



18 April 2023

Agenda Item 6

REPORT OF THE INTERIM CORPORATE DIRECTOR FOR PLACE

BASSETLAW DISTRICT REF. NO.: 1/22/00867/CDM

PROPOSAL 1: PROPOSED WESTERN EXTENSION TO EXISTING MISSON GREY SAND QUARRY INCORPORATING MODIFICATIONS TO PREVIOUSLY APPROVED RESTORATION SCHEMES REFERENCED 1/15/01574/CDM AND 1/32/11/00020

BASSETLAW DISTRICT REF. NO.: 1/22/00865/CDM

PROPOSAL 2: THE APPLICATION SEEKS APPROVAL TO AMEND THE APPROVED RESTORATION SCHEME THAT RELATES TO APPROVAL 1/32/11/00020. THE AMENDED SCHEME WILL ALLOW THE IMPLEMENTATION OF THE PROPOSED WESTERN EXTENSION

BASSETLAW DISTRICT REF. NO.: 1/22/00864/CDM

PROPOSAL 3: THE APPLICATION SEEKS APPROVAL TO AMEND THE APPROVED RESTORATION SCHEME THAT RELATES TO APPROVAL 1/15/01574/CDM. THE AMENDED SCHEME WILL ALLOW THE IMPLEMENTATION OF THE PROPOSED WESTERN EXTENSION

LOCATION: MISSON QUARRY, BAWTRY ROAD, MISSON

APPLICANT: MISSON SAND & GRAVEL CO LIMITED

Purpose of Report

1. To consider three planning applications for a proposed western extension of Misson Sand Quarry and associated site revisions. The applications are being reported to Planning and Rights of Way Committee in accordance with the Code of Best Practice because the expected annual level of output (80,000 tonnes per annum) exceeds the level that can be determined under delegated powers (30,000tpa). Proposal 1 seeks permission for a 3.4 hectare quarry extension whilst Proposals 2 and 3 seek to vary existing restoration schemes affected by the proposed extension area. The planning applications do not raise any significant environmental impacts.

2. The recommendation is to grant planning permission for all three planning applications, subject to the planning conditions set out in appendices 1, 2 and 3.

The Site and Surroundings

3. Misson Quarry is located within an isolated rural location midway between the villages of Misson and Newington. The area is characterised by flat low lying agricultural land incorporating large arable fields interspersed with hedgerow boundaries. Mineral workings associated with the extraction of sand and gravel within the River Idle valley are prevalent in the area including the workings of the Newington Quarry to the south which are undergoing final restoration operations and the restored Finningley Quarry to the north, in addition to the applicant's workings at Misson Quarry. Tunneltech (a mushroom growing substrate manufacturing company) is also based locally (see plan 1).
4. Misson Quarry is located on the north side of Bawtry Road from which vehicle access is obtained. The quarry opened in 2001 and is known for producing a grey coloured sand alongside incidental sands and gravels. Initial extraction operations were undertaken on land immediately adjacent to the road. Subsequently mineral extraction has progressed in a northerly direction under a series of planning permissions. Areas of worked out void have been restored to provide low lying agricultural pasture.
5. The quarry is remote from residential properties. A group of residential properties are located approximately 0.4km due west at Norwith Hill (600m to the processing area). The nearest residential property in Misson village is 0.4km to the east (800m to the processing area and 900m from the proposed western extension area). At a closer distance (within 10m) of the proposed western extension boundary is a solar farm (see Plan 2).
6. Misson Bridleway 2 (Holdin Causeway/Bryans Close Way) runs alongside the northern boundary of the quarry between Misson and Austerfield.
7. The application site for Proposal 1 incorporates 5.7ha of land, including some 3.4 hectares of arable farmland extending westwards from the existing quarry workings towards the solar farm and northwards up to the boundary of Holdin Causeway – Misson Bridleway 2. The agricultural land is of moderate quality with a grade 3b agricultural land classification. The sites for Proposals 1 and 2 incorporate the existing quarry workings and restored areas.

Planning History (see plan 3)

8. Mineral workings associated with the applicant's business commenced in 2001 (reference 1/32/00/4) on land immediately to the north of Bawtry Road. The land has now been restored at a low level to agricultural grazing use.

9. In 2005 planning permission (reference 1/32/05/00016) was granted for the extension of the quarry to extract 380,000 tonnes of mineral over a period of ten years on land to the west of the original workings. A small extension to the quarry (8,000 tonnes) was granted in 2007 (reference 1/32/07/00015). These permission areas have been superseded by later applications and now incorporate the processing area and restored areas south of the processing area. A further westerly extension was granted in 2011 for a 1.2ha extension to extract an additional 80,000 tonnes of grey sand over a three-year period (reference 1/32/11/00020) and this area has been fully restored and is four years into a five year aftercare period.
10. In 2013 planning permission was granted (reference 1/13/01145/CMM) for a further extension to the north of the existing workings yielding an estimated 130,000 tonnes of mineral over a five-year period. This area has now been largely restored.
11. In 2015 planning permission was granted (reference 1/15/01574/CDM) for a further extension to the north working up to Misson Bridleway 2. This remains the operational area and restoration operations have commenced in the eastern extent of the permission area.
12. Mineral within the consented planning permission areas has consistently been depleted at a quicker rate than the timescales originally set out within the planning application documentation (and reported above).

Proposed Development

13. Planning permission is primarily sought for a 3.4 hectare extension to the quarry (Proposal 1). The extension would enable the existing phase of workings consented in 2013 to progress laterally in a westerly direction. The planning application site also incorporates the existing access road and plant site, seeking consent for the continued use of these facilities for the duration of the extended extraction area and increasing the entirety of the application site to approximately 5.7 hectares.
14. It is anticipated that the extended area would yield around 400,000 tonnes of mineral, extending the life of the quarry by 5 years subject to continuity of mineral reserves and market conditions.
15. Mineral extraction would continue with existing practice utilising mechanical excavators and dump trucks to haul the material to the plant site where it would be screened prior to sale. Soils would be stripped from the site and stored for restoration purposes. Extraction would be undertaken to a similar depth to the existing workings and therefore maintaining quarry floor levels above the local ground water table. Operational policies and procedures already in place would be maintained to protect the environment including delivery patterns which would be capped at 15 HGV loads a day (30 movements) and would be routed in a westerly direction towards the A614, thereby ensuring HGVs do not travel through Misson village.

