not present within the proposal site given that the current crop has been sown to the edges of the field, this habitat is available in surrounding areas beyond the site. The field was found to support one skylark territory during the most recent breeding bird survey but the present crop is more than 50cm tall and is therefore considered unlikely to support skylark at this current time. Arable farmland is a LBAP habitat, however, it is noted that this field is of limited ecological importance.
345. Broad-leaved plantation woodland comprising a strip of broad-leaved plantation woodland is to the eastern, northern, and western edges of the field. The plantation is immature and contains a variety of tree species including ash, field maple, alder, hazel, pedunculate oak, hawthorn, silver birch and blackthorn, and a ground flora of well established grasses. A small fragment would be lost, but it is noted that there are no species of conservation importance associated with this habitat type, and it is therefore of no wider ecological value.
346. Along the northern edge of the proposal site is a strip of improved grassland, dominated almost exclusively by Yorkshire fog with patches of creeping thistle. Whilst improved grassland is an LBAP habitat of site importance, only a small, species-poor area would be lost. It is noted that the grassland is of low ecological value and would be replaced with species-rich grassland and wet grassland on final restoration of the extension.
347. Small areas of semi-improved neutral grassland exist on the western boundary, whilst to the south, beyond the boundary, is a larger area of species

rich semi-improved grassland, dominated by false-oat grass, creeping cinquefoil and hemlock with an array of wildflower species also being recorded in this area. Whilst semi-improved neutral grassland is a LBAP habitat, only a small area of would be lost, which does not contain any notable species. It is noted that this area does not represent a significant contribution to the local resource. In terms of mitigation, the grassland would be replaced with a much larger area of species-rich grassland on final restoration.

348. A narrow strip of tall ruderal vegetation has developed along the northern boundary, close to the dry ditch, dominated by creeping thistle and common nettle. The eastern and southern boundaries are dominated by dense scrub, with small amounts of scattered scrub also present on the boundaries. Whilst this vegetation may support bird species of conservation concern such as willow warbler as recorded in the most recent breeding bird survey, it is noted that only limited scrub lies within the proposal site, with the majority of scrub lying outside the boundary.
349. Ditches, which are a local BAP habitat, border the southern, eastern and northern boundaries of the proposal site. However, the ditches are mostly dry and are of no conservation importance. One short section along Staple Lane holds shallow water and some aquatic vegetation is present, including reedmace, watercress and common water starwort. This section of ditch is not part of the Staple Lane LWS. It is noted that the ditch network around the site would be extended as part of the final restoration.
350. A species-poor hedgerow is present along the northern boundary, dominated almost exclusively by hawthorn, with occasional blackthorn and dog-rose present.

Species

351. No evidence of badger activity was found on the proposal site.
352. Bats are important at a County level and are an LBAP species. The proposal area provides foraging habitat for bats on the periphery, in scrub and hedgerows. These elements would not be affected by the proposed development and the final restoration would provide a greatly increased amount of bat foraging habitat (new hedgerows, species-rich grassland, waterbodies and woodland) compared to the limited ecological value that the arable field currently provides. No roosting sites have been identified.
353. Brown hare is of importance at a site level and is a Natural Environment Research Council (NERC) Priority Species. Observations of brown hare have been made during surveys in the grassland area within the proposal area. However, it is noted that abundant habitat for brown hare is present on the wider Bantycok site, with evidence for this being provided by the Extended Phase 1 Habitat Survey when brown hare were recorded in the improved grassland to the north of the proposal site. Furthermore, habitats would be disturbed in stages thereby mitigating impacts on the brown hare population. Final restoration would provide an increased amount of species-rich grassland for brown hare.
354. European hedgehog is an NERC Priority Species. Whilst there have been no recorded observations of hedgehog under the ecological monitoring surveys

conducted across the wider Bantymock site, there is suitable habitat present on the boundaries of the proposal site.

355. Water vole is of importance at a County level and is an NERC Priority Species, but is not present within the proposal site. It is noted that water vole surveys are undertaken on the site every two years as part of the ecological monitoring programme. However, the species has not been recorded on the site since 2008. A recent survey identified that the ditch along the northern boundary of the proposal site represents sub-optimal water vole habitat. Much of the ditch is dry, there is a lack of aquatic vegetation and it is shaded with overhanging trees. All other ditches were dry and considered likely to remain dry for much of the year. It is noted that final restoration would provide a new extensive ditch that would be designed specifically for water vole.
356. A breeding bird survey is undertaken on the quarry site every three years as part of the Protected Species Monitoring Programme. This was last undertaken in spring 2015, with a number of species being recorded and possibly breeding within the proposal site or within 50 metres of it. This included red list species (skylark within the arable field) and amber listed species (willow warbler, in scrub immediately to the south of the southern boundary of the proposal site). Whilst linnet and reed bunting were also recorded foraging, breeding was not confirmed. Several other bird species with no conservation status were also recorded breeding including blue tit and wren, in the existing hedgerows. All are widespread but have declining populations. In mitigation, it is noted that the wider local area has abundant suitable habitat; and the final restoration would provide abundant breeding habitat for birds including hedgerows, woodland and grassland.
357. Regarding a recent survey in support of this application, habitat suitable for nesting birds was identified as being present within the proposal site, including the plantation woodland, tall ruderal vegetation and species-poor hedgerows. A number of birds were also observed in the proposal area during the Extended Phase 1 Habitat Survey including carrion crow, woodpigeon, chiffchaff and magpie.
358. Amphibians are of importance at a site level and are a NERC Priority Species, with Great Crested Newts (GCN) being a European Protected Species. GCN would not be affected by the proposed development as they are not present. Smooth Newt, common frog and common toad are present within the wider Bantymock site, and are subject to amphibian surveys, which were last undertaken in 2015. However, there are no waterbodies or associated aquatic habitat and limited terrestrial habitat within the proposal site to support amphibians, with the nearest waterbody 360m to the west. It is noted that the final restoration would provide additional ponds for amphibians.
359. Reptiles are of importance at a site level and are a NERC Priority Species. Slow worm are present within the proposal area and grass snake are known to be present in the wider quarry area, although populations are likely to be low given that no reptiles were recorded during the Ecological Monitoring Surveys in 2015. Slow worm were last recorded in 2012 in the proposal area, in the grassland on the western edge. It is noted that the proposal site, being an arable field, is largely unsuitable for reptiles, with potential habitat being limited to small patches of suitable habitat around the periphery. There is the potential for the slow worm to be harmed during the proposed development from works

