

# Rutland County Council

Catmose, Oakham, Rutland, LE15 6HP

Telephone 01572 722577 Email: [governance@rutland.gov.uk](mailto:governance@rutland.gov.uk)

Ladies and Gentlemen,

A meeting of the **PLANNING AND LICENSING COMMITTEE** will be held in the Council Chamber, Catmose, Oakham, Rutland, LE15 6HP on **Monday, 26th September, 2022** commencing at 6.00 pm when it is hoped you will be able to attend.

Yours faithfully

Mark Andrews  
**Chief Executive**

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Although social distancing requirements have been lifted there is still limited available for members of the public. If you would like to reserve a seat please contact the Governance Team at [governance@rutland.gov.uk](mailto:governance@rutland.gov.uk). The meeting will also be available for listening live on Zoom using the following link: <https://us06web.zoom.us/j/81625178449>

## **A G E N D A**

### **1) APOLOGIES**

To receive any apologies from Members.

### **2) 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.

### **3) 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](mailto:Governance@rutland.gov.uk)

**4) PLANNING APPLICATIONS**

To receive Report No.150/2022 from the Strategic Director of Places.  
(Pages 7 - 8)

- a) 2020/0297/MIN  
(Pages 9 - 80)
- b) 2021/0170/MAO  
(Pages 81 - 112)
- c) 2021/0171/MAO  
(Pages 113 - 138)

**5) APPEALS REPORT**

To receive Report No.151/2022 from the Strategic Director of Places.  
(Pages 139 - 142)

**6) ANY OTHER URGENT BUSINESS**

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

**7) DATE OF THE NEXT MEETING**

Tuesday 25<sup>th</sup> October 2022

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**DISTRIBUTION**

**MEMBERS OF THE PLANNING AND LICENSING COMMITTEE:**

Councillor E Baines (Chairman)	Councillor P Browne (Vice-Chair)
Councillor N Begy	Councillor D Blanksby
Councillor K Bool	Councillor A Brown
Councillor G Brown	Councillor W Cross
Councillor J Dale	Councillor A MacCartney
Councillor R Wilson	Councillor R Payne

**OTHER MEMBERS FOR INFORMATION**

**REPORT NO: 150/2022**

**PLANNING AND LICENSING COMMITTEE**

**PLANNING APPLICATIONS TO BE DETERMINED BY THE  
PLANNING AND LICENSING COMMITTEE**

**REPORT OF THE DEPUTY DIRECTOR OF PLACES  
(ENVIRONMENT, PLANNING, TRANSPORT & HIGHWAYS)**

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**Rutland County Council**

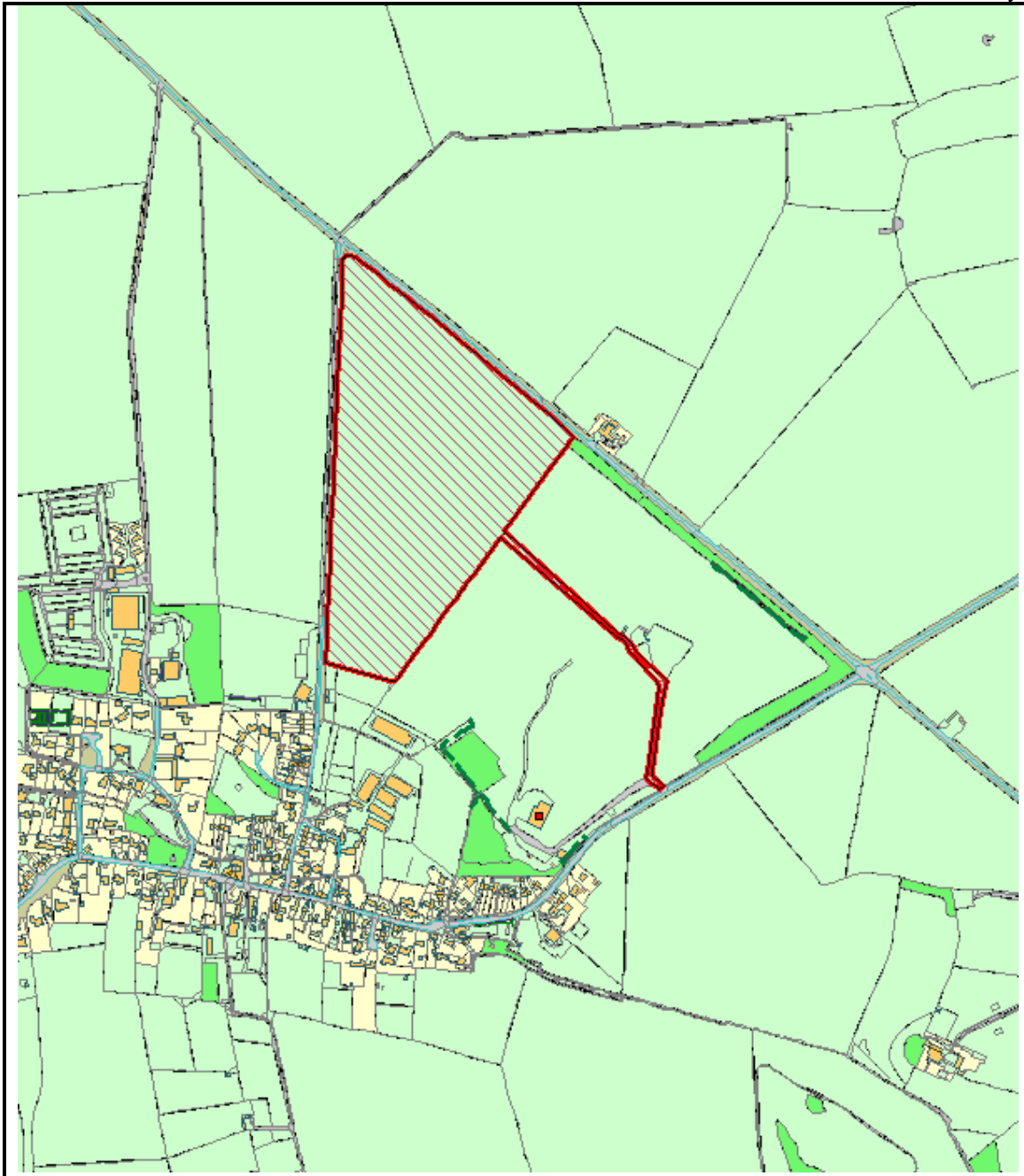
**Planning & Licensing Committee – 26<sup>th</sup> September 2022**

**Index of Committee Items**

<b><i>Item</i></b>	<b>Application No</b>	<b>Applicant, Location &amp; Description</b>	<b>Recommendation</b>	<b>Page</b>
<b>1</b>	<b>2020/0297/MIN</b>	<b>Mick George Ltd Greetham Quarry, Greetham North Western extension to Greetham Quarry including the extraction of Limestone and building stone and importation of suitable inert material.</b>	<b>Approval</b>	<b>9-80</b>
<b>2</b>	<b>2021/0170/MAO</b>	<b>Hereward Homes Ltd Greetham Quarry, Greetham Outline planning application for 30 residential dwellings (Class C3), with all matters reserved except for access.</b>	<b>Approval</b>	<b>81-112</b>
<b>3</b>	<b>2021/0171/MAO</b>	<b>Hereward Homes Ltd Greetham Quarry, Greetham Outline planning permission with all matters reserved except access for a maximum of 94,000m<sup>2</sup> of Class B8 and Class B2 and E(g) and ancillary business and service space (Class E).</b>	<b>Refusal</b>	<b>113-138</b>

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2020/0297/MIN – Greetham Quarry



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**Rutland County Council**

Catmose,  
Oakham,  
Rutland  
LE15 6HP

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Application:	<b>2020/0297/MIN</b>	<b>ITEM 1</b>	
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:	<b>Mr John Gough Mick George Limited Ltd</b>	Parish	<b>Greetham</b>
Agent:	<b>Mr John Gough Mick George Limited Ltd</b>	Ward	<b>Greetham</b>
Reason for presenting to Committee:	<b>Major Application</b>		
Date of Committee:	<b>20 September 2022</b>		

## 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 detailed comments have been received from statutory consultees (received from Councils Ecology, Environmental Health, and Highways and Transport sections). Following further consultation, it has been agreed that their concerns can be controlled by suitably worded conditions being imposed on any grant of planning permission to ensure that the development is 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 proposal is in accordance with national planning guidance and adopted 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.**

## 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. 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 permissions to vary the date of the final restoration).
2. 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.
3. 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.
4. The site is currently classed as grade 3a and 3b agricultural land.
5. 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

6. 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) (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**

7. 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.
8. 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).
9. 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**

10. 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<sup>3</sup>, 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.
11. 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**

12. 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 basis; and so would not increase movements<sup>1</sup>.

13. 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 1900 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.
14. 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.
15. It is proposed to continue to use the existing access onto Stretton Road for a period of up to 1 year. The applicant explains the reasoning for this as follows:

*In respect of the timescale required this is not simply to physically construct the new access. This time period is required to excavate the northern sector of phase 1 (6 to 8 months) in order that the surfaced access road and new site infrastructure can then be established below ground level, which is shown on G17/1/19/03 Rev B (See below). In addition, there is time involved in obtaining and then implementing a S278 (of the Highways Act) which is required for works undertaken within the highway's boundary.*

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.
17. In terms of the final articulation between the new and former quarries, the applicant has clarified that:

*In essence, none of the rock face between the existing quarry and extension will ultimately be retained and I would refer you to Section 3.2 of the ES which explains this in detail (extract below):*

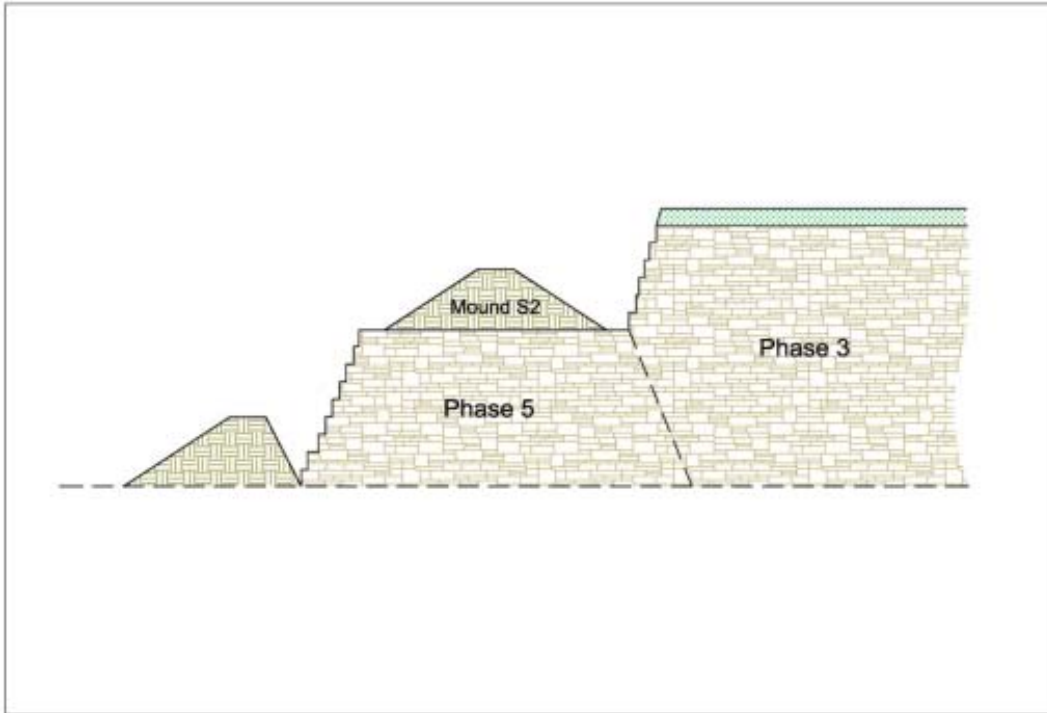
*A 4m high mound comprising of quarry waste materials will be established adjacent to the existing exposed (south-eastern) quarry face to provide a physical barrier between the quarry extension (i.e. Phase 5) and the current quarry to the south-east. Such a mound would "catch" any loose rocks or boulders that may become dislodged from the face.*

*Phase 1 of the development will remove the upper 5m or so of limestone and will be approximately 15m wide and reduce the remaining quarry face (of the ultimate Phase*

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<sup>1</sup> 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).

5) to a typical height of 8-9m. (During the working of Phase 1, it is assumed there are no envisaged works associated with any proposed built development site within the existing quarry area taking place.) Following completion of Phase 1, a Subsoil Mound S2 will be established on the base of that phase to provide a visual and acoustic screen between the proposed quarry extension and the former quarry site which may be developed for commercial use to the southeast in the future. This is demonstrated below.



When Phase 5 is finally worked, this will be excavated from south-west to north-east (as shown by the blue arrows on Drg No G17/1/19/03), and the mineral processing plant will be located behind the rock wall and mound M2 close to the base of the access road in the south-east of the worked-out Phase 2. It is only when the very last section of Phase 5 is worked, there would be no physical rock face present but the operations at that stage would be a minimum of 400m from the northern boundary of the proposed housing area at that stage.

The above pre-supposes that the commercial development is not consented and started. If it were, then the industrial buildings would provide a very significant additional acoustic barrier between the mineral processing operations and the housing.

Your authority have additionally been provided with a specific noise appraisal which considers cumulative impacts of the temporary quarry activities upon the residential/commercial development sites which confirms there is no conflict with governmental advice noise criteria levels for residential areas.

In terms of the proposed phasing of the extraction works the Environmental Statement states:

- Phase 2 in the northern sector of the site will then be the next area to be extracted. Topsoils from this Phase 2 area would be placed in the remaining section of Mound T2 in the south of the site and the subsoils stored in Mound S2 (on top of Phase 5). Phases 3 and 4 would be worked sequentially with the topsoils and subsoils stored in mounds T2 and S1 or used in the progressive restoration of the northern sector of the site. The soils overlying Phases 3 and 4 will be temporarily stockpiled in the base of the worked out quarry (i.e. within Phase 2 or the northern sector of Phase 3). The mineral will be processed generally using mobile plant where the mineral is extracted. However, no processing of the mineral will take place within the confines of phase 4 or anywhere within 300m of Greetham villa. Such mineral will be excavated and transported to the processing plant via dump trucks.

*When Phase 5 is worked, the mineral processing operations will be to the north-west, with the unexcavated rock of Phase 5 and Mound S2 providing the requisite screening to the potential development site to the south-east.*

## **Environmental Impact Assessment**

18. 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.
19. Detail on the above matters is discussed in the Planning Assessment, Potential Adverse Impacts section.
20. 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**

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 restoration of Greetham Quarry (from 30 September 2020 to 31 March 2022).	Awaiting determination (02 March 2021)

## Planning Guidance and Policy

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 16 – Conserving and enhancing the historic 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.

## **Consultations**

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

### **Government Agencies**

#### CLH Pipeline Systems (CLGH PS) Ltd / Fisher German

22. 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.
23. 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

24. No objection to the application, noted that the application site is not in the zone of interest.



### Environment Agency (EA)

25. 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.
26. Following submission of additional information in response to the Reg 25 RFI the EA had no further comments.

### Highways England

27. 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

28. 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 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)

29. 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.

30. 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.

## **Rutland County Council**

### Leicestershire County Council (LCC) Archaeology,

31. 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.
32. 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.

33. 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.
34. 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.

#### Conservation Officer

35. 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, 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.
36. 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.
37. 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.
38. 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.

39. 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.
40. In conclusion, I would reiterate the wording of Paragraph 193 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."

### LCC Ecology

41. 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. Concern 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.
42. Requested clarification on: Operational life of the proposed development; If the southeast 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).
43. 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<sup>2</sup> 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).

44. 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).
45. 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).
46. 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.
47. 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.

Public Protection

48. 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.
49. 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.

50. 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.
51. 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.
52. 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.

53. 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.).
54. 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.
55. 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.
56. 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.

57. 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.
58. In relation to particulate matter (dust) RCC EH recommends limits for PM10 of UK 50 µg/m<sup>3</sup> not to be exceeded more than 35 times a year 24 hour mean or 40 µg/m<sup>3</sup> 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.
59. 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<sup>-2</sup> day<sup>-1</sup> for open countryside where the quarry is set. Reiterated previously recommended conditions and requirement for trigger levels to be set.
60. 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.
61. 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.

62. 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.

RCC Lead Local Flood Authority (LLFA)

63. No response received.

**Greetham PC Councillor Hodson**

64. 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 25 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.

#### Greetham Parish Council

65. 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 Wakerley quarry planning permission (16/00004/MINNMA).
66. 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.
67. 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.
68. 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.

#### **Neighbour Representations**

69. 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.

70. 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 southeast 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 of 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, Cottessmore, 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

71. 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**

72. 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. These were approved by the committee at its meeting on 21 September 2021.

## **Need and Benefits of the Development**

### Extractive Operations

73. 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.
74. Rutland currently has three permitted quarries for limestone as crushed rock aggregate; two of which are active. Thistleton is not active and there is uncertainty around when it may come online, so may be discounted from figures for determining need. It should be noted that the nationally recommended landbank (ten years for crushed rock) forms a minimum. The annual apportionment rate set out in the adopted Mineral Core Strategy is 0.304Mtpa. The most recent LAA (not yet published) (based on 2021 data) indicates ten and three year averages of 0.262Mtpa and 0.276 Mtpa respectively. The estimated current production rate for active sites (based on the three-year average) is circa 0.276Mtpa which is 0.028Mtpa below the currently adopted Mineral Core Strategy rate of 0.304Mtpa. There is a shortfall in current production rates that supports the release of the reserves at the Application site.

75. Permitted reserves and annual sales data 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...
76. 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

77. 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.
78. 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

79. 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.
80. 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 2011). 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)

81. 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.
82. 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.
83. 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.
84. The proposal is in general compliance with the Rutland Core Strategy.

#### Rutland Site Allocations and Policies DPD (2014)

85. 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.
86. 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.
87. Potential impacts on biodiversity and geodiversity, historic environment, landscape, and transport are addressed further under the Potential Adverse Impacts section to avoid repetition.
88. The proposal is in general compliance with the Rutland Site Allocations and Policies DPD.

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

89. 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.

90. 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.
91. 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. 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 (2021) indicates that Rutland has an adequate existing landbank of aggregate of 35 years - based on the apportionment/provision rates identified in the adopted Minerals Core Strategy.. Based on the three- and ten-year average sales rate in the Local aggregates Assessment 2022 (2021 data) the landbank is 40 and 38 years respectively. The landbank is therefore more than adequate although it should be noted that 10 years is the minimum figure and there is no maximum which is set.
92. 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.
93. Note that Development Plan policies addressing potentially adverse impacts are addressed under the Potential Adverse Impacts section to avoid repetition.
94. The proposal is in general compliance with the Rutland Minerals Core Strategy and Development Control Policies DPD.

#### Rutland Local Plan Review

95. The Local Plan Review has commenced with a 'call for sites'. This is one of the very first steps in the review of the local plan review. Accordingly the proposed review plan carries no weight in relation to the determination of this application.

#### Conclusion

96. Overall the principle of the proposed development complies with and supports the sustainable development and mineral working policies in the NPPF and the Rutland

## Consideration of Reasonable Alternatives

97. 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

98. 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.
99. 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

100. 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).

101. 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.
102. The proposed extension would not bring operations closer to sensitive receptors than previous mineral extraction operations. Previously permitted extraction in the southeast 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.

#### Noise

103. 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<sup>3</sup>. 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 were based upon the use of the proposed plant. This also gave consideration to internal noise levels within the Greetham Community Centre.
104. 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.  
<sup>3</sup> Herein referred to as the Reg 25 submission.
105. National guidance requires appropriate noise standards and limits (for mineral operators) to be established 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.

106. 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.
107. 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, northeast corner of the site) will help to mitigate noise impacts.
108. 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.
109. 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.
110. 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.

111. 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.
112. 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.
113. 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).
114. 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. Notwithstanding this, and in view of the EHO's comments the proposed planning conditions include a requirement for continuous noise monitoring (Appendix 2 condition 35). Comprehensive noise mitigation and monitoring conditions are included in the proposed conditions (Appendix 2, conditions 29-37).
115. 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 residential 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.
116. Outline planning applications for 30 residential dwellings (2021/0170/MAO) and for commercial warehousing development (2021/0171/MAO) in the adjacent former quarry have been submitted and are awaiting determination. The applicant has provided an additional noise report which assesses the impact of the quarrying operations on the 30 unit residential development with, and without, the commercial development in place (if it is in place it would act as a screen to mitigate the noise at the proposed residential development). The daytime background noise levels have been calculated at 39 dB  $L_{A90}$ . The Planning Practice Guidance (PPG) advises that noise levels from quarrying should not exceed 10 dB above background, which allows a maximum limit of 49 dB  $L_{Aeq, 1 hr}$ . The maximum estimated noise impact from the quarrying operations (Phase 5), without the commercial development in place would be 48 dB  $L_{Aeq, 1hr}$ . This demonstrates that the noise impact of the quarrying, both with and without the commercial development would be within the PPG limit.

## Dust

117. 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.
118. 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.
119. 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).
120. 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/m<sup>3</sup>, and PM2.5 25µg/m<sup>3</sup>) at sensitive receptors, and that the predicted number of days with PM10 concentrations above 50µg/m<sup>3</sup> 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.
121. 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).
122. 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.
123. 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.

