



17th July 2018

Agenda Item: 5

REPORT OF CORPORATE DIRECTOR – PLACE

NEWARK AND SHERWOOD DISTRICT REF. NO.: 3/16/01689/CMA

PROPOSAL: PROPOSED SOUTHERN AND WESTERN EXTENSIONS TO EXISTING QUARRY WITH RESTORATION TO WATER, NATURE CONSERVATION AND AGRICULTURE TOGETHER WITH REVISED RESTORATION OF EXISTING WORKINGS AND RETENTION OF EXISTING PLANT SITE AND SITE ACCESS

LOCATION: LAND AT LANGFORD QUARRY, NEWARK ROAD, NEAR COLLINGHAM

APPLICANT: TARMAC TRADING LTD.

Purpose of Report

1. To consider a planning application for southern and western extensions to the Langford Quarry, near Newark. The submission also incorporates alterations to the previously approved restoration arrangements for the existing quarry as well as seeking consent for the retention and continued use of the existing plant site and access to serve the extended quarry.
2. The key issues with the determination of the planning application relate to the need for the minerals in the context of national and local minerals planning policy and the fact that the development site is not allocated for mineral extraction in the Development Plan. The report incorporates a detailed assessment of the appropriateness of the site for minerals extraction in the context of local environmental impacts notably visual and landscape effects, ecology and archaeology.
3. The recommendation is to grant conditional planning permission, subject to the applicant entering into a Section 106 legal agreement.

The Site and Surroundings

4. Langford Quarry is located in the Trent valley approximately 8km north of Newark to the north east of the village of Holme, south west of the village of Collingham and north west of the village of Langford. The site and its surroundings are identified on Plan 1. The area is generally flat at around 7-8m above Ordnance Datum (AOD).

5. The quarry has been operational since the late 1980's. It produces around 450,000 tonnes per year of sand and gravel and represents a strategically important producer of mineral for concrete production within the county.
6. Large areas of the historical mineral workings at Langford have now been substantially restored to provide a mix of open water and reed bed/wetland habitats which are managed by the RSPB.
7. Sand and gravel is currently extracted from land to the south of the original quarry from a 20 hectare piece of land which was granted planning permission in March 2015. The mineral is extracted by hydraulic excavator and transported to the plant site by conveyor where it is processed and stocked prior to it being transported to market using road haulage. Mineral reserves in this area will be depleted by the end of 2018.
8. Upon completion of mineral extraction in the southern area most of the remaining reserves within the quarry underlay the plant site. The extraction of this mineral is proposed as the final phase of the quarry because it would be necessary to remove the plant site prior to its extraction and would therefore affect the ability to work further mineral reserves in the area.
9. The proposed extension sites seeking planning permission within this planning application comprise a southern and western extension. The two sites have a combined area of 59 hectares (See Plan 2).
10. The southern site incorporates 27.1 hectares of land. It would extend the existing workings further to the south and west. The land incorporates six arable fields divided by mature hedgerows. Access for quarry vehicles would be obtained from the existing working area.
11. The western site (32 hectares) lies between the original working area and the River Trent. The site comprises four arable fields and one grazing field and is bounded to the east by the Slough Dyke, to the west by the River Trent and to the north and south by agricultural land.
12. The two sites are comparatively remote from residential property, the nearest properties to the extended site include:
 - Residential properties at the northern end of Holme village (approx. 300m to the south);
 - Lodge Farm on the western side of the River Trent (approx. 420m to the west);
 - The Ness on the western side of the River Trent (approx. 450m to the west);
 - Langford Crossing Cottage (approx. 510m to the south east);
 - Lowfield Farm (approx. 730m to the east);
 - Willow Farm (approx. 1300m to the north east). (See Plan 3).

13. The closest designated heritage site is an archaeological site, a Roman Camp lying 750m east of Church Cottages north of Langford Lane and south of the southern extension area.
14. A number of public rights of way are located in the vicinity of the site, most of these paths extend around the perimeter of the site but Langford Footpath 3 crosses through the site in an east – west direction through the western extension.

Proposed Development

15. Planning permission is sought for a southern and western extension to Langford quarry. The development comprises:
 - A southerly and westerly extension to the existing Langford Quarry with restoration to wet, low level meadows, water amenity, nature conservation and agriculture;
 - Extension of the existing field conveyor and construction of a conveyor/vehicular bridge over a drainage channel between the southern and western extensions;
 - The stripping of soils and overburden overlaying the mineral resource, these would be stored or directly placed for restoration within previous phases of the quarry;
 - The dewatering of the ground to enable the mineral to be worked dry;
 - The extraction of sand and gravel by hydraulic excavator which would be transported to the plant site by conveyors;
 - Revision of the approved restoration plan within the most recent southern extraction area to create an enlarged water feature with associated shallows to the south of the Slough Dyke;
 - Revision of the approved restoration plan to the north of the Slough Dyke to accommodate revised silt disposal operations, with the resultant creation of shallows and channels at the eastern margin of the approved water feature;
 - Retention of existing plant site, associated settlement lagoons, site infrastructure and access road;
 - Amendment to the approved phasing of extraction.
16. The development is anticipated to release 3,638,000 tonnes of sand and gravel reserves of which 2,416,000 tonnes would be recovered from the southern extension and 1,222,000 tonnes would be recovered from the western extension. The planning application is supported by a detailed phasing programme which shows that the workings would progress westwards through the currently approved extraction area before turning northwest into the western extension and then returning to the southern extension area which would be worked in an easterly extension. Mineral extraction would then progress into previously consented land to the east of the existing quarry with extraction beneath the plant site forming the final phase (see Plan 4).

17. At current production rates the southern and western extensions would provide a further eight years of mineral reserves although the exact duration of the workings may fluctuate due to market demand for mineral and therefore a ten year consent period is sought to provide some flexibility in the event of lower than anticipated production rates.
18. All HGV traffic associated with the quarry would continue to use the existing quarry access road which leads directly from the A1133 Newark Road. Since there is no change to the anticipated output levels there would be no change to the existing level of traffic movements which comprise typically of 90 HGV loads per day (180 movements) and 14 cars (28 movements). All HGVs would be required to follow the existing lorry routeing arrangements which requires them to access and depart from the south and thus ensure that no HGV traffic associated with the quarry passes through Collingham village.
19. The proposed hours of working are a continuation of existing practice at the site, as set out in the table below:

	Monday - Friday	Saturdays	Sundays and Bank Holidays
Mineral Processing	0700 - 1800	0700 - 1300	None
Mineral Extraction	0700 - 1800	0700 - 1300	None
Soil Stripping	0700 - 1800	0700 - 1300	None
Overburden removal and replacement	0700 - 1800	0700 - 1300	None
Emergencies for site safety	As required	As required	As required
De-watering	As required potentially 24hrs	As required potentially 24hrs	As required potentially 24hrs

20. The extension of Langford Quarry would secure existing employment at the site which directly employs nine people, plus 24 associated hauliers and a similar number of contractors employed periodically.
21. The application proposes a phased programme of restoration which includes some changes to the approved restoration scheme for the existing quarry (see

Plan 5). Restoration of the extended southern extraction area would be to two large open water lakes separated by a causeway. A permissive footpath would be created around the lakes to link into public footpath Holme FP3 to the west. Restoration of the western extension would provide a greater mix with the northern part restored to low lying meadow, the southern part being restored to a lake and the south western corner would be restored to agriculture using the best of the soil resources. Additional silt lagoons would be formed within part of the lake that is proposed to be formed on land to the north of the Slough Dyke in the existing quarry. The disposal of silt in this area would raise levels and create an area of shallow wetland habitat. There would be no change to the restoration of the plant site area which would be reinstated as 'best and most versatile' agricultural land.

22. Upon completion of the phased restoration of each part of the site there would be five years aftercare to provide for the cultivation of the site.
23. To address issues and concerns raised following the planning consultation process a series of modifications and additional environmental assessments were requested from the applicant under a formal request made under Regulation 22 of the Town and Country Planning (Environmental Impact Assessment) (England and Wales) Regulations 2011 (Reg. 22 request). The applicant has responded in two separate Reg.22 submissions. The responses are set out below:
 - a. Additional information to enable a proper assessment to be undertaken to consider the magnitude of impact to the setting of the built heritage assets in the surrounding area.
 - Supplementary Heritage Impact Assessment reports have been undertaken which conclude the development proposals would not have any effect on the designated assets with the exception of St Bartholomew's Church where there would be a 'low' impact on views to the west resulting in a minor temporary negative impact on its setting.
 - b. An updated flood risk assessment to consider the implications to flood flows from soil bunds, stockpiles and the effects on flow rates within the surrounding watercourses.
 - The developer has confirmed the quarry development would not create screen bunds and if required, any temporary 'heaps' will be located on the quarry floor with no implication for flood risk.
 - The scheme would not result in any pumping of water to adjacent water courses. Any water entering the excavated void would generally be channelled through the adjacent RSPB Reserve and discharged from the site via the approved outfall into the River Trent in accordance with the discharge consent for the site.
 - c. A series of questions regarding the ecological effects of the development and a number of suggested modifications to the proposed restoration of the site to enhance its ecological value.

