



23 April 2019

Agenda Item:8

REPORT OF CORPORATE DIRECTOR – PLACE

BASSETLAW DISTRICT REF. NO.: 1/18/01587/CDM

PROPOSAL: EXTENSION TO SAND AND GRAVEL EXTRACTION, INCLUDING A TEMPORARY CROSSING OF SLAYNES LANE AND RESTORATION TO NATURE CONSERVATION

LOCATION: NEWINGTON QUARRY, LANE TO THE SOUTH OF NEWINGTON ROAD, MISSON, NEAR BAWTRY

APPLICANT: HANSON QUARRY PRODUCTS EUROPE LIMITED

Purpose of Report

1. To consider a planning application for the extraction of approximately 530,000 tonnes of sand and gravel (475,000 tonnes after processing) over a 3 year period at Newington Quarry, located between Misson and Austerfield. The key issues relate to ecology, heritage, rights of way, traffic, archaeology, noise, air quality and airport safeguarding. The recommendation is to grant planning permission subject to the conditions set out in Appendix 1.

The Site and Surroundings

2. The Newington Quarry sites are sand and gravel workings located in the north of Nottinghamshire, within the district of Bassetlaw. The site is located approximately 12km north of Retford and 13km south-east of Doncaster (see Plan 1).
3. The application site is 24.8ha in size and is currently in agricultural use, apart from the proposed access road which runs through land which is currently being worked for sand and gravel. The site lies between 1.7m and 2.1m above Ordnance Datum (AOD).
4. The character of the local area is dominated by intensive arable farmland, with fields bounded by hedgerow, drainage ditches and linear tree belts. A number of woodland blocks also form wider landscape features. The surroundings are part of the catchment area and floodplain of the River Idle with a relatively flat topography, and the area has historically been quarried for sand and gravel.
5. The local settlements include Misson to the east, and Bawtry, Austerfield and Newington (hamlet) to the west. There are scattered farms in the landscape. There are also a number of industrial developments within the area, including Misson Mill (industrial business and retail units) approximately 1.05km to the

north-east; Tunnel Tech (a mushroom substrate company) 170m north of the site, and the Newington Quarry works itself (see Plan 1).

6. The site is situated to the south of Newington Road which runs between Austerfield, Newington and Bawtry to the west, to Misson in the east. Newington Quarry is currently made up of three main areas (see Plan 2):
 - a) Newington North – comprises an area of land to the south of Newington Road and to the north of Slaynes Lane (a Byway Open to All Traffic – BOAT No. 7). Restoration of this area has now been completed and the site is in aftercare.
 - b) Newington South – comprises an area of land lying between Slaynes Lane BOAT and the River Idle. Extraction is now complete in this area and restoration is nearing completion.
 - c) Newington West – lies to the west of Newington North and is the nearest quarry area to Newington. Extraction is currently taking place.
7. In addition, Misson Quarry formed part of the wider minerals extraction in the area, although this has now been restored (see Plan 2). This quarry was off Newington Road, and adjacent to the north-east of Newington North. The same access for Newington North and South was used. This quarry was for the working of 'grey' sand which is worked in smaller quantities and serves a specialist market.
8. The nearest residential receptors to the site are Pastures Farm approximately 570m to the south; Everton Carr Farm approximately 880m to the east; Pine Tree Cottage approximately 1km to the north-east and residences in Newington, the closest of which is approximately 670m north-west (see Plan 1).
9. With regard to ecological designations, the nearest statutory designated site is the River Idle Washlands Site of Special Scientific Interest (SSSI), which comprises a number of units that run alongside the River Idle. The nearest is Unit 2, which is approximately 80m to the east of the application, on the opposite side of the River Idle. Unit 1 is approximately 220m to the west. These sites comprise good examples of wet grassland plant communities and attract large numbers of wintering and passage waterfowl. Barrow Hills Sandpit is located approximately 1.7km to the south of the site and comprises a fine example of rich grassland and scrub developed on freely draining unconsolidated sands of glacial origin and is representative of grassland developed on base-rich sandy soils in the north midlands (see Plan 3).
10. In addition to the SSSIs, there are 11 Local Wildlife Sites (LWS) within 1km of the application site.
11. There are two Scheduled Monuments within 2km of the application sites. A Moated site and fishpond is to the east of Misson Village, approximately 1.6km to the north-east of the application site; and a Roman Fort and section of Roman Road is approximately 1.6km to the south-west of the application site. There are no listed buildings within 1km of the application area; the nearest are in Austerfield approximately 1.25km north-west of the site and a similar distance away in Misson to the north-east.
12. Running through the wider Newington Quarry site is the Slaynes Lane Byway Open to All Traffic (BOAT) No. 7. The Byway separates the current operations at Newington West from the extraction part of this application. It connects to

Newington Road, near Newington in the west and enters Misson to the east. The access road to the extraction area would cross the BOAT No. 7 (see Plan 1).

13. The River Idle forms much of the boundary of the application area, meandering to the west, south and east of the application site. Also noteworthy is Slaynes Drain, which runs alongside Slaynes Lane. The application site is within Flood Zone 3 (1 in 100 or greater annual probability of river flooding).
14. Doncaster Robin Hood Airport is located approximately 3.5km to the north-west of the application site.

Planning history

15. Quarrying operations began in the 1990s with the working of Misson West Quarry under planning permission 1/32/95/15.
16. Newington North has been worked under planning permissions 1/32/00/18 and 1/32/07/00002 and is now substantially restored.
17. Permission to work Newington South was granted in 2010 (1/32/08/00018) with a variation granted in 2013 (1/32/12/00007) to increase vehicle movements from the site.
18. An extension to the Newington South (known as the Newington South Additional Working Area) was granted in 2015 (1/15/01019/CDM).
19. A new working area known as Newington West was also granted planning permission at the same time in 2015 (1/15/01020/CDM).

Background

20. Within the wider area Hanson has historically worked sand and gravel from Auckley Quarry and since 2002 from Newington Quarry. The mineral is mainly used to supply Hanson's concrete batching plants at Auckley, Rossington, Sheffield, Bradford, Bradford Low Moor and, Castleford, Wakefield and two others in Leeds. It also supplies a range of other customers at construction sites and builders' merchants in the area.
21. The applicant also reports that the processed mineral (processed at the Auckley site) also supplies other plants around the country including Glasgow and Westhoughton in Lancashire, as a result of it being a specified source of material for the production of Thermocrete concrete.
22. The existing planning permission for Newington West allows extraction until June 2021, although the applicant expects that the site will be fully worked out at some point in 2019. As such, they are seeking to secure new reserves at the earliest opportunity.
23. Hanson has a separate planning application currently being determined by Nottinghamshire County Council for sand and gravel extraction, on land to the north of Barnby Moor. If granted planning permission, the site would provide additional sand and gravel reserves for a 3-4 year period, which would be processed at the existing Auckley site. However, due to the exhaustion of

reserves sooner than anticipated at Newington, the lead in time needed to establish and begin operating the site is unlikely to guarantee the continuity of production from Newington. As such, if planning permission were granted for both the Newington and Barnby Moor applications, Hanson will commit to working the Newington site before commencing extraction operations at Barnby Moor.

Proposed Development

24. The proposed development is seeking planning permission to extract 530,000 tonnes of sand and gravel (approximately 475,000 tonnes of saleable sand after processing) over a 24.8ha site situated between Newington and Misson, off Newington Road. The mineral extraction area amounts to approximately 14ha, with the rest of the site comprising soil storage areas; the access road and stand-offs to the River Idle and Slaynes Drain. This site is referred to as Newington South-West.
25. The rate of extraction is anticipated to be a maximum of 200,000 tonnes per annum (before processing), which is similar rate of extraction to that which was undertaken at Newington South. As such, the proposal represents up to three years of extraction. The final soil placing and restoration is proposed to be complete within 12 months of extraction finishing.
26. The development would commence with site enabling works, to prepare the site prior to the commencement of the extraction operations. The site would be accessed from the existing Newington West access, off Newington Road. There would be some minor upgrade of the internal site road within the existing Newington West area to facilitate lorry traffic movements to Newington South West. There would also be the construction of a crossing point/bridge over Slaynes Lane and Slaynes Drain. This would be of a similar design to that which was constructed to serve the Newington South Quarry, and would include appropriate signage for HGV drivers and users of BOAT No. 7.
27. Once the enabling works have been completed soil stripping would commence. The site would be worked on a phased basis, comprising 4 distinct phases. The first phase is to the north-east of the extraction area, with phasing moving in a south-west direction (see Plan 4). Topsoil, subsoil and overburden from Phase 1 would be stripped separately and stored to the south and east of Phases 1 and 2. There would also be a topsoil screening bund to the north and north-west of the length of the whole extraction area, running parallel to Slaynes Drain. As the extraction moves in a south-westerly direction, the stripped soils and overburden will be used in the restoration of the preceding phases.
28. The applicant has confirmed that the site investigations have identified sand and gravel to average 2.5m thick, overlain by a layer of overburden and a soil horizon of varying depth. The mineral horizon is relatively thin but shallow lying, which allows for a simple method of working.
29. The mineral extraction operations would use standard industry methods and mobile plant and machinery. Soils and mineral would be excavated by rubber tyred loading shovel or tracked hydraulic excavator. The extracted mineral would then be loaded into road haulage vehicles for direct export off site.

30. No mineral processing involving washing and screening (to make the dug material saleable) would take place on site. It would take place at Hanson's existing Auckley facility near to Robin Hood airport.
31. Material washed at Auckley produces silt as a by-product that is stored in lagoons at Auckley and allowed to dry. The applicant proposes to return a small quantity of dried silt material back to the site by HGV for use in backfilling the void, as required to aid delivery of the restoration scheme.
32. Dewatering would take place at the excavation area to temporarily lower the water table to the base of sand and gravel extraction and allow the mineral to be extracted in a dry state, which allows the most efficient recovery of the resource. Dewatering would be undertaken by collecting the water seeping into the quarry void in temporary sumps and settlement lagoons within the base of the quarry void. The location of the settlement lagoons will progressively move around the extraction area following the working phase of the quarry.
33. Collected water would be allowed to settle out to minimise the suspension of solids in the water column to ensure clear non-turbid water is discharged into Newington North, Newington South or the Slaynes Lane discharge point.
34. The site would be restored to a combination of nature conservation and biodiversity providing approximately:
 - 3.9ha of reedbed habitat, plus shallow water;
 - 7.7ha of wet grassland within the extraction area, plus 8.7ha of unworked land managed as wet grassland, including small shallow ponds and scapes; and
 - 4ha of coppice woodland.
35. The scheme includes provision of a boardwalk and viewing platform off Slaynes Lane for enhanced amenity/recreation. Access to the land would be provided via existing field entrances and new tracks for land maintenance purposes. The restoration scheme is shown on Plans 5 and 6. It would complement the existing permission restoration over the wider Newington area, as shown on Plan 7.
36. The existing office, employee and visitor parking area in use for the Newington West operations would be retained for use in this proposed Newington South West application.
37. The Newington North, Newington South and Newington West permissions are already subject to a Section 106 legal agreement between Hanson and Nottinghamshire County Council which governs long term restoration and aftercare of the quarry and already encompasses the proposed Newington South West area. The applicant therefore suggests that the agreement remains in place and be modified to include the management of the restoration of Newington South West. They suggest that the Landscape Restoration and Habitat Management Plan (LRHMP) for Newington South Quarry (which was approved in accordance with permission 1/15/01019/CMD) would be updated within 6 months of the grant of planning permission.
38. The proposed hours of operation are 07:00 – 19:00 Mondays to Fridays (excluding Bank and Public Holidays) and 07:00 – 13:00 on Saturdays. Pumping

of groundwater to facilitate dry working would be carried out 24 hours per day when required. In addition, restoration aftercare such as habitat management would occur outside of normal working hours.

39. It is proposed that there would be a maximum of 75 HGV movements per day (37 arrivals and 37 departures). This is the same maximum level that the Newington West operates under. The delivery of silt for restoration purposes would be undertaken through returning lorries and would not generate any additional HGV movements.
40. The applicant states that, based on an average working weekday length of 10.5 hours (07:00 – 17:30), an average of 8 HGV movements are expected to/from the site per hour (i.e. 4 arrivals and 4 departures).
41. All material would be transported from the site via HGV to Hanson's Auckley site near Doncaster. From the site access, HGVs turn left onto Newington Road upon exiting the site, and then turn right onto the A614 (northbound). At the A614 / High Common Lane / Cross Lane roundabout junction, HGVs will route west along High Common Lane before turning right onto the A638 (Great North Road). HGVs will turn right onto Hurst Lane, heading northeast towards Hanson's Auckley processing plant. The proposed routeing for the Newington South West development is the same route that HGVs take from the existing Newington West site, and is currently secured by S106 agreement.
42. The applicant states that the proposed development would help ensure the continuation of employment for approximately 8 members of Hanson staff, including 3 personnel directly associated with Newington Quarry and 5 located at Auckley associated with the processing of the mineral. In addition, the proposal would help ensure the continuation of employment for HGV drivers associated with transporting material and also several other indirect personnel in the downstream supply chain. The applicant also states that the proposals would generate employment for a number of skilled local contractors (e.g. electricians and contractors involved in, for example, machinery repair and maintenance, plant hire, earth moving and landscaping work etc).
43. The planning application is accompanied by an Environmental Impact Assessment (EIA). The topics covered in the EIA include agriculture and soils; landscape and visual; traffic and highways; ecology; noise; archaeology and cultural heritage; hydrology and hydrogeology; flood risk; air quality and dust; community/socio-economic considerations; cumulative effects; and bird strike.

Consultations

44. **Bassetlaw District Council** – *No objection.*
45. **Bassetlaw Environmental Health Department** – *No objection. Officers have examined the application in relation to noise; air quality; pollution prevention & control; and contaminated land. No concerns in relation to these matters have been raised.*
46. **Doncaster Metropolitan Borough Council** – *No objection. The Authority's pollution control, environmental health and ecology teams noted that that the scheme would not impact upon interests within the borough. The transportation and highways team, whilst not objecting have requested that there are no more*

than 75 HGV movements per day; the existing routeing is retained; and that the proposed site is not worked concurrently with the Barnby Moor site (subject to a separate planning application).

