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Rutland County Council

Catmose, Oakham, Rutland, LE15 6HP
Telephone 01572 722577 Email: governance@rutland.gov.uk

Ladies and Gentlemen,

A meeting of the **PLANNING AND LICENSING COMMITTEE** will be held in the Rutland County Museum, Catmos Street, Oakham on **Tuesday, 21st September, 2021** commencing at 7.00 pm when it is hoped you will be able to attend.

Yours faithfully

Mark Andrews
Chief Executive

Recording of Council Meetings: Any member of the public may film, audio-record, take photographs and use social media to report the proceedings of any meeting that is open to the public. A protocol on this facility is available at www.rutland.gov.uk/my-council/have-your-say/

Although social distancing requirements have been lifted there is still limited available seating for members of the public. If you would like to reserve a seat please contact the Governance team at governance@rutland.gov.uk. The meeting will also be available for listening live via Zoom using the following link: https://us06web.zoom.us/j/93479986545

A G E N D A

1) APOLOGIES

To receive any apologies from Members.

2) MINUTES

To confirm the minutes of the Planning and Licensing Committee held on 24 August 2021.
(Pages 3 - 6)

3) DECLARATIONS OF INTERESTS

In accordance with the Regulations, Members are invited to declare any disclosable interests under the Code of Conduct and the nature of those interests in respect of items on this Agenda and/or indicate if Section 106 of the Local Government Finance Act 1992 applies to them.

4) PETITIONS, DEPUTATIONS AND QUESTIONS

Requests to speak on planning applications will be subject to the RCC Public Speaking Scheme.

To request to speak at a Planning Committee, please send an email to Governance@rutland.gov.uk

5) PLANNING APPLICATIONS

To receive Report No. 111/2021 from the Strategic Director of Places
(Pages 7 - 114)

6) APPEALS REPORT

To receive Report No. 112/2021 from the Strategic Director of Places
(Pages 115 - 118)

7) ANY OTHER URGENT BUSINESS

To consider any other urgent business approved in writing by the Chief Executive and Chairman of the Committee.

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DISTRIBUTION
MEMBERS OF THE PLANNING AND LICENSING COMMITTEE:

Councillor E Baines (Chairman)	Councillor N Begy (Vice-Chair)
Councillor D Blanksby	Councillor K Bool
Councillor A Brown	Councillor G Brown
Councillor W Cross	Councillor S Harvey
Councillor A MacCartney	Councillor M Oxley
Councillor K Payne	

OTHER MEMBERS FOR INFORMATION

Rutland County Council

Catmose Oakham Rutland LE15 6HP.
Telephone 01572 722577 Email: governance@rutland.gov.uk

Minutes of the **MEETING of the PLANNING AND LICENSING COMMITTEE** held in the Rutland County Museum, Catmos Street, Oakham on Tuesday, 24th August, 2021 at 7.00 pm

PRESENT:	Councillor E Baines (Chair)	Councillor N Begy (Vice-Chair)
	Councillor D Blanksby	Councillor K Bool
	Councillor A Brown	Councillor G Brown
	Councillor S Harvey	Councillor A MacCartney
	Councillor M Oxley	Councillor K Payne
ABSENT:	Councillor W Cross	Councillor A Lowe
OFFICERS PRESENT:	Justin Johnson	Development Manager
	Robyn Green	Highways Engineer
	Julie Smith	Interim Highways Engineer
	Paul Milne	Planning Officer
	Andrew Waskett-Burt	Planning Officer
	Tom Delaney	Governance Officer

1 APOLOGIES

Apologies were received from Councillor W Cross and Councillor A Lowe.

2 MINUTES

Consideration was given to the minutes of the meetings held on 13 and 27 July 2021.

RESOLVED

That the minutes of the meetings held on 13 and 27 July be **APPROVED** as accurate records of the proceedings.

3 DECLARATIONS OF INTERESTS

Councillor A Brown declared a pecuniary interest item in item 5 – Planning Applications, application 2021/0672/FUL as the applicant, and that he would leave the meeting when the Committee came to consider the application.

Councillor M Oxley declared a non-pecuniary interest in item 5 – Planning Applications, application 2021/0672/FUL as a friend and political group leader to Councillor Brown, and that he would leave the meeting when the Committee came to consider the application.

Councillor A MacCartney declared a non-pecuniary interest in item 5 – Planning Applications, application 2021/0672/FUL as Councillor Brown was a regular customer in her shop,

Councillor MacCartney confirmed she would remain in the meeting for consideration of the item.

4 PETITIONS, DEPUTATIONS AND QUESTIONS

In accordance with the Planning and Licensing Committee Public Speaking Scheme, the following deputations were received:

In relation to item 5 – Planning Applications, application 2019/1389/FUL, Kenneth Gilman would be speaking as a member of the public in objection to the recommendations, and Nick Grace would be speaking as the agent on behalf of the applicant.

5 PLANNING APPLICATIONS

Report No 103/2021 was received from the Strategic Director of Places.

Item 1 - 2019/1389/FUL- Land adjacent to Barleythorpe Hall, Main Road, Barleythorpe, 6 no. detached dwellings with garaging and associated site work.

(Parish: Barleythorpe; Ward: Barleythorpe)

Paul Milne, Planning Officer, addressed the Committee and gave an executive summary of the application, recommending delegation to the Chair for approval subject to the signing of a Section 106 Agreement and the conditions set out in the report and addendum. Officers also further recommended that condition 4 should be amended to replace 'development' with 'ground works, including archaeological works', an additional condition be added regarding the retaining of the existing wall in accordance with the masterplan, and a further condition requiring details of the proposed green screen boundary fence to be submitted before final approval.

Prior to debate, the Committee heard from Kenneth Gilman, a member of the public objecting to the recommendation, and Nick Grace the agent for the application. These speakers had the opportunity to take questions from Members of the Committee.

During debate, Members raised a number of points. Concern was expressed on the potential for the new development to overbear on existing properties and it was suggested that a site visit would assist Members in making a judgement. Robyn Green, Highways Engineer also set out the changes in highways access to the development compared to previous applications and how these had led to no highways objections.

Members also queried the process of deciding when a developer could provide a Commuted Sum in lieu of building affordable homes and queried how and when the proposed sum would be used in the future, Justin Johnson,. Development Manager set out the national policies that determined the process and provided a brief overview of the processes then followed for the site in question by the Planning Policy and Housing team. It was also highlighted that were often difficulties in finding registered providers willing to take on properties of the proposed sizes for use as affordable housing.

Councillor E Baines moved from the Chair that the application be deferred to allow a site visit to be arranged to assess the potential for overbearing on neighbouring properties, and for further information to be provided regarding the proposed Commuted Sum. This was seconded and with 10 votes in favour the motion was unanimously carried.

RESOLVED

That application 2019/1389/FUL be **DEFERRED** in order to allow a site visit to be arranged and further information provided regarding the proposed Commuted Sum.

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Councillors A Brown and M Oxley left the meeting at 8.14pm having declared interests in the remaining planning application for consideration.

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Item 2 - 2021/0672/FUL - Fairchild Lodge, Lyddington Road, Caldecott, LE16 8TE, Demolition of existing agricultural barn and the erection of 3 no. two-storey dwellings together with associated car parking and landscaping.

(Parish: Caldecott; Ward: Lyddington)

Andrew Waskett-Burt, Planning Officer, addressed the Committee and gave an executive summary of the application, recommending approval subject to the conditions set out in the report. There were no speakers for the application.

During debate several Members queried whether approving the application would set a precedent for amendments to other sites with Class Q Prior Approval. In response officers explained that a precedent would not be set by a decision on this application and each would be assessed on their own merits. Regarding the application before Members it was highlighted that proposal was a visual improvement on the current approval and was a smaller scheme than the current barn occupied.

In response to a suggestion that approval of the application could make the existing Class Q Prior Approval defunct, officers suggested that an additional condition could be imposed to require a Section 106 Agreement to prevent any further development at the site.

Councillor K Bool proposed that the application be approved subject to the conditions set out in the report and the signing of a Section 106 Agreement to prevent any further development at the site. This was seconded and with four votes in favour, two against and two abstentions the motion was carried.

RESOLVED

That application 2021/0672/FUL be **APPROVED** subject to the conditions set out in the report and the signing of a Section 106 Agreement to prevent any further Class Q developments.

The list of conditions can be found on the planning application page of the Council's website https://www.rutland.gov.uk/my-services/planning-and-building-control/planning/view-planning-applications-and-decisions/

6 APPEALS REPORT

Justin Johnson, Development Manager, introduced Report No 104/2021 from the Strategic Director of Places. The purpose of the report was to list the appeals received since the last meeting of the Planning & Licensing Committee and summarise the decisions made.

RESOLVED

That the Committee **NOTE** the contents of the report.

7 ANY OTHER URGENT BUSINESS

There was no urgent business for consideration but it was suggested by Members that it would be beneficial to receive a briefing session from officers in Planning Policy regarding the processes around affordable housing provision and particularly the calculation of commuted sums.

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The Chairman declared the meeting closed at 8.51 pm.

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REPORT NO: 111/2021

PLANNING AND LICENSING COMMITTEE

PLANNING APPLICATIONS TO BE DETERMINED BY THE PLANNING AND LICENSING COMMITTEE

REPORT OF THE DIRECTOR OF PLACES

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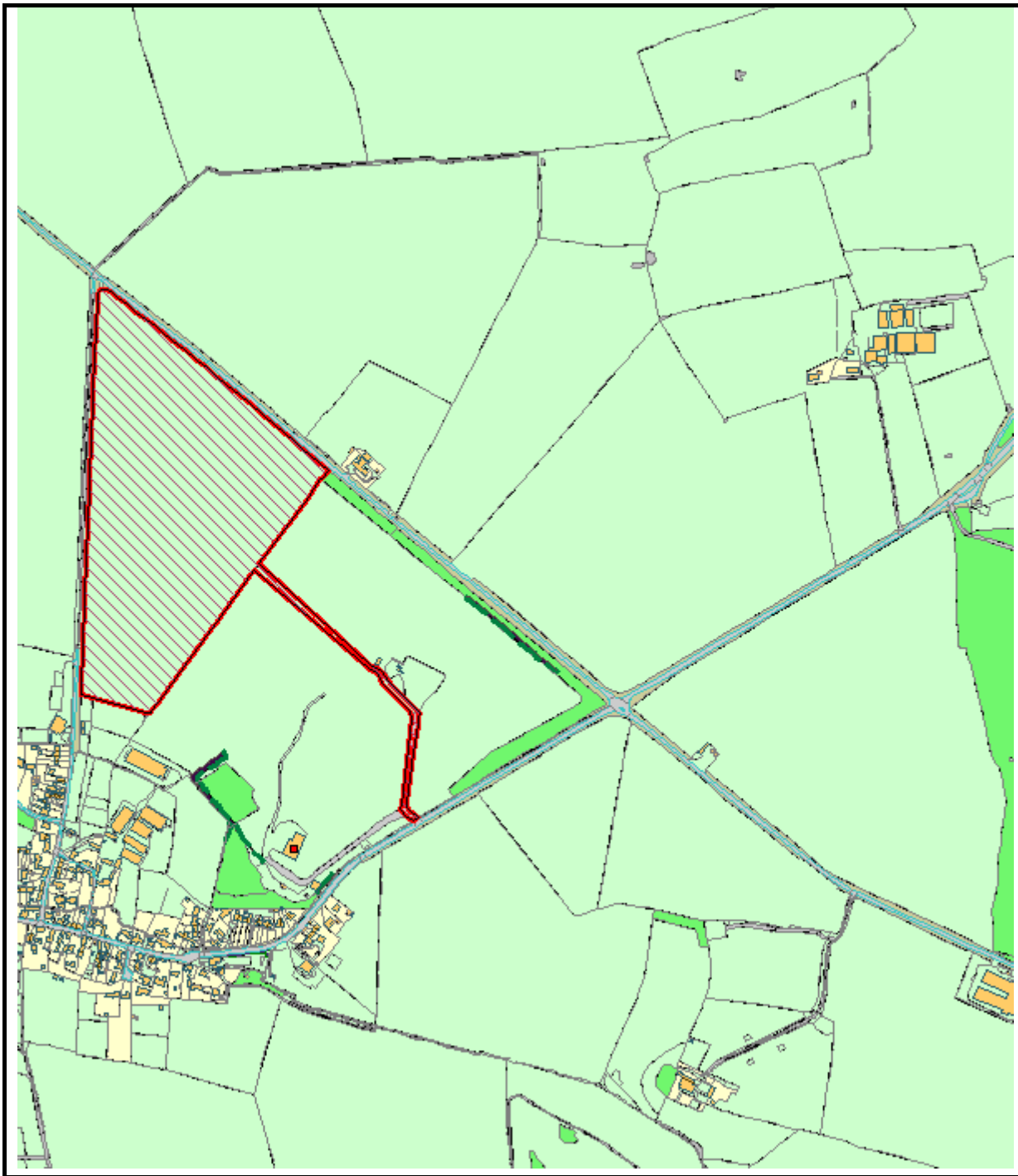
Rutland County Council

Planning & Licensing Committee – Tuesday 21 September 2021
Index of Committee Items

Item	Application No	Applicant, Location & Description	Recommendation	Page
1	2020/0297/MIN	Mr John Gough Greetham Quarry Stretton Road Greetham LE15 7NP North Western extension to Greetham Quarry including the extraction of Limestone and building stone and importation of suitable inert material.	Approval	11-88
2 & 3	2020/0971/MIN	Mr John Gough Greetham Quarry Stretton Road, Greetham LE15 7NP S73 application for Variation of Condition 2 in relation to Application Reference Number: M/1999/0326/09/CC. Amendment of Condition 2 to - "Unless otherwise agreed in writing with the Mineral Planning Authority this permission shall expire on 31 March 2022, by which time the site shall be fully restored in accordance with a scheme approved under Condition 26."	Approval	89-114
	2020/0972/MIN	S73 application for Variation of Condition 3 in relation to Application Reference Number: MIN/2004/1051/CC. Amendment of Condition 3 to "Unless otherwise agreed in writing with the County Planning Authority mineral extraction shall cease and the site fully restored in accordance with a scheme approved under Condition 43 below and Condition 26 of planning permission 1999/0326/09 by the 31 March 2022."	Approval	

2020/0297/MIN



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Rutland County Council

Catmose,
Oakham,
Rutland
LE15 6HP

Application:	**2020/0297/MIN**		**ITEM 1**
Proposal:	North-western extension to Greetham Quarry (3 million tonnes limestone aggregate and 0.1 million tonnes of building stone); new site access onto Thistleton Lane and associated site infrastructure; and low-level restoration using on-site and imported inert restoration material.		
Address:	Greetham Quarry, Thistleton Lane, Greetham, Oakham, Rutland LE15 7RJ		
Applicant:	**Mr John Gough** **Mick George Limited Ltd**	Parish	**Greetham**
Agent:	**Mr John Gough** **Mick George Limited Ltd**	Ward	**Greetham**
Reason for presenting to Committee:		**Major Application**	
Date of Committee:		**21 September 2021**	
Agreed Extension of Time Date:		**1 October 2021**	

EXECUTIVE SUMMARY

The application is for a north-western extension to Greetham Quarry for the extraction of 3 million tonnes (Mt) of limestone aggregate (resource life of circa 20 years) and 0.1Mt of building stone. In addition, the scope of the proposal includes new site access onto Thistleton Lane and associated site infrastructure, and low-level restoration using on-site and imported inert restoration material.

The application is subject to an Environmental Impact Assessment and further information, which provides details of the proposed development including social, economic, natural, built, and historic environmental impacts associated with the proposal.

Following consultation on the application three objections have been raised by statutory consultees (received from Councils Ecology, Environmental Health, and Highways and Transport sections), however, subject to suitably worded conditions being imposed on any grant of planning permission the development can be safely managed. Objections were received from Greetham Parish Council and individuals from the local community. Key issues raised include amenity (dust and noise), transport movements, and restoration.

All of the Environmental Information submitted by the Applicant, consultees and in representations has been taken into account in the assessment of this application. The impacts of the proposal have been carefully considered.

The location for this proposal and the need for the extension to Greetham Quarry in terms of aggregate provision has been assessed against the policies in the adopted Minerals Core Strategy and found to be acceptable.

Having weighed the wider public benefits of the scheme against the less than substantial harm to the local heritage assets it is considered that the proposed development would ensure continued supply of aggregate for the local construction industry and locally sourced building stone. The proposal would also provide for public benefits including maintaining existing employment positions as well as benefits associated with the final restoration scheme, e.g. environmental and green infrastructure enhancements. On balance it is considered that these benefits outweigh the potential harm to the local heritage assets in the area.

The proposal is in accordance with national planning guidance and adopted (and emerging) local development plan policies and therefore conditional planning permission is recommended.

RECOMMENDATION

APPROVAL

It is recommended that **subject to the completion of a Section 106 Agreement** under the Town and Country Planning Act 1990 (as amended) to control access use and traffic routeing, in accordance with the following:

Section 106 Agreement -

i. All vehicles be routed to the east onto the A1, apart from local deliveries. Local deliveries (and inert waste collections) limited to the local villages of Greetham, Cottesmore, Barrow, Market Overton, Ashwell, Burley, and Exton.

Planning permission be granted for planning application 2020/0297/FUL**, subject to the conditions set out in Appendix 2.**

Introduction

1. This applications was reported to the Development Control Committee on 2nd March 2021. At the meeting Members resolved to approve the application subject to the completion of a Section 106 agreement under the Town and Country Planning Act 1990 to secure a routeing agreement and a section 59 Agreement under the Highways Act 1990 to secure highway maintenance payments.

2. On the 18th March 2021 the Council received a pre-action protocol letter indicating the intentions of Greetham Parish Council to bring a claim for judicial review in respect of the Council's resolution to grant planning permission for an extension to Greetham Quarry pursuant to planning application no. 2020/0297/MIN. Currently there is no actionable claim against the Council as the planning permission in question has not been issued. Based on Counsel's advice the application is being reported back to Planning Committee in order to address the concerns raised in the Pre-action protocol letter from the Parish Council.

Site and Surroundings

3. Greetham Quarry is an established quarry (limestone) situated within the north-east part of Rutland, to the west of the A1 and within 3 kilometre (km) of the County Boundary with Lincolnshire. The proposed north-western extension area is located on land to the north of Greetham village. Access to the existing site is gained via the B668 Stretton Road; the scope of the proposed development includes a new access onto Thistleton Lane. Mick George Limited is the current operator of Greetham Quarry; having taken over operations from Stamford Stone in 2019. The extant permissions, MIN/2004/1051/CC, and M/1999/0326/09, are both time limited with an expiry date of 30/09/2020 (the extant permissions are subject to section 73 applications to vary the date of the final restoration).

4. The proposed extension area is immediately north-west of the existing workings and located to the north of Greetham village; with the site boundary being approximately 85 metres (m) at its closest point (south-west corner of site boundary on Great Lane – opposite Greetham Community Centre and recreation ground) and 220m to the village boundary (planned limits of development – Greetham Neighbourhood Plan 2016-2036, refer Appendix 1). Greetham Meadows, a Site of Special Scientific Interest (SSSI), is located approximately 500m north-east of the extension area. Great Lane and Thistleton Lane form the western and north-eastern boundaries of the proposed extension respectively; both of which have established hedgerows (referred to as Hedgerows 1 and 2, or H1 and H2 respectively). Land use in the wider area is mainly arable with occasional blocks of woodland. The proposed north-western extension area is separated from the existing quarry by a hedgerow (Hedgerow 3, or H3), an electrical power line also runs along this boundary; which would be relocated prior to operations within the extension. No Public Rights of Way (PRoW) traverse the site, however the Viking Way long distance route (a PRoW) runs along Great Lane, which forms the north-western boundary of the site. Kendrew Barracks and the villages of Stretton and Cottesmore are approximately 1km east, 1.6km north-east and over 2km south-west respectively.

5. The proposed north-west extension area covers approximately 16.3 hectares (ha), of which 13.56ha forms the area of mineral extraction. The extension area comprises a single triangular agricultural field with no internal landscape features and hedgerows

running along the west, north-east, and south-east boundaries (H1, 2, and 3). The site slopes gently to the south-east, from approximately 122m above ordnance datum (AOD) at the north-west corner (intersection of Great Lane and Thistleton Lane) to 117m AOD along the south-east boundary with the existing quarry.

6. The existing and the proposed extension to the quarry are shown in Plan/Drawing ref. no. Greetham, Drawing G17/1/19/01 (Location plan) dated January 2020, refer Appendix 1.

Proposal

7. The primary purpose of the planning application is to provide for a north-western extension to the existing Greetham quarry in order to release an estimated 3 million tonnes (Mt) (at a rate of 0.15Mtpa) of limestone aggregate and 0.1Mt of building stone reserves. The extension would make available reserves that would replace those that have now been exhausted within the existing Greetham quarry. In addition, the scope of the proposal includes: a new site access onto Thistleton Lane and associated site infrastructure; together with low-level restoration using on-site and imported inert restoration material.

Extractive Operations

8. Limestone as aggregate extracted from Greetham quarry is primarily utilised for construction purposes as fill material. It is suitable for highly trafficked areas such as sub-base for highways, car parks, footpaths, driveways, hardstandings, and building bases, due to it being an easily compacted aggregate with excellent load bearing qualities. Building stone sourced from the extension area will help to ensure that locally sourced stone is available to contribute towards the maintenance and enhancement of the locally distinct built environment.

9. The proposed north-western extension covers an area of 16.3ha, of which 13.56ha forms the area of mineral extraction, containing an estimated 3Mt of aggregate (resource life of circa 20 years) and 0.1Mt of building stone. Limestone resources within the existing Greetham quarry have been exhausted; operations were programmed to cease by the 30/09/2020 (the extant permissions are subject to section 73 applications to vary the date of the final restoration).

10. Overall the proposal would not result in an increase in the scale of extraction (from extraction rates over recent years from the existing Greetham quarry). The nature of extractive operations that currently take place would change from previous operations regarding the method of extraction in that blasting will no longer be undertaken. Processing would occur onsite using mobile plant where the mineral is extracted, similar to that currently used at the existing quarry. It is proposed that no processing would take place within Phase 4 or 300m of Greetham village, as shown in Plan/Drawing ref. no. Greetham, Drawing G17/1/19/03 Rev. C (Working scheme) dated January 2020 (refer Appendix 1), with mineral excavated and transported to the processing plant via dump trucks. A new access is proposed onto Thistleton Lane; it is proposed to use the existing access onto Stretton Road (B668) temporarily until the new access is constructed.

Restoration

11. It is proposed to restore the north-western extension progressively to lower levels through the use of any quarry waste (inert) materials from site and indigenous soils, as well as importation of restoration materials as future phases are worked, involving importation and infill with inert material (circa 0.4 million m^3, at a rate of 0.03-0.035 million tonnes per annum, Mtpa). The proposed restoration is for the reinstatement of the sites current use, being arable farmland (8.67ha), coupled with nature conservation

and green infrastructure outcomes, being the creation of calcareous grassland (6.21ha) around the perimeter, creation of a seasonal wetland habitat (0.38ha), and existing hedgerows (H1 and H2) to be reinforced and strengthened (including early planting of a species rich hedgerow along the southern boundary). The existing hedgerow running along the south-east boundary (H3) would be removed. A five-year aftercare period is proposed. The restoration plan for the proposed extension is shown in Plan/Drawing ref. no. Greetham, Drawing G17/1/19/04 Rev. A (Restoration plan) dated January 2020, refer Appendix 1.

12. Restoration proposals for the existing permitted quarry would remain as currently permitted. It should be noted that the completion of restoration of the existing quarry's internal haul road will be delayed by the proposed extension to allow for access until the new access is constructed, a period of up to 12 months. The approved restoration plan (2013/1061/DIS) for the existing Greetham quarry in Plan/Drawing ref. no. Greetham, Drawing G4/LAN/001 (Revised restoration proposals plan) dated March 2009, refer Appendix 1.

Traffic and Access

13. The proposed extension of operations would mean that there would be a continuation of heavy goods vehicle (HGV) movements associated with the site. Operations at the existing quarry averaged around 53 HGV loads (106 HGV movements) per day. The proposal is for processed aggregate at a rate of 0.15Mtpa, equating to around 31 HGV loads (62 HGV movements) per day for aggregate, and five loads (10 HGV movements) per week for building stone; averaging a total of 32 HGV loads or 64 HGV movements per day or four HGV loads (eight HGV movements) per hour. The proposed extension would see a decrease in actual output levels and HGV movements. Restoration materials are proposed to be imported only on a back-haul[1] basis; and so would not increase movements.

14. It is proposed to vary the existing operating hours, with Saturday hours reduced by one hour and proposed earlier hours for pre-loaded vehicles leaving the site Monday to Friday. The proposed operating hours are: 0700 to 1800 hours Monday to Friday (pre-loaded HGVs to leave the site from 0600 hours Monday to Friday); 0700 to 1300 hours Saturday; and no operations on Sundays or Public/Bank Holidays.

15. A new access onto Thistleton Lane is proposed, with HGV traffic, apart from local deliveries, routed to the A1 to the east. Until the new access is constructed it would be necessary to use the existing access onto Stretton Road (B668). The new access would result in a net reduction in traffic movements overall, but a modest increase in traffic using a short stretch of road on Thistleton Lane with the construction of a new access along this road (the existing access onto Stretton Road would be closed off in line with the existing quarries restoration plan). Thistleton Lane is a lower classification of highway subject to a 7.5 tonne environmental weight limit. The road was upgraded in recent years to accommodate HGVs associated with Ministry of Defence (MoD) movements (Kendrew Barracks) via gates at the end of Thistleton Lane.

16. There would be no increase in passenger vehicles associated the quarry, as the proposal would result in a continuation of the existing operations. A Section 106 Agreement under the Town and Country Planning Act 1990 (as amended) is required to control access use and traffic routing, in addition, financial contributions towards additional road maintenance were originally to be secured through a Section 59 Agreement under the Highways Act 1980 (as amended), however following further discussions the Local Highway Authority has confirmed that a Section 59 Agreement is no longer required.

Environmental Impact Assessment

[1] Note back-haul/back-hauling refers to when a HGV, after having delivered the mineral product to its market destination, then travels to a different site to collect inert waste to be hauled back to the mineral extraction site for use as fill in the restoration works at the site (instead of returning empty and so requiring another vehicle to deliver inert waste to the site).

17. The assessment of the topic areas addressed through the Environmental Impact Assessment (EIA) has been undertaken by a wide range of specialist consultants, and full technical reports relating to the evaluation of impacts have been prepared. The following summarises the main topic areas that have been assessed in the preparation of the Environmental Statement (ES) -

- Nature conservation and ecology,
- Hydrology and hydrogeology,
- Noise,
- Air quality (dust),
- Highways,
- Landscape and visual impact,
- Archaeology and cultural heritage,
- Soil resources and agricultural land use,
- Transportation and traffic,
- Public rights of way,
- Need and consideration of alternatives,
- Socio economic impacts, and
- Climate change,
- Cumulative impact assessment.

18. Detail on the above matters is discussed in the Planning Assessment, Potential Adverse Impacts section.

19. The ES considered potential impacts associated with the proposed development and concluded that potentially adverse impacts, in particular dust and noise, likely to arise from the proposed development are capable of being avoided and/or minimised to acceptable levels with the implementation of suitable mitigation measures and monitoring requirements. The proposed development would ensure continued supply of aggregate for the local construction industry and locally sourced building stone. The proposal would also provide for public benefits including maintaining existing employment positions as well as benefits associated with the restoration scheme, e.g. environmental and green infrastructure enhancements. The ES determined that the potential environmental and local amenity impacts are acceptable.

Relevant Planning History

20. The relevant planning history is set out below.

Planning reference	Description	Decision
16/51	Ironstone serial (withdrawn)	
1982/0295	Proposed extraction of limestone	Permitted 26/04/1983
1984/0380/HIST	Erection of concrete batching plant	Refused 03/01/1985
F/1998/0815	Renewal of a time limited planning consent to allow the extraction of limestone	Permitted 12/09/2000
M/1999/0326	Application for determination of updated conditions: Environment Act 1995 - Review of Old Mineral Planning Permissions	Permitted 12/09/2000
FUL/2001/0433	Use of land for the recycling of imported inert materials	Permitted 21/12/2001
MIN/2004/1051/CC	Extension (6.4ha) to existing Greetham quarry for extraction and processing of limestone	Permitted 06/04/2006
Section 106 Agreement	Agreement under Section 106 Town and Country Planning Act 1990 relating to Greetham quarry	Agreed 24/03/2006
2017/0351/SCO	Scoping Opinion in relation for the proposed north-western extension to Greetham quarry and construction of new site access	EIA determined to be required 25/05/2017
2020/0971/MIN 2020/0972/MIN	S73 applications regarding Conditions 2 and 3a (respectively) to vary the date of the final	Awaiting determination (21 September 2021)

	restoration of Greetham Quarry (from 30 September 2020 to 31 March 2022).	

Planning Guidance and Policy

21. A listing of relevant planning guidance and policy is set out below.

National Planning Policy Framework (NPPF)

- Chapter 8 – Promoting Healthy and Safe Communities
- Chapter 15 – Conserving and enhancing the natural environment
- Chapter 17 - Facilitating the sustainable use of minerals

National Planning Practice Guidance (NPPG)

Rutland Core Strategy Development Plan Document (DPD) July 2011

- Policy CS16 – The Rural Economy
- Policy CS19 – Promoting Good Design
- Policy CS21 – The Natural Environment
- Policy CS22 – The Historic and Cultural Environment
- Policy CS23 – Green Infrastructure, Open Space, Sport and Recreation

Rutland Site Allocations and Policies DPD October 2014

- Policy SP15 – Design and Amenity
- Policy SP17 – Outdoor Lighting
- Policy SP19 – Biodiversity and Geodiversity Conservation
- Policy SP20 – The Historic Environment
- Policy SP23 – Landscape Character in the Countryside

Rutland Minerals Core Strategy and Development Control Policies DPD October 2010

- MCS Policy 1 – Sustainable Development
- MCS Policy 2 – The Supply of Minerals in Rutland
- MCS Policy 3 – General Locational Criteria
- MCS Policy 5 – Extension to Aggregate Sites
- MCS Policy 7 – Residential and Sensitive Land Uses
- MCS Policy 9 – Transportation
- MCS Policy 12 – Restoration
- MDC Policy 1 – Impacts of Minerals Development
- MDC Policy 2 – Pollution, Health, Quality of Life and Amenity
- MDC Policy 4 – Impact on Landscape and Townscape
- MDC Policy 5 – Historic Heritage
- MDC Policy 6 – Biodiversity and Geological Conservation Interests
- MDC Policy 7 – Water Resources
- MDC Policy 8 – Flooding
- MDC Policy 11 – Transportation
- MDC Policy 12 – Restoration and Aftercare

Greetham Neighbourhood Plan – 2017

There are no specific policies in the NP that relate to the quarry. Mineral sites are outside the scope of Neighbourhood Plans.

The Plan does contain a policy relating to Green Infrastructure:

Policy CH2 – Green Infrastructure

Development should minimise impacts on biodiversity and provide net gains in biodiversity where possible. Planting of indigenous trees and shrubs to enhance biodiversity, soften the impact of development and/or enhance local character, will be supported.

Rutland Local Plan Review (2016 – 2036) Consultation Draft Plan

- On the 1st September 2021 Members voted to withdraw the draft Local Plan. This document therefore has no weight in the determination of the application

Consultations

22. A summary of consultation responses received is set out below.

23. Government Agencies

- CLH Pipeline Systems (CLGH PS) Ltd / Fisher German – Initial objection based on apparatus being affected by the proposal- plan provided indicating location of affected pipeline. Applicant replied to CLH PS/Fisher German stating that the pipeline is located to the north-east of Thistleton lane and that the proposed extension would not interfere with the pipeline nor restrict access to the facility – plan provided showing location and cross-sections. CLH PS/Fisher German response received (email, 04 May 2020) stating that CLH PS had reviewed the plans provided and that they held continuing concerns regarding the additional seismic activity along Thistleton Lane and with increasing traffic from HGV accessing the extension site opposite the pipeline. Continued seismic activity along Thistleton Lane can cause disturbance in the ground bedding of the pipeline and any shift in this would risk the integrity of the pipeline. This could therefore have a severe impact on the surrounding environment and affect Mick George's interests in land near to the pipe. CLH PS requested that Mick George Ltd undertake a study to assess any impact that this might have on their pipe and ensure that adequate measures are in place to mitigate any affects to their pipeline. Further information was requested under Regulation 25 of the Town and Country Planning (Environmental Impact Assessment) Regulations 2017 (referred to as Reg 25 RFI) to provide evidence of an agreement or understanding between CLH PS/Fisher German and Mick George Ltd on the above-mentioned matters. No further information was submitted as correspondence received from CLH PS/Fisher German (dated 29 May 2020) stated that following discussion between CLH PS and Mick George, the objection to the application is withdrawn. CLH PS will provide guidance on required procedures regarding a Works Consent, including confirmation on permitted development and intrusive activities. Correspondence received 08 July 2020 confirmed that CLH PS apparatus is considered to be affected and that a Works Consent will be required as previously stated.

- British Pipeline Agency (BPA) Limited – No objection to the application, noted that the application site is not in the zone of interest.

- Environment Agency (EA) – No objection to the application, note that all operations will occur above the groundwater level and no dewatering is proposed. Commented that: the operator will require an environmental permit to bring in inert material for the progressive restoration of the site; and depending on the type of mining activities to be carried out on site a permit to deal with the mining waste may also be required. Following submission of additional information in response to the Reg 25 RFI the EA had no further comments.

- Highways England – No objection to the application. Original response submitted stated that Highways England required clarification regarding additional HGV movements. The Transport Statement (December 2019) confirmed that HGV movement would not increase; Highways England subsequently removed the holding objection. Following submission of additional information in response to the Reg 25 RFI Highways England had no further comments.

- Historic England – No objection to the application, consider that issues and safeguards (outlined in advice) need to be addressed in order for the application to meet

NPPF(2019) requirements (paragraphs 190, 194, 196, and 199). Noted that application site forms part of the setting of the scheduled monument (medieval manorial settlement) and Church of St Mary's (Grade I Listed Building). The supporting information is limited regarding the proposals impact on the setting of St Mary's Church. The Landscape and Visual Impact Assessment (LVIA) addresses intervisibility however the impacts to the setting of heritage assets has not, and so the degree of impact and whether this would amount to causing harm to the significance that the church derives from its setting, is unclear. Altering of agricultural character of the landscape would have a degree of impact on the setting of the scheduled monument; Historic England assess that the level of harm to the significance that the scheduled monument derives from its setting would be less than substantial and that the proposed restoration would serve to mitigate this harm. Archaeological Desk-based Assessment, Geo-physical Survey Report and Trial Trenching Report are welcomed (confirming presence of non-designated archaeological remains within the extension area), however potential for deeply stratified or Palaeolithic remains have not been considered. The proposed development would result in the complete removal of such remains and a well-informed and nuanced approach to assessment and mitigation is required – refer to advice provided by County Archaeology Advisor. Further information was requested (Reg 25 RFI) regarding the impact of the proposed development on the setting of heritage assets. Following submission of additional information in response to the Reg 25 RFI Historic England noted the agricultural character of the village and its landscape setting contributes to our appreciation and understanding of the scheduled monument and Grade I listed church, that the proposal will have a degree of impact on the agricultural character, and that the Heritage Statement submitted did not include any supporting visuals. Historic England consider that the proposed development will have some impact on the setting of the designated heritage assets, resulting in a degree of harm to significance, and assesses that the level of harm would be at the lower end of the less than substantial, in addition it was reiterated that a suitable restoration scheme would serve to mitigate this harm.

- Natural England (NE) – No objection to the application, subject to appropriate mitigation being secured. NE consider that without appropriate mitigation the application would damage or destroy the interest features for which Greetham Meadows SSSI has been notified. The extension area is within the impact risk zone (IRZ) for Greetham Meadows SSSI, which is sensitive to air and water quality. In order to mitigate these adverse effects and make the development acceptable a comprehensive Environment Management Plan (EMP) is required. The EMP should be based upon the recommendations and mitigation measures stipulated in the technical reports that have been prepared for the Environmental Statement and include the proposed 'Dust Action Plan' and Sustainable Urban Drainage (SuDS) proposals. The EMP should cover the construction, operation, and eventual decommissioning of the proposed quarry. NE state that such mitigation measures could be secured through an appropriate planning condition(s). Broadly in agreement with the restoration plan but suggest further enhancing ecological benefits of creating additional areas of calcareous grassland (recommendations noted below). Welcome the proposal to carry out ecological enhancements on site and the adoption of the 'net gain' approach, reference made to the NE Biodiversity Metric 2.0. NE noted that the proposed development would extend to approximately 15.1ha, including some 11 ha of 'best and most versatile' (BMV) agricultural land; namely Grades 1, 2, and 3a land in the Agricultural Land Classification (ALC) system. Agriculture is appropriate to specify as an afteruse. Suggested conditions to safeguard soil resources and achieve a satisfactory standard of agricultural reclamation. Referred to requirements for site working and reclamation proposals set out in the Minerals Planning Practice Guidance (Section 6 on restoration and aftercare of minerals sites), Defra Good Practice guide for Handling Soils, and Defra Guidance for Successful reclamation for Mineral and Waste Sites.
  Recommend: a large proportion of natural regeneration; creation of a diversity of habitats (grassland, bare rocks, and scrub); low sowing rate and low grass seed percentage to encourage development of a species rich sward (where a seed mixture is used); creation of some variation in slope and topography to create a more varied profile (for calcareous grassland); substrate (for calcareous grassland) must be predominantly crushed limestone of a range of particle sizes (fines to rubble and larger stone); stable cliffs and exposed rock should be retained in association with the grassland; sub-soils of

neutral or lower pH, or top-soil, cannot be used to form this habitat; site to be re-surveyed at the end of quarrying, before re-grading or restoration takes place, to accommodate any naturally regenerated habitats of value in the final restoration plan (this should also include revision of proposed restoration techniques to take account of changes in condition and latest guidance). Following submission of additional information in response to the Reg 25 RFI NE had no further comments and welcomed the submission of the amended restoration plan. NE noted that by incorporating greater variation in slope and rock exposures the calcareous grassland will have more value.