16. The extension would be worked in three phases (see plan 4) starting with the area immediately adjacent to the current consented area, moving in a northerly direction before working Phase 2 which runs north-south for the full length before Phase 3 works back up the eastern side of the proposed area to where this proposal initially started.
17. Restoration (see Plan 5) would be to a mix of agricultural grassland as well as areas for biodiversity and undertaken to a low level. Since extraction would be undertaken to a depth which does not penetrate the water table, save for the creation of two habitat pond areas, in the north and southern corners of the site, the restored site would be dry. The banked edges of the extraction area would be graded back to blend into the levels of the adjacent land.
18. These bankings are proposed to be restored to priority acidic grassland and heathland brashing. Three pockets of woodland would be created on the northern and southern boundary and extending the area created in the restoration in the north of Permission area 1/32/11/00020 which effectively separates the restored southern area (Proposal 2) from the current extraction areas in the north (Proposal 3).
19. The restoration of the site would provide approximately 760 linear metres of new native hedgerow along the western boundary, partly made up of hedgerow having been removed to facilitate the extraction where possible.
20. The approximate area in hectares of the various restored habitats (not including those parts of the red line area which are already subject to an approved restoration plan) will be:
 - 0.61ha of woodland & scrub
 - 0.44ha scrub
 - 0.18ha wildlife ponds
 - 0.7ha Mixed grassland
 - 1.5ha Acid grassland and heather brashing
 - 0.07ha hedgerow
21. The applicant has confirmed they would accept a 20-year aftercare period on the parts of the site restored to nature conservation, with 5-years for the land restored to agriculture.
22. The application for the western extension (Proposal 1), if granted, requires the variation to the final restoration scheme for two existing areas of the quarry to allow for the varied levels along the section where the Proposals interact with each other (Proposals 2 and 3).
23. Planning Permission area 1/32/11/00020 has been fully restored and in March 2023 completed the fourth year of a five-year aftercare period. This area has a 60m long sand martin bank, which has been unsuccessful in attracting sand-martins, and approximately 200m of hedgerow planted as

part of the previous restoration works. These features would be affected by Phase 3 of the proposed western extension and both are proposed to be replaced and relocated on the western flank of the proposed western extension.

24. Extraction under Planning Permission 1/15/01574/CDM has yet to be worked right up to the boundary for the proposed western extension area. The western extension would represent a continuation of the area with no impact upon any restoration works undertaken to date. A variation is however proposed to amend the final restoration levels to join up with the restoration plan submitted as part of Proposal 1 (the western extension). This amendment would also require the omission of approximately 470 metres of linear hedgerow from the approved 1/15/01574/CDM restoration scheme (to be replaced as part of the western boundary planting for the western extension (Proposal 1)).

Consultations

25. The responses below are to all three applications but primarily relate to Proposal 1, the proposed extension area.
26. **Bassetlaw District Council** – Raise no objection to all three applications.
27. **Misson Parish Council** – Object to the scheme *on grounds similar to those quoted by Nottinghamshire Wildlife Trust in their letter of 17th January 2023 (sic), and the NCC Conservation Team of Natural Environment in their email of 25th July 2022 (sic) as there is still the lack of information necessary to ascertain all the potential impacts of this scheme to the existing wildlife. No methods have been suggested to mitigate any foreseeable issues.*
28. (Further ecological reports have subsequently been submitted since the NWT response on 25 July 2022 and the Parish Council were reconsulted on the amended scheme, apart from confidential Ecology information which the Parish Council were advised was sent to NCC Nature Conservation and NWT for further consultation. The updated position of NCC Nature Conservation (17 January 2023) is reported below. At the time of the report's publication, NWT are still to further respond to the updated information.)
29. **Environment Agency** - Raise no objections subject to imposing a condition requiring land to be restored to no higher than that of existing ground levels.
30. **NCC (Nature Conservation)**- *No objection and welcomes amendments to the restoration scheme. Mitigation measures should be secured by condition.*
31. *The proposals will not directly affect any ecologically designated sites, although the application site does lie in close proximity to the Rugged Butts*

LWS (2/969). It also lies within the vicinity of (inside an Impact Risk Zone for) the River Idle Washlands SSSI.

32. *The application is supported by an Ecological Appraisal. Overall, NCC Conservation are satisfied that this confirms that the site is of relatively low ecological value, and given the relatively small area affected (extending the existing quarry), impacts will be minimised.*
33. *Regarding proximity of the working area to Rugged Butts LWS, the application site is separated by Bryan's Close Lane / Holdin Causeway and indirect impacts will be limited to noise and disturbance, which will be short-term and localised.*
34. *The application site is described as a strip of arable field. As would be expected, casual records of farmland birds have been made in the area, including Skylark, Yellowhammer and Grey Partridge. It is noted that no breeding bird survey has been carried out, however, given the relatively small area affected (a 60m wide strip) and the presence of extensive areas of arable farmland in the wider area, any significant short-term impact on farmland birds appears unlikely, and would be mitigated in the longer term by site restoration.*
35. *All conditions currently imposed on the existing quarry should apply to this extension area, should planning permission be granted. In addition, the mitigation measures listed in section 6.1 of the Ecological Appraisal should be conditioned.*
 - *The restoration plan marks a relocated Sand Martin bank. Provision of a permanent bank is welcomed, but further details will be required (e.g. height and maintenance).*
 - *A detailed restoration and aftercare scheme will be required providing details of species mixes, establishment methods and maintenance regimes, which should be secured by condition to be submitted within 6 months of the planning permission being enacted (if granted). The creation of the new western boundary hedge should occur at the earliest opportunity.*
 - *An aftercare period greater than 5 years should be proposed for areas of non-agricultural grassland, to ensure successful establishment and provide ongoing management to maximise biodiversity value.*
 - *NCC Conservation have nothing further to add in relation to the PEAR, other than to note that a pre-commencement survey for protected species should be conditioned, along with regular 6-monthly surveys.*
 - *Regarding the restoration plan, NCC Conservation welcome the inclusion of acid grassland seeding and heather brashing on the banks.*
36. **Nottinghamshire Wildlife Trust – Object to the planning applications.** NWT were reconsulted on the revised restoration scheme and updated

ecological information but have not responded. The comments below are therefore based on the initial consultation and any further comment will be reported orally.