affecting the boundary area to the proposal site and the grassland west of the northern area, although populations of reptiles are considered likely to be low. Direct operational impacts would be irreversible, including the use of heavy tracked machinery in areas where reptiles are present resulting in injury or death. Indirect operational impacts, such as noise disturbance affecting habitats where reptiles are present, and loss of habitat connectivity are reversible.

360. Invertebrates are of importance at a County level and identified species, the Dingy Skipper and the Grizzled Skipper, which are local BAP species, are known to be in the area, with the closest being recorded 1.3 km west of the proposal area in the 2015 survey. However, the Phase 1 Habitat Survey identified no habitat features within the proposal site that could support them, and it was identified that there are no features of particular value for specialist terrestrial or aquatic invertebrate groups. It is noted that the final restoration would provide a wildlife corridor from the west of the site, to encourage them to colonise, and 30 ha. of new species-rich grassland.
361. Suitable foraging habitat exists around the scrub and hedgerows, just outside the proposed extension boundary and this would not be affected by the proposed development. Any suitable foraging habitat within the proposal area would be disturbed in stages and hedgehogs would not be affected. It is noted that additional foraging habitat (woodland scrub) would be provided on land restoration.
362. It is noted that Nottinghamshire Wildlife Trust has objected to the planning application raising a number of concerns regarding a lack of adequate survey information and incomplete impact assessments relating to birds, reptiles, mammals and hydrological impacts on the nearest LWS ditches; and consequently, a lack of appropriate mitigation to compensate for a loss of habitat. These concerns have been examined by the County Council's Ecologist who is satisfied that the ecological survey work submitted in support of the application is satisfactory and provides sufficient ecological information to enable an accurate assessment to be made of the magnitude of any ecological impacts and effects from the development on the proposal site. The status of the most recent bird survey conducted in 2015 remains acceptable under BS42020: 2013 Biodiversity: Code of Practice for Planning and Development; and there is confidence that the proposal site would not have significantly changed since 2015 and the bird survey results would not materially change if new surveys were to be undertaken. In the case of the proposal site, which is an agricultural field, it is considered that the intercropping regime would have had the most significant impact on bird species rather than length of time between surveys, particularly when, as in this case, the date of the survey-work is borderline, and can be 2-3 years old under BS42020:2013.
363. It is noted that the 2015 bird surveys identified that red list breeding birds were present either within the proposal site or nearby, including skylark which were found to be breeding on site. In line with the recommendations made by NWT, planning conditions would seek to secure the seeding of soil mounds with a rapid establishment grassland mix containing high proportions of oil-rich seed-bearing herbaceous native plants, which would be beneficial in terms of supporting invertebrates for the feeding of chicks of nationally declining bird species. The proposals would also seek to retain existing hedgerows for the

duration of the scheme to provide higher and denser nesting habitat as a replacement for scrub habitat that would be lost through the development proposal and which is currently used by birds, such as willow warbler, for nesting.