24. Rutland County Council

- Leicestershire County Council (LCC) Archaeology, on behalf of Rutland County Council (RCC) – No objection to the application, noted that the Leicestershire and Rutland Historic Environment Record (HER), supported by the results of the archaeological evaluation of the extension area, show that the site lies in an area of significant archaeological potential, with evidence of later prehistoric, Roman and Anglo-Saxon archaeological periods. The desk-based assessment established the presence of known archaeological remains on site and in the vicinity, dating from the later prehistoric (Iron Age), Roman, and Medieval periods. Geophysical survey identified a number of anomalies likely to be of archaeological origin. Two distinct areas of archaeological activity were observed (north-west and north-east) of the extension area, with evidence of substantial boundary ditch also recorded orientated north-west south-east across the extension area. In line with the NPPF the impact of the development upon any heritage assets, taking into account their particular archaeological and historic significance, needs to be considered. This understanding should be used to avoid or minimise conflict between conservation of the historic environment and the archaeological impact of the proposals.
  LCC Archaeology considered the advice provided by Historic England and agreed that the proposals impact on the setting of St Mary's Church is unclear. With respect to the buried potential for Palaeolithic interest, LCC Archaeology advise that this is a matter that requires consideration in respect of the scheme, and that can be adequately addressed as a component of an approved mitigation programme. Further information was requested (Reg 25 RFI) regarding the impact of the proposed development on the setting of heritage assets. Following submission of additional information in response to the Reg 25 RFI LCC Archaeology support Historic England's position and had no further comment.
  Recommend: A phase of mitigation is undertaken, to take place in advance of extraction works, comprising a combination of targeted excavation and archaeological monitoring of top and subsoil stripping. Where significant archaeological remains are revealed the applicant will make provision for necessary excavation in advance of quarrying; Prior to the impact of development upon the identified heritage asset(s) an appropriate programme of archaeological investigation must be submitted and implemented involving - two areas of targeted archaeological excavation to be undertaken in advance of development work on site, a programme of archaeological control, and supervision of soil stripping across the application area. Archaeological remains identified are to be fully investigated and recorded, both during the excavation phase and the subsequent soil stripping; Written scheme of investigation (WSI) required for the necessary archaeological programme and should include a suitable indication of arrangements for the implementation of the archaeological work, and the proposed timetable for the development; and Historic and Natural Environment Team (HNET) will provide a formal Brief for the work at the applicant's request, and will monitor any required archaeological work as advisors to the planning authority. Correspondence received from Mick George Ltd (email, dated 16 April 2020) confirmed that targeted excavation was undertaken as part of the archaeological investigations.
  Recommended conditions to safeguard any important archaeological remains potentially present: Requirement for a WSI which is to include statement of significance research objectives, programme and methodology of site investigation and recording, nomination of a competent person(s)/organisation; a programme for post-investigation assessment and subsequent analysis, publication and dissemination, and deposition of resulting material.

- LCC Ecology – Initially submitted a holding objection pending further information. Noted that the land is currently in arable use and is of low ecological value apart from the hedgerows. The ecology report is satisfactory; apart from the hedges and a single grass-snake, no habitats or species of conservation concern were discovered. The hedges are species-rich and may meet Local Wildlife Site (LWS) criteria. Two of the hedges meet the Hedgerow Regulations criteria for 'important' hedges. Creation of limestone (calcareous) grassland, a priority biodiversity action plan habitat, is welcomed and would compensate the loss of hedge. Roadside verges along Thistleton Lane are species-rich grassland; immediately west of the proposed quarry extension, both verges are designated as LWS for neutral and calcareous grassland. The verge immediately next to the proposed site is not designated, but the survey results suggest it has value, with knapweed, bird's-foot trefoil and red clover. Concerned was expressed regarding the extent of the visibility splay, which may cause loss of species-rich roadside verge. Following receipt of further information and a response from Mick George Ltd addressing some of the queries raised (email, dated 16 April 2020), the holding objection was removed. Queries raised in initial response are summarised below.
  Requested clarification on: Operational life of the proposed development; If the south-east hedgerow (an 'important' hedge) is to be retained or lost in order to extend the existing void westwards as part of restoration plan; The relationship between the restoration plan for the north-western extension and the existing quarry - Restoration of the two sites needs to be considered together, and there needs to be an interface between the two. At present, there is no relationship between the extension restoration and the approved restoration plan 2013/1061/DIS. In addition, the relationship between these and the mixed development proposals for the quarry 2020/0043/SCR needs to be considered, and the location and extent of verge that will be lost to create HGV access and allow for appropriate visibility splays and kerb radii (noted a required distance of 215m). Loss of verges and any mitigation/compensation measures and restoration of the verge should be addressed (including within the restoration plan).

  Correspondence received from Mick George Ltd (email, dated 16 April 2020) addressed several of the above matters including: the operational life of the proposed development (20 years plus restoration and aftercare period, subject to rate of extraction); consideration of the relationship between these and the mixed development proposals for the quarry 2020/0043/SCR (Mick George Ltd stated this was beyond their control and a matter to be addressed by the Council if and when any such application is formally promoted); potential impact of visibility splays on verges (60m^2 would be lost to allow for construction of the access, it was noted that the visibility splay is effectively a line of sight at 900m above ground level extending for 215m in either direction); and loss of verges and other mitigation measures to be noted in the restoration plan (agreed that this could be provided for through a suitably worded planning condition).
  Further information was requested (Reg 25 RFI) to clarify the extent of loss of the south-east hedgerow (H3), an important hedge, and to give consideration to the restoration scheme (including relationship with the existing quarry's approved restoration plan).

  Recommended: That prior to finalisation of the restoration plans, a biodiversity metric tool is applied to ensure a net-gain is achieved; That the site is re-surveyed at the end of quarrying in order to accommodate any naturally regenerated habitats of value in the final restoration plan; That part of the site is allowed to regenerate naturally as this is likely to achieve a more natural and better biodiversity result; and Substrate conditions for establishment of the species-rich calcareous grassland (predominantly crushed limestone of a range of particle size from fines to rubble and larger stone – no use of sub-soils of neutral or lower pH or top-soil), retention of stable cliffs and exposed rock, and variation in slope and topography to create a more varied profile (for calcareous grassland).

  Recommended conditions regarding the restoration plan: Requirement for creation of a mosaic of BAP priority habitats achieving a 10% net-gain from the baseline habitat survey (calcareous grassland/bare rocks/open mosaic habitat - quarry slopes 50%, species-rich limestone grasslands - remainder of quarry slopes, species-rich hedgerow - southern boundary and decommissioned access road, and species-rich neutral grassland roadside verge - Thistleton Lane); Habitat survey to be undertaken prior to the

commencement of each phase of restoration to allow for any natural regeneration or other features of biodiversity value to be incorporated; Restoration plans to include (i) details of soil and substrate specification and placement, techniques, and management, (ii) delineation of area retained, areas for natural regeneration, areas for intervention through habitat creation, and habitat enhancement; habitat creation and enhancement methodologies, (iii) planting and seeding species-mixes, and (iv) aftercare, and short, medium and long-term management plan (thirty year period) to cover calcareous grassland and hedgerow maintenance, and management of habitat succession to optimise the open mosaic habitats.

Following submission of additional information in response to the Reg 25 RFI LCC Ecology confirmed that: the revisions to the restoration plan and the ES are satisfactory; and subject to the inclusion of suitable planning conditions (to include reference to the restoration plan and ES, and the recommended planning conditions set out in the original response) LCC have no further comments or objections to the scheme.

- Environmental Health (EH), on behalf of Public Protection – Initially submitted an objection to the application as the lack of information (regarding dust assessment and noise monitoring and control) prevents an informed decision as to the likely harm that the development would have and without sufficient mitigation the development could harm local residents in term of health and amenity. Concerns were raised regarding the potential dust and noise impacts associated with the proposed extension, as well as the identification of measures for mitigation, monitoring, and control. The quarry extension and dust generating activities are within 400m of sensitive receptors and therefore a detailed dust assessment would be required.
  The site is on the Cottesmore Plateau and the topography needs to be taken into account. Any dust incidents are highly dependent upon meteorological conditions. The locations of the sensitive receptors are mostly to the west and south of the quarry that makes them vulnerable to dry easterly and north-easterly winds. The receptors are likely to be affected by certain weather patterns, (associated with a blocking anticyclonic system centred over Scandinavia) resulting in dry conditions and a persistent airflow towards sensitive receptors. This airflow pattern can persist for weeks. These weather patterns are a well-known phenomenon that needs to be factored in. The combination of extended periods of dry weather and winds blowing from the quarry to the sensitive receptors are the conditions when significant dust related impacts are most likely to occur. Therefore, there needs to be clear control measures in place for when this occurs. RCC EH noted that the proposed mineral extraction area will be located approximately 90m from 48 Great Lane. There needs to be considerable improvements to avoid the episodes of dust that have predominately affected Great Lane in 2019 and 2020. Current operations are approximately 120m from the village edge and last April / May the distance would have been close to 150m. RCC EH confirmed justified complaints of dust from residents in Great Lane in April/May 2019 and again in March/April 2020. What links these two periods are dry conditions, combined with an east through to northerly wind direction. This information is readily available from the Met Office and anticipate the need for measures for dust control rather than reacting too late when complaints have been received. It is also noted that on 26th March 2020 Mick George Ltd declined to act on recommendation (of RCC EH) to suspend crushing due to the weather conditions at the time and forecast, this was followed by complaints from residents on 27th March 2020 prompted by dust deposited on their cars and property. The operator subsequently suspended crushing operations but only after the dust had been deposited. A dust management plan is required to prevent the combination of circumstances that results in dust being deposited at residential properties. RCC EH stated that the onus should be on the applicant to demonstrate compliance by the use of suitable objective monitoring. Reliance on an operative to make subjective assessments of dust and noise is inadequate when using precise planning conditions that prescribe objective criteria. Real-time particulate monitoring should focus on PM10 and Total Particulate Matter and should be supplemented with deposition gauges as occasionally further analysis could be required, i.e. what is the composition of the measured particulate matter. RCC EH recommended that the dust management should include a range of measures such as real-time monitoring, deposition gauges, use of weather forecasts and stations, dust suppression, and monitoring of dust generating activities via closed-circuit television

(CCTV) system. RCC EH stated that the current arrangements for the monitoring and enforcement of planning conditions have shown to be inadequate and therefore more stringent and accountable arrangements need to be implemented.

RCC EH believes the 0600 start for HGV's is too early; 0700 is appropriate. RCC EH noted that an existing issue (at the permitted Greetham quarry) is tracking mud (not staining) from the haul road onto the highway; the cause of which is considered to be the unmetalled haul road from the wheel wash to the highway. It was also noted that mud is collected on the wheels and then transferred, an effective wheel-wash (rather than a simple wheel-bath) is required to remove mud from vehicles wheels before they leave. RCC EH believes that the water bath proposed may be insufficient. Current inspection point for vehicles entering and leaving the site is considered to be inadequate. In addition to the mud tracking from vehicles there has been deposition of aggregates on the highway. There have been documented complaints of haulage vehicles leaving the site without sheeting and complaints of limestone being deposited on the highway away from the site. RCC EH have witnessed frequent episodes where limestone has covered the carriageway especially at the roundabout at Stretton.

Concerns raised regarding compliance with hours of operation (HGV movements) and potential for contamination (import of materials into the site). It was considered that such concerns, including cleaning of mud and sheeting, could be addressed by installation of 'lorries out - stop point' and CCTV system. Such measures are to apply to the existing entrance as well as the proposed entrance because the existing entrance will be used until the new entrance has been prepared. This should be complemented by a complaints investigation and documentation process to include requirements to clearly document any complaints received by the site or any other Mick George office about noise or dust (to be notified to Head Office and the LPA). The company should investigate any such complaints, take remedial action where necessary and verify if it has been effective. The company shall retain the complaint records including details of the investigation, any actions taken as a consequence to resolve the complaint including steps taken to verify whether redial action has been effective. A suite of effective control measures for noise and dust are required. The onus should be on the applicant to demonstrate compliance by requiring them to monitor and react when necessary (trigger levels). The trigger levels can be based on objective data from the monitoring station like wind speed or dust levels. Examples include effective control of vehicles leaving the site, dust suppression measures, monitoring of weather conditions, arrangements for monitoring and provision of trigger levels (from monitoring stations) where further control measures are to be introduced, and the temporary cessation of operations where levels are exceeded.

With respect to dust, further information was requested in the form of a Dust Assessment addressing the lifetime of the operation including the soil stripping, the various phases through to depositing of waste and the final restoration. The assessment should be carried out in accordance with the Institute of Air Quality Management Guidance on the Assessment of Mineral Dust Impacts for Planning May 2016. The assessment should be used to inform the identification of suitable control, mitigation, and monitoring measures, and the sites layout. The assessment should:

1) Establish baseline data for particulate matter;
2) Identify dust generating activities;
3) Identify site parameters that may increase potential impacts from dust, including topography and meteorological conditions;
4) Recommended mitigation measures, including modification of site design (e.g. design and phasing of operations, composition of internal haul road from the wheel wash to Thistleton Lane, type of wheel wash, inspection points, dust management plan, etc.); and
5) Make proposals to monitor and report dust emissions to ensure compliance with appropriate environmental standards and to enable an effective response to complaints (e.g. real-time monitoring stations - PM10 and Total Particulate Matter, deposition gauges, weather stations, trigger levels, complaints investigation and documentation process, temporary cessation of operations, etc.).

With respect to noise, further information was requested regarding noise monitoring and control measures. Whilst it is accepted that the modelling has shown the quarrying operation would be able to meet the noise conditions in accordance with the NPPG, there is insufficient detail regarding subsequent noise monitoring to verify modelled predictions and either confirm compliance with the noise limit conditions, or to reduce noise levels if an exceedance is identified. A suite of effective monitoring and control measures is required to ensure compliance with appropriate environmental standards and to enable an effective response to complaints.

RCC EH stated that no reference has been found in the application regarding the use of blasting to extract materials, and that it is possible use of such techniques could become necessary in the future.

Recommend: A suitable dust management plan is developed by the operator, the planning authority, and stakeholders in the community; 0700 start time for hours of operation; all haulage roads from the wheel wash to be metalled to provide an impervious surface; installation of a more effective wheel wash system; installation of a 'lorries out - stop point' with mechanical barrier, and date and time stamped CCTV system (existing entrance and proposed entrance) with recordings retained for a period of two years and available to the MPA remotely for viewing and reviewing past recordings; real-time monitoring equipment for particulates, noise and meteorological conditions (the location and number of points to be agreed as a result of the dust and noise management plans) with records retained for a period of two years and available to the MPA remotely for viewing and reviewing past recordings; real-time monitoring systems should automatically alert the site office and Head Office with the threshold for any such alarm to be agreed with the MPA; real-time monitoring systems to be supplemented with deposition gauges where further analysis required; requirement for the operator to check the weather forecast on a daily basis, to be documented with an assessment by the site operator if weather conditions make it more likely that dust would be carried off site and affect residents in Greetham or at 'The White House'; installation of a weather station anemometer to alert staff to wind speeds likely to entrain dust and cause a problem, record weather conditions and automatically notify the site and Head Office where conditions would result in likely dust impacts on sensitive receptors with weather records and notification of alerts retained for a period of two years and available to the MPA remotely; dust suppression (including water usage, and time and date stamped CCTV or photos to demonstrate that water suppression has been used on haul roads, stockpiles, and crushers) to be recorded; installation of CCTV system providing coverage of general quarry workings such as haul roads and areas likely to generate dust; planning condition(s) and reporting requirements addressing complaint handling and investigation procedure to ensure an effective response, to include documentation and auditing requirements to ensure compliance, complaints received to be notified to Head Office and the LPA within two working days, and records (of the complaint, investigation, remedial actions taken and outcome) to be retained for a period of two years and made available the LPA on request with an annual report will be submitted summarising any complaints received, or confirming that no complaints have been received; and planning condition(s) and monitoring requirements for vibration and air overpressure from blasting at any sensitive dwelling following current guideline values.

Further information was requested (Reg 25 RFI) regarding the potential dust and noise impacts associated with the proposed extension, as well as the identification of measures for mitigation, monitoring and control (including a Dust Assessment). Following submission of additional information in response to the Reg 25 RFI, RCC EH considered the information submitted and undertook noise monitoring to verify background levels: 48 Great Lane of 38dBA (L90-15 minute) and the White House 41dB (LA90, 15 minute). RCC EH determined that a sound limit of 48dBA (LAeq -1 hour free field) at 48 Great Lane, Greetham and 51dB(LAeq 1-hour free-field) at the White House would be suitable, and accepts the proposal to protect the Community Centre with an upper limit of 55 dB LAeq, 1 hour. It was noted that the recommendations contained in the noise report such as bunding, stand-off distances, and road maintenance should be suitably conditioned.

In relation to particulate matter (dust) RCC EH recommends limits for PM10 of UK 50 µg/m3 not to be exceeded more than 35 times a year 24 hour mean or 40 µg/m3 annual mean. It was also suggested that continuous particulate monitoring be installed to obtain at least 2 years' worth of data (including a year when the quarry is operational). The results would then be reviewed to see whether the limit is likely to be breached or not and to whether continuous monitoring should continue or not. RCC EH disagrees with the identification of the site as semi-rural in the dust management appraisal and considers that there remains a lack of detail regarding site-specific management methods (including training) to be implemented.

Regarding nuisance dust limits RCC EH stated that where there has been no background dust monitoring at the site the standard by Minerals Industry Research Organisation (MIRO) Management, mitigation and monitoring of nuisance dust and PM10 emissions arising from the extractive industries: an overview. This guidance identifies the level to prevent complaints (which indicates a nuisance) for dust-fall at a limit of 103 mg m-2 day-1 for open countryside where the quarry is set. Reiterated previously recommended conditions and requirement for trigger levels to be set.

Correspondence received from RCC EH 04 December 2020 confirms background noise levels, monitoring requirements for PM10 emissions, and trigger levels (agreed with the Application – confirmed via correspondence Mick George Limited dated 8 December 2020). RCC EH maintains holding objection unless continuous noise monitoring installation, and robust site-specific dust management plan containing a known workable monitoring strategy (based on the consolidation of submitted dust management plan with additional detail on specific measures including "Best Available Techniques" and monitoring schedule) is agreed.

The Applicant agrees with the submission of a site-specific dust management plan though states this can be achieved through planning conditions requiring submission prior to commencement, but does not agree with the concept of continuous noise monitoring stating that this would be unreasonable and has not been required elsewhere in the England (correspondence Mick George Limited dated 7 December 2020).

- Public Rights of Way (PRoW) – No objection to the application, noted that proposal does not appear to have any direct effects on the county's PRoW network. However, the Viking Way long distance route passes through the village of Greetham and continues north along Great Lane, so the views west from this section of the route will change significantly (to a soil bund). Correspondence received from Mick George Ltd (email, dated 16 April 2020) provided further detail on the soil mounds stating that the soil mound in question will be of modest scale (2-2.5 m high) with a 1:3 outer slope profile, which will enable early grass sward establishment and also enable management (i.e. grass cutting) to be more easily undertaken. Further information was requested (Reg 25 RFI) regarding consideration of provision of public access (bridleway) to the site as part of the restoration plan as per the Council's Scoping Opinion response (May 2017). Correspondence received from Mick George Ltd (email, dated 05 May 2020) addressing the Reg 25 RFI PRoW matters stated that the provision of public access (bridleway) as part of the restoration plan was discounted because of the steepness of the side slopes of the extension area and the absence of any obvious link between the Viking Way and Thistleton Lane. Following submission of additional information in response to the Reg 25 RFI the PRoW Officer had no further comments.

- RCC Highways and Transport – Initial response indicated no objection to the application as the proposed development will not be adding any additional traffic onto the network. Following submission of additional information in response to the Reg 25 RFI, RCC Highways and Transport issued updated advice regarding the proposal, drawing attention to the environmental weight limit of Thistleton Lane (7.5 tonnes), and noted that the proposal does not by virtue constitute a right of access as the change to the use of HGV on the environmental weight limit restriction has a potential impact.

- RCC Highways and Transport do not agree with paragraph 2.2.4 of the submitted transport statement as the proposal to establish an access is not sufficient to obviate the

current legal resistance to large vehicle movements. The acceptance of such vehicles circa 8,300 per annum can only be deemed extraordinary. Further information is sought regarding the severe impact of a rural lane, subject to a weight restriction, to assess if the use of HGV circa 8,300 vehicles per year will require more regular maintenance on this section of Thistleton Lane. A submission as to the wear and tear over and above the design life of Thistleton Lane will be required to assess if the use of HGV circa 8,300 vehicles per year will require more regular maintenance on this section of Thistleton Lane. If additional maintenance is required it would be appropriate to secure this via legal agreement as it would not fall under standard maintenance.
RCC Highways did have concerns over the width of the road, however, have confirmed (via email dated 20 October 2020) that previous works undertaken in connection with Kendrew Barracks have addressed concerns regarding the need for upgrades (localised widening) and so this would not be required.

Recommended conditions regarding: wheel washing facilities; visibility conditions relating to access and Thistleton Lane with B668; routeing agreement to ensure HGV access via Thistleton Lane in an eastbound direction only; arrivals/departures log to be submitted annually or within six weeks of writing by the LPA; and legal agreement addressing maintenance requirements.

Updated Review 15 April 2021:

Following a further review of this application, the Local Highway Authority (LHA) are now of the view that this proposal is acceptable for the reasons set out below, subject to the below conditions being appended to any consent.

As previously noted, Thistleton Lane has been upgraded and is considered adequate in width to accommodate two of the largest development related vehicles to pass one another, although due to the low volume of vehicles expected (4 loads / 8 trips per hour) this is unlikely to be a regular occurrence.

Whilst there is a weight restriction in place on Thistleton Lane, this does not preclude access to a location within that zone. Furthermore, there are no specific concerns between the unrestricted highway and the site access. Given this the LHA are content that access along the affected stretch of Thistleton Lane is acceptable, subject to a condition requiring all access to be gained from and to the southeast.

A new access of adequate size for two of the largest anticipated vehicles to pass within it, with adequate vehicle to vehicle visibility splays, will be provided. The visibility splays should be conditioned.

Wheel washing facilities will be provided within the site, details of which are yet to be provided, so should be conditioned.

There is an overall net reduction of traffic compared with the existing use.

The existing access onto the B668 will no longer be used once the new access on to Thistleton Lane has been formed and is operational. Therefore, the existing access will become redundant and will need to close and the area within the public highway returned to its previous condition (full height kerb, footway, grassed verge and hedgerow). This can be conditioned. The LHA are aware that a separate application is under consideration for the area, and should this gain consent together with retaining/amending the current access, then this will effectively supersede the proposed condition of closure.

In summary, the LHA recommend approval of this application subject to conditions.

- RCC Lead Local Flood Authority (LLFA) – No response received.

- RCC Conservation Officer:

"The land subject of this application for an extension to an existing but currently inactive Limestone quarry on the north-eastern edge of Greetham village that is the subject of applications for industrial/warehousing development. The proposed extension would be into adjoining agricultural land on the Limestone plateau to the north of the village, immediately to the west of the existing quarry as far as Great Lane. Access is proposed off Thistleton Lane, which forms the northern boundary to the application land.
A succinct description of the historic pattern of development of Greetham is can be found in the adopted Neighbourhood Plan (2016 – 2036):
"The pattern of building in the village is typical of the northern part of Rutland. Greetham is a linear village, running roughly east / west along the course of the North Brook stream, with a series of lanes running mainly northwards from Main Street. The older houses are mainly built from local limestone and have either Collyweston slate or thatched roofs. Later, as with all villages in Rutland, orange and red pantiles, blue Welsh slate, and various shades of brickwork started to be used. Greetham has a number of interesting buildings of varied types and ages which are listed for their architectural and historic importance including, among others, the church, the Manor House on Little Lane, the old stonemason's shop on Great Lane, and Jacobs (sic) Well on Church Lane."
What can be added to this description is that the majority of the village lies at a lower level than the surrounding countryside, being in a valley.
When considering the impact of development on heritage assets, Historic England's 2017 publication Historic Environment Good Practice Advice in Planning: 3 (2nd Edition) explains that:
"The extent and importance of setting is often expressed by reference to visual considerations. Although views of or from an asset will play an important part, the way in which we experience an asset in its setting is also influenced by other environmental factors such as noise, dust and vibration from other land uses in the vicinity, and by our understanding of the historic relationship between places."
It is clear the proposal would bring quarrying closer to the historic core of the village and would be visually harmful to the setting of the Conservation Area, the ensemble of designated heritage assets contained therein, not least the Grade 1 listed Church of St Mary, as a result of a combination of harmful environmental factors, such as visual intrusion, noise, dust etc likely to be generated. Notwithstanding that that measures would be implemented to mitigate the degree of harm arising from the quarrying operations. Restoration of the land to predominantly agricultural use at the end of the quarry's operational life will mitigate the long-term impact of the harm caused by quarrying activities but this is likely to affect several generations' appreciation of the affected heritage assets.
SECTION 66 of the Planning (Listed Buildings and Conservation Areas) Act 1990 requires local planning authorities, when considering whether to grant planning permission for development which affects a listed building or its setting, to have special regard to the desirability of preserving the building or its setting or any features of special architectural or historic interest which it possesses. Similarly, when considering the impact of development on a Conservation Area, Section 72 of the 1990 Act requires that special attention be paid to the desirability of preserving or enhancing the character or appearance of that area.
The NPPF (2019) sets out central Government policy in relation to the Conserving and Enhancing the Historic Environment.
Paragraph 199 of the NPPF states that when considering the impact of a proposed development on the significance of a designated heritage asset, great weight should be given to the asset's conservation (and the more important the asset, the greater the weight should be). This is irrespective of whether any potential harm amounts to substantial harm, total loss or less than substantial harm to its significance.
Paragraph 200 goes on to require that any harm to, or loss of, the significance of a designated heritage asset (from its alteration or destruction, or from development within its setting), should require clear and convincing justification.
In instances where it is concluded that there would be less than substantial harm to the historic environment, paragraph 202 of the NPPF requires that harm be weighed against the public benefits of the proposal. This is a matter for the decision maker to come to a judgement on having regard to all the relevant issues.

Policy CS22 of the Core Strategy requires that all developments protect and where possible enhance historic assets and their settings, maintain local distinctiveness and the character of identified features.
Policy SP20 of the Site Allocations and Policies Development Plan Document (Adopted October 2014) seeks to safeguard the character and appearance of conservation areas from development that would be harmful to their character or appearance.
Whilst the quarrying activities would not impact directly on any designated heritage assets, there would be an increased likelihood of physical damage to heritage assets fronting Main Street as a result of vehicle impacts if traffic from the quarry, in particular HGVs, were not prevented from travelling along the villages' principal thoroughfare, which is effectively reduced to a single lane road in places. However, I assume that, if planning permission were to be granted, measures would be taken to restrict the likelihood of HGV traffic travelling through the village.
In my opinion the proposed development would result in harm to the setting of Greetham Conservation Area and the Grade 1 Listed Church during the operational lifetime of the quarry, particularly as it would be on higher land immediately to the north of the village. As the NPPF states, it is for the decision maker (Committee in this instance) to come to a balanced judgement as to whether any public benefits arising from the development outweigh any harm to the historic environment. I would only re-emphasise what paragraph 199 of the NPPF says about great weight being attached to a heritage assets conservation when coming to a decision.
The degree of harm arising from the development to the Greetham Conservation Area, its ensemble of Listed Buildings, in particular the setting of the Grade 1 Listed St Mary's Church, would, in my opinion be less than substantial. I note that the applicant's specialists also conclude that: "The effect in relation to Greetham Conservation Area and St Mary's Church is negligible (an effect that is equivalent to less than substantial harm and at the lowest end of that scale of effects)" and I would point out that the NPPF only refers to either 'substantial' or' less than substantial harm'. It makes no reference to gradations of less than substantial harm.
In conclusion, I would reiterate the wording of Paragraph 199 of the NPPF where it is stated that:
"great weight should be given to the asset's conservation (and the more important the asset, the greater the weight should be). This is irrespective of whether any potential harm amounts to substantial harm, total loss or less than substantial harm to its significance.""

25. Greetham PC Councillor Hodson

Object to the proposed development based on concerns regarding: air quality (dust) and perceived health impacts/risks (reference made to crushing plant); deposit of dirt onto road network (reference made to location of wheel wash and sheeting of vehicles); proximity of the proposed extension to residential dwelling and the Community Centre; need for increased measures to control of noise, dust and deposit of dirt onto road network; and increased monitoring of planning conditions.

26. Parish Councils

Greetham Parish Council – Object to the proposed development based on concerns regarding: proximity to Greetham village, and impact on community and Conservation Area; potential environmental nuisance impacts; lack of detail regarding assessment, management, and monitoring of dust (including design and capacity of water storage needed for dust suppression and spray misting); operation of mobile crushing equipment and need for increased control (through planning conditions) and requirement of a safe working statement; methodology applied and lack of detail regarding assessment, management, and monitoring of noise; consideration of a buffer zone; continued use of the existing access (reference to need for improvement of wheel wash and access road surface construction between wheel wash and public highway); construction of new access should be completed prior to development of quarry extension, further information sought on location of wheel wash and access road surface construction between wheel wash and public highway (recommend 100m of tarmac); concern regarding HGV movements (stated at 240 per day); extended hours of operation (stated to be 06:00 – 19:00 for quarrying and HGV movements); requirement for a Liaison

Group and recommended representatives; requirement for daily logs for suspension of operations due to dust issues, egress of unsheeted lorries and measure taken, including that this information to be made available to the Liaison Group; requirement for progressive restoration and lack of detail regarding restoration plan – programme and timeframes; and recommend application of planning conditions similar to those set out in the Wakerely quarry planning permission (16/00004/MINNMA).
Following submission of additional information in response to the Reg 25 RFI Greetham Parish Council maintain their objection and consider that the submission does not adequately address matters raised in the Ref 25 RFI, the Parish Council considers the dust assessment to be inadequate. The Parish Council engaged consultants to review the noise and dust assessments and prepared a listing of matters that is considered to be outstanding addressing the dust assessment, as summarised below.

Further information was requested on: establishing baseline conditions with reference to the dust assessment; water storage for dust suppression; dust mitigation proposals (including wheel wash facility); validation of noise assessment; clarification of HGV numbers with imported material; clarification on HGV movements – number and types; clarification on additional information submitted to Highways England; number of pre-loaded HGVs leaving at 0600; light pollution and nuisance; tarmac road surface from wheel wash to public highway of at least 100m; width and verge along Great Lane; evidence of LCC ecology removing holding objection; assessment of Greetham Meadows SSSI as a receptor; number and roles of staff; phasing of operations including activities to be undertaken; further assessment of historic environment impacts; and evidence supporting economic benefits.

The Parish Council recommends: continuous dust monitoring to be undertaken to effective CQA standard; dust management plan to be prepared by suitable qualified professional body; logging procedures to be adopted for vehicle inspections, wheel cleaning, site access road inspection, occurrence of dust, and use of Dust Buster mister; buffer zone along Viking Way; real-time monitoring of dust and noise with alarms and access for RCC EHO and Planners; CCTV; recording of instances where additional measures undertaken during critical conditions as set out in Reg 25 RFI response; amendment to operating hours; review of ecology and restoration section; preparation of a comprehensive Environmental Management Plan; further meetings requested between the Parish Council, Local Liaison Group, and RCC personnel regarding application and proposed conditions; inclusion of conditions recommended by LCC Archaeology; and implementation of a bond or escrow arrangement to secure restoration of the site.

Additional comments received on 31 August 2021 from Greetham Parish Council:

Potential Determination Procedure Failure

Following legal advice regarding the relevance and application of the Precautionary Principle with respect to Environmental Impact Assessments, we have been directed to the following case precedent and it's relevance to the above application and recommendation to date:

R (on the application of Swire) v Secretary of State for Housing, Communities and Local Government [2020] EWHC 1298 (Admin)

In August 2019, the High Court considered what the correct approach to Environmental Impact Assessment screening should be when there is uncertainty about the environmental impact of a proposed development.

The Court quashed the screening direction and confirmed that screening authorities should take a precautionary approach and should not base their decisions on the assumption that unidentified remediation measures will be successful. These are points which developers should bear in mind during the screening process.

In relation to application 2020/0297/MIN, we believe the planning authority has also based certain key decisions on the success of the assumptions of unidentified remediation measures, namely:

i. the applicant and RCC recognise the risk of environmental harm arising from PM10 and PM 2.5 emissions from such quarrying activities.
ii. the applicants environmental assessment was based on assumed values for background levels for air quality rather than actual site specific measured values
iii. the applicants environmental assessment was based on assumed values of PM 10 emissions from activities working to Best Available Techniques (BAT). The applicant could not detail what was meant by BAT.
iv. the applicants environmental risk assessment has not considered any aspect of harm from PM 2.5 emissions form the proposed activities.

We therefore consider the procedure used in the acceptance of the proposed mitigation measures to be flawed insomuch as it is unknown whether they will be successful in preventing emission limits which have harmful environmental consequences.

We would therefore request the planning authority review this aspect of the application with the intention of requiring the following information from the applicant BEFORE the application be considered for decision:
i. the actual background levels of PM10 and PM 2.5 be measured over an appropriate timeframe to allow for understanding of variation due to meteorological conditions,
ii. detail proposals of BAT activities and emissions resulting from such activities, and
iii. realistic determination of environmental impacts and harm arising from the proposed activities.

27. **Neighbour Representations**

The application was publicised by press notices and site notices around the perimeter of the application sites (two – one at the existing site entrance and one at Great Lane within Greetham village). Neighbour notifications were distributed to 41 neighbours. Two requests for further information under Regulation 25 of the Town and Country Planning (Environmental Impact Assessment) Regulations 2017 (referred to as Reg 25 RFI) were made by RCC. Information was submitted in response to these requests (received 24 June 2020 and 23 October 2020) with consultation conducted as per the regulations.
In total 341 neighbour/public representations were received, 339 of which raised objections to the proposed development. Many of these were reiterations of previous objections to the proposal following the submission of additional information by the Applicant as per the Reg 25 RFI. Many individuals/households submitted between two and eight representations each over the course of the determination period; in total 175 objections were received from individual households. 122 proforma letters were received objecting to the proposed development (again, some respondents submitted both proformas and neighbour/public representations). Two representations were received that cited general support for the proposed development, stating that the impacts of the quarry as it currently operates were acceptable and that operations at the proposed extension (with implementation of mitigation measures) would have little additional impact, in addition the provision of a new access was supported; one of the supporting respondents suggested that the Applicant run the road sweeper through Greetham village every month as a goodwill gesture. The reasons for objection are summarised as follows:

- Need. Noted other quarries in the wider area are capable of supplying limestone and suggest there is no proven need for the extension. Crushed rock provision required over plan period (2018 - 2036) can be met by current commitments and proposed extension is therefore not needed. The 2019 Local Aggregates Assessment (LAA) shows that based on the ten-year average provision rate Rutland currently has an oversupply of 4Mt of crushed rock and a landbank of 38 years; being more than the government recommended landbank (ten years). The latest LAA assumes Thistleton Quarry will remain inactive until at least 2036 however even if this is the case, based on an estimate of remaining reserves at 2020, the need for the proposed extension is not proven. No

proof that Thistleton Quarry will remain inactive during plan period; a potential start date should be obtained to provide certainty.

- Proposed working method. Concerns regarding: proximity of mobile crushing plant to Greetham; potential noise and air quality impacts; and potential noise, dust, and ground vibration impacts resulting from limestone blasting. Recommended that: crushing is undertaken inside a building/shed with water dampening or the rock is crushed off-site; and if the crusher is to be used then it be located 300m from Greetham. Noted that since the mobile crusher was removed from existing quarry dust and noise issues have improved.

- Dust impacts. Concerns regarding: potential dust impacts associated with mineral extraction/processing and HGV movements; perceived health and wellbeing implications for people and animals; effectiveness of dust suppression measures due to the size of site; and potential cumulative dust impacts from permitted quarry and proposed extension should the permitted quarry be worked/restored at the same time as the proposed extension is operational. Noted dust from the permitted quarry is being deposited on residential properties, vehicles, grazing land, play area, vegetation, and solar panels (affecting operation). Complaints made by residents regarding dust nuisance with unsatisfactory response from operator. Lack of confidence in ability of operator to implement mitigation measures effectively or provide remedial action if an issue arises at proposed extension. Concerns that the best practice guidance followed by the operator at the permitted quarry is insufficient, as are the earth mounds to mitigate dust impacts, and neither should be used at the proposed extension.
  Noted lack of information in dust assessment on mitigation measures and no monitoring/measurement of potential emissions or impacts of dust undertaken. The assessment should be used to inform the identification of suitable control, mitigation, and monitoring measures, and to establish baseline data for dust in the surrounding area. Reliance on an operative to make subjective assessments of dust is inadequate; a dust management plan that conforms to best practice guidelines is required. Suggest continuous dust monitoring within the site and locations within the village, with the results made public. Lack of detail and assessment in ES of: meteorological conditions and impact on dust including assessment of wind direction and strength in the area (this information is available from the Met Office) to inform mitigation measures and how these conditions could potentially change in the future as a result of climate change. Recommend measures to intercept dust and reduce potential noise impacts including tree covered screening mound along northern site boundary, tree planted buffer zone between the proposed extension and Greetham, and high banks and hedgerows around the whole quarry perimeter.