37. *NWT comment the proposed extension is not allocated for sand and gravel extraction in the adopted Minerals Local Plan and so should be even more stringent in providing evidence of its potential impacts and how they might be mitigated or compensated.*
38. *In terms of birds NWT advise that a breeding bird survey should be undertaken across the proposed extension area and a 100m buffer. Impacts of habitat loss, dust and noise on margins of farmland which host red list Birds of Conservation Concern. This should be mitigated by managing unworked land for farmland birds and suggest using the farmland bird seed-rich buffer strip mixes recommended for agri-environment schemes on this compensatory habitat.*
39. *The Wildlife Trust requested more detail on how the replacement sand martin breeding bank is to be phased, constructed and maintained.*
40. *In terms of bats the Wildlife Trust note the impacts on older trees and hedgerows that act as feeding corridors and locations for bats and the impacts of this habitat loss, degradation and noise.*
41. *In terms of amphibians the impacts of habitat degradation and dust should be considered on ponds and marginal vegetation.*
42. *In terms of protected species, the report appears to have not surveyed the extension area, and so key information on the location and movements of certain protected species may be missing.*
43. *The Wildlife Trust consider that the loss of farmland habitat should be compensated by relaxing the management of other nearby hedgerows, to create suitable replacement breeding habitat in addition to the establishment of new hedgerows as early as possible.*
44. *There should be an assessment of potential increased nitrogen deposition and noise impacts on sensitive fauna including at locally sensitive habitats including the Misson Training Ground SSSI (4.2km away).*
45. *All efforts should be made through any de-watering and settlement processes on-site to maintain flows to the existing ponds.*
46. *In terms of the original restoration scheme the Wildlife Trust commented the proposed grassland is species-poor and of little ecological value, so is not compliant with Strategic Policy SP2: Biodiversity – Led Restoration which seeks to optimise biodiversity gain from mineral schemes. The mp2k allocation for this site has not been referenced within the restoration scheme.*

47. *The restoration/aftercare scheme should include full species mixes and substantially more habitat to meet the BAP and Sn41 priorities in the area, including species-rich grassland, woodland, ponds and hedgerows.*
48. *A biodiversity net gain assessment should be undertaken for a proper quantification of the losses and possible gains of habitats in both quality and quantity using the Defra metric 3.1.*
49. *The Wildlife Trust also request for the provision of an extended aftercare period.*
50. **Natural England** – *No objection as the proposed development will not have significant adverse impacts on designated sites, notably the River Idle Washlands SSSI and Misson Line Bank SSSI.*
51. **NCC (Highways)** – *No objections subject to specifying similar conditions to those imposed on the previous extension application reference 1/15/01574/CDM with respect vehicle numbers, access, routing, mud, and dust (conditions 19, 20, 21, 29 and 30).*
52. *It is recommended that condition 19, relating to vehicle numbers, be amended to include any existing operations if there is the possibility of other areas being worked simultaneously. With respect condition 19 and 30, it is recommended that reference to heavy goods vehicles be amended to include all vehicles above 7.5t gross laden weight such that plant and agricultural vehicles are captured by the condition for the avoidance of doubt.*
53. **NCC (Archaeology)** – *Satisfied to continue with the details set out in Condition 22 of 1/15/01574/CDM providing archaeological watching briefs during periods of soil stripping.*
54. **Via (Landscape)** - *No objection. This is a small scale extension and the proposed development will use the existing processing area, highway access and parking areas. Extracted overburden will be stored on existing mounds within the adjacent quarry.*
55. *The restoration proposals are already established on the adjacent site and are in keeping with the Idle Lowlands Landscape Character Type. The restoration will assist with overall biodiversity and landscape actions for the Idle Lowlands Policy Zone 02 - Misson, such as ‘Conserve the open rural character of the landscape and restore redundant mineral extraction sites, enhancing reclaimed spoil tips where appropriate’.*
56. *There are limited visual issues due to there being little residential settlement in the area. There is a small, isolated settlement to the west but this is screened by a small area of woodland. Adjacent Public Rights of Way such as Misson Bridleway 2 to the north, Misson Byway 7 to the south and Misson Footpath 13 are sufficiently distant and also screened by intervening hedgerow vegetation.*

57. **Via (Noise Engineer)** - *No objections subject to noise conditions 15, 16, 17, and 18 of the planning permission no. 1/15/01574/CDM being carried forward (and also applied to Proposal 1).*
58. **NCC (Flood Risk)** – *No objections to the proposals*
59. **Cadent Gas Limited, Severn Trent Water Limited, Western Power Distribution:** *No representations received. Any late representations that are received will be orally reported.*

Publicity

60. The applications have been publicised by means of site notices at/around the site and in the local vicinity (including within Misson village) as well as by local press notice in accordance with the County Council's Statement of Community Involvement. Due to the isolated nature of the site no neighbour notification letters have been necessary.
61. No public representations have been received for any of the three applications.
62. Councillor Tracey Taylor has been notified of the applications.

Observations

Introduction

63. In accordance with the statutory requirements, planning applications must be determined in accordance with the Development Plan, unless there are material considerations which indicate otherwise.
64. The primary part of the Development Plan in the context of these minerals proposals is the Nottinghamshire Minerals Local Plan (2021) (MLP) but policies within the Bassetlaw Core Strategy & Development Management Policies DPD are also of relevance.
65. The National Planning Policy Framework (NPPF) and supporting Minerals Planning Practice Guidance are not part of the local development plan but are important material considerations in the determination of planning applications on the basis that they set out the Government's planning policies for England and how these are expected to be applied.

Need for the minerals

66. Policy MP1 (Aggregate Provision) of the adopted Nottinghamshire Minerals Local Plan (MLP) states that the County Council should make provision for the maintenance of landbanks of at least 7 years for sand and gravel whilst maintaining a steady and adequate mineral supply over the plan period.

The National Planning Policy Framework (NPPF) has similar planning policy guidance relating to aggregate provision.

67. MLP Policy MP2 (Sand and Gravel Provision) states that an adequate supply of sand and gravel will be identified to meet expected demand over the plan period up to 2036. The policy identifies a series of site allocations including a western extension at Misson Quarry (site reference MP2k-Bawtry Road West).
68. The County can currently show a sand and gravel landbank of some 21.49 million tonnes (based on average 10-year sales of 1.37 mt p/a) equating to over 15 years of production (2022 Local Aggregate Assessment) therefore well in excess of the 7-year landbank minimum. Misson Quarry contributes to a limited extent to this total landbank and aggregate output and is now one of only two active aggregate quarries within the Idle Valley area of the county, after the recent closure of Newington Quarry (although other supplies are available from South Yorkshire).
69. The Minerals Local Plan makes a specific distinction for Misson Grey Sand which serves a niche market (for specialist mortars) which alluvial sand and gravels cannot meet. It has a premium value because most local mortar sands are red and yellow being derived from the Sherwood Sandstone. Although counted as sand and gravel in planning and landbank terms, it would be inappropriate to treat it as part of the normal sand and gravel resource when assessing 'need' because the grey sand serves a particular niche market. The Plan therefore allocates a western extension, the boundaries of which mirror that now being proposed. The allocation was made irrespective of the prevailing Countywide sand and gravel landbank due to this distinctive mineral.
70. The Minerals Local Plan states the reserves at the western site allocation (MP2k) are 180,000t and expected that this was to be worked from 2026 to 2031 at circa 30,000tpa.
71. The current quarry is however nearing the exhaustion of its existing consented mineral reserves. The current planning application (1) seeks to address this pending shortfall of mineral reserves by bringing forwards the allocated area now, and in so doing would enable the established quarry company to continue trading and maintain supplies to established markets in the local area.
72. The applicant has calculated there is approximately 400,000 tonnes of saleable sand and incidental gravel resource once processed from the extension area which is expected to provide reserves for five years based on the recent production/sales rates. Output at circa 80,000 tpa would provide a boost to supply over the 30,000 tpa previously expected through the Minerals Local Plan but would remain similar to output over recent years (66,000 to 90,000tpa). The increased extraction (against the Plan) is not expected to lead to any oversupply situation and this would remain a low volume operation in comparison with other aggregate producing quarries.