- The level of the proposed 'causeway' between the two main lakes of the southern extension should be reduced and the material used to create more shallows in the lake edges. Response: Alterations have been made to the restoration plan to take account of the suggestion.
 - A specific rationale for the proposed restoration of the western area setting out the habitat types that will be created is requested. Response: The area has been designed as a wetland habitat in accordance with advice taken from the RSPB which is likely to take on the future management of the site.
 - A table, setting out the area (in hectares) of each habitat to be created has been provided.
 - The applicant has confirmed that supplementary woodland landscape planting has been undertaken on land to the west of the southern area as part of the 2015 planning permission and that this would be retained to assist with screening the current development.
 - The restoration scheme has been amended to reflect a recommendation made by the RPSB for the causeway between the lakes not to be used for dog walking to avoid disturbance to birds. A dog walking area has been provided on the southern end of the western lake, nearest to Holme village.
 - A request has been made for a direct hydrological link to be made to the River Trent. The applicant has responded by stating that there is no proposal to provide a direct link into the River Trent but the restored habitat would have a hydrological link to surrounding groundwater and therefore water levels in the lake will rise and fall in the same way as the natural surrounding water table.
 - Confirmation has been received that the development would not affect water levels in the Collingham Fleet, that a replacement Barn Owl breeding box has been provided and is occupied by owls, that groundwater levels in Langford Marsh are being monitored, any top soil mound will be sown with seed rich mixes and retained hedgerows will be allowed to grow taller and wider.
- d. Assurances that potential effects from small particle dust emissions (PM 2.5) to air quality standards have been fully assessed.
- The air quality assessments have been updated and now incorporate a PM 2.5 assessment.
- e. Assurances that there has been no change to the local noise environment since the noise assessment was prepared (to address comments made by Newark and Sherwood District Council).
- The applicant has confirmed that there have been no changes to the local noise environment since the noise reports were undertaken and therefore the original projections and conclusions made in the noise report remain valid.

- f. An additional investigation to assess potential impacts to archaeological features within the site, and the potential effect that quarry dewatering may have on the scheduled Roman camp immediately south of the proposed quarry.
24. The second Reg. 22 response deals specifically with archaeological issues and incorporates:
- Additional site investigations comprising trial pits, borehole surveys and trial trenching.
 - A geoarchaeological Stage 2 report comprising an investigation of palaeochannels and associated floodplain deposits.
 - An assessment of the archaeological importance of the site.

Consultations

25. The planning application has been subject to separate publicity and consultation coinciding with the receipt of the planning submission and subsequently the two Regulation 22 submissions. The consultation responses are summarised below, listed in sequential order of receipt where consultation responses have been received to the Reg. 22 submissions.
26. **Newark and Sherwood District Council:** *Raise no objections in principle.*
27. Original Consultation Response: *The Environmental Health Officer notes that the noise reports were undertaken in October 2015. Assurances are sought that there have not been any changes in the local noise environment since this time. Subject to this assurance being received it is recommended that conditions be imposed to regulate the level of noise emissions.*
28. Regulation 22 Response: *NSDC confirm they are now satisfied the local noise environment has not significantly changed since 2015 and therefore raise no objections to the development.*
29. Second Regulation 22 Response: *Raise no objection to the additional information.*
30. **Collingham Parish Council:** *Support the planning application,*
31. Original Consultation Response: *The Parish Council would like to ensure that the proposed screening works are undertaken before the extension to the quarry begins.*
32. Regulation 22 Response: *The Parish Council continue to support the planning application.*
33. Second Regulation 22 Response: *No additional comments to make*

34. **Holme Parish Meeting:** *Object to the planning application.*
35. Original Consultation Response: *The application is being considered in the absence of an adopted replacement Minerals Local Plan. The development would result in an additional 14 years mineral extraction at the site after 28 years already. There is no clarity on how the village would be compensated for the cumulative impact of these workings. A house sale has recently been lost because of the planning application. The restoration plan should not be considered in isolation and the effects of 600 hectares of wetland across the Besthorpe, Langford and Cromwell sites should be considered. Concern is expressed that the developer could pull out before the restoration plan is complete and a restoration bond should therefore be made. No development should take place that destroys the Scheduled Ancient Monument.*
36. **Winthorpe with Langford Parish Council, North Muskham Parish Council:** *No representations received.*
37. **Environment Agency:** *Raise no objection.*
38. Original Consultation Response: *The Environment Agency initially objected to the planning application on the basis that the flood risk assessment did not consider the potential effects that the temporary soil heaps and screen bunds would have on flood levels nor provide details of any changes to flow rates in watercourses.*
39. Regulation 22 Response: *The additional information provided by the applicant overcomes the Environment Agency's original concerns regarding the planning application and, subject to the development being carried out in accordance with the hydrogeological and hydrological assessment, no objections are raised. The Environment Agency request planning conditions are imposed to ensure screening bunds are not placed in the development site, any temporary heaps are located in the quarry floor and no water is pumped into adjacent water courses.*
40. **Trent Valley Internal Drainage Board:** *Raise no objections.*
41. Original Consultation Response: *The internal drainage board provide some general advice in terms of undertaking works in proximity to board maintained watercourses.*
42. **NCC (Flood Risk):** *Raise no objection*
43. Original Consultation Response: *No representation received.*
44. Regulation 22 Response: *The application falls outside the guidance set out by Government stating when a response is required from the flood authority. Some general advice is provided within which the flood authority recommend the planning authority assure itself that the development does not generate additional flood risks elsewhere, surface water flows are satisfactorily controlled, preferably by infiltration or sustainable urban drainage, and the development does not affect flow rates in watercourse.*

45. Second Regulation 22 Response: *No objections*
46. **Historic England:** *Raise no objection.*
47. Original Consultation Response: *The development site is situated to the north of a scheduled Roman camp, a nationally designated monument. The dewatering of the quarry has potential to affect groundwater levels within the scheduled monument and the preservation of archaeology in the ground. Insufficient evidence has been provided to quantify the level of impact/damage which may occur. Furthermore the proposed extraction area has potential to contain archaeological remains of national importance. Inadequate survey work has been undertaken to quantify the level of impact and mitigation that may be required.*
48. Regulation 22 Response: *The geotechnical archaeological investigations on the Roman Fort have established that previous dewatering has already compromised organic preservation in ditch fills hence Historic England does not anticipate the proposed development would cause additional dewatering damage. Further evidence of the archaeological potential of the application area itself has not been submitted and requires further examination.*
49. Second Regulation 22 Response: *The submitted additional information further to Reg. 22 addresses Historic England's concerns with respect to the sufficiency of information both regarding impacts (setting) upon the significance of scheduled monuments and upon features within the development area itself. As such Natural England is now content (should your authority be minded to grant consent) to refer your authority to the expert advice of the County Archaeologist to ensure archaeological matters are appropriately and necessarily mitigated.*
50. **NCC (Archaeology):** *Raise no objection*
51. Original Consultation Response: *The archaeological assessment of the site does not incorporate any field evaluation and therefore the planning application does not contain an appropriate level of survey information to enable a proper assessment of the value of the archaeological remains within the site to be made. Without such information the planning application should be refused.*
52. Second Regulation 22 Response: *A programme of archaeological evaluation has now been undertaken on the application site. We await the final results of this work; however, the initial findings are that there are archaeological remains in parts of the site, and there is a more widespread potential for remains of palaeoenvironmental significance. However, none of the remains identified to date are of such significance as to preclude mineral extraction, providing appropriate mitigation strategies are in place and fully implemented.*
53. **NCC (Built Heritage):** *Raise no objections.*
54. Original Consultation Response: *The heritage report does not contain sufficient information to enable proper consideration of impacts on the settling of listed buildings.*

55. Regulation 22 Response: *The information provided in the Regulation 22 response is sufficient to demonstrate that the level of impact to the local heritage asset would be 'less than substantial'.*
56. **Natural England:** *Raise no objections.*
57. Original Consultation Response: *Natural England is satisfied that the development would not damage or destroy the interest features of the Besthorpe Meadows and Besthorpe Warren Sites of Special Scientific Interest (SSSI).*
58. *With regard to soils, Natural England note that the development would result in the loss of 6ha of 'Best and Most Versatile' agricultural land and therefore less than the 20ha threshold set out within planning legislation where the Council is required to formally consult Natural England. Notwithstanding this, Natural England welcome the restoration to a mix of agriculture and green infrastructure/nature conservation habitats which will result in significant biodiversity gains which will complement the existing quarry restoration works at Langford.*
59. Second Regulation 22 Response: *Continue to raise no objections to the planning application, pointing out that Natural England's original advice applies to this additional information.*
60. **NCC (Nature Conservation):** *Raises no objections subject to the imposition of planning conditions to regulate ecological impacts.*
61. Original Consultation Response: *The consultation response to the original ES submission identified a series of concerns and questions regarding the following matters:*
- *Potential impacts/changes to the level of ground water within Langford Marsh Local Wildlife Site.*
 - *A request to make modifications to the buffer strip between the two waterbodies in the southern extension area to lower its height and use the resultant soils to create additional marginal/reedbed habitat here.*
 - *Further justification to explain the rationale for the proposed restoration in the western area.*
 - *A request to modify the restoration scheme and provide a link between the restored wetland habitat and the River Trent.*
 - *The submission of a table to provide a dataset of the land area (in hectares) of each habitat type proposed to be created.*
 - *The woodland planting appears to be proposed outside the red line application boundary and it is questioned whether this is appropriate.*
62. *Planning conditions are recommended to regulate:*
- *The maintenance of a 10m stand distance from the Slough Dyke.*
 - *The submission of a hedgerow management plan to ensure retained hedgerows are enhanced, planted-up and thickened.*

- *The provision of a 30m buffer zone around the habitat of a protected species.*
- *The implementation of working practices to ensure protected species have a route of escape from any trench constructed on the site.*
- *Any floodlighting installed on the site shall be suitably angled and shielded to avoid disturbance to bats.*
- *Controls over vegetation clearance to ensure it is undertaken outside the bird nesting season.*
- *A barn owl habitat mitigation plan.*
- *The safe removal of any amphibians which may be encountered during the course of the development.*
- *The humane removal of a fox earth from the site.*
- *The submission of a detailed landscape scheme with management to be provided for 15 years.*

63. Regulation 22 response: *The applicants Reg. 22 response satisfactorily addresses the ecological questions that were originally raised.*