124. In response to all the issues and concerns raised about potential dust impacts on sensitive receptors a baseline air quality monitoring campaign was undertaken by the applicants consultants in order to quantify existing particulate matter levels within Greetham. The results indicated that concentrations of particulate matter with an aerodynamic diameter of less than 10µm (PM10) were 8.1µg/m<sup>3</sup>. This is significantly below the relevant air quality standard of 40µg/m<sup>3</sup> and also the value of 17µg/m<sup>3</sup> provided by the Institute of Air Quality Management, below which impacts on existing particulate matter concentrations can be classified as not significant. The results also indicated concentrations of particulate matter with an aerodynamic diameter of less than 2.5µm (PM2.5) of 6.2µg/m<sup>3</sup>, which is significantly below the relevant air quality standard of 20µg/m<sup>3</sup>.
125. The potential for fugitive dust emissions from the development to cause disamenity impacts were assessed through consideration of receptor location and sensitivity, the activities to be undertaken on site, mitigation measures outlined in the Dust Management Plan and prevailing meteorological conditions. The results indicated impacts were not predicted to be significant at any sensitive position in the vicinity of the proposals. These included receptors selected to represent two proposed developments currently under determination by the Local Planning Authority (the 30 unit housing and commercial warehousing development) within the vicinity of the site.
126. A detailed assessment was undertaken to quantify changes in particulate matter levels at sensitive receptor locations and determine the potential for exceedance of the relevant air quality standards. This included the use of multiple annual meteorological data sets to account for inter year variability within observed weather patterns, as well as representation of emissions through the different extraction phases.
127. The results of the assessment indicated fugitive dust releases from the proposed development are not predicted to exceed the relevant air quality standards at any sensitive location, including relevant committed developments, within the vicinity of the site. Additionally, impacts were classified as not significant at all receptors, in accordance with the relevant industry guidance.
128. Based on the assessment results, the applicant's consultants advises that the air quality factors are not considered a constraint to planning consent for the development in accordance with the relevant Planning Practice Guidance, subject to the inclusion of the mitigation specified within the Dust Management Plan.
129. Having taken all the submitted dust impact information into account it is considered that the monitoring and control measures proposed in the Dust Management Plan (October 2020) along with the dust monitoring would ensure that any residual impact is adequately mitigated. A more comprehensive monitoring strategy including real time dust monitoring, including procedures to be followed in the event of any complaints is necessary, are covered in proposed planning conditions 38-42.

#### Traffic and Access

130. 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.

131. 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 1900 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.
132. 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. 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.
133. 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.
134. 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 tarmac or concrete surfaced, timeframe for use of the existing access, and hours of operation.
135. 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.

136. 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.
137. 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).
138. 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.

#### Water Resources and Flood Risk

139. 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.
140. 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.

141. The extension area 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. 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.
142. The ES states that given the porous nature of the strata, there is no requirement to discharge water to any surface water drain as all rain water will soakaway into the underlying strata. The site will be restored to a basal plateau at a typical level of 106m AoD with sloping embankments established along the north-west and western flanks.
143. The extension area is within the Impact Risk Zone (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.
144. The Flood Risk Assessment concluded that the proposed extension area is not sensitive in terms of its hydrology or hydrogeology.
145. 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).
146. 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

147. 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.
148. 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 discernible from the ground.
149. There is a full and open view of the extension area from the public footpath 156/1/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.
150. 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.
151. 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.
152. 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.
153. 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.
154. 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.

155. 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.
156. 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

157. 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.
158. 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.
159. 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.
160. 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).
161. 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.
162. 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.
163. 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. Concern 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<sup>2</sup> 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.
164. 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 water table, 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.

165. 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.
166. 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.
167. 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

168. 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.
169. Restoration would involve importation and infill with inert material (circa 0.4 million m<sup>3</sup>). 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.
170. The EA noted that proposed restoration using inert waste would require an environmental permit.
171. 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.
172. 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 (Greatham 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.
173. 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.
174. 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 Greatham 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).
175. 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.
176. Greatham 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



requirement of a financial guarantee would not be in line with the NPPG as exceptional circumstances have not been found to apply to this application.

### Historic Environment

177. 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.
178. 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).
179. 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.
180. 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.
181. 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.
182. 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.

183. The RCC Conservation Officer considered that the degree of harm arising from the development to the Greatham 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. In considering the potential impacts. Paragraph 199 of the NPPF gives 'great weight' to the asset's conservation irrespective of whether any harm amounts to substantial harm, total loss or less than substantial harm. It is considered that the development proposals will lead to less than substantial harm and paragraph 202 of the NPPF says this harm should be weighed against the public benefits of the proposal including, where appropriate, securing its optimum viable use. It is considered that there are public benefits through the provision of aggregates to contribute to RCC's requirements to ensure that there is a sufficient supply of minerals to provide the infrastructure, buildings, energy and goods that the country needs ( NPPF paragraph 209) and RCC's requirements to provide a steady and adequate supply of minerals (NPPF paragraph 213). When determining planning applications, great weight should be given to the benefits of mineral extraction, including to the economy (NPPF paragraph 211). On balance it is considered that the public benefits of the proposed development outweigh the less than substantial harm to heritage assets.
184. LCC Archaeology does 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.

#### Tourism and the Local Economy

185. 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.
186. 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

187. The Viking Way long distance route PRoW passes through the village of Greatham and continues north along Great Lane, forming the western boundary of the application area. A public footpath (E156/1/Greatham) 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 southeast, 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.

188. 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.
189. 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.
190. 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).
191. 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

192. 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.
193. 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

194. 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

195. 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

196. 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

197. The planning application is for a north-western extension of an established quarry (primarily for limestone aggregate), construction of a new site access onto Thistleton Lane and associated site infrastructure, and low-level restoration of the north-western extension using on-site and imported inert restoration material.
198. Rutland currently has three permitted quarries for limestone as crushed rock aggregate; two of which are active. Thistleton is not active and there is uncertainty around when it may come online, so may be discounted from figures for determining need. It should be noted that the nationally recommended landbank (ten years for crushed rock) forms a minimum. The annual apportionment rate set out in the adopted Mineral Core Strategy is 0.304Mtpa. The most recent LAA (not yet published) (based on 2021 data) indicates ten and three year averages of 0.262Mtpa and 0.276 Mtpa respectively. The estimated current production rate for active sites (based on the three year average) is circa 0.276Mtpa which is 0.028Mtpa below the currently adopted Mineral Core Strategy rate of 0.304Mtpa. There is a shortfall in current production rates that supports the release of the reserves at the Application site.
199. 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 (2021) indicates that Rutland has an adequate existing landbank of aggregate of 35 years - based on the apportionment/provision rates identified in the adopted Minerals Core Strategy. Based on the three- and ten-year average sales rate in the Local aggregates Assessment 2022 (2021 data) the landbank is 40 and 38 years respectively. The landbank is therefore more than adequate although it should be noted that 10 years is the minimum figure and there is no maximum which is set.
200. 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.

201. The primary purpose of the proposal is for the extraction of limestone aggregate as resources have been exhausted within the existing (permitted) working area.; extraction operations ceased in 2021 and the final restoration is dependent on the outcome of this application and the applications for 30 residential units and for commercial warehousing in the existing quarry. 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.
202. 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.
203. 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.
204. 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 be likely to result in unacceptable impacts on amenity.

205. 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.
206. 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.
207. 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.
208. 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.
209. The Applicant submitted additional information in response to the Reg 25 Request for Information (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. 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 impacts on heritage assets are considered to be less than significant and on balance it is considered that the public benefits of the proposed development outweigh the less than substantial harm to heritage assets. 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.

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.

210. 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.
211. 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.
212. 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 73 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.
  - Requirement for the restoration plans (to be approved by the LPA) to include - (i) details of soil and substrate specification and placement, techniques, and 73 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.
213. 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.
214. 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.
215. There are no cumulative impacts that would be unacceptable.
216. 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.
217. In conclusion, the proposed operations, subject to the completion of Section 106 Agreement regarding access use, in conjunction with the recommended conditions in this report, would not create an adverse impact which on balance are 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.



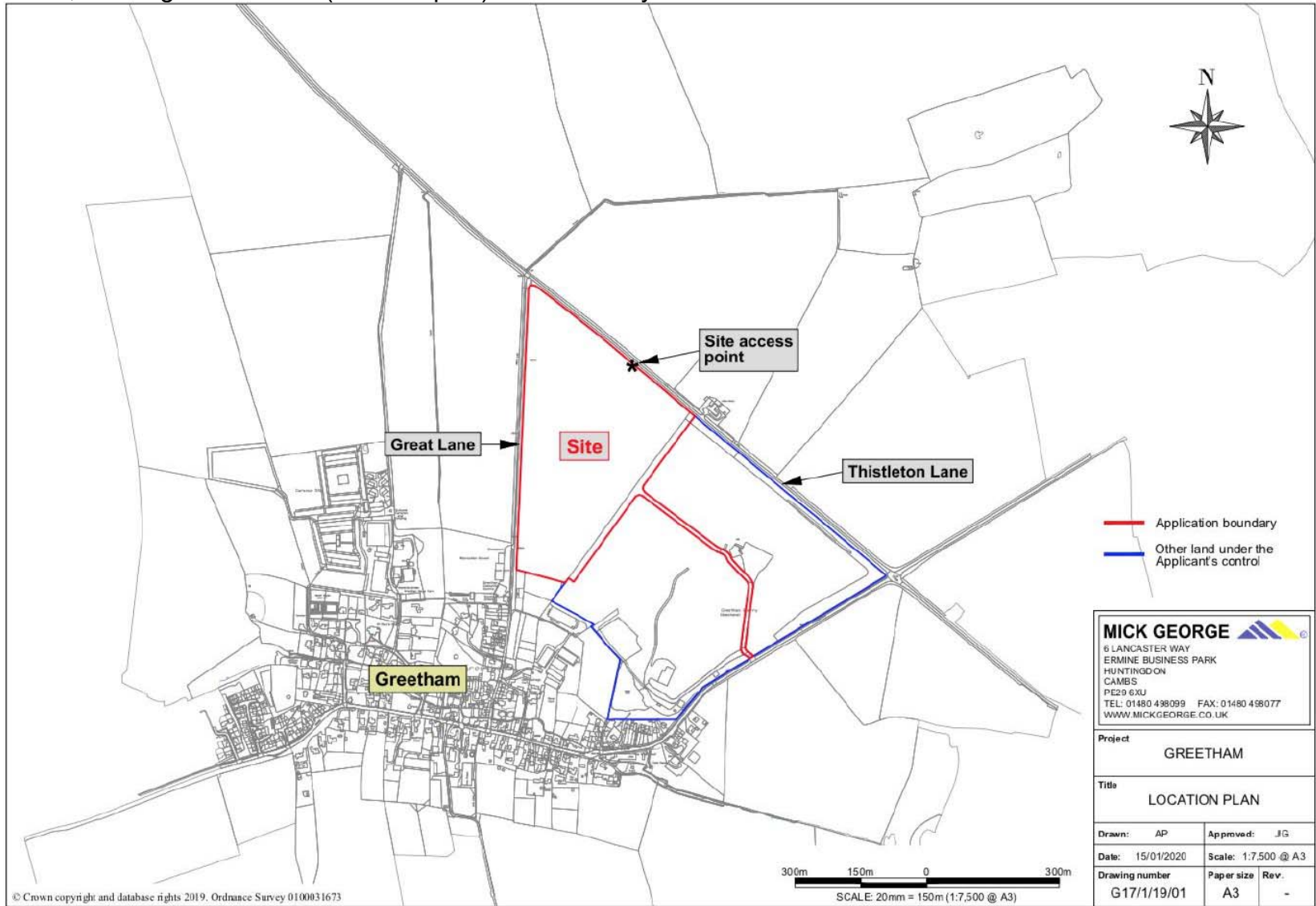
Greetham Neighbourhood Plan 2016-2036





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

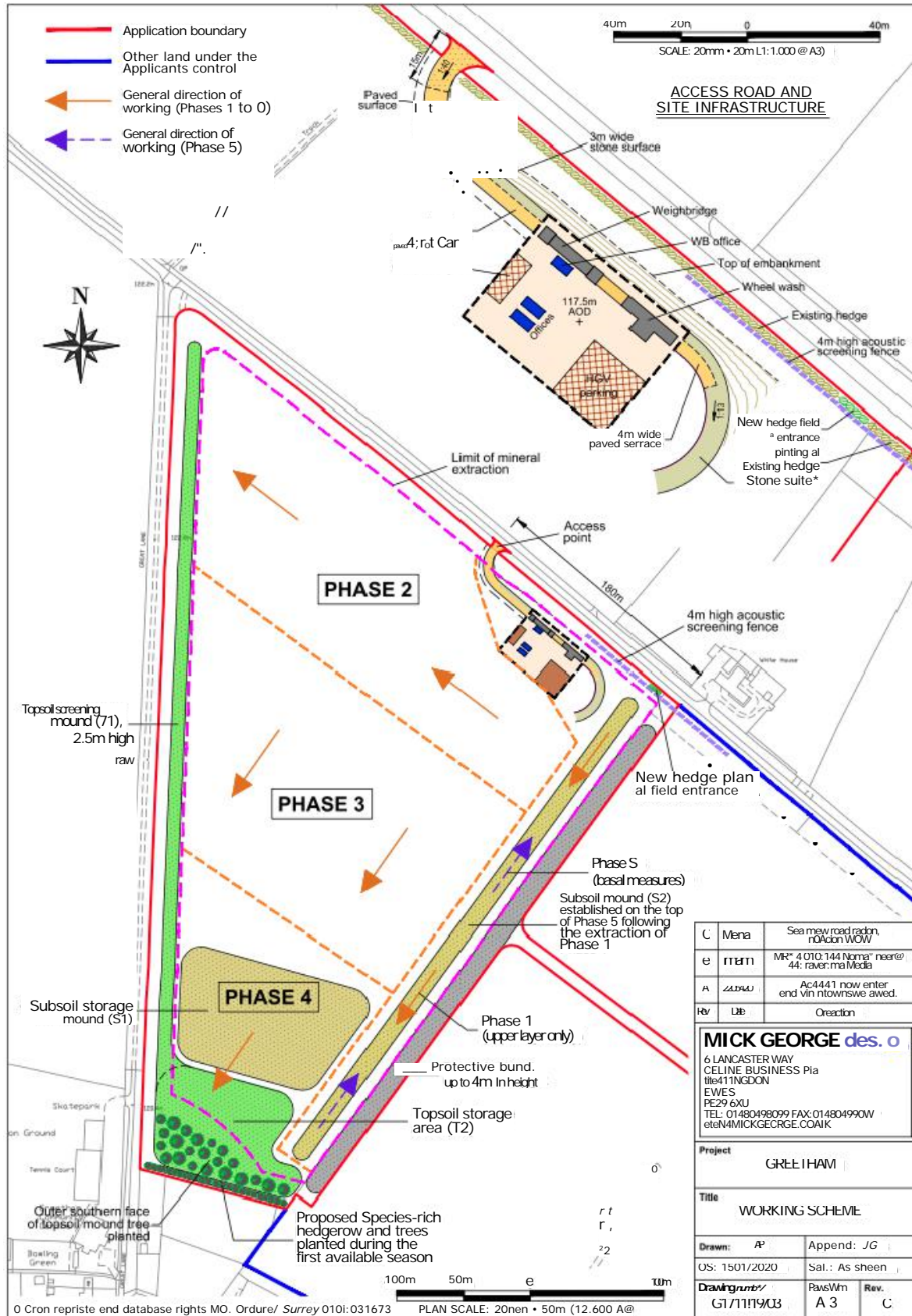
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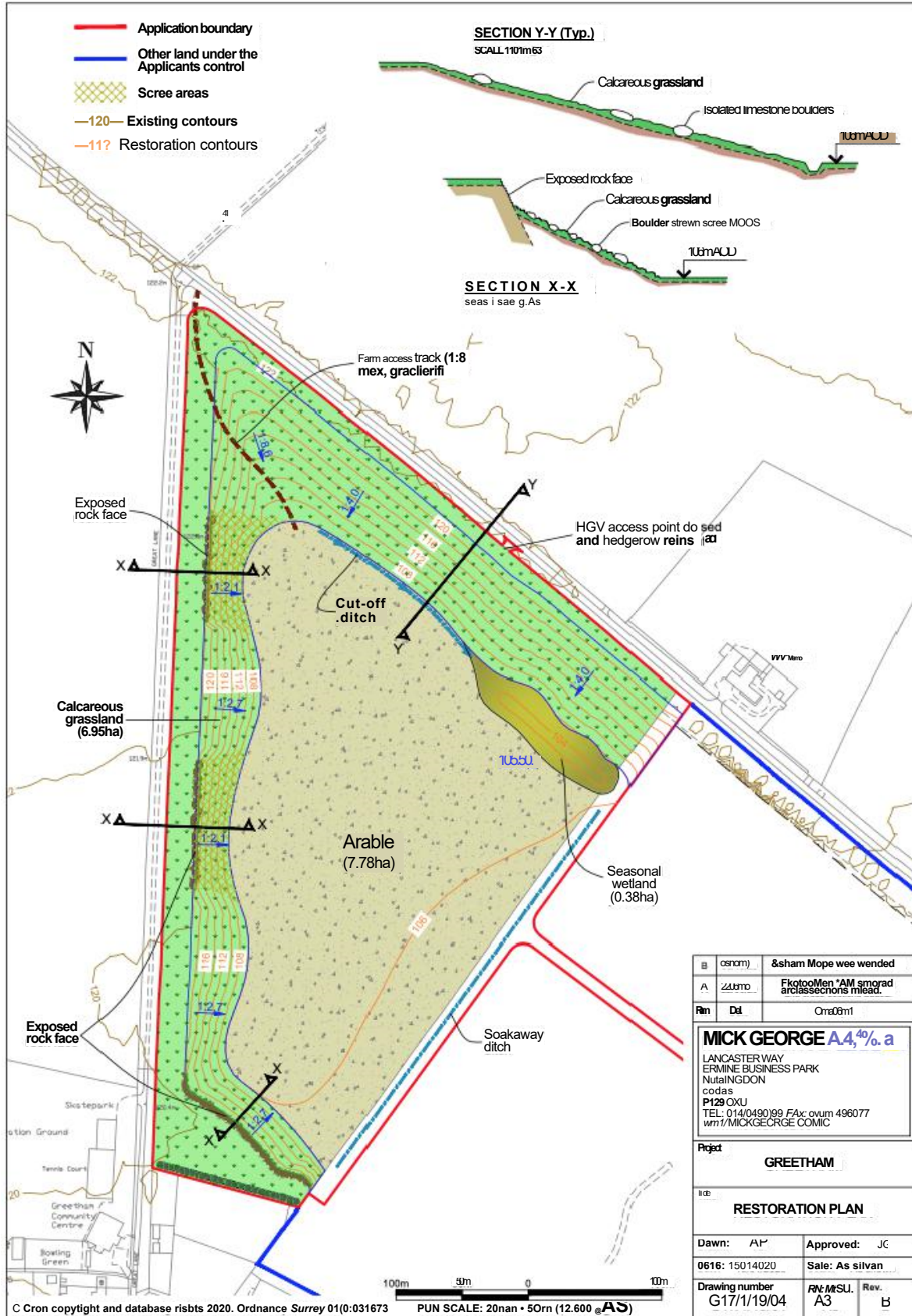


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Project		GREETHAM	
Title		LOCATION PLAN	
Drawn: AP	Approved: JIG	Date: 15/01/2020	Scale: 1:7,500 @ A3
Drawing number	Paper size	Rev.	
G17/1/19/01	A3	-	

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

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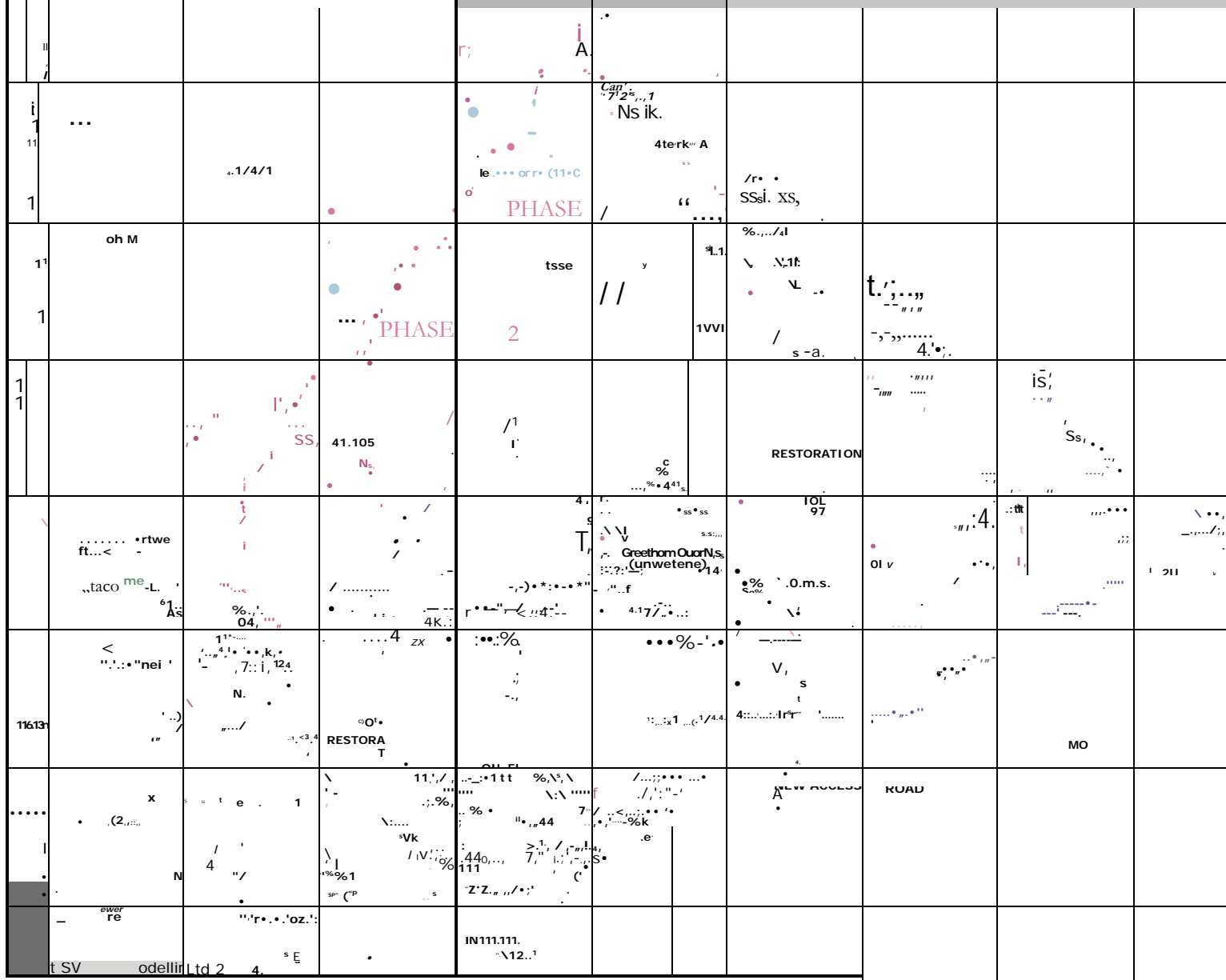




Greatham Quarry,

Drawing Fig. 3.1 (General Method of Working)

dated March 2004



**Application Area**

**Ownership**

**KINERA SUBS**

**SUBS**

**SV MODELING LTD**

**14th March**

**M. DICKERSON LTD**

**GREATHAM QUARRY**

**Drawn..**

**GENERAL METHOD OF WORKING**

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**08-03-04**

**Pis. 3.1**

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

### 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. 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 1900 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 shall 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 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.
18. 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.
19. The internal haul road(s) to the development hereby permitted from the wheel cleansing facilities required in Condition 18 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.
20. All Heavy Goods Vehicles transporting minerals from the site or 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.
21. 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, 18 & 20. 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.
22. In the event that complaints regarding compliance with Conditions 9, 14, 18 or 20 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, 18 or 20 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, 18 or 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 Conditions 9, 14, 18 or 20. These measures shall thereafter be maintained.