- Noise impacts. Concerns regarding: potential noise impacts associated with proposed extension as well as the identification of measures for mitigation, monitoring, and control; potential cumulative noise impacts from permitted quarry and proposed extension should the permitted quarry be worked/restored at the same time as the proposed extension is operational; and increased noise impacts resulting from extended operating hours. Reliance on operator to make subjective assessments of noise considered inappropriate and should be independently tested; with additional monitoring locations including non-residential. Noted the lack of detail regarding assessment, management, and monitoring of noise. Existing measures to mitigate noise at existing quarry (soil mounds and hedging) considered ineffective and unsuitable for use at proposed extension.
  Nature conservation. Noted quarry restoration to woodland would be beneficial for local residents. Concerns regarding: potential adverse impacts on wildlife including the grass verges along Thistleton Lane that are LWSs.

- Landscape character and visual amenity. Concerns regarding: adverse visual impacts from quarry and screening bunds; loss of agricultural land and hedgerow along south-east boundary; insufficient screening of White House due to gappy vegetation along Thistleton Lane (gaps should be filled at first available planting season); and inconsistencies in ES with regard to screening scheme diagrams (pages 24 and 25) and accompanying text. Stated that the ES should include assessment of impacts on townscape, heritage, and community assets, as well as impacts on Greetham

Conservation Area and Greetham Meadows SSSI and that impacts should be classified as significant as these receptors are noted as high and medium sensitivity; the lack intervisibility should not be a reason to reduce the impact level rating.
Noted width of unworked strip of land along Thistleton Lane is comparatively smaller (10 to 12m wide) than the equivalent strip of land at permitted quarry (20m wide) and the bund along the southern boundary is 20m wide with no explanation for any of these differences. Suggest Great Lane should be better screened from quarry with a significantly higher bund than proposed and planted with vegetation that allows for the establishment of a scrubby habitat and, rather than be removed when operations cease, be kept as a windbreak and as a historic reminder of the quarry. Recommend a tree planted screening mound along the northern boundary (the width at least the size of the existing screening mound at the permitted quarry). Noted that the LVIA doesn't include visual analysis of vegetation cover during winter and is therefore not in line with best practice where visual assessment work is carried out in a worst-case scenario situation. Suggest visual assessment in LVIA should be based on Local Authority agreed viewpoints and receptors and it should include impact assessment of night lighting on countryside, topsoil storage mound, and potential cumulative impacts of permitted quarry and proposed extension. With regard to quarry restoration, recommend a restoration scheme that can adapt to potential changes in biodiversity priorities for the region in the future and a scheme that includes preservation of some of the rock faces (e.g. along the south-east boundary and sections parallel to Thistleton Lane and Great Lane); allowing for natural recolonisation by calciphile plants and providing wildlife habitat.

- Transport impacts. Concerns regarding: increased movements having adverse impacts on local transport network (B668 Greetham Road); capacity of transport infrastructure to accommodate transport associated with the proposed development; increased movements through Greetham Conservation Area, Cottesmore, and Burley; perceived risks to safety resulting from HGV movements; dust, mud, and aggregate deposits from HGVs and dust from quarry operations on roads and footpaths; and potential cumulative traffic impacts from permitted quarry and proposed extension should the permitted quarry be worked/restored at the same time as the proposed extension is operational. Measures used at existing quarry to reduce and/or prevent dust, mud, and aggregate deposits on roads including lorry covers, wheel washing, and road cleaning considered inadequate and concerns these issues will continue with proposed development. Wheel washing less effective due to muddy road surface between wheel wash facility and highway. Vehicles numbers associated with refueling, machinery maintenance, and site workers should be assessed. Recommend provision of a footpath along Thistleton Lane between Great Lane and the B668 to increase the safety of pedestrians and cyclists using this road.

- PRoW. Concerns regarding: perceived risks to safety resulting from proximity of users to quarry face and use of embankments (instead of fences) to secure site.

- Monitoring. Noted need for enforceable conditions that can readily be monitored and measured; with performance against conditions assessed independently. Mitigation measures to address any potential breach of compliance should form part of a management plan. Concerns regarding: accountability, i.e. that increased monitoring requirements are required regarding dust, mud, aggregate debris, and noise.

- Economic. Concerns that potential noise and dust impacts associated with mineral extraction/processing and HGV movements will deter tourists from visiting Greetham; affecting the local economy. State that employment opportunities created by the proposed extension will be minimal.

- Greetham Quarry Liaison Group – Object to the proposed development based on concerns regarding: proximity to Greetham village and impact on sensitive receptors including people and livestock; potential noise and dust impacts; mud, dust, and aggregate debris on highway; and extended hours of operation (stated to be 06:00 to 19:00 for quarrying and HGV movements). It is considered these concerns could be addressed by planning conditions that include: monitoring and assessment of noise and

dust emissions in line with an approved monitoring plan (including live noise and dust monitoring with results made publicly available); undertaking mineral processing within a solid structure; tarmacking and regular cleaning of the internal haul road between the wheel wash and highway; regular cleaning of approach roads to quarry; improving the wheel wash facility; employment of gateman to ensure HGVs are sheeted, and that the wheels and chassis are clean when leaving the site; wheel washing facilities located as close to the entrance/exit as possible; CCTV monitoring of HGVs to ensure compliance with conditions; restricting operating hours to between 07:00 and 18:00 on a weekday; tree planted buffer zone between Great Lane hedgerow and the proposed bund; and requirement for liaison group and recommended representatives to ensure any compliance issues are dealt with. Recommend application of planning conditions similar to those set out in the Mountsorrel quarry planning permission. Consider the arrangements for the monitoring and enforcement of planning conditions at existing quarry are inadequate and more stringent and accountable arrangements need to be implemented at proposed extension.

Planning Assessment

28. This report assesses the acceptability of the development having regard to the submitted planning application, including the ES, and the environmental information that has been submitted through the consultation process. The main issues to consider and assess in the determination this application are:
    i. Whether the principle of the development including the need and benefits, accords with the development plan and other material planning policy considerations such as the National Planning Policy Framework (NPPF);
    ii. Whether the potential impacts such as air quality, noise, archaeology and cultural heritage, landscape and visual amenity, ecology, flood risk and drainage, transport, soils and agricultural land, socio-economic impacts, cumulative impacts, climate change, and other matters can be adequately and appropriately mitigated and controlled;
    iii. The scope and adequacy of the environmental information having regard to the proposed development; and
    iv. Where necessary, whether any conditions require updating in light of changes to planning policies, site development progress since the 2004 permission was issued, and as a result of the amended development proposals (reflected in the conditions in the Appendix).

Baseline

29. The Applicant has existing planning permission for the quarrying of land under MIN/2004/1051/CC and M/1999/0326/09 for land adjacent (east) of the Application site. These extant permissions (and Section 106 agreement) allow for extraction and processing of limestone and established operational working, hours of operation, environmental controls (e.g. noise, dust, and blasting), access, restoration and aftercare, and highway contributions. Limestone as aggregate and building stone was extracted and processed at the existing (adjacent) Greetham quarry and transported off site to market. Inert restoration materials were imported to facilitate restoration on a backhaul basis. Limestone resources within the existing quarry have been exhausted; operations were programmed to cease by the 30/09/2020. Two applications (2020/0971/MIN and 2020/0972/MIN) have been made under section 73 of the Town and Country Planning Act 1990 for the amendment of planning Condition 2 of M/1999/0326/09 and Condition 3a of MIN/2004/1051 to vary the date of the final restoration of Greetham Quarry from 30/09/2020 to 31/03/2022; currently awaiting determination.

Need and Benefits of the Development

30. The extension is needed in order to sustain and maintain supply of construction aggregate and locally sourced building stone. As noted previously, aggregate extracted from Greetham quarry is primarily utilised for construction purposes as fill material, whilst building stone is used for the maintenance and restoration of historic buildings and in new build projects in conservation and sensitive areas or other areas to reflect local distinctiveness. The proposed north-western extension is primarily for the purpose of extraction of aggregate, with reserves estimated at 3Mt of limestone (resource life of circa 20 years) and 0.1Mt of building stone reserves. The most recent years production rates were significantly more than the proposed production rates, being 150,000tpa for aggregate and between 5,000 to 10,000tpa for building stone. No intensification to the rate of extraction is proposed. The proposed extension would come on-line once extraction from the existing quarry has ceased, with extant permissions having expired 30/09/2020 (the extant permissions are subject to section 73 applications to vary the date of the final restoration). The proposal would maintain existing employment (six full-time staff plus HGV drivers based at the site) benefiting the local economy.

31. Policy MSC 2 of the adopted Minerals Core Strategy states that the County Council will make provision for the production of limestone aggregate (crushed rock) together with the maintenance of a landbank of permitted reserves. It should be noted that the nationally recommended landbank (ten years for crushed rock) forms a minimum. Rutland currently has four permitted quarries for limestone as crushed rock aggregate; three of which are active. Thistleton is not active and there is uncertainty around when it may come online (if at all), so may be discounted from figures for determining need.. The annual apportionment rate set out in the adopted Mineral Core Strategy is 0.304Mtpa; whereas the Local Plan review document identified an annual provision rate of 0.19Mtpa (based on 2014 LAA data), but the latter is now not being taken forward to adoption. The most recent LAA (based on 2018 data) indicates ten and three year averages of 0.21Mtpa and 0.36Mtpa respectively The proposed Greetham extension will contribute to the supply of minerals and landbank as required by Policy MSC 2.

32. Policy MSC 3 of the adopted Minerals Core Strategy sets the General Location Criteria and directs future aggregate mineral extraction to the areas identified within the area identified for future mineral extraction in the key diagram (unless small scale or building/roofing stone quarries). The application site is within the areas identified. Policy MSC 3 also states that planning permission will only be granted within the areas identified in the Key Diagram where the proposal is for an extension to an existing quarry (unless small scale or building or roofing stone). The proposed Greetham extension therefore satisfies the requirements in Policy MSC 3.

33. Policy MSC 5 of the adopted Minerals Core Strategy deals with extensions to sites and states that proposals for extensions will only be permitted where they are required to meet a proven need and the proposals do not conflict with other policies in the plan (which is dealt with in other sections of the report). In terms of need, permitted reserves and annual sales data at existing sites cannot be published for confidentiality reasons. However, an estimated annual production rate can be calculated for extant permissions with remaining reserves based on publicly available documents. Planning permission was recently granted for Clipsham quarry south east extension (conditions state a production rate of 0.15Mtpa). Woolfox quarry production rate is estimated at circa 0.07Mtpa (2016/0199/MAJ - Planning and Environmental Statement, paragraph 2.3.3). Thistleton is not active (as stated above). Reserves at the existing Greetham quarry have been exhausted with the current planning application (2020/0297/MIN) stating a production rate of 0.15Mtpa for the application site. The estimated current production rate for active sites is circa 0.22Mtpa; 0.084Mtpa below the currently adopted Mineral Core Strategy rate of 0.304Mtpa. Therefore, when considering the proven need requirement of Policy MSC 5, there is a shortfall in current production rates that supports the release of the reserves at the Application site. What was the emerging Local Plan provision rate is not an adopted rate.

34. Policy MSC 5 also seeks, where possible, for extensions to aggregate sites to also provide for the recovery of building stone. This preference is satisfied by the of the proposed development and is an added benefit.

35. The existing Greetham quarry and proposed north-western extension are shown in Plan/Drawing ref. no. Greetham Drawing G17/1/19/01 (Location plan) dated January 2020, refer Appendix 1.

Restoration

36. Restoration of the extension area offers opportunities for creating new habitats that may provide longer-term benefits for nature conservation and wildlife; acting to support and extend the restoration works in the existing quarry to the south-east. It is proposed to restore the north-western extension progressively to lower levels (than the existing landform/land levels), and to reinstate agricultural land and provide for biodiversity and green infrastructure benefits. More specifically, the proposed restoration outcomes including a return to arable farmland coupled with the creation of calcareous grassland around the perimeter, a small seasonal wetland habitat, and reinforcement and strengthening of hedgerows. The south-east hedgerow (H3) would be removed in order to extend the existing void westwards. It should be noted that inert waste imported will be used as fill in restoration works, along with on-site inert restoration material.

37. The restoration plan for the proposed extension is shown in Plan/Drawing ref. no. Greetham, Drawing G17/1/19/04 Rev. A (Restoration plan) dated January 2020, refer Appendix 1.

The NPPF and Development Plan

National Policy and Guidance

38. The NPPF sets out the Government's planning policies for England and how these are expected to be applied. The NPPF is also supported by the National Planning Practice Guidance (NPPG) which contains more detailed practice guidance on various land use planning matters, including the impacts of mineral extraction (e.g. dust, noise, landscape impact, etc.). The NPPF establishes a presumption in favour of sustainable development. For decision-making, proposals for development that accord with the development plan shall be approved without delay. With regard to facilitating the sustainable use of minerals it is recognised at paragraph 209 of the NPPF that it is essential that there is a sufficient supply of minerals to provide the infrastructure, buildings, energy, and goods that the country needs. It also recognises that minerals are a finite resource, can only be worked where they are found and that best use needs to be made of them to secure their long-term conservation.

39. When determining planning applications, the NPPF requires Mineral Planning Authorities (MPAs) to give great weight to the benefits of mineral extraction, including to the economy (paragraph 211). The NPPF also references building stone with respect to supporting the repair of heritage assets. As well as the policies relating to mineral extraction the NPPF also requires the determining authority to take into consideration the desirability of preserving and enhancing the significance of heritage assets, and making a positive contribution towards local character and distinctiveness. This proposal would contribute towards these objectives through the provision of locally sourced building stone (estimated total reserves 0.1Mt). Overall the NPPF supports the principle of mineral extraction of the nature proposed in this planning application, subject to the mitigation of potentially adverse impacts.

Rutland Core Strategy DPD (2011)

40. Policy CS16 – The Rural Economy sets out the strategy for the rural economy and supports the mineral industry as set out in the Minerals Core Strategy and Development Control Policies DPD (2010), addressed below.

41. Policy CS19 – Promoting Good Design requires all new developments to meet high standards of design. The proposal is for the extraction of aggregate and a small amount of building stone that would likely be used locally and wider to contribute towards local distinctiveness and restoration of heritage assets. Indigenous soils and quarry (inert) waste would be used in restoration of the quarry, thereby minimising waste.

42. Potential impacts on visual amenity, landscape, natural environment, historic environment, water resources and flooding, and recreation are addressed further under the Potential Adverse Impacts section to avoid repetition.

43. The proposal is in general compliance with the Rutland Core Strategy.

Rutland Site Allocations and Policies DPD (2014)

44. Policy SP15 – Design and Amenity requires all new developments to meet the requirements for good design set out in the Core Strategy (addressed above). In addition to the matters discussed under Policy CS19, it should be noted that the siting and layout is of a form that is appropriate to the local context. Extraction and processing will be set down from natural ground level with screening provided around the perimeter by soil bunding, acoustic screening fence (for the White House to the north-east), and hedgerows and plantings providing screening. The site is well contained due to vegetation, settlement, and topography. Views of the site are possible over short distances (within 1km), and for transient users; however, the site is not considered to be visible at long distances. The proposed facility would also include low-level sensor activated external lighting for security purposes. A new site access is proposed onto Thistleton Lane, with the site reception, office and staff welfare facilities, and adequate parking to be located off Thistleton Lane as shown in Plan/Drawing ref. no. Greetham, Drawing G17/1/19/03 Rev. C (Working scheme) dated January 2020, refer Appendix 1.

45. Policy SP17 – Outdoor Lighting requires developments to not have unacceptable adverse effects on the environment, character, and amenity of an area. Proposed outdoor lighting associated with the development includes artificial lighting around the plant site area for health, safety, and security requirements, and possibly within the infill areas. Such lighting would be downward facing and below the working rim of the quarry, in addition peripheral soil screening mounds (3-5m) will assist in limiting potential for light intrusion affecting residential receptors and wildlife. Floodlighting may be required in the winter months around plant for short periods (of not more than 30 minutes) outside of the hours of operation.

46. Potential impacts on biodiversity and geodiversity, historic environment, landscape, and transport are addressed further under the Potential Adverse Impacts section to avoid repetition. The proposal is in general compliance with the Rutland Site Allocations and Policies DPD. Rutland Minerals Core Strategy and Development Control Policies DPD (2010).

47. MCS Policy 2 – The Supply of Minerals in Rutland, requires the MPA to: make provision for the production of aggregate; allow proposals for the supply of local sources of building and roofing stone where necessary for conservation purposes and maintaining the local distinctiveness of the built environment within Rutland; and allow proposals for minerals development where they will not cause unacceptable harm to the environment or communities. The proposal is for an extension to an existing operation for the purpose of extracting aggregate and a small amount of building stone. The proposal benefits from being an extension to an existing site and so the viability of the resource is proven. The proposal includes cessation of blasting operations, which will assist in reducing potential for adverse effects such as dust,

noise and vibration. No intensification to the rate of extraction is proposed, and will see a decrease in associated HGV movements. The proposal also has sustainability benefits that comply with MCS Policy 1 and the general sustainable development principles of the NPPF. Consideration on the effect on the environment and communities is dealt with later in the report.

48. MCS Policy 3 – General Locational Criteria requires minerals development to be located within the Areas for Future Mineral Extraction, in addition proposals should be for an extension to an existing extraction site. The proposed area is located within the Area for Future Mineral Extraction for Limestone Primarily for Aggregate Purposes and forms an extension to an existing extraction site.

49. MCS Policy 5 – Extension to Aggregate Sites requires proposals for extensions to existing aggregate extraction sites to meet a proven need and be in compliance with other Local Plan policies. Wherever possible, extensions to existing aggregate extraction sites should incorporate proposals for the recovery of building stone. The proposal forms an extension to an existing extraction site, with the proposals primary purpose being for the extraction of an estimated 3Mt of aggregate (resource life of circa 20 years) and 0.1Mt of building stone. The adopted Mineral Core Strategy identifies an annual apportionment rate of 0.304Mtpa; the Submitted Local Plan Review 2018-2036 identifies a provision rate of 0.19Mtpa. A landbank of at least ten years should be maintained for crushed rock (aggregate), a landbank is not identified for building stone. The most recent survey of mineral operators (2018) indicates that Rutland has an adequate existing landbank of aggregate of 27 or 42 years - based on the apportionment/provision rates identified in the adopted Minerals Core Strategy and Submitted Local Plan Review respectively. Planning permission was recently granted for an extension to Clipsham quarry, with an estimated reserve of 2.25Mt of aggregate; dependent on the provision/apportionment rate applied, the aggregate landbank can be adjusted to 30-50+ years. Discounting Greetham, currently permitted reserves are tied up in three sites, with planning permissions expiring between 2024 (Woolfox) and beyond 2040 (Thistleton and Clipsham); recent average production for permitted rates is less than 0.304Mtpa[2].

50. MCS Policy 12 – Restoration and MDC Policy 12 – Restoration and Aftercare requires that the restoration of mineral workings enhance and complement the natural and historic environment in keeping with the local area, including its landscape character and with due regard to the setting of historic assets, and is capable of sustaining an appropriate after-use. The MPA's primary objective is to achieve after-uses that enhance or add to biodiversity and geological conservation interests. Restoration should be carried out at the earliest opportunity and where appropriate, progressive restoration will be required. The extension area would be progressively restored to predominantly agricultural use, but to lower land levels, coupled with the creation of calcareous grassland around the perimeter, a small seasonal wetland habitat, and reinforcement and strengthening of hedgerows. Restoration of the extension area offers opportunities for creating new habitats that may provide longer-term benefits for nature conservation and wildlife as well as acting to support and extend the restoration works in the existing quarry to the south-east. The proposed restoration outcome would not attract significant number of migrating birds or cause an aviation safety hazard.

51. Note that Development Plan policies addressing potentially adverse impacts are addressed under the Potential Adverse Impacts section to avoid repetition.

52. The proposal is in general compliance with the Rutland Minerals Core Strategy and Development Control Policies DPD.

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[2] Figures cannot be published due to commercial confidentiality.

53. The proposal was in general compliance with the emerging Local Plan, however it should be noted on the 1st September 2021 Members voted to withdraw the draft Local Plan. This document therefore has no weight in the determination of the application

Conclusion

54. Overall the principle of the proposed development complies with and supports the sustainable development and mineral working policies in the NPPF and the Rutland Core Strategy, Site Allocations and Policies, and Minerals Core Strategy and Development Control Policies DPDs.

Consideration of Reasonable Alternatives

55. No alternatives were studied as part of the proposal. Extensions to existing minerals extraction sites are preferred over new sites with respect to national and local planning policy. The proposed development presents beneficial outcomes such as reduced HGV movements, continuation of employment, continued minerals supply and wider economic benefits.

Potential Adverse Impacts

56. The application is subject to an EIA. All of the Environmental Information submitted by the Applicant, consultees, and in representations has been taken into account in the assessment of this application.

57. National planning policies and guidance, and the Rutland Minerals Core Strategy and Development Control Policies DPD (2010) require that the environmental impacts of mineral extraction are adequately addressed and mitigated. In particular MDC Policy 1 – Impacts of Mineral Development of the Minerals Core Strategy requires proposals for minerals development to demonstrate that the impact on communities and the environment can be controlled within acceptable levels, with consideration given to the following matters:

- impacts on adjoining land uses and users, and those in close proximity to the minerals development from noise, dust, fumes, vibration, illumination, and from traffic generated by the development;
- impacts on floodplains, groundwater, surface water, drainage, watercourses, and water bodies;
- impacts on the appearance, quality and character of the landscape, and any features that contribute to its distinctiveness;
- impacts on the natural environment, biodiversity, and geological conservation interests;
- impacts on historic landscapes, areas, sites, or structures of architectural and historic interest and their settings, and sites of existing or potential archaeological interest or their settings;
- impacts on tourism and the local economy;
- impacts on public open space, the rights of way network, and outdoor recreational facilities;
- impacts on the use, quality, and integrity of land and soil resources (including land stability);
- any increase in the risks of birds striking aircraft;
- any increase in pollution and CO2 emissions;
- cumulative impacts arising from the interactions between mineral developments, and between mineral and other forms of development; and
- any other matter relevant to the planning application.

Adjoining Land Uses and Users

58. The proposed extension area is separated from the existing quarry by a hedgerow (H3), an electrical power line also runs along this boundary; which would be relocated prior to operations within the extension. The proposed extension area is immediately north-west of the existing workings and located to the north-west of Greetham village; being approximately 85m at its closest point (opposite Greetham Community Centre and recreation ground) and 220m to the village boundary. Great Lane (a PRoW) and Thistleton Lane form the western and north-eastern boundaries of the proposed extension (respectively); both of which have established hedgerows (H1 and H2). Beyond Great Lane lie Greetham Community Centre and recreation ground, and agricultural land, with agricultural land to the north/north-east. The closest residential receptors are the White House approximately 30m north-east (adjacent the north-east corner, separated by Thistleton Lane) and 48 Great Lane approximately 90m south-west (separated by a field and Great Lane).

59. Land use in the wider area is mainly arable with occasional blocks of woodland. Greetham Meadows SSSI is approximately 500m north-east of the proposed extension area. Land use in the wider area is mainly arable with occasional blocks of woodland. Kendrew Barracks and the villages of Stretton and Cottesmore are approximately 1km east, 1.6km north-east and over 2km south-west respectively.

60. The proposed extension would not bring operations closer to sensitive receptors than previous mineral extraction operations. Previously permitted extraction in the south-east corner (adjacent Stretton Road, B668) also occurred within close proximity to sensitive receptors; approximately 75m from the working area to residential dwellings located along Stretton Road (B668) on the eastern edge of Greetham village. More recent operations (Phase 3 extraction area of permission MIN/2004/1051/CC) were located approximately 150m from the Community Centre, and just over 160m from the nearest residential dwelling (Great Lane), as shown in Plan/Drawing ref. no. Greetham Quarry, Drawing Fig. 3.1 (General Method of Working) dated March 2004, refer Appendix 1. The proposed operations (Phase 4 extraction area) would be approximately 75m from the Community Centre and just over 110m from the nearest residential dwelling (Great Lane) as shown in Plan/Drawing ref. no. Greetham, Drawing G17/1/19/03 Rev. C (Working scheme) dated January 2020, refer Appendix 1. There will be no extraction within 150m of any property within Greetham village, and no processing carried out within Phase 4 or 350m of Greetham village. Given the proximity to sensitive receptors the proposed extension may present unacceptable adverse impacts on residential and sensitive land-uses specifically pertaining to noise and dust impact (addressed in more detail in the below sections), however with implementation of a more comprehensive control and monitoring strategy (than that of the extant permission), including procedures to be followed in the event of any complaints, any residual impacts will be adequately mitigated.

<u>Noise</u>

61. The Applicant's submitted Noise Impact Assessment (February 2020) as part of the original EIA submission as well as Additional Information (Section 4 – Noise), and a further Noise Assessment (October 2020) as part of the Reg 25 RFI submission[3]. The Assessments considered impacts of typical quarrying operations associated with the proposed extension on noise-sensitive receptors in the vicinity of the site. The change in ambient noise levels at the White House, with respect to the proposed new site access onto Thistleton Lane including HGV movements (pre-loaded, exiting the site) between 0600-0700 weekdays, was also considered. Noise-sensitive receptors considered included: 48 Great Lane, the White House, possible future commercial uses located in the existing quarry site (expected to be established by the time Phase 5 is worked), and possible future residential uses located in the existing quarry site. Further monitoring conducted as part of the RFI submission, was undertaken when the existing quarry was dormant, with no activity within the quarry during the monitoring period. Calculations and an assessment of the noise levels

[3] Herein referred to as the Reg 25 submission.

were based upon the use of the proposed plant. This also gave consideration to internal noise levels within the Greetham Community Centre.

62. The proposed operations do not bring operations closer to existing receptors, HGV movements would be reduced, and the proposed working method will see a cessation of blasting. There will be no extraction within 150m of any property within Greetham village, and no processing carried out within Phase 4 or 350m of Greetham village.

63. National guidance requires appropriate noise standards and limits (for mineral operators) to be establish through a planning condition at the noise-sensitive property that does not exceed the background noise level (LA90,1h) by more than 10dB(A) during normal working hours (0700-1900). Where it will be difficult not to exceed the background level by more than 10dB(A) without imposing unreasonable burdens on the mineral operator, the limit set should be as near that level as practicable. In any event, the total noise from the operations should not exceed 55dB(A) LAeq, 1h (free field). During certain periods, noise levels may be generated that exceed the permissible noise limits. A temporary relaxation of the limits to accommodate such occurrences is proposed, limited to eight weeks in any 52-week period, the noise limit applicable during such period is of up to 70dB (A) LAeq, 1h (free field); this does not alter permitted hours of operation.

64. Noise limits under Condition 21 and 22 of the extant permission MIN/2004/1051/CC are for 55dB(A) LAeq, 1 hour (h) (free field) at identified noise-sensitive receptors and 70dB (A) LAeq, 1h (free field) for temporary operations (site preparation, topsoil, bund formation and removal, and final restoration). It is proposed to reduce the current limit to 48dB(A) LAeq, 1 hour (h) (free field) and 51 dBA(1hr) at the noise sensitive receptors, being 48 Great Lane and the White House respectively. The noise limit of 55 dBA(1hr) at the Greetham Community Centre and for temporary operations of 70dB (A) LAeq, 1h (free field) would remain the same. Consideration was given to internal noise levels within the Community Centre in line with British Standard (BS) 8233 Guidance on Sound Insulation and Noise Reduction for Buildings, which provides guidance for activities such as staff meeting or training rooms. Such activities are akin to the type of activities likely to take place at the Community Centre during the day.

65. RCC EH undertook noise monitoring to verify background levels and confirmed the above levels to be acceptable. The Noise Assessment (October 2020) noted that these lower limits would therefore seek to ensure noise levels associated with the working of the extension were noticeably lower (compared to the operations within the existing quarry) and did not result in adverse noise impacts at the neighbouring properties. In addition, the proposed method of working (no blasting, no extraction within 150m of Greetham village, and no processing within Phase 4 or 350m of Greetham village), use of white-noise or intelligent reversing alarms, soil bunds (western, eastern, and southern boundaries), and acoustic screening fence (opposite the White House, north-east corner of the site) will help to mitigate noise impacts.

66. The Noise Assessment (October 2020) predicted noise impacts attributable to (preloaded) HGVs exiting the site at 0600 at the White House (located opposite the proposed new access), resulting in a noise level of 43dB LAeq 1hr. The NPPG states that for any operations during the period 2200 to 0700 noise limits should be set to reduce to a minimum any adverse impacts, without imposing unreasonable burdens on the mineral operator. In any event the NPPG states that the noise limit should not exceed 42dB(A) LAeq,1h (free field) at a noise sensitive property during the period 2200 to 0700. Therefore, the proposal to extend the operating hours to start at 0600 to allow for pre-loaded HGVs to depart the site does not comply with the NPPG and would result in adverse amenity impacts.

67. Periodic noise monitoring is proposed complemented with trigger levels. This is to be coupled with noise control measures (e.g. inspection and maintenance of road surfaces to prevent body slap effect causing disturbance, ensuring plant is kept well

maintained, silencers on plant are effective, turning plant off when not in use, and using alternative non-tonal reversing alarms on mobile plant), use of bunding and acoustic screening, and a complaints investigation procedure. Further detail regarding noise monitoring measures is set out in the Greetham Quarry Rutland, Regulation 25 Additional Information (June 2020): Section 4 – Noise, and Noise Assessment, proposed North Western Extension to Greetham Quarry Rutland (October 2020): Section 7: Periodic Noise Monitoring and Control Measures.

68. RCC EH stated that the current arrangements under the extant permissions for the monitoring and enforcement of planning conditions (for dust and noise) have shown to be inadequate and therefore more stringent and accountable arrangements need to be implemented.

69. RCC EH considered that the proposed 0600 start for pre-loaded HGV's is too early, with the existing 0700 more appropriate. RCC EH recommended implementation of a suite of effective monitoring and control measures (including continuous real-time monitoring) to be complemented by a complaint investigation and documentation process, and 0700 start time for hours of operation.

70. Objections were received from Greetham Parish Council and individuals from the local community regarding potential adverse impacts associated with noise arising from quarry operations and vehicle movements. Greetham Parish Council commissioned a consultant to review the Noise Impact Assessment (February 2020), the report concluded that the approach taken was not precautionary enough, that further monitoring was required to identify background levels, and that a more stringent control and monitoring strategy was required.

71. In the period that Mick George Ltd have been operating at the Greetham quarry (2017 to date), the operator reports that five individual complaints have been received (by Mick George Ltd) specifically in respect to noise, with an additional two complaints received by the Mineral Planning Authority (2019 to date).

72. The historic Minerals Policy Statement (MPS2) (paragraph 2.25), superseded by the NPPF, recommends that detailed requirements for monitoring should be decided on a site-specific basis, avoiding unnecessarily onerous requirements. The MPS2 further states that conditions should require operators to report periodically to the MPA on the results of monitoring and to inform it as soon as possible if there is evidence of the limits being breached, including an explanation and a statement of action to remedy it. In addition, MPAs and/or EHOs should carry out periodic checks of permitted sites in their areas, particularly if complaints are received, and inform the operator and complainants of the results. MPS2 also sets out model planning conditions relating to noise (paragraph 14.6) advising that measurements should typically be taken at three monthly intervals with a scheme for monitoring noise levels arising from the site submitted to and approved by the MPA prior to the commencement of development. To the Councils knowledge there are currently no quarries within the UK that have continuous real-time noise monitoring.

73. Given the proximity to sensitive receptors a more comprehensive control and monitoring strategy (than that of the extant permission), including procedures to be followed in the event of any complaints, is necessary to ensure that any residual impact is adequately mitigated. Amending the hours of operation to allow for HGV movements (pre-loaded, exiting the site) between 0600-0700 weekdays is not appropriate as it would result in adverse amenity impacts. In addition, no extraction is to take place within 150m of any property within Greetham village, and no processing is to take place within 350m of Greetham village. The requirements for control and monitoring are set out in Appendix 2 - Draft Conditions.

<u>Dust</u>

74. The Applicant submitted a Dust Assessment (June 2020) and an Addendum accompanied by a Dust Management Plan (October 2020) as part of the Reg 25 submission. The Assessment considered background conditions and impacts

(disamenity and health) of fugitive dust (including particulate matter - PM10) on sensitive receptors in the vicinity of the site, extending to potential receptors in Greetham village.

75. The Institute of Air Quality Management (IAQM) 2016 Guidance on the Assessment of Mineral Dust Impacts for Planning, advises that beyond 400m adverse dust impacts from hard rock quarries are uncommon. There will be no extraction within 150m of any property within Greetham village, and no processing carried out within Phase 4 or 350m of Greetham village. Greetham Meadows SSSI is located approximately 500m north-east of the proposed extension area. Given that the SSSI is over 400m from the proposed extension area and associated dust generating activities, ecological impacts were not considered through the Dust Assessment.

76. The generation and dispersion of fugitive dust is particularly dependent upon weather conditions. Meteorological conditions applied in the Assessment were derived from the RAF Wittering meteorological station as this was considered to be reasonably similar to the proposed extension site. Background concentration of PM10 and PM2.5 were obtained from Defra mapping (2020).

77. The Assessment methodology was derived from the IAQM 2016 Guidance. The Assessment concluded that the concentrations of particulate matter were predicted to be well below the accepted levels (PM10 – 40µg/m3, and PM2.5 25µg/m3) at sensitive receptors, and that the predicted number of days with PM10 concentrations above 50µg/m3 during elevated emission events would not exceed the permitted number of 35 days at sensitive locations. This is within acceptable levels and in line with the NPPG which requires implementation of good practice mitigation measures that are considered to provide sufficient control of fugitive dust emissions.

78. Monitoring of dust deposition, PM10 concentrations, and meteorological conditions is proposed, complemented by identification of trigger levels. This is to be coupled with dust management and control measures, and a complaints investigation procedure. Further detail regarding dust monitoring and control measures is set out in the Dust Assessment Addendum, Greetham Quarry and Dust Management Plan, Greetham Quarry (October 2020).

79. RCC EH stated that the current arrangements for the monitoring and enforcement of planning conditions have shown to be inadequate and therefore more stringent and accountable arrangements need to be implemented. It was noted that dust incidents are highly dependent on meteorological conditions, with sensitive receptors vulnerable to dry easterly and north-easterly winds; as such, weather patterns need to be factored into operations, and dust management and monitoring measures. Considerable improvements would be needed to avoid the episodes of dust that have affected Great Lane in 2019 and 2020 - confirmed justified complaints from residents were received. The operator also failed to act on recommendation (of RCC EH) to suspend crushing due to weather conditions in March 2020; this was followed by residents complaints regarding dust. The operator subsequently suspended crushing operations. RCC EH recommended a dust management plan to prevent the combination of circumstances that results in dust being deposited at residential properties, with the onus on the Applicant to demonstrate compliance by the use of suitable objective monitoring, including measures such as real-time monitoring, deposition gauges, use of weather forecasts and stations, dust suppression, and monitoring of dust generating activities via a CCTV system. This should be complemented by a complaint investigation and documentation process. RCC EH liaised closely with the Applicants consultants regarding the methodology applied, monitoring locations, and monitoring and mitigation measures to be implemented.

80. Objections were received from Greetham Parish Council and individuals from the local community regarding potential adverse impacts associated with dust arising from vehicle movements and extractive operations (including processing). Greetham Parish Council commissioned a consultant to review the Dust Assessment (June 2020), who considered that the approach taken was not precautionary enough, did

not account for local conditions to identify the baseline and weather conditions, and that a more stringent control and monitoring strategy was required.

81. The monitoring and control measures proposed in the Dust Management Plan (October 2020) would ensure that any residual impact is adequately mitigated. A more comprehensive monitoring strategy, including procedures to be followed in the event of any complaints is necessary.

Traffic and Access

82. The proposed extension of operations would mean that there would be a continuation of HGV movements and passenger vehicle movements associated with the operations. Operations at the existing quarry averaged around 53 HGV loads (106 HGV movements) per day. The proposal is for processed aggregate at a rate of 0.15Mtpa, equating to around 31 HGV loads (62 HGV movements) per day for aggregate, and five loads (10 HGV movements) per week for building stone; averaging a total of 32 HGV loads or 64 HGV movements per day or four HGV loads (eight HGV movements) per hour. The majority of traffic associated with the proposed extension would be routed to the A1, with the Transport Statement stating that all HGV movements will route to and from the south of the site. The proposed extension would see a decrease in actual output levels and HGV movements, assuming a rate of 0.15Mtpa. Restoration materials are proposed to be imported on a back-haul basis, and so would not increase movements.

83. It is proposed to vary the existing operating hours, with Saturday hours reduced by one hour and proposed earlier hours for pre-loaded vehicles leaving the site Monday to Friday. The proposed operating hours are: 0700 to 1800 hours Monday to Friday (pre-loaded HGVs to leave the site from 0600 hours Monday to Friday); 0700 to 1300 hours Saturday; and no operations on Sundays or Public/Bank Holidays.

84. A new access onto Thistleton Lane is proposed, with HGV traffic, apart from local deliveries, routed to the A1 to the east. Until the new access is constructed it would be necessary to use the existing access onto Stretton Road (B668), the timeframe for which is estimated at between 6 to 12 months. The new access would result in a net reduction in traffic movements overall, but a modest increase in traffic using a short stretch of road on Thistleton Lane with the construction of a new access along this road (the existing access onto Stretton Road would be closed off in line with the existing quarries restoration plan). Thistleton Lane is a lower classification of highway subject to a 7.5 tonne environmental weight limit. The road was upgraded in recent years to accommodate HGVs associated with Ministry of Defence (MoD) movements (Kendrew Barracks) via gates at the end of Thistleton Lane and averages around 6.5m in width. A Section 106 Agreement is required to control access use and traffic routing, in addition, financial contributions towards additional road maintenance will be secured through a Section 59 Agreement. A wheel wash facility will be constructed as part of the internal haul road network, located off Thistleton Lane as shown in Plan/Drawing ref. no. Greetham, Drawing G17/1/19/03 Rev. C (Working scheme) dated January 2020, refer Appendix 1.

85. The Applicant submitted a Transport Statement as part of the ES that included a traffic survey. The Transport Statement concluded that:

- Total HGV movements would be reduced. There will be a reduction in traffic movements on the wider network (from existing movements using the main quarry access and therefore the Thistleton Lane/ B668 junction), however there will be a modest increase in traffic using a short stretch of road on Thistleton Lane.
- There are no highway safety concerns that require mitigation as part of the development proposals within the area surrounding the site, and
- The proposed development will have no material impact on the safety or operation of the adjacent highway network.