47. **Misson Parish Council** – *Raised a number of comments in relation to vehicular routeing; wheel wash facilities; and the maintenance of Slaynes Lane.*
48. *The Traffic Management Plan should ensure that vehicles do not route through the village of Misson and existing safety conditions continue.*
49. *Wheel washing facilities should continue to be provided and used to avoid sand etc on the highway. In recent months there has a lot of deposition on the highway which compromises highway safety (although it is acknowledged that this is not all from the Hanson development).*
50. *Any degradation of Slaynes Lane/Hagg Lane BOAT should be repaired and maintained.*
51. **Finningley Parish Council** – *A number of comments, concerns and questions are raised.*
52. *This new proposal relieves traffic through Bawtry but could put pressure on other local roads.*
53. *The designated route appears to imply no increase in existing HGV traffic through Finningley and Blaxton. However, once approved, Finningley Parish Council are concerned about who will police the route and that HGVs would be tempted to continue at the A614 roundabout and travel through Finningley and Blaxton, particularly if there is congestion on the A638.*
54. *The Parish Council request the Section 106 routeing to apply to the new proposal, but question what the safeguards to prevent breaches are, and also what the sanctions in the event of breaches area. It is also questioned whether GPS monitoring takes place and who do they report defaulting vehicles to.*
55. *Assuming compliance with the proposed routeing, the proposal would still impact on Auckley and vehicles travelling through Auckley to reach their destination.*
56. *The Parish Council suggests that lights or other traffic controls at the junction of Mosham Road and Hurst Lane would cause further back-log of traffic travelling towards Doncaster. As such, a traffic flow assessment in Blaxton and Finningley is needed.*
57. **NCC (Planning Policy)** – *The proposed site would be supported for mineral extraction, subject to environmental and amenity impacts being acceptable.*
58. *Chapter 17 of the NPPF makes it clear at Paragraph 205 that “great weight should be given to the benefits of mineral extraction, including economy”. This should be balanced with consideration to ensure 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 sites in a locality. Restoration and aftercare of sites should also be sought at the earliest opportunity.*
59. *With regard to the adopted Nottinghamshire Minerals Local Plan (2005) the land within the proposed extension is part of the larger site allocated in Policy M6.11*

(Newington Allocation) for sand and gravel extraction. Chapter 3 sets out the strategic policies which protect the environment from harmful effects. Alongside this Chapter 4 provides reclamation policies which should be taken into consideration. Caution should be had as the policies contained in the Minerals Local Plan are no longer fully compliant with the NPPF.

60. *The Draft Minerals Local Plan includes policies on cumulative impact and restoration, after-use and aftercare. Policy MP1 Aggregate Provision outlines the demand for aggregate minerals over the plan period, including for sand and gravel. The Local Aggregate Assessment (LAA) published in October 2017, using the 2016 data, shows the landbank for sand and gravel stood at 10.29 years; above the 7 year landbank required by the NPPF. This is a minimum, there is no maximum and this should not be used as a reason to refuse an application.*
61. *The Draft Minerals Local Plan was published in July 2018 and was open for consultation until September 2018. Following the consideration of the responses received, a Submission Draft Consultation document will be published, which is expected in May 2019.*
62. **Natural England** – *Based on the plans submitted Natural England considers that the proposed development will not have significant adverse impacts on designated sites and has no objection.*
63. **NCC (Nature Conservation)** – *No objection.*
64. *The application is supported by up-to-date and generally complete ecological information. The application site is under arable production and is of low ecological value overall. A stand-off will be retained along Slaynes Lane Drain to the north (10m) and along the River Idle (50m) which forms the southern boundary of the site.*
65. *There were no signs of water voles on the Slaynes Lay Drain during the October 2018 survey. However, a condition should require the production of a method statement following further surveys, detailing how works to the drain will be undertaken to minimise impacts on water voles (given previous records).*
66. *Whilst no breeding bird survey was undertaken there would likely be a range of farmland bird species. A condition should be attached to control vegetation clearance during the bird nesting season.*
67. *Wintering bird surveys are currently being undertaken, to be completed in March 2019. It is unlikely that the field supports significant numbers of notable wintering bird species. Mitigation for the loss of habitat for wintering (and breeding) birds is proposed, including the seeding of soil bunds. This should form a condition.*
68. *Conditions should be used to ensure that standard controls are in place for matters such as dust, noise, soil handling and water management.*
69. *The site would be subject to a biodiversity-led restoration, incorporating reedbed and wet grassland, thereby complementing the restoration of the wider site and delivering a larger area of wetland habitat overall. It is welcomed that the Section 106 for the wider site is modified to secure an extended aftercare period (presumably 21 years). A condition should be used to secure further restoration details including detailed land forming, species mixes and establishment methods. The applicant has proposed submitting an updated Landscape*

Restoration and Habitat Management Plan (LRHMP) for Newington South Quarry within 6 months of the grant of planning permission, which would cover this.

70. *It is noted that dewatering of Newington South West would utilise Newington North as an intermediate settling lagoon before discharging into the River Idle. It appears that there would be no impact on delivering the restoration of Newington South.*
71. **Nottinghamshire Wildlife Trust** – *Support the proposed development provided a number of matters are addressed.*
72. *There would be the loss of 1.1ha of 6 year old broadleaf plantation, but NWT consider this too young to have developed significant biodiversity value. The loss of a small stretch of bankside vegetation would have a very localised adverse impact, but this habitat is found along the length of the drain so the overall impact would only be minor and would quickly recolonise.*
73. *NWT agree that any hydrological and hydrogeological impacts appear to be very localised and should not affect important habitats nearby, with the exception of restored habitats at Newington North, which are part of a Local Wildlife Site (LWS). These are part of the Slaynes Lane LWS, which would continue to be affected, as now, by discharge of clean water as a result of dewatering of the void. It is essential that the continuation of this discharge does not compromise the final completion of the Newington North restoration.*
74. *Good practice measures to control dust and vehicle emissions are proposed. These should be conditioned.*
75. *NWT agrees that there is no anticipated impact on great crested newts, badgers or invertebrates. A water vole survey has been undertaken and they have not been found in the stretch of ditch that would be affected by the crossing point.*
76. *There are no features suitable for bat roosting, although foraging is likely to take place along the river. Given the working hours proposed, disturbance from light or noise is likely to be negligible.*
77. *The area of land that would be lost is of relatively limited interest for birds. In the short term the loss of foraging habitat can be partially resolved by the seeding of soil stores. In the longer term the restored site would hold better feeding resources. Soil stripping and vegetation clearance should be avoided during the bird breeding season and if this is not possible a walkover survey should first take place to ensure there is no harm to nesting birds. It is essential that this requirement is conditioned.*
78. *With regard to noise impact on birds, this would be no greater than current noise levels, the scheme would be short term and the restoration benefits outweigh the short-term impact. In addition, there are other restored areas which provided habitat.*
79. *In order to ensure there is no harm caused to otters (a European Protected Species), NWT expect a pre-extraction field survey for otters along the Idle and Slaynes Lane Drain, which should be augmented by the use of trail cameras as an effective way to check that no otters have moved into the riverbank near the site. If any signs of this species are found, a mitigation plan would need to be agreed with Natural England and NWT.*

80. *Whilst the level of habitat disturbance from arable cultivation makes it unlikely that the site is used for foraging by frogs, toads or grass snake, a precautionary approach of strimming prior to soil stripping along field margins should be undertaken and a receptor area for any reptiles encountered should be identified. The most suitable location would be within the central area of Newington North where any reptiles translocated would have both suitable habitat and be some distance from plant and machinery.*
81. *Given the current baseline position, the impact on breeding and overwintering birds in Unit 1 and Unit 2 of the Idle Washlands SSSI and the Slaynes Lane LWS would be no greater than experienced by birds at the current time and would be of relatively short duration. As a matter of good practice, the noisiest operations should avoid March to the end of July to reduce impacts on breeding birds on adjacent land. If this period cannot be completely avoided, then NWT would be satisfied with the soil stripping avoiding this period, as NWT is satisfied that routine extraction operations of the proposed Newington South West would not have a significant detrimental effect with regard to disturbance and noise on nesting birds in adjacent habitats.*
82. *Unit 1 of the Idle Washlands SSSI lies sufficiently far away to not be affected by dewatering. The water levels in Unit 2 are surface water dependant. As such, NWT is satisfied that the development would not have a detrimental impact.*
83. *It is essential that a water management system is agreed to minimise any impacts on areas of restored habitats and Slaynes Lane LWS and to ensure the development of high quality habitats is not further delayed. This could be agreed by condition.*
84. *NWT notes the design and management mitigation measures to reduce the risk of bird strike at Doncaster Airport. NWT welcomes the continuation of monthly bird monitoring and its expansion to include the Newington West area.*
85. *NWT strongly welcomes the principles of the restoration scheme, with the focus on restoring priority floodplain habitats and providing more reedbed, small ponds and wet grassland than could be achieved under the Newington South restoration. In assessing the restoration benefits, it is necessary to consider the baseline as the condition the site would be in once the extant Newington South scheme were completed. Nevertheless, the use of the lowered land levels to create a larger area of wet grassland and reedbed than could otherwise be achieved would result in a restoration of higher value and net gain for biodiversity and would contribute to the County and UK targets for the re-creation of priority floodplain BAP/ Section 41 habitats.*
86. *The restoration requires considerable further details in terms of species mixes, amphibian ponds, detailed land forming for the wet grassland, infrastructure for management and visitors etc. However, in principle NWT welcome the restoration proposals. However, it is suggested that land forming is used to create a viewing mound as has been undertaken at Newington South, rather than a boardwalk structure which would be prone to vandalism. It is recommended that these details be conditions to be agreed and included in a revised LRAMP within 6 months of granting permission.*
87. *The extended aftercare period referred to is welcomed and is assumed to be 21 years that is required for Newington South, West and North.*

88. *It is noted that water control through the floodbank to feed the reedbeds in Newington South is as previously agreed under that permission and it is expected that this should continue to be delivered to the restoration timetable for Newington South, and not extended were permission to be granted for this scheme.*
89. *It is noted that this scheme requires the retention of an HGV route through Newington West. NWT expect this route to be retained as an accessible track for habitat maintenance vehicles and visitors in the long term.*
90. **Environment Agency** – *No objection subject to conditions relating to the development being undertaken in accordance with the submitted flood risk assessment.*
91. *The applicant should note that they will have to seek consent from the Axholme and North Nottinghamshire WLMB Internal Drainage Board regarding the concrete crossing over Slaynes Drain.*
92. *The Environmental Statement includes a chapter (Section 13) about potential hydrological and hydrogeological impacts of the scheme. It is also supported by a full assessment as an appendix. From a planning perspective the Environment Agency is satisfied with the information presented and the conclusions reached regarding controlled waters and there are no objections to the development.*
93. *The proposed mineral extraction presents a risk to groundwater which is particularly sensitive in this location because the proposed development site is located upon Secondary A sands and gravels above the Nottingham Castle Principle Aquifer. The Environmental Statement submitted in support of the planning application provides the EA with confidence that it will be possible to suitably manage the risks posed to groundwater resources by this development. Further detailed information will however be required before any development is undertaken. As such a condition should be included requiring the submission and agreement of further details in relation to groundwater monitoring.*
94. **NCC (Flood Risk) Statutory** – *No objection, provided the development is carried out in accordance with the submitted details.*
95. **Canal and River Trust** – *No comments.*
96. **Historic England** – *No comments.*
97. **NCC (Archaeology)** – *No objection.*
98. *The tiered watching brief approach is satisfactory. A suitable condition such as the one used at Langford West, which allows each phase to be assessed with a view to amending future work would be appropriate.*
99. **NCC (Built Heritage)** – *Comment that the public benefits of the proposal should be weighed against the impact on the setting of heritage assets.*
100. *The Cultural Heritage chapter of the Environmental Statement contains sufficient information to be in accordance with the NPPF. The assessment uses a 1km search area which is smaller than recommended, however, is adequate on this occasion. NCC Built Heritage is satisfied that the site of the quarry workings will not cause harm to the setting of any built heritage assets.*

101. *Traffic levels generated by the proposal have not been considered in the Cultural Heritage chapter. NCC Heritage has undertaken its own assessment and is content that the impact of traffic arising from the proposals would not cause substantial harm to any building heritage assets. Traffic would be routed through Austerfield, which is not a conservation area but does contain two listed buildings on the eastern side of the road. The traffic level would impact on the setting of these but at levels that represent 'less than substantial harm'. Accordingly, this impact should be weighed against the public benefits of the proposal.*
102. **NCC (Highways) and Via Safer Highways** – No objection.
103. *In highway terms there appears to be no material change in the operation of the site when compared to the previous planning permission. The Highway Authority therefore recommends a repeat of the highway related conditions controlling the operation of the site, relating to the sheeting of HGVs; wheel cleaning; direction signs at the site entrance; HGV hauliers rules and procedures; HGV numbers; visibility splays; public access and parking arrangements.*
104. **NCC (Countryside Access)** – No objection.
105. *Documentation about the application indicates that an existing access Misson Byway No. 7 would be upgraded to enable HGV's to transport extracted sand and gravel from the site. There is no objection to this providing that:*
- a) *The quarry firm provides the rights of way team with construction details and signage prior to the installation of the crossing point;*
 - b) *The quarry firm installs signage at the location of the crossing point to make sure that the public are aware of any traffic and the quarry traffic is aware of the public right of way;*
 - c) *The quarry traffic gives priority to the byway users;*
 - d) *The drivers of the quarry traffic are properly briefed about the existence of Misson Byway No 7. and their requirement to give way to those using it.*
106. *The Countryside Access team highlight that if the construction of the crossing point is likely to cause hazard to the public use of the byway then the applicant must apply for a temporary closure at least six weeks before the commencement date for the works.*
107. *The Countryside Access team highlight the importance of information about the method by which excess water from the Newington South West extraction area would be dewatered. It is stated that plans showing the destination for excess water and the route that it would get there should be provided. It would not be acceptable to place apparatus concerned with the process on the byway or to excavate the byway for this purpose without first receiving written authorisation from the County Council.*
108. *The importance of the Byway not being subject to any increase in flooding because of the design of the restoration scheme is also highlighted.*
109. **NCC (Landscape)** – No objection.

110. *NCC Landscape agree with the Landscape and Visual Impact Assessment (LVIA) which assess the landscape impacts as minor adverse at the construction stage and that the effects on Policy Zone IL03 Misterton will also be minor adverse at the construction phase, but would be negligible on other surrounding Policy Zones. By 15 years post extraction and in the restoration phase these impacts become beneficial, as landscape actions within the Nottinghamshire Landscape Character Assessment are achieved as a result of the proposed restoration.*
111. *With regard to visual impact there will be a moderate adverse impact during the construction stage at viewpoints 5 (Slaynes Lane); and a minor adverse impact during the construction stage at viewpoints 4 (Slaynes Lane) and 6 (Slaynes Lane near the River Idle). By 15 years post extraction, and in the restoration phase, these impacts will become beneficial due to the introduction of new habitats of increased visual and amenity value.*
112. *It is agreed that there are no significant visual and landscape impacts as a result of the proposed development and the application is supported.*
113. **NCC (Noise Engineer)** – *No objection, subject to conditions relating to noise levels at sensitive receptors and mobile plant, machinery and vehicles using white noise reversing alarms and being fitted with silencers.*
114. **Public Health England** – *No objection.*
115. *The main concerns from an environmental public health perspective are fugitive dust emissions to air, include particulate matter and dust. The applicant has carried out an air quality assessment, documented controls and has assessed that additional emissions would not impact significantly on local receptors. Based on the information contained in the application, Public Health England has no significant concerns regarding risk to health of the local populations from the proposal, providing the applicant takes all appropriate measures to prevent or control pollution.*
116. **NCC Public Health** – *No objection. Given that Public Health England has no significant concerns regarding risk to health of the local population, no further input is required from the Public Health Nottinghamshire County team.*
117. **Doncaster Sheffield Airport** – *No comments.*
118. **Anglian Water Services Limited** – *No comments. The application falls outside of Anglian Waters area.*
119. **National Grid, Cadent Gas Limited, Severn Trent Water Limited, Western Power Distribution, NCC (Reclamation), Trent Valley/Doncaster Internal Drainage Board, Yorkshire Electricity, Planning Casework Unit, Health & Safety Executive, the Ramblers, the Police Force Architectural Liaison Officer and RSPB** have not responded. Any response received will be orally reported.