73. Consequently, in order to maintain a steady supply in line with the approach of the MLP, it is reasonable to allow continued production of this sand and permit the site extension at this time irrespective of the countywide sand and gravel landbank situation and the timescale and tonnage assumptions in the Plan. The site allocation matches that now proposed in the first planning application and in principle planning terms the extension can be afforded full support, subject to assessment of relevant environmental and amenity issues as considered within the following sections of the report.
74. This is consistent with the NPPF which states great weight should be given to the benefits of mineral extraction, including to the economy. The additional five years of consented reserves would allow for the continuation of employment for the site's permanent employees and those contracted in on a campaign basis.

Landscape and Visual Impact

75. MLP Policy DM1: Protecting Local Amenity states that proposals for minerals development will be supported where it can be demonstrated that any adverse landscape and visual impacts on amenity are avoided or adequately mitigated to an acceptable level.
76. MLP Policy DM5: Landscape Character states that proposals for minerals development will be supported where it can be demonstrated that they will not adversely impact on the character and distinctiveness of the landscape and that landscaping, planting and restoration proposals should take account of the relevant landscape character policy area as set out in the Landscape Character Assessments covering Nottinghamshire.
77. Similar policy requirements can be found within the Policy DM9: Green Infrastructure; Biodiversity & Geodiversity; Landscape; Open space and sports facilities of the Bassetlaw Core Strategy & Development Management Policies DPD and also within the NPPF.
78. The Bassetlaw Landscape Character Assessment places the site and surrounding area in the Idle Lowlands Policy Zone 02 - Misson which has a 'moderate' condition and an overall zone objective to 'conserve and restore'. The restoration principles have been established on the wider Misson Quarry site and the council's landscape advisors (Via) have confirmed the proposals for the small scale extension are in keeping with the Idle Lowlands Landscape Character Type.
79. Via Landscape confirms the scheme will assist with overall biodiversity and landscape actions for the Idle Lowlands Policy Zone 02 - Misson. Such as '*Conserve the open rural character of the landscape and restore redundant mineral extraction sites, enhancing reclaimed spoil tips where appropriate*'.
80. There are limited visual issues due to the isolated nature of the site and limited residential receptors in the immediate vicinity. The closest

residential properties are to the west of the proposed area but are screened by woodland.

81. In terms of local public rights of way quarrying would be visible from Misson Bridleway 2, immediately adjacent to the north, during the operational life of the site. However, this is consistent with previously worked areas with the magnitude of visual impact being minor in scale and temporary in duration. Misson Byway 7 to the south and Misson Footpath 13, are both sufficiently distant and/or screened by intervening vegetation.
82. The proposed development would utilise the existing highway access and processing area and soils stripped from the development would be stored in the existing dedicated soil stockpile area within the consented area prior to being used in the restoration of the site.
83. As areas are worked out and graded to final levels the soils would be used within the progressive restoration of the wider site thereby limiting the growth of soil stockpiles.
84. Whilst the restoration of the site would be a change from the existing arable use of the land, the restoration would integrate into the existing low level quarry restoration restored to or being restored to agricultural grazing land. Further hedgerows would be planted alongside other habitat areas being planted or created on the site. The proposed restoration and ecological features would be in keeping with the existing restoration and wider local landscape.
85. In terms of compliance with MLP Policy DM5, whilst acknowledging the short- term operational impacts, the longer-term effect once the site has been restored is consistent with the landscape character within the policy requirements. The development therefore is considered to be compliant with MLP Policies DM1 and DM5 and BDC Policy DM9.

Ecological Impact

86. MLP Policy DM4: Protection and Enhancement of Biodiversity and Geodiversity provides support for minerals development where it can be demonstrated that the development is not likely to give rise to the loss or deterioration of Local Sites (Local Wildlife Sites or Local Geological Sites) except where the need for and benefits of the development in that location outweighs the impacts and the development would not result in the loss of populations of a priority species or areas of priority habitat except where the need for and benefits of the development in that location outweigh the impacts. The policy seeks to ensure that where there is an impact to a designated site or protected species, adequate mitigation relative to the scale of the impact and the importance of the resource must be put in place, with compensation measures secured as a last resort. The policy also seeks to ensure that minerals developments maintain and enhance ecology networks.

87. The approach within MLP Policy DM4 in terms of seeking to protect designated sites and protected species, mitigate any adverse impacts and secure ecological enhancements is generally consistent with Bassetlaw Local Core Strategy Policy DM9, and the NPPF.
88. The Preliminary Ecological Appraisal provided in January 2023 to update the Ecology Report (May 2022) contains but is not limited to:
- A Phase 1 Habitat Survey of the proposed extension;
 - Identification of Nature Conservation Sites Within 2km of the proposed development;
 - An assessment of suitability of the site to support Protected or Notable Species;
 - Identification of requirements for further (ongoing) surveys;
 - A preliminary assessment of potential impacts on any features of interest on the site;
 - Habitat enhancement recommendations, constraints and opportunities in line with the NPPF and MLP;
 - Mitigation measures;
 - Protected species surveys.
89. The submitted surveys indicate the baseline condition of the site in terms of site context and habitats and conclude that, long term, the impacts of the restoration would be positive with a low significance of impacts during the development phase.
90. There is one statutory designated wildlife site within 2 km of the application site, and Natural England have confirmed that the development would not result in any adverse impacts to the River Idle Washlands SSSI (c800k southwest) and Misson Line Bank SSSI (c3km east). There are a number of non-statutory locally designated sites in the vicinity of the site, the closest being Rugged Butts Local Wildlife Site immediately to the north of the application site.
91. The proposed western extension is predominantly arable agricultural land that is not designated for its ecological value and is generally considered to be of a comparatively low ecological value. The site boundary incorporates young hedgerow and some mature hedgerow and trees which have some habitat value.
92. The proposals would result in some limited hedgerow removal, and relocation where possible, of approximately 200m of hedgerow along the eastern edge of Proposal 1 Phase 3. This was planted four years ago as part of a previous restoration and its removal is necessary to facilitate the

proposed development. Translocation will be prioritised by Condition. A total of 760m of hedgerow would be planted along the western boundary to replace this 200m stretch and a 470m section which has yet to be planted representing a hedgerow gain of 90m across the scheme.