86. The Applicant submitted additional information in response to the Reg 25 RFI, that considered transport and access matters (Greetham Quarry Rutland, Regulation 25

Additional Information (June 2020): Section 6 – Transport and Access). This confirmed the proposed location of the wheel wash facility, that the section of internal haul road from the wheel wash to the site access point would be tarmacadam or concrete surfaced, timeframe for use of the existing access, and hours of operation.

87. Highways England does not object to the application, as the proposed development will not be adding any additional traffic onto the network. RCC Highways and Transport initially indicated no objection to the application, however updated advice was later issued, drawing attention to the environmental weight limit of Thistleton Lane (7.5 tonnes), it was noted that the proposal does not by virtue constitute a right of access as the change to the use of HGV on the environmental weight limit restriction has a potential impact. The road was upgraded in recent years to accommodate HGVs associated with Ministry of Defence (MoD) movements (Kendrew Barracks) via gates at the end of Thistleton Lane. Concerns raised included impact of HGV movements on Thistleton Lane and the need for more regular maintenance. It was recommended that financial contributions to provide for the required maintenance be secured by way of legal agreement. In addition RCC Highways and Transport recommend conditions requiring: wheel washing facilities; visibility conditions relating to access and Thistleton Lane with B668; routing agreement to ensure HGV access via Thistleton Lane in an eastbound direction only; and arrivals/departures log to be submitted annually or within six weeks of writing by the LPA. RCC EH raised concerns regarding previous complaints regarding deposition of mud and limestone onto the road network, believed to be attributed to inadequate wheel wash facilities, the composition of the internal haul road – being unmetalled (between the wheel wash and the road network), failure to adequately sheet vehicles, and the proposed variation of the hours of operation with an 0600 start for pre-loaded HGV's considered too early. RCC EH stated that the water bath proposed may be insufficient, current inspection point for vehicles entering and leaving the site is considered to be inadequate, and that current conditions relating to noise and vehicle movements are inadequate and therefore more stringent and accountable arrangements need to be implemented. RCC EH also raised concerns regarding compliance with hours of operation (HGV movements) and potential for contamination (import of materials into the site). RCC EH recommended 0700 start time for hours of operation, all haulage roads from the wheel wash to be metalled to provide an impervious surface, installation of a more effective wheel wash system, installation of a 'lorries out - stop point' with mechanical barrier and CCTV system (for both the existing entrance as well as the proposed entrance), and that this should be complemented by a complaints investigation and documentation process.

88. The installation of both a 'lorries out - stop point' with mechanical barrier, CCTV system, and the requirement to maintain an arrivals/departures log may be viewed as unnecessarily onerous. The intent of the above recommendations is to establish a monitoring regime that will assist in determining compliance with requirements such as permitted operational hours, ensuring wheels have been adequately cleaned, sheeting of HGVs, importation of inert waste materials for restoration purposes, and other related matters. These matters are able to be adequately addressed through requirement of a CCTV system(s). The requirement for the Applicant to maintain visibility splays from the junction of Thistleton Lane with the B668 is not practicable as it relates to land that is not under the Applicants control. Landowners are required to maintain hedges growing onto public highways.

89. Objections were received from Greetham Parish Council and individuals from the local community regarding the number of HGV movements, routing of HGV movements, proposal to amend operating hours to allow for pre-loaded HGVs to leave the site between 0600-0700 weekday mornings, composition of the internal haul road, capacity of transport infrastructure to accommodate movements associated with the proposal, and debris on road network (referencing sheeting of vehicles and the need for improved wheel wash facility and inspection of vehicles exiting the site). Recommendations largely reflected that of the RCC EHO (as summarised above).

90. It is concluded that the proposal would not have a material impact on the safety or operation of the local road network; potential traffic impacts are not severe. Subject to completion of a Section 106 Agreement regarding access use and traffic routing and suitable planning conditions regarding permitted hours of operation, transport movements, composition of the internal haul road (between the wheel cleansing facilities and Thistleton Lane), wheel cleansing facilities, sheeting of all HGVs, installation of a CCTV system (for both the existing entrance as well as the proposed entrance), and a complaints investigation and documentation process, the development can be safely managed.

91. Following further discussion and investigations RCC Highways have confirmed that a Section 59 Agreement to secure financial contributions towards additional road maintenance is no **longer** required. The proposed recommendation has therefore been amended to remove this requirement.

Water Resources and Flood Risk

92. The ES addresses hydrology, in addition the Applicant submitted a Flood Risk Assessment as part of the EIA. Together these documents assess the proposals potential for impact on water resources and any impact on flood risk. The extension area is at a low risk of flooding from fluvial, pluvial, and groundwater sources and there is a low risk of flooding due to the increase in development runoff.

93. The extension area is located approximately 320m north of North Brook, which runs through Greetham village; the route of which is associated with areas of higher fluvial flood in the surrounding area. There is no direct surface runoff to North Brook. There are no other open surface water features on or in the vicinity of the site. The extension area is not located within flood zone 2 or 3; there is no significant surface runoff into the site from surrounding land or risk of flooding from fluvial overtopping owing to topography. The only likely ingress of water into the site would be due to rainfall. The existing quarry and extension area drain by natural infiltration to underground strata, as a consequence there are no surface water drainage channels and no positive drainage systems. It is proposed that the extension area would operate on the same principle as the existing site with rainfall and internal runoff directed to quarry excavations with no direct off-site discharge of surface water. Within the existing quarry there are areas identified as having low to high risk of surface water flooding, these typically correspond with low points in the quarry where surface water may accumulate (temporarily prior to natural infiltration) resulting from intense rainfall events. The majority of the extension area is considered to be at very low risk of surface water flooding with a small area on the eastern boundary of low risk corresponding with a shallow surface depression.

94. The extension area is located at sufficiently high elevation that it is not expected that the proposed extension to the quarry will encounter the watertable, i.e. it is expected that dry working will be maintained as per the permitted operations. The site overlays a principle aquifer (bedrock). Groundwater vulnerability mapping classifies the majority of the site as high with areas of high-medium and medium towards the north-east of the site. The site lies within a Source Protection Zone (2 – Outer protection zone and 3 – Total catchment) for groundwater sources.

95. The extension area is within the IRZ for Greetham Meadows, Clipsham Old Quarry and Pickworth Great Wood SSSIs; located approximately 500m north-east and 4.2km east respectively. NE notes that Greetham Meadows is sensitive to air and water quality, and as such NE consider that without appropriate mitigation the application would damage or destroy the interest features for which Greetham Meadows SSSI has been notified. No direct impacts on Clipsham Old Quarry and Pickworth Great Wood SSSI are anticipated. No other significant sites of environmental sensitivity are known in the vicinity of the site. Neither the EA nor NE object to the application; however NE stated that appropriate mitigation must be secured in the form of a comprehensive EMP to include the SuDS proposals and should cover the construction, operation, and eventual decommissioning of the proposed quarry; such mitigation measures could be secured through an appropriate

planning condition(s). The requirement for SuDS and a Dust Management Plan may be set out under separate conditions but would provide the recommended scope of the EMP as per NEs recommendations.

96. The Flood Risk Assessment concluded that the proposed extension area is not sensitive in terms of its hydrology or hydrogeology.

97. Adequate water supply and storage will be available for use in dust suppression. As per the existing operations, an on-site bowser will be used for dust suppression; water supply on site is from a borehole (connecting to a storage tank).

98. The proposed development is acceptable in terms of flood risk and surface water drainage. The residual flood risk for the development can be safely managed as set out in the NPPF, subject to suitable planning conditions to agree detailed drainage and SuDS infrastructure with the Lead Local Flood Authority, and the requirement for a comprehensive EMP.

Landscape and Visual Impact

99. The Applicant submitted a Landscape and Visual Impact Assessment (LVIA) (including a desk-based study and field survey) as part of the EIA considering the likely landscape and visual effects of the proposed development. The potential impacts on the landscape setting of the quarry and proposed extension area stem predominantly from mineral extraction on what are currently agricultural fields.

100. The extension area is located within the Leicestershire and Nottinghamshire Wolds (National – NCA 74), Rutland Plateau, and Cottesmore Plateau landscape character areas (County/District – D and Di). The landscape is broadly characteristic of and consistent with the key characteristics of these landscape character areas, with a well-treed and wooded landscape, interspersed with pasture and arable farming land use, with a broad, geometric network of large, regular fields, enclosed by thorn hedges. The extension area forms a triangular parcel of land, comprising an open, arable field with no internal landscape features that slopes gently to the south-east. Mature native hedgerows (with occasional hedgerow trees) run along the sites west, north-east, and south-east perimeter. Thistleton Lane and Great Lane (Viking Way PRoW) form the north-east and western boundaries. The existing Greetham quarry is adjacent (south-east) to the extension area. Greetham village lies to the south-west of the extension area. The surrounding landscape is predominantly agricultural / open countryside with a mosaic of large, geometric shaped fields with few landscape features other than the hedgerow boundaries, scattered farm buildings (residences), and occasional blocks of woodland. Mineral extraction is a characteristic land-use of the wider landscape with screening by mature hedgerows and shelterbelts of mature trees making the quarries largely discernable from the ground.

101. There is a full and open view of the extension area from the public footpath E156/1/Greetham, which runs parallel (approximately 85m) to the southern boundary and partial glimpsed views from Great Lane and the north-east corner on Thistleton Lane (opposite the White House). There is no direct intervisibility due to vegetation, settlement, and topography between the application area and the following designations/features identified in the surrounding area: Scheduled Monument – Medieval manorial settlement, listed buildings, and Exton Park Registered Park and Garden (or their landscape settings); Greetham Conservation Area; Greetham Meadows SSSI; and Ancient and Semi-Natural Woodland. The LVIA noted that the sensitivity of the landscape setting of the Greetham Conversation Area to change from certain types of development is high as it is a visually distinct area, with a strong sense of place; however, the proposed development will not effect the landform or pattern of the area, although there will be a loss of (part) wider landscape setting.

102. Overall the site is well contained due to vegetation, settlement, and topography. Views of the site are possible over short distances (within 1km) and for transient users, however the site is not considered to be visible at long distances. The erection of screening (soil) mounds will soften the visual impact of mineral extraction but will impact on the topography and landscape; in addition existing hedgerows (and proposed additional plantings to fill gaps and extend hedgerows, including along the southern boundary) limit views of the site and associated visual effects of the operations. It is anticipated that there will be no views of the operational area throughout the working life of the quarry.

103. Screening mounds and acoustic fencing would be removed once restoration is complete. Progressive restoration of the site (to lower levels) will also reduce landscape character impacts and extend the restoration works in the existing quarry to the south-east to act to unify and strengthen the landscape character.

104. The assessment concluded that whilst the proposals will result in some temporary disturbance to landscape character and views for visual receptors such as users of the Viking Way PRoW (Great Lane), the development is not out of character for the local context and effects would be temporary for the life of the quarry. Restoration proposals are appropriate for the local context and would result in no long-term adverse effects for landscape and visual receptors.

105. No negative visual cumulative impacts were identified. The LVIA noted that an application for a mixed commercial and residential development will be considered by the landowner upon restoration of the existing Greetham quarry. Given the unknown nature and footprint of this potential development, it is difficult to assess likely cumulative impacts. However, it is anticipated that the well-contained nature of the existing site and restoration strategy of the extension area will act to reduce any cumulative effects.

106. Proposed outdoor lighting associated with the development includes artificial lighting around the plant site area for health, safety, and security requirements, and possibly within the infill areas. Such lighting would be downward facing and below the working rim of the quarry, in addition peripheral soil screening mounds (3-5m) will assist in limiting potential for light intrusion affecting residential receptors and wildlife. Floodlighting may be required in the winter months around plant for short periods (of not more than 30 minutes) outside of the hours of operation.

107. Objections received from individuals from the local community regarding landscape and visual impacts were made regarding potential for adverse impacts on visual amenity, insufficient screening with reference to gaps in vegetation, proposed measures for screening, loss of agricultural land and hedgerows, users of footpaths (views of the site are addressed above) and Viking Way long distance route PRoW (addressed under the PRoW section below), method applied to the LVIA (reference made to assessment of intervisibility and seasonal visual analysis of vegetation), and potential for light pollution and nuisance.

108. The proposed development can be worked without posing unacceptable harm to landscape and visual amenity. It is concluded that, with mitigation and appropriate management, the proposed development is acceptable.

Natural Environment, Biodiversity, and Geological Conservation

109. The Applicant submitted an Ecological Assessment as part of the EIA, comprising a desktop study and a series of field surveys including a Phase 1 habitat survey and targeted species surveys to identify the presence/absence of any protected species that could potentially be impacted upon by the proposed development.

110. The extension area comprises a single intensively managed arable field bounded by hedgerows (H1 – west, H2 – north-east, and H3 – south-east), set within an agriculturally dominated landscape with numerous pockets of plantation woodland. Narrow field margins run along the perimeter of the field, a grass verge is located on

the southern boundary (separating the site and an adjacent horse paddock), and a small area of dense scrub is located in the south-western corner (comprising bramble). No waterbodies are located within, or adjacent, the extension area.

111. Greetham Meadows SSSI, is located approximately 500m north-east of the proposed extension area, the SSSI was assessed as being in favourable condition (2015). Greetham Meadows is one of the best remaining 'ridge and furrow' hay meadow sites in the region, and is the only known locality for the frog orchid (*Coeloglossum viride*). Merry's Meadows Nature Reserve (Leicestershire and Rutland Wildlife Trust) forms part of Greetham Meadows SSSI. Clipsham Old Quarry and Pickworth Great Wood SSSI is located 4.2km to the east. The extension area is within the IRZ for the before noted SSSI's.

112. A stand of broadleaved deciduous woodland, identified on the priority habitat inventory is located approximately 120m south-east, abutting the existing quarry. Greetham Wood Near, designated as Ancient and Semi-Natural Woodland, is just over 1km to the east. A number of LWS are located in the local area including Great Lane Hedgerow (20m south-west), Greetham Roadside Verge nature Reserve (30m north-west), Verge North-east of Greetham Wood - North and South (610m south-east).

113. The assessment of protected species records and survey results are summarised below:

- Bats – No records of bats on-site, nearest record are of bat roosts within Greetham village 300m south-west. Site is of moderate value for foraging and commuting bats and has the potential to support roosting bats.
- Badgers – No records of badgers on-site or within 1km of the site boundary, and no badger setts were located on-site or within 30m of the site boundary; no badger activity was identified on-site.
- Other terrestrial mammals – Rabbit burrows were found under a hedgerow. Records for European hedgehog 300m south-west of the site; the site has low value for hedgehogs.
- Amphibians – No waterbodies on/adjacent the site. No records of Great Crested Newts on-site with the closed record being 920m north (Greetham Meadows SSSI).
- Reptiles – Grass snake was identified on-site (field edge); the site has moderate value for reptiles with suitable habitat being restricted to boundary hedgerows and grass verge.
- Nesting birds – Numerous records for notable birds within 1km of the site, mostly associated with Greetham Meadows SSSI and Greetham village. Species identified during the site walkover included blackbird, blue tit, pheasant, wood pigeon, and jay; mostly associated with the boundary features and scrub habitat within the site. In addition three red kites were observed within the local area. Habitats present are generally common within the local area and provide value for passerine bird species. The site is in agricultural use, the harvesting of crops would cause disturbance; reducing suitability for ground nesting birds. The site has moderate value for passerine birds and low value for ground-nesting species.
- Invertebrates – Numerous records for notable moth species within 1km of the site, mostly associated with Greetham Meadows SSSI. Several common species observed within the boundary features during the site walkover; small white, small blue, gate keeper, and painted lady. Habitats present are generally common within the local area, with the boundary features of highest value for common invertebrates. The site is in agricultural use, which restricts diversity of invertebrate fauna within the site. The site has negligible value for notable species and moderate value for common species.
- Flora – Numerous records for notable flora species within 1km of the site, mostly associated with Greetham Meadows SSSI. Habitat within the site comprise intensively managed arable land with hedgerows along most boundaries (not suitable for notable species). The road verge to the north was found to support a greater species diversity (no notable species identified); this road verge will be impacted by construction of the new site access. Management of the road verge is

evident, lowering suitability for notable flora comprising of semi-improved grassland habitats. The site has negligible value for notable flora species.

114. LCC Ecology Unit noted that the land is currently in arable use and is of low ecological value apart from the hedgerows. Apart from the hedges and a single grass-snake, no habitats or species of conservation concern have been identified. The hedges are species-rich and may meet Local Wildlife Site (LWS) criteria; in addition, two of the hedges (H2 and H3) meet the Hedgerow Regulations criteria for 'important' hedges. These hedges (H2 and H3) are noted to be species-rich and may meet LWS criteria and are therefore, by definition, of County Level Importance; as such loss would only be accepted with adequate mitigation. It is proposed to retain two of the hedges (H1 and H2). There will be an unavoidable loss of a small area of the hedgerow (H2) and roadside verge in constructing the new access onto Thistleton Lane. The re-planting of the small section of H2 will provide adequate mitigation. The Ecological Appraisal states that current development proposal include the complete removal of the south-east hedge H3 in order to extend the existing void westwards; H3 is an 'important' hedge. The proposed restoration plan includes creation of 6.21ha of calcareous grassland, LCC Ecology advises that this will provide adequate compensation for the loss of the south-east hedge (H3) as calcareous grassland is a higher priority in this area, and new quarries are the main means of creating new areas of this habitat. A short length of new hedgerow and woodland belt is proposed along the southern boundary to provide screening, with gaps along existing hedges to be filled in.

115. Roadside verges along Thistleton Lane are species-rich grassland; immediately west of the proposed quarry extension, both verges are designated as LWS for neutral and calcareous grassland. The verge immediately next to the proposed site is not designated, but the survey results suggest it has value, with knapweed, bird's-foot trefoil, and red clover. Concerned was expressed regarding the extent of the visibility splay, which may cause loss of species-rich roadside verge. Clarification was sought on the impact of the development on the road verge, it was determined that although the visibility splays (215m in either direction of the access point) would not impact on the verge (being a sight line 900mm above ground level), there would be a loss of approximately 60m^2 of verge that although not designated is possibly of local note. It is proposed that the verge is replanted as part of the restoration (once the access is removed following cessation of works), it is agreed that this can be addressed through a suitably worded planning condition.

116. LCC Ecology raised concerns regarding potential for dust impacts on Greetham Meadows SSSI. NE noted that without appropriate mitigation measures the application would damage or destroy the interest features for which Greetham Meadows SSSI has been notified. The extension area is within the IRZ for Greetham Meadows SSSI, which is sensitive to air and water quality. The extension area is located at sufficiently high elevation that it is not expected that the proposed extension to the quarry will encounter the watertable, i.e. it is expected that dry working will be maintained as per the permitted operations. The Applicant submitted additional information in response to the Reg 25 RFI, that included a Dust Assessment (Greetham Quarry Rutland, Regulation 25 Additional Information (June 2020): Section 3 – Dust and Annexure B – Dust Assessment). The Dust Assessment did not consider impacts of dust deposition on Greetham Meadows SSSI as it is located more than 400m from potential dust generating activities.

117. LCC Ecology Unit does not object to the application subject to appropriate planning condition(s). NE does not object to the application subject to appropriate mitigation being secured, through an appropriate planning condition(s), requiring the production of a comprehensive EMP to address concerns regarding potential for adverse impacts on the interest features of Greetham Meadows SSSI. The requirement for SuDS and a Dust Management Plan may be set out under separate conditions but would provide the recommended scope of the EMP as per NEs recommendations. Both LCC Ecology and NE recommend: that prior to finalisation of the restoration plans, a biodiversity metric tool is applied to ensure a net-gain is achieved; and that

the site is re-surveyed at the end of quarrying in order to accommodate any naturally regenerated habitats of value in the final restoration plan. Further recommendations were made in relation the proposed restoration plan, addressed in the below section.

118. Objections were received from Greetham Parish Council and individuals from the local community regarding potential impacts on potential adverse impacts on wildlife including the grass verges along Thistleton Lane that are LWSs, and Greetham Meadows SSSI. It was also noted that quarry restoration to woodland may be beneficial for local residents.

119. The proposed development can be worked without posing unacceptable harm to the natural environment, biodiversity, and geological conservation. It is concluded that, with mitigation and appropriate management, the proposed development is acceptable.

Restoration

120. It is proposed to restore the north-western extension progressively to lower levels (using on-site and imported inert restoration materials), and to reinstate agricultural land whilst also providing for biodiversity and green infrastructure benefits. The majority of the site would be restored back to its current use, being arable farmland (8.67ha). This would be coupled with the creation of calcareous grassland around the perimeter (6.21ha), a small seasonal wetland habitat (0.38ha), and reinforcement and strengthening of hedgerows. The new access would be removed and the area of hedge and verge (lost to create the new access) would be reinstated. An aftercare period of five years is proposed by the Applicant. Restoration of the extension area offers opportunities for creating new habitats that may provide longer-term benefits for nature conservation and wildlife; acting to support and extend the restoration works in the existing quarry to the south-east. The restoration plan for the proposed extension is shown in Plan/Drawing ref. no. Greetham, Drawing G17/1/19/04 Rev. A (Restoration plan) dated January 2020, refer Appendix 1.

121. Restoration would involve importation and infill with inert material (circa 0.4 million m^3). As far as practicable restoration will be progressive. A significant proportion of the mineral processing would take place within Phase 3, as such the ability to progressively restore this section would be limited by operations. The EA noted that proposed restoration using inert waste would require an environmental permit.

122. It should be noted that the completion of the existing quarry restoration scheme would be delayed by the need to use the existing access onto Stretton Road (B668) until the new access onto Thistleton Lane is complete; a period of 6 to 12 months.

123. LCC Ecology stated that the creation of limestone (calcareous) grassland, a priority biodiversity action plan habitat, is welcomed and would compensate the loss of hedge (H3). It was noted that the restoration plan (as originally submitted) was simplistic, and it was recommended that this be revised to include variation in slope and topography to create a more varied profile including rock exposures (e.g. adding value to the proposed calcareous grassland and landscape quality as well as creating features of geological interest). It was felt the restoration plan (as originally submitted) showed a regular engineered pit of limited appeal and represented a missed opportunity; this view was shared by NE. The Applicant submitted additional information in response to the Reg 25 RFI, that addressed these matters (Greetham Quarry Rutland, Regulation 25 Additional Information (June 2020): Section 2 – Restoration, Annexure C – Revised test of Section 4 – Design Statement and Restoration Scheme of the Environmental Statement, and Annexure D – DRG No. G17/1/19/04 A (Restoration Plan)). Following submission of additional information in response to the Reg 25 RFI LCC Ecology confirmed that the revisions to the restoration plan and the ES are satisfactory. NE had no further comments and welcomed the submission of the amended restoration plan, noting that by incorporating greater variation in slope and rock exposures the calcareous grassland will have more value. One objection was received from an individual who stated that

the proposed restoration outcome was too simplistic, whilst one individual noted that restoration would bring benefits to the local community.

124. A detailed restoration scheme would be required through a planning condition, the premise for the restoration outcomes is detailed in the ES (including Reg 25 RFI) and any specific requirements can be set out through planning conditions (as noted above). The proposed restoration outcome is considered to present opportunities to increase biodiversity, as noted by NE and LCC Ecology. Consideration of the local biodiversity context is set out through the ES. A biodiversity matrix was not applied as part of the EIA, as it is not currently a practice required under the Local Plan, however NE and LCC Ecology both recommend application of a matrix to inform the restoration plan and that this can be secured through a suitable planning condition.

125. As stated in the previous section, neither LCC Ecology Unit (on behalf of RCC) or NE object to the application subject to appropriate mitigation being secured, through an appropriate planning condition(s), requiring the production of a comprehensive EMP to address concerns regarding potential for adverse impacts on the interest features of Greetham Meadows SSSI. NE and LCC Ecology Unit made several other recommendations relating to the restoration plan addressing the creation of a mosaic of BAP priority habitats (10% net-gain), natural regeneration (for part of the site), requirement for surveys prior to each restoration phase to account for any natural regeneration or other features of biodiversity value, retention of stable cliffs and exposed rock, and variation in slope and topography, substrate conditions and requirements to be included in planning condition(s) regarding the restoration scheme. LCC Ecology also recommended implementation of an aftercare, and short, medium, and long-term management plan (thirty-year period) to cover calcareous grassland and hedgerow maintenance, and management of habitat succession to optimise the open mosaic habitats. The thirty-year aftercare period relates to mandatory timeframes for biodiversity net-gain requirements set out through legislation that is not yet in place (Environment Bill). Restoration requirements for the recent permission granted for a southern extension to Clipsham quarry (2019/0433/FUL), which includes calcareous grassland, states that the aftercare period is to be ten years (aftercare period for areas returned to agricultural use would be five years). A ten-year aftercare period is therefore appropriate for the application site and has been agreed with LCC Ecology. These recommendations adequately address concerns raised by other parties (outlined above).

126. In addition, RCC EH raised concerns regarding the potential for contamination resulting from importation of inert waste for use in restoration works. It should be noted that the importation of inert waste to site for use as fill in restoration works will require an environmental permit from the EA and be subject to controls including reporting and monitoring of waste received to site. Installation of CCTV system for monitoring purposes was requested; this has been addressed under Traffic and Access with a suitable planning condition to be included to require the installation of CCTV to monitor vehicle movements.

127. Greetham Parish Council raised concerns regarding the ability of the operator to complete the restoration works, and recommended that a financial guarantee (i.e. by way of a bond or escrow arrangement) be secured. It is important to note that the guidance relating to requiring a financial guarantee set out in the National Planning Practice Guidance advises that a Bond should only be required in exceptional circumstances. The Council's advisors in relation to Minerals Applications have indicated that in their opinion there are no exceptional circumstances that would result in the requirement of a Bond. Such exceptional circumstances would include:

- very long-term new projects where progressive reclamation is not practicable, such as an extremely large limestone quarry;
- where a novel approach or technique is to be used, but the minerals planning authority considers it is justifiable to give permission for the development;
- where there is reliable evidence of the likelihood of either financial or technical failure, but these concerns are not such as to justify refusal of permission.

128. Notwithstanding the above the applicant has indicated that if planning permission were to be granted they would be willing to enter into an agreement to provide a Bond up to £50,000 to provide a guarantee for the restoration of the site. This Bond would be built up over the first few years of extraction and would therefore be available should the developer be unable to restore the site in the future. Given that the existing site has not currently been restored in line with the original conditions Members may consider it appropriate to require the Bond in order to avoid a similar situation arising.

Historic Environment

129. Section 66(1) of the Planning (Listed Building and Conservation Areas) Act 1990 provides:
"66.(1) In considering whether to grant planning permission….for development which affects a listed building or its setting, the local planning authority or the Secretary of State shall have special regard to the desirability of preserving the building or its setting or any features of special architectural or historic interest which is possesses."

130. Section 72 relates to conservation areas and states:
In the exercise , with respect to any buildings or other land in a conservation area, of any functions under or by virtue of any of the provisions mentioned in subsection (2), special attention shall be paid to the desirability of preserving or enhancing the character or appearance of that area.

129. Paragraphs 199-202 of the NPPF states:
199. When considering the impact of a proposed development on the significance of a designated heritage asset, great weight should be given to the asset's conservation (and the more important the asset, the greater the weight should be). This is irrespective of whether any potential harm amounts to substantial harm, total loss or less than substantial harm to its significance.

130. 200. Any harm to, or loss of, the significance of a designated heritage asset (from its alteration or destruction, or from development within its setting), should require clear and convincing justification. Substantial harm to or loss of:
(a) grade II listed buildings, or grade II registered parks or gardens, should be exceptional;
(b) assets of the highest significance, notably scheduled monuments, protected wreck sites, registered battlefields, grade I and II* listed buildings, grade I and II* registered parks and gardens, and World Heritage Sites, should be wholly exceptional [68].

131. 201. Where a proposed development will lead to substantial harm to (or total loss of significance of) a designated heritage asset, local planning authorities should refuse consent, unless it can be demonstrated that the substantial harm or total loss is necessary to achieve substantial public benefits that outweigh that harm or loss, or all of the following apply:
(a) the nature of the heritage asset prevents all reasonable uses of the site; and
(b) no viable use of the heritage asset itself can be found in the medium term through appropriate marketing that will enable its conservation; and
(c) conservation by grant-funding or some form of not for profit, charitable or public ownership is demonstrably not possible; and
(d) the harm or loss is outweighed by the benefit of bringing the site back into use.

132. 202. Where a development proposal will lead to less than substantial harm to the significance of a designated heritage asset, this harm should be weighed against the public benefits of the proposal including, where appropriate, securing its optimum viable use.

133. A Scheduled Monument (a medieval manorial settlement) and several listed buildings (Grades I and II) are located within Greetham Village, the historic core of which is a Conservation Area. St Mary's Church Grade I Listed Building is located 350m to the south-west of the extension area. Exton Park, designated as a Registered Park and Garden, is located approximately 1.75km to the south.

134. The Applicant submitted an Archaeological Desk Based Assessment and Geophysical Assessment of the potential impact of the development on archaeology and cultural heritage assets as part of the EIA. These assessments were submitted to LCC Archaeology and it was agreed that there was a need to undertake a discrete pre-determination trenching investigation to confirm the understanding of the archaeological remains. A trenching plan proposing 13 trenches to be excavated prior to the determination of this application was agreed and undertaken January 2020. The results of trenching confirmed the presence of non-designated archaeological remains of Roman date (not Iron Age or Saxon as identified in the existing quarry).

135. As previously noted, the Applicant submitted a LVIA as part of the EIA considering the likely landscape and visual effects of the proposed development. Neither the archaeological assessments or the LVIA address impacts to the setting of heritage assets, in particular the degree of impact and whether this would amount to causing harm to the significance that St Mary's Church derives from its setting.

136. The scheduled monument consists of the earthworks and buried archaeological remains of a medieval manorial site. The manorial site would have played an important part in the social and economic life of the medieval settlement it supported, including the landscape it farmed. The application site is likely to have formed a part of this farmed landscape and therefore, the monument's wider setting. Altering of agricultural character of the landscape would have a degree of impact on the setting of the scheduled monument; Historic England assesses that the level of harm to the significance that the scheduled monument derives from its setting would be less than substantial and that the proposed restoration would serve to mitigate this harm.

137. The Church of St Mary, Greetham is a medieval parish church with some Norman remains. The Church occupies a raised position within the historic settlement and the Church's tower with spire is the most prominent feature on the skyline. Church towers were intended to be prominent landscape features to reflect their importance and status. The exceptional architectural and historic interest of St Mary's is reflected in its Grade I Listing, which places it in the top 2.5% of listed buildings in the country. As prominent landscape features, they are often experienced within a broad landscape context. Historic England considers that the church in its landscape setting would likely be experienced when travelling south along Great Lane. The proposals would alter the existing agricultural character of this landscape having a degree of impact on the church's setting.

138. Historic England does not object to the proposal, however consider that issues and safeguards need to be addressed in order for that application to meet NPPF requirements. It was noted that the application site forms part of the scheduled monument (medieval manorial settlement) and Church of St Mary's (Grade I Listed Building) setting. The Applicant submitted a Heritage Statement as part of the Reg 25 RFI (Greetham Quarry Rutland, Regulation 25 Additional Information (June 2020): Section 8 – Heritage and Annexure F – Heritage Statement (Heritage Archaeology)), which considered the impact of the proposed development on the setting of heritage assets, including St Mary's Church. Following submission of additional information in response to the Reg 25 RFI Historic England noted the agricultural character of the village and its landscape setting contributes to our appreciation and understanding of the scheduled monument and Grade I listed church, that the proposal will have a degree of impact on the agricultural character, and that the Heritage Statement submitted did not include any supporting visuals. Historic England consider that the proposed development will have some impact on

the setting of the designated heritage assets, resulting in a degree of harm to significance, and assesses that the level of harm would be at the lower end of the less than substantial, in addition it was reiterated that a suitable restoration scheme would serve to mitigate this harm.

139. LCC Archaeology do not object to the proposal, however noted that the site lies in an area of significant archaeological potential, with evidence of later prehistoric, Roman, and Anglo-Saxon archaeological periods. Two distinct areas of archaeological activity were observed (north-west and north-east) of the extension area, with evidence of substantial boundary ditch also recorded orientated north-west south-east across the extension area. The buried potential for Palaeolithic interest can be adequately addressed as a component of an approved mitigation programme. LCC Archaeology recommend the requirement implementation of a mitigation programme, a programme of archaeological investigation be submitted and implemented, requirement for a WSI and for the HNET to provide a formal Brief for the work (at the applicant's request) and to monitor any required archaeological work. Accordingly, LCC Archaeology recommended conditions to safeguard any important archaeological remains potentially present. Following submission of further information LCC Archaeology support Historic England's position and had no further comment.

140. The Council's Conservation Officer has stated that the proposal would bring quarrying closer to the historic core of the village and would be visually harmful to the setting of the Conservation Area, the ensemble of designated heritage assets contained therein, not least the Grade 1 listed Church of St Mary, as a result of a combination of harmful environmental factors, such as visual intrusion, noise, dust etc likely to be generated. Notwithstanding that that measures would be implemented to mitigate the degree of harm arising from the quarrying operations. Restoration of the land to predominantly agricultural use at the end of the quarry's operational life will mitigate the long-term impact of the harm caused by quarrying activities but this is likely to affect several generations' appreciation of the affected heritage assets.

141. Taking into account all of the above and the requirements, Sections 66 and 72 of the Planning (Listed Building and Conservation Areas) Act 1990 and the requirements of the NPPF it is considered that the degree of harm arising from the development to the Greetham Conservation Area, its ensemble of Listed Buildings, in particular the setting of the Grade 1 Listed St Mary's Church, would, be less than substantial. It is therefore necessary for the decision maker to weigh the **less than substantial** harm **to the heritage assets** against the **wider** public benefits of the proposal.

142. The proposed development would ensure continued supply of aggregate for the local construction industry and locally sourced building stone. The proposal would also provide for public benefits including maintaining existing employment positions as well as benefits associated with the final restoration scheme, e.g. environmental and green infrastructure enhancements. On balance it is considered that these benefits outweigh the potential harm to local heritage assets.

<u>Tourism and the Local Economy</u>

143. There is low potential for adverse impacts pertaining to tourism, such impacts would mainly related to users of the PRoW, neither of which is a major tourism attraction. The proposed development does not impede use, or cause unacceptable disturbance to users, of the PRoW. In addition visibility of the site is well contained due to topography and woodland, with those experiencing views of the site being most mostly transient PRoW users; early planting along the southern boundary and other gaps in the hedgerows along the boundaries is proposed to provide screening. Soil bunds will also provide for screening.

144. Socio-economic considerations were assessed as part of the EIA, taking into account the NPPF, the local development plan and potential alternative sources. The

proposal would maintain existing employment. The continuation of operations would also have flow-on effects for other related industries as well as local expenditure over an extended period. It is concluded that the need for the proposed development is justified and that proposal would provide for socio-economic benefits.

Recreational Opportunities

145. The Viking Way long distance route PRoW passes through the village of Greetham and continues north along Great Lane, forming the western boundary of the application area. A public footpath (E156/1/Greetham) runs parallel (approximately 85m) to the southern boundary of the extension area. The wider landscape has a good network of public footpaths (no bridleways) extending along Viking Way to the north and south-east, public footpath E156 extends to the west (intersecting E130). Overall the site is well contained due to vegetation, settlement, and topography. Views of the site are possible over short distances and for transient users; there is an open view of the extension area from the public footpath and partial glimpsed views from Viking Way. The erection of screening (soil) mounds will soften the visual impact of mineral extraction but will impact on the topography and landscape; in addition existing hedgerows (and proposed additional plantings to fill gaps and extend hedgerows, including along the southern boundary) limit views of the site and associated visual effects of the operations. It is anticipated that there will be no views of the operational area throughout the working life of the quarry.

146. RCCs PRoW Officer does not object to the proposed development and noted that proposal does not appear to have any direct effects on the county's PRoW network. The PRoW Officer stated that views west from this section of the route (Viking Way) will change significantly (to a soil bund) and requested clarification and additional detail regarding the potential for inclusion of a bridleway as part of the sites restoration plan owing to a lack of bridleways within the local area as per Council's Scoping Opinion response for the north-western extension to Greetham Quarry (May 2017). Correspondence received from Mick George Ltd (16 April and 05 May 2020) provided further detail on: soil mounds – soil mound running along the western boundary will be 2 to 2.5m high with a 1:3 outer slope profile, enabling early grass sward establishment and also management (i.e. grass cutting); and public access (bridleway) – the provision of a bridleway as part of the restoration plan was discounted because of the steepness of the side slopes of the extension area and the absence of any obvious link between the Viking Way and Thistleton Lane. No further comment was received from the PRoW Officer.

147. During the course of the operations in the southern extension, there will be some impact upon the amenity of users of the PRoW; main issues include potential for noise, dust, and visual considerations with such impacts being transient. Such impacts can be mitigated to ensure that the development has minimal effect upon the continued use of this area. There will be no physical changes to the current route.

148. Objections were received from Greetham Parish Council and individuals from the local community regarding perceived risks to safety (from HGVs and proximity to the quarry face) and clearing of vegetation. As noted above the PRoW will be separated from the extraction area by a screening (soil) bund (2-2.5m high).

149. The proposed development can be worked without posing unacceptable harm to the Viking Way PRoW. It is concluded that, with mitigation and appropriate management, the proposed development is acceptable.

Land and Soil Resources

150. The Applicant submitted an assessment of soil resources, and agricultural land use and quality on the proposed Greetham Quarry north-western extension area as part

of the EIA. At the time of the survey, the proposed extension area was in arable use and was newly cultivated from cereal stubble. A horse paddock is located to the south of the site. The majority of the site has been identified as ALC Grade 3a – Good (11.3ha) with the remainder identified as ALC Grade 3b – Moderate (3.8ha). Grades 1, 2, and 3a are defined as the BMV agricultural land that can best deliver the food and non-food crops for the future.