Publicity

120. The application has been publicised by means of site notice(s), press notice and neighbour notification letters sent to the nearest occupiers in accordance with the

County Council's adopted Statement of Community Involvement. No public representations have been received.

121. Councillor Tracey Taylor has commented on the application that, at the time of writing, there were no known community concerns, but that these would be relayed should Councillor Taylor become aware of any. Councillor Taylor requests that due regard is given to the impacts of vehicle movements and that it is ensured that routing is conditioned robustly to protect residents and neighbours.
122. The issues raised are considered in the Observations Section of this report.

Observations

123. A planning application has been submitted for an extension to sand and gravel extraction from an area to the south-west of the existing Newington Quarry operations (located between Austerfield and Misson in Bassetlaw). The application seeks to extract approximately 530,000 tonnes of sand and gravel (approximately 475,000 tonnes after processing) over a 3 year period.
124. The planning application has been submitted with an Environmental Impact Assessment (EIA).

Planning Policy Assessment

National Planning Policy Framework

125. The NPPF explains at Paragraph 203 the essential nature of minerals to provide infrastructure, buildings, energy and goods that the country needs. On this basis, the NPPF goes on to state in that "*when determining planning applications, great weight should be given to the benefits of mineral extraction, including to the economy*" (Paragraph 205).
126. Paragraph 205 of the NPPF also sets out the particular issues that should be considered when determining planning minerals planning application. The issues relevant to this application are set out below:
 - *“as far as is practical, provide for the maintenance of landbanks of non-energy minerals from outside National Parks, the Broads, Areas of Outstanding Natural Beauty and World Heritage Sites, scheduled monuments and conservation areas;*
 - *ensure 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 and 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. Bonds or other financial guarantees to underpin planning conditions should only be sought in exceptional circumstances”

127. The NPPF requires Mineral Planning Authorities (MPAs) to plan for a steady and adequate supply of aggregates by maintaining landbanks of at least 7 years for sand and gravel.

Nottinghamshire Minerals Local Plan (adopted December 2005)

128. 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 so that Nottinghamshire meets its reasonable share of regional provision of aggregates.

129. Policy 6.11 (Newington Allocation) allocates 57 hectares of land at Newington, south of Slaynes Lane, for sand and gravel extraction, including the Newington South West site subject to this application.

Bassetlaw Core Strategy (adopted December 2011)

130. There are no policies within the Bassetlaw Core Strategy which relate to minerals development. Policy DM1 relates to economic development in the countryside (e.g. tourist attractions, equine enterprises, rural businesses and farm diversification) and Policy DM3 relates to general development in the Countryside (replacement of buildings, re-use of previously developed land in rural areas and agricultural/forestry buildings and domestic equine facilities). These policies are not written with minerals development in mind and are, therefore, of limited applicability and no further consideration is given to them.

Misson Neighbourhood Plan (7th September 2017)

131. The neighbourhood plan does not contain any policies which directly relate to the principle of sand and gravel extraction.

Nottinghamshire Minerals Local Plan – Draft Plan Consultation (27th July 2018 – 28th September 2018)

132. Policy MP1 (Aggregate Provision) identifies a need for 32.30 million tonnes of sand and gravel over the plan period (2017-2036). The policy identifies that the County Council will make provision for the maintenance of a landbank of at least 7 years for sand and gravel.

133. Policy MP2 (Sand and Gravel Provision) identifies the extraction of remaining reserves of 0.39mt at Newington South (MP2b). The site lies within an allocated area as identified in Policy MP2. Supporting text to this policy goes on to state that the quarry has permitted reserves which are expected to last until 2019 and there are no further extensions possible to the quarry and it will be restored to low lying wetland.

Draft Bassetlaw Plan – Part 1: Strategic Plan (Published January 2019)

134. There are no policies within the Draft Bassetlaw Plan which relate specifically to minerals development. Policy 8 (Rural Bassetlaw) relates to supporting the delivery of sustainable development in rural areas. However, the policy is directed

towards housing, economic growth, and community services and facilities. These policies are not written with minerals development in mind and is, therefore, of limited applicability and no further consideration is given to it.

Policy Consideration

135. There is considerable support for the proposed development in the NPPF, which attributes 'great weight' to the benefits of mineral extraction. Furthermore, the site is located within an area allocated for sand and gravel extraction within the Nottinghamshire MLP (Policy M6.11) and as an area with remaining reserves.
136. It is noted that supporting text to Policy MP2 of the emerging Minerals Local Plan indicates that reserves at Newington will be exhausted in 2019, however, recent investigations have identified additional resources within the allocated area.
137. The NPPF and Policy MP1 of the emerging Draft MLP seek to ensure that the County Council makes provision for a landbank of sand and gravel reserves of at least 7 years. The Local Aggregate Assessment (LAA) published in October 2017, using 2016 data, showed the landbank for Nottinghamshire standing at 10.29 years. The Latest Nottinghamshire and Nottingham Local Aggregate Assessment was due to go to Communities and Place Committee in April before being withdrawn. However, the LAA report was published prior to withdrawal and based on 2017 sales data, the landbank currently stands at 11.69 years. Whilst the current landbank is above the minimum 7 years, there is no maximum. As such, the proposed development would assist in maintaining the County Council's landbank above the 7 year minimum.
138. The NPPF sets out that in determining minerals planning applications there should be no unacceptable impacts on the natural and historic environment, human health or aviation safety; that unavoidable noise, dust and particle emissions are controlled and mitigated; and that restoration is provided to high environmental standards. These matters will be assessed in detail through the observations section of the committee report. On the basis that these matters are acceptable, there is considerable policy support for the proposed development.

Ecology

Designations

139. The River Idle Washlands Site of Special Scientific Importance (SSSI) is the closest statutory designated site within 2km of the boundary of the application site. The SSSI comprises a number of units along the River Idle, with Unit 1 approximately 220m west of the application site and Unit 2 approximately 80m to the east of the site. The River Idle Washlands SSSI comprises a good example of wet grassland plant communities and attracts large numbers of wintering and passage waterfowl.
140. The applicant's assessment concludes that there would be no effect on Unit 1 from de-watering, as the SSSI sites outside of the maximum predicted zone of drawdown, which is expected to be 170m. Unit 2 lies within 80m of the site (although it is 160m from the extraction limit), but this unit is dependent on flooding from the river (as it lies river side of the Barrier Bank). The applicant also notes that there were no identified effects on this Unit when Newington South was worked.

141. The applicant notes that Unit 1 is upstream from the site so there would be no effects from any changes in surface water and Unit 2 lies on the other sites of the Barrier Bank so it is isolated from any surface water inputs other than the River. Units 3 and 4 lie further downstream (over 2km from the proposed development) and the water abstracted from the workings, once desilted, would be discharged into the river upstream at the western end of the site.
142. The applicant has assessed that the development would have a negligible effect on the features for which the SSSI has been designated (namely Wildfowl, waders and wet grassland communities). The restoration proposed would provide linkage between Units 1 and 2 and is assessed to have the potential for moderate beneficial effect for the SSSI.
143. NCC Ecology note that the hydrological assessment concludes that changes due to drawdown and water quality would be negligible, but recommend that comments from Natural England should be sought. Natural England has been consulted and does not object, noting that the proposed development will not damage or destroy the interest features for which the site has been notified.
144. Nottinghamshire Wildlife Trust (NWT) note that the proposed extension is no closer to unit 2 of the SSSI than the current working quarry, so there is no increased risk of impact to breeding and wintering birds through noise and disturbance over the current situation. NWT note that the working could increase noise and disturbance to birds on Unit 1 of the SSSI, but at greater than 220m away, with the large Tunnel Tech site in between, the effect is likely to be negligible.
145. NWT recognise that Unit 1 of the SSSI lies outside of the area that would be affected by drawdown and that Unit 2 is not groundwater dependant. NWT agrees that there should be no detrimental hydrological effects as a result of the proposed development.
146. Barrow Hills Sandpit SSSI is located approximately 1.6km south of the site and is a fine example of species rich grassland and scrub developed on freely draining unconsolidated sands of glacial origin and is representative of grassland developed on base-rich sandy soils in the north midlands. The potential for impacts from the proposed development on this SSSI has not been raised by any of the ecological consultees. Given the distance, the MPA does not consider that there would be any adverse indirect impacts arising from the proposed development.
147. There are 11 Local Wildlife Sites (LWS) within 1km of the planning application boundaries. The only LWS which overlaps the application boundary is the Slaynes Lane LWS, which the access road passes through. This LWS is described as "*Carr, farmland and sand quarry prone to winter/spring flooding supporting rich assemblage of breeding birds*".
148. NCC Ecology notes the presence of Slaynes Lane LWS which is of recent origin and has arisen due to quarrying and restoration. NCC Ecology notes the impacts on this, and other, LWS is considered to be negligible.
149. NWT notes that the potential hydrological and hydrogeological impacts already present within the LWS are complex with regard to Newington North/Slaynes Lane LWS. It is also noted that dewatering may result in changes in water levels

in the restored Newington South area. As such, it is essential that a water management system is agreed to minimise any impacts on these areas of restored habitat and ensure their development as high quality habitat is not delayed. The MPA agrees that such a condition should be imposed.

150. NWT note that the noisiest operations (soil stripping and restoration) would be undertaken outside the bird breeding season where possible, but if this is not possible there may be an impact. However, NWT notes that due to the current baseline position the impact would not be greater than experienced by birds at the current time and would be of a relatively short duration. NWT recommends that as a matter of good practice, the noisiest operations should avoid March to the end of July to reduce impact on breeding birds on adjacent land. NWT note that this leaves a very narrow working window on a floodplain site, so would be satisfied that soil stripping can be scheduled to avoid the breeding season.
151. The applicant has given consideration to the Barrier Bank LWS, River Idle – Everton Carr LWS and Toft Hill Drain and Ponds LWS, assessing the level of impact from the development on each of these as negligible.

Habitats

152. The applicant notes that the habitats within the site south of Slaynes Lane are largely restricted to land under arable cropping and is of site value only. There is a short section of willow on the north side of Slaynes Lane, but this does not qualify as habitat of a conservation priority and is also only of site value. There would also be a small stand of mixed plantation woodland which is also of site value only.
153. The Slaynes Drain to the north of the extraction area is of County Value. The drain is managed regularly through channel clearance and there is a relatively diverse aquatic flora present and surveys have previously shown water vole to be present along parts of the drain, although brown rat and mink have also been recorded, which pose a threat to water vole populations. The applicant notes that the drain is to be retained, but impacts in relation to changes to groundwater levels and inputs from surface water have been assessed as negligible.
154. NCC Ecology notes that development would result in a very small impact on Slaynes Drain (a few square metres) associated with the crossing, and the loss of approximately 1.1ha of plantation woodland of recent origin.
155. NWT is of the view that the proposed extension is on land that is under intensive arable use and that it is of limited biodiversity value. NWT also note the loss of 1.1ha of broadleaf plantation, but that this is too young to have developed significant biodiversity value and its removal would enable the development of better wet grassland. The loss of a small stretch of bankside vegetation along the Slaynes Drain would have a very localised impact, but this habitat is noted to occur along the length of the drain, so its impact would be minor and it would recolonise.
156. NWT notes that the air pollution report states that there would be no increase in dust emissions of damaging pollutants such as NO_x and PM₁₀s over the current levels. NWT recommends a number of good practice measures to control dust and vehicle emissions should be conditioned. The MPA agrees with the imposition of such a condition.

Birds

157. The applicant has assessed the loss of the woodlands plantation as having a negligible effect on nesting and foraging birds in the locality due to it providing relatively poor nesting habitat.
158. It is noted that no breeding bird surveys have been undertaken on the arable land, but based on birds recorded during the monthly surveys in the immediate area, the applicant expects the loss of this habitat to have some effect on the birds using the area. However, whilst the birds would be displaced from the site and arable land is no proposed as part of the restoration, there is extensive similar habitat in the immediate landscape. In addition, this area of land is subject to reversion to wet grassland under the restoration plan for the adjacent Newington South, so the loss of arable land is assessed as negligible for species using this area for nesting and foraging. However, the restoration scheme would have a significant moderate beneficial effect for a range of breeding birds, particularly species found in reedbed, wildfowl and waders.
159. Two surveys have been undertaken for overwintering birds and it attracts flocks of overwintering passerines such as fieldfares and linnets and small numbers of resident species such as skylarks, tits and goldfinch. The loss of the plantation belt and arable land is assessed by the applicant as negligible, largely due to the much larger foraging range and extensive habitat in the immediate wider area, and that Newington South will be restored by winter 2019/2020. Overall the applicant assessed the scheme will have a minor beneficial effect on wintering birds due to restoration providing a wetland complex with shallow waterbodies, reedbeds and wet grassland which would provide suitable habitat for wintering wildfowl and waders, and flocks of wintering passerines.
160. NCC Ecology notes that no breeding bird survey was undertaken, but that the site can be expected to support a range of widespread farmland bird species, which are likely to include skylark, and potentially lapwing. As such, a standard condition should be used to control vegetation stripping during the bird nesting season (March to August inclusive). NWT agree with this position and state that it is essential that this requirement is conditioned.
161. NCC Ecology notes that it is unlikely that this field supports significant numbers of notable wintering bird species, and passerines are likely to use the field as a component of wider (extensive) farmed landscape. NCC Ecology recommends mitigation for the loss this habitat is secured, including the seeding of soil bunds with bird seed mixes.
162. NWT also note the direct loss of habitat, which whilst minor could impact on red list Birds of Conservation Concern (BoCC) including lapwing, grey partridge and skylark, which have previously been found on this field. NWT recommend the loss of foraging habitat for these birds is partially resolved by the seeding of soil stores with seed-rich mixed species, which would provide alternative cover and a source of food within a few weeks of growth.
163. NWT also notes the potential for impacts on birds from noise and disturbance associated with extraction. However, when taken against the current baseline, this would not be an increase from the current levels of noise and the impacts would be relatively short term (three years). It is also noted that the restoration

benefits outweigh the likely relatively short term effect, given that there are other restored area on Newington South which birds may be able to move to.

Herptiles

164. NWT note that no Great Crested Newts (GCN) have been identified locally and there are no suitable features for the species within the extraction area. It is also noted that the level of disturbance from arable cultivation also makes it unlikely that this site is used by foraging frogs, toads or grass snake. The most likely habitat for these species is along the ditches and the flood bank, which are to be protected with 10m and 50m stand-offs respectively.
165. NWT recommend a precautionary approach of strimming prior to soil stripping along field margins and a receptor area for any reptiles identified. The central area of Newington North is suggested. The MPA agrees with this recommendation.

Bats

166. The applicant states that there are no structures and only a small number of trees that required assessment for the potential to support roosting bats. The trees identified were along Newington Road and were assessed as having features with negligible to low roosting potential, and the trees were not being disturbed by the proposals.
167. The applicant also notes that there are no boundary features being lost to the development and the habitat lost is regularly cultivated ground. In addition, there is generally no working after dark, other than in winter, and at this time the only lighting is on vehicles. As such, bats have not been considered further, other than that the restoration proposals would provide for an increase and enhancement of suitable foraging habitat.
168. Neither NCC Ecology nor NWT raise any concerns regarding the proposed development impact on bats.