93. The proposals will lead to the loss of arable land. The most notable ecological impact from this is the loss of habitat used by farmland birds (including Skylark, Yellowhammer and Grey Partridge). NCC Nature Conservation note that given the relatively small area affected and the presence of extensive areas of arable farmland in the wider area, any significant short-term impact on farmland birds appears unlikely, and would be mitigated in the longer term by site restoration.
94. The Wildlife Trust request that a breeding bird survey should be undertaken across the proposed extension area and a 100m buffer. However, NCC Nature Conservation is comfortable that a breeding bird survey is not required, given the small size of the extraction area, the fact that it is extending an existing quarry, and the abundance of suitable habitat for farmland birds in the wider area. Officers are satisfied and accept this advice.
95. Managing unworked land in advance of mineral extraction for farmland birds would be beneficial (as suggested by NWT), however, it is the intention to keep unworked areas under cropping until required for each extraction campaign.
96. Early creation of the new western boundary hedge will provide some mitigation, as will phased working and subsequent restoration. It is proposed to require the establishment of the new hedgerows, on a phased basis, as early as practicable by condition.
97. Regarding the Nottinghamshire Wildlife Trust's comments on indirect impacts on Rugged Butts LWS, impacts from noise would be short term and localised to the very south-west part of the LWS. Overall, NCC Nature Conservation also believe a significant impact is unlikely, and in any event, quarrying adjacent to the LWS has already been permitted for previous applications and extraction remains ongoing.
98. Regarding the Wildlife Trust's comments on hydrological changes on the site, specifically the works potentially causing drying of the existing ponds, the quarrying would not breach ground water levels and do not involve any dewatering processes on site as per previous extractions. Existing planning conditions on the consented areas regulating this, and applied to the extended site, would protect these waterbodies.
99. NCC Nature Conservation also comment on proposed hydrological changes stating the quarry has allowed the creation of a number of new waterbodies, so it is difficult to see how further quarrying to the same level would affect these.

100. The Preliminary Ecological Appraisal provided to update the Ecology Report shows the presence of protected species in the wider site area and whilst confirming the application site itself to not be suitable, it acknowledges the site could form part of the protected species' foraging route. It is therefore recommended that a pre-commencement survey for protected species be imposed by condition in addition to the continuation of the submission of existing regular annual protected species surveys but at an increased 6-monthly frequency.
101. Regarding the need for a replacement sand face to accommodate the breeding sand martin population, the Wildlife Trust required more detail on how this would be phased, constructed and maintained.
102. The applicant has since confirmed the old nesting cliff will be left in situ until a permanent replacement cliff face has been created. It is therefore proposed to impose by condition that before the working of Phase 3, which would remove the existing sand-martin bank, the new alternative habitat should be prepared and in situ.
103. The sand martin bank provided in a previous restoration phase at the site has not been utilised by sand martins on the site over the last 5+ years. The extraction of this phase would allow an opportunity to reposition the sand martin bank on the western edge of the proposed extraction area. The chance to create a new bank gives an opportunity to provide a greater height along the 55m long vertical face and also incorporate the creation of waterbodies beneath the cliff face to further reduce the potential risk of access by predators.
104. The Preliminary Ecological Appraisal confirms the repositioning of the face offers an opportunity to provide more variety in the aspect of the sand cliff and an increase in the height of the permanent shear face (needed to reduce the risk of access by predators) and also to create waterbodies at the base of the nest cliff as requested in the initial consultation phase. These ponds will be created by local over-deepening to expose groundwater in the area below the cliff. Relocation of the nesting cliff will also allow the selection of the boundary where the sand horizons are most suitable for nest burrows.
105. It is recommended that conditions requiring the sand martin cliff face achieve a minimum 3m vertical face are continued to be imposed as well as the condition requiring annual maintenance ahead of the bird nesting season. A condition requiring a suitable sand face habitat at all times will also be imposed.
106. Nottinghamshire Wildlife Trust have commented that emissions from HGV/mobile plant exhausts could indirectly impact locally sensitive habitats with particular regard to NOx/nitrogen deposition and its effect on sensitive fauna and have requested an assessment of effects to the Rugged Butts LWS (as well as to the Misson Training Ground SSSI 4.2km away).

107. It is not agreed that an assessment of Nox emissions is required. In relation to emissions from site operations, Defra's TG16 publication 'Local Air Quality Management Technical Guidance', in paragraph 7.26, states that:

"Experience of assessing the exhaust emissions from on-site plant (NRMM) and site traffic suggests that, with suitable controls and site management, they are unlikely to make a significant impact on local air quality. In the vast majority of cases they will not need to be quantitatively assessed".

108. The level of HGV and mobile plant activity associated with the quarry extension will remain as currently occurs, and no significant adverse impacts are anticipated.
109. The Preliminary Ecological Appraisal concludes that restoration of the application site would augment the areas of permanent grassland scrub, pond and woodland habitats, providing buffering and expansion of an existing woodland copse and re-establishing an improved permanent sand cliff available for nesting sand martins.
110. On the overall balance, officers agree with this conclusion with opportunities sought to maximise the potential of the site whilst remaining in keeping with the local area and allowing the creation of linked habitats creating wildlife corridors and coherent habitats in accordance with policies set out within the MLP, the Bassetlaw Core Strategy and the NPPF.

Restoration and aftercare

111. Policy SP2 (Biodiversity led restoration) is a strategic policy which supports restoration schemes which seek to maximise biodiversity gains and achieve a net gain in biodiversity, in accordance with the targets and opportunities identified within the Nottinghamshire Local Biodiversity Action Plan.
112. Policy DM12 (Restoration, aftercare and after-use) of the MLP requires planning applications for minerals development to include an appropriate scheme for the restoration, aftercare and long term after use to enable long term enhancement of the environment.
113. Restoration on the quarry floor is planned predominantly to agricultural grassland to tie in with the adjacent restoration scheme and other areas, such as the bankings and margins, are set aside for a range of new wildlife habitats and ecological benefit. The MLP allocation seeks to maximise the biodiversity benefits from larger areas of priority habitat, notably wetland and open habitats but acknowledges the site's location in relation to the Rugged Butts LWS, a former quarry which is now a significant area of acid grassland, and therefore the allocation considers it appropriate to seek to create similar habitats.