151. The Applicant sets out mitigation measures proposed to minimise the potential impacts on soil resources include handling soil in line with published best practice guidance, stripping soils only in the driest parts of the year, and sowing soil bunds with grass to maintain biological activity and prevent water erosion. The assessment has demonstrated that the proposed extension would not result in a significant loss of BMV agricultural land. The mitigation measures and methods set out should potentially give a restored agricultural land quality of Grade 3a. It is concluded that through the implementation of the mitigation measures and the proposed restoration scheme, the proposed development would not have unacceptable impact upon the soil resources. Natural England recommended conditions regarding safeguarding of soil resources and reclamation.

Bird Strike Risk

152. Bird strike risk (as pertaining to extractive operations) is generally associated with restoration of site to large areas of open water and wetland habitats located near to airfields and under flight paths. The proposed restoration does not include features that would attract large numbers of birds. As such the proposal does not present a bird strike risk.

Climate Change

153. The effects of climate change and the vulnerability of the development proposal has been considered as part of the EIA (Greetham Quarry Rutland, Regulation 25 Additional Information (June 2020): Section 7 – Other matters (H – Climate Change Impacts)) particularly in terms of hydrology/flood risk, operational methods (vehicles and plant), and ecology. As noted above, the proposal would not result in any significant adverse impacts in respect of hydrology/hydrogeology or flood risk (even when taking account of the predicted effects of climate change). The proposals impact on habitats, species, and wider biodiversity would not cause any unacceptable level of harm. The proposed restoration scheme will return the land to lower levels and re-establish arable farming practices and includes environmental enhancements that will provide a net gain for biodiversity.

Cumulative Impacts

154. Cumulative impacts were assessed as part of the EIA (Greetham Quarry Rutland, Regulation 25 Additional Information (June 2020): Section 7 – Other matters (G – Cumulative Impacts)), with consideration given to: successive effects; simultaneous effects from concurrent developments; and combined effects from the same development. In addition, the assessment has had regard to positive and negative effects. The assessment concluded that it is unlikely that the proposed development would give rise to any significant adverse cumulative impacts (alone or in-combination).

Summary and Conclusions

155. The planning application is for a north-western extension of an established quarry (primarily for limestone aggregate), construction of a new site access onto Thistelton Lane and associated site infrastructure, and low-level restoration of the north-western extension using on-site and imported inert restoration material.

156. The Applicant outlines the need and benefits of the development. The principle of the development is supported by the NPPF and Rutland Minerals Core Strategy and

Development Control Policies DPD (2010) MCS Policy 2, 3, and 5; resulting in a positive benefit to nature conservation and the rural economy.

157. The location for this proposal and the need for the extension to Greetham Quarry in terms of aggregate provision has been assessed against the policies in the adopted Minerals Core Strategy MSC 2, MSC 3, and MSC 5 and found to be acceptable as an extension to an existing quarry, within the area identified in the Key Plan for aggregate extraction and additionally providing for building stone to be recovered.

158. The primary purpose of the proposal is for the extraction of limestone aggregate as resources have been exhausted within the existing (permitted) working area; operations were programmed to cease by the 30/09/2020 (the extant permissions are subject to section 73 applications to vary the date of the final restoration). Limestone as aggregate extracted from Greetham quarry is primarily utilised for construction purposes as fill material. Building stone sourced from the extension area will help to ensure continuity in supply of local sourced stone and contribute towards local distinctiveness of the built environment.

159. The proposal does not seek to intensify the nature or scale of the proposed development and would not bring operations closer to sensitive receptors, although the extraction area would be closer than that of recent extractive operations (but not closer than historic operations under the extant permissions). There will be no extraction within 150m of any property within Greetham village, and no processing carried out within Phase 4 or 350m of Greetham village.

160. Current arrangements for site management, monitoring, and enforcement of planning conditions have been shown to be inadequate. Implementation of more stringent and accountable arrangements is needed to ensure that there would be no unacceptable adverse impact in respect of noise or dust. The proposed working method would remove the need for blasting and potential for associated vibration impacts. Objections were made in relation to potential adverse impacts from noise and dust arising from extractive operations and transport movements on the local community and receiving environment. Subject to suitable planning conditions, including the requirement for detailed noise and dust management plans (detailing site management, mitigation, and monitoring measures - for noise, nuisance dust deposition, PM10 and Total Particulate Matter concentrations, meteorological conditions, and identification of trigger levels - as well as complaint investigation and documentation procedures) to be approved by the LPA, the development can be safely managed and complies with the requirements of the NPPF, Minerals Planning Guidance, and Rutland Minerals Core Strategy MCS Policy 7, MDC Policy 1, and MDC Policy 2.

161. The proposed north-western extension would not result in an increase in transport movements. A new access onto Thistleton Lane is proposed, with HGV traffic, apart from local deliveries, routed to the A1 to the east. It would be necessary to use the existing access onto Stretton Road (B668) until the new access is constructed; for a period of up to twelve months. The proposed development would result in a net reduction in traffic movements overall, but a modest increase in traffic using a short stretch of road on Thistleton Lane. Importation of inert waste for restoration purposes will be achieved through backhauling. Overall, there are no unacceptable adverse highway impacts as a result of the development. The proposal seeks to vary the hours of operation with Saturday hours reduced by one hour and proposed earlier hours (0600 start) for pre-loaded vehicles leaving the site Monday to Friday. No objection was received from Highways England. RCC Highways and Transport noted that Thistleton Lane is subject to an environmental weight limit (7.5 tonnes). The road was upgraded in recent years to accommodate HGVs associated with MoD movements (Kendrew Barracks) via gates at the end of Thistleton Lane. Concerns raised included impact of HGV movements on Thistleton Lane and the need for more regular maintenance. It was recommended that financial contributions to provide for the required maintenance be secured by way of legal agreement. In addition, RCC Highways and Transport recommend conditions requiring: wheel washing facilities;

visibility conditions relating to access and Thistleton Lane with B668; routing agreement to ensure HGV access via Thistleton Lane in an eastbound direction only; and arrivals/departures log to be submitted annually or within six weeks of writing by the LPA. RCC EH objected to the proposed 0600 start for pre-loaded vehicles leaving the site Monday to Friday and raised concerns regarding deposition of material onto the road network. Objections were received from other consultees regarding perceived safety risks and potentially adverse impacts from transport movement on the local community and road network, including the proposed earlier start on weekdays. Whilst the reduction in operational hours on Saturday is acceptable, the proposed earlier (0600) start for pre-loaded vehicles leaving the site Monday to Friday is not as it would result in unacceptable impacts on amenity.

162. Subject to suitable planning conditions regarding permitted hours of operation, transport movements, prevention of material being deposited on the road network (including requirement for adequate wheel cleansing facilities, and a metalled road surface between the wheel cleansing facilities and road network), installation of a CCTV system to monitor vehicle movements, and a complaints investigation and documentation process the development can be safely managed and complies with the policies in the NPPF and Rutland Minerals Core Strategy MCS Policy 9 and MDC Policy 11.

163. Historical data indicates that the limestone to the east and beneath the site is largely dry. The site is located at sufficiently high elevation that it is not expected that the proposed extension to the quarry will encounter the water table – i.e. it is expected that dry working will be maintained as per the permitted operations. NE noted that the extension area is within the IRZ for Greetham Meadows SSSI, which is sensitive to air and water quality, and as such appropriate mitigation, in the form of a comprehensive EMP, would be required to ensure that the proposed development does not damage or destroy the interest features for which the SSSI has been notified. The proposed extension will not pose any significant risks to groundwater or a pollution risk to the aquifer with implementation of suitable mitigation measures. The site is at a low risk of flooding and the development will not increase flood risk. Adequate water supply and storage will be available for potable water supply and use in dust suppression.

164. No objection to the application was received from the EA or NE, subject to appropriate mitigation being secured. The residual flood risk for the development can be safely managed as set out in the NPPF, subject to suitable planning conditions to agree detailed drainage and SuDS infrastructure with the Lead Local Flood Authority as well as the requirement for a comprehensive EMP the proposal complies with the requirements of the NPPF and Rutland Mineral Core Strategy MDC1 Policies 1, 7, and 8.

165. The proposed north-western extension would alter the existing agricultural character of the surrounding landscape having a degree of impact on the setting of St Mary's Church, a Grade I Listed Building. The extension site is also within the wider setting of a Scheduled Monument (medieval manorial settlement), alteration of the agricultural character of the landscape would have a degree of impact on the setting.

166. The Applicant submitted additional information in response to the Reg 25 RFI, that addressed these matters. Historic England consider that the proposed development will have some impact on the setting of the designated heritage assets, resulting in a degree of harm to significance, and assesses that the level of harm would be at the lower end of the less than substantial; a suitable restoration scheme would serve to mitigate this harm. The site lies in an area of significant archaeological potential, with evidence of later prehistoric, Roman, and Anglo-Saxon archaeological periods. No objection to the application was received from Historic England or LCC Archaeology, subject to suitable planning conditions in respect of safeguarding heritage assets (and their setting) and any important archaeological remains potentially present. The Council's Conservation Officer considers that the proposal would bring quarrying closer to the historic core of the village and would be visually harmful to the setting of

the Conservation Area, the ensemble of designated heritage assets contained therein, not least the Grade 1 listed Church of St Mary, as a result of a combination of harmful environmental factors, such as visual intrusion, noise, dust etc likely to be generated. Notwithstanding that, that measures would be implemented to mitigate the degree of harm arising from the quarrying operations. Restoration of the land to predominantly agricultural use at the end of the quarry's operational life will mitigate the long-term impact of the harm caused by quarrying activities but this is likely to affect several generations' appreciation of the affected heritage assets. Taking into account all of the above and the requirements, Sections 66 and 72 of the Planning (Listed Building and Conservation Areas) Act 1990 and the requirements of the NPPF it is considered that the degree of harm arising from the development to the Greetham Conservation Area, its ensemble of Listed Buildings, in particular the setting of the Grade 1 Listed St Mary's Church, would, be less than substantial. It is therefore necessary for the decision maker to weigh the less than substantial harm to the heritage assets against the wider public benefits of the proposal. On balance it is considered that the public benefits of the proposal (including continued supply of aggregate for the local construction industry and locally sourced building stone, maintaining existing employment positions, and benefits associated with the final restoration scheme, e.g. environmental and green infrastructure enhancements) outweigh the potential harm to local heritage assets. Objections were received from other consultees regarding potential adverse impacts of the proposed development on the setting of heritage assets and the Conservation Area. The application has been assessed having regard to the requirements, Sections 66 and 72 of the Planning (Listed Building and Conservation Areas) Act 1990 and the requirements of the NPPF and it is considered that the degree of harm arising from the development to the Greetham Conservation Area, its ensemble of Listed Buildings, in particular the setting of the Grade 1 Listed St Mary's Church, would, be less than substantial. It is therefore necessary for the decision maker to weigh the less than substantial harm to the heritage assets against the wider public benefits of the proposal.

167. Subject to suitable planning conditions safeguarding heritage assets (and their setting) and any important archaeological remains potentially present the proposal complies with the NPPF, Rutland Core Strategy Policy CS22, Rutland Minerals Core Strategy MDC Policies 1 and 5, and Rutland Site Allocations Policy SP20.

168. There would be a temporary disturbance to landscape character and visual receptors. Overall, the site is well contained and it is anticipated that there will be no views of the operational area throughout the working life of the quarry. The proposed development is not significantly out of character for the local context. Following restoration such impacts would be reduced with no long-term adverse effects for landscape and visual receptors. Measures for mitigation such as screening bunds, proposed additional plantings to fill gaps and extend the existing hedgerows (including a short length of new hedgerow and woodland belt along the southern boundary), and progressive restoration will reduce potential for adverse impacts. Impacts on the natural environment, including nearby SSSI's, were considered.

169. NE noted that the extension area is within the IRZ for Greetham Meadows SSSI, as such appropriate mitigation in the form of a comprehensive EMP, would be required to ensure that the proposed development does not damage or destroy the interest features for which the SSSI has been notified. The extension area is currently in arable use and is of low ecological value apart from the hedgerows, which are species-rich and may meet LWS criteria. Two of the hedges (H2 and H3) meet the Hedgerow Regulations criteria for 'important' hedges. A small area of H2 and roadside verge will be lost in constructing the new access onto Thistleton Lane; these would be reinstated as part of the restoration plan. In addition, H3 would be removed in order to extend the existing void westwards. Compensation for this loss would be provided by the creation of calcareous grassland around the sites perimeter as part of the restoration plan – acting to extend the restoration of the existing quarry. It is proposed to restore the extension area progressively to lower levels, with the majority of the site returned back to agricultural land (ALC Grade 3a) coupled with the creation of calcareous grassland around the perimeter, a small

seasonal wetland habitat, and reinforcement and strengthening of hedgerows; the proposed aftercare is a period of five years. Objections were received from other consultees regarding potential adverse impacts of the landscape character, visual amenity, and nature conservation; it was noted that the creation of calcareous grassland would have biodiversity benefits.

170. Both NE and LCC Ecology raised concerns regarding the simplicity of the restoration plan (as originally submitted) and made detailed recommendations regarding survey and monitoring requirements and restoration. The Applicant submitted additional information in response to the Reg 25 RFI, that addressed these matters. Following submission of additional information in response to the Reg 25 RFI NE and LCC Ecology confirmed that the revisions to the restoration plan and the ES are satisfactory, and that by incorporating greater variation in slope and rock exposures the calcareous grassland will have more value. Objections were received regarding potential adverse impacts of the proposed development on the receiving environment including to the SSSI. Subject to suitable planning conditions, addressing the matters outlined below, the proposed development would comply with the NPPF, Rutland Core Strategy Policy CS21, Rutland Minerals Core Strategy MDC Policies 1 and 4, and Rutland Site Allocations and Policies Policies SP19 and 23:

- Requirement for a comprehensive EMP;
- Application of a biodiversity metric tool prior to finalisation of the restoration plans to ensure a net-gain is achieved;
- Requirement for creation of a mosaic of BAP priority habitats achieving a 10% net-gain from the baseline habitat survey;
- That part of the site is allowed to regenerate naturally to achieve a more natural and better biodiversity result;
- Habitat survey(s) to be undertaken at the end of quarrying, before re-grading or restoration takes place, and prior to the commencement of each phase of restoration to allow for any natural regeneration or other features of biodiversity value to be incorporated in the final restoration plan (including revision of proposed restoration techniques to take account of changes in condition and latest guidance);
- Specifications for substrate conditions for establishment of the species-rich calcareous grassland;
- Retention of stable cliffs and exposed rock, and variation in slope and topography to create a more varied profile (for calcareous grassland);
- Replanting of the hedgerow H2 and road verge removed to construct the new access;
- Requirement for the restoration plans (to be approved by the LPA) to include - (i) details of soil and substrate specification and placement, techniques, and management, (ii) delineation of area retained, areas for natural regeneration, areas for intervention through habitat creation and habitat enhancement; habitat creation and enhancement methodologies, (iii) planting and seeding species-mixes - sowing rate and low grass seed percentage to encourage development of a species rich sward (where a seed mixture is used), and (iv) aftercare, and short, medium, and long-term management plan (30-year period) to cover calcareous grassland and hedgerow maintenance and management of habitat succession to optimise the open mosaic habitats.

171. No objection to the application was received from the RCC PRoW Officer, it was noted that proposal does not appear to have any direct effects on the county's PRoW network. The Viking Way long distance route PRoW passes through the village of Greetham and continues north along Great Lane, forming the western boundary of the application area. Views of the site are possible over short distances and for transient users, however mitigation measures (such as screening bunds, extension and filling of gaps in existing hedgerows including new plantings along the southern boundary), and progressive restoration will reduce potential for adverse impacts. It is anticipated that there will be no views of the operational area throughout the working life of the quarry. Views west from the section of the Viking Way route will change significantly (to a soil bund), however such effects are temporary, limited to the life of the quarry. Objections were received from other consultees regarding potential

adverse impacts of the proposed development on users of the PRoW. Subject to suitable planning conditions addressing screening and restoration, the proposal would be compliant with the NPPF, Rutland Core Strategy Policy CS23, Rutland Minerals Core Strategy MDC Policy 1, and Rutland Site Allocations and Policies Policy SP15.

172. No objection was received from NE in respect of soils and agricultural land. Objections were received from other consultees regarding the loss of agricultural land. Subject to suitable planning conditions in respect of safeguarding soil resources and achieving a satisfactory standard of agricultural reclamation (reinstatement of ALC Grade 3a BMV agricultural land), the proposal complies with the NPPF and Rutland Minerals Core Strategy MDC Policy 1.

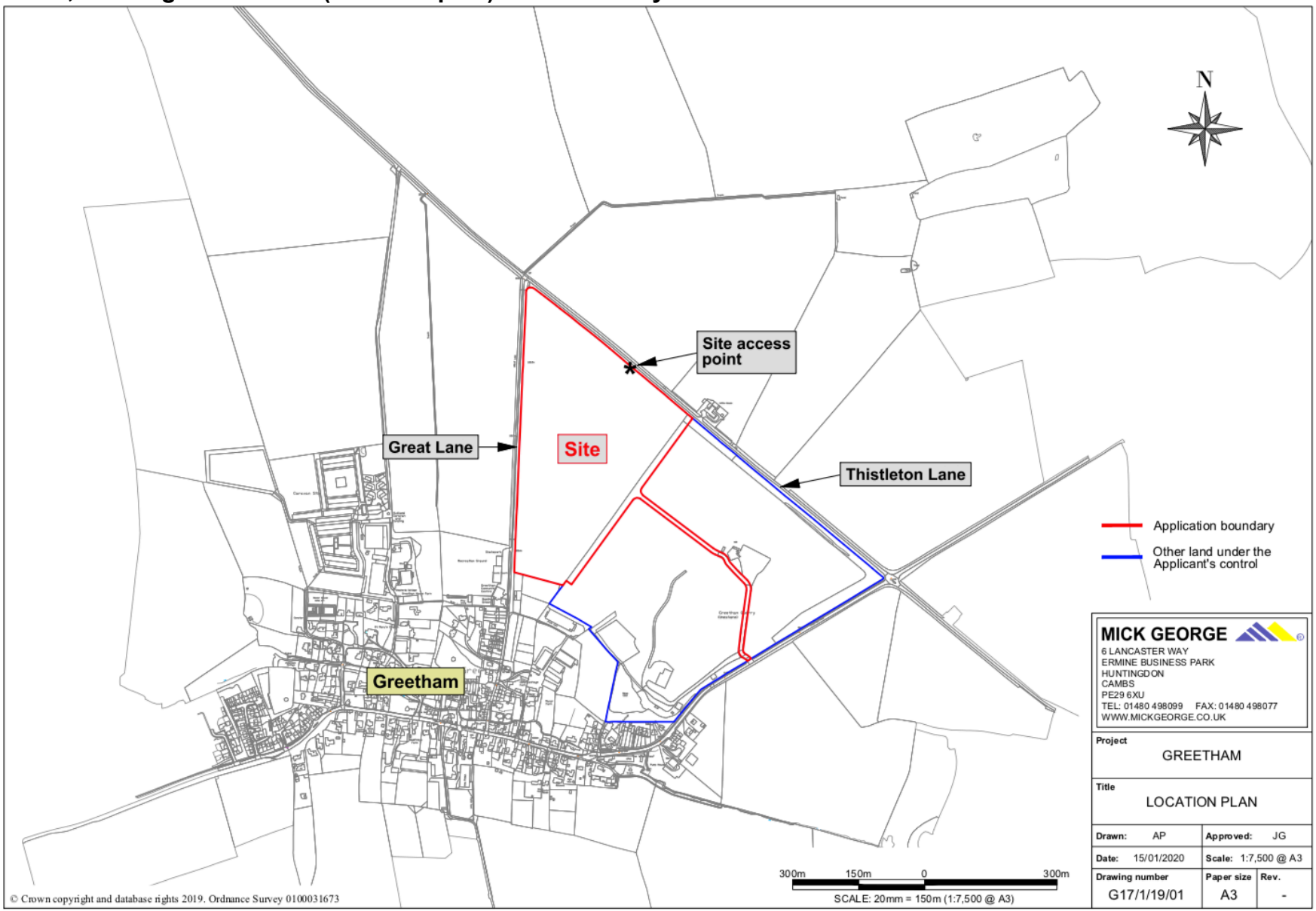
173. There are no cumulative impacts that would be unacceptable.

174. The application is subject to an EIA and further information, and all of the Environmental Information submitted by the Applicant, consultees, and in representations has been taken into account in the assessment of this application.

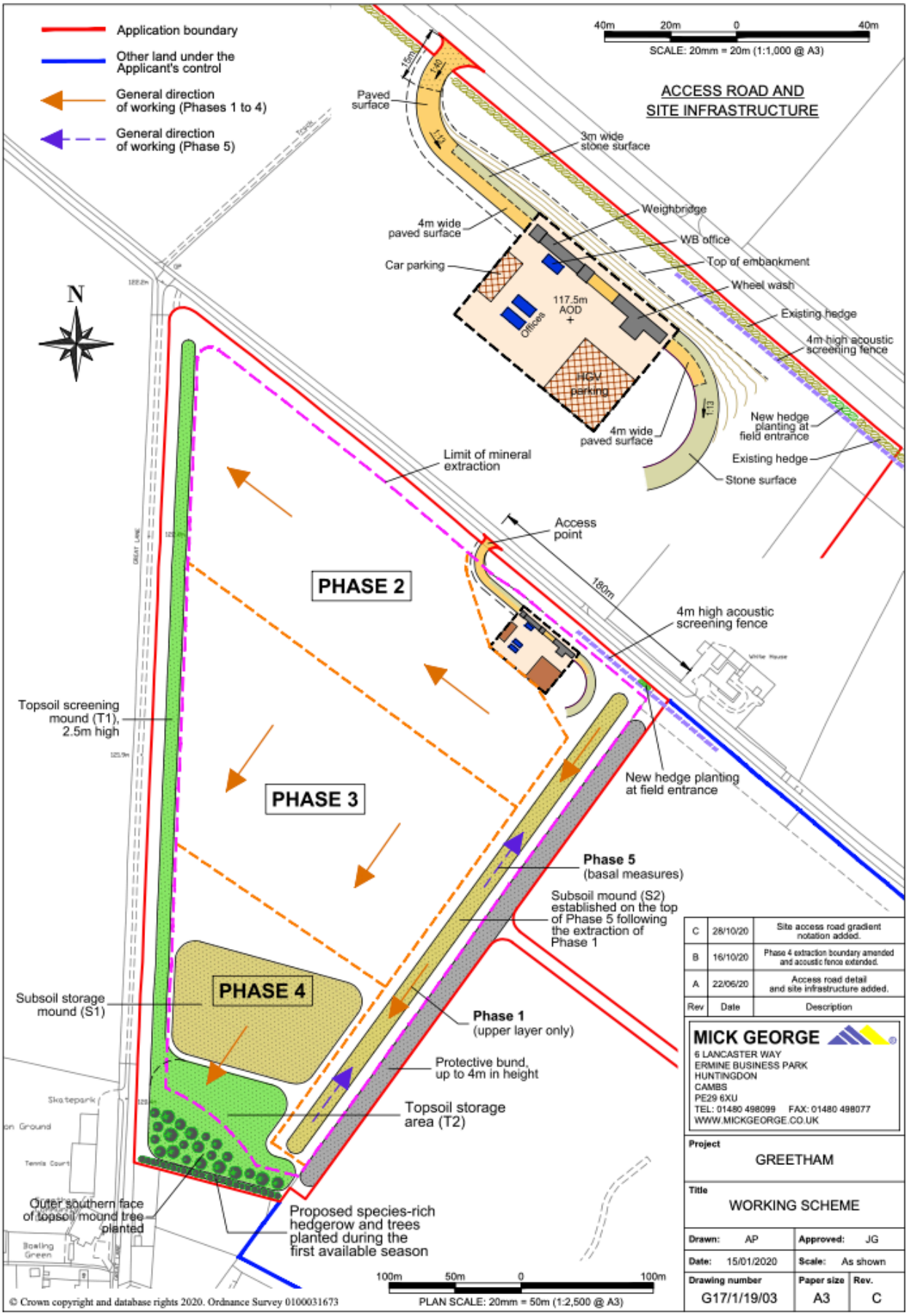
175. In conclusion, the proposed operations, subject to the completion of Section 106 Agreement regarding access use and traffic routing and a Section 59 Agreement to secure financial contributions towards additional road maintenance, in conjunction with the recommended conditions in this report, would not create an adverse impact sufficient to justify refusal of this application, which is acceptable having regard to the Development Plan and other material considerations. The proposed variation of the current hours of operation to allow for pre-loaded HGVs to exit the site from 0600 is not acceptable. There will be no extraction within 150m of any property within Greetham village, and no processing carried out within Phase 4 or 350m of Greetham village. There are no other material considerations that indicate a determination should be made otherwise. For these reasons it is recommended that the application be determined in accordance with the recommendations.

Greetham Neighbourhood Plan 2016-2036

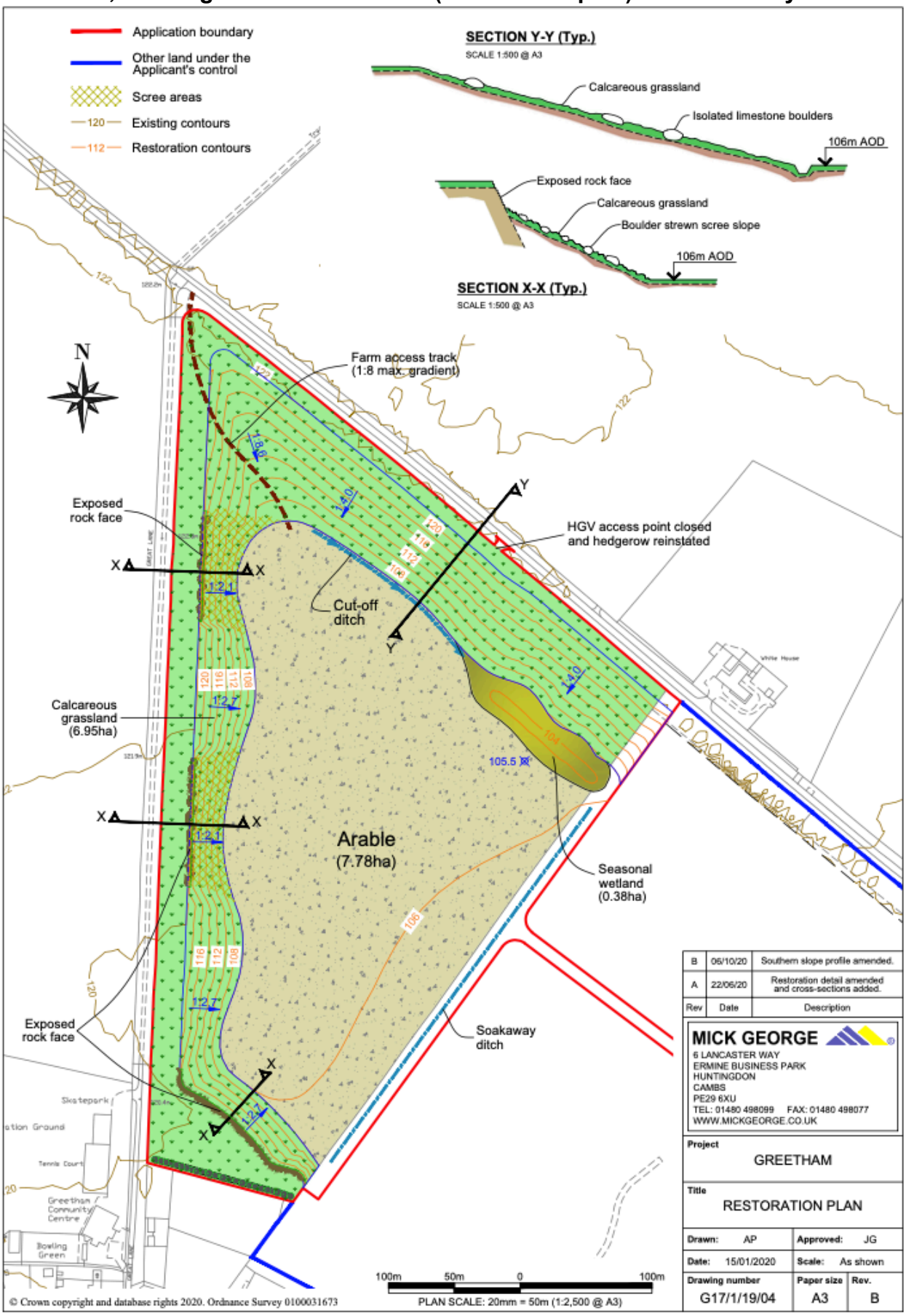
Greetham, Drawing G17/1/19/01 (Location plan) dated January 2020



Greetham, Drawing G17/1/19/03 Rev. C (Working scheme) dated January 2020

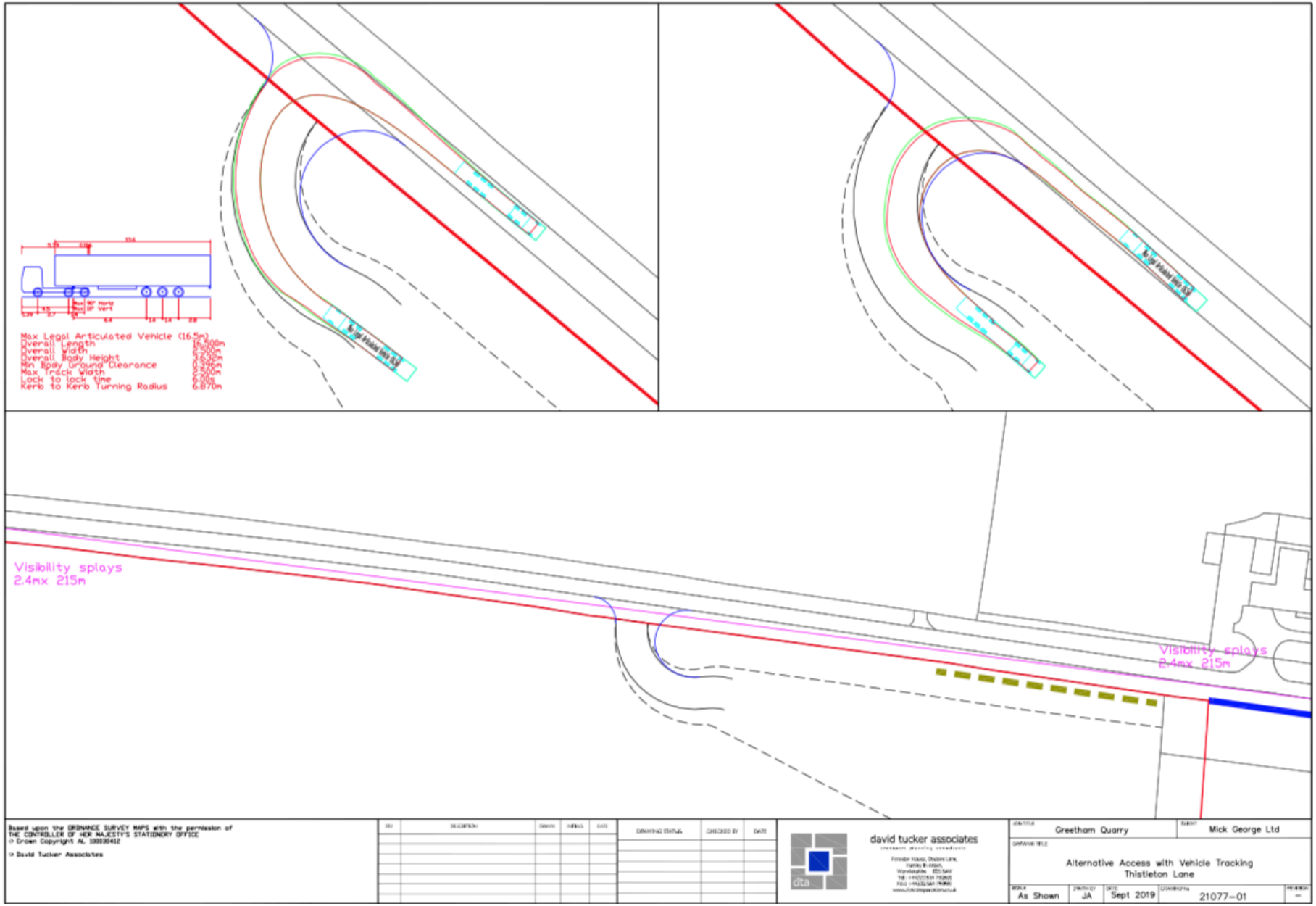


Greetham, Drawing G17/1/19/04 Rev. B (Restoration plan) dated January 2020



Greetham Quarry approved restoration plan (2013/1061/DIS), Greetham Drawing G4/LAN/001 (Revised restoration proposals plan) dated March 2009

Transport Statement, GREETHAM Drawing 21077-01 (Alternative access with vehicle tracking Thislteton Lane) dated September 2019



Greetham Quarry, Drawing Fig. 3.1 (General Method of Working) dated March 2004

APPENDIX 2 - DRAFT CONDITIONS FOR PERMISSION REF. NO. 2020/0297/MIN

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Commencement of Development

1. The development hereby permitted shall be begun before the expiration of three years from the date of this permission. Written notification of the date of commencement shall be sent to the Mineral Planning Authority within seven days of such commencement.

   Reason: In the interest of clarity and to comply with Section 91 of the Town and Country Planning Act as amended by the Planning and Compulsory Purchase Act 2004.

Scope of Permission

2. Unless otherwise agreed in writing by the Mineral Planning Authority and except as otherwise required by conditions attached to this planning permission the development hereby permitted shall be carried out in accordance with the following approved documents and plans submitted as part of planning application 2020/0297/MIN:

   Application forms dated 06 March 2020;

   Submitted Plan/Drawing Numbers:

   GREETHAM, Drawing G17/1/19/01: Location Plan dated 15 January 2020

   GREETHAM, Drawing G17/1/19/02: Existing Features dated 15 January 2020

   GREETHAM, Drawing G17/1/19/03 (Revision C): Working Scheme dated 15 January 2020

   GREETHAM, Drawing G17/1/19/04 (Revision B): Restoration Plan dated 15 January 2020

   Greetham Quarry Rutland Environmental Statement, North-Western Extension to Greetham Quarry including the Extraction of Limestone and Building Stone and Importation of Suitable Inert Materials dated March 2020, including Non-Technical Summary, Appendices and the following parts:

   Greetham Quarry Rutland Planning Statement dated March 2020

   Greetham Quarry Extension Preliminary Ecological Appraisal (Report Ref: 80-111-r1-1) dated 23 August 2019, and Appendices

   Greetham Rutland Landscape and Visual Impact Assessment dated November 2019, and Appendices

   Soil Resources and Agricultural Use and Quality of Proposed Extension to Greetham Quarry Rutland (Report: 1597/1) dated 11 September 2019, and Appendices

   Archaeological Desk Based Assessment Proposed Western Extension Greetham Quarry Greetham Rutland (Doc Ref: PC496a) dated August 2019, and Appendices

   Report on Archaeological Geophysical Survey Proposed Western Extension Greetham Quarry Greetham Rutland dated October 2019, and Appendices/Figures

   Archaeological Evaluation Trial Trenching Proposed Western Extension Greetham Quarry Greetham Rutland (Doc Ref: PC496d) dated February 2020, and Appendices

   Noise Impact Assessment Extension to Greetham Quarry Rutland (Ref: 19.009.1.R6), dated 04 February 2020, and Appendices

   Extension to Greetham Quarry Transport Statement (Ref: JA/BP/21077-01b_TS) dated 24 December 2019, and Appendices

   Proposed Western Extension Greetham Quarry Greetham Rutland Flood Risk Assessment (Ref: 203/01/Greetham/fra/0919) dated September 2019, and Appendices/Drawings

   Greetham Quarry Rutland Regulation 25 Additional Information dated June 2020, and Annexures

Greetham Quarry Rutland Regulation 25 Additional Information (Request No. 2) dated October 2020, and Annexures

Greetham Neighbourhood Plan 2016-2036 (adopted October 2017), Chapter 13 Greetham Boundary Map - Planned limits of development (as attached)

Reason for conditions 1 to 2: To specify the approved documents and secure the mitigation measures set out in the application in the interests of amenity and the environment having regard to MDC Policy 1 - Impacts of Mineral Development of the Rutland Minerals Core Strategy and Development Control Policies DPD, October 2010.

3. From the date of the commencement to the completion of mineral extraction and restoration to approved levels, a copy of this permission including all documents hereby approved and any other documents subsequently approved in accordance with this permission shall always be available at the site for inspection during normal working hours.

   Reason: To ensure this planning permission and associated documents are available on site for reference and inspection by all operatives working on site.

Duration and Cessation

4. The development hereby permitted, including restoration in accordance with the conditions attached to this permission, shall be completed no later than twenty years from the date of commencement, which shall have been notified under Condition 1. Restoration shall be completed within eighteen months of cessation of mineral extraction and the site shall be subject to aftercare for a period of five years for land returned to agriculture and ten years for all other areas.

5. In the event of a cessation of mineral working and processing for a period in excess of 24 months which in the opinion of the Mineral Planning Authority constitutes a permanent cessation within the terms of Paragraph 3 of Schedule 9 of the Town and Country Planning Act 1990 (as amended), a revised scheme and timetable for restoration and aftercare shall be submitted to the Mineral Planning Authority for approval in writing within six months of such cessation. The site shall be restored in accordance with the revised scheme and timetable of restoration and aftercare as approved.

   Reason for conditions 4 to 5: To retain control over the development and to ensure that the development does not prejudice the overall restoration of the site having regard to MDC Policy 1 - Impacts of Mineral Development and MCS Policy 12 - Restoration of the Rutland Minerals Core Strategy and Development Control Policies DPD, October 2010.