Otter

169. The applicant notes that there are records of otter along the River Idle downstream from the site and there is no reason not to expect them to be using the river upstream where the site is located. However, the applicant notes that no boundary features are being lost to the development and the habitat being lost is regularly cultivated ground. As such, there is no requirement to undertake a specific survey for otter use along the river. The applicant does note that the restoration of the site would provide an increase and enhancement of suitable habitat for otters than is currently the case.
170. NCC Ecology does not have any comments in relation to otters.
171. NWT note that the extraction would not directly impact on riparian habitats used by otters, and there are no known holts in the vicinity. There is the potential for increase noise and disturbance to this European Protected Species (EPS) and this extraction would be closer than previous phases of the quarry. NWT note that this EPS is protected by law from disturbance when in their holts and resting places. As such, NWT recommend that, to ensure no harm is inadvertently caused, a pre-extraction field survey is undertaken along the Idle and Slaynes Drain, which should be augmented by the use of trail cameras as an effective way

to check that no otters have moved into the riverbank near the site. If any signs of the species are found, a mitigation plan would need to be agreed.

172. The MPA notes the comments by NWT and agrees that a pre-commencement survey for otters should form a condition. Whilst the use of trail cameras may be beneficial there is no reference to their use in Government guidance on otter survey methods. As such, to include this as a requirement within the condition is not considered to meet the test of necessity. The MPA will instead word the condition such that it requires the methodology to be agreed with the MPA in advance of the survey.

Water Vole

173. The applicant notes that there are records of water vole along Slaynes Drain and measures have been previously taken to avoid harm to water vole when undertaking certain quarrying operations, including temporary exclusion along a section of the Drain while a bridge was constructed. Working of the site would not result in the loss of suitable water vole habitat. A new crossing over Slaynes Drain to access the site is proposed, which means there is the potential for impacts on water voles.
174. A water vole survey of Slaynes Drain has been undertaken in October 2018. The survey did not find any signs of water vole along the section of ditch that would be affected although vegetation made some areas difficult to survey. The potential for direct impact would be if there were burrows/water voles present at the existing crossing point which is proposed to be upgraded, as this would involve the loss of approximately 5-7m under the new crossing and disturbance to the immediate area either side of the crossing. Given the loss of such a small part of available habitat it is assessed there would be a negligible impact on the water vole population.
175. Notwithstanding the above, in order to avoid harm/disturbance to water voles the applicant proposes to undertake further surveys in spring 2019. In the event that no water voles are found the bridge would be constructed immediately, or exclusion/trapping under Natural England License would take place with the water voles being transported to suitable habitat elsewhere along the ditch.
176. NWT is satisfied that water voles surveys have been undertaken and they have not been found in the stretch of drain that would be affected by the crossing point. NCC Ecology comments that a condition should be used to require the production of a method statement, following further surveying, detailing how works to the drain will be undertaken in such a way that minimises impacts on water voles. The MPA agrees with this approach.

Invertebrates

177. The applicant states that the land lost is predominantly under regular cultivation and is therefore unsuitable for most groups of invertebrates. However, the restoration proposals provide an increase and enhancement of suitable habitat for a wide range of invertebrate species.
178. NCC Ecology have no comments in relation to invertebrates. NWT agrees that on such intensively cultivated land the assemblage is likely to be limited mainly to common species which can rapidly colonise after disturbance, and the impacts are therefore likely to be negligible.

Protected Species

179. The applicant notes that the site can often flood completely and no signs of protected species have ever been recorded. NWT agree that there is no anticipated impact on protected species.

Restoration

180. NCC Ecology notes that the site would be subject to a biodiversity led restoration, incorporating reedbed and wet grassland, which would complement the restoration of the wider site and deliver a larger area of wetland habitat overall. NCC Ecology welcome the extended aftercare, which would be secured through a Section 106 Agreement.
181. NWT strongly welcome the principles of the restoration scheme. NWT highlight that in assessing the restoration benefits of any habitats it is necessary to consider the baseline as the condition the site would be in once the extant Newington South scheme were completed, as that is required under the current planning permission. As such, any comparison of 'before and after' habitats should be based on the site as permanent grassland. Notwithstanding that distinction, NWT highlight that the use of the lowered land levels to create a larger area of wet grassland and reedbed than could otherwise be achieved would result in a restoration of higher value and a net gain for biodiversity and would contribute to County and UK targets for the recreation of priority floodplain BAP/Section 41 habitats. Prior to the construction of the barrier bank, this area was part of the former extent of the SSSI, so its return to priority floodplain habitats is welcomed.
182. NCC Ecology recommend that details of land forming, species mixes, and establishment methods are secured through a condition. It is noted that the applicant proposes to submit an updated Landscape Restoration and Habitat Management Plan (LRHMP) within 6 months of the grant of planning permission which would cover this.
183. NWT agree that further detail is needed in terms of species mixes, amphibian ponds, detailed land forming for the wet grassland, infrastructure for management and visitors, but that the restoration scheme is welcomed in principle. NWT support the details forming a condition to be agreed in a revised LRHMP within 6 months of permission being granted. NWT highlight the need for them, as well as NCC and Natural England, to be involved in those discussions from an ecological perspective as these groups are part of the Habitat Working Group for the site. NWT support the extended aftercare period, provided that this is for a 21 year period, as is the case with other areas of restoration in the wider Newington quarry area.
184. The MPA is satisfied that the restoration details can be secured through a replacement LRHMP within 6 months of the grant of planning permission. Furthermore, an additional 21 years aftercare will be the subject of an updated Section 106 Agreement.
185. NWT has made reference to the water control connection through the floodbank to feed the reedbeds in Newington South and expect that this should continue to be delivered to the restoration timetable for that permission. The MPA notes that this proposal does not seek to make any changes to the restoration requirements of Newington South, which sits outside of this planning application area.

186. NCC Ecology notes that the dewatering of Newington South West would utilise Newington North as an intermediate settling lagoon before discharging into the River Idle. NCC Ecology questions whether this would delay the final restoration of Newington North. However, the MPA can confirm that Newington North has been restored and is in aftercare.
187. NWT note the scheme requires the retention of a HGV access route through Newington West to remove mineral from the site, which will delay the restoration of Newington West. NWT highlight that this is an opportunity cost for these habitats. As such, NWT request that in light of the 'opportunity cost' and the additional habitat maintenance requirements that would result from the new scheme, the route should be retained as an accessible track for habitat maintenance vehicles and visitors in the long term. The MPA supports the retention of an access track for maintenance purposes, and recommends that an updated restoration scheme is secured through condition to reflect this.

Policy

188. Policy M3.17 (Biodiversity) of the Nottinghamshire Minerals Local Plan states that planning permission will not be granted for minerals development which would adversely affect the integrity or continuity of habitats or features identified as priorities in the UK and/or Nottinghamshire Local Biodiversity Action Plan, unless an overriding need for development is demonstrated which outweighs the nature valued conservation importance of the feature. The habitat to be lost to this development is of low value and the proposed restoration to priority floodplain habitats including reedbed, small ponds and grassland is of high value. The proposed development is entirely in accordance with Policy M3.17 of the MLP.
189. Policy M3.19 (Sites of Special Scientific Interest) of the Nottinghamshire Minerals Local Plan (MLP) seeks to prevent development which would have an adverse impact on a SSSI, directly or indirectly. The proposed development is close to a SSSI, however, the above assessments have demonstrated that the proposal would not affect the features for which it has been designated. As such, the development is in accordance with Policy M3.19.
190. Policy M3.20 (Regional and Local Designated Sites) states that planning permission for minerals development in areas which are regional or local designated sites will only be granted where it can be demonstrated that the importance of the development outweighs the regional or local value of the site. In this instance, the proposed access road runs through the Slaynes Lane LWS. However, the proposed access road is already established as an access road associated with the Newington West operation to the north of this application site and is not high-quality habitat at present. The access road would be retained as an access track and form part of a revised restoration scheme to help provide access for maintenance vehicles associated with aftercare operations. The value of this aftercare provision is considered acceptable to outweigh its former restoration value, in line with Policy M3.20.
191. Policy DM9 of the Bassetlaw Core Strategy (BCS) relates to green infrastructure; biodiversity and geodiversity; landscape; open space and sports facilities. The biodiversity and geodiversity section of the policy expects development to take the opportunity to restore or enhance habitats and species' populations and to demonstrate that they will not adversely affect or result in the loss of features of recognised importance, including trees and hedgerow; ancient woodlands;

SSSIs; regionally important geodiversity sites; LWS; Local and UK BAP sites; and protected species. Given that the proposed restoration is of greater habitat value than that which it replaces under the current permission for Newington South, the development is in accordance with Policy DM9.

192. Policy DM9 also expects development to support the Council's strategic approach to the delivery, protection and enhancement of Green Infrastructure and particular support will be given to proposals that will further the development of the Idle Valley Project. Where opportunities exist, development proposals provide improvements to the green infrastructure network that benefit biodiversity through the incorporation of retained habitats and by the creation of new areas of habitat. The proposed development would result in a significant habitat enhancement within the Idle Valley and is therefore supported by this aspect of Policy DM9.
193. The planning application and associated Environmental Impact Assessment for the proposed development has demonstrated how the development will protect and enhance existing green infrastructure assets and priority habitats and species affected by development. It has also shown how the restoration proposed will improve linkages between existing habitats in the area, particularly the Idle Washlands SSSI. Regard has also been had to designated habitats and the mitigation necessary to avoid impacts. This is in accordance with Policy 10 (Improving Green Infrastructure and the Natural Environment) of the Misson Neighbourhood Plan.
194. Policy SP3 (Biodiversity Led Regeneration) of the Minerals Local Plan – Draft Plan Consultation, seeks restoration schemes which seek to maximise biodiversity gains. Schemes will also be expected to demonstrate how restoration will contribute to the delivery of the Water Framework Directive objectives. The proposed development would provide a significant biodiversity gain and the applicant has undertaken a Water Framework Directive (WFD) assessment. It is therefore in accordance with Policy SP3 of the emerging MLP.
195. As the proposed development involves restoration to priority habitat it is supported by Policy 18 (Green Infrastructure) of the Draft Bassetlaw Plan Part 1: Strategic Plan.
196. Policy 19 (Protecting Biodiversity and Geodiversity) of the Draft Bassetlaw Plan seeks to ensure that development does not unacceptably impact on the habitats and species of importance to biodiversity. In light of the above assessment, the development is in accordance with this policy.

Highways

197. Newington Road is a single two-way road which is typically 5.6-6m wide with grass verges on both sides. It is unlit and is subject to a 60mph speed limit. The proposed quarry extension would use an established access off Newington Road which currently serves the Newington West quarry and has 2.4m x 215m visibility splays. The access is tarmacked and benefits from wheel wash facilities.
198. An existing access road runs along the eastern side of Newington West, to Slaynes Lane. This road would be upgraded for additional HGV usage and an existing vehicular access and crossing over Slaynes Drain would be upgraded to facilitate HGV movements between the Newington West area and the proposed Newington South West area.

199. As is the case at present, all material from Newington would be transported from the site via HGV to Hanson's processing in Auckley, near Doncaster. The current route is subject to a Section 106 Routeing Agreement which requires HGVs to turn left onto Newington Road upon exiting the site, and then turn right onto the A614 (northbound). At the A614 / High Common Lane / Cross Lane roundabout junction, HGVs then route west along High Common Lane before turning right onto the A638 (Great North Road). HGVs then turn right onto Hurst Lane, heading northeast towards Hanson's Auckley processing plant (see Plan 8). The application proposes that HGVs associated with the extension would use the existing agreed route.
200. The applicant expects there would be a maximum of 75 HGV movements per day (i.e. 37 arrivals and 37 departures). Based on an average working day of 10.5 hours (07:00 to 17:30) there would be an average of 8 HGV movements to/from the site per hour (i.e. 4 arrivals and 4 departures).
201. It is noted that Condition 24 of the planning permission for Newington West permits a maximum of 75 HGV movements per day. As extraction within Newington South West would only commence upon the cessation of extraction within Newington West (i.e. only one area will be operational at any one time), the number of HGV movements on the local highway network resulting from this development will be no greater than is the case at present.
202. The applicant indicates that there would be an average of 6 car movements per day (3 arrivals and 3 departures) and a maximum of 12 car movements per day (6 arrivals and 6 departures).
203. The applicant also highlights a separate planning application which they have submitted to Nottinghamshire County Council for sand and gravel extraction at a site near Barnby Moor. The application is for a short term replacement for Newington Quarry. The applicant confirms that, if the County Council is minded to grant both planning applications, the two sites would not be worked at the same time and there would, therefore, not be any cumulative highways impacts as a result of the two quarries.
204. The Highways Authority state that there appears to be no material change in operations when compared to the previous permission granted (Newington West). As such, no objections are raised but it is recommended that the highways related conditions are repeated on any new permission granted. The highways conditions relate to the following:
- All HGVs leaving the site to be sheeted.
 - Wheel cleaning facilities to be installed and maintained in an effective state.
 - All vehicles leaving the site shall use the wheel cleaning facilities.
 - Direction signs shall be installed at the site entrance.
 - The development approved is undertaken in accordance with a 'Hauliers Rules and Procedures' code of conduct.
 - There shall be no more than 75 HGV movements per day.

- Visibility splays shall be maintained and kept clear for the life of the development.
 - Prior to the site being decommissioned, details of public access and parking arrangements shall be submitted to, and approved in writing by, the MPA.
205. Doncaster MBC do not object to the proposed development subject to conditions ensuring a maximum of 75 HGV movements per day; the existing routeing between Newington and Auckley is maintained; and that this quarry would not operate at the same time as the Barnby Moor quarry.
206. Finningley Parish Council comment that, whilst this proposal would not have an impact on Bawtry, it could put pressure on other local roads, particularly those travelling from Finningley and Blaxton through Auckley to reach their destination and reference is made to a particular occasion when there was significant traffic in Finningley/Blaxton. The Parish Council request that a traffic flow assessment in Blaxton and Finningley is undertaken.
207. The MPA is satisfied that the controls recommended by NCC Highways Authority and Doncaster MBC are appropriate and there would be no additional highway impact above the existing situation. The proposed route does not pass through Finningley or Blaxton and no traffic flow assessment is necessary in these locations.
208. The request from Doncaster MBC that the separately proposed Barnby Moor quarry is not operated at the same time as Newington South West is noted. Of the two sites, Hanson has stated that Newington South West would be worked first, as a continuation of the existing quarrying that is taking place at Newington. In the event that Barnby Moor is granted planning permission, the appropriate mechanism to achieve this request would be to restrict the commencement of the Barnby Moor operations until Newington South West is complete.
209. Misson Parish Council and Councillor Taylor have commented that routeing should ensure that vehicles do not pass through the village of Misson. In line with the recommendations of the NCC Highways Authority and Doncaster MBC, the MPA can confirm that this would be the case.
210. Misson Parish Council has comments that wheel washing facilities should be provided and used to avoid sand on the highway. The Parish Council note that there has been a lot of deposition on the road in recent months, although they note that this has not all from Hanson's operations. The MPA can confirm that conditions relating to wheel wash facilities and their use would be attached to any new permission granted, as well as in relation to the sheeting of HGVs. Nevertheless, in the event that the MPA becomes aware of issues of material on the road, further action can be taken.
211. Finningley Parish Council raise concerns about who would police the routeing of vehicles, and they highlight that there may be a temptation for HGVs to continue along the A614 through Finningley and Blaxton if there is congestion on the approved route. As such, the Finningley Parish Council request that there is an extension to prevent Hanson HGVs travelling through Finningley. The Parish Council also questions what the safeguards and sanctions on drivers and the company are, for failing to adhere to an approved route. They also ask whether

GPS is used to monitor Hanson vehicle movements and to whom breaches of the route are reported to.