**Reason for conditions 16 to 22:** 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

23. 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.

**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.

## Fencing

24. 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

25. 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.

26. 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 25 to 26:** 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

27. 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.
28. 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 27 to 28:** 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

29. 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.
30. 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.
31. 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.
32. 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.

33. Except for temporary works under the provisions of Condition 34, 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  $L_{Aeq}$ ) at 48 Great Lane, Greetham,
  - 51 dBA (1hr  $L_{Aeq}$ ) at the White House, Thistleton Lane, Greetham, and
  - 55 dBA (1hr  $L_{Aeq}$ ) at Greetham Community Centre, Great Lane, Greetham.
34. 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 ( $L_{Aeq}$ ), measured over any one-hour time period as measured free field, shall not exceed 70 dBA (1hr  $L_{Aeq}$ ) at any inhabited property.
35. 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 33), 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.
36. In the event that there is an exceedance of the noise trigger limits (identified in Condition 33), 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),
  - v. date and time of measurement,
  - vi. description of site activity(ies),
  - vii. description and recording of audio, and
  - viii. 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 32-34 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 32-34 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 32-34. These measures shall thereafter be maintained.
37. 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 29 to 37:** 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

38. 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.

39. 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.
40. 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<sup>-2</sup> day<sup>-1</sup>. 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<sup>3</sup> is not to be

exceeded more than 35 times a year 24 hour mean, or 40 µg/m<sup>3</sup> annual mean. Dust monitoring equipment for PM<sub>10</sub> is to include a trigger limit of 50 µg/m<sup>3</sup> 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 PM<sub>10</sub> 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.

41. In the event that there is an exceedance of the dust trigger limits (identified in Condition 40), 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: µg/m<sup>3</sup> 24 hour mean for PM<sub>10</sub> and Total Particulate Matter; and dust fall mg m<sup>-2</sup> day<sup>-1</sup> 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 38-40 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 38-40 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 38-40). These measures shall thereafter be maintained.

42. 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 38 to 42:** 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

43. 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

44. 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.
45. 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.
46. Bunds for the storage of soils shall not exceed three metres in height for topsoil bunds, and five metres in height for subsoil bunds.
47. 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.
48. 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".
49. 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.
50. 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.

51. 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.
52. 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 44 to 51:** 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**

53. 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.
54. 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.
55. 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.
56. 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.
57. 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.

58. Standoffs referred to in Condition 57 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.
59. 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.
60. 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 53 to 60:** 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

61. 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 topsoil, 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.

- 62. 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.
- 63. 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.
- 64. 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.
- 65. 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.
- 66. 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.
- 67. 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.

68. 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.
69. 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.
70. 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.
71. 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.72. 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 61 to 72:** 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

73. 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 22, 36 & 41, 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 39.

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

74. 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.

- i. **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 202X in connection with planning application 2020/0297/MIN.

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Application:	2021/0170/MAO		ITEM 2
Proposal:	Outline planning application for 30 residential dwellings (Class C3), with all matters reserved except for access.		
Address:	Greetham Quarry, Stretton Road, Greetham, Rutland, LE15 7NP		
Applicant:	Hereward Homes (Greetham) Ltd	Parish	Greetham
Agent:		Ward	Greetham
Reason for presenting to Committee:	Policy and Objections		
Date of Committee:	20 September 2022		
Determination Date:			
Agreed Extension of Time Date:			

## EXECUTIVE SUMMARY

**The proposal is on the edge of a sustainable settlement and would be relatively low key in terms of impact on the landscape. Whilst it is outside the PLD, in view of the lack of a 5 year housing land supply, there are no technical or amenity reasons for withholding permission on this site to provide much needed market and affordable housing.**

## RECOMMENDATION

**APPROVAL**, subject to the completion of a s106 agreement to provide affordable housing and the provision and maintenance of open space, and the following conditions:

1. Application for approval of the reserved matters shall be made to the Local Planning Authority before the expiration of 18 months from the date of this permission.  
Reason – To comply with the requirements of Section 92 of the Town and Country Planning Act 1990 as amended by the Planning and Compulsory Purchase Act 2004.
2. No development shall be commenced until plans and particulars of "the reserved matters" referred to in the above conditions relating to the appearance, landscaping, layout and scale have been submitted to and approved, in writing, by the Local Planning Authority. The development shall be carried out in accordance with the approved details.  
Reason – The application as submitted does not provide sufficient particulars for consideration of these details.
3. The development shall be begun before the expiration of one year from the date of approval of the last of the reserved matters to be approved.  
Reason – To comply with the requirements of Section 92 of the Town and Country Planning Act 1990 as amended by the Planning and Compulsory Purchase Act 2004.
4. The Reserved Matters shall provide for a maximum of 30 dwellings.  
Reason – It remains to be demonstrated that 30 dwellings can be accommodated on the site whilst maintaining space available for open space, sustainable drainage and ecological interests and thus resulting in a cramped form of development and in accordance with Policies SP5 and SP15.
5. The Reserved Matters shall have regard to:
  - The Design & Access Statement,  
Reason – To ensure that the final development accords with the parameters set out in the outline application, has an acceptable relationship with the adjoining properties,

provides adequate open space and a sustainable drainage scheme and in the interests of proper planning.

6. The development shall be carried out in accordance with the access plan number LE112-11PD-001A.  
Reason – To ensure that the site is accessed safely in accordance with the approved plan.
7. The development shall be carried out in accordance with the Travel Plan  
Reason – To ensure that sustainable travel is built into the development.
8. No development shall commence until details of existing and proposed levels of the site, finished floor levels and identifying all areas of cut or fill, have been submitted to and approved in writing by the Local Planning Authority. The layout of the 2 or more storey houses shall take account of the levels change across the site and demonstrate that they will have a satisfactory relationship with the landform, wider visual amenity and adjacent residents. The development shall be completed in accordance with the agreed scheme before any dwelling is first occupied.  
Reason – To ensure that the relations hip of the proposed dwellings to each other and to adjacent dwellings is acceptable, in the interests of residential amenity.
9. No development shall take place until precise details of the provision, siting, design and materials of screen walls and fences have been submitted to and approved in writing by the Local Planning Authority. The approved screen walls and fences shall be erected prior to the dwellings to which they relate being first occupied and thereafter be retained in the approved form.  
Reason – To ensure that appropriate boundaries are installed in the interests of visual and residential amenity.
10. The landscaping scheme to be submitted as part of the reserved matters shall be accompanied by a Biodiversity Net Gain matrix to demonstrate that the scheme can achieve at least neutral impact.  
Reason – To ensure that the development provides the current minimum requirement for biodiversity on the site.
11. No development shall commence until the invasive weed Piri-Piri Burr has been eradicated from the site which shall have been confirmed in writing by a suitably qualified Ecologist.  
Reason: To ensure that the invasive weed does not spread further as a result of development traffic and movement and to protect the future amenity of residents.
12. All changes in ground levels, hard landscaping, planting, seeding or turfing shown on the approved landscaping details, approved in Condition 2 above, shall be carried out during the first planting and seeding season (October - March inclusive) following the commencement of the development or in such other phased arrangement as may be agreed in writing by the Local Planning Authority. Any trees or shrubs which, within a period of 5 years of being planted die are removed or seriously damaged or seriously diseased shall be replaced in the next planting season with others of similar size and species.  
Reason – To ensure that the landscaping is carried out at the appropriate time and is properly maintained, in the interests of residential and visual amenity.
13. No development shall take place until the existing trees on the site, agreed with the Local Planning Authority for inclusion in the scheme of landscaping / shown to be retained on the approved plan, have been protected by the erection of temporary protective fences in accordance with BS5837:2012 and of a height, size and in positions which shall previously have been agreed, in writing, with the Local Planning



Authority. The protective fences shall be retained throughout the duration of building and engineering works in the vicinity of the trees to be protected. Within the areas agreed to be protected, the existing ground level shall be neither raised nor lowered, and no materials or temporary building or surplus soil shall be placed or stored there. If any trenches for services are required in the protected areas, they shall be excavated and back-filled by hand and any tree roots encountered with a diameter of 5cm or more shall be left unsevered.

Reason – The trees are important features in the area and this condition is imposed to make sure that they are properly protected while building works take place on the site, in accordance with Policy SP15.

14. The development hereby permitted shall not commence until full details of the design, implementation, maintenance and management of a sustainable surface water drainage scheme have been submitted to and approved in writing by the local planning authority. Those details shall include:
- a) Information about the temporary storage facilities, means of access for maintenance, the methods employed to delay and control surface water discharged from the site, and the measures taken to prevent flooding and pollution of the receiving groundwater and/or surface waters;
  - b) Any works required off-site to ensure adequate discharge of surface water without causing flooding or pollution (which should include refurbishment of existing culverts and headwalls or removal of unused culverts and ditch clearance where relevant);
  - c) Flood water exceedance routes, both on and off site;
  - d) A full capacity and condition assessment of the existing ditches from the discharge points.
  - e) Site investigation and test results to confirm infiltrations rates; and
  - f) A detailed management and maintenance plan for the lifetime of the development which shall include the arrangements for adoption by an appropriate public body or statutory undertaker, management and maintenance by a Residents' Management Company or any other arrangements to secure the operation of the surface water drainage scheme throughout its lifetime.
  - g) An assessment of the risks to controlled waters.

The development shall not be occupied until the approved scheme has been implemented in full.

Reason – To ensure that the proposed development can be adequately drained whilst ensuring there is no flood risk on or off the site resulting from the proposed development.

15. No development other than that required to be carried out as part of an approved scheme of remediation shall not commence until sections (i) to (iv) of this condition, below, have been complied with. If unexpected contamination is found after development has begun, development shall be halted on that part of the site affected by the unexpected contamination to the extent specified by the Local Planning Authority in writing until section (iv) has been complied with in relation to that contamination.

(i) Site Characterisation

An investigation and risk assessment, in addition to any assessment provided with the planning application, must be completed in accordance with a scheme to assess the nature and extent of any contamination on the site, whether or not it originates on the site. The contents of the scheme are subject to the approval in writing of the Local Planning Authority. The investigation and risk assessment must be undertaken by competent persons and a written report of the findings must be produced. The written report is subject to the approval in writing of the Local Planning Authority. The report of the findings must include:

- a) a survey of the extent, scale and nature of contamination;
- b) an assessment of the potential risks to:
- c) human health,
- d) property (existing or proposed) including buildings, crops, livestock, pets, woodland and service lines and pipes,
- e) adjoining land,
- f) groundwaters and surface waters,
- g) ecological systems,
- h) archaeological sites and ancient monuments;
- i) an appraisal of remedial options, and proposal of the preferred option(s).

This must be conducted in accordance with DEFRA and the Environment Agency's 'Model Procedures for the Management of Land Contamination, CLR 11'.

(ii) Submission of Remediation Scheme

In the event that any contamination is found under (i) above, a detailed remediation scheme to bring the site to a condition suitable for the intended use by removing unacceptable risks to human health, buildings and other property and the natural and historical environment shall be prepared and approved in writing of the Local Planning Authority. The scheme shall include all works to be undertaken, proposed remediation objectives and remediation criteria, timetable of works and site management procedures. The scheme shall ensure that the site will not qualify as contaminated land under Part 2A of the Environmental Protection Act 1990 in relation to the intended use of the land after remediation.

(iii) Implementation of Approved Remediation Scheme

The approved remediation scheme shall be carried out in accordance with its terms prior to the commencement of development other than that required to carry out remediation. The Local Planning Authority shall be given two weeks written notification of commencement of the remediation scheme works.

Following completion of measures identified in the approved remediation scheme, a verification report that demonstrates the effectiveness of the remediation carried out shall be produced and approved in writing by the Local Planning Authority.

(iv) Reporting of Unexpected Contamination

In the event that contamination is found at any time when carrying out the approved development that was not previously identified it shall be reported in writing immediately to the Local Planning Authority. An investigation and risk assessment shall be undertaken in accordance with the requirements of section (i), and where remediation is necessary a remediation scheme shall be prepared in accordance with the requirements of section (ii), which shall be approved in writing by the Local Planning Authority.

Following completion of measures identified in the approved remediation scheme a verification report shall be prepared and approved in writing by the Local Planning Authority in accordance with section (iii).

(v) Long Term Monitoring and Maintenance

A monitoring and maintenance scheme to include monitoring the long-term effectiveness of the proposed remediation over a period of [x] years, and the provision of reports on the same shall be prepared, both of which shall be subject to the approval in writing of the Local Planning Authority.

Following completion of the measures identified in that scheme and when the remediation objectives have been achieved, reports that demonstrate the effectiveness of the monitoring and maintenance carried out shall be produced, and submitted to the Local Planning Authority.

This must be conducted in accordance with DEFRA and the Environment Agency's 'Model Procedures for the Management of Land Contamination, CLR 11'.

Reason - To ensure that risks from land contamination to the future users of the land and neighbouring land are minimised, together with those to controlled waters, property and ecological systems, and to ensure that the development can be carried out safely without unacceptable risks to workers, neighbours and other offsite receptors.

16. Car parking including garages and turning shall be provided in accordance with the approved layout plans prior to the first occupation of the dwellings to which it relates. It shall thereafter be retained and not used for any other purpose other than the parking and turning of vehicles.  
Reason – In order to ensure that sufficient car parking and turning remains available on site.
17. Any new trees located within 5m of the existing or proposed public highway must be planted with root-protection, details of which must be approved in writing by the Local Planning Authority.  
Reason – In the interests of highway safety.
18. All vehicular and pedestrian accesses will be designed to prevent the discharge of surface water from the development onto the existing or proposed public highway.  
Reason – To prevent hazards caused by water flowing onto the highway and to avoid the formation of ice on the highway in the interest of highway safety.
19. The carriageway of the proposed principal junction with the existing public highway shall be constructed up to and including at least road base level or be constructed as a temporary access and be available for use prior to the commencement of any development including the delivery of materials.  
Reason – To ensure that the junction is available for use at the outset in the interests of highway safety.
20. No dwelling shall be occupied until the access road or driveway linking that dwelling to the public highway has been completed to a minimum of base course level and shared surfaces and footways/cycleways shall be completed to surface course level. In the event any of the dwellings will be occupied prior to the carriageway serving that property being fully surfaced then a timetable and phasing plan for completing the roads shall be submitted to and approved in writing by the Local Planning Authority. The carriageways shall thereafter be completed in accordance with the approved timetable and phasing plan.  
Reason – In the interests of highway safety.
21. Prior to first occupation of any dwelling, vehicle to vehicle visibility splays of 2.4m x 25m at internal junctions, vehicle to pedestrian visibility splays of 2m x 2m at all vehicle accesses and forward visibility splays of 25m shall be provided in accordance with the details shown on the approved plan.  
Reason – In the interest of highway safety.
22. The developer shall carry out a joint pre-condition highway survey for the full extent of highway including verges with the Local Highway Authority 500m either side of the proposed access on Stretton Road before site traffic commences. The results of the inspection will be provided by way of a photographic survey by the developer to the Local Highway Authority. A similar inspection will take place on completion of the development to assess any damage and remediation required.  
Reason – In the interests of highway safety.
23. No development shall take place until a Construction Method Statement has been submitted to, and approved in writing by, the local planning authority. The approved

Statement shall be adhered to throughout the construction period. The Statement shall provide for:

- a) the parking of vehicles of site operatives and visitors
- b) loading and unloading of plant and materials
- c) storage of plant and materials used in constructing the development
- d) the erection and maintenance of security hoarding including decorative displays and facilities for public viewing, where appropriate
- e) wheel washing facilities
- f) measures to control the emission of dust and dirt during construction
- g) a scheme for recycling/disposing of waste resulting from demolition and construction works
- h) Hours of working on site

Reason – To ensure that the development is carried out in a manner that minimises disruption to the highway network, in the interests of highway safety and in accordance with Policy SP15.

24. The development shall be carried out in accordance with recommendations from revised ecological surveys that shall have first been submitted to the LPA for approval.

Reason – To ensure that the ecological interests of the site are protected during and after the development and because by the time reserved matters are submitted the existing surveys will be out of date.

## Site & 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; 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 permissions to vary the date of the final restoration). Quarrying on site has now ceased, all mineral being exhausted. A separate application to form a quarry extension to the north west is also being considered. There is also a separate application for warehousing development on the remainder of the worked out quarry floor.
2. The Site is located north of Stretton Road, abutting the eastern boundary of Greetham and comprises a total gross area of 2.31ha. The site area does not include the land required for the offsite highways works along Stretton Road, which equates to an additional 0.21ha. The Site comprises the southern portion of the now redundant (Phase 1) Greetham limestone quarry, which has been worked out for block stone and aggregate.
3. The application site has been subject to partial restoration in accordance with an approved restoration scheme. No further restoration is understood to be required in respect of the application site.
4. The application site contains a number of redundant buildings and an area formerly used to weigh the minerals relating to the former use of the site. The site has remained unused since the quarrying activities ceased. The surface of the site has been previously excavated and lies between 2m below the prevailing level of the surrounding land at its shallowest point closest to the edge of the village to a maximum depth of 12m to the north east of the site. Whilst the surface has little vegetation there are outcrops of

buddleia and piri-piri burr (*Acaena novae-zelandiae*) which is recognised as an alien and invasive species which inhibits the development of more diverse species and habitats.

5. The site is surrounded by woodland to the north-west, west, south, and south-east of the site, with the remainder of the site not having a formal boundary as it relates to the wider quarry site. Approximately 130m (minimum) to the west are a range of poultry buildings.
6. The wider site is currently accessed directly off Stretton Road, with a graded slope leading to the quarry floor. The application site does not have an existing direct access onto Stretton Road which defines the southern boundary. This boundary is presently well screened by a substantial mature hedge so for the most part there are no views of the quarry arising from the presence of this mature planting along the road boundary.
7. The wider site is identified as a Regionally Important Geological Site, and there are three locally protected/notable habitats within 200m of the survey area including the deciduous woodland located adjacent to the application site and a section of hedgerow along Stretton Road on the eastern portion of the wider site.

## Proposal

8. The application is in outline and is for the erection of up to 30 new dwellings. All matters are reserved except access. This would be formed as a new access from Stretton Road, closer to the village than the existing quarry access.
9. The access would include a right turn lane and central bollards to act as traffic management features. Some hedging along Stretton Road would be lost to provide the required carriageway widths and visibility splays.

10. In terms of open space provision the accompanying Planning Statement confirms:

*As a minimum, provision of 0.075ha of amenity space and provision for young children can be provided on site. It is proposed that the requirement for outdoor sports and indoor facilities be addressed through a financial contribution where the Fields in Trust Guidance for Outdoor Sports and Play recommends that outdoor sports and similar provisions (MUGA) are addressed through payments for off-site provision on residential schemes of less than 200 dwellings. In any event the scheme cannot make a meaningful contribution to on site indoor space but can make a financial contribution to support existing village facilities. It is noted that the CIL Charging Schedule Table 1 Estimated Infrastructure Requirements to 2026 includes the provision of Indoor and Outdoor Sports and Playing Fields as one of the matters whose cost was assessed and included within the basis of the CIL Charging Rates.*

11. An indicative layout has been submitted and is reproduced as an Appendix to this report.

## Relevant Planning History

None other than previous mineral applications.