364. With regards to concerns raised by NWT regarding reptiles, the County Council's Ecologist is satisfied that the arable site is unsuitable to support reptiles. There is no breeding habitat with minimal grass margins, so loss of habitat is not anticipated to be a significant issue. As a precautionary measure, it is noted that there is a requirement for the proposed development to be carried out in accordance with an approved reptile mitigation scheme secured under extant planning condition 48 which would be re-attached. This would ensure that the interests of conserving a protected species in accordance with the Wildlife and Countryside Act 1981 and the Conservation of Habitats and Species Regulations 2010, are adequately secured for the purposes of the proposed development.
365. Similarly, it is confirmed that the loss of a single arable field would not be a significant habitat loss for mammals, notably brown hares, given that there are other arable fields in the locality. There is no suitable habitat for invertebrates.
366. The Wildlife Trust identifies that the proposal site does not include any SSSIs or LWS and is satisfied that any direct impacts on LWS appear unlikely. However, NWT sought to establish whether the proposed development would give rise to hydrological impacts from the quarry on the nearest locally designated ditches along the roadside (Staple Lane). The Staple Lane LWS which is noted for some established reedbed is relatively distant to the proposal site, with the north-eastern edge of the ditch lying some 500 metres from the north-western corner of the site. The County Council's Ecologist is satisfied that the roadside LWS ditch to Staple Lane would be fed by surface water drainage from the road itself and would not be affected by de-watering of the quarry.
367. Whilst there would be the loss of semi-improved grassland habitat, this would be mitigated by the seeding of the soil mounds. The amended restoration scheme would involve further increases in species-rich grassland, with an additional 9.8 hectares being delivered as part of the revisions to the scheme giving a total of 30 hectares. Whilst NWT would expect further amendments to the design of the restoration scheme, with more shallow wetland habitat and variation in topography around the wetland area, overall, the final restoration scheme together with the Restoration Management Plan are considered satisfactory by the County Council's Ecologist. It is noted that the principle of the restoration scheme is essentially unchanged when compared to the approved scheme, albeit that the proposals now include a larger waterbody extending northwards into the proposal site, at the expense of agricultural land. Nevertheless, the scheme continues to support enhancements to local biodiversity, delivering net gains in species-rich and wet grasslands (+1.3ha. giving 16.4ha. in total).
368. NWT has sought an increased aftercare period to reflect the time it would take to properly establish the habitats proposed under the final restoration scheme, and also to ensure their protection, given that the restored habitats are being used as compensation to justify what it considers to be the ecological losses that would result from the proposed development. Whilst the County Council's

Ecologist is of the opinion that there are no significant ecological effects associated with the proposals, the County Council nevertheless supports an extended aftercare period. It considers that a ten year extended aftercare period (the five year statutory aftercare period plus a further ten years) would provide a suitable timeframe for the full establishment of the features of ecological interest in the Northern pond/wetland area. The applicant is fully in agreement with this approach.

369. In terms of assessing the planning application, the success of the restoration scheme is an important material consideration. It is considered that fifteen years of aftercare would improve the chances of the final restoration scheme establishing and securing a wide a range of ecological features. On balance, an extended aftercare period would secure the highest standard of ecological restoration at the quarry site. A planning condition to this effect would be attached to any planning permission in accordance with Saved Policy M4.9 of the MLP and Schedule 5 Part 1 Section 2 sub-paragraphs (7) and (8) of the Town and Country Planning Act 1990.
370. Mitigation and enhancement measures have been incorporated into the amended restoration masterplan at the design stage. Drawing No. 4 Rev. F titled 'Restoration Masterplan' (see Plan 4) has been designed to maintain and enhance the integrity of existing habitats once quarrying activities have ceased, as is standard practice. In addition, the amended restoration masterplan would provide standard compensation for habitats of low ecological value identified as part of the assessment that would be lost to the proposed development. It would also provide new areas of habitat that are focused on creating habitats that are priorities in the Nottinghamshire LBAP such as ditches, reedbed, lowland wet grassland, neutral grassland and wet broad-leaved woodland. Paragraphs 66-69 of this report provide details of the compensatory measures.
371. A series of mitigation measures and strategies are already in place for the wider site as a result of the existing quarrying works. These include regular ecology site inspections, every 5-6 weeks, by an ecologist, a protected species monitoring programme, a reptile mitigation strategy and an ecological restoration management plan. These measures are secured under a series of ecology related planning conditions attached to extant planning permission 3/15/01880/CMA, and for the purposes of this planning application would be updated to reflect all relevant supplementary documentation contained in the Environmental Statement. The amended conditions would be re-imposed on any new planning permission.
372. Mitigation measures would include controls over the timing of all excavation works, ground works and hedgerow removal, to outside the bird breeding season, (from mid-September to end of February) and the supervised clearance of vegetation during suitable weather conditions when reptiles are active (between mid-April to late September).
373. It is noted that the reptile mitigation strategy specifies that all habitats suitable for reptiles should be cleared under ecological supervision. Therefore, if mitigation measures are adhered to, the working of the north-eastern area would not result in any residual impacts to reptile species or other species such as nesting birds. Enhancement measures including the creation of a reptile hibernacula and the erection of bat and bird boxes and log piles for

invertebrates, in the northern woodland belt once established, would have a positive effect on biodiversity and encourage species to colonise once restoration has been completed. Planning conditions would ensure that these enhancement measures are secured. The County Council's Ecologist is satisfied that with mitigation, the residual impacts, including those with regards to slow worms, would not be significant. As such, subject to planning conditions, the proposed development would accord with Saved MLP Policy M3.17, the revised NPPF (February 2019), the Newark & Sherwood ACS's Core Policy 12 and Policy NP5 of the FPNP and its Community Objective 5.