212. The concerns of Finningley Parish Council are noted, but there is no need to 'extend' the routeing agreement, as it sets a prescribed route which avoids Finningley. The routeing agreement is policed by the operator, Hanson, and they are required to issue directives to the drivers of HGVs setting out the permitted route and include such a directive within the contract of all haulage contractors employed by the developer. Such contracts are to include an escalating sanctions regime whereby a warning would be issued for a first breach, followed by a written notice for a second breach. For a third breach a contractor's haulage contract would be suspended for a period not less than seven days and in the event that a contractor or its driver fails to comply with the lorry routeing instructions on four or more occasions, the termination of a contractor's haulage contract would take place. There is also the requirement for the operator to inform the MPA of the steps it has taken to comply with the S106 routeing agreement at least twice a year, as well as undertaking random spot checks on the local road network no less than four times a year.
213. The MPA is not aware of the use of GPS to monitor HGV routeing, nor does it consider it necessary. The provision in the Section 106 HGV routing agreement at present would be reflected in any new/updated legal agreement for the proposed Newington South West extension and the MPA is of the view that this is an appropriate and proportionate method to control HGV routeing. It is also noted that the MPA has not received any complaints regarding breaches of the HGV routeing in relation to the existing Newington West operations.
214. Policy M3.12 of the Nottinghamshire Minerals Local Plan (MLP) seeks to put in place measures to prevent damage to the highway and prevent mud and other deleterious material contaminating the public highway. As requested by NCC Highways, conditions would be attached relating to sheeting of lorries, wheel wash facilities and the hard surfacing of access entrances. These conditions are in accordance with Policy M3.12.
215. Policy M3.13 states that planning permission will only be granted where the highway network can satisfactorily accommodate the level of vehicle movements generated and there would not be an unacceptable impact on the environment and disturbance to amenity. The approach taken in the NPPF is arguably more relaxed, stating that development should only be prevented on transport grounds where residual impacts of development are severe. In any case, there would be no change to existing traffic levels, there is no capacity concerns from NCC Highways or Doncaster MBC and the development is deemed to be fully in accordance with the policy.
216. Policy M3.14 of the MLP relates to vehicular routeing and recommends the use of conditions relating to signage and issuing instructions to lorry drivers; negotiating planning obligations to secure highway improvements; and specify agreed vehicular routes. The recommendations made by NCC Highways, Doncaster MBC and others, relating to the hauliers' code of conduct and the use of the S106 agreement for the routeing of vehicles are entirely in accordance with this policy.
217. Policy DM13 (Sustainable Transport) of the Bassetlaw Core Strategy expects development proposals to minimise the need to travel by private car; provide

linkages, or develop new footways, cycleways and bridleways; and provide appropriate facilities to support access to high quality public transport. The policy also refers to the Nottinghamshire Local Transport Plan and parking standards. This policy does not relate particularly well to minerals development as the thrust of the policy is directed towards built development. Nevertheless, the proposed quarry extension incorporates cycle parking and through the Section 106 there would be the continued maintenance of the Slaynes Lane bridleway. As such, the development is in accordance with the relevant aspects of the policy.

218. Policy SP5 (Sustainable Transport) of the emerging Draft Nottinghamshire Minerals Local Plan seeks to achieve the most sustainable transportation of minerals. In the case of this application, there are no suitable barge or rail facilities, so minerals would be transported by road to the Hanson site in Auckley for processing. The MPA does not consider any forms of transport other than by road to be viable. However, it is noted that some return HGV journeys will be used to transport silt back to Newington from Auckley, thus minimising HGV movements where possible.

Landscape and Visual Impact

219. The applicant has undertaken a landscape and visual impact assessment. With regard to direct impacts on the immediate landscape the applicant assesses that there would be minor, non-significant effects on landscape character arising from the change in land use within the site from existing agricultural use to mineral extraction. The applicant states that the effects would be temporary, short term and largely reversible. After 15 years the landscape character following the establishment of the restoration to habitats including shallow water bodies, reed beds and wet grassland would be minor beneficial.
220. The site predominantly sits within Policy Zone IL 03 Misterton. The key characteristics of this zone (as described in the Landscape Character Assessment – Bassetlaw, Nottinghamshire) include the River Idle and Washlands SSSI and Chesterfield Canal; numerous drains; flat valley floor; intensive open arable farmland; isolated farmsteads of red-brick construction; and Shaws Ponds – a former extraction pit with associated woodland.
221. The applicant has assessed the direct and indirect impacts on Policy Zone IL 03 Misterton as being minor and not significant during extraction and minor (beneficial) by 15 year post restoration of the site. The applicant states that the effects on the wider character of Policy Zones and Landscape Character Types (LCT) in the study area would be negligible both during extraction and by 15 years post restoration, which reflects the limited and localised influence of indirect change due to screening from flood bunds, low-lying topography and vegetation. The applicant states that the change in landscape character is therefore at site scale, rather than being on the wider landscape.
222. With regard to visual impact the applicant has chosen 10 viewpoints to represent the typical range of views of the site from within the study area. These viewpoints include one from Newington Road; four from different points along Slaynes Lane; one from Misson; two alongside the River Idle; one from a footpath to the south-east of the site; and one from a footpath to the south of the site.
223. The assessment states that receptors at one representative viewpoint (no. 5, Slaynes Lane) that is adjacent to the site would experience moderate, non-

significant effects on visual amenity during extraction, but this is assessed as a temporary localised change. Effects from this viewpoint 15 years post restoration would be moderate beneficial, due to the introduction of new habitats that would be of increased visual and amenity value.

224. Two other viewpoints, both from public rights of way on the floodbank to the south of the River Idle, have been assessed as experiencing minor, non-significant visual effects on visual amenity. The assessment also notes that from many locations the extent and influence of the proposed activities should be considered against an evolving visual baseline that includes extensive restored quarry areas, as well as some limited ongoing extraction and restoration activities. Overall the assessment states that the proposed development would have very few effects from other viewpoints in the wider landscape due to the interaction of low-lying topography and screening from flood banks and vegetation.
225. The NCC Landscape Team agrees with the assessment undertaken by the applicant and states that there are no significant visual and landscape impacts as a result of the proposed development that would result in unacceptable changes in landscape character and visual amenity, subject to the restoration proposals being acceptable to NCC Nature Conservation. As set out above, the indicative restoration proposals are acceptable to NCC Nature Conservation, although additional details will need to be secured by condition in relation to land forming, species mixes, and establishment methods.
226. Policy M3.3 (Visual Intrusion) of the Nottinghamshire Minerals Local Plan states that planning permission will only be granted where visual intrusion can be kept to an acceptable level. Policy DM1 of the Bassetlaw Core Strategy seeks to ensure that the scale, design and form of proposals are appropriate to their setting and compatible with surrounding land uses. Given the above assessment, the development is in accordance with these policies and no additional screening or mitigation measures are deemed necessary.

Built Heritage and Archaeology

Built Heritage

227. The applicant has undertaken a heritage assessment and states that there are no listed buildings within 1km of the boundary of the proposed development. The nearest listed buildings are identified as being in Austerfield, more than 1.25km north-west of the site, and a similar distance to the north-east, in Misson. On this basis, the applicant has not assessed built heritage further.
228. The applicant also states that Nottinghamshire County Council classes the villages of Misson and Newington, 850m north-west of the extension area, as Historic Settlement Areas. The assessment states that this is a local designation and not a formal Conservation Area. However, this is an error on the applicant's part, as parts of Misson were formally designated as a Conservation Area by Bassetlaw District Council on 13th September 2017.
229. Historic England do not raise any objection to the proposed development. The NCC Built Heritage Officer has also considered the submitted information and confirms that there is sufficient information for the Cultural Heritage Chapter of the Environmental Statement to be in accordance with Paragraph 189 of the

NPPF, which sets out the level of information required in relation to heritage assets.

230. The NCC Built Heritage Officer notes that the applicant's 1km search area is smaller than would normally be recommended, but is adequate on this occasion, due to the nature of the proposed quarrying and the location away from urban settlements in the area. As such, the NCC Built Heritage Officer concludes that the quarry and workings would not cause harm to the setting of any built heritage assets.
231. The applicant's error that Misson is not a formal Conservation Area is noted. However, when considering the impact of the development on Misson from a heritage perspective, the Landscape and Visual Impact Assessment should be considered. One of the representative viewpoints is located on the western edge of Misson and it is assessed that significance of visual effects at this location would be negligible both during extraction and 15 years after restoration. The MPA also do not consider the development would affect the setting of Misson Conservation Area.
232. Notwithstanding the above, the NCC Built Heritage Officer notes that traffic impact on heritage assets have not been considered in the Cultural Heritage chapter. As such, the Heritage Officer has undertaken their own assessment and is content that the traffic arising from the development would not cause substantial harm to any built heritage assets. The traffic from the proposal will impact upon the setting of two listed buildings in Austerfield but would be at levels that represent 'less than substantial harm'. The NCC Heritage Officer advises that this impact should be weighed against the public benefits of the proposal, in line with Paragraph 196 of the NPPF.
233. In line with the NPPF, great weight is to be given to the benefits of mineral extraction. In addition, there is substantial support from the ecological bodies for the restoration scheme that would result from this proposal. The MPA is satisfied that these factors outweigh the temporary 'less than substantial' harm to the setting of listed buildings in Austerfield arising from the continuation of HGV movements along this route.
234. Policy M3.25 (Listed Buildings, Conservation Areas, Historic Battlefields, and Historic Parks and Gardens) of the Nottinghamshire Minerals Local Plan; Policy DM8 (The Historic Environment) of the Bassetlaw Core Strategy; Policy 21 (Conservation and Enhancement of the Historic Environment) of the Draft Bassetlaw Plan; and Policy SP6 (The Built, Historic and Natural Environment) of the emerging Nottinghamshire Minerals Local Plan seek to protect heritage assets. In light of the above assessment the proposals will have not have an unacceptable impact on built heritage assets and the benefits of the scheme outweigh the 'less than substantial' harm that has been identified. As such, the development meets these policies.

Archaeology

235. A Heritage Assessment, including a consideration of archaeology has been provided as part of the planning application. The assessment states that the site holds very limited archaeological potential based upon the evidence of watching briefs carried out within the currently permitted extraction area to the east (referred to as Newington South).

236. The applicant identifies fallen, preserved timbers of non-anthropogenic cause are likely to be found. Also, although extremely unlikely, waterlogged remains such as boats, tracks or occupation platforms can occur in wetland contexts and the potential to encounter such remains would need to be taken into account within any mitigation strategy for mineral extraction.
237. The assessment identifies that an occasional 'watching brief' would be appropriate mitigation for the proposed area, with particular focus on the north-eastern part that lies nearest the sand ridge. It is recommended that strategies would be agreed in consultation with the County Archaeological Officer and formalised in a Written Scheme of Investigation. It is suggested the following tiered approach is applied:
- Tier 1 (Occasional monitoring) – would involve one archaeologist observing soil stripping within the extraction area. This would be an appropriate approach where isolated archaeological sites are being occasionally exposed. If archaeology is being exposed, they can intervene and request a change of methodology to avoid archaeology until it can be dealt with or adopt a tier 2 approach.
 - Tier 2 (Continuous monitoring) – would be an appropriate approach where archaeological features are being regularly exposed. Where there is more archaeology than one archaeologist can deal with, a team would be brought in to excavate (tier 3)
 - Tier 3 (Set piece archaeological excavation) – of areas containing a density of features using a team of archaeologists. Map, sample and excavate in accordance with strategies set out in a Written Scheme of Investigation.
238. NCC Archaeology has reviewed the archaeological assessment and is satisfied with the tiered approach being proposed. It is recommended that this is secured by condition.
239. Policy M3.24 (Archaeology) of the MLP 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. Where the remains are of less than national significance the importance of the development should outweigh the regional or local significance of the remains. In addition, Policy DM8 of the Bassetlaw Core Strategy and Chapter 16 of the NPPF, seek to protect heritage assets. In addition, Policy SP6 of the emerging Minerals Local Plan requires all mineral development proposed to ensure that there are no unacceptable adverse impacts on the historic environment. The MPA is satisfied that, with the tiered approach secured by condition, the proposed development is in accordance with these policies.

Noise

240. The applicant has identified the noise generating activities associated with the development as stripping and storage of topsoil and overburden; extraction of

sand and gravel (including lorries on the site access route); and backfilling and restoration.

241. The hours of operation for the proposed development would be the same as those at the currently working Newington West site, which are 07:00 to 19:00 Monday to Friday and 07:00 to 13:00 on Saturdays. There would be no working on Sundays, Public or Bank Holidays.
242. A noise assessment has been undertaken to support the proposed development. Baseline noise levels for residential properties were established in 2007, prior to extraction taking place nearby, as shown in the Table below. The Table also sets out what the applicable noise threshold is at each receptor in line with Planning Practice Guidance on noise levels associated with minerals development. More recent background noise levels have not been used in the assessment, as these would include the noise levels associated with current working.

Table 1 - Background Noise Levels

Receptor Location	Name	Period	Background Level dB L _{A90}	Limit (Background+10dB)
R1	Pine Tree Cottage	Weekday	41	51
		Saturday	37	47
R2	Pastures Farm	Weekday	35	45
		Saturday	32	42
R3	Everton Carr Farm	Weekday	38	48
		Saturday	32	42
R4	Residence South of Newington Road	Weekday	41	51
		Saturday	37	47
R5	Residences on Norwith Hill	Weekday	41	51
		Saturday	37	47

243. A three dimensional model of the site and surroundings has been developed in SoundPLAN v8.0 noise modelling software. The model has been used to calculate operational noise levels to a representative set of off-site receptors. The following tables set out the background noise levels, predicted noise levels and difference between the noise levels. The predicted noise levels are at, or below, baseline noise levels at all receptor locations, for all phases of the development. The applicant has assessed the noise impact at surrounding sensitive receptors as negligible.
244. There have been no objections from the public relating to noise arising from the proposed development. The NCC Project Engineer (Noise) notes the use of old noise data from 2007 and states that, while it would normally be preferable to have update noise measurements, these could be influenced by ongoing operations from the current quarrying activity and therefore the 2007 measurements are most likely to be more conservative. In addition, it will provide consistency in setting noise limits with other phases of quarrying.
245. The NCC Project Engineer is satisfied with the noise assessment and recommends that the same noise conditions used for the Newington West operation are attached to this proposed development. These conditions include:
- a) Noise limits (LAeq, 1 hour) at Pine Tree Cottage (51dB), Pastures Farm (44dB), Everton Carr Farm (48dB) and Newington Farm (51 dB).