## Planning Guidance and Policy

### National Planning Policy Framework (NPPF) 2021

Chapter 2 – Achieving Sustainable Development (inc Para 11(d))  
Chapter 5 – Delivering a sufficient supply of homes  
Chapter 11 – Making efficient use of land  
Chapter 12 – Achieving well designed places

## Chapter 16 – Conserving the Historic Environment

### Site Allocations and Policies DPD (2014)

- SP5 - Built Development in the Towns and Villages
- SP6 - Housing in the Countryside
- SP9 - Affordable Housing
- SP15 - Design and Amenity
- SP20 - The Historic Environment
- SP23 - Landscape Character in the Countryside

### Core Strategy DPD (2011)

- CS04 - The Location of Development
- CS03 - The Settlement Hierarchy
- CS08 - Developer Contributions
- CS10 - Housing Density & Mix
- CS11 - Affordable Housing
- CS19 - Promoting Good Design
- CS22 - The Historic and Cultural Environment

### Neighbourhood Plan

- Greetham Neighbourhood Plan was made in October 2017.
- Policy CH1 – Built Form
  - Policy CH2 – Green Infrastructure
  - Policy HD2 – Housing Mix

### Officer Evaluation

12. The main issues are planning policy, highway safety, residential amenity, impact on the conservation area, drainage, ecology, and provision of affordable housing.

#### Principle of the use

13. The site is outside the Planned Limit to Development (PLD) for Greetham. As members are aware the locational policies of the Development Plan are out of date until a 5 year housing land supply can be demonstrated. Consequently the PLD carries little weight at the time of determining this application.
14. Para 11(d) of the Framework states that:  
*Plans and decisions should apply a presumption in favour of sustainable development. For **decision-taking** this means:*  
*d) where there are no relevant development plan policies, or the policies which are most important for determining the application are out-of-date<sup>8</sup>, granting permission unless:*  
*i). the application of policies in this Framework that protect areas or assets of particular importance provides a clear reason for refusing the development proposed; or*  
*ii). any adverse impacts of doing so would significantly and demonstrably outweigh the benefits, when assessed against the policies in this Framework taken as a whole.*
15. The site is not covered by and specific designation in relation to i) above. It is therefore down to any adverse impact of allowing the development that might outweigh the presumption in favour.
16. The Glossary of the NPPF states that previously developed land does not include land that has been used for mineral extraction and where a restoration scheme is in place via

the development management system. Mineral extraction is only a temporary use of land and should be restored afterwards. Therefore the current use of the land is not previously developed land as defined by the NPPF. That is not to say a planning application for an alternative use cannot be approved but it needs to be considered on its merits in accordance with policy, guidance and any other consideration relevant at the time and Para 11(d) applies and the status of the land is irrelevant in the case of no 5 year supply.

17. The principle of development is thereby acceptable unless any adverse impacts outweigh it.

### Design/Layout

18. The application is in outline form with only the access included for approval. An indicative Masterplan has been submitted which shows a density of around 12 dwellings per hectare. This is low compared with the Core Strategy requirement for 30dph in the villages but account needs to be taken of later advice in the Framework which states density should reflect local trends. The application states that this is reflected in the greater width and depth of plots compared to more recent housing, which is again more reflective of longer established parts of the village.
19. The existing woodland buffer to the south and south-west is to be retained as part of the proposals, with the site frontage onto Stretton Road also being retained where possible, with all of the boundaries being enhanced where suitable having regard to the overall context of the site's location. The form of layout and density of development provides scope for additional planting to be provided within the site, interspersed between residential units to soften the appearance of the development, a feature again typically characteristic of parts of the existing village including along Church Lane, and around Pond Lane.
20. In terms of open space, the indicative layout provides for no obvious open space. The applicant has responded to this with the following comments:
  - a) *In regard to the provision of open space on the site, we would highlight that this is an outline application with all matters reserved except for access. The submitted site plan is purely indicative. Section 6 of the Planning Statement identifies a commitment to provide an appropriate area of open space and we would be happy that you provide a condition to the effect that the submission of Reserved Matters applications should identify a suitable area of open space.*
  - b) *Please also note that the woodland area and paddock to the west are shown within the blue line of the application (and within the blue line of the employment application). We would invite a condition that ensures that these are publicly accessible subject to avoiding any conflict with the intention to support existing flora and fauna – Planning Statement 7.12 and EIA Chapter 4.*
  - c) *It is, for the record, also our view that the bund between the residential and employment land would also be available as informal open space, however that area is included in the red line of the employment applications (as well as the blue line of the residential) and so we would not rely on it at this stage. Overall however we think that the site as a whole more than exceed the POS requirements in the Local Plan regardless on the providing within the red line area which can be conditioned.*

### Impact of the use on the character of the area

21. The site is well contained within the former quarry floor, thereby minimising its impact on the wider landscape, especially when boundaries are retained and enhanced. There is a substantial hedge all along Stretton Road on the quarry boundary.

### Impact on the character and appearance of the Conservation Area

22. As the site lies near a conservation area, there is a requirement to pay special attention to the desirability of preserving or enhancing the character or appearance of the area, in accordance with Section 72 (1) of The Planning (Listed Buildings and Conservation Areas) Act 1990 as Amended.
23. NPPF - Furthermore, the importance of considering the impact of development on the significance of designated heritage assets is expressed in the National Planning Policy Framework (NPPF 2021). The NPPF advises that development and alterations to designated assets and their settings can cause harm. These policies ensure the protection and enhancement of the historic buildings and environments. Proposals that preserve those elements of the setting that make a positive contribution to or better reveal the significance should be treated favourably.
24. The site does not immediately abut the conservation area boundary and is separated largely by topography, trees, hedging and scrub.
25. The Conservation Officer comments are set out below, although they relate jointly to this application and also to the other application in the former quarry for warehousing development. The reference to additional traffic through the village is less relevant to this residential proposal and it is HGV traffic that was the main concern.
26. The Conservation Officer points out that the actual built development on the site would not of itself impact directly on any designated heritage assets. The impact of traffic from a relatively small residential scheme such as this would be negligible. It is therefore concluded that the wider benefits of providing much needed housing would not be outweighed by any less than substantial harm to listed buildings in the village as a result of vehicle movements from this development.

### Impact on the neighbouring properties

27. There is only one immediate neighbouring house whose garden just joins the south east corner of the site. The nearest are on Stretton Road. There would appear to be around a minimum of 50 metres between the proposed dwellings and those on Stretton Road opposite the Wheatsheaf PH. This is well beyond any normal minimum distance and there is a tree screen in between.

### Noise

28. The applicant has provided an additional noise report which assesses the impact of the quarrying operations on the 30 unit residential development with, and without, the commercial development in place (if it is in place it would act as a screen to mitigate the noise from the new quarry at the proposed residential development). The daytime background noise levels have been calculated at 39 dB LA90. The Planning Practice Guidance (PPG) advises that noise levels from quarrying should not exceed 10 dB above background, which allows a maximum limit of 49 dB LAeq, 1 hr. The maximum estimated noise impact from the quarrying operations (Phase 5), without the commercial



development in place would be 48 dB LAeq,1hr . This demonstrates that the noise impact of the quarrying, both with and without the commercial development would be within the PPG limit.

29. In terms of noise from the (potential) commercial development, the joint noise report suggests that all 3 proposals around this site would be compatible with each other. There is a proposed mound between the residential and commercial sites, although it is within the commercial red line. If the commercial development is permitted at any stage it will need to mitigate noise to the residential, so would be dealt with through that application.

### Dust

30. An analysis of dust impact from the proposed quarry extension has been carried out, including fairly long term monitoring to obtain a background level whilst the quarry has not been in production.
31. In response to all the issues and concerns raised about potential dust impacts on sensitive receptors from the proposed quarry extension, a baseline air quality monitoring campaign was undertaken by the quarry applicants consultants in order to quantify existing particulate matter levels within Greetham. The results indicated that concentrations of particulate matter with an aerodynamic diameter of less than 10µm (PM10) were 8.1µg/m<sup>3</sup>. This is significantly below the relevant air quality standard of 40µg/m<sup>3</sup> and also the value of 17µg/m<sup>3</sup> provided by the Institute of Air Quality Management, below which impacts on existing particulate matter concentrations can be classified as not significant. The results also indicated concentrations of particulate matter with an aerodynamic diameter of less than 2.5µm (PM2.5) of 6.2µg/m<sup>3</sup>, which is significantly below the relevant air quality standard of 20µg/m<sup>3</sup>.
32. The impacts of dust from the proposed quarry extension have been considered as part of that application. Conditions are recommended to control dust in the event that permission is granted for the quarry extension.

### Ecology

33. The issue of Piri-Piri Burr is clearly one that needs addressing. The latest information from the applicant (Sept 22) is that it has been treated with Glyphosate on this residential site and the treatment appears to have been successful. This will need to be monitored to ensure that it is eradicated fully and hence a condition is recommended. The development will need to demonstrate at least a neutral bio-diversity situation in the Reserved Matters. There is condition 11 to ensure that the Piri-Piri Burr is extinguished prior to any development commencing on the Site.

### Drainage

34. Foul drainage would be connected to an existing foul sewer in Stretton Road.
35. Surface water would largely soakaway into the limestone base. The detail of drainage would be dealt with at reserved matters stage under the SUDS condition above.

### Section 106 Heads of Terms

36. These will relate to provision of affordable housing. There is no open space indicated on the layout at present but that issue is addressed above and would need to be included and therefore if permission is granted this shall be subject to the S106 agreement including obligations relating to the provision of Public Open Space on the Site.

Crime and Disorder

- 37. It is considered that the proposal would not result in any significant crime and disorder implications.

Human Rights Implications

- 38. Articles 6 (Rights to fair decision making) and Article 8 (Right to private family life and home) of the Human Rights Act have been taken into account in making this recommendation.
- 39. It is considered that no relevant Article of that act will be breached.

**Consultations**

**40. Greetham Parish Council**

Biodiversity Assessment of Former Quarry, Greetham - Planning Reference 2021/0170/MAO & 2021/0171/MAO

We previously advised the planning authority of legal advice provided to Greetham PC regarding our concerns the biodiversity assessment undertaken by the developer in support of the above applications and evaluated by the Mineral Planning Authority's statutory advisor for Ecology, Ms Sue Timms, failed to provide proper evaluation and understanding of the biodiversity impacts of the calcareous grassland required by the planning consent for the former quarry.

This advice stated:

"The ecologist can only report on what his/her survey reveals about the site in its current state. However, the failure of the applicant to restore the land is a material consideration that the decision maker should take into account. The potential biodiversity value of the restored land should attract substantial weight. I think it is very unlikely that the current biodiversity value of the land would be given more importance than its value once restored."

The response to this advice from Ms Timms, below, is welcome in part and addresses the importance of former limestone quarries for the development of calcareous grasslands:

*"From: Sue Timms [mailto:Sue.Timms@leics.gov.uk]  
Sent: 14 May 2021 09:32  
To: Nick Hodgett  
Subject: 2021/0170/MAO - 30 residential properties and Planning Application 2021/0171/MAO for warehousing.*

*Dear Nick,*

*I do have sympathy for the concerns raised - there was every expectation locally that the quarry would be restored to open space of biodiversity value.....*

*As far as use of a standard biodiversity metric is concerned, ecologists can only assess what is on the ground at the moment. It is not possible to apply the metric to sites on the basis of a hypothetical future condition. The quarry is in a poor condition for wildlife due*

*to the presence of pirri-pirri burr, and this affects the outcome of applying the metric. I have covered this in some detail in my previous comments.*

*On a more strategic level, worked-out limestone quarries are ideal sites for habitat creation or regeneration of calcareous grassland - and probably the only viable option available in Rutland for restoring this habitat in the County. It is a wasted opportunity to use the site for warehousing - this can go anywhere. If this is a permitted, the issue for me would be a failure of the planning system to hold developers to their conditions of planning permission. I'm not a planner, and I have to defer to planning specialists on the mechanisms for ensuring this is done. The policy in RCC's Minerals Local Plan seems clear: "MCS Policy 12 - Restoration The County Council will seek to ensure 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. The County Council's primary objective will be to achieve after-uses that enhance or add to biodiversity and geological conservation interests."*

*The situation at Greetham is complicated by the presence of the pernicious weed, Pirri-pirri Burr. As well as preventing natural regeneration or creation of calcareous grassland, it can be very harmful to wildlife, especially ground feeding birds; the burrs get matted in the feathers, causing a lingering and painful death. I am particularly anxious to avoid it spreading onto adjacent land and into the proposed quarry extension; in fact; I do not think the ground should be opened up for the quarry extension until the pirri-pirri burr is eliminated from the main quarry; I would recommend this as a condition of permission for the extension. The contaminating plant has to be removed, and the only way I can see for this to happen is herbicide use. My usual preference of allowing natural regeneration simply will not work; a 'do nothing' approach will also be disastrous, and whatever after-use is permitted, elimination of the plant has to be a first step.*

*Sue Timms  
Team Manager (Ecology)  
Leicestershire County Council  
County Hall  
Leicester*

The importance of these former limestone quarries for supporting calcareous grasslands is identified within the County Biodiversity Action Plan 2016 - 2026. This is very relevant to the former Greetham quarry, particularly as there remains legal obligations for it to be restored to a calcareous grassland. It is important to remember too that the operator has stated such works are nearly complete requiring only a further 2 months work to finalise.

#### Greetham Parish Council Suggestion for Type of Properties and Design

As we have indicated in our Neighbourhood Plan we believe the housing requirement for Greetham is 1,2 and 3 bedroom properties making them affordable for single young people, young families or elderly requiring to downsize to find the appropriate property within the village to meet their needs.

#### 1,2 and 3 Bedroom Properties

Of the 30 properties proposed in the design and access statement, Greetham Parish Council would like to see a minimum of 60% of the build (18 properties) in the 1,2 and 3 bedroom bracket. These should not be in partnership with a Housing Association but should be built in a style that reflects the character of the East End of the village (e.g. terraced quarry man cottages).

These could be a mix of 1 bedroom maisonettes (4 dwellings) plus 6 semi-detached Dwellings of 3 bedrooms, and a further 8 terraced houses (8 dwellings) of 2 bedrooms. These should be privately owned with a lower price range which would be more appropriate to the financial ability of locals to pay.

Materials for these properties could be mixed to reflect the character of the east end of Greetham.

We recognise that this development needs to be profitable to the developers and believe that with the right mix of materials (possibly timber framed and clad with render, brick or stone) these properties would be within budget as starter homes but also cost effective for the developer.

For information a picture of a development which has been well designed and which would Meet our requirements is attached for your information.

#### Larger Properties – 4 bedroom

The remaining 9 properties should be built to reflect the need of our elderly residents to downsize and would suggest that 5 executive style bungalows would be preferable and would still be economically viable for developers to provide. These would be on larger sites, In addition a terrace of 4 bungalows offering sheltered accommodation (under a housing association scheme) should be considered.

#### Materials

We would like to see the majority of the properties of a larger size built in local stone and a proportion of the terraced /maisonettes also built in local stone with a combination of render and or brick to add character and design flair as per images provided.

#### Access onto the B668

In the interest of transport management we believe the access point to the B668 is not a safe position being too close to a speed bump, bend and blind corner and would be better positioned closer to the existing entrance to the quarry.

#### Sustainable Development

We would request that these homes have the most up to date energy efficient technology included in their design.

#### Biodiversity

We also request that post restoration biodiversity gains of the existing quarry, as completed in Phases 1-4 of the restoration plan and signed off by the Mineral Planning Department, should be retained within this development and the larger quarry area.

#### Consultation

We would request that if planning consent is granted with outline planning permission it should be upon condition that the developers discuss design and dwelling mix with Greetham Parish Council.

#### Housing Strategy Officer

To address the Parish Council's comments on affordable housing, there are 30 properties proposed. With a 30% affordable requirement, this is a requirement for 9

dwellings. A minimum of 25% of these should be First Homes. This has replaced the concept of 'starter homes' and are usually provided by a private sector developer and not a housing association, for first time buyers with a 30% discount. This would be 3 dwellings (these should be 2 or 3 bedroom houses), which also meets the requirement for 10% of the overall site to be affordable home ownership in the NPPF.

The 6 remaining affordable dwellings should be affordable rent or social rent dwellings provided by a housing association. According to our records, there are only 9 affordable bungalows for rent in Greetham, and 8 of these only have 1 bedroom. Therefore, there should be 2 no 2 bedroom bungalows, 2 no. 2 bedroom houses and 2 no. 3 bedroom houses.

A suitable section 106 agreement is required to regulate the use of the 9 affordable homes.

The developer should be aware of the requirements for Development Standards in the standard Government section 106 clauses for First Homes. There is a link to these from the First Homes section of the Planning Practice Guidance.

All affordable housing should be well-integrated with market housing in line with Policy SP9 and the standard clauses for First Homes.

#### 41. **Conservation Officer**

The quarry subject of this and the accompanying application for the erection of industrial units is adjacent to the north-east edge of Greetham village, alongside the B668, the principal approach road from the east.

Aside from mud deposits on the road and the HGV traffic moving to and from the quarry, the sizable area that has been the subject of limestone extraction is, subject seasonal variations, largely concealed from view by mature vegetation on the site perimeter.

A succinct description of the historic pattern of development of Greetham 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."

As Historic England's 2017 publication Historic Environment Good Practice Advice in Planning: 3 (2nd Edition) explains:

"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."

Obviously, the present authorised use of the site as a quarry for the extraction of Limestone results in issues of noise and dust, although these problems are mitigated to

an extent by the quarry's location on the north east of the village where the prevailing wind carries noise and dust away from the village.

Whilst there would be no direct harm to heritage assets, my concerns lie with the potential indirect impacts. The traffic likely to be generated by the proposed development will add significantly to the number of vehicles traversing the village's narrow Main Street onto which most of the settlement's designated and non-designated heritage assets front, in some instances in very close proximity to the road. Also, there are significant lengths where there is no footpath on the south side of Main Street.

Main Street is effectively a single-track road for much of its length and there are several unsightly but necessary traffic management measures that have been put in place to address this problem. Nonetheless, a building immediately to the east of the Village Shop was the subject of a vehicle impact a couple of years ago necessitating significant rebuilding. The proposal may result in the need to introduce additional traffic management measures that would further harm the character of the historic core of the village resulting in a more urban appearance.

Paragraph 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 193 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 194 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 196 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 actual built development on the site would not of itself impact directly on any designated heritage assets, there would be an increased likelihood of both physical damage to heritage assets from vehicle impacts as a result of increased traffic negotiating the narrow, Main Street, the principle thoroughfare through the village and harm arising from further traffic management measures.

The submitted Transport Assessment acknowledges at Paragraph 8.1 that "a key issue in relation to the planning application will be the impact of additional traffic on the B668 through Greetham Village. The key areas of concern being the speed of traffic and the width constraint of the B668 at the location of entering the built up area of the village from the east."

It is stated that measures will be put in place to prevent H.G.V.s from travelling through the village. In my opinion the proposed development would result in less than substantial harm to the Greetham Conservation Area as it would significantly increase the amount of traffic negotiating the narrow, main thoroughfare through the village and consequently harming the character and appearance of this part of the designated Area through both increased noise and disturbance and potential harm to buildings, many of which are Listed, as the result of vibrations and impacts from passing heavy goods vehicles.

It is for the decision maker to come to a conclusion as to whether the public benefits of the proposal outweigh any harm to the historic environment. I would only re-emphasise what paragraph 193 of the NPPF says about great weight being attached to a heritage assets conservation when coming to a decision.

#### 42. **Ecology**

The ecology survey by Greenwood Environmental is acceptable apart from two elements - the lack of a reptile survey, and the net-gain assessment and association habitat compensation proposals. I have a holding objection pending resolution of these issues.

A single metric has been used for the combined site - the housing element (2021/0170/MAO) and the commercial element (2021/0171/MAO). In my detailed response I have had to consider both parts of the quarry re-development together, even though they are two separate applications. Most of the potential biodiversity enhancements are related to the commercial aspect, but this is also the part of the site that would experience most loss. As far as biodiversity net-gain is concerned, it is impossible to unpick the two applications, and the ecologists have made no attempt to do this in their biodiversity surveys and assessment.

As an additional complication, there are two options for the commercial element layout, one of which has not been covered by the net-gain assessment. The acceptability of the redevelopment is dependent on the inclusion of new habitat creation within the landscaping proposals for the whole site. The development will result in the loss of a local priority habitat, calcareous grassland, but this habitat is infested with a pernicious non-native invasive plant (piri-piri burr).

The value of the grassland is severely compromised by this. I do not believe that the best interests of biodiversity would be served by retention of this habitat the piri-piri burr problem will only become worse, and there is a risk of the contamination spreading to adjacent quarried land in future. Any redevelopment scheme must include a plan for elimination of this plant.

Although I find the Phase 1 survey acceptable, I have concerns over the net-gain assessment. Specifically, I am not happy with the way the calcareous grassland has been treated, both in the baseline and in the on-site mitigation. I cannot accept the net-gain assessment in its current form. On the evidence I have, the development will be in net loss once corrections to the submitted metric have been made.

The proposed compensatory habitats are not sufficient to take it into net-gain. Offsetting is a possibility, but it is difficult to create limestone grassland successfully outside a quarry. We have some excellent example of both creation and natural regeneration of

calcareous grassland within former quarries in Rutland, and it is disappointing to see a proposal which only allows such a small amount of this priority habitat. A former limestone quarry is a superb opportunity to create this ' to lose it to a warehouse is a huge missed opportunity.

Limestone quarries can be good habitats for reptiles, especially common lizard; surveys are needed.