Archaeology

374. In terms of planning policy, of relevance are paragraphs 184, 189 and 197 of the revised NPPF. Paragraph 184 identifies that heritage assets are an irreplaceable resource and should be conserved in a manner appropriate to their significance. Paragraph 189 states that in determining planning applications the applicant is required to describe the significance of any heritage assets affected, with the level of detail being proportionate to the assets' importance and no more than sufficient to understand the potential impact of the proposal on their significance.
375. Paragraph 197 of the revised NPPF states that in weighing applications that directly or indirectly affect non-designated heritage assets, a balanced judgement will be required having regard to the scale of any harm or loss and the significance of the heritage asset.
376. Also of relevance is adopted MLP Policy M3.24, which identifies that minerals are capable of being worked on sites which contain archaeological remains of less than national importance provided it can be demonstrated that the importance of the development outweighs the significance of the remains and where appropriate provision is made for the excavation and recording of the remains.
377. In accordance with paragraph 189 of the NPPF, the Environmental Statement contains an archaeological assessment in support of the proposals to work the northern part of the quarry site. This identifies that whilst the existing site does not incorporate any known archaeological remains of national importance or features of sufficient value to justify preservation, the remains uncovered to date have nevertheless proven to be complex and extensive with at least some of these elements likely to extend into the proposal area.
378. Archaeological work previously undertaken in advance of phased mineral extraction at the quarry has recorded the remains of both a settlement and associated agricultural landscape, originating in the Iron Age and continuing throughout the Roman period.
379. A programme of archaeological works has been applied to the existing quarry, as a requirement of the 2006 minerals review permission, and re-established in all subsequent extant planning permissions. This has preserved, by record, an extensive area of the Iron Age and Romano-British cultural landscape, building up a valuable large-scale picture of settlement in this area. More recent phases of archaeological investigation have exposed an extensive occupied and cultivated landscape, including boundary ditches and trackways

or driveways covering considerable distances, with clusters of small enclosures, hut circles and pits indicating areas of more intensive occupation, associated with quantities of Late Iron Age and Romano-British pottery and other artefacts.

380. It is proposed to extend this scheme of archaeological works to cover further mineral extraction within the proposal site.
381. The archaeological potential of the proposed northern working area lies almost entirely within the later Iron Age and the Roman period, when the area of the current quarry is known to have been occupied and cultivated. It is highly likely that the settlement activity extended into the proposal site and that traces of it would be exposed and subsequently destroyed during the proposed mineral extraction works.
382. No prehistoric finds have been recorded within the study area (including the application site), indicating that the area was probably not settled or exploited to any great extent before the middle Iron Age. The Iron Age settlement and associated agricultural landscape uncovered by the quarry, however, has proved to be complex and extensive, and is likely to extend at least some of these elements into the proposal site. The archaeological potential of the site for the mid-to-late Iron Age specifically is therefore assessed as high, although there is limited potential for significant archaeological remains from earlier prehistoric periods.
383. It is likely that remains of the Romano-British settlement and its associated agricultural landscape extend onto the proposal site, and any such remains would be of archaeological significance. Settlements of the Roman period are extremely numerous across the region, with a particularly high density recorded along the Trent Valley in central Nottinghamshire, but the known sites are very unevenly distributed and usually poorly understood (The East Midlands Research Framework of 2006). Previous archaeological work has shown that animal bone preservation at Bantycok is better than usual within the Trent Valley, and that increases the archaeological potential of the site. The potential of the site to contain significant remains from the Romano-British period is consequently assessed as high.
384. On balance, the evidence as referenced in the archaeological assessment indicates that the quarry area as a whole, and potentially the northern working area, contain significant archaeological remains. These remains have to date proven to be of less than national importance, and there is nothing to indicate that this level of significance would not continue into any heritage assets recovered in the northern working area. In terms of the potential impact on any archaeological heritage within the proposal area, mineral extraction would have a direct impact on any existing archaeological remains, and no remains present within that area would survive in situ. Given the level of significance of any potential archaeological remains, it is considered wholly appropriate to treat any future archaeological finds in the same way as those on the rest of the quarry site.
385. On the evidence of the experience to date, the County Council's Archaeology Officer is satisfied that the existing archaeological scheme of investigation is sufficiently robust to deal with any future archaeological finds. It is evident from the archaeological assessment that the scheme of works has to date

recovered and recorded a significant amount of archaeology. The level of archaeological evaluation and treatment of what are non-designated heritage assets is considered appropriate and the re-imposition of extant planning conditions to any new planning permission would ensure that the northern working area continues to be subject to the same level of mitigation. The proposal area would be subject to the same processes of surveying, excavation and appropriate recording of archaeological remains. Subject to appropriate planning controls, which would ensure that there are no unacceptable adverse impacts on the historic environment, the proposed minerals development would be in compliance with adopted MLP Policy M3.24 and the revised NPPF (February 2019).

Heritage impact

386. Whilst there are some nine listed buildings within 2 kilometres of the proposal site, in view of a combination of distance and intervening development between these properties and the site, it is considered that these properties are not within the sightline of the proposed north-eastern workings.
387. Adopted MLP Policy M3.25 (Listed Buildings and Conservation Areas) seeks to ensure that minerals development does not result in unacceptable impacts to conservation areas, listed buildings, historic battlefields and historic parks and gardens. This policy pre-dates the NPPF.
388. The ES has identified any heritage assets within the vicinity of the proposal site and duly considered the significance of any impacts associated with the development, in accordance with paragraphs 189 and 190 of the revised NPPF.
389. This has confirmed that the proposal site does not contain any built heritage assets nor do any known built heritage assets fall within the influence of the proposed development. Whilst there are some nine listed buildings within two kilometres of the proposal site, in view of a combination of distance and intervening development between these properties and the site, it is considered that these properties are not within the sightline of the proposed north-eastern mineral operations.
390. Only one Conservation Area is present, situated within the centre of Balderton. The effects on the visual setting of the Conservation Area, which includes Church Lane and St Giles Church, have been considered under the auspices of the Landscape and Visual Impact Assessment. It is noted that the Conservation Area is surrounded by development situated outside the designated area, and that screening afforded by the intervening buildings and vegetation means that the proposal site is not visible from the Conservation Area.
391. It is concluded that there would be no effects on the heritage asset either in terms of magnitude or significance. Both the County Council's Heritage Officer and Historic England have reviewed the ES and are satisfied that the site does not contain any built heritage assets nor would any identified built heritage assets be impacted upon by these proposals. No harm would be caused to any such assets from the proposals to work the northern part of the quarry. As

such, the development would be compliant with adopted MLP Policy M3.25 and the revised NPPF.