- b) In the event that a justifiable noise complaint is received a noise survey shall be carried out in agreement with the MPA.
 - c) All mobile plant, machinery and vehicles (except those not under the control of the applicant) shall be fitted with white noise reversing alarms and fitted with silencers.
246. Paragraph 205 of the NPPF and Policies M3.5 of the MLP, and part of DM1 of the emerging Draft MLP relate to noise and seek to prevent development where noise outside the boundary of the site would exceed acceptable levels. The applicant's noise assessment has demonstrated that there would not be adverse noise impacts associated with the development. The use of conditions recommended by the NCC Noise Engineer is also supported by Policies M3.5 and DM1.

Air Quality

247. The applicant has undertaken an air quality assessment to support the planning application. The assessment identifies the potential sources of dust as site preparations (e.g. soil stripping and overburden removal); mineral extraction; mineral movement (e.g. loading and unloading); stockpiles of material; site restoration; use of haul roads; and vehicle emissions. The applicant has considered dust arising from these sources alongside local meteorological conditions and baseline dust levels.
248. The air quality assessment has identified the potentially sensitive receptors within the vicinity of the site that have been considered in the assessment. The assessment states that the receptors have been chosen as they represent the worst case level of exposure that would be experienced at other receptors in the vicinity. Table 2 below sets out the receptors and their nature; the distance and direction from the site; and their sensitivity to dust emissions.

Table 2 – Dust receptors

Receptor	Description	Type	Approximate distance from mineral extraction boundary	Direction from the Site	Sensitivity to fugitive dust emissions
R1	Slaynes Lane Byway (Public Track)	Amenity	20m	North	Medium
R2	Tunnel Tech North Ltd	Commercial	200m	North West	High
R3	Newington Road	Residential	700m	North West	High
R4	Norwith Hill	Residential	1km	North West	High
R5	Misson Mill Commercial/ Industrial area	Commercial	1.4km	North East	Low
R6	Edge of Misson Village	Residential	1km	North East	High
R7	Everton Carr Farm	Residential	1km	East	High
R8	River Idle Washlands SSSI	Ecological	170m	East	Medium
R9	Pasture Farm	Residential	700m	South	High

249. The air quality assessment states that the applicant will use best practice measures and mitigation and abatement measures at Newington Quarry to minimise the frequency of occurrence and the magnitude of impacts arising from potential dust episodes. The applicant highlights that such measures have been implemented successfully for a number of years through the operation of extraction at the wider Newington extraction operations. The measures include:

- a) Dust suppression on haul roads and operational areas and the regular cleaning of the existing cattle grip near Newington Road.
- b) Suppression of dust caused by moving and storage of soils and overburden spoils and associated materials;
- c) The use of sprays and dust filters on all plant and machinery;
- d) Arrangements for monitoring of weather conditions, including provision for cessation of operations when the agreed measures for controlling dust are insufficient to prevent dust emissions leaving the site;
- e) Temporary seeding of exposed mineral;
- f) Arrangements for monitoring and provision of trigger levels where further control measures are to be introduced; and
- g) The temporary cessation of operations where the proposed measures fail to prevent dust leaving the site.

250. In addition to the above, the applicant has agreed to put in further measures specifically in relation to the adjacent operations at Tunnel Tech, including:

- a) Providing prior notification of soil stripping operations and provision of the site manager's contact details;
- b) Monitoring of wind speed and direction and threshold levels agreed for when it is suitable to undertake soil stripping;
- c) Providing copies of any dust monitoring reports to Tunnel Tech;

- d) Undertaking analysis of particle size data from dust monitoring undertaken at the Tunnel Tech boundary and providing this to Tunnel Tech;
- e) Spraying water on top soil areas prior to stripping (if weather conditions leading up to the strip have made the soil dry); and
- f) Hydro seeding of all top soil mounds on completion of any stripping.

251. Considering the location and nature and sensitivity of receptors, meteorological conditions and the above mitigation measures, the applicant has assessed the magnitude of the effect of dust at all receptors as being low, as shown in Table 3 below.

Table 3 – Dust receptor assessment

Receptor	Dust Impact Risk	Receptor Sensitivity	Magnitude of Effect
R1	Low	Medium	Negligible Effect
R2-R4, R6, R7 & R9	Negligible	High	Negligible Effect
R5	Negligible	Low	Negligible Effect
R8	Negligible	Medium	Negligible Effect

252. In addition to dust, the applicant has considered the air quality impacts arising from on-site and off-site vehicle movements. Reference is made to the Institute of Air Quality Management (IAQM) Guidance (2016) which states that less than 100 HGV movements per day is considered to be a low number of vehicle movements. The applicant states that the predicted maximum number of vehicle movements associated with site operations does not meet any of the trigger criteria for a potentially significant change in pollutant concentrations in the Design Manual for Roads and Bridges (DMRB) methodology. Furthermore, the vehicle movements associated with the scheme would be a continuation of the existing operations and there would not be any additional vehicle movements over and above the existing baseline.

253. Public Health England has no significant concerns regarding risk to public health of the local population, providing that all appropriate measures to prevent or control pollution are taken, in accordance with the relevant sector technical guidance or industry best practice. This view is also reflected by NCC Public Health. In addition, the Bassetlaw Environmental Health Officer has examined the application and has not objections.

254. It is considered that with good working practice, suitable mitigation and on-going monitoring, secured by condition, there will not be an adverse impact to air quality. This approach is in line with Policy M3.7 (Dust) of the Nottinghamshire Minerals Local Plan; Policy DM1 of the emerging Draft Nottinghamshire Minerals Local Plan; and the NPPF which seeks to prevent new and existing development from contributing to or being put at an unacceptable risk from, or being adversely affected by, unacceptable levels of air pollution and ensure that any unavoidable dust and particle emissions are controlled, mitigated or removed at source.

Hydrology and Hydrogeology

255. As part of the Environmental Impact Assessment, a hydrological and hydrogeological impact assessment has been undertaken by the applicant. It identifies that the wider Newington Quarry site lies on low ground adjacent to the River Idle and is within its floodplain at elevations between 1.9m and 6m AOD. However, the site is effectively protected from flooding by a flood defence barrier maintained by the Environment Agency. The report states that the site lies on superficial deposits comprising peat, clay, silt and sand and gravel, which are underlain by over 280m of Sherwood Sandstone.
256. It is reported that the superficial deposits form a locally important aquifer, classed by the Environment Agency as a Secondary 'A' Aquifer. The underlying Sherwood Sandstone is a Principle Aquifer and is a major resource for public water abstraction. The nearest licensed abstraction is 440m north of the proposed extension, whilst the closest public water supply abstraction is 2.5km away at Austerfield.
257. The report notes that groundwater levels in the Sherwood Sandstone beneath the site have been lowered due to the impact from the public water supply abstraction at Austerfield. The groundwater gradient is to the northwest, towards this abstraction.
258. The sand and gravel at Newington is reported to largely be below the water table, which means that dewatering would be required to ensure that the working can take place in dry conditions, as is currently the case at the Newington West operations. Groundwater inflow to the void would be gravity drained to a sump where water would be pumped to waterbodies in Newington North and from there to the River Idle. The applicant states that the current Environmental Permit for discharge is expected to be suitable for this proposal.
259. The applicant states that the impacts of the proposed extension have been made with consideration of groundwater and surface water flows and the quality and proximity of local area of ecological interest and water abstractions. In addition, it should be noted that the impacts from the proposed operation have been assessed against the current conditions around the site, whereas the impacts following restoration have been assessed against the pre-development situation.
260. The sensitivity of the surface and groundwater catchments has been assessed as being 'high' due to the presence of licensed groundwater abstraction and a nearby water dependent SSSI.
261. The applicant concludes that if the development is undertaken in accordance with the scheme and the control measures contained therein, residual impacts are considered to be negligible with a significance of minor. No adverse impacts from the proposed restoration to conservation use have been identified. In addition, the proposed extension would not have any impact on the current or future quantitative status of the relevant surface water or groundwater bodies, as defined under the Water Framework Directive.
262. The Environment Agency have no objection to the proposed development. They state that they have paid particular attention to the potential hydrological and hydrogeological impact of the scheme and are satisfied with the information presented and the conclusions reached regarding controlled waters. However,

they do note that securing planning permission does not guarantee that an abstraction licence would be issued, and that further consideration will be given to the hydrological impacts associated with the proposed dewatering under the water resources licensing regime.

263. The Environment Agency also highlights the potential risk to groundwater in this location, because of the sensitivity of the Secondary A sands and gravels above the Nottingham Castle Principal Aquifer, which the application site is located on. The Environment Agency is satisfied that the Environmental Statement submitted in support of the planning application provides sufficient confidence that it is possible to suitably manage the risks posed to groundwater resources by this development, subject to a condition requiring groundwater monitoring to be undertaken.
264. Policy M3.8 of the Nottinghamshire Minerals Local Plan and DM2 of the emerging Draft Nottinghamshire Minerals Local Plan seek to protect the water environment in respect of surface water flows, groundwater levels and pollution to ground and surface water. These policies are supported by Paragraph 170 e) of the NPPF which looks to prevent new and existing development from contributing to or being put at an unacceptable risk from, or being adversely affected by, unacceptable levels of water pollution. The applicant has satisfactorily demonstrated that through the use of mitigation measures there will be no adverse impacts and the proposed development meets the requirements of this policy, subject to the imposition of a condition securing groundwater monitoring.

Flood Risk

265. The application site is located entirely within Flood Zone 3 (land assessed as having a 1 in 100 or greater annual probability of river flooding). As such, a site specific Flood Risk Assessment (FRA) has been undertaken to support the planning application.
266. The site is located within the Misson Flood Storage Area, but is defended to a standard of 1 in 10 years. The fluvial flood risk that applies to the development is 'high'. However, the applicant states that these risks are already managed by the existing control measures in Newington South and Newington West, which include flood evacuation procedures and the use of the Environment Agency's flood warning service. With these measures in place the applicant assesses the risk to be 'low'.
267. During a flood event, water filling the voids would be pumped back to the River Idle after the river has receded as determined in consultation with the Environment Agency, which would also set the maximum permissible rate of discharge.
268. The shortest distance between the nearest working face and the landward toe of the flood defence embankment would be 50m.
269. During operations the net capacity of the Misson Flood Storage Area would be temporarily increased due to the creation of voids and removal of material off site. There would also be a long-term increase in flood storage capacity, in addition to the 275,000m³ in Newington South, as the restored levels would be lower than original.

270. The applicant states that incoming rainwater, surface water and groundwater would drain by gravity to sumps, pumped to settlement lagoons and then to the River Idle as currently consented under the existing Environmental Permit. Run-off from peripheral access/haul roads would be directed into the working areas for collection within the water management system.
271. The FRA concludes that the restored landform would comprise reduced ground elevations and wetland vegetation, thus producing low rates of run-off and that fluvial flood risk would not be significant for the restored land use.
272. The Lead Local Flood Authority have no objection to the proposed development provided that it is carried out in accordance with the submitted details. The Environment Agency have no objection to the proposal on flood risk grounds, subject to the imposition of a condition to ensure that:
- a) the development is carried out in accordance with the details in the flood risk assessment;
 - b) that ground elevations across the site after restoration will be the same as or lower than pre-development levels;
 - c) A stand-off distance of 50 metres will be maintained between the working face of the quarry and the landward toe of the flood defence embankment;
 - d) No sand and gravel processing shall take place on site.
273. The NPPF seeks to ensure that appropriate development should only be considered in areas at risk of flooding, and ensure that the risk of flooding is not increased elsewhere. Policy M3.9 of the Nottinghamshire Minerals Local Plan and Policy DM2 of the emerging Draft Nottinghamshire Minerals Local reflect this position stating that development will not be granted planning permission where there is an unacceptable impact on flood flows, storage capacity or the function of flood defences and local land drainage. Policy DM12 of the BCS only supports development in high risk flood zones where the development is defined as suitable in national guidance. Policy 15 of the Draft Bassetlaw Plan Part 1: Strategic Plan states that development in areas of highest flood risk will not be permitted unless it is water compatible or essential infrastructure (Flood Zone 3b) or it passes the Sequential Test and if necessary, the exception test (Flood Zones 2 and 3a). Planning Practice Guidance classifies the flood risk vulnerability of sand and gravel sites as 'water compatible' development and the proposed development is in accordance with these policies.

Public Rights of Way

274. The Slaynes Lane BOAT (Byway Open to All Traffic) No. 7 runs alongside Slaynes Drain passing centrally through Newington Quarry and separating Newington North from Newington South. It connects to Newington Road, near Newington in the west and enters Misson to the east.
275. The proposed development involves the construction of an upgraded crossing point/bridge over Slaynes Lane and Slaynes Drain. Detailed plans of the proposed crossing have not been provided as part of this planning application, but the applicant has stated that the design will be very similar to a previously constructed crossing point for the Newington South extraction area.

276. NCC Countryside Access has reviewed the proposals and do not object, subject to a number of matters being addressed, including the submission of crossing point construction details and signage. The MPA is satisfied that these matters can be secured through conditions. It is also important that all HGV drivers are briefed of the presence of the byway, and that byway users have priority. Again, the requirement to do this can be the subject of a condition.
277. The Countryside Access Team raises a question about the dewatering that would take place at Newington South West and state that should water need to be pumped across the Slayne Lane byway, no apparatus should be placed on the byway or any excavation of the byway take place, without first receiving written authorisation from the County Council. In this instance, the hydrological assessment submitted by the applicant states that dewatering would take place, with the water pumped to Newington North, therefore needing to cross Slaynes Lane. As such, a condition will be attached to any permission granted requiring the submission of details of dewatering equipment crossing Slaynes Lane.
278. The Countryside Access team highlight the importance of Slaynes Lane Byway not being subject to any increase in flooding because of the proposed works. The applicant's Flood Risk Assessment highlights that the proposed development would result in an increase in flood storage capacity during both excavation and following restoration. Furthermore, the Environment Agency have no objection on flood risk grounds, subject to conditions.
279. The Countryside Access Team note that if the construction of the crossing point is likely to cause hazard to the public use of the byway, then the applicant must apply for a temporary closure. Such a closure would be the subject of a separate regulatory process. As such, it is recommended that an informative to the applicant highlighting this matter is attached to any planning permission granted.
280. Misson Parish Council has commented that any degradation of Slaynes Lane should be repaired and maintained by the applicant. The existing Newington Quarries are subject to a Section 106 which, *inter alia*, requires the maintenance and repair of Misson Byway No. 7 for the duration of the quarrying operations and the first 5 years of the restoration and aftercare; a restriction to placing any plant, machinery, equipment or structures on or under the Byway; and maintenance of the Byway crossing point for the duration of the quarrying, restoration and aftercare. It is recommended that these requirements of the existing S106 also apply to the Newington South West area.
281. The NPPF states that planning authorities should protect and enhance public rights of way and access. In addition, Policy M3.26 of the Nottinghamshire Minerals Local Plan and Policy DM7 of the emerging Draft Nottinghamshire Minerals Local Plan seek to ensure that proposals do not adversely impact on public rights of way. It is noted that there would be limited visual impact on the rights of way, but this is not deemed to be significant. These applications have no unacceptable direct adverse impact of rights of way and are in accordance with the relevant policies.