64. **RSPB:** *Support the development.*

65. Original Consultation Response: *The development will complement the current restoration of the quarry and the adjacent RSPB Langford Lowfields reserve and will make a valuable addition to the ecological network in this section of the Trent Valley. However the RSPB consider there is scope to improve the restoration design even further and a number of suggested improvements are made:*

- *Modifications are recommended to reduce the buffer strip between the two waterbodies in the southern extension area with the resultant soils utilised to create additional marginal/reedbed habitat here.*
- *The use of the small lake to the southern end of the western extension to provide an amenity area and dog walking route.*
- *The potential to directly connect the restored habitat to the River Trent.*

66. Regulation 22 Response: *The RSPB welcome the applicant's responses and have no further comments to make.*

67. **Nottinghamshire Wildlife Trust:** *Do not object to the planning application subject to satisfactory ecological controls being regulated through planning conditions.*

68. Original Consultation Response: *The Wildlife Trust state that they are able to support the scheme subject to planning conditions and additional information being provided to ensure adverse ecological impacts do not occur. The following recommendations are made:*

- *A planning condition to require monitoring of groundwater levels within the Langford Marsh Local Wildlife Site.*
- *Controls to ensure water levels and flows within the Collingham Fleet are not significantly altered.*
- *Controls over light spill to avoid impacts to foraging bats.*

- *The maintenance of a stand-off from large mammal habitat and the provision of escape routes from any excavations to ensure mammals do not become trapped.*
- *A stand-off of 10m from Slough Dyke to avoid adverse impacts to reptiles and water voles.*
- *The retention of barn owl nesting site until such time that owls utilise a replacement bird box.*
- *The protection of Slough Dyke and Langford Marsh from disturbance from direct and indirect effects to invertebrates.*
- *The restoration scheme is generally welcomed, but opportunities should be taken to create some small ponds to create amphibian habitat. Opportunities should be explored to provide a direct connection of the restored site to the River Trent. Opportunities should be taken to provide seasonably wet grassland areas. There should be a commitment to long term management.*

69. Regulation 22 Response:

- *The applicant's hydrology report identifies that the local wildlife site has not been affected by previous quarry dewatering and fluctuations in water levels resulting from rainfall. On this basis NWT is satisfied there will not be adverse impacts from quarry dewatering in the local wildlife site, but request a condition requiring monitoring and reporting of levels is imposed.*
- *NWT note an outfall to the River Trent has been constructed as part of the restoration of the existing quarry. Hydraulic connection will also be maintained by groundwater flows.*
- *A planning condition should be imposed to control floodlighting.*
- *Protected species surveys should be undertaken prior to commencement of works within any new phase of working.*
- *A 10m stand off from the Slough Dyke should be regulated by planning condition.*
- *Long term management of the replacement barn owl box should be secured by planning condition.*
- *Use of appropriate seed mixes should be secured by planning condition.*
- *The relaxation of hedgerow cutting regimes regulated through planning condition will compensate for the removal of 450m of hedgerow proposed in the development.*
- *A large mammal protocol should be regulated by planning condition.*
- *The amendments that have been made to the height of the restored causeway are acceptable.*
- *The restoration scheme now incorporates a series of small ponds as requested.*
- *The scheme still contains commercial agricultural land rather than extensive floodplain grazing marsh. NWT would hope that further areas of this priority habitat could be secured.*
- *More detailed information is required in terms of the restoration proposals and long term management of the site.*

70. **NCC (Landscape):** *Raise no objections and are in agreement with the conclusions of the landscape and visual assessment.*
71. Original Consultation Response: *The development will result in a change to the landscape character of the site but sand and gravel extraction with restoration to wetlands and waterbodies is already established within this area. It is noted that generally impacts will be short term and be followed by wider benefits for nature conservation and recreation in the longer term. The detail of appropriate management proposals and a funding mechanism for the future maintenance and management works should be incorporated into planning conditions should planning permission be granted.*
72. Regulation 22 Response: *No further comments to make.*
73. **National Planning Casework Unit:** *Raise no comments.*
74. **Canal and River Trust:** *Raise no objections.*
75. Original Consultation Response: *Raise no objection subject to a suitably worded condition to ensure a 50m stand-off is maintained between quarry excavations and the River Trent.*
76. Regulation 22 Response: *No further comments raised.*
77. **NCC (Highways):** *No objections.*
78. Original Consultation Response: *The proposal will not change the level of traffic generated by the site operations and will not detrimentally affect the existing conditions on the public highway. Existing lorry routeing regulations should be re-imposed.*
79. **Network Rail:** *Raise no objections.*
80. Original Consultation Response: *The operator should contact Network Rail to agree the passage of any abnormal loads over the existing railway bridge on the quarry access road.*
81. Regulation 22 Response: *No further comments to make.*
82. **NCC (Noise Engineer):** *Raise no objection subject to noise controls being regulated through the planning conditions.*
83. Original Consultation Response: *The noise assessment submitted in support of the planning application has assessed the predicted noise impact at 7 nearby receptors. The noise assessment uses appropriate methodology to predict that noise emissions from quarrying activities would not be excessive. Planning conditions are recommended to control the maximum level of noise emissions, the operating hours and to require the use of white noise reversing alarms.*
84. Regulation 22 Response: *No further comments to make.*
85. Second Regulation 22 Response: *No further noise comments to make.*

86. **NCC (Reclamation):** *No objection in principle.*
87. Original Consultation Response: *The dust assessment concentrates on larger PM10 particles with no reference to the emission of smaller MP2.5 particles. Further assessment of dust impact from smaller PM2.5 particles should be undertaken. The placement of low permeability overburden in the western extension has potential to affect ground water flows.*
88. **National Grid Gas:** *No objections.*
89. **Western Power Distribution, Severn Trent Water Limited, Defence Infrastructure Organisation, Sustrans - National Cycle Network Centre, NCC (Countryside Access):** *No representation received.*

Publicity

90. The application has been publicised by means of site notices and press notices on three occasions coinciding with the original submission of the planning and the submission of the supplementary environmental information provided under the two Reg. 22 submissions. The planning application has also been publicised locally by the posting of 50 neighbour notification letters sent to the nearest occupiers in accordance with the County Council's adopted Statement of Community Involvement Review.
91. No representations have been received.
92. Councillor Maureen Dobson and Councillor Mrs Sue Saddington have been notified of the application. Councillor Maureen Dobson supports the planning application and wishes it to be acknowledged that the planning application is supported by the quarry liaison meeting which Councillor Dobson chairs.

Observations

Minerals Policy Assessment

National Planning Policy Framework (NPPF)

93. Paragraph 14 of the NPPF establishes a presumption in favour of sustainable development which for decision-making means approving development proposals that accord with the development plan without delay; and where the development plan is absent, silent or relevant policies are out-of-date, granting planning permission unless:
- Any adverse impacts of doing so would significantly and demonstrably outweigh the benefits, when assessed against the policies in the NPPF taken as a whole; or
 - Specific policies in the NPPF indicate development should be restricted – for example those policies which relate to designated as SSSIs, Green Belt and locations at risk of flooding.

94. Paragraph 18 of the NPPF expects planning decisions to proactively drive and support sustainable economic development and assist the expansion of business. The Government is committed to ensuring that the planning system does everything it can to support sustainable economic growth. It requires significant weight to be placed on the need to support economic growth through the planning system.
95. Paragraph 144 states that when determining planning applications associated with mineral development, local authorities should:
 - Give great weight to the benefits of mineral extraction, including its economic benefits;
 - Ensure, in granting planning permission for mineral development, that there are no unacceptable adverse impacts on the natural and historic environment, human health or aviation safety, and take into account the cumulative effect of multiple impacts from individual sites and/or from a number of sites in a locality;
 - Ensure that any unavoidable noise, dust or particle emissions and any blasting vibrations are controlled, mitigated or removed at source, and establish appropriate noise limits for extraction in proximity to noise sensitive properties;
 - Provide for restoration and aftercare at the earliest opportunity to be carried out to high environmental standards, through the application of appropriate conditions, where necessary. Bond or other financial guarantees to underpin planning conditions should only be sought in exceptional circumstances.
96. The NPPF states that Minerals Planning Authorities should plan for a steady and adequate supply of aggregates. One of the methods for doing this is by using landbanks of aggregate mineral reserves as an indicator of the security of aggregate minerals supply, and to indicate the additional provision that needs to be made for new aggregate extraction and alternative supplies in mineral plans. In relation to sand and gravel, provision should be made for at least 7 years. Longer periods may be appropriate to take account of the need to supply a range of types of aggregates, locations of permitted reserves relative to markets, and productive capacity at permitted sites.

Planning Practice Guidance

97. The Planning Practice Guidance explains that there is no maximum landbank and each application for minerals extraction must be considered on its own merits regardless of the length of the landbank. However, where a landbank is below the minimum level this may be seen as a strong indicator of need (Paragraph: 084 Reference ID: 27-084-20140306).
98. The PPG goes on to say that there are a number of reasons why an application for aggregate minerals development is brought forward in an area where there exists an adequate landbank. These could include:

- Significant future increases in demand that can be forecast with reasonable certainty;
- The location of the consented reserve is inappropriately located relative to the main market areas;
- The nature, type and qualities of the aggregate such as its suitability for a particular use within a distinct and separate market; and
- Known constraints on the availability of consented reserves that might limit the output over the plan period (Paragraph: 084 Reference ID: 27-084-20140306).