Agriculture/Conservation of soil resources

392. Adopted MLP Policy M3.16 seeks to protect the best and most versatile agricultural land (grades 1, 2 and 3a) from development. A soil resources and agricultural land quality assessment has been undertaken by Land Research Associates in support of the planning submission. The soils were surveyed using a combination of pits and augerings to a depth of 0.8m. This has confirmed that the soils across the application site have been disturbed and comprise heavy topsoil over compacted permeable spoil. In terms of land quality, soils are limited to subgrade 3b, affected by a combination of wetness and drought. The soils largely comprise restored clay or heavy clay loam topsoil (typically 20-25 cm thick) directly over compacted spoil comprising a variable mixture of shale fragments and compacted clay. The application site has the appearance of having been artificially raised by the historic emplacement of overburden from quarrying operations on adjacent worked land.
393. With reference to the Agricultural Land Classification, which is based on the grading system introduced by the former Ministry of Agriculture, Fisheries and Food (MAFF) all the land which makes up the single arable field (the application site) is categorised as subgrade 3b. Therefore, the proposed working of the north-eastern part of the quarry would not involve the loss of any best and most versatile agricultural land. As such, the proposed development would be compliant with Adopted MLP Policy M3.16.

Oil pipeline

394. Material to the decision is the ability to maintain the integrity of the oil pipeline infrastructure for the duration of the mineral operations, given its proximity to the northern boundary of the proposed northern working area; and to ensure that the development is capable of being carried out without undue impacts on the pipeline.
395. The Regulation 25 submission has overcome concerns regarding the potential for blasting impacts including that of vibration on the oil pipeline infrastructure. Stand-off distances have been amended and agreed with CLH Pipeline System, and a plan (Drawing Number BAN 127, dated 8/1/2019, titled 'Modified northern boundary) is now approved and is satisfactory to the company's asset protection team. The re-submitted plan now adequately demonstrates protection of the oil pipeline infrastructure and has achieved a safe blasting standoff to the pipeline.
396. The County Council's Noise Consultant having reviewed the amended plan has confirmed that the amended stand-off distances between the pipeline infrastructure and the extent of the extraction area would ensure compliance with the established criteria for blasting, as set out in the blasting impact assessment contained in the Environment Statement. Subject to a planning condition covering active vibration monitoring for blasting operations occurring within 400 metres of the oil pipeline, to ensure that the 25mm/s PPV limit is not exceeded, it is considered that there would be no significant material impacts

on the pipeline infrastructure. As such, the development is capable of complying with MLP Saved Policy M3.6 and the revised NPPF (February 2019).

Cumulative Impact

397. Adopted MLP Policy M3.27 (Cumulative Impact) states that planning permission will not be granted for minerals development which would result cumulatively in a significant adverse impact on the environment and/or the amenity of local communities.
398. Regarding the potential for cumulative impacts, it is noted that these proposals do not seek to extend the site area beyond that permitted under the extant planning permission nor do the proposals seek to extend the duration of site operations either in terms of mineral extraction or restoration works. The ES has identified that there are no other mineral operations within the immediate vicinity of the quarry nor other forms of development that could give rise to any significant cumulative effects.
399. The phased working pattern would reduce blasting, dust and air quality, and noise impacts, limiting any combined or cumulative impact. There would be no increase in vehicle movements, again limiting the potential for any combined impacts. The phased working practices would minimise the amount of disturbed land at any one time and the site restoration would bring some improvement to the quality of the resulting landscape and beneficially enhance biodiversity.
400. It is considered that with continuing good environmental practice, and the enhancement of existing mitigation measures that are already in place at the quarry, there would be no cumulative impact upon the nearest sensitive receptors to this development. No significant adverse cumulative impacts have been identified in the ES, with the findings of the environmental assessments indicating that there are no significant residual impacts associated with the proposed development, subject to planning controls. As such, the proposal is not contrary to the requirements of adopted MLP Policy M3.27.

Legal Agreement

401. Mineral extraction including associated HGV lorry movements at Bantycok Quarry is not subject to any Section 106 Legal Agreements, and there is no requirement for the proposals under consideration in this report to be subject to any requirements for any legal agreements.

Publicity/Consultation

402. A constant theme of the neighbour representations has been the perceived shortcomings surrounding the MPA's arrangements for publicising the planning application and notifying local residents.
403. In response, it is considered that appropriate publicity/consultation was carried out for the planning application by the County Council as part of the planning

application process. This involved the application being advertised by a press notice in the Newark Advertiser on the 13th September 2018; hard copies of the full planning application and EIA were made available at the Parish Councils and at Balderton Library, and forty-three site notices were placed around the locality and clearly displayed, including at the site entrance and egress. Forty-nine neighbour notification letters were sent to the nearest occupiers on Bilton Close, Balderton, Cottage Close, Balderton, Elton Close, Balderton, Jericho Road, Balderton, Airfield Cottages, Great North Road, Fernwood, Balderton Grange Farm, Grange Lane, Balderton, Cowtham House, Main Road, Long Bennington, Cowtham House Cottage, Main Road, Long Bennington and the nursing home at Fernwood, in accordance in Balderton and Fernwood with the County Council's adopted Statement of Community Involvement.