114. Officers have negotiated with the applicant during the planning process which has resulted in significant improvements and gains proposed to the various planned habitats.
115. Following the completion of mineral extraction, the site would be restored to provide a mixture of habitats including woodland and scrub, acid grassland and heather brashing, mixed grassland, a sand face, hedgerow, and wildlife ponds. The restoration would complement the existing restoration schemes at the site and the wider local landscape character.
116. The revised scheme has improved from that as originally submitted and significantly contributes to and broadly accords with the aims of the MP2K allocation within the Minerals Local Plan and responds to Strategic Policy 3.
117. The proposed restoration scheme, whilst being consistent with the previously approved/restored scheme of the wider site, will provide additional ecological enhancement measures that will ensure that the long-term biodiversity interests of the site are maximised and therefore consistent with MLP Policy DM12.
118. The enhancements have been sought through the application process and include acid grassland and seeding and heather brashing on the bankings of the restored quarry which will contribute an additional 1.5 hectare representing around 44% of the worked area restored to acid grassland and heather brashing.
119. In addition to this, two ponds are to be created including one at the base of the proposed relocated sand martin face on the western edge of the proposal. The wildlife pond in front of the sand martin face will also act as a deterrent for predators and encourage sand martins to utilise the proposed sand martin bank once this phase has been extracted and the bank constructed.
120. The revisions have been welcomed by NCC's Nature Conservation Officer particularly in relation to the inclusion of acid grassland seeding and heather brashing on the banks in accordance with the MP2k allocation and the creation of the two ponds as requested in the initial consultation process. The enhancements are clearly over the baseline arable farmland, and it is not considered necessary to undertake a technical Biodiversity Net Gain calculation in this instance to confirm this, although such a requirement will become mandatory in due course.
121. The aftercare management for the restored Misson Quarry is regulated within the various planning permissions for the site and require the areas restored to agricultural use to be managed for a five-year period, which is recommended to be continued across to the proposed western extension.
122. The consultation process has identified concerns that this period is not sufficient to ensure successful establishment and provide ongoing management to maximise biodiversity value on the non-agricultural areas.

It is acknowledged that when biodiversity net gain becomes a mandatory requirement for planning applications (currently anticipated in November 2023) a 30-year post-restoration period will be required to maintain and manage the ecological enhancements. In this context, the suggested 5-year period does seem to be short and a 20-year period is considered more appropriate. The applicant has agreed to an extended aftercare period and this can be regulated through planning condition.

123. The implementation of the proposed restoration scheme and incorporating proposed mitigation and maintenance provisions will result in long term biodiversity benefits. The restoration is therefore compliant with MLP Policy SP2 in providing a restoration scheme in accordance with the Site Allocation Development Brief.

Agriculture/Conservation of soil resources

124. Whilst the land is not classified as best and most versatile land, MLP Policy DM3 (Agricultural Land and Soil Quality) is relevant in terms of protecting and maintaining the soil qualities throughout the lifetime of the development.
125. Moderate quality arable farmland would be lost through the extraction and subsequent restoration of the site as the proposed restoration scheme would not reinstate any arable agricultural land with predominantly pasture proposed. Furthermore, the area would be constrained by the inclusion of the ecological features and slopes on the land which would mean the area is not viable to be returned to arable. Whilst this area is affected, the loss of the arable land is considered to be outweighed by the need for the mineral and the site allocation within the MLP.
126. There would be no importation of soils which are to be stripped, stored and replaced during restoration in accordance with industry best practice to ensure the soil resource is appropriately safeguarded.

Traffic, Access and Parking

127. Policy DM9 of the MLP deals with Highways Safety and Vehicle Movements / Routeing. The policy is supportive of minerals development where the highway network can satisfactorily and safely accommodate the vehicle movements, where there would not be highway amenity issues, where appropriate vehicle routeing controls are put in place (as necessary) and where appropriate controls are put in place to prevent mud/detritus contaminating the public highway. Policy DM1 also requires minerals related development to avoid adverse residential impacts.
128. The extraction of mineral reserves from Misson Quarry currently benefits from planning permission and therefore the proposal will not result in any noticeable additional quantity of extraction, export or import of any material from Misson Quarry. The intended rate of extraction, processing and

export of mineral has increased over the last three years above what was originally expected in the MLP but this has been within the permitted vehicle movement numbers. Daily vehicle movements are controlled by planning condition to 15 HGVs leaving the site each day (30 in/out daily movements). The rate of output is proposed to remain broadly unchanged, with exported material proposed to be transported by the same means as at present, and there will be no change in the number of staff working at the site. Accordingly, the proposal will not result in any additional operational traffic movements, either in total or within any given period of time and no change to the vehicle movements numbers has been requested. The condition regulating vehicle numbers leaving the site is to be continued.

129. Vehicle access to the quarry will continue to be from Bawtry Road. Heavy Goods Vehicle routeing is currently regulated through planning condition and required to enter and leave the site in the direction of Newington and the A614 to the southwest and avoid the village of Misson. It is recommended that the condition continues to be imposed and replicated on Permission 1, if approved.
130. NCC's Highways have also requested that the condition referencing HGVs be amended to include all vehicles above 7.5t gross laden weights such that plant and agricultural vehicles are captured. This has been imposed by Condition 20. NCC Highways have also requested that the condition relating to vehicle numbers references existing permissions to ensure the movement limits are site wide. This has also been incorporated into Condition 20.
131. All HGVs departing the quarry will continue to be required to use the wheel cleaning rumble strip facilities and be sheeted with conditions on extant permissions requested to be continued across all these proposals.
132. On the basis of the above, it is concluded that there will not be any material transport impacts resulting from the proposals therefore complying with Policy DM9 and DM1 of the MLP and the NPPF.

Public Rights of Way

133. MLP Policy DM7: Public Access is supportive of minerals development where it can be demonstrated there would not be any unacceptable impacts on the rights of way network and its users.
134. The existing quarry area and the proposed site extension do not incorporate any public rights of way although Misson Bridleway No. 2 is located adjacent to the northern boundary of the complex. This is separated from the site by existing hedgerow, woodland and fencing. Users of the footpath would experience temporary visual and noise impacts during the extractive phase in the western extension of the quarry in a similar way to the currently consented areas which are being progressively restored. The strip of this extension amounts to a distance of approximately

60m. Following the completion of the restoration of the site visual impacts from this area would be neutralised and ultimately negated by the extension of the woodland block at the northern corner.

135. It is concluded that satisfactory protection measures will continue to be in place to maintain public access along Misson Bridleway No. 2 and that users would not be unduly affected by operational impacts when taken in context in compliance with MLP Policy DM7.