Nottinghamshire Minerals Local Plan (Adopted December 2005)

99. Policy M6.2 of the Nottinghamshire Minerals Local Plan (MLP) states that the County Council will endeavour to maintain a landbank of permitted reserves of sand and gravel sufficient for at least 7 years extraction and also an adequate production capacity in order that Nottinghamshire will meet its reasonable share of regional provision of aggregates throughout the plan period.
100. The adopted MLP incorporated a series of land allocations to assist in maintaining at least a seven year landbank of sand and gravel reserves as required by Policy M6.2. Most of the original land allocations incorporated in the adopted plan have now been worked out/exhausted, a large allocation at Gunthorpe was unsuccessful in obtaining planning permission and an allocation at Sturton le Steeple received planning permission but has not been extracted.
101. Due to the age of the MLP which was adopted in 2005 and covered a period up to 31st December 2014 it is considered to be out of date in terms of its allocation of sand and gravel extraction sites. This has resulted in a need to permit sand and gravel extraction on unallocated sites within Nottinghamshire to maintain a satisfactory landbank and production capacity. It is almost inevitable that any new sites which come forward to permit further sand and gravel extraction within Nottinghamshire, prior to the adoption of a replacement minerals local plan would be undertaken on land that is not allocated for minerals extraction within a development plan.
102. The proposed extensions to Langford Quarry sought within this planning application are not allocated for sand and gravel extraction within the adopted MLP. This planning application must therefore be assessed as an unallocated site in the context of adopted MLP policy.
103. Policy M6.3 of the MLP concerns itself with sand and gravel extraction in unallocated land and states:

Policy M6.3: Sand and Gravel extraction in unallocated land

Proposals for sand and gravel extraction falling outside allocated areas will not be permitted unless it is evident that existing permitted reserves and the remaining allocations cannot sustain an adequate landbank and processing

capacity as provided for in Policy M6.2.

104. Paragraph 6.36 acknowledges that potential extensions to quarries will often have lower environmental effects than new greenfield sites.

Policy Assessment and Need for Sand and Gravel Extraction

105. The NPPF explains that minerals are essential to support economic growth and our quality of life. It is therefore important that there is a sufficient supply of minerals to provide the infrastructure, buildings, energy and goods that the country needs. The key measurement tool for ensuring there is an adequate supply of sand and gravel is the 'landbank'. The landbank is calculated by dividing the level of consented reserves in Nottinghamshire by the annual rate of extraction based on the average sales over the last 10 years. Published data incorporated in the Nottinghamshire and Nottingham Local Aggregates Assessment (September 2017) identifies that the 10 year production average is 1.7 million tonnes per year. The LAA identifies the permitted reserves stood at 17.5 million tonnes. The landbank therefore equates to 10.29 years. This meets national and Nottinghamshire's aim to maintain at least a 7 year landbank, in line with the NPPF and Policy M6.2 of the Minerals Local Plan.
106. The proposed development is not within an area allocated for sand and gravel extraction in the adopted MLP. Since the landbank is currently 3.29 years above the minimum 7 years, based on the most recent data, it is considered that existing permitted reserves are sufficient and so, when assessed against this element of MLP Policy M6.3, an argument can be put forward that planning permission should be refused. However, Policy M6.3 also requires processing capacity to be considered and it is worth noting that Langford Quarry is a significant and strategic sand and gravel site in the county, presently producing around 40% of the county's annual sand and gravel output. Most of the remaining mineral within the quarry underlays the plant site area. If mineral extraction progressed in compliance with the approved quarry phasing plan prior to any extension into the proposed southern and western extension areas, the extraction of the remaining mineral in the existing quarry would require the removal of the existing quarry buildings and processing plant. This would severely prejudice the ability to subsequently extend the quarry potentially sterilising mineral in the proposed southern and western extension areas, which is likely to be needed to maintain a continuity of minerals supplies in the future. It is therefore considered that refusing planning permission for the proposed development at this time would impact on the county's processing capacity, contrary to Policy M6.3, as it would significantly shorten the operating life of the quarry and impact on the processing capacity of the county as a whole.
107. Whilst the MLP is the current adopted minerals plan for Nottinghamshire, it is comparatively old and pre-dates the NPPF. Paragraphs 212 – 215 of the NPPF state that policies within the NPPF are material considerations and where there is some inconstancy between older development plans and policy within the NPPF greater weight should be given to the NPPF policy in planning decisions.

108. The policies contained in the adopted plan therefore need to be read alongside the policy set out within the NPPF and the supporting Planning Practice Guidance (PPG) concerning minerals development to ascertain the level of conformity or otherwise. The NPPF refers to the length of landbanks for aggregate minerals (including sand and gravel) which remain unchanged at 'at least 7 years', but it states that the landbank should be used principally as an indicator of the security of aggregates mineral supply and provision should be made for the maintenance of at least 7 years landbank of processing capacity as well as ensuring that the capacity of operations to supply a wide range of materials is not compromised. Paragraph 084 of the PPG goes further in stating "there is no maximum landbank level and each application for minerals extraction must be considered on its own merits regardless of the length of the landbank". Therefore, whilst the emphasis within Policy M6.3 is to not permit sand and gravel extraction on unallocated land where there is an adequate landbank of at least 7 years this is not the approach set out within the NPPF/PPG.
109. Having regard to the approach set out within paragraphs 212 - 215 of the NPPF it is clear that a refusal of planning permission cannot be justified solely on the grounds that the landbank stands at above 7 years, as advocated by MLP Policy M6.3, and a wider assessment of all material considerations such as the availability of processing capacity needs to be made when making a decision.
110. Mineral reserves within Langford Quarry are progressively being worked and the most recently consented southern extraction area is now substantially exhausted of mineral. Once the current southern area is extracted most of the remaining reserves within the quarry underlay the plant site, therefore necessitating the removal of the plant site prior to its extraction. The removal of the Langford Quarry plant site in advance of the mineral extraction proposed in this planning application would seriously jeopardise the ability to work the mineral, therefore effectively resulting in the sterilising of these potential reserves. This would be contrary to the objectives of NPPF paragraph 143 which aims to avoid the sterilisation of minerals.
111. NPPF paragraph 145 requires mineral planning authorities to plan for a steady and adequate supply of aggregates. In this respect, Langford quarry is an important source of sand and gravel, it has been established for several decades and currently supplies around 40% of Nottinghamshire's annual sand and gravel output. The site therefore makes a significant contribution to the supply of sand and gravel to the local construction market and is a strategic supplier within the county.
112. NPPF paragraph 144 requires planning authorities to give great weight to the economic benefits of mineral extraction. The NPPF expects planning decisions to proactively drive and support sustainable economic development and assist the expansion of business. It requires significant weight to be placed on the need to support economic growth through the planning system.
113. The extension of Langford Quarry would allow the quarry to continue to operate and would maintain the existing economic and employment benefits which the quarry provides, including the direct employment of nine quarry staff, 24 hauliers

and a similar number of contractors. The continued effective operation of Langford Quarry would therefore contribute to the:

- security of existing employment at the site;
- continued positive contribution of the site to the local and regional economy; and
- maintenance of an important supply of aggregate sand into the Midlands region.

114. The socio-economic effects of the scheme are therefore considered to be beneficial and are material in the determination of this planning application.
115. In conclusion, although the planning application is not supported by MLP Policy M6.3 on the basis that the site is not allocated for mineral extraction and Nottinghamshire currently has a landbank of sand and gravel in excess of 7 years, the NPPF/PPG make it clear that having a landbank above the minimum level is not justification on its own to refuse planning permission and the wider merits of the development should be assessed. In this instance the wider benefits of the development include the avoidance of mineral sterilisation, maintaining the continuity of sand and gravel production at Langford to serve established markets and the economic benefits which it brings.
116. The proposed extension would help to sustain the 7 year landbank in the medium term and would not result in an oversupply of sand and gravel in the county. Instead, the increase in the landbank would provide some security of supply. Delaying a decision on the planning application until such time that the Council has a replacement minerals local plan in place (Autumn 2019) would seriously jeopardise the delivery of the minerals within the proposed extension areas.
117. These factors argue in favour of granting the development planning permission, subject to there being no unacceptable environmental impacts.

New Nottinghamshire Minerals Local Plan

118. The identification of new sand and gravel site allocations were included in the now withdrawn Minerals Local Plan (May 2017). A number of extensions to Langford which broadly coincide with the boundaries of this proposed extensions were included for allocation in the withdrawn plan. The draft minerals plan was withdrawn by Full Council at its meeting on 25th May 2017 and it was decided to prepare a revised Minerals Local Plan. The decision was taken due to concerns about the level of sand and gravel provision being proposed within the plan. On the basis that this plan is now withdrawn no weight can be given to the allocations and policies which were proposed as part of the determination of this planning application, but it does provide some background as to why a planning application has been submitted for this site.
119. Work started on preparing a new Minerals Local Plan at the end of 2017 and will cover the period from 2016 to 2036. As part of the evidence gathering process, a call for sites was undertaken with the industry. As a result of this, Tarmac once

again submitted the Langford south and west extensions for consideration through the plan preparation process. To date no site specific allocations have been identified, however the draft minerals local plan is due to be considered at the July meeting of Communities and Place Committee. Given that a new list of potential allocations has not been identified, little weight can be given to the plan in this planning decision.

Assessment of Environmental Effects

120. To assist the Minerals Planning Authority (MPA) in making an assessment of the environmental effects of the development the planning application is supported by an Environmental Impact Assessment (EIA) prepared under the Environmental Impact Assessment Regulations. The EIA has been supplemented by additional information supplied through the two Regulation 22 responses. The EIA thoroughly assesses the environmental implications of development, its findings have been examined and appropriate technical advice has been taken through the planning consultation process. The conclusions of this assessment are considered below.