Sue Timms  
Team Manager (Ecology)  
Leicestershire County Council

14 May 2021 Further response:

I do have sympathy for the concerns raised (by the Parish Council) - there was every expectation locally that the quarry would be restored to open space of biodiversity value. For this kind of application to come in as soon as the quarry is worked out is disappointing, to say the least, and I can see how it could feel like a betrayal of the commitment made when the permission was granted on the basis of the restoration. Will this also happen to the proposed quarry extension, where we have also recommending a greenspace/biodiversity after-use? It is a legitimate concern of local people and biodiversity specialists.

As far as use of a standard biodiversity metric is concerned, ecologists can only assess what is on the ground at the moment. It is not possible to apply the metric to sites on the basis of a hypothetical future condition. The quarry is in a poor condition for wildlife due to the presence of pirri-pirri burr, and this affects the outcome of applying the metric. I have covered this in some detail in my previous comments.

On a more strategic level, worked-out limestone quarries are ideal sites for habitat creation or regeneration of calcareous grassland - and probably the only viable option available in Rutland for restoring this habitat in the County. It is a wasted opportunity to use the site for warehousing - this can go anywhere. If this is a permitted, the issue for me would be a failure of the planning system to hold developers to their conditions of planning permission. I'm not a planner, and I have to defer to planning specialists on the mechanisms for ensuring this is done.

The policy in RCC's Minerals Local Plan seems clear: "MCS Policy 12 - Restoration The County Council will seek to ensure 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. The County Council's primary objective will be to achieve after-uses that enhance or add to biodiversity and geological conservation interests."

The situation at Greetham is complicated by the presence of the pernicious weed, Pirri-pirri Burr. As well as preventing natural regeneration or creation of calcareous grassland, it can be very harmful to wildlife, especially ground feeding birds; the burrs get matted in the feathers, causing a lingering and painful death. I am particularly anxious to avoid it spreading onto adjacent land and into the proposed quarry extension; in fact, I do not think the ground should be opened up for the quarry extension until the pirri-pirri burr is eliminated from the main quarry; I would recommend this as a condition of permission for the extension. The contaminating plant has to be removed, and the only way I can see for this to happen is herbicide use. My usual preference of allowing natural regeneration simply will not work; a 'do nothing' approach will also be disastrous, and whatever after-use is permitted, elimination of the plant has to be a first step.

Sue Timms



Team Manager (Ecology)  
Leicestershire County Council

30th July 2021 – Further response:

The reptile survey (CBE 2021) is satisfactory. Although not exactly within the optimum survey season I feel it is adequate; minor use by grass-snake was identified. No populations of significance were identified or are likely. No evidence of lizard, slow-worm or adder was present.

The ecologist has recommended a fingertip search of the area before ground clearance, which I would agree with as a precautionary measure; however, I have to caution against doing this during cold weather as disturbance of any individuals may cause harm or death of the animal, and be a breach of legislation. This should be a planning condition.

This should remove my holding objection to the application on biodiversity grounds, but has the matter of RCC minerals planning policy been addressed? This is the issue raised by the Parish council; I refer you to my e-mail of 14th May, which I have attached for reference.

Sue Timms  
Team Manager (Ecology)  
Leicestershire County Council

#### 43. **Anglian Water**

##### ASSETS

There are assets owned by Anglian Water or those subject to an adoption agreement within or close to the development boundary that may affect the layout of the site. Anglian Water would ask that the following text be included within your Notice should permission be granted.

Anglian Water has assets close to or crossing this site or there are assets subject to an adoption agreement. Therefore the site layout should take this into account and accommodate those assets within either prospectively adoptable highways or public open space. If this is not practicable then the sewers will need to be diverted at the developers cost under Section 185 of the Water Industry Act 1991. or, in the case of apparatus under an adoption agreement, liaise with the owners of the apparatus. It should be noted that the diversion works should normally be completed before development can commence.

##### WASTEWATER SERVICES

The foul drainage from this development is in the catchment of Cottesmore Water Recycling Centre that will have available capacity for these flows

##### Section 3 - Used Water Network

This response has been based on the following submitted documents: Flood Risk Assessment & Outline Sustainable Drainage Strategy Residential Development Greetham Quarry dated February 2021. Development will lead to an unacceptable risk of flooding downstream. Anglian Water will need to plan effectively for the proposed development, if permission is granted. We will need to work with the applicant to ensure any infrastructure improvements are delivered in line with the development. We therefore request a condition requiring on-site drainage strategy.

(1) INFORMATIVE - Notification of intention to connect to the public sewer under S106 of the Water Industry Act Approval and consent will be required by Anglian Water, under the Water Industry Act 1991.

Contact Development Services Team 0345 606 6087.

(2) INFORMATIVE -

Protection of existing assets - A public sewer is shown on record plans within the land identified for the proposed development. It appears that development proposals will affect existing public sewers. It is recommended that the applicant contacts Anglian Water Development Services Team for further advice on this matter. Building over existing public sewers will not be permitted (without agreement) from Anglian Water.

(3) INFORMATIVE - Building near to a public sewer - No building will be permitted within the statutory easement width of 3 metres from the pipeline without agreement from Anglian Water. Please contact Development Services Team on 0345 606 6087.

(4) INFORMATIVE: The developer should note that the site drainage details submitted have not been approved for the purposes of adoption. If the developer wishes to have the sewers included in a sewer adoption agreement with Anglian Water (under Sections 104 of the Water Industry Act 1991), they should contact our Development Services Team on 0345 606 6087 at the earliest opportunity. Sewers intended for adoption should be designed and constructed in accordance with Sewers for Adoption guide for developers, as supplemented by Anglian Water's requirements.

#### Section 4 - Surface Water Disposal

The preferred method of surface water disposal would be to a sustainable drainage system (SuDS) with connection to sewer seen as the last option. Building Regulations (part H) on Drainage and Waste Disposal for England includes a surface water drainage hierarchy, with infiltration on site as the preferred disposal option, followed by discharge to watercourse and then connection to a sewer.

From the details submitted to support the planning application the proposed method of surface water management does not relate to Anglian Water operated assets. As such, we are unable to provide comments in the suitability of the surface water management. The Local Planning Authority should seek the advice of the Lead Local Flood Authority or the Internal Drainage Board. The Environment Agency should be consulted if the drainage system directly or indirectly involves the discharge of water into a watercourse. Should the proposed method of surface water management change to include interaction with Anglian Water operated assets, we would wish to be reconsulted to ensure that an effective surface water drainage strategy is prepared and implemented.

Section 5 - Suggested Planning Conditions Anglian Water would therefore recommend the following planning condition if the Local Planning Authority is mindful to grant planning approval.

#### Used Water Sewerage Network (Section 3)

We have no objection subject to the following condition:

Prior to the construction above damp proof course, a scheme for on-site foul water drainage works, including connection point and discharge rate, shall be submitted to and approved in writing by the Local Planning Authority. Prior to the occupation of any phase, the foul water drainage works relating to that phase must have been carried out in complete accordance with the approved scheme.

Reason To prevent environmental and amenity problems arising from flooding.

FOR THE ATTENTION OF THE APPLICANT - if Section 3 or Section 4 condition has been recommended above, please see below information:

Next steps

Desktop analysis has suggested that the proposed development will lead to an unacceptable risk of flooding downstream. We therefore highly recommend that you engage with Anglian Water at your earliest convenience to develop in consultation with us a feasible drainage strategy.

If you have not done so already, we recommend that you submit a Pre-planning enquiry with our Pre-Development team. This can be completed online at our website <http://www.anglianwater.co.uk/developers/pre-development.aspx>

Once submitted, we will work with you in developing a feasible mitigation solution. If a foul or surface water condition is applied by the Local Planning Authority to the Decision Notice, we will require a copy of the following information prior to recommending discharging the condition:

Foul water:

Feasible drainage strategy agreed with Anglian Water detailing the discharge solution including:

Development size

Proposed discharge rate (Should you require a pumped connection, please note that our minimum pumped discharge rate is 3.8l/s)

Connecting manhole discharge location (No connections can be made into a public rising main)

Notification of intention to connect to the public sewer under S106 of the Water Industry Act (More information can be found on our website)

Feasible mitigation strategy in agreement with Anglian Water (if required)

#### 44. **Environment Agency**

We have reviewed the Geo-Environmental Desk Study Report (ref: 19-1174-P-R1- Rev A) by Obsidian Geo-consulting, dated February 2021 with regard to the risk posed to controlled waters.

Environment Agency position - The previous use of the proposed development site presents a potential risk of contamination that could be mobilised during construction to pollute controlled waters.

Controlled waters are particularly sensitive in this location because the proposed development site is located above a principal aquifer and is within source protection zone 2. The application's Geo-Environmental Desk Study Report demonstrates that it will be possible to manage the risks posed to controlled waters by this development. Further detailed information will however be required before built development is undertaken. We believe that it would place an unreasonable burden on the developer to ask for more detailed information prior to the granting of planning permission but respect that this is a decision for the local planning authority.

In light of the above, the proposed development will be acceptable if planning conditions are included requiring the submission of a remediation strategy. This should be carried out by a competent person in line with paragraph 182 of the National Planning Policy Framework. In addition we request a condition to ensure any proposals for infiltration drainage do not risk mobilisation of contamination. Without these conditions we would object to the proposal in line with paragraph 174 of the National Planning Policy Framework because it could not be guaranteed that the development will not be put at unacceptable risk from, or be adversely affected by, unacceptable levels of water pollution.

## Condition 1

No development approved by this planning permission shall commence until a remediation strategy to deal with the risks associated with contamination of the site in respect of the development hereby permitted, has been submitted to, and approved in writing by, the local planning authority. This strategy will include the following components:

1. A preliminary risk assessment which has identified:
  - all previous uses
  - potential contaminants associated with those uses
  - a conceptual model of the site indicating sources, pathways and receptors
  - potentially unacceptable risks arising from contamination at the site
2. A site investigation scheme, based on (1) to provide information for a detailed assessment of the risk to all receptors that may be affected, including those offsite.
3. The results of the site investigation and the detailed risk assessment referred to in (2) and, based on these, an options appraisal and remediation strategy giving full details of the remediation measures required and how they are to be undertaken.
4. A verification plan providing details of the data that will be collected in order to demonstrate that the works set out in the remediation strategy in (3) are complete and identifying any requirements for longer-term monitoring of pollutant linkages, maintenance and arrangements for contingency action. Any changes to these components require the written consent of the local planning authority. The scheme shall be implemented as approved.

Reason: To ensure that the development does not contribute to, and is not put at unacceptable risk from or adversely affected by, unacceptable levels of water pollution in line with paragraph 170 of the National Planning Policy Framework.

We consider that the Desk Study Report provided in support of the planning application is sufficient to satisfy Part 1 of this condition. We consider that a Phase 2 intrusive investigation is the next appropriate phase of investigation to fully assess the potential risks to controlled waters.

## Condition 2

Prior to any part of the permitted development being brought into use, a verification report demonstrating the completion of works set out in the approved remediation strategy and the effectiveness of the remediation shall be submitted to, and approved in writing, by the local planning authority. The report shall include results of sampling and monitoring carried out in accordance with the approved verification plan to demonstrate that the site remediation criteria have been met.

Reason To ensure that the site does not pose any further risk to the water environment by demonstrating that the requirements of the approved verification plan have been met and that remediation of the site is complete. This is in line with paragraph 174 of the National Planning Policy Framework.

## Condition 3

If, during development, contamination not previously identified is found to be present at the site then no further development (unless otherwise agreed in writing with the local planning authority) shall be carried out until a remediation strategy detailing how this contamination will be dealt with has been submitted to, and approved in writing by, the local planning authority. The remediation strategy shall be implemented as approved.

Reason: To ensure that the development does not contribute to, and is not put at unacceptable risk from or adversely affected by, unacceptable levels of water pollution

from previously unidentified contamination sources at the development site. This is in line with paragraph 170 of the National Planning Policy Framework.

#### Condition 4

No drainage systems for the infiltration of surface water to the ground are permitted other than with the written consent of the local planning authority. Any proposals for such systems must be supported by an assessment of the risks to controlled waters. The development shall be carried out in accordance with the approved details.

Reason: To ensure that the development does not contribute to, and is not put at unacceptable risk from or adversely affected by, unacceptable levels of water pollution caused by mobilised contaminants. This is in line with paragraph 174 of the National Planning Policy Framework.

Advice to the applicant We recommend that developers should:

- Follow the risk management framework provided in 'Land contamination: risk management' when dealing with land affected by contamination
- Refer to our Guiding principles for land contamination for the type of information that we require in order to assess risks to controlled waters from the site
- the local authority can advise on risk to other receptors, such as human health
- Consider using the National Quality Mark Scheme for Land Contamination Management which involves the use of competent persons to ensure that land contamination risks are appropriately managed
- Refer to the contaminated land pages on gov.uk for more information

#### 45. **Archaeology**

Thank you for your consultation on the above planning application.

Having reviewed the application against the Leicestershire and Rutland Historic Environment Record (HER), we do not believe the proposal will result in a significant direct or indirect impact upon the archaeological interest of any known or potential heritage assets due to the area previously been quarried. We would therefore advise that the application warrants no further archaeological action (NPPF Section 16, para. 189-190), although it recommended that you seek the advice of your specialist (Historic Building Officer/Conservation Officer) regarding any potential impacts of the development upon the setting and significance of the several listed buildings/structures, including the Grade II listed nos. 1 & 3 Bridge Lane and the Manor House, all designated heritage assets.

#### 46. **Public Protection**

I want to place an objection on the basis that I want to be fully satisfied about the impact on this development from the adjoining proposed development 2021/0171/MAO:(Outline planning permission with all matters reserved except access for a maximum of 94,000m<sup>2</sup> of Class B8 and Class B2 and E(g) and ancillary business and service space Class E) does not significantly harm the amenity of future residents.

I would want to know whether the development would be affected by the lighting from the proposed adjacent large commercial development. An assessment will be required in the form of a lighting assessment in accordance with E2 Environmental Zone Institute of Lighting Professionals Guidance Note 1 on the reduction of obtrusive lighting'. The efficacy of the proposed buffer strip requires to properly explained and how it will mitigate obtrusive lighting from the commercial enterprise.

The close proximity of the 30 residential premises to what is, 2 substantial commercial operations, namely: a 24/7 distribution centres and a quarry requires careful consideration as the location makes these properties very susceptible to disturbance from sound and possibly dust. The impact would be relentless on future occupiers and therefore, we need the evidence to be robust in order that they will be protected from harm. Although there is a trend to try and mix development, the reality is the quality of life and amenity is poorer in mixed use than areas where they are properly separated.

I have read the report and the methodology used for the calculations. The preferred methodology of the assessment of impact of sound namely:

BS4142:+A1:2019 Methods for rating and assessing industrial and commercial sound has been used. The long-term magnitude of change has been calculated as +4, which is on the threshold of minor to moderate impact. This is a fine (theoretical) margins that in reality may be exceeded. From our experience 24/7, 365 day per year distribution centres can and do cause complaints. This can occur from a miscalculated or unexpected sound source that only becomes apparent once the distribution centre becomes operational. I am concerned about the robustness of the sound information, which is only theoretical. In addition, impact sound, alarms and other sound sources can be very intrusive and need to be considered. These can have real impacts but don't appear to be fully addressed in the assessment.

The applicant's consultant has stated that only detailed design and layout 'can only be done once detailed information relating to the proposed commercial development becomes available'. Would it not be better to address these unknowable acoustics issues once the commercial development is in place and measurements made of it before designing and committing to a residential development? Otherwise, we would require some real sound monitoring data from an equivalent operation to confirm the robustness of the modelling.

The applicant's consultant has made a number of recommendations, which should be implemented in full once we have clear evidence that resident's amenity could meet a satisfactory standard.

The following statement and this should be conditioned: 'It is recommended that the sound insulation performance of the building envelope should be specified via detailed calculations once further details of the proposed scheme become available. In order to undertake these calculations, knowledge of the following is required. ' Frequency characteristics of the external sound (detailed in Table 6.10);

' Surface area of the common constructions (e.g. windows, wall, roofs); ' Frequency characteristics of all sound reducing elements; ' Dimensions and reverberation time of the internal receiving space. We are aware of many new buildings failing to meet their expected acoustic performance and therefore, we would recommend post construction sound tests to ensure the compliance with the designed for criteria. Therefore, a condition requiring the following is needed:

Detailed calculations are typically undertaken following a successful outline application and once the proposed design has progressed to a detailed stage. The implementation of adequate mitigation can be formalised, at reserved matters stage, by an appropriately worded planning condition that requires a scheme of noise mitigation measures to be submitted to, and approved by, the local planning authority prior to commencement of building works. 6.6.18 It is also recommended that any sound insulation scheme for the proposed residential dwellings takes into consideration the potential impacts of the proposed future noise environment.

However this 'can only be done once detailed information relating to the proposed commercial development becomes available'. In addition, the layout and construction of the dwellings and possibly the numbers be agreed at a later stage when the supporting acoustic information is produced to support the proposal.

The development of the 30 residential dwellings does depend on the conditions and operation of the nearby commercial unit and quarry. It is important to protect the amenity of the residents that conditions are applied to the adjoining commercial development, whose operation will inform the environmental mitigation for the residential development. Again, once the commercial operation is operating real sound measurements will inform what is required for a reasonable standard of amenity.

To control noise from the commercial plant a condition requiring the following:

Should outline permission be granted it is suggested that plant noise emissions could be controlled through the detailed design process via the selection of appropriate plant, careful micro-siting, the incorporation of noise reduction features such as silencers, screens and acoustic enclosures. In addition to the above, plant noise levels could also be controlled via a suitably worded condition with If the commercial development is approved a noise management will be required as follows: Measures such as those detailed above could be incorporated into a Noise Management Plan for the site which could be secured via a condition requiring a suitable scheme to be submitted and approved by the Local Planning Authority prior to the commencement of operational activities.

- a) Plant and machinery should be maintained in good working order and used in accordance with the manufacturer's instructions. Any defective items should not be used;
- b) Audible reversing warning systems on mobile plant should be of a type which, whilst ensuring that they give proper warning, have a minimum noise impact on persons outside the site;
- c) Plant from which the noise generated is known to be particularly directional should, wherever practicable, be orientated so that the noise is directed away from noise-sensitive areas;
- d) Equipment should be switched off or throttled down to a minimum when not required. Any covers, panels or enclosure doors to engines should be kept closed when the equipment is in use;
- e) Avoid unnecessary horn usage and revving of engines;
- f) Keep vehicle routes through the site clear, well maintained and free from defects such as pot-holes. Avoid the use of speed humps where possible;
- g) Where practicable, personnel doors and roller shutter doors should be closed when not in use;
- h) Ensure that building facades are regularly inspected for defects/damage/wear and tear/weathering that may negatively impact upon the sound insulation performance of the building façade;
- i) Operatives should be trained to employ appropriate techniques to keep site noise to a minimum, and should be effectively supervised to ensure that best working practice in respect of noise minimisation is followed;
- j) In the event of any emergency or unforeseen circumstances arising that cause safety to be put at risk, it is important that every effort be made to ensure that the work in question is completed as quickly and as quietly as possible and with the minimum of disturbance to people living or working nearby.

In respect to contaminated land we support our colleagues in the Environment Agency letter to the LPA reference: AN/2021/131580/01-L01. A bespoke intrusive investigation and remediation strategy is required to ensure it is suitable for use as detailed in paragraph 5.4.

47. **Ketton Parish Council**

Ketton Parish Council objects to these planning applications.

Ketton is very similar to Greetham in many respects. Both villages are close to the A1, designated as Local Service Centres in Rutland's Settlement Hierarchy, have quarries and are mostly linear villages clustered around a busy E/W route. Therefore, if these planning applications are accepted it will set a precedence for similar developments in villages such as ours, especially given that we are on an A road linked to the A1, have a branch link at Hansons to the main train line, and a very large quarried area.

The proposed development is outside the planned limits of development. It is totally unsympathetic and far too big and dominating for a rural village and its environment, being situated just 20m from the nearest property in Greetham village. The B road through the village is narrow with pinch points and an S bend.

Inevitably E/W traffic will travel through the village, and given the purpose of the proposed development, this traffic will be constant day and night. For Ketton there is the very real probability that vehicles will transit past Exton and come via Empingham into Ketton via the Empingham Road to gain access to the A47 and/or A43. Both routes can be reached from the A1, but there is no way to prevent this other than restrictions to the width of the roads which would cause issues with bus routes etc.

The scale of the proposed development, and the business of distribution centres will generate an unacceptable number of both light and heavy vehicle movements near or through Greetham. This will result in constant noise, vibration, air (both dust and vehicle emission) and visual pollution, which will negatively affect the residents, heritage assets and businesses (Greetham Camping, Wheatsheaf Inn etc). It will also significantly increase Greetham's carbon footprint at a time when Rutland is working towards a carbon reduction target; Rutland has the 14th largest C footprint in the UK and is 4x the average C footprint.

The quarry was given permission on the understanding that it would be restored on completion of use. Restored limestone quarries have a huge potential to achieve biodiversity gain, as calcareous grassland is a scarce but biodiverse-rich habitat.

Distribution centres, such as is proposed here, function more effectively if situated on motorway interchanges, not on a B road linked to the A1 in one of its most congested and accident prone stretches.

48. **Stretton Parish Council**

- a) Stretton Parish Council believe that no development should take place until there is sufficient capacity in the sewage network for the existing villages of Stretton and Greetham, to allow for the planned extension of Stocken Prison, and additional capacity and future proofing for any other developments.
- b) Stretton Parish Council believe that the proposed location is unsuitable to provide a reasonable quality of life for residents living in the properties next to a heavy industrial area.