Method of Working and Operation Limits

6. Operations shall only take place within the red line area as shown on Plan/Drawing ref. no. GREETHAM Drawing G17/1/19/01 (Location Plan) and shall be carried out in a phased sequential manner as set out in Chapter 3 of the Environmental Statement and Section 7 of the Regulation 25 Additional Information, and as shown on Plan/Drawing ref. no. GREETHAM Drawing G17/1/19/03 Revision C (Working Scheme) referred to in Condition 2. The approved soil screening bunds shall be constructed prior to the extraction of mineral in the relevant phase. Soil mounds shall be seeded at the earliest sowing season following construction. No more than three phases of the development shall be active at any one time. The site shall be progressively restored in accordance with the phases as shown on Plan/Drawing ref. nos. GREETHAM Drawing G17/1/19/04 Revision B (Restoration Plan) referred to in Condition 2. No part of the operations specified therein shall be amended or omitted without the prior written approval of the Mineral Planning Authority.

7. The extraction of minerals from the site shall be confined to Lincolnshire Limestone aggregate and building stone. Unless otherwise agreed in writing with the Mineral Planning Authority, mineral output from the site shall be limited to no more than 150,000 tonnes per annum for aggregate and 10,000 tonnes per annum for building stone.

8. All overburden, mineral waste, topsoil, subsoil and soil making material shall be retained on the site for subsequent re-use in site restoration. Infilling and restoration of the site within the red line area as shown on Plan/Drawing ref. no. GREETHAM Drawing G17/1/19/01 (Location Plan) referred to in Condition 2 shall only be undertaken with quarry waste, previously stripped soils and imported inert waste material.

9. Imported inert waste material for restoration purposes shall be imported on a backhaul basis wherever practicable to do so, in that any vehicle importing waste shall thereafter leave the site with a full load of aggregate.

10. No blasting shall be carried out at the site.

11. No extraction of mineral shall take place within 150 metres of Greetham village Planned Limits of Development, and no processing of mineral shall take place within Phase 4 or 350 metres of Greetham village Planned Limits of Development. Greetham village Planned Limits of Development are as shown on Greetham Neighbourhood Plan 2016-2036 (adopted October 2017), Chapter 13 Greetham Boundary Map – Planned Limits of development as referred to in Condition 2.

12. The site access onto Thistleton Lane shall be constructed as set out in Chapter 3 of the Extension to Greetham Quarry Transport Statement and as shown on Plan/Drawing ref. nos. Extension to Greetham Quarry Transport Statement Drawing 21077-01 (Alternative access with vehicle tracking Thistleton Lane), and GREETHAM Drawing G17/1/19/03 Revision C (Working Scheme) referred to in Condition 2. No part of the operations specified therein shall be amended or omitted without the prior written approval of the Mineral Planning Authority.

13. The weighbridge, wheel cleansing facilities, portable cabins (up to three) for office accommodation and welfare facilities, and car parking shall be located within the red line area as shown on Plan/Drawing ref. no. GREETHAM Drawing G17/1/19/03 Revision C (Working Scheme) and shall be constructed as set out in Chapter 3 of the Environmental Statement and Section 6 of the Regulation 25 Additional Information referred to in Condition 2. No part of the operations specified therein shall be amended or omitted without the prior written approval of the Mineral Planning Authority.

    Reason for conditions 6 to 13: To specify working methods to protect amenity, natural assets and landscape character, and prevent the loss of soil and aid the final restoration of the site having regard to MDC Policy 1 - Impacts of Mineral Development and MCS Policy 12 - Restoration of the Rutland Minerals Core Strategy and Development Control Policies DPD, October 2010.

Working Hours

14. Except in emergencies or with the prior agreement of the Mineral Planning Authority, no operations on the site, other than pumping, servicing, maintenance, and testing of plant shall be carried out except between the following times:

    0700 hours and 1800 hours Monday to Friday, and

    0700 hours and 1300 hours on Saturdays.

    There shall be no operations carried out on Sundays, or Public or Bank Holidays.

    Reason: To ensure that operations are carried out within reasonable hours so as to minimise amenity disturbance in accordance with MDC Policy 1 - Impacts of Mineral Development of the Rutland Minerals Core Strategy and Development Control Policies DPD, October 2010 and Policy SP15 - Design and Amenity of the Rutland Site Allocations and Policies DPD October 2014.

Removal of Permitted Development Rights

15. Notwithstanding the provisions of Parts 7 and 17 of Schedule 2 of the Town and Country Planning (General Permitted Development) (England) Order 2015 (or any Order amending, replacing or re-enacting that Order), except for those detailed in the

application, no fixed plant or machinery, buildings, structures and erections, lights, fences, or private ways shall be erected, extended, installed, rearranged, replaced, or altered at the site without prior planning permission from the Mineral Planning Authority.

Reason: In the interests of amenity protection and landscape character having regard to MDC Policy 1 - Impacts of Mineral Development of the Rutland Minerals Core Strategy and Development Control Policies DPD, October 2010 and Policy SP15 - Design and Amenity of the Rutland Site Allocations and Policies DPD October 2014.

Highway and Access

16. The access onto Thistleton Lane is to be constructed and made useable within twelve months of commencement of mineral extraction. Upon the access onto Thistleton Lane being made useable the access onto Stretton Road (B668) shall be closed and restored in accordance with the details contained in planning application reference MIN/2004/1051 dated 06 April 2006 and approved restoration plan 2013/1061/DIS dated 04 December 2013.

17. The existing access on the B668 shown on the location plan shall be closed by means of locked gates immediately upon completion of the new access in Thistleton Lane and the redundant access permanently closed, incorporating the reinstatement to full height kerb, footway, verge and hedgerow within 3 months of the new access being brought into use.

18. The access onto Thistleton Lane, inclusive of cleared land necessary to provide the visibility splays shall be constructed to road level as set out in Extension to Greetham Quarry Transport Statement Drawing 21077-01 (Alternative access with vehicle tracking Thistleton Lane) referred to in Condition 2. The vehicular visibility splays at the site access onto Thistleton Lane, as shown on this plan shall be provided before the access is first used by vehicular traffic and retained free of any obstruction for the lifetime of the development hereby permitted.

19. Prior to commencement of the development the access, at its centre line, shall be provided with a clear to ground visibility splay with dimensions of 2.4 metres by 215 metres in both directions, as measured from and along the nearside edge of the carriageway. Such vehicular visibility splays shall be provided before the access is first used by vehicular traffic and retained free of any obstruction at all times.

20. Upon completion of restoration of the site, the redundant access on Thistleton Lane shall be closed by means of locked gates immediately followed by permanent closure, incorporating the reinstatement to verge and hedgerow within 3 months.

21. No commercial vehicles shall enter the public highway unless their wheels and chassis have been cleaned to prevent mud being deposited on highway. Wheel cleansing facilities shall be provided on site and maintained to a full working standard in accordance with siting and technical details that shall have been submitted to and approved in writing by the Mineral Planning Authority. In the event that the existing wheel cleansing facilities fail to prevent the deposit of mud, then additional wheel cleaning facilities shall be installed within a location and timetable to be agreed in writing with the Mineral Planning Authority.

22. Prior to commencement of the development details of a drive-thru jetted type wheel washing facility within the site and adjacent to the egress onto the highway shall be submitted to and approved in writing by the Local Planning Authority and thereafter installed, fully working and maintained during the period of construction period with all exiting vehicles driving through.

23. If the wheel wash equipment becomes ineffective and mud, slurry or detritus falls upon the public highway, the operator shall clean the affected areas immediately, or cease all movements from the site until the roads are clean.

24. The internal haul road(s) to the development hereby permitted from the wheel cleansing facilities required in Condition 21 to the access with the public highway shall be metalled to provide an impervious surface and shall be maintained in a clean and good state of repair and free from potholes for the lifetime of the development hereby permitted.

25. No unbound material shall be used in the surface treatment of the vehicular access between the wheel washing equipment and the highway boundary, and the design shall ensure that no surface water flows from the private area on to the public highway.

26. All Heavy Goods Vehicles transporting minerals from the site or importing waste materials into the site should not be overloaded and shall be securely sheeted in such a way as to minimise dust and to ensure that no material is deposited on the public highway.

27. Prior to the commencement of development a Closed-Circuit Television (CCTV) camera system(s) shall be installed at the site weighbridge(s) for the purpose of monitoring permitted working hours, and to demonstrate compliance with Conditions 9, 14, 21 & 26. The CCTV camera system(s) shall enable an unobstructed view of the site access onto the public highway throughout the year. CCTV footage is to be date and time stamped. CCTV footage is to be retained for a period of two years. CCTV video footage is to be made available upon the written request by the Mineral Planning Authority. Still images of CCTV footage are to be made available upon the written request by the Mineral Planning Authority for the purpose of demonstrating compliance and to determine if adjustments are required to allow for seasonal variations to enable an unobstructed view of the site access. Prior to erection or installation the details of the proposed location for the CCTV cameras shall be submitted to and approved in writing by the Mineral Planning Authority. Any approved CCTV camera system(s) shall be installed and maintained in accordance with the approved details for the lifetime of the development.

28. In the event that complaints regarding compliance with Conditions 9, 14, 20 or 26 are received by the operator and thereafter notified, within two days of receipt of the complaint, to the Mineral Planning Authority (or vice versa), an assessment of the complaint shall be undertaken by the operator and shall include the relevant CCTV footage, including still images of footage where necessary, of the location and period stated in the complaint. A report on the findings, with proposals for and a programme for the implementation of remedial measures to be undertaken (if necessary), shall be submitted to the Mineral Planning Authority no later than five working days from notification of the complaint to the operator, unless a later date is otherwise agreed in writing by the Mineral Planning Authority. If substantiated complaints relating to the same matter continue after remedial measures have been implemented in full, monitoring shall be undertaken at the request of the Mineral Planning Authority to verify whether the requirements of Conditions 9, 14, 20 or 26 are being met and the monitoring information shall be submitted to the Mineral Planning Authority within five working days. If monitoring shows the restrictions in Conditions 9, 14, 20 or 26 are not being met operations shall cease until such time as remedial measures are agreed in writing by the Mineral Planning Authority and thereafter implemented to bring the operations into compliance Conditions 9, 14, 20 or 26. These measures shall thereafter be maintained.

29. All haul vehicles shall enter and leave the site from and to the southeast via the B668 and prior to commencement of development signage shall be erected within the site to reflect this for departing vehicles.

30. Prior to the commencement of development, a joint inspection of Thistleton Lane between the B668 and the new access should be carried out with the Highway Authority, including photographic evidence. The route should then be inspected annually and following completion of the development and any damage to the highway resulting from traffic movements generated by the application site should be repaired to an acceptable standard and at no cost to the Highway Authority.

31. **Reason for conditions 16 to 31**: In the interests of highway safety and amenity in accordance with MCS Policy 9 - Transportation, MDC Policy 11 - Transportation and MDC Policy 1 - Impacts of Mineral Development of the Rutland Minerals Core Strategy and Development Control Policies DPD, October 2010.

Lighting

32. All lighting to be installed on site shall be downward facing, positioned below the working rim of the quarry and designed and installed so as to avoid impacting on residential receptors and wildlife as set out in Chapter 3 of the Environmental Statement referred to in Condition 2. Floodlighting required during the months of December, January, and February around the plant site and infill areas may be operated up to thirty minutes before and/or after permitted hours of operation. Temporary lighting required during construction works (of the site access onto Thistleton Road and ancillary development including installation of weighbridge, wheel cleansing facilities, mechanical barrier, portacabins for office accommodation, and welfare facilities) shall be deployed in accordance with permitted hours of operation and is to be directed at the working area, and designed and installed so as to avoid impacting on residential receptors and wildlife. Prior to erection or installation, the details of the proposed locations and design of any lighting shall be submitted to and approved in writing by the Mineral Planning Authority. Any approved lighting shall be implemented and maintained in accordance with the approved details for the lifetime of the development.

33. Prior to the first use of any external lighting / floodlighting within the development site, the light source shall be so positioned and shielded, in perpetuity, to ensure that users of the highway are not affected by dazzle and/or glare.

Reason for conditions 32 and 33: In the interests of residential and rural amenity and biodiversity of the area having regard to MDC Policy 1 - Impacts of Mineral Development of the Rutland Minerals Core Strategy and Development Control Policies DPD, October 2010 and Policy SP17 - Outdoor Lighting of the Rutland Site Allocations and Policies DPD October 2014.

Fencing

34. No perimeter fencing shall be erected on site until the details of the proposed locations, heights, materials, design, and colour of any perimeter fencing have been submitted to and approved in writing by the Mineral Planning Authority. Any approved fencing shall be maintained in accordance with the approved details for the lifetime of the development.

Reason: In the interests of amenity protection and landscape character having regard to MDC Policy 1 - Impacts of Mineral Development of the Rutland Minerals Core Strategy and Development Control Policies DPD, October 2010 and Policy SP15 - Design and Amenity of the Rutland Site Allocations and Policies DPD October 2014.

Water Resources

35. Prior to the commencement of development, a scheme for management of water resources, to include a detailed drainage and SUDS infrastructure scheme, shall be submitted to and approved in writing by the Mineral Planning Authority. The scheme shall include measures for groundwater monitoring and an action plan to minimise the potential impact upon the water environment of any fuel, oil or chemical spillage within the quarry. The scheme shall form part of a comprehensive Environmental Management Plan (EMP), and address environmental training of staff. The scheme shall be implemented in full as approved for the lifetime of the development hereby permitted.

36. Throughout the lifetime of the development hereby permitted, all reasonable steps shall be taken to ensure that drainage from areas adjoining the site is not impaired or rendered less efficient by the permitted operations. All reasonable steps shall be taken, including the provision of any necessary works, to prevent damage by erosion, silting, or flooding and to make proper provision for the disposal of all water entering, arising on, or leaving the site for the lifetime of the development hereby permitted.

Reason for conditions 35 to 36: To ensure that the development does not increase flood risk having regard to MDC Policy 1 - Impacts of Mineral Development, MDC Policy 7 - Water Resources and MDC Policy 8 - Flooding of the Rutland Minerals Core Strategy and Development Control Policies DPD, October 2010.

Pollution Prevention

37. Any facilities, above ground, for storage of oils, fuels, lubricants, or chemicals shall be sited on impervious bases and surrounded by impervious bund walls. The volume of the bunded compound should be at least equivalent to the capacity of the tank plus 10%. All filling points, vents, gauges, and sight glasses must be located within the bund. The drainage system of the bund shall be sealed with no discharge to any watercourse, land, or underground strata. Associated pipework should be located above ground and protected from accidental damage. All filling points and tank overflow pipe outlets should be detailed to discharge into the bund.

38. All drums and small containers used for oil and other chemicals shall be stored in bunded areas that do not drain to any watercourse, surface water sewer or soakaway.

    Reason for conditions 37 to 38: To minimise risk of watercourse and aquifer pollution and to prevent pollution of the water environment having regard to MDC Policy 1 - Impacts of Mineral Development and MDC Policy 7 - Water Resources of the Rutland Minerals Core Strategy and Development Control Policies DPD, October 2010.

Noise

39. Prior to the commencement of development, including soil stripping or vegetation clearance, a scheme of measures to minimise and monitor noise generation associated with the development shall be submitted to and approved in writing by the Mineral Planning Authority. The scheme should form part of a comprehensive Environmental Management Plan (EMP) and address environmental training of staff. The scheme shall be implemented in full as approved for the lifetime of the development hereby permitted.

40. No vehicles, plant, equipment, or machinery used exclusively on site shall be operated at the site unless it has been fitted with and uses an effective silencer and non-tonal “white noise” reversing alarms. All vehicles, plant, equipment, and machinery shall be maintained in accordance with the manufacturer's specification.

41. The location and construction of soil storage mounds and acoustic fencing to secure noise (and dust) screening mitigation at the boundaries of the working area shall be constructed and implemented in accordance with Greetham Quarry Rutland Regulation 25 Additional Information (Request No. 2), Annexure H: Noise Assessment (October 2020) - Chapter 5 and as shown on Plan/Drawing ref. no. GREETHAM, Drawing G17/1/19/03 Revision C (Working Scheme) as referred to in Condition 2, and maintained as approved for the lifetime of the development hereby permitted. The acoustic fence (Thistleton Lane) shall to be screened for visual amenity purposes by planting of suitable tree species to be undertaken in the first available planting season following commencement of the development.

42. The site shall only be worked in accordance with the measures set out in Part 1 (Noise), Section 8 of British Standard 5228: 2009 "Noise and Vibration Control on Construction and Open Sites” or subsequent edition thereof.

43. Except for temporary works under the provisions of Condition 44, the equivalent sound level (L_{Aeq}), measured at the potentially noise sensitive receptors listed below over any one-hour time period attributable to the operations on site, as measured free field, shall not exceed:

    48 dBA (1hr LAeq) at 48 Great Lane, Greetham,

    51 dBA (1hr LAeq) at the White House, Thistleton Lane, Greetham, and

    55 dBA (1hr LAeq) at Greetham Community Centre, Great Lane, Greetham.

44. For temporary operations that shall be limited to topsoil and subsoil stripping and other landscaping works, for up to eight weeks in a year the equivalent sound level (LAeq), measured over any one-hour time period as measured free field, shall not exceed 70 dBA (1hr LAeq) at any inhabited property.

45. Upon commencement of development monitoring of noise from the mineral extraction operations shall be undertaken using continuous real-time noise monitoring equipment, to be installed prior to the commencement of development. Noise monitoring equipment is to include trigger limits for the potentially noise sensitive receptors (identified in Condition 43), audio recording, and an alert system that automatically notifies the operator when the trigger limit is exceeded. Records of noise monitoring, including audio recordings, are to be retained for a period of two years and made available upon the written request by the Mineral Planning Authority. Prior to erection or installation, the details of the proposed location for the noise monitoring equipment shall be submitted to and approved in writing by the Mineral Planning Authority. Any approved noise monitoring equipment shall be installed and maintained in accordance with the approved details for the lifetime of the development. If, during the two-year period following commencement of mineral extraction, there have been no breaches of noise limits or substantiated noise complaints reported to the Mineral Planning Authority, noise monitoring may be amended to periodic monitoring, the details of which are to be submitted to and approved in writing by the Mineral Planning Authority.

46. In the event that there is an exceedance of the noise trigger limits (identified in Condition 45), or a complaint regarding noise is received by the operator and thereafter notified, within two days of receipt of the complaint, to the Mineral Planning Authority (or vice versa), an assessment of the complaint shall be undertaken by the operator and shall include the following information:

    i. the measured L_{Aeq} (free field) level in dB(A),

    ii. date and time of measurement,

    iii. description of site activity(ies),

    iv. description and recording of audio, and

    v. weather conditions, including wind speed and direction.

    A report on the findings, with proposals for removing, reducing, or mitigating identified adverse effects resulting from the operation, and a programme for the implementation of remedial measures (if necessary) to be undertaken, shall be submitted to the Mineral Planning Authority no later than five working days from notification of the complaint to the operator, unless a later date is otherwise agreed in writing by the Mineral Planning Authority. If substantiated complaints relating to noise continue after remedial measures have been implemented in full, monitoring shall be undertaken at the request of the Mineral Planning Authority to verify whether the requirements of Conditions 42-44 are being met and the monitoring information shall be submitted to the Mineral Planning Authority within five working days. If monitoring shows the restrictions in Conditions 42-44 are not being met operations shall cease until such time as remedial measures are agreed in writing by the Mineral Planning Authority and thereafter implemented to bring the operations into compliance with the limits established in Conditions 42-44. These measures shall thereafter be maintained.

47. Records of complaints received are to be retained for two years and are to include details of the investigation, any actions taken as a consequence to resolve the complaint including steps taken to verify whether remedial action has been effective. Records are to be made available upon the written request by the Mineral Planning Authority.

    Reason for Conditions 39 to 47: In the interests of residential amenity and the rural amenities of the area having regard to MCS Policy 7 - Residential and Sensitive Land Uses, MDC Policy 1 - Impacts of Mineral Development of the Rutland Minerals Core Strategy and Development Control Policies DPD, October 2010 and Policy SP15 - Design and Amenity of the Rutland Site Allocations and Policies DPD October 2014.

Dust

48. No development within any individual phase of working as shown on Plan/Drawing ref. no. GREETHAM Drawing G17/1/19/03 Revision C (Working Scheme) referred to in Condition

2 shall take place until an up-to-date consolidated site-specific Dust Management Plan (in accordance with Best Available Techniques as set out in Mineral Industry Research Organisation (MIRO) “Management, mitigation, and monitoring of nuisance dust and PM10 emission arisings from the extractive industries” (February 2011, or subsequent edition thereof) is submitted to and approved in writing by the Mineral Planning Authority. The scheme shall identify specific measures to minimise and monitor dust generation associated with the development, and include:

i. detailed monitoring methodology and frequency (for dust generation), including the differentiation of the proportion contributed from other local sources of dust,

ii. the use of water-spray facilities for dampening operational areas including processing plant, stockpiles, and haul roads,

iii. the provision, and location of, storage for 30,000 litres of water for use in dust suppression, and

iv. monitoring of weather forecast and conditions including rainfall, wind speed and wind direction.

The scheme should form part of a comprehensive Environmental Management Plan (EMP), and address environmental training of staff. The development shall be implemented in accordance with the approved mitigation measures and details for the lifetime of the development.

49. Prior to the commencement of development, a site-specific weather station anemometer shall be installed on site. The weather station anemometer is to include a trigger limit for wind speed and wind direction (to be identified in the Dust Management Plan) and an alert system that automatically notifies the operator when the trigger limit is exceeded. Upon receiving notification of a trigger limit being exceeded the operator is to implement dust suppression measures as set out in the approved Dust Management Plan. Records of weather conditions recorded by the weather station anemometer, and any instances where the operator implemented dust suppression measures in response to notifications received from the weather station anemometer, are to be retained for a period of two years and made available upon the written request by the Mineral Planning Authority. The details of the proposed location for the weather station shall be submitted to and approved in writing by the Mineral Planning Authority. Any approved weather station equipment shall be installed and maintained in accordance with the approved details for the lifetime of the development.

50. Upon commencement of development, monitoring of dust from the mineral extraction operations shall be undertaken using:

i. Four frisbee style deposition gauges for nuisance dust deposition, for which the compliance dust-fall limit is 103 mg m^{-2} day^{-1}. Monitoring shall be undertaken periodically, the duration and frequency of which is to be set out in the Dust Management Plan.

ii. Continuous real-time particulate matter (dust) monitoring equipment for PM10 and Total Particulate Matter, for which the compliance limit is 50 µg/m^3 is not to be exceeded more than 35 times a year 24 hour mean, or 40 µg/m^3 annual mean. Dust monitoring equipment for PM10 is to include a trigger limit of 50 µg/m^3 and an alert system that automatically notifies the operator when the trigger limit is exceeded.

The above dust monitoring equipment is to be installed prior to the commencement of development. Records of dust monitoring are to be retained for a period of two years and made available upon the written request by the Mineral Planning Authority. Prior to erection or installation the details of the proposed location for the dust monitoring equipment shall be submitted to and approved in writing by the Mineral Planning Authority. Any approved dust monitoring equipment shall be installed and maintained in accordance with the approved details for the lifetime of the development. If, during the two-year period following commencement of development (to include a minimum of one year where mineral extraction is taking place), there have been no breaches of dust limits

or substantiated dust complaints reported to the Mineral Planning Authority, dust monitoring for PM10 and Total Particulate Matter may be amended to periodic monitoring, the details of which are to be submitted to and approved in writing by the Mineral Planning Authority.

51. In the event that there is an exceedance of the dust trigger limits (identified in Condition 50), or a complaint regarding dust is received by the operator and thereafter notified, within two days of receipt of the complaint, to the Mineral Planning Authority (or vice versa), an assessment of the complaint shall be undertaken by the operator and shall include the following information:

    i. dust levels measured in: $\mu g/m^3$ 24 hour mean for PM10 and Total Particulate Matter; and dust fall mg m^{-2} day^{-1} for nuisance dust deposition,

    ii. date and time of measurement,

    iii. description of site activity(ies), and

    iv. weather conditions, including wind speed and direction.

    Monitoring of dust using frisbee style and/or directional dust deposition gauges may be requested by the Mineral Planning Authority. A report on the findings, with proposals for removing, reducing, or mitigating identified adverse effects resulting from the operation, and a programme for the implementation of remedial measures (if necessary) to be undertaken shall be submitted to the Mineral Planning Authority no later than five working days from notification of the complaint to the operator, unless a later date is otherwise agreed in writing by the Mineral Planning Authority. If substantiated complaints relating to dust continue after remedial measures have been implemented in full, monitoring shall be undertaken at the request of the Mineral Planning Authority to verify whether the requirements of Conditions 48-50 are being met and the monitoring information shall be submitted to the Mineral Planning Authority within five working days. If monitoring shows the restrictions in Conditions 48-50 are not being met operations shall cease until such time as remedial measures are agreed in writing by the Mineral Planning Authority and thereafter implemented to bring the operations into compliance with the limits established in Conditions 48-50). These measures shall thereafter be maintained.

52. Records of complaints received are to be retained for two years and are to include details of the investigation, any actions taken as a consequence to resolve the complaint including steps taken to verify whether remedial action has been effective. Records are to be made available upon the written request by the Mineral Planning Authority.

    Reason for Conditions 48 to 52: In the interests of residential amenity and the rural amenities of the area having regard to MCS Policy 7 - Residential and Sensitive Land Uses, MDC Policy 1 - Impacts of Mineral Development of the Rutland Minerals Core Strategy and Development Control Policies DPD, October 2010 and Policy SP15 - Design and Amenity of the Rutland Site Allocations and Policies DPD October 2014.

Archaeology

53. Prior to the commencement of development, including soil stripping or vegetation clearance, a Written Scheme of Investigation (WSI) shall be submitted to and approved in writing by the Mineral Planning Authority. The WSI must be prepared by an archaeological contractor acceptable to the Mineral Planning Authority. To demonstrate that the implementation of the WSI has been secured a signed contract or similar legal agreement between the operator and the approved archaeological contractor shall be provided to the Mineral Planning Authority. The WSI shall include a:

    i. Statement of significance and research objectives.

    ii. Programme and methodology of site investigation and recording, including the nomination of a competent person(s) or organisation to undertake the agreed works.

    iii. Programme for post-investigation assessment and subsequent analysis, publication and dissemination, and deposition of resulting material. This part of the condition shall not

be discharged until these elements have been fulfilled in accordance with the programme set out in the WSI.

The WSI shall be implemented in full as approved for the lifetime of the development hereby permitted.

Reason: To ensure satisfactory archaeological investigation and recording having regard to MDC Policy 5 - Historic Heritage of the Rutland Minerals Core Strategy and Development Control Policies DPD, October 2010 and Policy SP20 - The Historic Environment of the Rutland Site Allocations and Policies DPD October 2014.

Soil Handling

54. Three months prior to commencement of soil stripping of any identified phase of the development as shown on Plan/Drawing ref. nos. GREETHAM Drawing G17/1/19/03 Revision C (Working Scheme) referred to in Condition 2, a Scheme of Soil Movement shall be submitted to and approved in writing by the Mineral Planning Authority. The scheme shall: where subsoils are not to be retained, identify those soils and soil substitutes intended to be used in their place; and identify clearly the origin, intermediate and final locations of soils for use in the restoration, as defined by soil units, together with details balancing the quantities, depths, and areas involved.

55. Prior to commencement of soil stripping and storage mound construction, a scheme of grass seeding, weed control, and management of all storage mounds that will remain in situ for more than six months or over winter shall be submitted to and approved in writing by the Mineral Planning Authority. Seeding and management of the storage mounds shall be carried out in accordance with the approved details. Within three months of the formation of soil storage mounds a plan showing the location, contours, and volumes of the mounds, and identifying the soil types and units contained therein shall be submitted to and approved in writing by the Mineral Planning Authority.

56. Bunds for the storage of soils shall not exceed three metres in height for topsoil bunds, and five metres in height for subsoil bunds.

57. All topsoil shall be stripped from any areas to be excavated, used for the stationing of plant and buildings, storage of subsoil and overburden, or traversed by heavy machinery. No plant or vehicles shall cross any areas of unstripped topsoil except for the purpose of stripping operations.

58. All soil and soil forming materials shall be handled in accordance with the Department for Environment, Food, and Rural Affairs (DEFRA) “Good Practice Guide for Handling Soils”.

59. From the date of commencement and throughout the duration of operations, restoration, and aftercare the operator shall take appropriate steps shall be taken to prevent the spread of any soil-borne plant or animal diseases.

60. Soil shall only be moved when in a dry and friable condition. For cohesive soil this may be assessed in accordance with the “Worm Test” for field situations described by Annex AP 8 Para 1(g) of the Department for Environment, Food, and Rural Affairs (DEFRA) “Guidance for Successful Reclamation of Mineral and Waste Sites” to determine if the moisture content is drier than the lower plastic limit and therefore, less prone to damage if handled.

61. For all soil types no soil handling shall proceed during and shortly after significant rainfall, and/or when there are any puddles on the soil surface.

62. Soil handling and movement shall not be carried out between the months of October to March inclusive, unless otherwise agreed in writing by the Mineral Planning Authority.

Reason for conditions 54 to 62: To protect mounds from soil erosion, prevent build-up of weed seeds in the soil and remove vegetation prior to soil replacement, and prevent damage to soils having regard to MDC Policy 1 - Impacts of Mineral Development of the Rutland Minerals Core Strategy and Development Control Policies DPD, October 2010.

Landscape, Ecology, and Biodiversity

63. Prior to the commencement of development, including soil stripping or vegetation clearance, a comprehensive Environmental Management Plan (EMP) shall be submitted to and approved in writing by the Mineral Planning Authority. The EMP must address potential for adverse impacts on the interest features of Greetham Meadows Site of Special Scientific Interest (SSSI), including dust impacts and surface water drainage. The scheme shall be implemented in full as approved for the lifetime of the development hereby permitted.

64. No vegetation clearance or working shall take place on the site until a detailed Construction Environmental Management Plan (CEMP) for Biodiversity to include a Hedgerow Habitat Management Plan has been submitted to and approved in writing by the Mineral Planning Authority. The plan shall detail how the impact of the development upon features and species of ecological importance will be protected, managed, and impacts will be mitigated throughout the life of the development. The CEMP shall be fully implemented as approved for the lifetime of the development.

65. All supplementary planting of existing hedgerows and trees along the north-eastern (H2) and western (H1) boundaries, and planting of species-rich hedgerow and trees along the southern boundary as shown on Appendix V Drawings - Greetham Quarry Extension Drawing 80-111-001 (Habitat Plan) of the Preliminary Ecological Appraisal, Plan/Drawing ref. nos. GREETHAM Drawing G17/1/19/03 Revision C (Working Scheme), and Chapter 3 of the Environmental Statement referred to in Condition 2, shall be undertaken in the first available planting season (October to March) following the date of this planning permission.

66. All hedges and trees bounding the red line area as shown on Appendix V Drawings - Greetham Quarry Extension Drawing 80-111-001 (Habitat Plan) of the Preliminary Ecological Appraisal referred to in Condition 2, shall be retained and protected from damage for the duration of operations; with the exception of the south-eastern hedgerow (H3), and the section of the north-eastern hedgerow (H2) (a length of ten metres) and neutral grassland (an area of 60 square metres) within the road verge required to be removed to allow for construction of access onto Thistleton Lane as shown on Plan/Drawing ref. no. GREETHAM, Drawing G17/1/19/03 Revision C (Working Scheme) as referred to in Condition 2. Any trees or hedges that are damaged, removed or die shall be replaced with a similar species plant (for trees) or compensatory hedgerow planting (for hedges), to be carried out within the first available planting season following agreement of such details in writing with the Minerals Planning Authority.

67. No mineral extraction shall take place within a ten metre standoff from the hedgerows (H1 and H2) that form the western and north-eastern boundaries of the red line area as shown on Appendix V Drawings - Greetham Quarry Extension Drawing 80-111-001 (Habitat Plan) of the Preliminary Ecological Appraisal referred to in Condition 2, and hedgerow and tree plantings along the southern boundary as shown on Plan/Drawing ref. no. GREETHAM Drawing G17/1/19/03 Revision C (Working Scheme) referred to in Condition 2. Within this standoff there shall be no storage of any materials or vehicles (including soils) within five metres of the hedgerow. Where there are trees within the hedgerow a larger standoff will be calculated as per the British Standard for the Protection of Trees. Any safety barriers, including fencing, to the quarry face shall include appropriate warning signage and shall be erected or constructed in accordance with details that have been agreed in writing with the Mineral Planning Authority. Fencing will be installed using methods that avoid damage to tree roots.

68. Standoffs referred to in Condition 67 shall be marked/pegged out on-site prior to the commencement of extraction in the planning permission area in a manner that shall be first agreed in writing with the Minerals Planning Authority.

69. Operations that involve the destruction and removal of vegetation shall not be undertaken during the months of February to September inclusive, unless an ecologist report demonstrating that breeding birds will not be affected is submitted to and approved in

writing by the Mineral Planning Authority. Should nesting birds be found, development shall be delayed until such time as nesting has ceased.

70. From the date of commencement and throughout the period of working, restoration, and aftercare all areas of the site, including amenity/screening bunding, shall be kept free of weeds and necessary steps shall be taken to destroy weeds at an early stage of growth to prevent seeding.

Reason for conditions 63 to 70: In the interests of landscape and biodiversity having regard to MDC Policy 1 - Impacts of Mineral Development, MDC Policy 4 - Impact Upon Landscape and Townscape and MDC Policy 6 - Biodiversity and Geological Conservation Interests of the Rutland Minerals Core Strategy and Development Control Policies DPD, October 2010 and Policy SP19 - Biodiversity and Geodiversity Conservation and Policy SP23 - Landscape Character in the Countryside of the Rutland Site Allocations and Policies DPD October 2014.

Restoration and Aftercare

71. Within two years of the date of permission being granted an overall scheme of reclamation and after-use for the planning permission area shall be submitted to and agreed in writing with the Mineral Planning Authority. The scheme shall be based upon the principles of the restoration plan shown on Plan/Drawing ref. no. GREETHAM Drawing G17/1/19/04 Revision B (Restoration Plan) and Chapter 4 (Amended May 2020) of the Environmental Statement referred to in Condition 2 and be in accordance with the National Planning Practice Guidance. The scheme shall include:

i. The aims and objectives of restoration.

ii. Prescriptions for management actions.

iii. A comprehensive restoration plan including: a) delineation of area(s) to be retained, areas for natural regeneration, areas for intervention through habitat creation, and habitat enhancement; and b) detailed levels and final contour level shown by a contour plan and accompanying cross sections, to include how the restoration will relate to the original quarry restoration on the adjacent site.

iv. Habitat creation and enhancement methodologies, including the maintenance of habitat types proposed as part of the ecological enhancement of the site.

v. Comprehensive details of proposed planting and seeding of locally native species of local provenance, including planting and seeding species-mixes. Seed mixtures should include a low sowing rate and a low grass seed percentage to encourage the development of a species rich sward.

vi. Details of soil and substrate specification and placement, techniques, and management, and methods for maintaining and monitoring soil pH levels. Substrate for areas of calcareous grassland must be predominantly crushed limestone of a range of particle size from fines to rubble and larger stone. Sub-soils of neutral or lower pH, or top-soil, shall not be used to form this habitat.

vii. Provision of surface water drainage.

viii. Preparation of a work, monitoring, and reporting schedule.

ix. Monitoring, remedial, and contingency measures triggered by monitoring.

x. Aftercare and long-term management and maintenance.

xi. Timetable for implementation.

The approved scheme shall be implemented thereafter in accordance with the approved details.

72. Unless otherwise agreed in writing with the Mineral Planning Authority, the restoration plan must include features as shown on Plan/Drawing ref. no. GREETHAM Drawing G17/1/19/04 Revision B (Restoration Plan) referred to in Condition 2, and set out below:

i. Creation of a mosaic of the following BAP priority habitats, and to demonstrate 10% net-gain from the baseline habitat survey: calcareous grassland/bare rocks/open mosaic habitat created through natural regeneration on the quarry slopes (at least 50% of slopes to be of this technique); species-rich limestone grasslands created through wildflower seeding (remainder of slopes); new species-rich hedgerow along southern boundary and across the decommissioned access road; and species-rich neutral grassland roadside verge along Thistleton Lane and across the decommissioned access road.

ii. Arable land to achieve Agricultural Land Classification Sub-grade 3a: Good quality agricultural land (or better).

iii. Calcareous grassland of local Biodiversity Action Plan (BAP) quality (a minimum of 6.95 hectares), to be either created, restored, or conserved to a specification and methodology approved by Mineral Planning Authority, following submission of up-to-date ecological information.

iv. The creation of a seasonal wetland.

73. Six months prior to the commencement of restoration, including soil and substrate placement and re-grading, of any identified phase of the development as shown on Plan/Drawing ref. no. GREETHAM Drawing G17/1/19/03 Revision C (Working Scheme) referred to in Condition 2, a detailed scheme for the restoration of that given phase shall be submitted to and agreed in writing with the Mineral Planning Authority. The submitted schemes shall include an up-to-date habitat survey to be undertaken in order that any natural regeneration or other features of biodiversity value can be incorporated into the restoration plans, final contours, profiles of any water bodies, and details of tree planting, habitat establishment and management, and timetable for implementation.

74. Areas to be restored to agricultural use shall be progressively restored in accordance with the approved phasing drawings and Department for Environment, Food, and Rural Affairs (DEFRA) “Guidance for Successful Reclamation of Mineral and Waste Sites”. Areas to be restored to agricultural use shall achieve a restored agricultural land quality of Agricultural Land Classification Sub-grade 3a: Good quality agricultural land. The soil profile shall be kept free of materials likely to interfere with final restoration and subsequent cultivation and tree planting to a depth of at least one metre and shall be ripped (rooted) as necessary to relieve compaction prior to the replacement of topsoil. Any stones or other materials greater than 80 millimetres in any one dimension, and materials that would impede subsequent agricultural operations shall be removed or buried on site to a depth of at least one metre.