Transport Effects

121. The planning application would not change the existing transport patterns at Langford Quarry. All quarry traffic would continue to utilise the existing purpose built HGV access onto the main A1133 Newark Road. The output of the site would remain unchanged from existing levels (circa 450,000tpa) which equates to 90 HGV loads per day (180 two way movements) and 14 cars (28 two way movements) per day.
122. Adopted MLP Policy M3.12 (Highway Safety and Protection) seeks to avoid highway damage and contamination by encouraging the use of wheel cleaning facilities, requiring the sheeting of lorries and the metalling of haul roads to minimise mud and other debris entering the highway from minerals developments. The existing site benefits from a 600m long private road which is tarmac surfaced along its full length. The quarry also benefits from wheel washing facilities and all vehicles leaving the site are securely sheeted prior to leaving the quarry. Subject to the retention of these arrangements throughout the operational life of the extended site, which can be secured through planning condition, the requirements of Policy M3.12 which seeks to protect highways safety are therefore satisfied.
123. Adopted MLP Policy M3.13 (Vehicle Movements) seeks to ensure that planning permission is only granted for minerals development where the highway network can satisfactorily accommodate the vehicle movements it generates and there are no unacceptable disturbances to local amenity. Adopted MLP Policy M3.14 (Vehicular Routeing) encourages controls to be imposed on vehicle routeing to ensure that appropriate routes are followed and sensitive locations are avoided. Paragraph 32 of the NPPF states that "development should only be prevented or refused on transport grounds where the residual cumulative impacts of development are severe." The County Council's Highways Development Control Officer has reviewed the planning application and is satisfied that the

highways network can continue to satisfactorily accommodate the vehicle movements associated with the quarry. A planning condition to limit the number of vehicles accessing the quarry is recommended to regulate the number of HGVs accessing the site.

124. The existing quarry is regulated by a lorry routeing agreement which requires all HGVs to enter and leave the site from the south along the A1133. These arrangements ensure that HGVs do not travel through Collingham village. The applicant is agreeable to entering into a further Section 106 lorry routeing legal agreement to maintain these controls for the extended duration of the quarry, thus ensuring quarry traffic does not pass residential properties within Collingham village. The lorry routeing arrangements are routinely discussed within the Langford quarry community liaison meeting where it is acknowledged that the existing controls successfully control lorry movements.
125. Adopted MLP Policy M3.15 (Bulk Transport of Materials) encourages the use of rail, barge, pipeline or conveyor where their use would provide an overall environmental benefit. Existing quarry operations utilise field conveyors to transport mineral between the quarry face and plant site thereby assisting with reducing dump truck movements in the quarry and associated noise, dust and fume emissions. The southern extension would continue to utilise conveyors but in the western extension dump trucks are proposed to be used to transport the 'as dug' mineral to a hopper located at the western end of the southern extension area wherein it would be transported by conveyor to the plant site, thus reducing the use of vehicular transport.
126. With regard to haulage of processed mineral the applicant states that the mineral product is transported to a wide range of sand and gravel customers over a diverse market area and this does not lend itself to the use of non-road haulage transport (rail or barge) which are reliant on longer distance supply of large quantities of product to a single fixed outlet to make them viable and beneficial. It is concluded there would be no significant environmental benefits derived by imposing a requirement to transport mineral by non-road haulage in this instance and such a control would be economically disadvantageous to the operator.
127. It is therefore concluded the development satisfies the highways policy requirements set out within the MLP and the NPPF.

Ecology

128. Paragraphs 109 and 118 of the NPPF seek to minimise biodiversity impacts by undertaking development on land which is of lower ecological value and avoiding impacts to protected species. Where possible development should provide net gains to biodiversity and take opportunities to incorporate biodiversity in and around developments. MLP Policy M3.17 (Biodiversity) also seeks to minimise/avoid impacts to biodiversity, requiring that if the loss of habitat or feature cannot be avoided, provision should be made for the creation of new habitat.

Habitats

129. The southern area of the application site is dominated by arable farmland, bounded by species-poor hawthorn hedgerows (some containing scattered trees). The western area of the application site comprises semi-improved grassland used as pasture and areas of arable farmland. Fields are bounded by species-poor hawthorn hedgerows with some scattered trees and scrub. No rare or notable habitats are present within the application site, and only the River Trent (forming the western boundary of the site) is assessed as having above-Parish level ecological value. Overall, the development site is considered to be of comparatively low ecological value.
130. The Slough Dyke forms the northern boundary and eastern boundaries of the two areas. It would be retained during the development and a 10m stand-off is proposed to avoid disturbance of watercourse. A temporary barrier/fence would be installed to identify this stand-off, the provision of which would be regulated through planning condition.
131. A 450m length of hedgerow would be lost as a result of the proposals. To mitigate against this impact, it is proposed that retained boundary hedges should be enhanced, planted-up or extended and their management should be relaxed so that they can grow larger and thicker. A hedgerow enhancement plan can be secured through a planning condition.
132. In the area surrounding the proposed development, the most notable potential adverse ecological impact relates to Langford Marsh Local Wildlife Site (LWS) located 430m to the east of the site. This is a wetland habitat and therefore would be sensitive to changes in groundwater levels. There is some potential for groundwater levels to be lowered in the vicinity of the Langford Marsh Wildlife Site as a result of the ground dewatering that would be undertaken in the southern extension. The magnitude of change is uncertain, but likely to be minor. Taking a precautionary approach, it is recommended that groundwater levels continue to be monitored within the LWS with mitigation provided for any change in groundwater levels as a result of the quarry development. The provision of this monitoring/mitigation would necessitate works outside the planning application site and therefore cannot be regulated by planning condition. It would therefore necessitate control through a Section 106 legal agreement.
133. A number of other LWS's are within the vicinity of the application site, but none would be directly affected. Langford Lowfields LWS abuts the northern end of the western extension area. However, extraction has already taken place to the south of this LWS in closer proximity and therefore this development is unlikely to have any adverse impacts.
134. The River Trent, Holme LWS 5/2501 lies approximately 160m to the west, but given that the interest of this LWS is associated with the banks of the River Trent, no impact upon it can be expected.
135. The nearest SSSI to the application site is the Besthorpe Meadow SSSI. The application site lies outside the Impact Risk Zone for this site and no impact is predicted given that the site is not groundwater dependent.

Species

136. Within the southern area, three trees have potential to offer minor bat roosting potential, along with another five bordering the area. A further three trees in the western area were also noted as having bat roost potential. All eleven trees were subject to activity surveys and none were found to support roosting bats. It is recommended that the trees are resurveyed immediately prior to their removal to ensure that bats have not established habitat in the trees, given the passage of time since the original surveys were carried out. Bat activity surveys across the site have also been carried. These surveys identify that bat foraging activity is very low, and therefore the survey area is not considered to be an important foraging site for bats. Nevertheless, any lighting that may be used should be designed so that light spill onto the Slough Dyke or on retained hedgerows and woodland edge should be minimised this can be regulated through planning condition.
137. Breeding bird surveys recorded a typical range of common and widespread farmland bird species. Overall, the site is assessed as being of 'local' importance for breeding birds. Farmland species currently using the site will inevitably be displaced by the quarry development, however, the surrounding land remains dominated by arable farmland and as such there will be no significant loss of habitat for farmland bird species. The enhancement of boundary hedgerows will compensate for any habitat loss. A standard condition should be imposed to control vegetation clearance during the bird nesting season, which runs from March to August inclusive. To protect nesting kingfisher, a minimum 30m buffer zone should be retained along the Trent, secured through a condition.
138. A replacement barn owl breeding box was provided as part of the 2014 planning permission as a long term replacement nesting site for a roost within an ash tree which straddles the boundary between the 2014 extension area and the current planning application site. This replacement barn owl box was used for breeding in 2016 and 2017 with no evidence of owls in the ash tree in this period. The ash tree was severely damaged in a storm in February 2017 and now offers no real potential nesting habitat and therefore it is now proposed to remove the tree as part of the current development. To compensate for the loss of the tree a second barn owl breeding box is proposed at the site, the provision of which can be regulated by planning condition with a requirement to maintain the box throughout the life of the quarry.
139. Reptiles and amphibians do not appear to be a significant constraint but their potential presence cannot be ignored. To ensure any species are not harmed it is recommended that in the event a species was encountered during quarrying works they are carefully removed by hand and rehoused in a safe location.
140. No evidence of water voles or otters has been found on Slough Dyke, but in any event, a 10m standoff along the dyke will avoid any direct impact on the watercourse. The River Trent, forming the western boundary of the western area, was considered to provide foraging and commuting opportunities for otters, but since the works retain a stand-off to the River Trent, no adverse impact is anticipated.

141. Neither the southern or western extensions incorporate any badger setts, but there is potential that these species forage across these sites. Working methodologies, regulated by planning condition, should be followed to ensure that any trenches/excavations that are made incorporate slopes or ramps to allow a passage of escape for any animals that may fall. Furthermore, any pipes over 200mm in diameter should be capped off at night to prevent animals entering.
142. A fox earth is located in the western area. Although not a species of conservation concern, a condition should be used to require that the earth is removed humanely.

Site Enhancement

143. Restoration of the quarry void has the potential to create high-value wetland habitats, building on the restoration works already undertaken or underway within the existing quarry. The concept restoration plans deliver areas of open water and wetland (reedbed) and, most interestingly, an area of shallow wetlands and gravel bars on the western part of the site. It is considered that the creation of these habitats will more than compensate for the loss of habitat arising during quarrying. The restoration proposals are therefore welcomed and supported.
144. As part of the Regulation 22 response the applicant has addressed a series of questions raised by NCC's Ecology Officer and Nottinghamshire Wildlife Trust. This has resulted in minor revisions to the restoration plan to incorporate additional valuable marginal reed bed habitat.
145. A planning condition is recommended to require the submission of a detailed landscaping scheme, to include species mixes, establishment methods and maintenance regimes, along with a habitat management plan to guide habitat management practices once habitats have become established. It is also recommended that an extended aftercare period, for a period of 10 years beyond the statutory 5 years is regulated through the planning conditions to ensure the wetland habitat satisfactorily re-establishes.
146. The RSPB, which will eventually take on the management of the restored site, support the proposed restoration of the southern and western extensions, commenting that they will complement the current restoration of the quarry which is being developed as a RSPB nature reserve and will provide a valuable addition to the ecological network of this section of the Trent Valley.
147. It is therefore concluded the development satisfies the ecological policy requirements set out within MLP Policy M3.17 and the NPPF.