49. **Historic England**

In particular to the impact on the setting of the Conservation Area we refer you to; Historic Environment Good Practice Advice in Planning:3 (2nd Edition) (December 2017).



Please note there may be cumulative impacts with application reference; 2021/0171/MAO.

We also suggest that you seek the views of your specialist conservation and archaeological advisers, as relevant.

It is not necessary for us to be consulted on this application again, unless there are material changes to the proposals.

## **Neighbour Representations**

50. There have been 107 objections from local residents. Many relate to both applications on the site. These are summarised as follows:

- Contrary to the development plan
- Minerals sites are not brownfield land
- Contrary to Greetham Neighbourhood Plan HD1, HD2, HD3, CH1, CH2.
- Lack of sufficient infrastructure
- Unsustainable in co-location with warehousing development.
- Poor location adjacent to poultry sheds
- Main Street though the village is too narrow and busy for more development
- In a 'hole' – risk of flooding?

## **Conclusion**

The site is on the edge of a sustainable settlement and has limited impact on interests of acknowledged importance. As the locational policies of the development plan are out of date, so the tilted balance is engaged it is considered that the wider public benefits of providing additional housing outweigh any potential less than significant harm from the development the proposal is therefore recommended for approval.

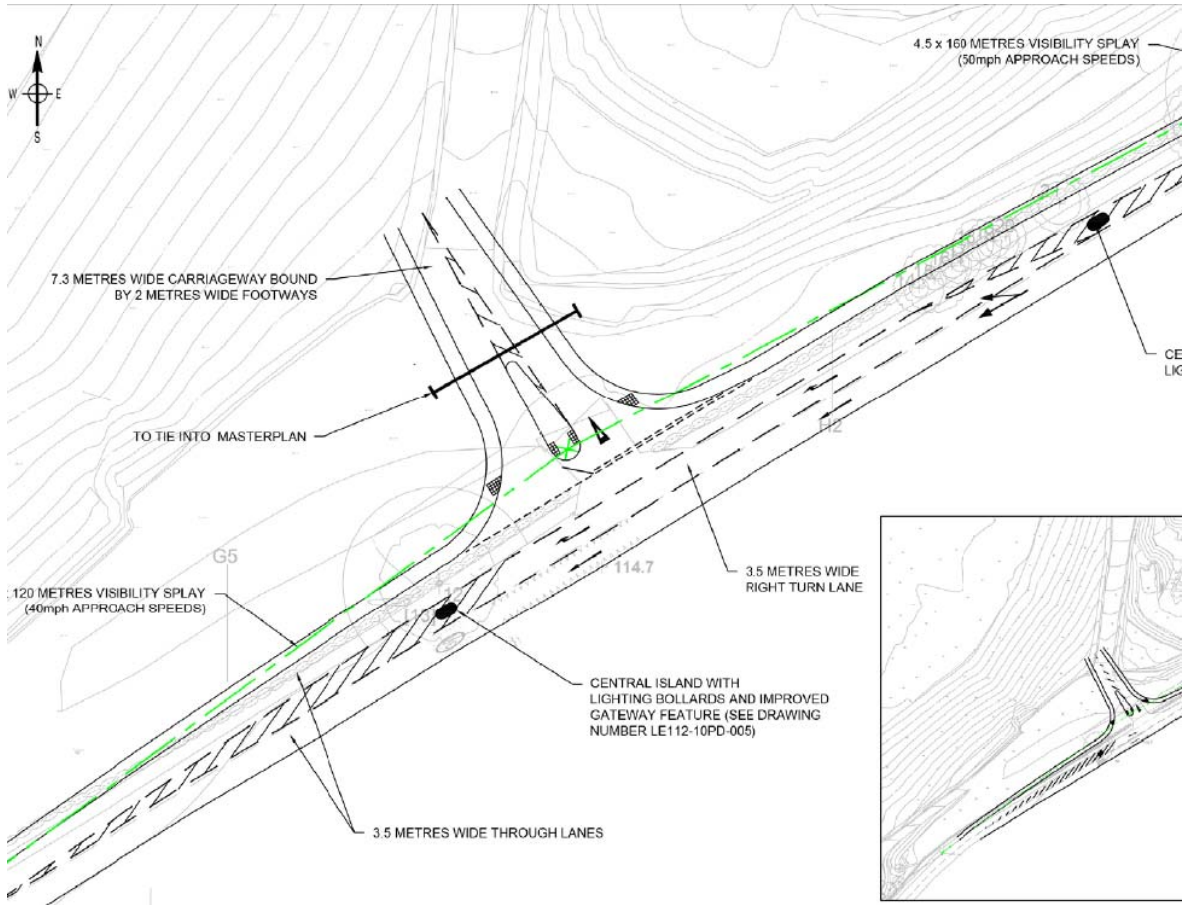
**Appendix 1**  
Indicative layout



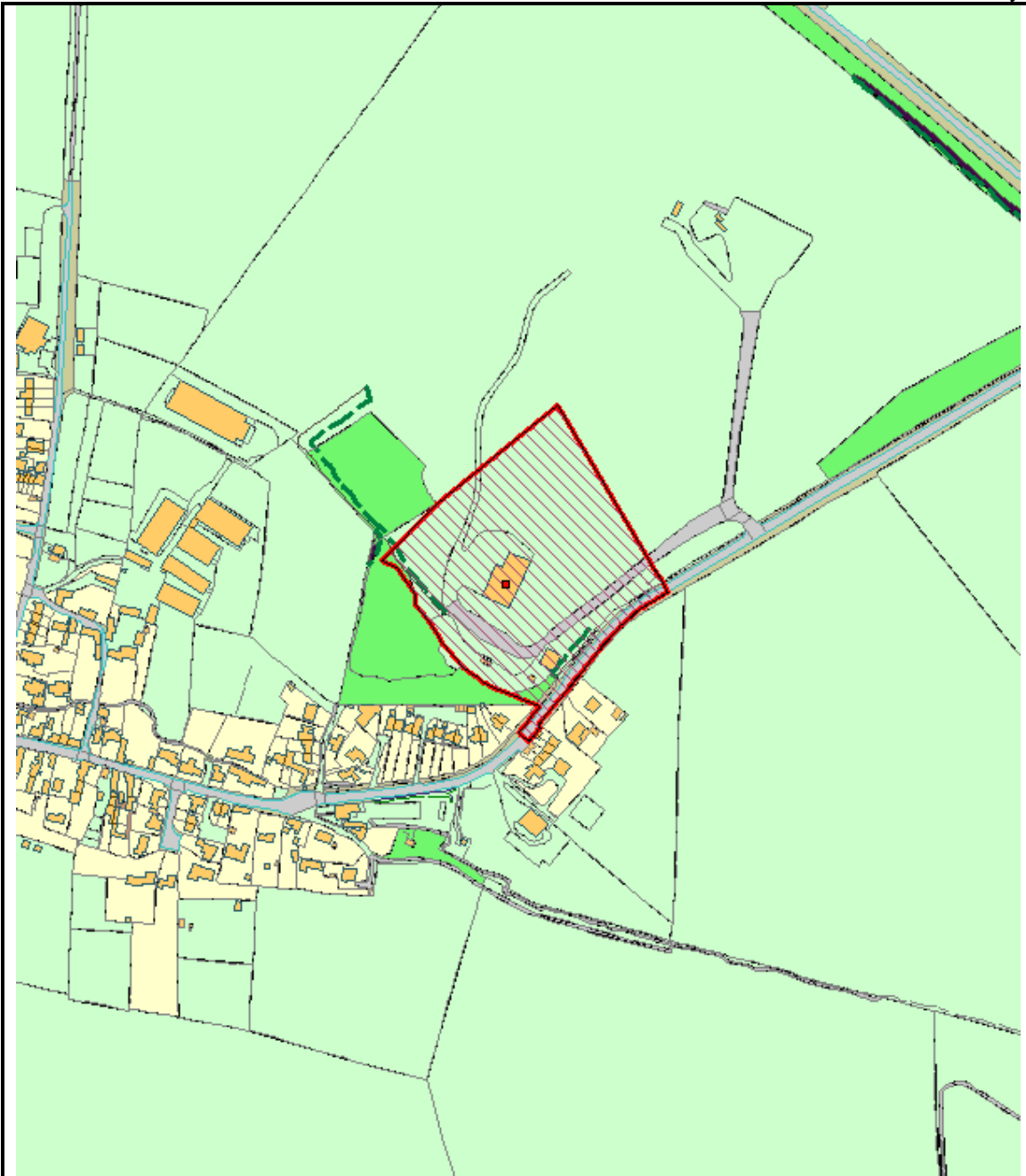
Illustration from Design & Access Statement of whole site and surroundings

# Appendix 2

## Access detail



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Ordnance Survey [100018056]

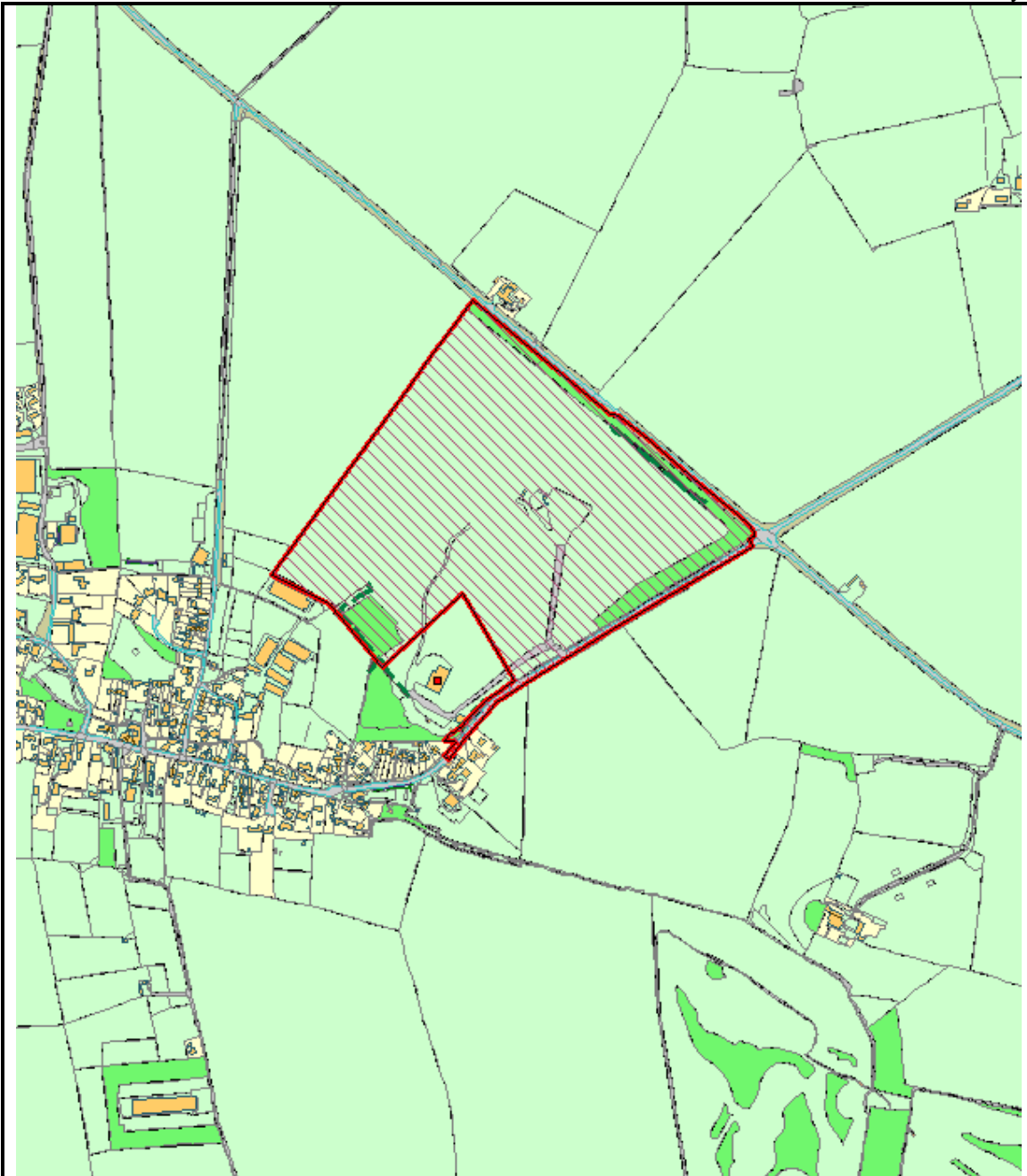


**Rutland County Council**

Catmose,  
Oakham,  
Rutland  
LE15 6HP

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2021/0171/MAO – Greetham Quarry



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**Rutland County Council**

Catmose,  
Oakham,  
Rutland  
LE15 6HP

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Application:	<b>2021/0171/MAO</b>	<b>ITEM 3</b>	
Proposal:	<b>Outline planning permission with all matters reserved except access for a maximum of 94,000m<sup>2</sup> of Class B8 and Class B2 and E(g) and ancillary business and service space (Class E).</b>		
Address:	<b>Greetham Quarry, Stretton Road, Greetham, Rutland, LE15 7NP</b>		
Applicant:	<b>Hereward Homes (Greetham) Ltd</b>	Parish	<b>Greetham</b>
Agent:		Ward	<b>Greetham</b>
Reason for presenting to Committee:	<b>Policy and objections</b>		
Date of Committee:	<b>20 Sept 2022</b>		
Determination Date:	<b>18 May 2021</b>		
Agreed Extension of Time Date:			

## EXECUTIVE SUMMARY

**This proposal for 1 million square feet of commercial buildings is premature to the consideration of sites under the new Local Plan. It would result in uncontrollable HGV traffic through Greetham village to the detriment of the character and appearance of the Conservation Area.**

## RECOMMENDATION

**REFUSAL**, for the following reasons:

1. The proposal is premature to the emerging Local Plan in that it has not given the Local Planning Authority opportunity to consider the need for employment land of this scale and at this location. There is no demonstrable need for the development at this stage which might otherwise constitute a material consideration to set aside current development plan policy. The proposal is wholly out of scale with the adjacent village and in the absence of evidence that demonstrates this is the only location for this scale of employment land there is no justification for its approval. The scheme would thereby be contrary to Policies CS2, CS4, CS19 of the Core Strategy and SP7 and SP15 of the Site Allocations and Policies DPD.
2. The overall scale of development would lead to a significant increase of HGV's through the village of Greetham which is designated as a conservation area. The road through the village is narrow and already subject to significant traffic linking to the A1 in the east. Buildings along the street are intimately located with the carriageway and would be likely to suffer long term damage by the levels of traffic likely to be generated by the proposal. This would be detrimental to the character and appearance of the conservation area and have a detrimental impact on the heritage assets directly adjacent to the highway, contrary to Chapter 16 of the NPPF, Policies CS22 of the Core Strategy and SP20 of the Site Allocations and Policies DPD.
3. The HGV movements associated with this scale of development would remove all of the reserve capacity and more, through Greetham. Furthermore the B668 through Greetham is not suitable to take the amount of HGVs associated with this development due to how narrow the carriageway is and lack of suitable pedestrian footpaths. This development would only be viable with a routing agreement for HGVs stating that they must turn left out of the site towards the A1 and turn right into the site coming from the A1. However a routing agreement cannot be conditioned as it will not be enforceable or reasonable based on the end user and the number of end users being unknown. It therefore would be an uncontrollable condition and the impact of HGV's on the highway network through Greetham would be contrary to highway safety requirements contrary to Policy SP15.

4. The movement of HGV's through Greetham would lead to noise, vibration and disturbance to local residents along the Main Street, to the detriment of amenity, contrary to Policy SP15.

## Site & Surroundings

1. Greetham Quarry was an established quarry (limestone) situated within the north-east part of Rutland, to the west of the A1 and within 3 kilometers (km) of the County Boundary with Lincolnshire. A 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 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).
2. The quarry is now exhausted and awaits restoration in accordance with the approved scheme. Much of that work has been done.
3. Greetham Meadows, a Site of Special Scientific Interest (SSSI), is located approximately 500m north-east of the area. Stretton Road and Thistleton Lane form the eastern and north-eastern boundaries of the site which have established hedgerows. Land use in the wider area is mainly arable with occasional blocks of woodland. No Public Rights of Way (PRoW) traverse 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.

## Proposal

4. This is an outline application for the erection of business units on the former quarry floor, extending to 23.37 hectares. All matters are reserved except access which is included for full approval.
5. 2 Indicative Masterplans are submitted indicating a scheme of 2 buildings totalling 1 millionft<sup>2</sup> (92,200m<sup>2</sup>) of floorspace. The other scheme, over 5 units, is 770,000ft<sup>2</sup> (71,533m<sup>2</sup>)
6. Indicative sections show the buildings could be up to approximately 15m high which is approximately consistent with the height of the quarry face. The Parameters Plan states maximum building height at 121/5mAOD, with a development platform level of 103mAOD with a tolerance of up to +2m.
7. The proposed use of the buildings is as set out in the title above. For clarity, these are:  
Class B8 - Use for storage or as a distribution centre.  
Class B2 - General Industrial Use  
Class E(g) - Office, R&D or an industrial use compatible with a residential area (i.e. Light Industrial)

## Relevant Planning History

None in terms of this proposal.

## Planning Guidance and Policy

National Planning Policy Framework (NPPF) 2021

Chapter 2 – Achieving Sustainable Development  
Chapter 6 – Building a strong competitive economy  
Chapter 9 – Promoting sustainable transport  
Chapter 11 – Making efficient use of land  
Chapter 12 – Achieving well designed places  
Chapter 15 – Conserving the natural environment  
Chapter 16 – Conserving the historic environment

### **Site Allocations and Policies DPD (2014)**

SP5 - Built Development in the Towns and Villages  
SP7 – Non-residential development in the Countryside:

#### **Policy SP7 – Non-residential development in the countryside**

Sustainable development in the countryside will be supported where it is:

- a) essential for the efficient operation of agriculture, horticulture or forestry;
- b) essential for the provision of sport, recreation and visitors facilities for which the countryside is the only appropriate location;
- c) essential investment in infrastructure including utilities, renewable energy and road side services required for public safety purposes;
- d) a rural enterprise comprising small scale alterations, extensions or other development ancillary to an existing established use appropriate to the countryside;
- e) new employment growth comprising small scale, sustainable rural tourism, leisure or rural enterprise that supports the local economy and communities;
- f) farm diversification that supports waste management development.

Provided that:

- i) the development cannot reasonably be accommodated within the Planned Limits of Development of towns and villages;
- ii) the amount of new build or alteration is kept to a minimum and the local planning authority is satisfied that existing buildings are not available or suitable for the purpose;
- iii) the development itself, or cumulatively with other development, would not adversely affect any nature conservation sites or be detrimental to the character and appearance of the landscape, visual amenity and the setting of towns and villages;
- iv) the development would not adversely affect the character of, or reduce the intervening open land between settlements so that their individual identity or distinctiveness is undermined; and
- v) the development would be in an accessible location and not generate an unacceptable increase in the amount of traffic movements including car travel.

SP15 – Design & Amenity (inc highway safety issues)  
SP20 – The Historic Environment

### **Core Strategy DPD (2011)**

CS1 – Sustainable Development Principles  
CS2 – Spatial Strategy  
CS4 - The Location of Development  
CS3 - The Settlement Hierarchy  
CS18 – Sustainable Transport  
CS19 - Promoting Good Design  
CS22 - The Historic and Cultural Environment

### **Neighbourhood Plan**

Greetham Neighbourhood Plan was made in October 2017

### Policy CH1 – Built Form

Development within the Parish should be of a scale and density in keeping with the built form of the character area within which it is located, taking account of surrounding buildings, streets and spaces. Development should integrate with the street scene, through particular attention to boundary treatments; and where appropriate, conserve the character and appearance of the Conservation Area and its setting.

### 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.

## Officer Evaluation

8. The main issues are planning policy, highway safety, residential amenity, drainage, and ecology.

### Principle of the use

9. Policy CS2 – Spatial Strategy – development must be of an appropriate scale and design that reflects local character, enhancing the role of Oakham as the main centre serving the villages for...employment. Supporting small scale development for employment in...the villages.etc.
10. Policy CS4 – Location of Development  
Policy CS4 seeks to direct development to the most sustainable locations and states that, in the countryside, development will be strictly limited to that which has an essential need to be located there and restricted to particular types of development which support the rural economy.
11. Policy CS14 – New provision for Industrial and Office Development and Related Uses  
This policy aims to provide for new employment development sites in the main towns and Local Service Centres through employment allocations. This proposal is a windfall site and contrary to this policy.
12. Policy CS16 – The Rural Economy  
The policy seeks to support the economy of rural areas by allowing the re-use of suitable rural buildings for employment uses which are appropriate to a rural area. Economic development in the countryside should be of a scale and type that reflects its surroundings. The Council supports new development for small scale employment proposals towards the local service centres. The scale of this proposal does not meet the criteria set out in the strategy for the rural economy as set out in proviso a). The proposed site is outside the planned limits of development for Greetham and therefore doesn't meet Proviso e), which allows for small scale development for employment purposes in the local service centres. The proposal would be all new build and therefore, it doesn't accord with proviso f) which only supports the conversion and re-use of appropriately located rural buildings in the countryside for employment-generating uses.
13. Site Allocations & Policies DPD  
  
Policy SP7 – Non-residential Development in the Countryside  
Policy SP7 is consistent with, but develops on, the broad guidance of Core Strategy Policy CS16. As the proposal is considered contrary to Policy CS16, it follows it is also contrary to Policy SP7 and does not accord with the criteria out in Policy SP7 which supports sustainable development in the countryside if it meets the criteria.