Agriculture/Conservation of Soil Resources

282. A Soils and Agricultural Land Classification assessment has been undertaken to support the planning application.

283. Agricultural land is classified from 1 to 5. The Best and Most Versatile Agricultural Land (BMVAL) is that which is graded 1 to 3a. Grades 3b, 4 and 5 are classed as moderate, poor and very poor agricultural land respectively.
284. Within the extraction footprint there is approximately 12ha of Grade 2 soils and 2ha of subgrade 3a soils.
285. As the proposed restoration scheme builds on that at the approved Newington South area, and now proposes wet grassland and reed beds, the soils cannot be directly reused for productive agricultural use. As such, the scheme proposes to reuse the stripped soils across the land profile to mitigate their loss and to enable their (theoretical) reuse in the future if demand requires, and habitat creation for the remainder.
286. Overall, the applicant has assessed the impact of the proposal on soils and agriculture as minor.
287. Natural England has noted the impact on BMVAL, stating that they do not wish to comments in detail on the soils and reclamation issues, but make the following points:
- a) To ensure the site working and reclamation proposals meet the requirements for sustainable minerals development, the proposals should be carefully considered against current Minerals Planning Practice Guidance, particularly section 6 on restoration and aftercare of minerals sites.
 - b) DEFRA's Good Practice Guidance for Handling Soils provides detailed advice on the choice of machinery and method of their use for handling soils at various phases;
 - c) More general advice for planning authorities on the agricultural aspects of site working and reclamation can be found in the DEFRA Guidance for successful reclamation of mineral and waste sites.
288. In line with the Natural England advice, the applicant has indicated that the management of the soil resources within Newington South West would incorporate DEFRA best practice handling techniques for stripping and storage.
289. With regard to minerals, the Planning Practice Guidance requires information on soil resources, hydrology, and how the topsoil/subsoil/soil making materials are to be handled whilst extraction is taking place and, where the land is agricultural, an assessment of the land classification grade. The MPA is satisfied that these requirements have been met within the application.
290. The Planning Practice Guidance also states that where working is proposed on BMVAL the outline strategy should show, where practicable, how the methods used in the restoration and aftercare enable the land to retain its longer term capability, though the proposed after-use need not always be for agriculture.
291. In this case, the restoration is to biodiversity habitats incorporating reedbed and wet grassland, rather than to agriculture. Nevertheless, the applicant has set out that the soils would be reused in restoration across the site, thus retaining its longer term capability, even though the restoration is not to agriculture, in line with the Planning Practice Guidance.

292. It is also of note that under the current planning permission for the adjacent Newington South, the Newington South West area forms part of the aftercare proposals and comprises “former agricultural land managed as pasture’, with a large area of it shown as being flooded to the 1.8mAOD contour. This is the baseline point from which the impact on the BMVAL should be assessed. As such, the impact on agriculture is considered to be less significant than if the proposals were simply for an agricultural field.
293. Paragraph 170 of the NPPF states that planning decisions should contribute to and enhance the natural and local environment by protecting and enhancing valued landscapes, sites of biodiversity or geological value and soils (in a manner commensurate with their statutory status or identified quality in the development plan); and recognising the intrinsic character and beauty of the countryside, and the wider benefits from natural capital and ecosystem services – including the economic and other benefits of the best and most versatile agricultural land.
294. In line with Paragraph 170 of the NPPF, the MPA recognises the benefits of the BMVAL within the proposed site and will secure suitable handling of soils to protect their integrity. However, the enhancement of the biodiversity value of the site through restoration is considered to outweigh the site’s agricultural value.
295. Policy M3.16 of the MLP and Policy DM3 of the emerging Draft Nottinghamshire Minerals Local Plan look to restrict development in BMVAL unless (a) proposals will not affect the long term agricultural potential of the land; or (b) there is no available alternative and the need for development outweighs the agricultural interest; or (c) available land of lower value has sustainability considerations which outweighs the agricultural land quality.
296. Given that this is a site allocated for sand and gravel extraction in the adopted MLP, minerals have to be worked where they are, and this would form a small extension to enable the continuation of an existing site rather than the development of a whole new site, it is reasonable to come to the view that there are no reasonably available alternatives. In addition, as set out above, the benefits of the restoration of the site outweigh its agricultural value. As such, the development meets these policies.
297. Furthermore, it is noted that no concerns have been raised about the loss of BMVAL from any consultees or members of the public.

Airport Safeguarding

298. Doncaster Sheffield Airport (also known as Robin Hood Airport) is approximately 3km north-west of the application site, lying within the 13km bird strike risk consultation zone. The purpose of this safeguarding zone is to ensure that aircraft are not inhibited by developments which have the potential to increase the number of birds and the ‘birdstrike’ risk. The restoration of mineral extraction sites can be of particular concern in terms of airport safeguarding where new open waterbodies, which could attract waterfowl, are being created.
299. The 13km zone is based on a statistic that 95% of birdstrikes occur below 2000ft, and that an aircraft approaching a runway would descend below 2000ft approximately 13km from the runway. The applicant reports that the majority of birdstrikes occur at very low altitudes (<500ft above ground level) and that 70% of bird strikes occur at less than 200ft. 15% occur between 200 and 800ft and

only 15% occur above 800ft. The applicant reports that Doncaster Airport have confirmed that the flight path for aircraft is above 400m (1,500ft) and west of the site. As such, the height at which aircraft will be above the site means the likelihood of a bird strike occurring is low.

300. The applicant notes that the application area and adjacent Washlands SSSI are recognised (pre-scheme) for wet grassland and wintering bird populations. These areas are prone to significant flooding events which on occasion substantially increase the area of open standing water which can be attractive to birds. As such, the applicant considers that there is already an inherent risk from the land included in the scheme and the wider area of the flood plain. However, the consideration is whether the proposals increase this risk over the baseline.
301. The applicant draws attention to the representation that Robin Hood airport made to the most recent applications for Newington South additional working area and Newington West. The response stated "*The restoration scheme will not increase the potential for wildlife strike at Robin Hood Airport as most of the restoration consists of lowland wet grassland, reed beds, wet woodland and species rich hedgerow. Nevertheless, it is recommended that a condition is attached that requires the submission and implementation of a bird monitoring and management scheme*".
302. The applicant states that the restoration scheme for this proposal has been designed, among other things, to take into account the representations made by Robin Hood Airport in relation to previous application and that it does not, in itself, increase the potential for flooding.
303. Permissions for Newington North, Newington South (and the additional working area) and Newington West all require bird monitoring. Monthly bird counts are undertaken and record all bird species within these areas. The survey season runs from November to the following October and an annual report is submitted to the County Council. The report analyses the results of the monthly bird count programme in relation to the agreed thresholds and sets out a number of broad conclusions as to the likelihood of incidents; the requirement for any more detailed counts and whether there is a need for mitigation to reduce waterbird numbers at the quarry.
304. The applicant sets out that the issue of minimising risk from birdstrike has been addressed by following a two stage process. Firstly, there is mitigation by design so that certain habitats considered more attractive to large bird populations or specific target species are not included within the restoration scheme. Secondly, there is mitigation by management, so there is active management currently being undertaken to maintain the habitats in the wider quarry in a state which makes them unattractive to 'problem' bird species.
305. The applicant concludes that the proposed restoration scheme has been designed to achieve a balance between minimising bird strike concerns and delivering biodiversity benefits. The applicant considered that the measures proposed within the restoration scheme and the continuation of bird monitoring satisfy the requirements of current guidance and best practice. As such, the potential impact of the scheme in terms of increased risk of bird strike has been assessed as very low with effects of negligible significance.

306. Doncaster Sheffield Airport have responded, simply stating that they have no comments to make.
307. Paragraph 205 of the NPPF states that when determining planning applications mineral planning authorities should ensure that there are no unacceptable adverse impacts upon aviation safety. In this regard, it is recommended that a condition is attached to any permission granted to ensure that the bird monitoring scheme applies to the area the subject of this application. On the basis of ongoing monitoring and design of the restoration scheme, it is concluded that the development would be in accordance with this aspect of the NPPF.

Restoration, Aftercare and Long Term Management

308. The application site would be worked in four phases. The applicant has submitted phasing plans demonstrating the ongoing restoration as working in subsequent phases takes place. This is in accordance with the NPPF which seeks to provide for restoration at the earliest opportunity and Policy M4.1 of the MLP which states that mineral extraction proposals should be designed to allow a phased sequence of extraction, reclamation and implementation of the planned after use.
309. Policy M4.2 of the MLP also relates to phasing and requires applications to include an overall concept plan with sufficient detail to demonstrate the scheme is feasible and illustrative details of contouring, landscaping and other relevant information. Whilst additional restoration details are required, including detailed landforming, species mixes and establishment methods, it is reasonable in this case to secure their submission through a revised Landscape Restoration and Habitat Management Plan (LRAMP), as proposed by the applicant and supported by NWT and NCC Ecology.
310. The extraction areas within Newington have been granted planning permission subject to a Section 106 Agreement which included an extended 21 year aftercare period. The MPA is of the view that a consistent approach should be taken and the Newington South West area should also benefit from a 21 year aftercare period. This commitment would greatly assist the establishment of high quality habitat created in the restoration scheme and would be fully in accordance with Policy 4.11 of the MLP. It is also supported by the NPPF which encourages aftercare to high environmental standards.

Socio-Economic Impact

311. The NPPF outlines that the purpose of the planning system is to contribute to the achievement of sustainable development, which comprises three dimensions: economic, social and environmental. There is significant weight placed on the need to support economic growth and productivity through the planning system and Paragraph 83 states that planning decisions should enable the sustainable growth and expansion of all types of business in rural areas.
312. The applicant highlights that they are an important supplier of sand and gravel aggregate, supplying both its own business and numerous others in the construction industry. The proposed development would ensure the continued provision of high quality aggregate material which is in demand in the North Nottinghamshire and South Yorkshire area and is necessary to facilitate development in the wider community.

313. The proposed development would help ensure the continuation of direct employment for approximately 8 direct members of Hanson Staff, including 3 personnel directly associated with Newington Quarry and 5 located at Auckley and associated with the processing of mineral. In addition, the proposal would ensure the continuation of 5 HGV drivers associated with transporting material and also a number of other indirect personnel in the downstream supply chain. It is also noted that the proposal would generate employment for skilled local contractors (e.g. electricians and contractors involved in machinery repair and maintenance, plant hire, earth moving and landscaping work).
314. Hanson also highlight that they would pay non-domestic business rates for each tonne of mineral extraction, with a total contribution estimated to be about £250,000 over the life of the site, a portion of which would be retained by the local authority.
315. In addition, there would be a socio-economic benefit in the restoration of the site to a high quality landscape with public access.
316. The applicant considers the potential community and socio-economic impacts of the scheme would be medium to high (beneficial) with effects of moderate to major significance. The MPA is of the view that whilst the applicant has overstated the level of significant, there would nevertheless be some economic benefit, and this should be given significant weight in line with the NPPF.

Cumulative Impact

317. The applicant has undertaken a search of recently consented developments, and developments going through the planning process, in Nottinghamshire, Bassetlaw and Doncaster with which there is the potential for cumulative impacts. These are set out below, along with the applicant's assessment of the potential cumulative impact.
318. Planning Permission 17/02451/MIN was granted by Doncaster Metropolitan Borough Council (DMBC) on 13 December 2017 and allowed the importation of up to 5,000 tonnes per year of clean top soil into the Tipping Site, High Common Lane, Austerfield, for blending with quarried sand to create and marketable horticultural product. The permission allows the importation of up to 5,000 tonnes of topsoil into the site per annum, equating to approximately 100 tonnes per week based on a 50 week operation. The applicant notes that the tipping site is located approximately 3km north-west of the site, off High Common Lane, which is part of the agreed route for HGVs from Newington to Auckley. Given the location, the main potential for cumulative impacts is in relation to transport. However, the applicant notes that there is no proposed increase in vehicle movements from the proposed development over the existing situation and the transport statement concludes that there will be no significant traffic/highways impacts. As such, the applicant concludes that there will be no cumulative traffic/highways effects from these two developments.
319. Planning permission was granted by DMBC in July 2017 (Ref: 17/01200/FULM) which allowed an amendment to a planning permission granted in July 2015 (Ref: 15/01268/FULM) for a solar park. The amendment was for the installation for eight energy storage units. The solar park is adjacent to Tipping Site, referred to above, off High Common Lane. As such, the main potential for cumulative impacts relates to HGVs. As with the development above, the applicant highlights that the

proposed Newington South West development will not increase vehicle movements above the current situation, and these movements formed part of the baseline traffic levels when the solar park applications were determined.

320. Four applications for residential dwellings have been considered by the applicant: nine dwellings at Newington Road, Everton (application Ref. 18/01314/OUT); nine dwellings incorporating two offices, Corner Farm, Newington Road, Everton (Permission Ref. 18/00812/FUL); seven dwellings, land at Stonegate Farm, Newington Road, Everton (18/00632/FUL); and 18 dwellings and associated infrastructure and re-development of existing golf course at Bawtry Golf Club, Cross Lane, Thorne Road, Austerfield (17/00910/FULM). The applicant highlights the distance of these developments from the proposed quarry (approximately 2.5km); none of these developments are located on the established HGV route; and there will be no unacceptable impact for the existing residential dwellings closer to the application site. For these reasons, the applicant considers that there is no potential for any cumulative effects from the scheme and the proposed residential developments in the wider area.
321. The applicant has considered the exploratory shale gas development at Springs Road Misson (Ref: 1/15/01498/CDM) granted in May 2017, which is approximately 4km north east of the site. Cumulative impacts in relation to vehicular movements and air quality have been considered. In relation to traffic, the applicant notes that the HGV routing of the two sites means that HGVs from the respective development will not be using the same parts of the highway network. With regard to air quality, the applicant highlighted the air quality assessment undertaken in respect of the Misson Springs site which concluded that the potential to generate dust would be limited in duration and with appropriate dust management measures there would be no significant impacts arising from the development. It is also highlighted that the existing dust management measures employed at Newington have been proven to be fit for purpose. Overall, no cumulative impacts are expected with the Springs Road exploratory well site.
322. The NPPF, at paragraph 205, highlights the need to take into account cumulative impacts. In addition, Policy M3.27 of the MLP and Policy DM8 of the emerging Draft MLP seek to prevent development which would result cumulatively in a significant adverse impact on the environment and/or the amenity of local communities. The applicant has assessed cumulative and combined impacts and demonstrated that the application is in line with these policies.

Other Material Considerations

323. The haul road to access the proposed Newington South West extraction area would need to pass through the currently operational Newington West area. Notwithstanding this, the applicant has stated that this would not change the restoration scheme for Newington West.
324. Newington West benefits from Planning Permission 1/15/01020/CDM and Condition 8 states that all mineral extraction shall cease before 13th June 2021 and if extraction ceases before this date, the MPA shall be notified within one month of extraction ceasing. Condition 9 requires restoration operations to be completed no later than 12 months after the completion of the final extraction

operations. On the basis of the current planning permission, restoration of Newington West shall be no later than 13th June 2022.