Landscape and Visual Impact Assessment

148. MLP Policy M3.22 (Landscape Character) requires landscape character and local distinctiveness to be fully taken into consideration as part of development proposals.

149. The planning application is supported by a landscape assessment. The landscape assessment identifies that the development would change the landscape character of the area from agricultural to operational quarry and subsequently restored lakes and wetland areas. The magnitude of landscape change resulting from the development has been assessed as minor adverse during the operational life of the quarry with a change to major/moderate beneficial at year 15 following restoration.
150. MLP Policy M3.3 (Visual Intrusion) seeks to reduce the visual impact of minerals developments to acceptable levels by controlling the location, colour and height of any plant, buildings and structures on site. Policy M3.4 (Screening) seeks to reduce visual impact through the screening and landscaping of minerals developments.
151. The assessment of the visual impact of the development utilises a series of viewpoints to consider the visual effect of both the southern and western quarry extensions with consideration of effect given to the quarry during its operational phase, immediately following its restoration and 15 years after the completion of the quarry when landscape treatment of the restored site has matured.
152. The main visual receptors affected by the southern extension have been identified as being the upper floors of houses along Langford Lane, east side of Main Street in Holme and from Holme church. The predicted impacts have been classified as minor to moderate adverse during extraction and moderate to major beneficial following restoration. The development would also be visible from the public footpaths adjacent to the site, particularly Footpath 3, but views would be filtered by existing hedgerows.
153. The main visual receptors affected by the western extension are Cromwell Lock and the Trent Valley Way with major to moderate adverse impacts predicted in the operational phase. These would change to moderate beneficial in the longer term following the site's restoration.
154. Hedgerows would be retained around the perimeter of the site to provide screening. These hedgerows include two woodland blocks which were planted as part of the 2015 planning permission through a Section 106 legal agreement. These woodland blocks would continue to provide a screening benefit for the southern extension and therefore their retention and management should be regulated within this decision. Of the two woodland blocks, the southern block (block 2) is now incorporated within the current planning application site and therefore can be regulated through planning condition, however the northern block (block 1) is not within the planning application site and therefore the retention and management of this woodland plant would require regulation through Section 106 agreement. The developer is in agreement with the incorporation of these controls within a Section 106 agreement.
155. The applicant has designed the development to minimise landscape and visual impacts and ensure the objectives of adopted MLP Policies M3.3, M3.4 and M3.22 are met. Notably the development is remote from residential receptors thus ensuring that visual impacts to these most sensitive receptors are reduced by distance. All works are undertaken at or below ground level thus ensuring the works are kept as low as practicable. The development does not

incorporate any additional new buildings. The phased programme of working assists with minimising the annual land-take of the quarry.

Noise

156. A noise assessment has been undertaken to consider the magnitude of noise emissions from both the southern and the western extensions. A total of seven monitoring locations have been identified representing the nearest residential properties. Noise predictions were then made based upon the methodology set out in BS 5228-1: 2009 + A1:2014, Code of Practice for noise and vibration control on construction and open sites Part 1: Noise.
157. The noise assessment references relevant standards incorporated in the Minerals Planning Practice Guidance. This advises that the maximum noise level for quarrying development during the normal working day (0700-1900) should not exceed 10dB over existing background levels up to a maximum level of 55dB (A) LAeq, 1hr, with an allowance for temporary operations such as soil stripping or forming earth bunds not exceeding 8 weeks in any calendar year which shall not exceed 70dB(A) LAeq, 1hr. The results of the noise assessment are set out in the table below.

Location	Background Noise Level.	Predicted Noise Level from quarrying activities.	Predicted Noise Level from temporary operations.	Predicted Noise Level from operation of water pumps.
The Ness, North Muskham	52dB LA90,1hr	48dB LAeq,1h	48dB LAeq,1h	42dB LAeq,1h
Lodge Farm, North Muskham	52dB LA90,1hr	48dB LAeq,1h	48dB LAeq,1h	41dB LAeq,1h
Holme End Barn, Holme Village	51dB LA90,1hr	49dB LAeq,1h	50dB LAeq,1h	42dB LAeq,1h
Langford Crossing Cottage, Holme Lane	37dB LA90,1hr	42dB LAeq,1h	35dB LAeq,1h	26dB LAeq,1h
Lowfield Farm, Gainsborough Rd, Langford	50dB LA90,1hr	48dB LAeq,1h	32dB LAeq,1h	24dB LAeq,1h
Willow Farm,	47dB	48dB	35dB	25dB

Cottage Lane	LA90,1hr	LAeq,1h	LAeq,1h	LAeq,1h
Sunny View Cottage, South End	47dB LA90,1hr	50dB LAeq,1h	35dB LAeq,1h	25dB LAeq,1h

158. Furthermore, the noise emissions from the operation of the 'super silent' diesel water pumps have been calculated to assess the level of noise emissions from the 24 hour operation of these pumps.
159. The noise assessment demonstrates that noise emissions from the mineral extraction and temporary operations would not exceed Minerals Planning Practice Guidance levels. It also demonstrates that the night-time water pumping would comply with the 42dB(A) LAeq.1hr standard set out within the Minerals Planning Practice Guidance. The volume of HGV traffic travelling to and from the site is unchanged and therefore increases from traffic noise are not anticipated.
160. It is therefore concluded that the noise emissions from the development would not be intrusive. In accordance with adopted MLP Policy M3.5 (Noise) planning conditions are recommended to regulate the noise emissions from the development, with the following matters being controlled:
- Limits imposed on the maximum noise emissions from site operations (generally set at 55dB LAeq, 1hr except at Langford Crossing where the limit shall be 47 dB LAeq, 1hr).
 - Notwithstanding the above, an upper noise limit shall be permitted to allow up to 70db LAeq, 1hr for temporary operations.
 - The operating hours are restricted to 7am – 6pm Mon-Fri and 7am – 1pm Saturday (with an exception for dewatering which would be allowed 24 hours a day as required).
 - All plant and machinery used on the site is regularly serviced and appropriately silenced, using low noise plant and machinery and switching off when not in use.
 - The use of environmentally sensitive white noise reverse warning devices instead of reversing beepers and the avoidance of unnecessary horn usage.

Dust

161. Adopted MLP Policy M3.7 (Dust) and the NPPF encourages careful siting of potential dust creating activities and the implementation of dust mitigation measures to minimise the impact from dust emissions including the imposition of appropriate planning conditions to regulate activities.
162. The magnitude and significance of impact from dust emissions has been assessed through an air quality assessment which has been supplemented as

part of a formal request made under Regulation 22 of the EIA Regs to consider the potential impacts from small dust emissions (PM2.5 particles).

163. The dust assessment identifies those activities within the development site that could lead to dust emissions and incorporates a series of mitigation measures to reduce dust emissions at source. These include the use of conveyors to transport mineral from quarry face to the plant site to reduce haulage movements, use of water bowsers and sprays to control dust, reducing any drop heights, and limiting site vehicle speeds.
164. The dust assessment concludes that dust emissions from the process would result in a small magnitude of change that would have a negligible impact on local air quality. Existing dust conditions have been surveyed to identify existing dust levels (24-45mg/m²/day) as being substantially lower than the threshold of nuisance (200mg/m²/day). The operation of the quarry would not result in an exceedance of local air quality objectives and no air quality management areas have been designated by Newark and Sherwood District Council. A specific assessment has been undertaken which concludes that releases of an increase in the annual mean concentration of PM10 and PM2.5 dust particles would not exceed air quality standards. The quarry extension is remote from surrounding residential properties and therefore much of the dust generated by the operation of the quarry would disperse over agricultural land prior to it reaching surrounding residential properties.
165. Subject to dust controls being regulated through the planning conditions, it is concluded that the development would not result in significant dust nuisance at surrounding dust sensitive properties and therefore MLP Policy M3.7 is satisfied.

Flood Risk and Hydrology

166. The planning application site is located within the River Trent floodplain and has a high probability of flooding during its working life.
167. Adopted MLP Policy M3.9 (Flooding) and the supporting technical guidance to the NPPF identifies that sand and gravel quarries are 'water compatible' uses which can be appropriate in flood risk areas subject to it being demonstrated through a flood risk assessment that there would not be any significant adverse flooding impacts to flood flows, reductions of flood storage capacity, or negative effects on the integrity or function of flood defences/local land drainage systems.
168. The planning application is supported by a flood risk assessment which has been supplemented through the Reg. 22 process which confirms that any soil bunds or stockpiles would be constructed within the quarry void and therefore not impede flood flows or flood storage capacity across the site.
169. The updated flood risk assessment has been reviewed by the Environment Agency which raises no objection to the development subject to ground levels not being raised within the quarry above the pre-excavated topographical level, no screening bunds being provided around the perimeter of the site, any temporary heaps being located in the quarry floor, and no water being pumped into adjacent water courses. Subject to these controls, which can be regulated

through the planning conditions, the development would be compliant with adopted MLP Policy M3.9.