Noise

136. MLP Policy DM1: Protecting Local Amenity states that proposals for minerals development will be supported where it can be demonstrated that any adverse noise impacts on amenity are avoided or adequately mitigated to an acceptable level. The NPPF and its supporting Planning Practice Guidance (PPG) reflect the above requirements and contain guidance on appropriate noise levels for minerals development.
137. The nearest residential receptors to the site are those on Norwith Hill, Newington 400m to the west of the proposed extension and those within Misson village located around 900m to the east of the extension area.
138. The site has received no noise complaints to date and as operations are proposed to continue as currently approved any works in the western extension are not anticipated to create any significant adverse noise impacts. The hours of operation would remain unchanged from that on the existing permitted operations and conditions relating to this and the control of noise across the site should be applied to the extension area and carried forward for the remainder of the quarry.
139. Noise levels on the site, for normal day to day quarrying operations, are not permitted to exceed the background level by more than 10dB(A) subject to a maximum of 55dB(A) LAeq, 1h (free field) at noise sensitive properties. Temporary operations, such as soil stripping, the construction/removal of baffle mounds and aspects of site road construction and maintenance are permitted up to 70dB(A) LAeq 1h (free field) at noise sensitive properties, both in line with the PPG. In the case of a justified complaint showing either of these noise levels are breached the MPA can request further noise mitigation measures. Further noise conditions require all vehicles, plant and machinery be fitted with effective silencers and broadband (white noise) reversing alarms.
140. With the above noise mitigation measures in place, it is considered that the proposed development would comply with MLP Policy DM1 in respect of noise.

Air Quality/Dust

141. MLP Policy DM1: Protecting Local Amenity states that proposals for minerals development will be supported where it can be demonstrated that any adverse impacts on amenity including impacts from dust are avoided or adequately mitigated to an acceptable level.
142. Whilst the site is relatively isolated in terms of residential receptors, the proposed western extension is in close proximity to the solar farm which runs adjacent to the western boundary. Presently there is an offset of approximately 70m which would be reduced to 10m with the extension. A new boundary hedgerow is proposed to be planted as part of the restoration. The prevailing wind would assist in taking any potential dust impacts away from the solar farm and the quarry has a series of environmental management conditions including those relating to dust management and mitigation measures.
143. These measures include the use of water sprays to dampen down dust on road surfaces during dry and windy weather, restrictions of onsite speeds and minimisation of drop heights when unloading material. It is recommended that the implementation of these dust management controls are continued through a planning condition. Should these measures not adequately deal with dust and mud, then the MPA can request a further mitigation strategy in addition to the controls in place by planning condition. Subject to the implementation of these controls regulated by planning conditions, it is considered that dust impacts will not be significant or unacceptable and the development therefore is considered to be supported by MLP Policy DM1.

Flood Risk

144. MLP Policy DM2: Water Resources and Flood Risk supports proposals for minerals development where it can be demonstrated that there would not be any unacceptable flood risk impacts and no unacceptable impacts on surface and ground water quality and flows.
145. The applicant acknowledges that the western extension area is within flood zone 2 and therefore at a medium risk from river flooding with flood events affecting the site likely to occur in a 1 in 1000 down to 1 in 100 years event. Parts of the existing quarry including the access are at a high risk of flooding in flood zone 3.
146. The applicant believes the risk is lowered with the majority of the application site set at a higher level (avg. 7m AOD) than Bawtry Road (4.3m AOD), with previous workings (between the road and the application site) restored to a low level and a 8.25m AOD banking acting as a further defence of the application site. Furthermore, should an extreme flood event occur, the restoration scheme for this proposal would provide additional long term water storage capacity.
147. The NPPF acknowledges that sand and gravel extraction is classed as 'water compatible', and therefore appropriate in flood zones 2 and 3,

subject to the development not increasing flood risk to surrounding land or property.

148. The Environment Agency have reviewed the flood implications of the development of the western extension and have confirmed that they do not object, subject to a planning condition being imposed to ensure the area is restored no higher than the existing finished ground level to prevent flooding elsewhere and ensuring that there is no raising of ground levels within the floodplain.
149. At the Environmental Agency's request the site operators have also provided a flood risk emergency plan to allow safe evacuation during periods of flooding. Subject to the imposition of the planning conditions as recommended by the Environment Agency, along with a condition for a topographical survey to be submitted to demonstrate that restored levels across the site do not result in any land being raised and do not increase flood risk elsewhere, it is concluded that the proposed development complies with Policy DM2 of the MLP and the NPPF in terms avoiding unacceptable flood risk in the locality.

Archaeology/Heritage

150. An approved methodology for archaeological mitigation and supervision has been utilised across the previous permission areas. This requires a watching brief to be undertaken during all periods of soil stripping in accordance with the approved methodology. NCC's Archaeology team are happy to continue with this approach to deal with the archaeological potential of the extended site in compliance with MLP Policy DM6: Historic Environment and NPPF paragraph 205 which requires local planning authorities to record and advance understanding of the significance of any heritage assets to be lost (wholly or in part) in a manner proportionate to their importance and the impact, and to make this evidence (and any archive generated) publicly accessible.

Cumulative Impacts

151. MLP Policy DM8 states that proposals for minerals development will be supported where it can be demonstrated that there are no unacceptable cumulative impacts on the environment or on the amenity of a local community.
152. As noted above in the planning history section, this quarry has developed through successive, but relatively small site extensions and the current proposals would add a new, further extraction area laterally to the west. The existing areas, once worked out, are being progressively restored and further areas within the currently permitted areas are likely to have been restored before extraction would commence in this extension. Restoration is also continuing at nearby Newington quarry now that this has finished production and the traffic movements associated with this have largely

ceased. There are no other developments or proposals in the vicinity which are likely to have significant interactions with Misson Quarry.

153. Whilst these applications would result in the quarry being operational for a longer period, it is not considered that this gives rise to any materially different impacts upon the environment or amenity than currently experienced.
154. None of the individual environmental impacts are likely to be significant and therefore in combination it is unlikely to result in any unacceptable combined effects to the environment or local communities. Therefore, the development is supported by MLP Policy DM8.

Planning Applications 1/22/00864/CDM and 1/22/00865/CDM (Proposals 2 and 3)

155. These Section 73 planning applications are required to reflect changes that need to be made to the existing planning conditions imposed on the two planning permissions for the wider Misson Quarry site to enable the western extension mineral to be worked.
156. The requested changes would result in relatively minor changes to the western strips of both approved restoration schemes in order to tie in with levels which would be provided by the western extension.
157. In terms of the two applications, Application 1/22/00865/CDM (Proposal 2) relates to amending a section of restored land incorporating an existing sand martin face and approximately 200m of hedgerow planted as part of the original permission which is, along with the wider permission area, now four years into a five year aftercare period.
158. Proposal 2 seeks to primarily vary Condition 4 – Approved Plans to allow for the levels on the western edge to continue as shown on the restoration scheme for Proposal 1. The variation does have an effect upon Conditions 11 (hedgerow mix and management), 13 (sand martin face) and 50 (aftercare).
159. In terms of Condition 11, the hedgerow would be relocated further west to the western edge of Proposal 1 and reinforced with new plantings as part of the 760m linear hedgerow in Proposal 1. The species mix to be planted is consistent with the species mix planted as part of the extant planning permission. To ensure the successful establishment of the hedgerow the aftercare period would restart and be subject to the management procedures as before.
160. In terms of Condition 13, the sand martin face has failed to entice the birds and, during the four years of aftercare, the face has not been noted to support sand martins and relocation of the nesting cliff will allow for the selection of a new face where sand horizons are most suitable for nest burrows. During quarrying operations a sand martin cliff face would be

required to be retained by condition until the new permanent feature is provided.