14. Any proposed use should be appropriate to its location and in particular should not generate significant traffic movements in unsustainable locations. The likelihood is the proposal will generate extra trips depending on the end employment use of the buildings.
15. Furthermore, the Council's Employment Land Report (updated in May 2018) set out a short term take up scenario which indicated an existing over-supply of employment land in Rutland. The alternative long term take up scenario shows that there is a requirement to provide an additional 25 hectares of employment land in addition to existing commitments. However, it is considered the long term approach should be considered through the New Local Plan and employment allocations. The scale of development for employment land in this location exceeds requirements in advance of the preparation of the New Local Plan, if there are more sustainable sites for employment available within Rutland these would come via the Local Plan process.
16. This proposal should also be considered against other Local Plan policies such as amenity, highways, design etc and the policies of the adopted Greetham Neighbourhood Plan.
17. Overall,
 

Whilst Policy CS16 strategy aim is to support the economy of rural areas, economic development in the countryside should be of a scale and type that reflects its surroundings but not for the use proposed. This is reinforced by Policy SP7, non-residential development in the countryside. As such the proposal is considered contrary to the Council's adopted planning policy due to the scale and location of the proposal which does not have an essential need to be in this location.
18. As set out above, the Neighbourhood Plan does not have specific policy to deal with this proposal but seeks to protect the character of the village.
19. It is therefore necessary to examine whether there are any material circumstance that would warrant overriding the established development plan policy for the site whereby a grant of permission could be recommended.
20. Is the proposal sustainable development? NPPF Para 8 states that achieving sustainable development means that the planning system has 3 overarching objectives which are interdependent and need to be pursued in mutually supportive ways so that opportunities can be taken to secure net gains across each objective:
  - Economic objective
  - Social objective
  - Environmental objective
21. The text of these 3 objectives and relevant paragraphs is reproduced in the Appendices.
22. A scheme of this magnitude should ideally be pursued through the preparation of the Local Plan so that it can be properly assessed, with others from the 'call for sites', against other employment sites and potentially allocated accordingly. In other words the application is premature to the proper consideration of sites through the Local Plan. The site was put forward for consideration under the now withdrawn Local Plan and was included as an allocation in the original 2017 version. After the Plan was delayed to consider the closure of St Georges, the allocation was dropped, simply because the St Georges site would have provided significant new employment land meaning that this site was not required. At this stage in the new Local Plan process it is too early to state the precise requirements going forward but the approval of this site now would be considered premature to the outcome of the proper assessment of other sites (following the call for sites) and the

allocation of land based on proper assessment and consultation with the community. There is no clear need to allocate such a large employment site at this stage.

23. There is no overriding compelling evidence to suggest that this amount of employment land is required at the present time. The applicant has submitted a 'Commercial Property Case' document to demonstrate the local demand, citing many sites in and around Peterborough that have been sold and others firms that are seeking premises.
24. It also states that, in terms of land supply:
  - a) *At present there are only two units available larger than 100,000 sq ft across East Anglia. Both are located at Gateway Peterborough and one of the units is under offer.*
  - b) *There are currently no new speculative units under construction within a 50 mile radius of the Greetham Quarry.*
  - c) *In terms of land supply there is only development, Flagship Park, Peterborough which has outline consent for B1, B2, B8 and units larger than 100,000 sq ft. The site is approx. 61 acres.*
25. The summary of that report states:
  - a) *The site is well located with excellent access to the A1 with the ability to travel both north and south. Its location close to the employment centre of Peterborough will be attractive to occupiers. We have seen from recent Peterborough transactions that many of the occupiers sited the positive employment dynamics as a significant reason for relocation to the area. Greetham and Rutland can benefit from this demographic. There is a window of opportunity for alternative sites such as Greetham Quarry that could accommodate buildings of up to 1 million sq ft.*
  - b) *The scale and size of the proposed units is in keeping with the buoyant 'big box' market and will go some way to helping soak up the swelling demand in this sector. This demand is expected to continue to grow in the immediate and longer term and make a correspondingly larger contribution to the economy. It is our strong belief that should a planning consent be forthcoming for B2 and B8 development then it would command a good level of demand from a variety of occupiers.*
26. Greetham is not Peterborough, where large scale development such as this is more appropriately, and comfortably, located. There is also an allocation for warehousing adjacent to the A1 at Grantham which would be more appropriately located than this site and which has properly been through the South Kesteven Local Plan (2020) consultation/examination exercise. The Plan specifically allocates a new Southern Gateway strategic employment location of up to 118 hectares of B1, B2 and B8 uses, centred on the new A1/ Southern Relief Road interchange, to support the continuing economic growth of Grantham, and development of the Spitalgate Heath Garden Village and Prince William of Gloucester Barracks for Grantham involving some 3425 new homes and 8Ha of employment opportunities within the plan period.
27. The Plan also allocates 9.8Ha of employment land at Empingham Road Stamford.
28. Para 50 of the NPPF states that Refusal of planning permission on grounds of prematurity will seldom be justified where a draft plan has yet to be submitted for examination; or – in the case of a neighbourhood plan – before the end of the local planning authority publicity period on the draft plan. Where planning permission is refused on grounds of prematurity, the local planning authority will need to indicate

clearly how granting permission for the development concerned would prejudice the outcome of the plan-making process.

29. The Planning Policy Team is waiting for the latest census figures to be published before we go out to tender and we haven't finalised the call for sites process, so granting planning permission to this site without considering the evidence of need or consideration of any more suitable sites that may have been put forward as part of the call for sites which closes in around the time of this meeting is premature.
29. For the reasons set out above it is recommended that the application is premature to the Local Plan process and that there are no overriding material considerations that would justify outweighing the development plan in this case at this stage.

#### Design/Layout

30. The application is in outline form with only the use of the existing access included for full consideration. 2 different illustrative masterplans have been submitted demonstrating how the site might be developed for commercial purposes. The details of these plans are set out above and are shown in the Appendix.
31. The internal layout of the site would appear to work from a practical accessibility point of view for HGV's and cars.

#### Impact of the use on the character of the area

32. The site is reasonably well screened from public view by the existing trees and hedges surrounding the site. The proposed buildings are indicated to fit within the height of the existing quarry faces. Notwithstanding this, this is a huge scheme for a site on the edge of a relatively small village. The use of these units for employment purposes would not provide a huge employment opportunity if mainly B8 storage and distribution purposes. HGV's running at all hours would also be likely to cause some impact on the character of the area and local amenity as would B2 general industrial uses. The scale of development does not sit well adjacent to the village neither is it integrated with it. There is proposed to be a landscaped bund between this site and the new residential site adjacent. But there are no details of this at present.

#### Impact on the Character and Appearance of the Conservation Area

33. As set out by the Conservation Officer, the main impact is on HGV's travelling through the village, impact not only on the character of the village, which already carries all traffic eastwards towards the A1, but on the very historic fabric of the village which contributes to its historic significance as a conservation area in the first place.
34. As set out in the Highway Officer comments, if the units were operated by many different individual firms or if one operator utilised many different haulage companies to service their buildings, it would be very difficult to enforce any agreement, legal or otherwise, to ensure that HGVs did not travel through the village. For that reason it is concluded that the proposal would have a detrimental impact on the character of the conservation area, contrary to the policies and advice in the development plan and the NPPF set out above.

#### Impact on the neighbouring properties

35. The development would be largely screened from the nearest residents. However noise from HGV's operating potentially 24/7 would be noticeable together with other support vehicles with reversing alarms etc. In the event that HGV's could not be prevented from travelling through the village this would also have a significant impact on residential amenity.

36. It should be noted that the proposal includes the potential use of units for B2 purposes which is 'general industrial' use which could also be likely to cause noise, odours and disturbance to local residents in such relatively close proximity.
37. Whilst the noise assessment of the 3 quarry related applications concludes that they would be compatible with each other, the lack of clarity over the end users of this site together with their operating circumstance means that the proposal could have an injurious impact on the new housing proposal if both are approved.

### Highway issues

38. Policy SP15(l) and (m) state:

Proposals will be assessed to ensure they effectively address the following matters:

#### **l) Access and Parking**

The development should make provision for safe access by vehicles, pedestrians, wheelchair users and cyclists as well as provide good links to and from public transport routes. Developers will be expected to retain existing footpaths, cycle routes and bridleways or to make provision for their reinstatement, and to make provision for new routes to link with existing networks. This includes taking opportunities to enhance access to the countryside through improvements to the rights of way network.

Adequate vehicle parking facilities must be provided to serve the needs of the proposed development. Development proposals should make provision for vehicle and cycle parking in accordance with the parking standards set out in Appendix 2, including parking for people with disabilities. There should where practicable be convenient external access for mobility scooters to the rear gardens of residential properties to facilitate parking and storage, if suitable provision has not been made at the front or side of the dwelling. In exceptional circumstances, particularly in the town centres of Oakham and Uppingham, the application of these standards may be varied in order to reflect the accessibility of the site by non-car modes or other identified local requirement.

#### **m) Impact on the highway network**

Development should be designed and located so that it does not have unacceptable adverse impact on the highway network. Where necessary mitigation measures will be required to ensure that any impact is kept within acceptable limits. Development that would have an unacceptable adverse impact on the highway network will not be permitted.

The concerns of the highway authority are set out in full in the Consultee section of this report below. It is however concluded that this development would only be acceptable from a highway safety position if a routing agreement condition for HGVs could be attached to any consent requiring vehicles to turn left out of the site towards the A1 and turn right into the site coming from the A1. However it is considered that such a condition would not be enforceable or reasonable based on the end user and the number of end users being unknown. The council would therefore be unable to reasonably enforce any breach of condition.

### Levels

39. The existing ground for this proposal is relatively flat in the former quarry floor, save for the elements that have been restored to a slope where they fall within the footprint of the development.



### Noise

40. The development itself would not be impacted by noise as it's a commercial use. As set out in other reports, there is potential for noise disturbance to proposed new residents and also existing residents in the village, particularly if the routing of HGV's cannot be controlled.

### Dust

41. The proposal would be unlikely to be impacted by dust from the adjacent proposed quarry extension and would produce limited dust itself.

### Section 106 Heads of Terms

42. None discussed in view of recommendation

### Crime and Disorder

43. It is considered that the proposal would not result in any significant crime and disorder implications.

### Human Rights Implications

44. Articles 6 (Rights to fair decision making) and Article 8 (Right to private family life and home) of the Human Rights Act have been taken into account in making this recommendation.
45. It is considered that no relevant Article of that act will be breached.

## **Consultations**

### **46. Highways**

#### Objection

The applicant has provided a detailed transport assessment and have submitted supplementary technical notes following discussion with the RCC highways RCC highways had a meeting with the Parish Council to discuss a range of issues they had with the proposed development, including the proposed highway improvements at the eastern end of Greetham such as the chicane. The Parish Council advised that they would not want a chicane at this location as it would cause more congestion through the centre of the village. However the Parish Council have continually expressed concerns about damage to properties by increase traffic through the narrowest section of the village and on the 7th September 2021 raised concerns about the speed of traffic Highways, therefore, consider the chicane as a suitable highway improvement, as it formalises the pinch point preventing 2 vehicles from passing, widens the footpath and also reduces vehicle speeds as they have to give way to approaching traffic The applicant provided 2 calculations for traffic flows through Greetham and the available capacity on the network. The first calculation used an average width between 2 given points, of 5.67m. This gave a AADT value of 7,385 vehicle movements per day. The second calculation used the minimum carriageway width at the narrowest point, 4m. This gave an AADT value of 4454 vehicle movements per day

Following discussions with the Parish Council, RCC highways agreed that the worst case should be used within the calculation and therefore the AADT value of 4454 vehicle movements per day has been used. The existing vehicle movements + committed development + the proposed development leaves the highway with a total reserve capacity of 32%. As such, it confirms that there is sufficient reserve capacity currently to

accommodate the additional car traffic associated with the proposed development in the forecast design year. The predicted traffic through Greetham from the proposed development only takes into account trips of employees and clients to and from the site. It does not take into account HGV movements as the developer has recommended that all HGV movements will be towards the A1 via a routing agreement. RCC highways have discussed a routing agreement with the planning officers and whether this could be conditioned. As the end user of the site is unknown and there could possibly be a number of units within the site, the condition cannot be enforceable, nor would it be reasonable. The condition could also not be controlled. The HGV movements associated with this size of development would remove all of the reserve capacity and more, through Greetham. Furthermore the B668 through Greetham is not suitable to take the amount of HGVs associated with this development due to how narrow the carriageway is and lack of suitable pedestrian footpaths. Based on the above, the LHA recommend refusal for the following reasons:- This development would only be viable with a routing agreement for HGVs stating that they must turn left out of the site towards the A1 and turn right into the site coming from the A1. However a routing agreement cannot be conditioned as it will not be enforceable or reasonable based on the end user and the number of end users being unknown. It therefore would be an uncontrollable condition

**47. Greetham Parish Council**

Biodiversity Assessment of Former Quarry, Greetham - Planning Reference 2021/0170/MAO & 2021/0171/MAO

We previously advised the planning authority of legal advice provided to Greetham PC regarding our concerns the biodiversity assessment undertaken by the developer in support of the above applications and evaluated by the Mineral Planning Authority's statutory advisor for Ecology, Ms Sue Timms, failed to provide proper evaluation and understanding of the biodiversity impacts of the calcareous grassland required by the planning consent for the former quarry. This advice stated: "The ecologist can only report on what his/her survey reveals about the site in its current state. However, the failure of the applicant to restore the land is a material consideration that the decision maker should take into account. The potential biodiversity value of the restored land should attract substantial weight. I think it is very unlikely that the current biodiversity value of the land would be given more importance than its value once restored." The response to this advice from Ms Timms, below, is welcome in part and addresses the importance of former limestone quarries for the development of calcareous grasslands:

The importance of these former limestone quarries for supporting calcareous grasslands is identified within the County Biodiversity Action Plan 2016 - 2026. This is very relevant to the former Greetham quarry, particularly as there remains legal obligations for it to be restored to a calcareous grassland. It is important to remember too that the operator has stated such works are nearly complete requiring only a further 2 months work to finalise. Would you please ensure this detail is posted on the planning portal.

The Parish has presented many photos of HGV's trying to [pass each other together with damage to buildings. An assessment of potential impact on historic buildings has also been submitted.

**48. Highways England**

No objection (based only on the potential impact on the A1 strategic route)

**49. Discover Rutland**

On behalf of the Discover Rutland Management Committee, I feel it important to raise concerns regarding this application for such a large scale development which will not only negatively impact the local tourism businesses, the local landscape and the planned wildlife site, but also the health of local residents. A number of our members have also requested we represent them through this objection. With Rutland County Council declaring a Climate Crisis for the county earlier this year and our shared ambition to become England's 'Greenest County' and our own Green objective set out in the Tourism Strategy which was accepted by RCC in 2020, the committee feel this application goes against the intentions set out in RCC policies and does not comply with the Greetham Neighbourhood Plan policy. The location of the site compromises numerous tourism businesses, including: Greetham Valley: Hotel, Golf Course, Lodges, Fishing, Restaurant | In The Stix glamping site Rutland Caravan & Camping with lodges | The Wheatsheaf | The Plough Inn | Hallidays' Folly This list includes some of the most prominent tourism businesses in the county, with Greetham Valley being a large employer and together with the camping site, they attract a large percentage of the area's visitors who seek rural, peaceful, fresh air environments. As I'm sure you are aware, tourism is one of the biggest economic drivers in Rutland, generating £142,000,000, 1.9million visitors and supporting 1,772 FTE employees in 2019 (STEAM), and to impede these businesses would affect the whole industry in Rutland. The committee also believe that the village of Greetham already suffers from traffic congestion issues, being one of the main entry and exit routes to the county for visitors, and the proposed increase of cars and HGVs would be detrimental to the first and last impression of Rutland.

**50. Ketton & Tinwell Neighbourhood Plan Group**

We are writing to object to both these applications for the future development of Greetham Quarry. We are making this representation on our own behalf, although our work in producing a Neighbourhood Plan for our two villages is being done under the auspices of the Ketton Parish Council, and the Tinwell Village Meeting. We fully endorse the detailed and comprehensive document produced in opposition to the proposals by the Greetham Action Group (SWAG), and also that by Ketton Parish Council. We see no point in reproducing their comments in detail. However we do wish to emphasise two major points of principle that we feel are at stake here. Both villages of Ketton and Tinwell are affected considerably by the substantial quarrying activities of the Hanson company at Grange Top Quarry in Ketton, for the manufacture of cement. Whilst we share with all in Rutland a deep concern about the nature and control of development throughout the County, any matters to do with quarrying and its aftermath are of particular interest to our two villages.

1) The Principle of Restoration; The planning history of the Greetham Quarry in recent times is covered in depth in the Report of the DC&L committee dated 19th February 2021 to Rutland County Council in respect of the applications 2020/0971/MIN and 2020/0972/MIN. These applications were made by Mr. John Gough, Planning Director of Mick George Ltd., the owners, on 27th August 2020, and refer to an extension of time requested for restoration of the Quarry from 30th September 2020 to 31st March 2022, for reasons of practicality in view of the use of an existing roadway. The plan and outcome of restoration are clearly stated, and remain in accordance with the original applications, M/1999/0326/09/CC and MIN/2004/1051/CC, and reaffirmed by the permission in 2013/1061/DIS. Para 5 of the DC&L report states the plan of restoration to be "a mosaic of habitats to meet Leicestershire and Rutland's Local Biodiversity Action Plan, targets including calcareous grassland, herb rich grassland, dry and wet woodlands, scrub land, reed marsh and exposed rock faces." Achievement of these objectives is clearly impossible under the Development proposals to which we are objecting. Both Councillors and Planning Officers in Rutland County Council will be aware of the long and protracted

negotiations that have taken place over the years in respect of Ketton Quarry, not least in respect of restoration of workings once quarrying is concluded. Strict plans and timetables for the restoration work have been a condition of the permission to quarry. We have two major concerns on this point: i) To allow a restoration plan previously agreed as part of a valid planning process to be overturned in such a wholesale manner would make a mockery of the way that Rutland County Council makes and delivers its Local Plan policies; and ii) If the Greetham proposals are permitted, and the restoration scheme overturned, we are deeply concerned about the precedent being set for the way restoration following quarrying activities occurs throughout Rutland, and particularly here in Ketton.

51. 2) Development of Distribution Centres as a Strategic Issue in Rutland: The Application includes a document by Jaynic (the Developers) "The Commercial Property Case - January 2021". This document is quite illuminating, as it clearly looks to a strategic objective of such development along the A1 corridor, pointing out their success in the Peterborough area, and citing the existence of anticipated strong demand for this scheme given a dearth of similar facilities nearby. The site is relatively close to the A1, affording direct connections south to London and the port of Felixstowe, and north via both the M18 and M62 in Yorkshire directly off the A1 to the population centres in the Northwest and Yorkshire and Humberside, as well as further north along the A1 towards Tyne and Tees. Yet there is nothing in any Rutland Local Plan, past or draft, that cites a desire to develop the County strategically in this way - an Eastern Counties version of the so-called "Golden Triangle" of Milton Keynes, Leicester and Coventry. Nor indeed we feel sure would such a plan be remotely endorsed by the residents. This is again a very worrying precedent to be set, should it be approved, on what is a Greenfield site under Planning Law. Summary; As noted in our introduction, we strongly support the detailed and thorough work already done by the Greetham Action Group (SWAG) and also by Ketton Parish Council, but do ask that the wider consequences of the Applications that we have set out here also be taken into account.

## 52. **Ketton Parish Council**

Ketton is very similar to Greetham in many respects. Both villages are close to the A1, designated as Local Service Centres in Rutland's Settlement Hierarchy, have quarries and are mostly linear villages clustered around a busy E/W route. Therefore, if these planning applications are accepted it will set a precedence for similar developments in villages such as ours, especially given that we are on an A road linked to the A1, have a branch link at Hansons to the main train line, and a very large quarried area. The proposed development is outside the planned limits of development. It is totally unsympathetic and far too big and dominating for a rural village and its environment, being situated just 20m from the nearest property in Greetham village. The B road through the village is narrow with pinch points and an S bend. Inevitably E/W traffic will travel through the village, and given the purpose of the proposed development, this traffic will be constant day and night. For Ketton there is the very real probability that vehicles will transit past Exton and come via Empingham into Ketton via the Empingham Road to gain access to the A47 and/or A43. Both routes can be reached from the A1, but there is no way to prevent this other than restrictions to the width of the roads which would cause issues with bus routes etc The scale of the proposed development, and the business of distribution centres will generate an unacceptable number of both light and heavy vehicle movements near or through Greetham. This will result in constant noise, vibration, air (both dust and vehicle emission) and visual pollution, which will negatively affect the residents, heritage assets and businesses (Greetham Camping, Wheatsheaf Inn etc). It will also significantly increase Greetham's carbon footprint at a time when Rutland is working towards a carbon reduction target; Rutland has the 14th largest C footprint in the UK and is 4x the average C footprint. The quarry was given permission on the understanding that it would be restored on

completion of use. Restored limestone quarries have a huge potential to achieve biodiversity gain, as calcareous grassland is a scarce but biodiverse-rich habitat. Distribution centres, such as is proposed here, function more effectively if situated on motorway interchanges, not on a B road linked to the A1 in one of its most congested and accident prone stretches

**53. Archaeology**

Having reviewed the application against the Leicestershire and Rutland Historic Environment Record (HER), we do not believe the proposal will result in a significant direct or indirect impact upon the archaeological interest of any known or potential heritage assets due to the area previously been quarried. We would therefore advise that the application warrants no further archaeological action (NPPF Section 16, para. 189-190), although it recommended that you seek the advice of your specialist (Historic Building Officer/Conservation Officer) and Historic England regarding any potential impacts of the development upon the setting and significance of the several listed buildings/structures, including the Grade II listed nos. 1 & 3 Bridge Lane and the Manor House, all designated heritage assets.