170. The mineral extraction would be undertaken below the water table within permanently saturated ground. As part of the working of the site it is proposed to 'dewater' the ground to lower the ground water level in the excavation area. Because the sand and gravel geology of the underlying soils is highly permeable, the lowering of the water table within the quarry is likely to influence groundwater water levels in the surrounding land with the sphere of influence likely to extend 150m beyond the extraction boundary.
171. In terms of proximity to receptors which are potentially sensitive to changes in groundwater levels, the ecology section of this report has identified that potential adverse impacts could occur at Langford Marsh LWS. However, this site is 420m away and therefore outside the anticipated zone of influence. Nevertheless, a precautionary approach to require groundwater monitoring and potential mitigation is proposed, regulated through the Section 106 legal agreement.
172. The Quarry dewatering could potentially result in a drying of soils on surrounding agricultural land. Whilst these impacts are unavoidable during the operational life of the quarry, any impact would be of a comparatively short duration over a single year or two with no permanent change to the surrounding land.
173. Changes to water levels in the vicinity of the scheduled ancient monument to the south of the site are considered within the archaeological section of this report where it is concluded adverse impact would not occur. Adverse impacts are not anticipated at residential properties which are sufficiently remote from the site.

Public Rights of Way

174. Adopted MLP Policy M3.26 (Public Access) seeks to ensure that the quality of the existing public rights of way network is maintained. The policy states that where minerals development affects a public right of way, appropriate alternative arrangements should be agreed through the planning process that maintain the quality of the public right of way network.
175. Langford Footpath 3 crosses the western extension site but the minerals extraction scheme has been designed to avoid disruption to the route of the right of way and the line of the footpath would not be excavated. There is a need to cross the footpath with plant and machinery. The design specification of the crossing point can be regulated by planning condition to ensure the footpath remains accessible throughout the operation life of the quarry.
176. A new permissive footpath would be created around the restored southern extension lakes. This permissive path would connect to the wider public footpath network via Holme Footpath 3 to the west. The provision of this permissive path is welcomed and would assist in increasing public access to the restored site. It is recommended that the provision of this footpath is regulated through a legal agreement to ensure access is maintained in perpetuity. The applicant states that when the permissive footpath becomes established

consideration will be given to incorporating it onto the definitive map, but at the present time the applicant cannot commit to this as the precise alignment of the footpaths is likely to need adjustment/amendment to reflect restored ground conditions and this can be dealt with more flexibly if the pathways are permissive.

177. In the absence of significant impacts to the public right of way network it is concluded that the requirements of Policy M3.26 are satisfied.

Soil Resources

178. Adopted MLP Policy M3.16 (Protection of Best and Most Versatile Agricultural Land) seeks to protect the best and most versatile agricultural land (grades 1, 2 and 3a) from development. Where development of best and most versatile land is unavoidable, planning conditions provide scope to grant planning permission where it can be demonstrated that the proposals do not affect the long term agricultural potential of the land, where there are no alternatives and the need for the development outweighs the agricultural interest, or where available land of a lower agricultural standard is less sustainable for development. The approach is consistent with government policy set out in paragraphs 109 and 143 of the NPPF which seek to protect and safeguard the long term potential of best and most versatile agricultural land and conserve valuable soil resources.
179. The land which forms the proposed southern extension is in arable agricultural use and has been assessed as being sub-grade 3b in quality. The land which forms the proposed western extension comprises a mix of arable agricultural and grassland and incorporates 6ha of sub grade 3a (best and most versatile agricultural land) and 26ha of sub grade 3b.
180. The 6ha of Grade 3a (best and most versatile) soils within the western extension represents a comparatively small amount of land which is required incidental to a much larger quarrying development that ensures the underlying mineral resource is used sustainably to meet a clearly identified need. Natural England does not raise an objection to the loss of this best and most versatile land on the basis that it relates to a comparatively small amount of land being lost. To compensate for the loss of agricultural land a similar area of land within the western extension would be restored to high quality agricultural land utilising the best soils stripped from the site.
181. The planning application is supported by a soil management/handling statement to ensure that all soil handling would be carried out in accordance with the Ministry of Agriculture, Fisheries and Food (MAFF) 'Good Practice Guidance for Handling Soils' (2000). A planning condition is recommended to ensure compliance with soil handling best practice.
182. Overall, it is concluded that the planning application incorporates a satisfactory strategy to ensure that soil resources are preserved and used beneficially in general compliance with policy set out within the NPPF and MLP Policy M3.16. Planning conditions are recommended to appropriately regulate these matters.

Built Heritage

183. Adopted MLP Policy M3.25 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. The NPPF strengthens the level of protection to the historic environment insofar that it requires prospective developers to undertake heritage appraisals as part of planning submissions so that the significance of impact to 'heritage assets' (both designated and non-designated heritage assets) including their settings can be quantified. Planning authorities are required to give consideration to the scale of any harm or loss and value of the heritage asset affected in reaching their planning decisions.
184. A heritage assessment has been provided as part of the applicant's Environmental Impact Assessment. The assessment identifies designated and non-designated heritage assets within the local area and makes an assessment as to the magnitude of potential impacts resulting from the development. The assessment concludes that no direct impacts would occur due to distance from receptor to quarry (350m – 900m). Furthermore, since many of the heritage assets have limited or no direct views into the quarry due to screening and distance, the development would have a neutral impact on the immediate setting of heritage assets, although some potentially minor distant visual and environmental (dust, noise etc) impacts on the wider setting of heritage assets may occur during the operational phase of the quarry.
185. The heritage impact assessment has been reviewed by NCC's Conservation Officer, and the conclusions reached within the assessment are considered to be accurate. Since significant impacts to heritage assets are not predicted there is not a requirement to consult English Heritage in connection with this planning application.
186. The impacts to heritage assets would occur for a temporary duration and are less than substantial in magnitude. It is concluded in this instance the need for the mineral and the economic benefits that would be derived outweigh any harm to the heritage assets in the surrounding area. The development therefore is compliant with MLP Policy M3.25.

Archaeology

187. Adopted MLP Policy M3.24 states that planning permission will not be granted for minerals development which would destroy or degrade nationally important archaeological remains and their settings, whether scheduled or not. Planning permission will only be granted for development which would affect archaeological remains of less than national importance where it can be demonstrated that the importance of the development outweighs the regional or local significance of the remains and where appropriate provision is made for the excavation and recording of the remains.
188. The environment statement incorporates an assessment of the archaeological resource of the site and its surroundings. This assessment has been supplemented through the Reg. 22 submissions to address concerns raised by

Historic England and NCC's Archaeological Officer in respect of the adequacy of the original submission in terms of its consideration of the archaeological value of the site including the extent of its presence or absence, character, date, integrity, state of preservation, and relative quality of the potential archaeological resource.

189. The assessment identifies that there are two scheduled ancient monuments (heritage assets of the highest significance) near to the development site. These comprise a Roman marching camp to the south and the buried and earthwork remains of the abandoned areas of Langford medieval village, a moat, and a sample of the associated open field system to the south east. The development of the quarry including its dewatering would not directly impact the integrity of these archaeological assets.
190. A detailed archaeological appraisal of the development site has been carried out including geophysical survey and trial trenching. This confirms that the proposed quarry, particularly the southern extension area is likely to contain archaeological deposits which potentially may be well preserved. This archaeology would be lost as a result of the minerals extraction. The initial findings are that these archaeological remains are of such significance as to preclude mineral extraction, providing appropriate mitigation strategies are in place and fully implemented
191. No objections are therefore raised by Historic England and NCC's Archaeological Officer to the development subject to appropriate archaeological investigation works being carried out during soil stripping operations and reports of assessments being submitted.
192. In this instance the need for the mineral reserves outweighs the overall importance of the archaeology within the site, subject to any archaeological remains being appropriately excavated and recorded. The imposition of a planning condition to ensure that appropriate archaeological mitigation is followed ensures that the development complies with adopted MLP Policy M3.24.

Socio-Economic Considerations

193. The NPPF incorporates planning policy concerned with socio-economic impacts. It expects planning decisions to proactively drive and support sustainable economic development and assist the expansion of business. It requires significant weight to be placed on the need to support economic growth through the planning system.
194. The quarry directly employs nine people plus 24 associated hauliers and a similar number of contractors periodically. These jobs would be lost if this planning application was not granted. The quarry contributes to the local economy by utilising local goods and services and through the payment of rates. The quarry is of strategic importance in terms of its contribution to Nottinghamshire's sand and gravel extraction capacity. The socio-economic implications of a grant of planning permission are therefore considered to be

positive and should be given significant weight in this planning decision (NPPF Paragraph 19).

Restoration

195. The planning submission incorporates a phased sequence of extraction, reclamation and implementation of planned after-use.
196. The southern extraction area would be restored to provide two amenity lakes incorporating shallow verges to their edges. The lakes would be separated by a causeway. A permissive footpath would be created around the lakes to link into public footpath Holme FP3 to the west.
197. The western extension would provide a greater variety of habitat with the northern part of the site restored to a low lying wet meadow incorporating seasonal water channels with associated shallows. The southern part would be restored to a small water feature with shallows around the margins. The south western corner would be restored to agriculture using the best of the soil resources stripped from the site.
198. Additional silt management would be provided within phase 3 of the existing quarry, north of the Slough Dyke to manage the increased silt generated by the extended quarry. This area is currently approved to be restored to a large water body, part of which would be re-engineered into a series of lagoons which over-time would fill with silt and be restored to provide additional areas of shallow water and sinuous channels.
199. The restoration proposals would result in an overall ecological benefit and would add to the restoration works undertaken on adjoining quarries at Langford, Besthorpe, Girton and Cromwell in providing new wetland and reed bed habitats. Reedbed habitats are a UK priority habitat and these restoration works would contribute towards creating the East Midlands' largest reedbed habitat restoration project.
200. The proposed landscape planting scheme would re-establish the restored site into the surrounding landscape thus ensuring compliance with adopted MLP Policy M4.4 (Landscape Treatment). The alterations to the restoration of the existing site have been designed in accordance with adopted MLP Policy M4.8 (Reclamation Proposals for Existing Sites) which supports reclamation proposals coming forward on existing sites that result in improved environmental conditions.
201. The applicant has undertaken material balance calculations to ensure that the proposed restoration scheme is achievable and materials would be beneficially re-used in accordance with adopted MLP Policy M4.3: (Soil Conservation and use of soil making materials). Since the restoration proposals would be undertaken progressively as part of the working of the site, the amount of unrestored workings at any time is likely to be minimised both in terms of site area and duration. Therefore, in this instance a restoration bond payment is not considered necessary.