161. In terms of Condition 50, the approved aftercare scheme, the sand martin face and the hedgerow are the only areas directly impacted by the proposals and following their implementation as part of Proposal 1 would be subject to aftercare provisions once again. The majority of this permission area would continue in aftercare in accordance with the approved scheme.
162. The conditions for Proposal 2 have been reviewed and those which are no longer deemed necessary, due to the status of the site, are to be removed from the schedule of conditions.
163. Application 1/22/00864/CDM (Proposal 3) relates to the northern area. The variation would impact Condition 4 (Approved Plans) in terms of the final contours and updating the restoration scheme to tie in with Proposal 1. A relatively small area along the edge of the permission area would be impacted.
164. Extraction has yet to reach the western boundary of the extant permission area, the restoration of which would be impacted by the western extension. Proposal 1 represents a continuation of quarrying operations from the extant area and therefore no restoration which has taken place to date, further to the east of this permission area, would be affected by the proposal. The restoration proposals for this section included the planting of hedgerow along the top of the banking, however, as the western extension would remove this banking, it is proposed to be planted approximately 60m further west on the western edge of Proposal 1.
165. Granting planning permission for these applications alongside the working of the western extension would allow the extension to be implemented and allow for the continued extraction of Misson Grey sand for continued supply of high quality local building products (primary aggregates), the continuation of working at an established mineral site, the maintenance of existing jobs at the quarry site and the prevention of economic sterilisation of the mineral on that basis. It would allow for a seamless restoration of the combined site providing also for an overall gain in biodiversity and habitats in accordance with the Minerals Local Plan and the site's formal allocation.
166. The modifications to the existing suite of planning conditions of these two planning applications to enable the extended western extension to be worked as part of the wider quarry are therefore supported.

Other Options Considered

167. The report relates to the determination of three interrelated planning applications. The County Council is under a duty to consider these planning applications as submitted. Accordingly no other options have been considered.

Statutory and Policy Implications

168. 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.

Crime and Disorder Implications

169. The development would be form part of the established Misson Quarry facility, continuing to make use of the existing security features within the site including the use of secured site building, security fencing and CCTV coverage.

Data Protection and Information Governance

170. Given that no representations have been received from the public, it is considered that no data protection issues have been raised.

Human Rights Implications

171. 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 (Right to a Fair Trial) are those to be considered. In this case, however, there are no impacts of any substance on individuals and therefore no interference with rights safeguarded under these articles.

Public Sector Equality Duty Implications

172. 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 protected characteristics.

Safeguarding of Children and Adults at Risk Implications

173. The quarry would continue to comply with health and safety guidelines in terms of suitable boundary treatment to ensure the general public, and in particular young children, are safeguarded.

Implications for Sustainability and the Environment

174. The development would contribute a sustainable supply of mineral which would contribute to the country's economic growth and quality of life. The environmental issues arising from the development have been considered in the Observations section above including ecology (and beneficial site restoration), water resources and other such matters.
175. There are no implications arising in relation to Human Resources, Finance, or for Service Users.

Conclusion

176. Nottinghamshire Minerals Local Plan (MLP) Policy MP1 seeks to ensure there is a steady and adequate supply of minerals in Nottinghamshire over the plan period, primarily by the identification of suitable land in the form of site allocations for mineral extraction.
177. The development site is allocated and the MLP makes a specific distinction for Misson Grey Sand with the proposal maintaining a continuity of mineral supply. It is therefore concluded the development is supported by MLP Policy MP2 and national planning policy and these benefits should be given significant weight.
178. The restoration of the site would provide ecological benefits by creating a mix of new habitats including acidic grassland, waterbodies, retained sand faces for sand martins and new hedgerow consistent with the site's allocation and the targets of the Nottinghamshire Biodiversity Action Plan and MLP Policies SP2 and DM12.
179. Officers consider that the benefits provided by the extraction of a western extension at Misson Quarry in terms of continued mineral supply, economic gains, biodiversity gains upon restoration and broad compliance with planning policy in relation to protection of amenity (MLP Policy DM1), protection of ground water and flood risk (MLP Policy DM2), biodiversity (MLP Policy DM4), landscape character (MLP Policy DM5), highways safety and vehicle routeing (MLP Policy DM9) and restoration/aftercare (MLP Policy DM12) are supportive of a grant of planning permission, outweighing any short to medium term impacts with appropriate mitigation measures and providing longer term benefits.

Statement of Positive and Proactive Engagement

180. In determining this application, the Minerals Planning Authority has worked positively and proactively with the applicant by assessing the proposals against relevant Development Plan policies, all material considerations, consultation responses and any valid representations that may have been received. Issues of concern have been raised with the applicant and addressed through negotiation and acceptable amendments to the proposals. This approach has been in accordance with the requirement set out in the National Planning Policy Framework.

RECOMMENDATIONS

181. It is RECOMMENDED that:

- (a) Planning permission is granted for application 1/22/00867/CDM for a western extension to existing Misson Grey Sand Quarry incorporating modifications to previously approved restoration schemes referenced 1/15/01574/CDM and 1/32/11/00020 subject to the conditions set out in appendix 1;
- (b) Section 73 planning permission is granted for application 1/22/00865/CDM for approval to amend the approved restoration scheme that relates to approval 1/32/11/00020 and to allow the implementation of the proposed western extension, subject to the conditions set out in appendix 2;
- (c) Section 73 planning permission is granted for application 1/22/00864/CDM to amend the approved restoration scheme that relates to approval 1/15/01574/CDM and to allow the implementation of the proposed western extension, subject to the conditions set out in appendix 3.

182. Members need to consider the issues set out in the report and resolve accordingly.

DEREK HIGTON

Interim Corporate Director – Place

Constitutional Comments [JL 04/04/23]

183. Planning & Rights of Way Committee is the appropriate body to consider the contents of this report by virtue of its terms of reference set out in the Constitution of Nottinghamshire County Council.

Financial Comments [SES 28/03/2023]

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

Background Papers Available for Inspection

The application files are available for public inspection by virtue of the Local Government (Access to Information) Act 1985 and you can view them at: www.nottinghamshire.gov.uk/planningsearch/plandisp.aspx?AppNo=F/4413

www.nottinghamshire.gov.uk/planningsearch/plandisp.aspx?AppNo=V/4426
www.nottinghamshire.gov.uk/planningsearch/plandisp.aspx?AppNo=V/4427

Electoral Division and Member Affected

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