75. All planting associated with each respective phase of operations as shown on Plan/Drawing ref. nos. GREETHAM Drawing G17/1/19/04 Revision B (Restoration Plan) referred to in Condition 2 shall be undertaken in the first available planting season following restoration of that phase.

76. A detailed survey of the final levels on site shall be submitted to the Mineral Planning Authority once infilling and restoration is complete, and in any event no later than the end of the restoration completion period specified in Condition 5.

77. An aftercare scheme detailing the steps that are necessary to bring the land to the required standard for agriculture and to ensure establishment of calcareous grassland and other habitats as per the agreed restoration plan shall be submitted to and approved in writing by the Mineral Planning Authority prior to commencement of restoration works in each phase. The submitted scheme shall include:

i. An outline strategy in accordance with the Planning Practice Guidance for the five-year aftercare period for land returned to agriculture and ten-year aftercare period for all other areas. This shall specify steps to be taken and the period during which they are to be taken. In the case of agriculture, the scheme shall include provision of a field drainage system and provide for an annual meeting between the applicants and the Mineral Planning Authority.

ii. A detailed annual programme, in accordance with the National Planning Practice Guidance, to be submitted to the Mineral Planning Authority not later than two months prior to the annual Aftercare meeting.

iii. An aftercare management plan to address limestone grassland and hedgerow maintenance, and management of habitat succession to optimise the open mosaic habitats.

The aftercare shall be undertaken in accordance with the approved scheme for the duration of aftercare.

78. Before 31st January of every year during the aftercare period, an Aftercare Management Report shall be submitted to the Mineral Planning Authority recording the operations carried out on the land during the previous twelve months, results of tests undertaken to ensure satisfactory soil structures, and setting out the intended operations for the next twelve months. A site meeting shall be arranged to discuss the report to which the Mineral Planning Authority shall be invited together with any other parties as necessary.

79. Any trees, hedges, or other plantings including calcareous grassland that are damaged, removed, or die during the aftercare period shall be replaced with a similar species plant (for trees) or compensatory hedgerow (for hedges) or similar species planting (for other plantings including calcareous grassland), to be carried out within the first available planting season following agreement of such details in writing with the Minerals Planning Authority.

80. In any part of the site where differential settlement occurs during the restoration and aftercare period, the applicant, where required by the Mineral Planning Authority, shall submit a scheme to rectify this issue. The scheme (including a timetable), as approved in writing by the Mineral Planning Authority, shall be implemented in full.

81. During the aftercare period, temporary drainage works (e.g. ditches, watercourses, settling lagoons) shall be carried out as necessary to prevent soil erosion, flooding of land within or outside the site or the erosion or silting up of existing drainage channels within or outside the site.

82. Except as otherwise agreed in writing by the Mineral Planning Authority all buildings, structures, fencing, plant, machinery, and access and haul roads erected or installed in accordance with this permission shall be removed from the site by the end of the restoration completion period specified in Condition 5.

Reason for conditions 71 to 82: To ensure proper restoration and aftercare of the site and in the interests of the general amenity of the area, and to ensure that habitat creation maximises biodiversity in line with Biodiversity Action Plan regional species having regard to MDC Policy 12 - Restoration and MCS Policy 12 - Restoration and Aftercare of the Rutland Minerals Core Strategy and Development Control Policies DPD, October 2010.

Monitoring

83. The operating company shall submit an annual report in writing to the Mineral Planning Authority within one month of the first anniversary of operations commencing at the site and at twelve monthly intervals thereafter. The report shall include:

i. Detailed information on the quantities of aggregate, Clipsham blockstone and building/walling stone exported from site in the previous twelve months,

ii. Records of the amount, type, and origin of all waste materials imported into the site in the previous twelve months,

iii. Records on backhauled loads to demonstrate compliance with Condition 9,

iv. Records of any complaints received under Conditions 28, 46 & 51, or confirmation that no complaints have been received to demonstrate compliance with the relevant Conditions, and

v. Records of instances where the operator implemented dust suppression measures in response to notifications received from the weather station anemometer (including relevant weather conditions recorded by the weather station anemometer) to demonstrate compliance with Condition 49.

The information required by this condition shall also be supplied at any other time and by any other date upon the written request by the Mineral Planning Authority.

Reason: To enable the Mineral Planning Authority to monitor progress towards achieving the principles in MDC Policy 1 - Impacts of Mineral Development of the Rutland Minerals Core Strategy and Development Control Policies DPD, October 2010.

Local Liaison Group

84. Prior to the commencement of the development, details of a Local Liaison Group to be established, including proposed membership and ongoing facilitating arrangements, shall be submitted to the Mineral Planning Authority for agreement in writing. The first meeting shall be arranged prior to the date of commencement as notified under Condition 1. Subsequent meetings shall be arranged at three monthly intervals for the first two years from commencement of development and thereafter at six monthly intervals, or such other time period as agreed by the Mineral Planning Authority, for the life of the operations.

Reason: To discuss and review the operator's current working practices and their future intentions and to monitor compliance with the Planning Permission in discussion with local community representatives and regulators having regard to achieving the principles in MDC Policy 1 of the Rutland Minerals Core Strategy and Development Control Policies DPD, October 2010.

Your attention is drawn to any INFORMATIVES that may be listed below:

Vehicular access to and egress from the site shall accord with the Section 106 Agreement under the Town and Country Planning Act 1990 (as amended) dated Xday and month 2021 in connection with planning application 2020/0297/MIN.

Section 148 Sub-Sec C Highways Act 1980
It is an offence under Section 148 Sub-Sec C of the Highways Act 1980 to deposit anything including building materials or debris on a highway which may cause interruption to any user of the highway (including footways or verges). In the event that a person is found guilty of this offence, a penalty may be imposed in the form of a fine. It is the responsibility of the developer and contractor(s) to ensure that no building materials or debris are placed on or remain within the highway during or after the construction period.

Section 149 Highways At 1980
If anything is so deposited on the highway as to constitute a nuisance, under Section 149 of the Highways Act 1980 the Local Highway Authority may by notice require the person responsible to remove it forthwith and if not complied with the Local Highway Authority may make a complaint to a Magistrates Court for a Removal and Disposal Order. In the event the deposit is considered to constitute a danger the Local Highway Authority may remove the deposit forthwith and recover reasonable expenses from the person who made the deposit.

Section 184 Highways Act 1980
The development involves the construction of a new access and/or modification of an existing vehicular crossing within the public highway. These works must be carried out under strict accordance with the requirements of Rutland County Council under the provisions of Section 184 of the Highways Act 1980. Prior to commencing any work within the highway a permit must be obtained from the Local Highway Authority. Details can be found https://www.rutland.gov.uk/my-community/roads-and-highways/road-adoptions/

choosing Vehicle Access Application. If you require any further information please contact the Development Control Team by email highways@rutland.gov.uk or Tel 01572 758297

A Highways Permit will need to be obtained from Rutland County Council Highways Department before any work can commence on the redundant or new access. This will require that the access or reinstatement is built to a standard specification and that contractors are sufficiently insured against public liability whilst operating in the highway.

Greetham Neighbourhood Plan 2016-2036 (adopted October 2017), Chapter 13 Greetham Boundary Map - Planned limits of development

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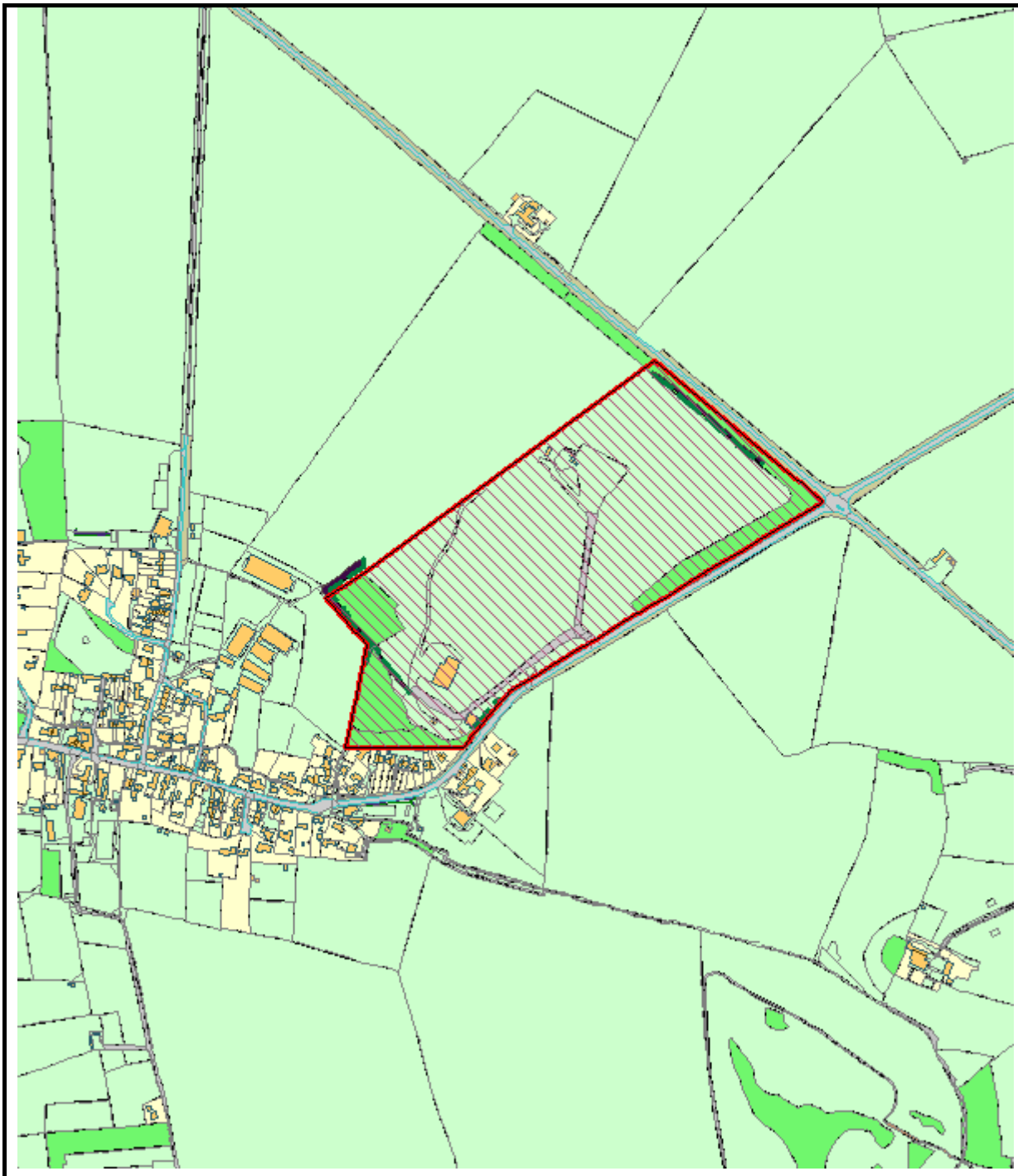
2020/0971/MIN



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Rutland County Council

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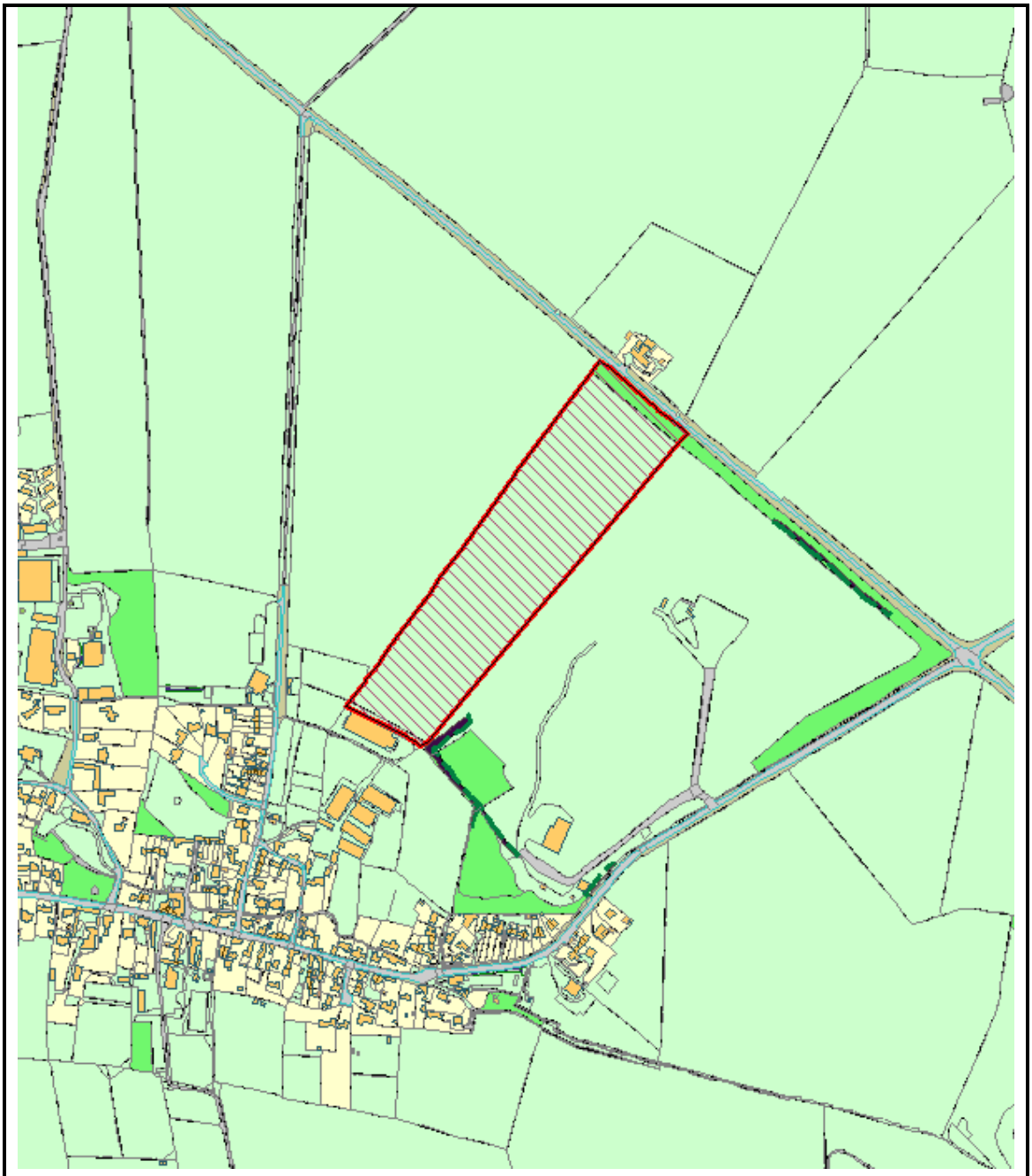
Rutland
LE15 6HP

2020/0972/MIN



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Rutland County Council

Catmose,
Oakham,
Rutland
LE15 6HP

Application:	**2020/0971/MIN** **2020/0972/MIN**		**ITEMS 2 & 3**
Proposal:	2020/0971/MIN - S73 application for Variation of Condition 2 in relation to Application Reference Number: M/1999/0326/09/CC. Amendment of Condition 2 to - "Unless otherwise agreed in writing with the Mineral Planning Authority this permission shall expire on 31 March 2022, by which time the site shall be fully restored in accordance with a scheme approved under Condition 26." 2020/0972/MIN - S73 application for Variation of Condition 3 in relation to Application Reference Number: MIN/2004/1051/CC. Amendment of Condition 3 to "Unless otherwise agreed in writing with the County Planning Authority mineral extraction shall cease and the site fully restored in accordance with a scheme approved under Condition 43 below and Condition 26 of planning permission 1999/0326/09 by the 31 March 2022."		
Address:	Greetham Quarry, Stretton Road, Greetham, Oakham, Rutland LE15 7NP		
Applicant:	**Mr John Gough** **Mick George Limited Ltd**	Parish	**Greetham**
Agent:	**Mr John Gough** **Mick George Limited Ltd**	Ward	**Greetham**
Reason for presenting to Committee:		**Major Application – Local Interest**	
Date of Committee:		**21 September 2021**	
Agreed Extension of Time Date:		**1 October 2021**	

EXECUTIVE SUMMARY

The applications have been made under section 73 of the Town and Country Planning Act 1990 for the amendment of planning Condition 2 of M/1999/0326/09/CC and Condition 3 of MIN/2004/1051/CC to vary the date of the final restoration of Greetham Quarry.

An application (2020/0297/MIN) for the north-western extension to Greetham Quarry awaits determination. The proposal for the north-western extension requires use of the existing access road (Stretton Road) through the existing quarry along with the associated infrastructure for up to 12 months; thereby limiting the ability to complete the restoration of the existing quarry. There are no proposals to continue mineral extraction beyond 30th September 2020.

The application does not require an Environmental Impact Assessment.

Following consultation on the application no objections were received from statutory consultees (one holding objection was submitted, however subject to the relevant matters being addressed by suitably worded conditions imposed on any grant of planning permission the development can be safely managed). Objections were received from Greetham Parish Council and individuals from the local community (2020/0971/MIN - 39, and 2020/0972/MIN - 27). Key issues raised include: amenity (dust and noise), transport movements, and restoration.

Having weighed the wider public benefits of the scheme against the less than substantial harm to the local heritage assets it is considered that the proposed development would ensure the suitable restoration of the site. The proposal would also provide for public benefits including maintaining existing employment positions as well as benefits associated with the final restoration scheme, e.g. environmental

and green infrastructure enhancements. On balance it is considered that these benefits outweigh the potential harm to the local heritage assets in the area.

All of the information submitted by the Applicant, consultees and in representations has been taken into account in the assessment of this application. The impacts of the proposal have been carefully considered. The proposal is in accordance with national planning guidance and adopted (and emerging) local development plan policies and therefore conditional planning permission is recommended.

RECOMMENDATION

APPROVAL

1. It is recommended that planning permission be granted for planning applications 2020/0971/MIN and 2020/0972/MIN, (**subject to the conditions set out in Appendix 2)**

Introduction

These applications were first reported to the Development Control Committee on 2nd March 2021. At the meeting Members resolved to approve the application subject to the recommendation put forward by the Chairman to approve the application subject to the conditions in Appendix2 and securing a bond to ensure that the works could be completed upon potential default of the applicant.

Since the meeting on the 2nd March 2021 Officers have sought to negotiate a Bond with the developer as required. The applicant has however indicated that they are unwilling to enter into a bond. The application is therefore been reported back to Committee for consideration. The report has been updated to take into account information received since the 2nd March 2020.

Site and Surroundings

1. Greetham Quarry is an established quarry (limestone) situated within the north-east part of Rutland, to the west of the A1 and within 3 kilometre (km) of the County Boundary with Lincolnshire. Access to the existing site is gained via the B668 Stretton Road. Mick George Limited is the current operator of Greetham Quarry; having taken over operations from Stamford Stone in 2019. The extant permissions, MIN/2004/1051/CC, and M/1999/0326/09/CC, both permissions are time limited with an expiry date of 30 September 2020.
2. An application (2020/0297/MIN) for the north-western extension to Greetham Quarry awaits determination. The proposed north-western extension area is located on land to the north-east of Greetham village. The scope of the proposed north-western extension includes a new access onto Thistleton Lane; however the operator would require use of the existing access road (Stretton Road) through the existing quarry along with the associated infrastructure for up to 12 months; thereby limiting the ability to complete the restoration of the existing quarry. There are no proposals to continue mineral extraction within the existing quarry beyond 30 September 2020.
3. The proposal to vary the conditions does not include continuation of mineral extraction beyond 30 September 2020. Operational impacts relating to the continued use of the access onto Stretton Road would be addressed through planning conditions applied to application 2020/0297/MIN. The proposal to vary the conditions would not involve

extractive operations, move operations closer to sensitive receptors, increase the permitted hours of operation, or increase vehicle movements.

4. The existing quarry is located to the north-west of Greetham village; the site boundary at the south-east corner is adjacent to the village boundary and the south-west corner is approximately 170 metres (m) to the village boundary (planned limits of development – Greetham Neighbourhood Plan 2016-2036, refer Appendix 1). Greetham Meadows, a Site of Special Scientific Interest (SSSI), is located approximately 500m to the north-east. Stretton Road and Thistleton Lane form the south-eastern and north-eastern boundaries of the site (respectively). Land use in the wider area is mainly arable with occasional blocks of woodland. No Public Rights of Way (PRoW) traverse the site, however the Viking Way long distance route (a PRoW) runs along Great Lane, located approximately 100m west of the site. Kendrew Barracks and the villages of Stretton and Cottesmore are approximately 1.5km east, 1.6km north-east and over 2km south-west respectively.

5. Restoration of the site to a mosaic of habitats to meet Leicestershire and Rutland Local Biodiversity Action Plan (BAP) targets (including calcareous grassland, herb rich grassland, dry and wet woodlands, scrubland, reed marsh, and exposed rock faces) was agreed under approval 2013/1061/DIS.

6. The existing quarry (red line area) is shown on the site plan, refer Appendix 1. The approved restoration plan is show in Plan/Drawing ref. no. Greetham, Drawing G4/LAN/001 Revision C (Revised Restoration Proposals Plan) dated March 2009, refer Appendix 1.

Proposal

7. The applications as originally submitted were made under section 73 of the Town and Country Planning Act 1990 for the amendment of planning Condition 2 of M/1999/0326/09/CC and Condition 3 of MIN/2004/1051/CC to vary the date of the final restoration of Greetham Quarry to 31 March 2022. It is considered that given the time to determine the applications that if permission is granted the period should be increased to 12 months from 1 September 2021 so the deadline for completion would be 1 September 2022.

8. S73 states:

9. This section applies, to applications for planning permission for the development of land without complying with conditions subject to which a previous planning permission was granted.

10. (2) On such an application the local planning authority shall consider only the question of the conditions subject to which planning permission should be granted, and—

11. (a) if they decide that planning permission should be granted subject to conditions differing from those subject to which the previous permission was granted, or that it should be granted unconditionally, they shall grant planning permission accordingly, and

12. (b) if they decide that planning permission should be granted subject to the same conditions as those subject to which the previous permission was granted, they shall refuse the application.

13. This report relates equally to both applications.

14. The section is often referred to as an amendment to a planning condition, but it results in a completely new fresh permission, which can have varied condition(s), which the developer can choose to implement or stay with the original.

15. An application (2020/0297/MIN) for the north-western extension to Greetham Quarry awaits determination (this is to be considered under a separate report in this agenda). The proposal for the north-western extension requires use of the existing access road (Stretton Road) through the existing quarry along with the associated infrastructure for

up to 12 months; thereby limiting the ability to complete the restoration of the existing quarry. There are no proposals to continue mineral extraction beyond 30th September 2020 from within the existing quarry. There would be no increase in heavy goods vehicle (HGV) or passenger vehicle movements associated with the variation of conditions. The majority of restoration materials are already on site in stockpiles from previous mineral working, however some additional material may be required. The tonnage of which is to be determined through an updated detailed topographic survey to identify the quantity of restoration materials on site and that to be imported to achieve the final contour levels as per the agreed restoration scheme.

16. The Council proposes to amend the existing operating hours to align with the hours proposed under application 2020/0297/MIN, being: 0700 to 1900 hours Monday to Friday; 0700 to 1300 hours Saturday; and no operations on Sundays or Public/Bank Holidays. This would see a reduction in permitted hours of operation on Saturdays by one hour (from 0700 to 1400).

17. Application 2020/0297/MIN proposes a new access onto Thistleton Lane. Until the new access is constructed it would be necessary to use the existing access onto Stretton Road for a period up to 12 months, if approved. Thereafter, the existing access onto Stretton Road would be closed off to quarry traffic in line with the approved restoration plan.

18. An Environmental Impact Assessment (EIA) was not required as proposal does not involve any further mineral extraction and is not considered to result in significant adverse effects on the environment. The potential impacts have been previously assessed through M/1999/0326/09/CC and MIN/2004/1051/CC. Restoration of the site provides for benefits such as landscape, green infrastructure, and environmental enhancements.

Planning reference	Description	Decision
16/51	Ironstone serial (withdrawn)	
1982/0295	Proposed extraction of limestone	Permitted 26/04/1983
1984/0380/HIST	Erection of concrete batching plant	Refused 03/01/1985
F/1998/0815	Renewal of a time limited planning consent to allow the extraction of limestone	Permitted 12/09/2000
M/1999/0326	Application for determination of updated conditions: Environment Act 1995 - Review of Old Mineral Planning Permissions	Permitted 12/09/2000
FUL/2001/0433	Use of land for the recycling of imported inert materials	Permitted 21/12/2001
MIN/2004/1051/CC	Extension (6.4ha) to existing Greetham quarry for extraction and processing of limestone	Permitted 06/04/2006
Section 106 Agreement	Agreement under Section 106 Town and Country Planning Act 1990 relating to Greetham quarry	Agreed 24/03/2006
2013/0619/FUL	Variation of Condition 26 (M/1999/0326/09) to retrospectively permit the deposit of unsorted inert waste as part of the permitted restoration scheme	Permitted 01/10/2013
2013/1061/DIS	Discharge of Condition 26 of M/1999/0326/09 and Condition 43 of MIN/2004/1051	Permitted 04/12/2013
2017/0351/SCO	Scoping Opinion in relation for the proposed north-western extension to Greetham quarry and construction of new site access	EIA determined to be required 25/05/2017
2020/0297/MIN	North-western extension to Greetham Quarry	Awaiting determination

National Planning Policy Framework (NPPF)

National Planning Practice Guidance (NPPG)

Rutland Core Strategy Development Plan Document (DPD) July 2011

Rutland Site Allocations and Policies DPD October 2014

Rutland Minerals Core Strategy and Development Control Policies DPD October 2010

- MCS Policy 7 – Residential and Sensitive Land Uses
- MCS Policy 9 – Transportation
- MCS Policy 12 – Restoration
- MDC Policy 1 – Impacts of Minerals Development
- MDC Policy 2 – Pollution, Health, Quality of Life and Amenity
- MDC Policy 11 – Transportation
- MDC Policy 12 – Restoration and Aftercare

- Greetham Neighbourhood Plan – 2017

- There are no specific policies in the NP that relate to the quarry. Mineral sites are outside the scope of Neighbourhood Plans.

- The Plan does contain a policy relating to Green Infrastructure:

- Policy CH2 – Green Infrastructure

- Development should minimise impacts on biodiversity and provide net gains in biodiversity where possible. Planting of indigenous trees and shrubs to enhance biodiversity, soften the impact of development and/or enhance local character, will be supported.

Rutland Local Plan Review (2016 – 2036) Consultation Draft Plan

- Members resolved on the 1st September 2021 to withdraw the emerging draft Local Plan. It therefore has no weight in the determination of this application.

Consultations

19. **Government Agencies**

- Environment Agency (EA) – No objection.
- Natural England (NE) – No objection.
- Highways England – No response received.
- Historic England – No response received.
- CLH Pipeline Systems (CLGH PS) Ltd / Fisher German – No objection. Response received stating that CLH PS apparatus is considered to be affected (map provided indicating pipeline located along north-eastern boundary – Thistleton Lane) and that a Works Consent may be required.

20. **Rutland County Council**

- LCC Ecology, on behalf of RCC Ecology – No objection.
- RCC Environmental Health (EH), on behalf of Public Protection – Submitted a holding objection (email dated 06 October 2020) in relation to potential for adverse noise, dust, and light impacts on sensitive receptors. Subject to suitable planning conditions

addressing these matters RCC EH agreed to remove the holding objection (email dated 27 October 2020).

- Leicestershire County Council (LCC) Archaeology, on behalf of Rutland County Council (RCC) Archaeology – No comments to make.
- Public Rights of Way (PRoW) – No response received.
- RCC Highways and Transport – No response received.
- RCC Lead Local Flood Authority (LLFA) – No response received.

21. **Greetham Parish Council**

Object to the proposed development based on concerns regarding: failure to complete restoration work by the date set out in extant permissions, and subsequent failure to deliver environmental enhancements; the ability of the operator to complete restoration of the site; enforcement of planning conditions; prematurity of the application given that the application for the proposed north-western extension (2020/0297/MIN) is awaiting decision; and the need for continued use of the access onto Stretton Road and for delay of the restoration works. The Parish Council recommends: that a survey be undertaken of restoration works to date and estimation of costs for completion; that a phased restoration programme setting out timescales for each phase be prepared; implementation of new planning applications regarding restoration; that access for the proposed north-western extension (2020/0297/MIN) be built so that access through the existing site is not required; and that a bond or escrow arrangement be implemented.

22. **CPRE**

Notwithstanding the issues raised by others to the principle of a further extension to Greetham Quarry, CPRE is confining its comments to the issue of restoration.

The restoration scheme, as amended, appears to address the environmental issues raised. However, based on past performance, there can be no confidence that restoration will be carried out in accordance with the details provided or within the prescribed time frame.

This contention is based on the situation in relation to the existing quarry where, apparently, extraction has ceased but where restoration work has not been carried out in accordance with conditions attached to the planning permission. This, despite the requirement for work to have been completed by September 2020.

If this further quarry extension is to be approved, CPRE Rutland considers that it should be on the basis that:

- the proposed new access to the highway is constructed and ready for use before quarrying commences in the extended area.
- restoration of the existing quarry is completed, to the satisfaction of the LPA, before quarrying in the extension commences, to be secured by a legal agreement.

In addition, the phasing of the restoration measures within the quarry extension should be clearly set out so that monitoring of the implementation can be expedited. This is of paramount importance in ensuring that the landscape and habitats are re-instated within the approved time frame and to the required standard.

23. Neighbour Representations

24. The application was publicised by press notices and site notices around the perimeter of the application sites. Neighbour notifications were distributed to 41 neighbours.

25. In total 39 and 27 neighbour/representations were received for 2020/0971/MIN and 2020/0972/MIN respectively, all of which raised objections to the proposed development (many of which responded to both applications). The reasons for objection are

summarised as follows:

- Need. Consider that the application, as it relates to provision of access for the north-western extension (2020/0297/MIN – application awaiting decision), is premature as the application for the north-western extension has not yet been determined.
- Dust impacts. Concerns regarding: potential dust impacts associated with restoration works and HGV movements; perceived health and wellbeing implications for people; effectiveness of dust management measures; and potential cumulative dust impacts from restoration works and proposed north-western extension.
- Noise impacts. Concerns regarding: potential noise impacts associated with restoration works and HGV movements; effectiveness of noise management measures; and potential cumulative noise impacts from restoration works and proposed north-western extension.
- Nature conservation. Concerns regarding: potentially dust and noise impacts on wildlife.
- Transport impacts. Concerns regarding: capacity of transport infrastructure to accommodate transport associated with the restoration works and proposed north-western extension; adequacy of current measures to prevent deposit of mud and aggregate onto highway; potential cumulative impacts from restoration works and proposed north-western extension.
- Monitoring. Concerns regarding: development control and monitoring measures.
- Greetham Quarry Liason Group – Object to the proposed development based on concerns regarding: proximity to Greetham village and impact on sensitive receptors; potential noise and dust impacts; deposit of mud and aggregate on highway; adequacy of mitigation measures and monitoring; the ability of the operator to complete restoration of the site (request that a financial guaranteed be secured).
- Whether the principle of the development including the need and benefits, accords with the development plan and other material planning policy considerations such as the National Planning Policy Framework (NPPF);
- Whether the potential impacts such as air quality (dust), noise, transport, restoration, cumulative impacts, and other matters can be adequately and appropriately mitigated and controlled;
- The scope and adequacy of the environmental information having regard to the proposed development; and
- Where necessary, whether any conditions require updating in light of changes to planning policies, site development progress since the extant permissions were issued, and as a result of the amended development proposals (reflected in the conditions in the Appendix).

Baseline

26. The Applicant has existing planning permissions for the quarrying of land under MIN/2004/1051/CC and M/1999/0326/09/CC. The extant permissions (and Section 106 agreement) allow for extraction and processing of limestone and established operational working, hours of operation, environmental controls (e.g. noise, dust, and blasting), access, restoration and aftercare, and highway contributions. Limestone as aggregate and building stone was previously extracted and processed at the existing quarry and transported off site to market. Limestone resources within the existing quarry have been exhausted; no further mineral extraction within the site (extant permissions MIN/2004/1051/CC and M/1999/0326/09/CC) is proposed. Inert restoration materials are imported to facilitate restoration.

27. Need and Benefits of the Development

28. The applications as original submitted sought the amendment of planning Condition 2 of M/1999/0326/09/CC and Condition 3 of MIN/2004/1051/CC to vary the date of the final restoration of Greetham Quarry to 31 March 2022 to allow for use of the existing access onto Stretton Road for the proposed north-western extension (2020/0297/MIN). The scope of the proposed north-western extension includes a new access onto Thistleton Lane, however it would require use of the existing access road (Stretton Road) through the existing quarry along with the associated infrastructure for up to 12 months; thereby limiting the ability to complete the restoration of the existing quarry. This is because the mineral at the new access point has to be extracted to achieve the correct gradient of the new haul road down to the quarry floor.

29. Restoration of the site to a mosaic of habitats to meet Leicestershire and Rutland Local Biodiversity Action Plan (BAP) targets (including calcareous grassland, herb rich grassland, dry and wet woodlands, scrubland, reed marsh, and exposed rock faces) was agreed under permission 2013/1061/DIS.

30. The existing quarry (red line area) is shown on the site plan, refer to Appendix 1. The approved restoration plan is show in Plan/Drawing ref. no. Greetham, Drawing G4/LAN/001 Revision C (Revised Restoration Proposals Plan) dated March 2009, refer to Appendix 1.

National Policy and Guidance

31. The NPPF sets out the Government's planning policies for England and how these are expected to be applied. The NPPF is also supported by the National Planning Practice Guidance (NPPG) which contains more detailed practice guidance on various land use planning matters, including the impacts of mineral extraction (e.g. dust, noise, landscape impact, etc.). The NPPF establishes a presumption in favour of sustainable development. For decision-making, proposals for development that accord with the development plan shall be approved without delay. With regard to facilitating the sustainable use of minerals the NPPF recognises that it is essential that there is a sufficient supply of minerals to provide the infrastructure, buildings, energy, and goods that the country needs. It also recognises that minerals are a finite resource, can only be worked where they are found and that best use needs to be made of them to secure their long-term conservation. The NPPF states that worked land should be restored at the earliest opportunity, the current proposal given the delay in determining the application would result in a delay of 24 months.

32. When determining planning applications, the NPPF requires Mineral Planning Authorities (MPAs) to give great weight to the benefits of mineral extraction, including to the economy. This proposal would contribute towards these objectives by supporting restoration of the site; it is acknowledged that there would be a delay (24 months) to the final restoration of the site. Overall, the NPPF supports the principle of the variation to conditions in this planning application, subject to the mitigation of any potentially adverse impacts.

33. It is important to note that the NPPG states that a financial guarantee to cover restoration and aftercare costs will normally only be justified in exceptional cases; such circumstances do not exist in relation to this application. They are considered to be when there is a new long term large scheme proposed, an innovative scheme or where there is evidence of financial or technical failure.

Rutland Core Strategy DPD (2011)

34. The proposal is in general compliance with the Rutland Core Strategy as it supports the restoration of an existing quarry which will contribute towards landscape, green infrastructure, and environmental enhancements.

Rutland Site Allocations and Policies DPD (2014)

35. The proposal is in general compliance with the Rutland Site Allocations and Policies DPD. Regarding Policy SP17 – Outdoor Lighting, the Council proposes that artificial

lighting can be addressed through a suitably worded planning condition. Such a condition would specify that artificial lighting would be downward facing, limiting potential for light intrusion affecting residential receptors and wildlife, and that any floodlighting (e.g. required in the winter months around plant) would only be permitted for short periods (of not more than 30 minutes) outside of the hours of operation.

Rutland Minerals Core Strategy and Development Control Policies DPD (2010)

36. MCS Policy 2 – The Supply of Minerals in Rutland: No further mineral extraction within the existing quarry is proposed. This can be controlled by a planning condition.

37. MCS Policy 7 – Residential and Sensitive Land Uses, MDC Policy 2 – Pollution, Health, Quality of Life and Amenity, and MDC Policy 1 – Impacts of Minerals Development: The principle of the permission has been established under the extant permissions, however, given the proximity to sensitive receptors restoration works may present unacceptable adverse impacts on residential and sensitive land-uses specifically pertaining to noise and dust impact. Implementation of a more comprehensive control and monitoring strategy (than that of the extant permission), including procedures to be followed in the event of any complaints, will ensure that residual impacts are not unacceptable. Such measures can be secured through a suitably worded planning condition.

38. MCS Policy 9 and MDC Policy 11 – Transportation: The application does not seek to alter existing transport movements and will see a continuation of movements to undertake restoration works. Matters addressing sheeting of vehicles and preventing deposition onto the highway can be secured through a suitably worded planning condition. The application will facilitate use of the existing access onto Stretton Road for the proposed north-western extension (2020/0297/MIN). The scope of the proposed north-western extension includes a new access onto Thistleton Lane, however would require use of the existing access road (Stretton Road) through the existing quarry for up to 12 months; thereby limiting the ability to complete the restoration of the existing quarry. Potentially adverse impacts associated with the proposed north-western extension are to be addressed through the relevant application process (2020/0297/MIN). It is important that these 2 issues are considered separately.

39. MCS Policy 12 – Restoration and MDC Policy 12 – Restoration and Aftercare: The principle of the permission, including the restoration plan, has been established and approved under the extant permissions. Details of the approved restoration plan are set out under permission 2013/1061/DIS as shown on Plan/Drawing ref. no. Greetham, Drawing G4/LAN/001 Revision C (Revised Restoration Proposals Plan) dated March 2009, refer Appendix 1. Restoration of the existing quarry area offers opportunities for creating new habitats that may provide longer-term benefits for nature conservation and wildlife; it would not attract significant number of migrating birds or cause an aviation safety hazard. The application would see a delay (24 months) in restoration; however, this is in connection with the proposed north-western extension to the existing quarry and not as a result of a technical failure.

40. Note that Development Plan policies addressing potentially adverse impacts are addressed under the Potential Adverse Impacts section to avoid repetition.