Sink holes and subsidence

404. Concerns have been raised by a local resident regarding the content of recent news stories regarding subsidence and associated sink holes arising from old unused gypsum mines in other parts of the country and what measures are being taken both now, and in the future to safeguard against damage to residential property on Bilton Close, Jericho Road and other residential areas within the planned extension area.
405. The news stories are not corroborated but do refer to old gypsum mines which is the relevant point here. There is the potential for sink holes associated with deep mines but not with opencast quarrying. There have been historical issues with sinkholes at the surface in Rushcliffe due to gypsum mining, albeit on a relatively limited basis. The mineral is worked by 'room and pillar' mining, leaving pillars and stalls to support the surface, with stand-offs left from surface features such as dwellings. In the case of the current planning application, the proposed works would not go outside the red line of the application or under any properties, either residential or non-domestic. Therefore, if there was such an incident, it would be unrelated to the Bantycok works.

Other Options Considered

406. The ES has considered alternative sites, but these have not been deemed to be feasible options. The northern-eastern area is located within the existing planning permission boundary for gypsum extraction and provides a logical continuation of the existing workings as they progress northwards. An alternative to the working area is a southern extension to Bantycok Quarry, which is allocated for gypsum extraction by Policy M10.3 of the Adopted Minerals Local Plan (Saved Policies), with a larger southern extension being promoted in the new draft Minerals Local Plan, albeit that only limited weight can be attached to policies in that plan at the present time. However, this option has not yet been brought forward at this stage although, if it was, it would not be possible to return subsequently to the northern-eastern area at a later date, thus sterilising this mineral resource.
407. Regarding alternative methods of working, the ES observed that the method of extracting gypsum by 'drill and blast' is well established at Bantycok Quarry, with established practices and mitigation measures in place (Conditions 18 to

24 of extant planning permission 3/15/01880/CMA covering blasting operations), to ensure that the effects on the environment and residential amenity are minimised. It is therefore not considered necessary to propose an alternative method of working.

Statutory and Policy Implications

408. This report has been compiled after consideration of implications in respect of crime and disorder, data protection and information governance, finance, human resources, human rights, the NHS Constitution (public health services), the public sector equality duty, the safeguarding of children and adults at risk, service users, smarter working, and sustainability and the environment, and where such implications are material they are described below. Appropriate consultation has been undertaken and advice sought on these issues as required.

Implications for Service Users

409. The working of the north-eastern part of Bantycok Quarry would ensure the continuity in the supply of high-grade gypsum to established markets, including to the associated manufacturing plant at the adjacent Jericho Works.

Crime and Disorder Implications

410. The development would be located within an established quarry site benefiting from perimeter security fencing around the site perimeter; and established security measures.

Data Protection and Information Governance

411. All members of the public who have made representations on this application are informed that a copy of their representations, including their names and addresses, are publically available and are retained for the period of the application and for a relevant period thereafter.

Human Rights Implications

412. Relevant issues arising out of consideration of the Human Rights Act have been assessed. Rights under Article 8 (Right to Respect for Private and Family Life), Article 1 of the First Protocol (Protection of Property) and Article 6.1 (Right to a Fair Trial) are those to be considered and may be affected due to the quarrying activities associated with working the north-eastern part of Bantycok Quarry. The proposals have the potential to introduce limited impacts in terms of blasting, dust and noise upon the nearest sensitive receptors to the site. However, these potential impacts need to be balanced against the wider benefits the proposals would provide in terms of providing for continuity in the supply of a high-grade mineral resource. Members need to consider whether the benefits outweigh the potential impacts and reference should be made to the Observations section above in this consideration.

Public Sector Equality Duty Implications

413. The report and its consideration of the planning application has been undertaken in compliance with the Public Sector Equality duty and there are no identified impacts to persons/service users with a protected characteristic.

Implications for Sustainability and the Environment

414. These have been considered in the Observations section above, including all the environmental information contained within the EIA submitted with the application.
415. There are no financial, human resource, safeguarding of children and young adults at risk, smarter working or NHS constitution (public health services) implications.