325. However, mineral in Newington West is expected to be exhausted in spring 2019 (as set out in the Newington South West application), which means the restoration will need to be completed by some point in 2020. Given the presence of a haul road to the Newington South West area, it would not be possible to fully restore Newington West in line with these timescales.
326. In light of the above, there will need to be an interim restoration scheme for Newington West, until the haul road to the South West area has been removed, which will need approval from the Minerals Planning Authority. It is recommended that this is drawn to the attention of the applicant as an informative on any permission granted.

Legal Agreement

327. Planning permissions for Newington South Additional Working Area (1/15/01019/CDM) and Newington West (1/15/01020/CDM) were granted in 2015 subject to a Section 106 Agreement which:
- a) Secured a designated route between Newington and the processing facility at Auckley, ensuring that all HGVs enter/leave the site avoiding Misson;
 - b) Secured maintenance and repair of Misson Byway No. 7 for the duration of the quarrying operations and the first 5 years of the restoration and aftercare; a restriction to placing any plant, machinery, equipment or structures on or under the Byway; and maintenance of the Byway crossing point for the duration of the quarrying, restoration and aftercare.
 - c) An additional 21 year aftercare period;
 - d) A management committee meeting at least every 6 months.
328. The applicant suggests that the agreement remains in place, but is modified to include the management of the restoration of the Newington South West Area. They suggest that the Landscape Restoration and Habitat Management Plan (LRHMP) for Newington South Quarry (approved in accordance with permission 1/15/01019/CDM) is updated within 6 months of the grant of planning permission. The MPA is satisfied with this approach.

Other Options Considered

329. In line with Schedule 4, Paragraph 2 of the EIA Regulations, Environmental Statements should include a description of the reasonable alternatives studied by the applicant and an indication of the main reasons for selecting the chosen option.
330. Planning Practice Guidance provides additional advice that detailing alternatives in an Environmental Statement is not mandatory, but where they have been considered they should be included.

331. In this instance the Environmental Statement sets out the alternatives the applicant has considered are sites; site footprint; access locations and internal haul route; crossing point; extraction footprint; and restoration scheme.
332. With regard to sites, the applicant highlights that a new short-term replacement quarry is proposed at Barnby Moor, and this is currently the subject of a separate planning application. However, due to the sooner than expected exhaustion of permitted reserves at Newington, should Barnby Moor be granted planning permission it is unlikely that there would be the continuity of operation due to the time needed to establish the site. The applicant has therefore committed to work the available resources at Newington before any extraction operations take place at Barnby Moor.
333. The applicant also highlights that this is a small scale extension at an existing quarry utilising remaining resources identified in the Nottinghamshire Minerals Local Plan and that the existing infrastructure on site can be used without having to establish a brand new quarry site.
334. The applicant has considered the site area and the extent of viable minerals resources. The factors that constrain the site include the River Idle, Slaynes Drain and previous extraction at Newington South. The applicant also highlights that there is more mineral available within the planning application boundary, but it is not economically viable to extract due to the depth of the overburden relative to the volume of the underlying mineral. With regard to the extraction area, the footprint has been designed to take account of the depth of mineral across the site (maximising the efficient working of the resource).
335. Alternative access has been considered including travelling through the restored Newington North, and north east along Slaynes Lane. The chosen access uses an existing haul road and access onto Newington Road.
336. Other options for the crossing over Slaynes Drain have been considered, but the chosen option means that HGVs would pass directly over Slaynes Drain and Slaynes Lane into the Newington West area, without having to turn. This minimises the amount of construction work involved and provides the shortest route possible using the existing access into Newington West.
337. The range of restoration options that is possible is limited by the depth of the mineral deposit, the volume of restoration and backfill material and the hydrological conditions that have to be maintained. However, the restoration design has been developed to tie in with the restoration of the wider site which has been developed in consultation with Nottinghamshire Wildlife Trust, Natural England, the Environment Agency, NCC Ecology and the RSPB, as well as input from Robin Hood Airport.

Statutory and Policy Implications

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

Crime and Disorder Implications

339. The Newington Quarry sites are surrounded by open agricultural land, with a public right of way passing centrally through the land. As such, there is the potential for trespass and other crimes. The proposed development would not have any additional impact on the potential for on-site crime and disorder above the existing situation.

Data Protection and Information Governance

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

Financial Implications

341. Any planning permissions granted will be subject to Section 106 Agreement(s). Legal costs incurred by the County Council associated with drawing up and/or reviewing these agreements shall be met by the applicant. This is standard practice.

Human Rights Implications

342. Relevant issues arising out of consideration of the Human Rights Act have been assessed. Rights under Article 8 (Right to Respect for Private and Family Life), Article 1 of the First Protocol (Protection of Property) and Article 6.1 (Right to a Fair Trial) are those to be considered and may be affected due to the proposed development. The proposals have the potential to introduce impacts such as dust and noise upon users of Byway No. 7 and nearby residences. It is important to note that the impacts of noise and dust are assessed as being minimal and within acceptable levels. In addition, these potential impacts need to be balanced against the wider benefits the proposals would provide such as the economic benefit of minerals extraction and a restoration scheme with significant habitat enhancement. Members need to consider whether the benefits outweigh the potential impacts and reference should be made to the Observations section above in this consideration.

Implications for Sustainability and the Environment

343. 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 quarries and ensure that land is restored to beneficial purposes at the earliest practical opportunity. The issues have been considered in the Observations section above, including all the environmental information contained within the Environmental Impact Assessment submitted with the application.

Other Implications

344. There are no implications for Human Resources, the Public Sector Equality Duty, Safeguarding Children and Adults at Risk, and Service Users.

Conclusion

345. Planning permission is sought to extract 530,000 tonnes of sand and gravel from a 24.8ha site situated between Newington and Misson, in north Nottinghamshire. The minerals extraction area itself amounts to 14.8ha. The maximum extraction rate would be 200,000 tonnes per annum and there would be up to three years of extraction. Extraction and restoration would take place on a phased basis, and it is proposed that the final restoration would be complete within 12 months of extraction finishing.
346. Considerable consultation has taken place, with the decision taking into account consultation responses from Bassetlaw District Council, Doncaster Metropolitan Borough Council, Misson Parish Council, Finningley Parish Council, Natural England, Nottinghamshire Wildlife Trust, the Environment Agency, Canal and River Trust, Historic England, Public Health England, Doncaster Sheffield Airport, the local Member for Misterton Division and NCC internal consultees (including Planning Policy, Nature Conservation, Flood Risk, Archaeology, Built Heritage, Highways and Via Safer Highways, Countryside Access, Landscape, Noise Engineer and Public Health). Where relevant, the comments of consultees have been incorporated in the decision through the implementation of conditions.
347. The application has been publicised by means of site notices, press notice and neighbour notification letters sent to the nearest occupiers in accordance with the County Council's adopted Statement of Community Involvement. No public representations have been received.
348. There is considerable support for the proposed development in the NPPF, which attributes 'great weight' to the benefits of mineral extraction. Furthermore, the site is located within an area allocated for sand and gravel extraction within the Nottinghamshire MLP (Policy M6.11).
349. Subject to the conditions set out in Appendix 1, the proposed development would not have any unacceptable impacts on statutory or non-statutory ecologically designated sites, priority habitats or protected species. As such, the development is in accordance with Policies M3.17 (Biodiversity), M3.19 (Sites of Special Scientific Interest), M3.20 (Regional and Local Designated Sites) of the Nottinghamshire Minerals Local Plan; Policy DM9 (green infrastructure; biodiversity and geodiversity; landscape; open space and sports facilities) of the Bassetlaw Core Strategy; Policy SP3 (Biodiversity Led Regeneration) of the emerging Draft Minerals Local Plan; and Policies 18 (Green Infrastructure) and 19 (Protecting Biodiversity and Geodiversity) of the Draft Bassetlaw Plan.
350. The proposed development would generate a maximum of 75 HGV movements per day (37 arrivals and 37 departure). Based on an average working day of 10.5 hours (07:00 to 17:30) there would be an average of 8 HGV movements to/from the site per hour. It is important to note that this development would commence upon extraction finishing at the adjacent Newington West, which has permission for 75 HGV movements per day. HGVs would transport mineral to the processing plant at Auckley, with the route to be secured through a legal agreement, as is already the case for the Newington West HGV movements. On this basis, there would be no change in HGV numbers or routes from the current situation. With the conditions set out in Appendix 1 and the legal agreement, the development is in accordance with Policy M3.13 (Highway Safety and Protection), M3.13 (Vehicular Movements), M3.14 (Vehicular Routeing) of the Nottinghamshire Minerals Local Plan; Policy DM13 (Sustainable Transport) of the Bassetlaw Core

Strategy; and SP5 (Sustainable Transport) of the emerging Draft Nottinghamshire Minerals Local Plan.

351. The development would have some minor and not significant impacts on landscape character during the extraction phases, although following restoration the impact would be beneficial. With regard to visual impact there would also be some moderate, non-significant visual impact during extraction, but following restoration the impact would be moderate beneficial. On this basis, the development is in accordance with Policy M3.3 (Visual Intrusion) of the Nottinghamshire Minerals Local Plan and Policy DM1 (Economic Development in the Countryside) of the Bassetlaw Core Strategy.
352. The extraction of sand and gravel and associated on site infrastructure would not cause harm to the setting of any built heritage assets. However, the HGV movements arising from the development would pass listed buildings, impacting upon their setting. This impact has been assessed as less than substantial and outweighed by the benefits of mineral extraction, in line with Paragraph 196 of the NPPF. The development is in accordance with Policy M3.25 (Listed Buildings, Conservation Areas, Historic Battlefields, and Historic Parks and Gardens) of the Nottinghamshire Minerals Local Plan; Policy DM8 (The Historic Environment) of the Bassetlaw Core Strategy; Policy 21 (Conservation and Enhancement of the Historic Environment) of the Draft Bassetlaw Plan; and Policy SP6 (The Built, Historic and Natural Environment) of the emerging Draft Nottinghamshire Minerals Local Plan.
353. The site has been assessed as holding limited archaeological potential. On this basis a tiered approach where a greater level of monitoring/excavation is undertaken if archaeology becomes apparent, is to be secured by condition. The development is in accordance with Policy M3.24 (Archaeology) of the Nottinghamshire Minerals Local Plan; Policy DM8 (The Historic Environment) of the Bassetlaw Core Strategy and Chapter 16 of the NPPF.
354. Noise levels arising from the proposed development have been assessed as being no greater than baseline noise levels. As such, the development would have no unacceptable noise impact and is in accordance with Policy M3.5 (Noise) of the Nottinghamshire Minerals Local Plan and DM1 of the emerging Draft Nottinghamshire Minerals Local Plan. The development is also in accordance with the relevant section of Paragraph 205 of the NPPF.
355. Subject to the good working practices and mitigation secured by conditions, as set out in Appendix 1, the development would not have an unacceptable impact on air quality. As such, the development is in accordance with Policy M3.7 (Dust) of the Nottinghamshire Minerals Local Plan; Policy DM1 (Protecting Local Amenity) of the emerging Draft Nottinghamshire Minerals Local Plan.
356. The development would not have an adverse impact in regard to flooding, or on groundwater and surface water flows or quality. The development is therefore in accordance with Policy M3.8 (Water Environment) and Policy M3.9 (Flooding) of the Nottinghamshire Minerals Local Plan; Policy DM12 (Flood Risk, Sewerage and Drainage); Policy DM2 (Water Resources and Flood Risk) of the emerging Draft Nottinghamshire Minerals Local Plan; Policy 15 of the Draft Bassetlaw Plan; and Paragraph 170 e) of the NPPF.

357. The haul road associated with the development crosses Slaynes Lane Byway Open to All Traffic (BOAT). Subject to conditions controlling crossing details, signage and equipment used for dewatering, the development would not have an unacceptable impact on the byway. The development is in accordance with Policy M3.26 (Public Access) of the Nottinghamshire Minerals Local Plan, Policy DM7 (Public Access) of the emerging Draft Nottinghamshire Minerals Local Plan and Paragraph 98 of the NPPF.
358. The development results in the loss of Best and Most Versatile Agricultural Land. The benefits of mineral extraction and the high quality restoration scheme are considered to outweigh the loss of the agricultural land. Nevertheless, conditions relating to soil handling and storage will help to ensure soil remains on site and its quality is not lost. The development is in accordance with Paragraph 170 of the NPPF; Policy M3.16 (Protection of Best and Most Versatile Agricultural Land) of the Nottinghamshire Minerals Local Plan; and Policy DM3 (Agricultural Land and Soil Quality) of the emerging Draft Minerals Local Plan.
359. The restoration scheme does not include large open bodies of water, so it is unlikely to be attractive to large wading wildlife which poses a bird strike risk to the nearby Airport. In order to ensure that bird strike does not become a risk in the future monitoring and mitigation is secured by condition. This approach is in accordance with Paragraph 205 of the NPPF.
360. The proposal contains details of the phasing of the development demonstrating that restoration can take place as early as possible. Restoration would be supported by an extended aftercare provision of 21 years, secured through a Section 106 agreement. The development is in accordance with Policy M4.2 (Phasing – Details Required) and Policy M4.11 (After-use – Management and Other Agreements) of the Nottinghamshire Minerals Local Plan.
361. It is recognised that there is some socio-economic benefit to the proposal in the continuation of jobs associated with the site directly and indirectly and that the minerals extracted would feed into the local construction industry. Whilst the MPA is of the view that the impact would be minor beneficial, great weight is placed on this benefit by the NPPF.
362. There are not anticipated to be any significant cumulative impacts associated with the proposed development. The development is in accordance with Policies M3.27 (Cumulative Impact) of the Nottinghamshire Minerals Local Plan; Policy DM8 (Cumulative Impact) of the emerging Draft Nottinghamshire Minerals Local Plan.
363. In conclusion, the Newington South West application is supported by the sand and gravel policies within the MLP and there are no unacceptable significant effects on the environment and residential amenity. It is acknowledged that the proposal would result in the loss of some BMVAL and a minor impact on the setting of listed buildings from HGV movements. However, these impacts are not significant in the context of the wider environment and the benefits of mineral extraction and habitat benefits of the final restoration and aftercare are considered to outweigh these impacts. In all other respects, impacts can be kept within acceptable levels. As such, it is recommended that planning permission is granted subject to conditions and a Section 106 legal agreement.

Statement of Positive and Proactive Engagement

364. In determining this application, the Minerals Planning Authority has worked positively and proactively with the applicant. 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 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. 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

365. 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 secure:
- a) A designated route for all HGVs using the site;
 - b) The maintenance and repair of Misson Byway No. 7 to an acceptable standard;
 - c) A 21 year aftercare period following on from the 5 year statutory aftercare period for the site;
 - d) The establishment of a management committee.
366. It is FURTHER RECOMMENDED that subject to the completion of the legal agreement before the 23rd July 2019 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 before the 23rd July 2019, or within any subsequent extension of decision time agreed with the Minerals 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. Members need to consider the issues set out in the report and resolve accordingly.

ADRIAN SMITH

Corporate Director – Place

Constitutional Comments

Planning and Licensing Committee is the appropriate body to consider the contents of this report by virtue of its terms of reference.

[RHC 26/3/2019]

Financial Comments

The financial implications are set out in paragraph 340 of the report.

[RWK 01/04/2019]

Background Papers Available for Inspection

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

Electoral Division(s) and Member(s) Affected

Misterton

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