41. The proposal is in general compliance with the Rutland Minerals Core Strategy and Development Control Policies DPD.

Local Plan Review Consultation Draft

42. Members voted to withdraw the Draft Local Plan on the 1st September 2021, It therefore has no weight in the determination of this application.

Conclusion

43. Overall the principle of the proposed development complies with and supports the sustainable development and mineral working policies in the NPPF and the Rutland Core Strategy, Site Allocations and Policies, and Minerals Core Strategy and Development Control Policies DPDs.

44. Consideration of Reasonable Alternatives

45. No alternatives were studied as part of the proposal. If this revised scheme is not approved, the only option for restoration would be enforcement action, but that would be limited to requiring the restoration to be completed in a reasonable timeframe, which is what this application proposes in any event.

46. Potential Adverse Impacts

47. An EIA was not required as the proposal does not involve any further mineral extraction and is not considered to result in significant adverse effects on the environment. Furthermore, the potential impacts have been previously assessed through M/1999/0326/09/CC and MIN/2004/1051/CC. All of the information submitted by the Applicant, consultees, and in representations has been taken into account in the assessment of this application.

48. National planning policies and guidance, and the Rutland Minerals Core Strategy and Development Control Policies DPD (2010) require that the environmental impacts of mineral extraction are adequately addressed and mitigated. In particular MDC Policy 1 – Impacts of Mineral Development of the Minerals Core Strategy requires proposals for minerals development to demonstrate that the impact on communities and the environment can be controlled within acceptable levels.

49. The principle of the permission has been established under the extant permissions, as such many of the above matters are not relevant as they are adequately addressed under the extant permissions. Given the proximity to sensitive receptors the following matters identified under MDC Policy 1 – Impacts of Mineral Development are considered further below: impacts on adjoining land uses and users, and those in close proximity to the minerals development from noise, dust, fumes, vibration, illumination, and from traffic generated by the development.

50. The proposal would not bring operations closer to sensitive receptors, does not involve mineral extraction within the existing quarry, does not increase HGV movements, and does not increase the permitted hours of operation. In addition, there would be no processing within the existing quarry. The restoration works themselves will not result in the levels of operational activity and consequential potential amenity impacts associated with the previous mineral extraction operations. Therefore, whilst objections have been received from the Parish Council and neighbours regarding amenity impacts, these will be significantly more limited than previously. The potential for impacts on residential and sensitive land-uses specifically pertaining to noise and dust impact will be significantly reduced as there are only restoration works to be completed. Nevertheless, implementation of a more comprehensive control and monitoring strategy (than that of the extant permission), including procedures to be followed in the event of any complaints, will ensure that residual impacts are mitigated to an acceptable level. The extant permission does not address lighting. The current conditions for sheeting of vehicles and preventing deposition onto the highway can also be improved. Such measures can be secured through new, suitably worded planning conditions, see Appendix 2.

51. The matter of the use of the access associated with the proposed north-western extension (2020/0297/MIN) for a temporary 12-month period is to be considered and determined separately, and would only be needed if permission is granted for the extension.

52. RCC EH submitted a holding objection (email dated 06 October 2020) in relation to potential for adverse noise, dust, and light impacts on sensitive receptors. In view of the inclusion of suitably worded planning conditions to address such matters RCC EH agreed to remove their holding objection (27 October 2020).

53. The approved restoration plan is set out under permission 2013/1061/DIS as shown on Plan/Drawing ref. no. Greetham, Drawing G4/LAN/001 Revision C (Revised Restoration Proposals Plan) dated March 2009, refer Appendix 1. An updated phasing plan for

restoration (including timetable for implementation and a detailed topographic survey) and requirement for monitoring of progress throughout the restoration and aftercare periods can be secured through new, suitably worded planning conditions.

54. Objections were received from Greetham Parish Council and individuals from the local community regarding the need to retain the access (viewed as premature as the application for the north-western extension has yet to be determined), potential adverse impacts associated with noise and dust arising from quarry operations and vehicle movements (including debris and mud deposition on roads), inadequate monitoring and control measures, and concerns regarding ability of the operator to complete the restoration works (it was requested that a financial guarantee be secured).

55. As noted above, such matters are able to be addressed through suitably worded planning conditions, and have already been approved in principle.

56. A financial guarantee to cover restoration and aftercare costs will normally only be justified in exceptional cases. Such cases, include:

- very long-term new projects where progressive reclamation is not practicable, such as an extremely large limestone quarry;
- where a novel approach or technique is to be used, but the minerals planning authority considers it is justifiable to give permission for the development;
- <u>where there is reliable evidence of the likelihood of either financial or technical failure</u>, but these concerns are not such as to justify refusal of permission.

57. However, where an operator is contributing to an established mutual funding scheme, such as the Mineral Products Association Restoration Guarantee Fund or the British Aggregates Association Restoration Guarantee Fund, it should not be necessary for a minerals planning authority to seek a guarantee against possible financial failure, even in such exceptional circumstances.

58. The applicants have confirmed that they are not part of an established mutual fund and are not willing to enter into a Bond as they do not believe that there are exceptional circumstances to require one.

59. The NPPG lists non-exhaustive examples of such exceptional circumstances. Once such example is where the MPA is satisfied that there is reliable evidence of the likelihood of either financial or technical failure and has justifiable and reasonable concerns about financial liability relating to restoration. This is a matter of judgement for the MPA on the evidence. Officers have considered this requirement previously and are still of the opinion that the requirement for a financial guarantee would not be in line with the NPPG as exceptional circumstances have not been found to apply to this application.

Summary and Conclusions

60. The planning application was originally submitted for the amendment of planning Condition 2 of M/1999/0326/09/CC and Condition 3 of MIN/2004/1051/CC to vary the date of the final restoration of Greetham Quarry to 31 March 2022. In view of the delay in determining the application it is recommended that this period is amended to state the 1 September 2022. The Applicant outlines the need for the development. The principle of the development is supported by the NPPF and Rutland Minerals Core Strategy and Development Control Policies DPD (2010).

61. The proposal does not seek to intensify the nature or scale of the proposed development and would not bring operations closer to sensitive receptors. Current arrangements for site management, monitoring, and enforcement of planning conditions have shown to be inadequate. Implementation of more stringent and accountable arrangements is needed to ensure that there would be no unacceptable adverse impact in respect of noise or dust. Objections were made in relation to potential adverse impacts from noise and dust arising from operations and transport movements on the local community and receiving environment. The extant permission does not address lighting. Subject to suitable planning conditions, including the requirement for detailed noise and dust management

schemes (detailing site management, mitigation, and monitoring measures as well as complaints procedures), an updated phasing plan for restoration (including timetable for implementation and a detailed topographic survey) to be approved by the Mineral Planning Authority, and requirement for monitoring throughout the restoration and aftercare periods, the development can be safely managed and complies with the requirements of the NPPF, Minerals Planning Guidance, and Rutland Minerals Core Strategy MCS Policy 7, MDC Policy 1, and MDC Policy 2.

62. The proposal would not result in an increase in transport movements and there are no unacceptable adverse highway impacts as a result of the development. A reduction in the permitted operational hours is sought for Saturdays; from 0700 to 1400, reduced by one hour to 0700 to 1300. The current conditions for sheeting of vehicles and preventing deposition onto the highway are considered inadequate. No objection was received from Highways England or RCC Highways and Transport. Subject to suitable planning conditions regarding permitted hours of operation, transport movements, prevention of material being deposited on the road network (including requirement for sheeting of vehicles, adequate wheel cleansing facilities, and maintenance of the existing bound road surface between the wheel cleansing facilities and road network), and a complaints investigation and documentation process the development can be safely managed and complies with the policies in the NPPF and Rutland Minerals Core Strategy MCS Policy 9 and MDC Policy 11.

63. There are no cumulative impacts that would be unacceptable.

64. An EIA was not required as the potential impacts have been previously assessed through M/1999/0326/09/CC and MIN/2004/1051/CC. All of the information submitted by the Applicant, consultees, and in representations has been taken into account in the assessment of this application.

65. Section 66(1) of the Planning (Listed Building and Conservation Areas) Act 1990 provides:

> "66.(1) In considering whether to grant planning permission….for development which affects a listed building or its setting, the local planning authority or..the Secretary of State shall have special regard to the desirability of preserving the building or its setting or any features of special architectural or historic interest which is possesses."
>
> Section 72 relates to conservation areas and states:
> In the exercise, with respect to any buildings or other land in a conservation area, of any functions under or by virtue of any of the provisions mentioned in subsection (2), special attention shall be paid to the desirability of preserving or enhancing the character or appearance of that area.
>
> Paragraphs 199-202 of the NPPF states:
> 199. When considering the impact of a proposed development on the significance of a designated heritage asset, great weight should be given to the asset's conservation (and the more important the asset, the greater the weight should be). This is irrespective of whether any potential harm amounts to substantial harm, total loss or less than substantial harm to its significance.
>
> 200. Any harm to, or loss of, the significance of a designated heritage asset (from its alteration or destruction, or from development within its setting), should require clear and convincing justification. Substantial harm to or loss of:
> (a) grade II listed buildings, or grade II registered parks or gardens, should be exceptional;
> (b) assets of the highest significance, notably scheduled monuments, protected wreck sites, registered battlefields, grade I and II* listed buildings, grade I and II* registered parks and gardens, and World Heritage Sites, should be wholly exceptional [68].

201. Where a proposed development will lead to substantial harm to (or total loss of significance of) a designated heritage asset, local planning authorities should refuse consent, unless it can be demonstrated that the substantial harm or total loss is necessary to achieve substantial public benefits that outweigh that harm or loss, or all of the following apply:
(a) the nature of the heritage asset prevents all reasonable uses of the site; and
(b) no viable use of the heritage asset itself can be found in the medium term through appropriate marketing that will enable its conservation; and
(c) conservation by grant-funding or some form of not for profit, charitable or public ownership is demonstrably not possible; and
(d) the harm or loss is outweighed by the benefit of bringing the site back into use.

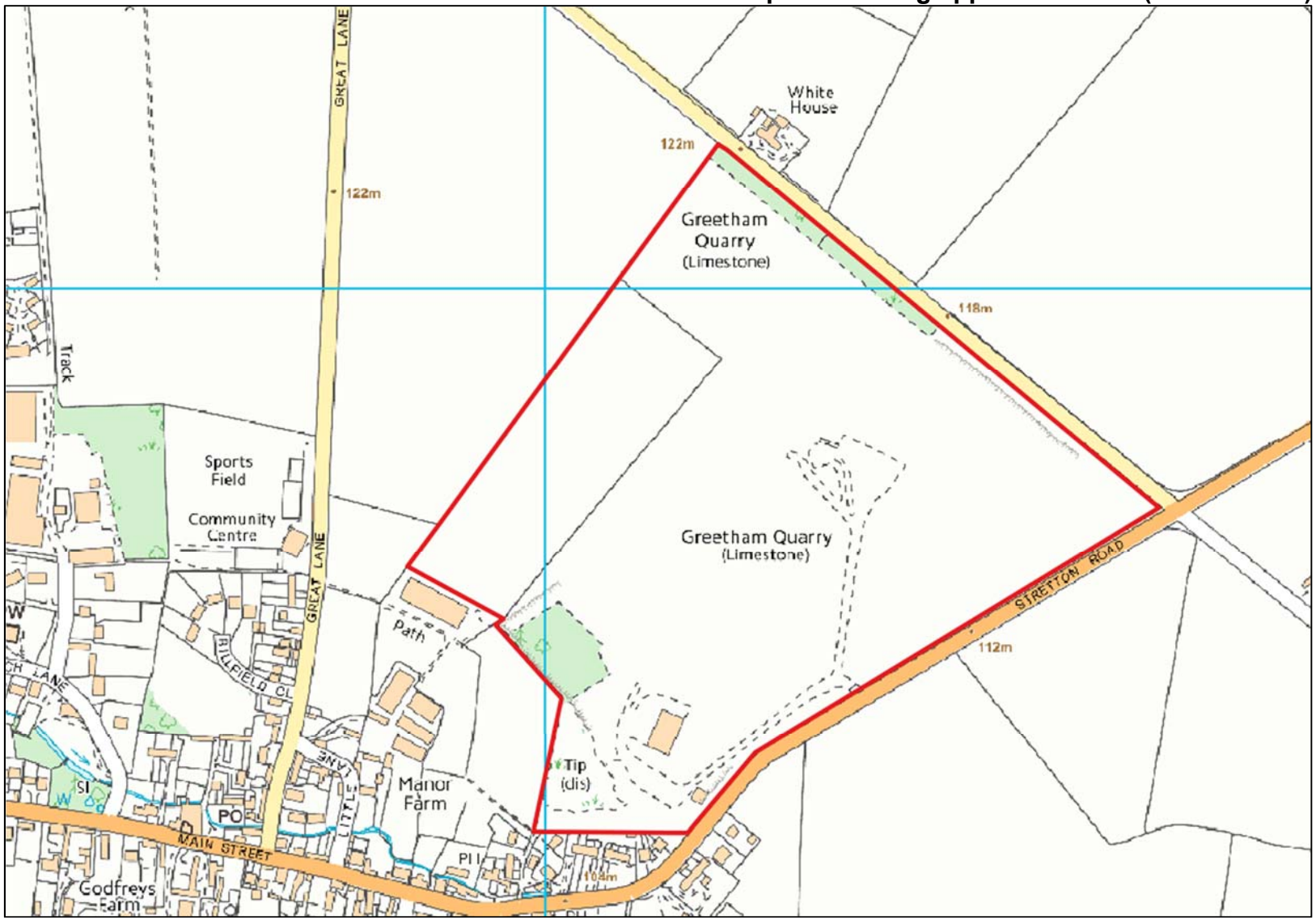
202. Where a development proposal will lead to less than substantial harm to the significance of a designated heritage asset, this harm should be weighed against the public benefits of the proposal including, where appropriate, securing its optimum viable use.

66. The application is for the restoration of the site as the minerals have now been worked it is considered that the restoration period will have less the substantial harm to the nearby heritage assets including the Listed Buildings, Conservation Area and adjacent Scheduled Ancient Monument. It is considered that the wider public benefits of the restoration of the site outweigh any potential harm to these heritage assets.

67. The proposed operations, subject to the recommended conditions in this report, would not create an adverse impact sufficient to justify refusal of this application, which is acceptable having regard to the Development Plan and other material considerations, including the extant restoration scheme. The recommended conditions have been consolidated with the relevant conditions in permissions MIN/2004/1051CC, M/1999/0326/09CC, and 2013/0619/FUL including conditions relating to restoration and aftercare, as set out in Appendix 2. There are no other material considerations that indicate a determination should be made otherwise. For these reasons it is recommended that the application be determined in accordance with the recommendations.

APPENDIX 1 – PLAN/DRAWINGS

Site plan showing application area (red line area)



Greetham Quarry approved restoration plan (2013/1061/DIS), Greetham Drawing G4/LAN/001 (Revised restoration proposals plan) dated March 2009

APPENDIX 2 - DRAFT CONDITIONS FOR PERMISSION REF. NO. 2020/0971/MIN AND 2020/0972/MIN

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APPENDIX 2 - DRAFT CONDITIONS FOR PERMISSION REF. NO. 2020/0971/MIN AND 2020/0972/MIN

Note: This consent supersedes, consolidates, and updates the previously granted planning permissions for the site: reference MIN/2004/1051CC, M/1999/0326/09CC, and 2013/0619/FUL.

Commencement

1. The development hereby permitted has been commenced.

   Reason: To comply with Section 91 of the Town and Country Planning Act as amended by the Planning and Compulsory Purchase Act 2004.

Scope of the Permission

2. This permission relates to the phased restoration and aftercare at the existing Greetham Quarry within the area consented under planning permissions reference M/1999/0326/09/CC and MIN/2004/1051/CC.

3. Unless otherwise agreed in writing by the Mineral Planning Authority and except as otherwise required by conditions attached to this planning permission the development hereby permitted shall be carried out in accordance with the following approved documents:

   Application Forms dated 25 August 2020;
   Submission of a restoration scheme pursuant to Condition 26 of LPA ref: M/1999/0326/09 and Condition 43 of LPA ref: MIN/2004 at Greetham Quarry, Stretton Road Greetham dated June 2013; and
   Plan/Drawing Number: Greetham Drawing G4/LAN/001 (Revised restoration proposals plan) dated March 2009

4. Unless otherwise agreed in writing with the Mineral Planning Authority this permission shall expire on 1 September 2022, by which time the site shall be fully restored in accordance with a scheme approved under Condition 36.

   Reason for conditions 2 to 4: To specify the approved documents and secure the mitigation measures set out in the application in the interests of amenity and the environment having regard to MDC Policy 1 - Impacts of Mineral Development of the Rutland Minerals Core Strategy and Development Control Policies DPD, October 2010.

5. A copy of this permission, including all documents hereby approved and any other documents subsequently approved in accordance with this permission, shall always be available at the site for inspection during normal working hours (when the site is operational) for the lifetime of the development hereby permitted.

   Reason: To ensure this planning permission and associated documents are available on site for reference and inspection by all operatives working on site.

Method of Working and Operation Limits

6. No further mineral extraction (including blasting) or processing is to take place within the area consented under planning permissions reference M/1999/0326/09/CC and MIN/2004/1051/CC.

   Reason: To specify working methods to protect amenity, natural assets, landscape character, prevent the loss of soil, and aid the final restoration of the site having regard to MDC Policy 1 - Impacts of Mineral Development and MCS Policy 12 - Restoration of the Rutland Minerals Core Strategy and Development Control Policies DPD, October 2010.

Working Hours

7. Unless otherwise agreed in writing with the Mineral Planning Authority no operations shall be carried out at the site except between the following times –

   0700 hours and 1800 hours Monday to Friday, and
   0700 hours and 1300 hours on Saturdays.
   There shall be no operations carried out on Sundays, or Public or Bank Holidays.

8. Any emergency operations which need to be carried out outside the specified hours shall be agreed with the Mineral Planning Authority within 48 hours.

   Reason for conditions 7 to 8: To ensure that operations are carried out within reasonable hours so as to minimise amenity disturbance in accordance with MDC Policy 1 - Impacts of Mineral Development of the Rutland Minerals Core Strategy and Development Control Policies DPD, October 2010 and Policy SP15 - Design and Amenity of the Rutland Site Allocations and Policies DPD October 2014.

Removal of Permitted Development Rights

9. Notwithstanding the provisions of Parts 7 and 17 of Schedule 2 of the Town and Country Planning (General Permitted Development) Order 2015 (or any Order amending, replacing or re-enacting that Order), except for those detailed in the application, no fixed plant or machinery, buildings, structures and erections, lights, fences or private ways shall be erected, extended, installed, rearranged, replaced or altered at the site without prior planning permission from the Mineral Planning Authority.

   Reason: In the interests of amenity protection and landscape character having regard to MDC Policy 1 - Impacts of Mineral Development of the Rutland Minerals Core Strategy and Development Control Policies DPD, October 2010 and Policy SP15 - Design and Amenity of the Rutland Site Allocations and Policies DPD October 2014.

Landscaping

10. For the duration of restoration and the aftercare period the operator shall retain and maintain all perimeter hedgerows and fences and protect the same from damage.

    Reason: In the interests of landscape having regard to MDC Policy 1 - Impacts of Mineral Development, MDC Policy 4 - Impact Upon Landscape and Townscape and MDC Policy 6 - Biodiversity and Geological Conservation Interests of the Rutland Minerals Core Strategy and Development Control Policies DPD, October 2010.

Soil handling

11. Unless otherwise agreed in writing with the Mineral Planning Authority all soil handling shall be undertaken in accordance with the Department for Environment Food and Rural Affairs, Good Practice Guide Soil Handling dated 2000 (or subsequent edition thereof).

12. All storage mounds intended to remain in situ for over 6 months or over the winter months shall be seeded and kept weed free to the satisfaction of the Mineral Planning Authority.

13. All soil movement operations shall only be carried out when the full volume of soil involved is in a dry and friable condition, i.e., the soil is in a non-plastic state such that damage to its structure shall be avoided.

14. Plant or vehicle movement shall be confined to clearly defined haul routes and shall not cross areas of topsoil except for the express purpose of soil replacement operations.

15. All topsoil, subsoil, and soil forming material shall be retained on site.

16. All stones and other material in excess of 200mm in any dimension which are likely to obstruct cultivation in the agricultural afteruse shall be picked and removed from the site.

17. The applicant shall notify the Mineral Planning Authority at least 5 working days in advance of the commencement of the final subsoil placement on each restored area to allow a site inspection to take place.

    Reason for conditions 11 to 17: To protect mounds from soil erosion, prevent build-up of weed seeds in the soil and remove vegetation prior to soil replacement, and prevent damage to soils having regard to MDC Policy 1 - Impacts of Mineral Development of the Rutland Minerals Core Strategy and Development Control Policies DPD, October 2010.

Noise

18. Within 3 months of the date of permission being granted, and prior to commencement of development within any individual phase of the restoration plan (consented under 2013/1061/DIS) as set out in Chapter 4 of the Submission of a restoration scheme pursuant to Condition 26 of LPA ref: M/1999/0326/09 and Condition 43 of LPA ref: MIN/2004 at Greetham Quarry, Stretton Road Greetham dated June 2013 as referred to in Condition 3, shall take place until an updated scheme of measures to minimise and monitor noise generation associated with the development is submitted to and approved in writing by the Mineral Planning Authority. The scheme shall be implemented in full as approved for the lifetime of the development, including restoration, hereby permitted.

19. Except for temporary operations, the free field Equivalent Continuous Noise Level, LAeq,T at the noise predication locations detailed below:

    Community Centre
    White House
    Bullfield Close
    Little Lane
    Bridge Lane

As identified on plan No Figure 2 of Appendix E, Noise and Vibration Assessment of the Environmental Statement attached to planning application 2004/1051/09, shall not exceed 55 dB LAeq, 1 Hour, Freefield.

20. For temporary operations such as bund removal and final restoration, for up to 8 weeks in a year the freefield noise level due to these works shall not exceed 70 dB LAeq, T expressed in the same manner as for Condition 19. Temporary operations shall not exceed the relevant day to day criterion at each noise sensitive property. Advanced notice of the commencement of such temporary operations shall be given to the Mineral Planning Authority.

21. All vehicles, plant, and machinery operated within the site shall be maintained in accordance with the manufacturers specification at all times and shall be fitted with and use effective silencers.

22. All audible warning devices fitted to vehicles, plant and machinery operating within the site whilst affording suitable safety should be of a design that does not cause unreasonable noise intrusion to residential properties.

23. Measures shall be taken within the site to ensure that the best practicable means are used to control the emissions of noise from the site and to ensure so far as is reasonably practicable that the operations carried out do not give rise to nuisance at nearby residential properties.

24. In the event that complaints regarding noise are received by the operator and thereafter notified, within 2 days of receipt of the complaint, to the Mineral Planning Authority (or vice versa), an assessment of the complaint shall be undertaken by the operator. A report on the findings, with proposals for removing, reducing, or mitigating identified adverse effects resulting from the operation, and a programme for the implementation of remedial measures (if necessary) to be undertaken shall be submitted to the Mineral Planning Authority no later than 5 working days from notification of the complaint to the operator, unless a later date is otherwise agreed in writing by the Mineral Planning Authority. If substantiated complaints relating to noise continue after remedial measures have been implemented in full, noise monitoring shall be undertaken at the request of the Mineral Planning Authority to verify whether the requirements of Conditions 19 and 20 are being met and the monitoring information shall be submitted to the Mineral Planning Authority within 5 working days. If monitoring shows the restrictions in Conditions 19 and 20 are not being met operations shall cease until such time as remedial measures are agreed in writing by the Mineral Planning Authority and thereafter implemented to bring the operations into compliance with the noise limits established in Conditions 19 and 20. These measures shall thereafter be maintained.

Reason for conditions 18 to 24: In the interests of residential and rural amenity of the area having regard to MDC Policy 1 - Impacts of Mineral Development of the Rutland Minerals Core Strategy and Development Control Policies DPD, October 2010

Dust

25. Within 3 months of the date of permission being granted, and prior to commencement of development within any individual phase of the restoration plan (consented under 2013/1061/DIS) as set out in Chapter 4 of the Submission of a restoration scheme pursuant to Condition 26 of LPA ref: M/1999/0326/09 and Condition 43 of LPA ref: MIN/2004 at Greetham Quarry, Stretton Road Greetham dated June 2013 as referred to in Condition 3, shall take place until an updated scheme of measures to minimise and monitor dust generation associated with the development is submitted to and approved in writing by the Mineral Planning Authority. The scheme shall be implemented in full as

approved for the lifetime of the development, including restoration, hereby permitted and shall include dust monitoring and the use of water-spray facilities for dampening operational areas and haul roads.

26. All Heavy Goods Vehicles importing waste materials into the site, shall be securely sheeted in such a way as to minimise dust and to ensure that no material is deposited on the public highway.

27. All operations shall be carried out in a manner to minimise the emission of dust from the site. All haul roads shall be kept moist in dry and windy conditions, as necessary and any dry and exposed area/material shall be watered as necessary in windy conditions to prevent dust becoming airborne. Dust filters shall be fitted where appropriate on all plant and machinery.

28. At such times as operations on site give rise to unacceptable levels of dust leaving the site such as during adverse weather conditions, operations shall be temporarily suspended until such time as they can be resumed without causing nuisance either by a change in conditions or by taking additional measures.

29. In the event that complaints regarding dust are received by the operator and thereafter notified, within 2 days of receipt of the complaint, to the Mineral Planning Authority (or vice versa), an assessment of the complaint shall be undertaken by the operator. A report on the findings, with proposals for removing, reducing, or mitigating identified adverse effects resulting from the operation, and a programme for the implementation of remedial measures (if necessary) to be undertaken shall be submitted to the Mineral Planning Authority no later than 5 working days from notification of the complaint to the operator, unless a later date is otherwise agreed in writing by the Mineral Planning Authority.

Reason for conditions 25 to 29: In the interests of residential and rural amenity of the area having regard to MDC Policy 1 - Impacts of Mineral Development of the Rutland Minerals Core Strategy and Development Control Policies DPD, October 2010.

Lighting

30. All lighting to be installed on site shall be downward facing, positioned below the working rim of the quarry and designed and installed so as to avoid impacting on residential receptors and wildlife. Floodlighting required during the months of December, January, and February around infill areas may be operated up to thirty minutes before and/or after permitted hours of operation. Prior to erection or installation, the details of the proposed locations and design of any lighting shall be submitted to and approved in writing by the Mineral Planning Authority. Any approved lighting shall be implemented and maintained in accordance with the approved details for the lifetime of the development.

Reason: In the interests of residential and rural amenity and biodiversity of the area having regard to MDC Policy 1 - Impacts of Mineral Development of the Rutland Minerals Core Strategy and Development Control Policies DPD, October 2010 and Policy SP17 - Outdoor Lighting of the Rutland Site Allocations and Policies DPD October 2014

Ground water protection

31. Any facilities for the storage of oils, fuels or chemicals shall be sited on impervious bases and surrounded by impervious bund walls. The volume of the bunded compound should be at least equivalent to the capacity of the tank plus 10%. All filling points, vents, gauges and sight glasses must be located within the bund. The drainage system of the

bund shall be sealed with no discharge to any watercourse, land or underground strata. Associated pipework shall be located above the ground and protected from accidental damage. All filling points and tank overflow pipe outlets shall be details to discharge downwards into the bund. There must be no drain through the bund floor or walls.

32. There shall be no discharge of foul or contaminated drainage from the site into either the groundwater or any surface waters, whether direct or via soakaways.

    Reason for conditions 31 to 32: To minimise risk of watercourse and aquifer pollution and to prevent pollution of the water environment having regard to MDC Policy 1 – Impacts of Mineral Development and MDC Policy 7 - Water Resources of the Rutland Minerals Core Strategy and Development Control Policies DPD, October 2010.

Highways and access

33. There shall be no access to or exit from the site to the public highway other than via the existing roadway serving the site from B668 Stretton Road as shown on Plan/Drawing Number: Greetham Drawing G4/LAN/001 (Revised restoration proposals plan) dated March 2009 as referred to in Condition 3.

34. No commercial vehicles shall enter the public highway unless their wheels and chassis have been cleaned to prevent mud being deposited on highway. Wheel cleansing facilities shall be provided on site and maintained to a full working standard in accordance with siting and technical details that shall have been submitted to and approved in writing by the Mineral Planning Authority. In the event that the existing wheel cleansing facilities fail to prevent the deposit of mud, then additional wheel cleaning facilities shall be installed within a location and timetable to be agreed in writing with the Mineral Planning Authority.

35. The internal haul road(s) to the development hereby permitted from the wheel cleansing facilities required in Condition 34 to the access with the public highway shall be maintained in a clean and good state of repair and free from potholes for the lifetime of the development hereby permitted.

    Reason for conditions 33 to 35: In the interests of highway safety and amenity in accordance with MCS Policy 9 - Transportation, MDC Policy 11 - Transportation and MDC Policy 1 - Impacts of Mineral Development of the Rutland Minerals Core Strategy and Development Control Policies DPD, October 2010.

Restoration and aftercare

36. Unless otherwise agreed in writing with the Mineral Planning Authority, restoration of the site shall be in accordance with the restoration scheme (Submission of a restoration scheme pursuant to Condition 26 of LPA ref: M/1999/0326/09 and Condition 43 of LPA ref: MIN/2004 at Greetham Quarry, Stretton Road Greetham dated June 2013, and Plan/Drawing Number: Greetham Drawing G4/LAN/001 (Revised restoration proposals plan) dated March 2009) as referred to in Condition 3. Any revised restoration scheme shall include provision for:

    i) Final contour levels shown by a contour plan and accompanying cross section
    ii) Calcareous and herb rich grassland
    iii) Habitat biodiversity
    iv) Agricultural land

v) Topsoil, subsoil replacement including the depths of soils and the method of soil handling and re-spreading
vi) Provision of surface water drainage
vii) The planting and maintenance of indigenous species of tree, shrubs and hedgerows, including locations, species size, number and spacing
viii) The location and type of fencing and gates
ix) The seeding, fertilising, water, drainage or other treatment of the land
x) Detail of quarry faces to be retained
xi) The timing and phasing of the restoration works.

37. The restored landform shall be created using limestone dust and debris generated by the quarrying activity, indigenous topsoil and subsoil, approximately 40,000 tonnes of previously tipped unsorted inert waste materials, and imported inert waste material in accordance with Condition 38.

38. Within 3 months of the date of permission being granted, and prior to commencement of development within any individual phase of the restoration plan (consented under 2013/1061/DIS) as set out in Chapter 4 of the Submission of a restoration scheme pursuant to Condition 26 of LPA ref: M/1999/0326/09 and Condition 43 of LPA ref: MIN/2004 at Greetham Quarry, Stretton Road Greetham dated June 2013 as referred to in Condition 3, shall take place until an updated phasing plan for restoration works is submitted to and approved in writing by the Mineral Planning Authority. The updated phasing plan is to include:

i) a timetable for implementation of individual phases, and
ii. a detailed topographic survey, this should identify the quantity of restoration materials available on site, and the quantity of inert restoration materials to be imported to achieve the final contour levels as per the agreed restoration scheme in accordance with Condition 36.

39. Before 31st January, 30 April, 31 July, and 31 October of every year up until the site is fully restored, a monitoring report shall be submitted to the Mineral Planning Authority recording the restoration operations carried out on the land during the previous 3 months with reference to the agreed restoration scheme (including updated phasing plan and timetable) as referred to in Conditions 36 and 38, and setting out the intended operations for the next 3 months. At request of the Mineral Planning Authority a site meeting may be arranged to discuss the report.

40. Following the final restoration of any part of the site in accordance with Condition 36, the land shall be treated and managed for a 5-year period in accordance with an approved aftercare scheme. The submitted scheme shall:

i) Be submitted for the written approval of the Mineral Planning Authority not later than 3 months prior to the date on which it is first expected that the replacement topsoil or final restoration shall take place unless otherwise agreed in writing with the Mineral Planning Authority.
ii) provide an outline strategy in accordance with Annexes A and B of Minerals Planning Guidance 7 for the 5-year aftercare period, specifying the steps to be taken and the period during which they are to be taken.
iii) Provide for a detailed annual programme of works in accordance with Annex A of Minerals Planning Guidance. The programme for the first year shall be submitted for the written approval of the Mineral Planning Authority not later than 3 months prior to the date on which it is first expected that final restoration of the appropriate phase or area of the site shall be completed. In respect of subsequent years, not later than 2 months prior to the annual aftercare meeting.

Unless otherwise agreed in writing with the Mineral Planning Authority the aftercare of the site shall only be carried out in accordance with the approved scheme.

41. Before 31st January of every year during the aftercare period, an Aftercare Management Report shall be submitted to the Mineral Planning Authority recording the operations carried out on the land during the previous 12 months, and results of tests undertaken to ensure satisfactory soil structures. At request of the Mineral Planning Authority a site meeting may be arranged to discuss the report.

Reason for conditions 36 to 41: To ensure proper restoration and aftercare of the site and in the interests of the general amenity of the area, and to ensure that habitat creation maximises biodiversity in line with Biodiversity Action Plan regional species having regard to MDC Policy 12 - Restoration and MCS Policy 12 - Restoration and Aftercare of the Rutland Minerals Core Strategy and Development Control Policies DPD, October 2010.

REPORT NO: 112/2021

PLANNING AND LICENSING COMMITTEE

21st September 2021

APPEALS

Report of the Director of Places

Strategic Aim:	Ensuring the impact of development is managed	
Exempt Information	No	
Cabinet Member Responsible:	Councillor Ian Razzell - Portfolio Holder for Planning	
Contact Officer(s):	Penny Sharp, Director of Places	Tel: 01572 758160 psharp@rutland.gov.uk
	Justin Johnson, Development Control Manager	Tel: 01572 720950 jjohnson@rutland.gov.uk
Ward Councillors	All	

DECISION RECOMMENDATIONS
That the Committee notes the contents of this report

1. PURPOSE OF THE REPORT

1.1. This report lists for Members' information the appeals received since the last meeting of the Planning & Licensing Committee and summarises the decisions made.

2. APPEALS LODGED SINCE LAST MEETING

2.1 **APP/A2470/W/21/3270691 – Mr C Milburn – 2020/1062/FUL**
The Horse And Panniers, 12A Church Street, North Luffenham, Rutland LE15 8JR
Application to regularise matters with regards the property being used as two separate dwellings.

Delegated Decision – 1.The sub-division of the site to create two separate dwelling houses would be visually harmful to the setting of the Listed Building and this part of North Luffenham Conservation Area, introducing an unsympathetic division that intrudes on the view of the principal elevation of the Listed Building and its attached outbuildings. The proposed shutters would appear as architecturally inappropriate features for dormer windows on a domestic property, and would be out of character with a building of the style and period on which they are proposed to be installed. As such the proposal would be contrary to Policies CS19 & CS22 of the Council's Adopted Core Strategy (2011), Policies SP15 & SP20 of the Site Allocations and Policies Development Plan Document (2014), and Sections 12 & 16 of the National Planning Policy Framework (2019).

2. The courtyard area to be split is approximately 12m wide at its widest point, with the courtyard windows at both ground and first floor level directly facing one another, and each other's amenity areas. Notwithstanding the proposed introduction of shutters to the windows, the sub-division of the site would still result in a poor relationship between the two dwelling houses, including an unacceptable impact upon their privacy from the remaining windows and the close proximity to one another. As such the proposal would be contrary to Policy CS19 of the Council's Adopted Core Strategy (2011), Policy SP15 c) (amenity) of the Site Allocations and Policies Development Plan Document (2014), and Section 12 of the National Planning Policy Framework (2019).

3 The proposal for two separate dwelling houses would require 4 off-street parking spaces. The proposal only shows provision for 3 vehicles, and as such the proposal would be contrary to Policy CS19 of the Council's Adopted Core Strategy (2011), Policy SP15 and Appendix 2 of the Site Allocations and Policies Development Plan Document (2014), and Section 9 of the National Planning Policy Framework (2019).

2.2 **APP/A2470/Y/21/3270705 – Mr C Milburn – 2020/1063/LBA**
The Horse and Panniers, 12A Church Street, North Luffenham, Rutland LE15 8JR. Application to regularise matters with regards the property being used as two separate dwellings.

Delegated Decision - The sub-division of the site to create two separate dwelling houses would be visually harmful to the setting of the Listed Building, introducing a crude and unsympathetic division that intrudes on the view of the principal elevation of the Listed Building and its attached outbuildings. The proposed shutters would appear as architecturally inappropriate features for dormer windows on a domestic property, and would be out of character with a building of the style and period on which they are proposed to be installed. As such the proposal would be contrary

to Policy CS22 of the Council's Adopted Core Strategy (2011), Policy SP20 of the Site Allocations and Policies Development Plan Document (2014), and Section 16 of the National Planning Policy Framework (2019).

3. DECISIONS

None

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4 APPEALS AGAINST ENFORCEMENTS LODGED SINCE LAST MEETING

4.1 None

5. ENFORCEMENT DECISIONS

5.1 None

6. CONSULTATION

6.1 None

7. ALTERNATIVE OPTIONS

7.1 Alternatives have not been considered as this is an information report

8. FINANCIAL IMPLICATIONS

8.1 None

9. LEGAL AND GOVERNANCE CONSIDERATIONS

9.1 As this is only a report for noting it has not needed to address authority, powers and duties.

10. EQUALITY IMPACT ASSESSMENT

10.1 An Equality Impact Assessment (EqIA) has not been completed for the following reason; because there are no relevant service, policy or organisational changes being proposed.

11. COMMUNITY SAFETY IMPLICATIONS

11.1 There are no such implications.

12. HEALTH AND WELLBEING IMPLICATIONS

12.1 There are no such implications

13. CONCLUSION AND SUMMARY OF REASONS FOR THE RECOMMENDATIONS

13.1 This report gives details of decisions received since the last meeting for noting.

14. BACKGROUND PAPERS

14.1 There are no such implications

15. APPENDICES

15.1 None

A Large Print or Braille Version of this Report is available upon request – Contact 01572 722577.