202. The applicant confirms that the conservation habitat created following the site's restoration would ultimately be managed by the RSPB as an extension to the Langford Lowfields wildlife reserve it currently runs. This existing site has recently become publicly accessible, has a dedicated visitor parking area, information boards and accessible paths to facilitate public access and the RSPB is committed to extending this access into the current planning application site area.

Cumulative Impact

203. The River Trent area north of Newark has extensively been quarried for its sand and gravel reserves. The restoration of these areas has resulted in large sections of land being taken out of agricultural use and restored to wetland uses.
204. The current development would add to the amount of quarry workings in the area and upon restoration an increased wetland habitat. Adopted MLP Policy M3.27 (Cumulative Impact) seeks to restrict cumulative quarry extensions that would result in significant adverse impact on the environment or amenity of local residents. Since the current development would not result in significant adverse environmental or amenity impacts it is not considered to be contrary to requirements of the policy.

Legal Agreement

205. Any grant of planning permission for the development would be subject to the prior completion of a Section 106 legal agreement. The terms of the Section 106 agreement would require the operator:
- a. To prepare a scheme of ground water monitoring and reporting including a mitigation strategy in the event that adverse effects from quarry dewatering occur at Langford Marsh LWS.
 - b. To continue to hold a liaison meeting.
 - c. To control lorry routing so as to restrict HGVs from entering or leaving the site from the north along A1133 and in particular avoid the passage of these vehicles through Collingham village.
 - d. To ensure that public access is maintained on the permissive path within the restored southern extension.
 - e. Woodland block 1 needs adding.
206. The applicant would be expected to cover all reasonable costs incurred by the County Council in the drafting and execution of this agreement.

Other Options Considered

207. Schedule 4 Part II(4) of the EIA Regulations require an Environmental Statement to provide an outline of the main alternatives studied by the applicant and an indication of the main reasons for choosing a development having taken account of the environmental effects.
208. The decision to proceed with an extension of Langford has been made on the basis that the quarry is a well-established facility with existing site infrastructure working a proven mineral deposit and supplying established markets. Options to supply mineral from consented reserves within Girton and Besthorpe Quarry have been considered but have been dismissed primarily due to controls on HGV movements which restrict these quarries transporting their mineral southwards through Collingham village and therefore make it impractical for these quarries to serve the existing markets of Langford Quarry. It is also noted that Girton Quarry is currently mothballed and consented reserves at Besthorpe are comparatively limited. Quarries at Sturton le Steeple and Lound are considered to be too remote and a quarry at Gunthorpe failed to obtain planning permission. Other greenfield sites at Shelford, Coddington and Kelham (which Tarmac have submitted for consideration as an allocation in the new MLP) are not capable of coming forward at an appropriate time and production rates at Cromwell Quarry are not sufficiently high to replace the capacity provided at Langford.
209. It is therefore considered that the proposed extension of Langford Quarry is appropriate to maintain sand and gravel production capacity within Nottinghamshire.

Statutory and Policy Implications

210. This report has been compiled after consideration of implications in respect of finance, the public sector equality duty, human resources, crime and disorder, human rights, the safeguarding of children, sustainability and the environment, and those using the service and where such implications are material they are described below. Appropriate consultation has been undertaken and advice sought on these issues as required.
- a. Implications for Service Users: The proposed extensions to Langford Quarry would assist in ensuring a continuity of local sand and gravel supplies to the construction industry.
 - b. Crime and Disorder Implications: The development would extend an existing quarry, making use of existing security features within the site including the use of the established plant site which benefits from security lighting and night vision CCTV surveillance is being trialled.
 - c. Human Rights Implications: The relevant issues arising out of consideration of the Human Rights Act have been assessed in accordance with the Council's adopted protocol. Rights under Article 8 and Article 1 of the First Protocol and Article 6 may be affected. The proposals have the potential to introduce impacts of noise, dust, visual

impact and a continuation of haulage within the local area where the magnitude of impacts are generally assessed as minor. These potential impacts need to be balanced against the wider benefits the proposals would provide in terms of providing a continuity of mineral resources. Members will need to consider whether these benefits would outweigh the potential impacts.

- d. Safeguarding of Children Implications: 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. Appropriate safeguarding would also apply in relation to footpath users and ultimately to visitors of the restored site.
- e. Financial Implications, Equalities Implications, Human Resources Implications: No implications.
- f. Implications for Sustainability and the Environment: The development would contribute towards the sustainable use of mineral resources which would contribute to the country's economic growth and quality of life. The extraction scheme has been designed on a phased basis to minimise the size of the active quarry and ensure that land is restored to beneficial purposes at the earliest practical opportunity. The issues have been considered in the Observations section above.

Conclusion

- 211. The planning application site is not allocated for mineral extraction within the MLP. Policy M6.3 of this plan states that planning permission should be refused unless it is evident that existing permitted reserves and the remaining allocations cannot sustain an adequate landbank and processing capacity as provided for in Policy M6.2. Policy M6.2 requires the maintenance of a landbank of permitted sand and gravel reserves sufficient for at least 7 years' extraction, in addition to providing adequate production capacity. Since Nottinghamshire currently has a landbank of mineral reserves 3.29 years in excess of 7 years, it is considered that the proposed development does not conform with this element of MLP Policy M6.3, although it is recognised that Langford Quarry has a significant role to play in the county's sand and gravel processing capacity with the site presently producing around 40% of the county's sand and gravel.
- 212. The NPPF/PPG make it clear that having a landbank above the minimum 7 year level is not justification on its own to refuse planning permission and decision makers should consider the wider merits of the development when making a decision in these circumstances which the report has done.
- 213. Mineral reserves at Langford Quarry are rapidly depleting. The planning permission for the existing extraction area expires on the 31st December 2018 and physical reserves are likely to be exhausted by this date. At this time the quarry phasing requires the removal of the mineral which underlays the plant site necessitating its removal. This in effect could result in the sterilisation of mineral reserves from the proposed southern and western extensions since it would remove the infrastructure to process these materials.

214. From a mineral production and business continuity reason there is a strong argument to bring the Langford Quarry extensions forward now in order to continue supplying an essential product to a defined local market, utilising existing infrastructure and providing restoration benefits. This accords with the aims and objectives of the NPPF, which emphasises the need to supply a range of types of aggregates, secure an adequate distribution of locations of permitted reserves relative to markets, and maintain the productive capacity of permitted sites.
215. The proposed extension would help to sustain a landbank of at least 7 years in the medium term and would not result in an oversupply of sand and gravel in the county that would not jeopardise the delivery of other sites. Instead, the increase in the landbank would provide some security of supply. Delaying a decision on the planning application until such time that the Council has a replacement minerals local plan in place (Autumn 2019) would seriously jeopardise the future of the site.
216. These factors argue in favour of granting the development planning permission, subject to there being no unacceptable environmental impacts.
217. The Environmental Statement and accompanying Regulation 22 submissions incorporate a comprehensive assessment of the potential environmental effects of the development. These assessments have been reviewed by the Council and relevant consultees where it is concluded that significantly harmful environmental impacts would not result from the development, subject to the imposition of appropriate planning conditions and legal controls.
218. The planning application is supported by a comprehensive restoration scheme that would make a positive contribution to the ecologically important wildlife reserve currently being developed by the RSPB.
219. Overall the balance of evidence in this case supports a grant of planning permission subject to the conditions set out within appendix A.

Statement of Positive and Proactive Engagement

220. 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, including the accompanying technical guidance 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 archaeological and flood risk concerns and have been addressed through negotiation and acceptable amendments to the proposals requested through Regulation 22 submissions. The applicant has been given

advance sight of the draft planning conditions and the Minerals Planning Authority has also engaged positively in the preparation of the draft s106 Agreement. This approach has been in accordance with the requirement set out in the National Planning Policy Framework.

RECOMMENDATIONS

221. It is RECOMMENDED that the Corporate Director – Place be instructed to enter into a legal agreement under section 106 of the Town and Country Planning Act 1990 to:
- a. Regulate lorry routeing to and from the site and ensure that delivery vehicles do not traffic through Collingham Village.
 - b. To continue to hold a liaison meeting.
 - c. Secure water monitoring and mitigation of potential negative impacts resulting from quarry dewatering within the Langford Marsh LWS.
 - d. Maintain long term availability to the permissive path provided as part of the restoration of the southern extension.
 - e. Management of planting block 1.
222. It is FURTHER RECOMMENDED that subject to the completion of the legal agreement before the 17th October 2018 or another date which may be agreed by the Team Manager Development Management in consultation with the Chairman and the Vice Chairman, the Corporate Director – Place be authorised to grant planning permission for the above development subject to the conditions set out in Appendix 1 of this report. In the event that the legal agreement is not signed by the 17th October 2018, or within any subsequent extension of decision time agreed with the Minerals/Waste/County Planning Authority, it is RECOMMENDED that the Corporate Director – Place be authorised to refuse planning permission on the grounds that the development fails to provide for the measures identified in the Heads of Terms of the Section 106 legal agreement within a reasonable period of time.

ADRIAN SMITH

Corporate Director – Place

Constitutional Comments (RHC 25/6/2018)

Planning & Licensing Committee is the appropriate body to consider the contents of this report.

Comments of the Service Director - Finance (RWK 26/06/2018)

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

Background Papers Available for Inspection

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

Electoral Divisions and Members Affected

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Farndon & Muskham

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