Conclusion

416. The proposals seek to ensure that there is no sterilisation of remaining mineral reserves within the consented quarry site prior to mineral extraction ceasing at Bantymock; and to secure the life of the quarry within the permitted timeframe for operations and ensure its productive capacity is retained until 2025. If this part of the quarry was not to be worked, reserves would be exhausted by the latter half of 2023 and whilst not sufficient to re-instate the 15 year landbank, the proposals would secure the annual production rate of 300,000 to 400,000 tpa. of a high-grade mineral resource for a further two years. It would maximise extraction rates of a high quality mineral resource, both ensuring permitted reserves are exhausted prior to the permitted end date of 2027 (Condition 6) and facilitating the timely implementation of the final phase of restoration in compliance with Condition 6.
417. The recovery of permitted reserves in the north-eastern part of the quarry would allow the site to continue to operate and maintain the existing economic and employment benefits it provides both in terms of direct employment and associated operations such as road haulage. It would maintain a vital release and supply of high grade gypsum into the Midlands region and support the continuing contribution of the site to the local and regional economy. Notably, the development would ensure that the demand-side for high purity gypsum in Saint Gobain's own manufacturing plants in the Midlands including those in Nottinghamshire (Jericho Works and East Leake) would continue to be met through the extraction of all viable remaining reserves. The socio-economic benefits of the scheme are material in the determination of this planning application. As such, the proposed development is in compliance with the revised NPPF (February 2019) and paragraph 086 of the supporting PPG.
418. The revised NPPF (February 2019) attaches 'great weight' to the benefits of mineral extraction; and the proposal site is situated within an allocated area for gypsum extraction. In this respect, the application site remains consistent with land identified on the Proposals Map – Inset 13 of the MLP. There are no constraints of any significance that would exclude this area from being excavated and worked for mineral extraction. There is therefore substantial policy support for the proposed development.

419. Technical assessments of key potential environmental impacts contained within the supporting Environmental Statement together with mitigation proposals and established management controls already operational at the working quarry, and assessed in the context of this planning application, have demonstrated that the site is capable of operating without giving rise to significant adverse environmental and amenity impacts.
420. The development has been assessed as being appropriate development within the context of the revised NPPF (February 2019). Subject to a suite of planning conditions set out in appendix 1 of this report, the proposed development would be capable of being implemented without unacceptable or significant adverse effects on the nearest sensitive receptors, the natural and archaeological environment, residential amenity and human health. Measures would continue to be secured and ensure that any unavoidable noise, dust and particle emissions, and any blasting vibrations are capable of being controlled to within acceptable limits through suitable mitigation, and that any residual impacts would be negligible. The noise emissions from the quarry would continue to be in compliance with nationally set limits for minerals development set out within the Planning Practice Guidance. There would therefore be compliance with the environmental protection policies contained in the adopted MLP, with the operation of the site being compliant with adopted MLP Saved Policies M3.3 (Visual Intrusion), M3.4 (Screening), M3.5 (Noise), M3.6 (Blasting), M3.7 (Dust), M3.8 (Water Environment), M3.9 (Flooding), M3.13 (Vehicular Movements), M3.16 (Protection of Best and Most Versatile Agricultural Land), M3.17 (Biodiversity), M3.22 (Landscape Character), M3.24 (Archaeology), M3.25 (Listed Buildings & Conservation Areas), and M3.27 (Cumulative Impact).
421. Whilst the north-eastern proposal area would move operations closer to sensitive receptors including a new school (Suthers School) on Cross Lane, a local care home and residential development at Fernwood, any noise, dust and blasting/vibration impacts would be capable of operating within acceptable limits for the avoidance of environmental and amenity impacts on these nearest sensitive receptors. In terms of material impact on local amenity and potential structural damage to property the blasting assessment indicates that impacts are capable of being suitably controlled to within acceptable levels subject to planning controls. As such, the proposals would accord with adopted MLP Policy M3.6, Policy DM5 of the Newark & Sherwood DPD, the revised NPPF and the supporting PPG.
422. Modifications to the scheme towards the northern boundary of the proposal area have achieved a safe-blasting stand-off distance to the oil pipeline infrastructure. Subject to a planning condition covering active vibration monitoring for blasting operations occurring within 400 metres of the oil pipeline, to ensure that there is no exceedance of acceptable PPV limits, the development is capable of operating without significant material impacts on the pipeline infrastructure.
423. The proposal site is of inherently low conservation value and effective mitigation strategies covering protected species, reptiles and breeding birds already in place at the working quarry would be extended to cover the north-eastern extraction area. The proposed development would not unacceptably impact on any non-statutory Local Wildlife Sites within the vicinity of the site

nor on any protected species or priority habitats. There are no statutory ecologically designated sites within the vicinity of the site.

424. It is considered that there are effective mitigation measures and strategies in place, which together with further mitigation measures set out in the environmental assessment and secured by way of supplementary planning conditions, would ensure that any adverse impacts on these species would be adequately mitigated, and any residual ecological harm minimised. Provided the relevant mitigation is adhered to, there would be no significant negative impacts arising from the development on local conservation interests. Subject to a series of ecological planning conditions, the proposed development would be compliant with adopted MLP Policy M3.17 and the revised NPPF (February 2019).
425. Habitat creation during restoration would include a substantial waterbody, scrub planting and wet and species-rich grassland. Enhancements would include reptile hibernacula and log piles within the grassland area. A net gain secured by way of this planning application has been the agreement of the applicant to an extended aftercare period to address concerns raised by NWT. A planning condition would ensure that the aftercare period extends to 15 years (5 years of statutory aftercare plus a further 10 years), which would support the final restoration scheme and optimise the chances of delivering a high quality conservation scheme, and more accurately reflect the time it would take to properly establish these habitats. As such, the development would be compliant with adopted MLP Policy M3.17 and the revised NPPF (February 2019).
426. Whilst it is acknowledged that there would be some visual impact associated with the development, the magnitude of this impact is comparatively minor and less than significant, having been substantially mitigated by the design of the development with the partial retention of the northern planting area and perimeter hedgerows to screen the site. Over the longer term, these impacts would be mitigated through the restoration scheme. Post-extraction the various landforms have been designed with gentle gradients to appear natural and improve assimilation into the existing landscape. The development is in compliance with adopted MLP Policies M3.3, M3.4 and M3.22.
427. A programme of archaeological works has been applied to the existing quarry since the 2006 minerals review permission first made this a requirement. This has preserved by record, an extensive area of the Iron-Age and Romano-British cultural landscape, building up a valuable record of settlement in this area. Planning conditions would be re-imposed to ensure that this scheme of archaeological works is extended to cover further mineral extraction in the proposal site. It is considered that this would adequately preserve by record any further archaeological finds, which are not anticipated to vary from those already found to date. The potential for the site to contain significant Romano-British and mid-to-late Iron Age remains is assessed as high, but again it is anticipated that any remains would be of less than national importance, and subject to planning conditions would not be significantly affected by the development. As such, the proposals would be in compliance with adopted MLP Policy M3.24.
428. The proposed working of the north-eastern part of the quarry would not involve the loss of any best and most versatile agricultural land, with soils being limited

to subgrade 3b heavy soils over compacted permeable spoil. As such, the proposed development would be compliant with adopted MLP Policy M3.16.

429. Given the proposal site's location in Flood Zone 1, there is an extremely low probability of the site flooding for the duration of the working life of the quarry, and it is not anticipated that the minerals development would have any significant impact on either surface water flows or groundwater levels or give rise to pollution. It is concluded that the proposed development together with the revised restoration scheme are capable of being carried out in compliance with adopted MLP Policies M3.8 and M3.9.
430. Whilst historically there have been no controls over HGV numbers, a benefit of the current Section 73 application has been an agreement by the applicant to condition HGV numbers at all times, based on present levels of HGV movements associated with quarrying activities. Recommended condition 10 restricts daily maximum HGV trips to 100 which is above the 60 detailed in the application to provide the applicant with sufficient flexibility to respond to higher levels of demand for Bantymock's high-grade gypsum at their associated production works within the Midlands. Annually, the average figure would be 60 HGV trips per day, thereby maintaining the average figure as detailed in the application. What the condition reflects is that on many days the number of trips would be significantly less than the 60 trip average to achieve this average mindful that there is a daily limit of 100 HGV when required. The condition would ensure compliance with MLP Policy M3.13, mitigating traffic impacts and protecting residential amenity particularly for those living along the C3 road through the villages of Staunton in the Vale, Alverton, Orston and Elton.
431. No significant adverse cumulative impacts have been identified in the ES, and there is nothing to indicate that there would be any significant cumulative impacts associated with the proposals. As such, the proposed development would not be contrary to the requirements of adopted MLP Policy M3.27.
432. Extant planning conditions attached to previous planning permissions, including the current operational planning permission 3/15/01880/CMA, have proven to be effective and, subject to updating in light of the current environmental assessments contained in the Environmental Statement, would continue to be applied. To this effect, a suite of planning conditions is identified in Appendix 1 of this report and their re-attachment would continue to regulate the operation of the site to an appropriate standard.
433. Monitoring measures covering blasting, noise and dust, already in place at Bantymock Quarry are considered by the MPA to be satisfactory and would continue into the future until mineral extraction ceases at Bantymock Quarry. These measures have proven to be effective and would continue to provide a robust monitoring regime capable of ensuring compliance with environmental and amenity planning controls attached to the planning permission.
434. The development is supported by the development plan and by the revised NPPF (February 2019) and the balance of material considerations support the granting of planning permission for the development. Environmental and residential amenity impacts are capable of being suitably controlled to acceptable levels subject to a series of planning conditions. It is concluded that there would be no significant adverse environmental effects nor amenity impacts on the nearest sensitive receptors, as a result of the development.

Overall, it is considered that any environmental impacts would be less than significant, subject to planning conditions, and these impacts would on balance be outweighed by the benefits derived from the development.

Statement of Positive and Proactive Engagement

435. In determining this application the Minerals Planning Authority has worked positively and proactively with the applicant by entering into pre-application discussions; encouraging pre-application community engagement which the applicant acceded to by holding a pre-application exhibition; and the scoping of the application. The proposals and the content of the Environmental Statement have been assessed against relevant Development Plan policies, the National Planning Policy Framework, and European Regulations. The Minerals Planning Authority has identified all material considerations; forwarded consultation responses that may have been received in a timely manner; considered any valid representations received; liaised with consultees to resolve issues and progressed towards a timely determination of the application. Issues of concern have been raised with the applicant, such as impacts of blasting on the adjacent oil pipeline have been addressed through negotiation and acceptable amendments to the proposals requested through a Regulation 25 submission. The applicant has been given advance sight of the draft planning conditions. This approach has been in accordance with the requirement set out in the National Planning Policy Framework.

RECOMMENDATIONS

436. It is RECOMMENDED that planning permission be granted subject to the conditions set out in Appendix 1. Members need to consider the issues set out in the report and resolve accordingly.

ADRIAN SMITH

Corporate Director – Place

Constitutional Comments

SJG 22.03.19

The recommendation falls within the remit of the Planning and Licencing Committee.

Comments of the Service Director - Finance (SES 22/03/19)

There are no specific financial implications arising directly from this report.

Background Papers Available for Inspection

The application file is available for public inspection by virtue of the Local Government (Access to Information) Act 1985.

Electoral Division(s) and Member(s) Affected

Balderton

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