**54. CPRE Rutland**

Comment: CPRE Rutland objects to the application for warehousing at this site, for the following reasons. - Conditions attached to the planning permissions for the use of the land for mineral extraction required restoration to be carried out to a high standard to bring the land back into agricultural use, once quarrying operations had ceased, the reason being to ensure satisfactory restoration and landscaping. Moreover, there is a requirement for the provision of calcareous and herb rich grassland, indigenous trees and hedges to provide habitat biodiversity. A net gain in biodiversity is a strategic objective. The current application is not compatible with such a scheme. - Despite being set on land lower than that prevailing around the site, the proposed massive warehouses will be visible on routes to and from the village rising by at least 6 metres above the surrounding ground level. Local Plan policies seek to avoid such detrimental effects. The scale should be "appropriate to the location and sensitive to its surroundings". It is not agreed that buildings of the volume proposed can satisfy that requirement. - Activity associated with large scale warehousing is a 24 hour per day operation. This will result in noise, dust and emissions associated with the significant lorry and van movements, together with light pollution on this side of the village. - There would be significant detrimental impact on the nearby SSSIs. In summary, a development on the scale proposed would seriously limit the enjoyment of substantial areas of green space and have an unacceptable impact on the neighbourhood through visual, noise, traffic and pollution effects and do little to support the rural economy. The site restoration which was designed to deliver a net gain in biodiversity would be severely compromised

**55. Environmental Protection (26 March 2021)**

I wish to place a holding objection on the basis that a lighting assessment has not been submitted. In addition, there is further information I am requesting in relation to the noise assessment and contaminated land (the details of which are as follows), so that I am fully satisfied of the impact of the proposed scheme. I would want to see an assessment to demonstrate the scheme meets the E3 environmental zone as defined The Institute of Lighting Professionals Guidance note for the reduction of obtrusive light. We would also want to see how effective the visual barrier separating commercial development from proposed housing in terms of reducing obtrusive light. I have read the report and the methodology used for the calculation of sound on sensitive receptors and largely agree with its overall conclusions the assessment of impact to be calculated through

BS4142:+A1:2019 Methods for rating and assessing industrial and commercial sound has reached. The long-term magnitude of change has been calculated as +4 at the proposed 30 dwellings, which is on the threshold of minor to moderate impact. A penalty of just +3dB for the rated sound was used in the assessment. I am concerned the modelling did not appear to take into account HGV reverse alarms that would have a higher penalty (+6) and are frequently complained about. Has the design and the orientation of loading HGVs been taken into account. It appears the opening doors of the units and loading bays are orientated towards the village. What activities are likely in the units and what would be the sound break-out if the large doors are left open? The buildings could be reorientated so as the loading bays are facing away from the village and use the building units as a sound-barrier. Has this been considered or not? I noted the noise management plan refers to alarms but in the real world where different vehicles are using the site, the type of reversing alarm is not under the control of the operator. Therefore, visiting vehicles could cause an issue. It is very common for complaints about alarms especially as many are set at 10dB above the ambient noise of the operation and therefore, they become clearly audible. The +4 margin at the proposed housing is a fine theoretical margin that in reality may be exceeded. From our experience 24/7, 365 day per year operations can and do cause complaints. This can occur from a miscalculated or unexpected sound source that only becomes apparent once the site becomes operational. In addition, impact sound can be very intrusive. The impact is relentless, so therefore we must be fully confident the data is robust to ensure the amenity is protected. Are there any commercial units where real sound measurements be taken to confirm the modelling? I am also interested to know whether there are any distinct or loud events that may regularly occur like vehicle doors slamming, or loads dropped into vehicles etc. Maybe real sound monitoring at a comparable commercial operation would provide this data. I would suggest the applicant make the effort to obtain this information so the fullest of possible soundscapes is described. On the current information it is apparent the main impact of the development would be on the proposed 30 residential dwellings. The impact on the existing dwellings in Greetham is at or below the background sound level that does show it would have a minor effect but to be sure, I would advise real time monitoring data is produced to ensure the robustness of the modelled impact. It is important to protect the amenity of the future residents that conditions are applied to this commercial development whose operation will inform the environmental mitigation for the proposed residential development. To control noise from the building services of the units, a condition requiring the following: Should outline permission be granted it is suggested that plant noise emissions could be controlled through the detailed design process via the selection of appropriate plant, careful micro-siting, the incorporation of noise reduction features such as silencers, screens and acoustic enclosures. In addition to the above, plant noise levels could also be controlled via a suitably worded condition. A noise management plan at the commercial operation should be required to control operational noise. If the commercial development is approved a noise management will be required as follows: Measures such as those detailed above could be incorporated into a Noise Management Plan for the site which could be secured via a condition requiring a suitable scheme to be submitted and approved by the Local Planning Authority prior to the commencement of operational activities. a) Plant and machinery should be maintained in good working order and used in accordance with the manufacturers instructions. Any defective items should not be used; b) Audible reversing warning systems on mobile plant should be of a type which, whilst ensuring that they give proper warning, have a minimum noise impact on persons outside the site; c) Plant from which the noise generated is known to be particularly directional should, wherever practicable, be orientated so that the noise is directed away from noise-sensitive areas; d) Equipment should be switched off or throttled down to a minimum when not required. Any covers, panels or enclosure doors to engines should be kept closed when the equipment is in use; e) Avoid unnecessary horn usage and revving

of engines; f) Keep vehicle routes through the site clear, well maintained and free from defects such as potholes. Avoid the use of speed humps where possible; g) Where practicable, personnel doors and roller shutter doors should be closed when not in use; h) Ensure that building facades are regularly inspected for defects/damage/wear and tear/weathering that may negatively impact upon the sound insulation performance of the building façade; i) Operatives should be trained to employ appropriate techniques to keep site noise to a minimum, and should be effectively supervised to ensure that best working practice in respect of noise minimisation is followed; j) In the event of any emergency or unforeseen circumstances arising that cause safety to be put at risk, it is important that every effort be made to ensure that the work in question is completed as quickly and as quietly as possible and with the minimum of disturbance to people living or working nearby. I would suggest the management plan be subject of review and modification if required. There should be input from the local community and possible a liaison group set up to oversee operations from such a substantial operation. More details of the buffer zone and a clear explanation of how it would mitigate both sound and light is required: A buffer zone that incorporates a raised vegetated landform topped with an acoustic fence to provide screening to the proposed housing area and existing residential premises within Greetham village which arose from an indicative modelling exercise which suggested that it would be necessary to incorporate mitigation measures at the interface between the proposed commercial development and residential development. Commercial traffic should be prevented from going through the village of Greetham and directed onto the A1. Impacts of development related traffic were assessed and it is not considered likely that the potential road traffic increases would give rise to significant noise impacts at receptor locations within the vicinity of the affected road network. On that basis I cannot see a reason to challenge the following conclusion on traffic noise as it has been done by the accepted methodology. As a precautionary approach to the Greetham Quarry extension we have asked for monitoring of PM10 to assess the cumulative impact of the quarry and the poultry unit and the potential for 35 exceedances of the 50µgm<sup>3</sup> per year. The monitoring was to give real data on the cumulative impact of the poultry and quarry, which are a highly variable sources of particulates. This information will be used to ensure the quarry operations do not harm human health. The contribution of the traffic would increase the level but this would be stable and predicted as minor by the accepted modelling and therefore I have no basis to challenge the findings of the report. The phase 1 contaminated land assessment shows an intrusive assessment and further phases are required as outlined in my colleague from the EA letters reference AN/2021/131580/01-L01

**56. Stretton Parish Council**

Comment:1. Stretton Parish Council believe that no development should take place until there is sufficient capacity in the sewage network for the existing villages of Stretton and Greetham, to allow for the planned extension of Stocken Prison, and additional capacity and future proofing for any other developments. 2. The increased traffic flow will impact Stretton village and there is concern regarding safety and the environment to residents. The impact to Greetham and its amenities are major, and the suitability of the road network to cope with HGV's every day combined with an already increased traffic flow from the Ram Jam development and Hambleton Bakery. 3. The plan sets a dangerous precedent for development of industrial land in a rural area

**57. Ecology (22 March 21)**

The ecology survey by Greenwood Environmental is acceptable apart from two elements - the lack of a reptile survey, and the net-gain assessment and association habitat compensation proposals. I have a holding objection pending resolution of these issues. A single metric has been used for the combined site - the housing element (2021/0170/MAO)

and the commercial element (2021/0171/MAO). In my detailed response I have had to consider both parts of the quarry re-development together, even though they are two separate applications. Most of the potential biodiversity enhancements are related to the commercial aspect, but this is also the part of the site that would experience most loss. As far as biodiversity net-gain is concerned, it is impossible to unpick the two applications, and the ecologists have made no attempt to do this in their biodiversity surveys and assessment. As an additional complication, there are two options for the commercial element layout, one of which has not been covered by the net-gain assessment. The acceptability of the redevelopment is dependent on the inclusion of new habitat creation within the landscaping proposals for the whole site. The development will result in the loss of a local priority habitat – calcareous grassland – but this habitat is infested with a pernicious non-native invasive plant (piri-piri burr). The value of the grassland is severely compromised by this. I do not believe that the best interests of biodiversity would be served by retention of this habitat – the piri-piri burr problem will only become worse, and there is a risk of the contamination spreading to adjacent quarried land in future. Any redevelopment scheme must include a plan for elimination of this plant. Although I find the Phase 1 survey acceptable, I have concerns over the net-gain assessment. Specifically, I am not happy with the way the calcareous grassland has been treated, both in the baseline and in the on-site mitigation. I cannot accept the net-gain assessment in its current form. On the evidence I have, the development will be in net loss once corrections to the submitted metric have been made. The proposed compensatory habitats are not sufficient to take it into net-gain. Offsetting is a possibility, but it is difficult to create limestone grassland successfully outside a quarry. We have some excellent examples of both creation and natural regeneration of calcareous grassland within former quarries in Rutland, and it is disappointing to see a proposal which only allows such a small amount of this priority habitat. A former limestone quarry is a superb opportunity to create this – to lose it to a warehouse is a huge missed opportunity. Limestone quarries can be good habitats for reptiles, especially common lizard; surveys are needed.

58. **Environment Agency**

We have reviewed the Geo-Environmental Desk Study Report (ref: 19-1174-P-R1-Rev A) by Obsidian Geo-consulting, dated February 2021 with regard to the risk posed to controlled waters. Environment Agency position The previous use of the proposed development site presents a potential risk of contamination that could be mobilised during construction to pollute controlled waters. Controlled waters are particularly sensitive in this location because the proposed development site is located above a principal aquifer and is within source protection zone 2. The application's Geo-Environmental Desk Study Report demonstrates that it will be possible to manage the risks posed to controlled waters by this development. Further detailed information will however be required before built development is undertaken. We believe that it would place an unreasonable burden on the developer to ask for more detailed information prior to the granting of planning permission but respect that this is a decision for the local planning authority. In light of the above, the proposed development will be acceptable if planning conditions are included requiring the submission of a remediation strategy. This should be carried out by a competent person in line with paragraph 178 of the National Planning Policy Framework. In addition we request a condition to ensure any proposals for infiltration drainage do not risk mobilisation of contamination. Without these conditions we would object to the proposal in line with paragraph 170 of the National Planning Policy Framework because it could not be guaranteed that the Cont/d.. 2 development will not be put at unacceptable risk from, or be adversely affected by, unacceptable levels of water pollution. Condition 1 No development approved by this planning permission shall commence until a remediation strategy to deal with the risks associated with contamination of the site in respect of the development hereby permitted, has been submitted to, and approved in writing by, the



local planning authority. This strategy will include the following components: 1. A preliminary risk assessment which has identified: • all previous uses • potential contaminants associated with those uses • a conceptual model of the site indicating sources, pathways and receptors • potentially unacceptable risks arising from contamination at the site 2. A site investigation scheme, based on (1) to provide information for a detailed assessment of the risk to all receptors that may be affected, including those offsite. 3. The results of the site investigation and the detailed risk assessment referred to in (2) and, based on these, an options appraisal and remediation strategy giving full details of the remediation measures required and how they are to be undertaken. 4. A verification plan providing details of the data that will be collected in order to demonstrate that the works set out in the remediation strategy in (3) are complete and identifying any requirements for longer-term monitoring of pollutant linkages, maintenance and arrangements for contingency action. Any changes to these components require the written consent of the local planning authority. The scheme shall be implemented as approved. Reason To ensure that the development does not contribute to, and is not put at unacceptable risk from or adversely affected by, unacceptable levels of water pollution in line with paragraph 170 of the National Planning Policy Framework. We consider that the Desk Study Report provided in support of the planning application is sufficient to satisfy Part 1 of this condition. We consider that a Phase 2 intrusive investigation is the next appropriate phase of investigation to fully assess the potential risks to controlled waters. Condition 2 Prior to any part of the permitted development being brought into use, a verification report demonstrating the completion of works set out in the approved remediation strategy and the effectiveness of the remediation shall be submitted to, and approved in writing, by the local planning authority. The report shall include results of sampling and monitoring carried out in accordance with the approved verification plan to demonstrate that the site remediation criteria have been met. Reason To ensure that the site does not pose any further risk to the water environment by End 3 demonstrating that the requirements of the approved verification plan have been met and that remediation of the site is complete. This is in line with paragraph 170 of the National Planning Policy Framework. Condition 3 If, during development, contamination not previously identified is found to be present at the site then no further development (unless otherwise agreed in writing with the local planning authority) shall be carried out until a remediation strategy detailing how this contamination will be dealt with has been submitted to, and approved in writing by, the local planning authority. The remediation strategy shall be implemented as approved. Reason To ensure that the development does not contribute to, and is not put at unacceptable risk from or adversely affected by, unacceptable levels of water pollution from previously unidentified contamination sources at the development site. This is in line with paragraph 170 of the National Planning Policy Framework. Condition 4 No drainage systems for the infiltration of surface water to the ground are permitted other than with the written consent of the local planning authority. Any proposals for such systems must be supported by an assessment of the risks to controlled waters. The development shall be carried out in accordance with the approved details. Reason To ensure that the development does not contribute to, and is not put at unacceptable risk from or adversely affected by, unacceptable levels of water pollution caused by mobilised contaminants. This is in line with paragraph 170 of the National Planning Policy Framework. Advice to the applicant We recommend that developers should: • Follow the risk management framework provided in 'Land contamination: risk management' when dealing with land affected by contamination • Refer to our Guiding principles for land contamination for the type of information that we require in order to assess risks to controlled waters from the site – the local authority can advise on risk to other receptors, such as human health • Consider using the National Quality Mark Scheme for Land Contamination Management which involves the use of competent persons to ensure that land contamination risks are

appropriately managed • Refer to the contaminated land pages on gov.uk for more information

## 59. **Anglian Water**

Anglian Water has assets close to or crossing this site or there are assets subject to an adoption agreement. Therefore the site layout should take this into account and accommodate those assets within either prospectively adoptable highways or public open space. If this is not practicable then the sewers will need to be diverted at the developers cost under Section 185 of the Water Industry Act 1991. or, in the case of apparatus under an adoption agreement, liaise with the owners of the apparatus. It should be noted that the diversion works should normally be completed before development can commence.

### Waste Water treatment

The foul drainage from this development is in the catchment of Cottesmore Water Recycling Centre that will have available capacity for these flows

### Used Water Network

Development will lead to an unacceptable risk of flooding downstream. Anglian Water will need to plan effectively for the proposed development, if permission is granted. We will need to work with the applicant to ensure any infrastructure improvements are delivered in line with the development. We therefore request a condition requiring phasing plan and on-site drainage strategy. (1) INFORMATIVE - Notification of intention to connect to the public sewer under S106 of the Water Industry Act Approval and consent will be required by Anglian Water, under the Water Industry Act 1991. Contact Development Services Team 0345 606 6087. (2) INFORMATIVE - Protection of existing assets - A public sewer is shown on record plans within the land identified for the proposed development. It appears that development proposals will affect existing public sewers. It is recommended that the applicant contacts Anglian Water Development Services Team for further advice on this matter. Building over existing public sewers will not be permitted (without agreement) from Anglian Water. (3) INFORMATIVE - Building near to a public sewer - No building will be permitted within the statutory easement width of 3 metres from the pipeline without agreement from Anglian Water. Please contact Development Services Team on 0345 606 6087. (4) INFORMATIVE: The developer should note that the site drainage details submitted have not been approved for the purposes of adoption. If the developer wishes to have the sewers included in a sewer adoption agreement with Anglian Water (under Sections 104 of the Water Industry Act 1991), they should contact our Development Services Team on 0345 606 6087 at the earliest opportunity. Sewers intended for adoption should be designed and constructed in accordance with Sewers for Adoption guide for developers, as supplemented by Anglian Water's requirements.

### SW Disposal

The preferred method of surface water disposal would be to a sustainable drainage system (SuDS) with connection to sewer seen as the last option. Building Regulations (part H) on Drainage and Waste Disposal for England includes a surface water drainage hierarchy, with infiltration on site as the preferred disposal option, followed by discharge to watercourse and then connection to a sewer. From the details submitted to support the planning application the proposed method of surface water management does not relate to Anglian Water operated assets. As such, we are unable to provide comments in the suitability of the surface water management. The Local Planning Authority should seek the advice of the Lead Local Flood Authority or the Internal Drainage Board. The Environment Agency should be consulted if the drainage system directly or indirectly

involves the discharge of water into a watercourse. Should the proposed method of surface water management change to include interaction with Anglian Water operated assets, we would wish to be reconsulted to ensure that an effective surface water drainage strategy is prepared and implemented.

We have no objection subject to the following condition: Condition Prior to construction above damp proof course a Phasing Plan setting out the details of the phasing of the development shall be submitted to, and approved in writing by the Local Planning Authority. Thereafter, the development shall be carried out in complete accordance with the approved Phasing Plan. Reason To ensure the development is phased to avoid an adverse impact on drainage infrastructure. We have no objection subject to the following condition: Condition Prior to the construction above damp proof course, a scheme for on-site foul water drainage works, including connection point and discharge rate, shall be submitted to and approved in writing by the Local Planning Authority. Prior to the occupation of any phase, the foul water drainage works relating to that phase must have been carried out in complete accordance with the approved scheme. Reason To prevent environmental and amenity problems arising from flooding. Planning Report FOR THE ATTENTION OF THE APPLICANT - if Section 3 or Section 4 condition has been recommended above, please see below information: Next steps Desktop analysis has suggested that the proposed development will lead to an unacceptable risk of flooding downstream. We therefore highly recommend that you engage with Anglian Water at your earliest convenience to develop in consultation with us a feasible drainage strategy. If you have not done so already, we recommend that you submit a Pre-planning enquiry with our Pre-Development team. This can be completed online at our website <http://www.anglianwater.co.uk/developers/pre-development.aspx> Once submitted, we will work with you in developing a feasible mitigation solution. If a foul or surface water condition is applied by the Local Planning Authority to the Decision Notice, we will require a copy of the following information prior to recommending discharging the condition: Foul water: Feasible drainage strategy agreed with Anglian Water detailing the discharge solution including: Development size Proposed discharge rate (Should you require a pumped connection, please note that our minimum pumped discharge rate is 3.8l/s) Connecting manhole discharge location (No connections can be made into a public rising main) Notification of intention to connect to the public sewer under S106 of the Water Industry Act (More information can be found on our website) Feasible mitigation strategy in agreement with Anglian Water (if required)

60. **PROW**

No objection

61. **Fisher German (Govt Pipeline)**

Recommended site visit but the pipeline runs along the northern side of Thistleton Lane.

62. **British Pipeline Agency**

Having reviewed the information provided regarding your works, the Total Finaline is not affected by them, and consequently no site visit or supervision will be required and the works are free to continue as planned. However, if the location of your work should change, please contact us immediately by emailing [finaline@bpa.co.uk](mailto:finaline@bpa.co.uk) Whilst we try to ensure the information we provided is accurate, the information is provided Without Prejudice and we accept no liability for claims arising from any inaccuracy, omissions or errors contained herein.

## Neighbour Representations

63. There have been 160 local representations received including 158 objections.
- The objections can be summarised as follows:
  - The quarry should be restored as previously approved for bio-diversity gain
  - Too large for the village
  - Village cannot cope with any more HGVs through the village
64. An on-line petition was submitted containing 328 signatures. Most were local but many were from UK wide and even Europe. The petition was headed: 'Prevent unwanted commercial development in rural village' but no more specific reasons were given.

## Conclusion

The proposal is on the edge of a relatively small settlement for the scale of development. The scale of development should be considered through the local plan process so the proposal is premature to the outcome of the current early work on the new local plan. There is no way of controlling the routing of HGV.s from the site so it is recommended that the application is also refused for amenity, highway safety and impact on heritage asset reasons.

## Appendix 1 – Illustrative Masterplans

134



FOR INFORMATION  
 ILLUSTRATIVE ONLY - NOT FOR APPROVAL

- Legend**
- B2/B5 industrial/logistics space
  - B2/B5 ancillary office space
  - Existing landscaping
  - Infrastructure landscaping
  - On plot landscaping
  - Acoustic and visual buffer zone
  - Yards and parking
  - Restored quarry cliff edge
  - 5m wide bund to quarry floor
  - Access road
  - R100 car park

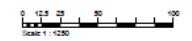
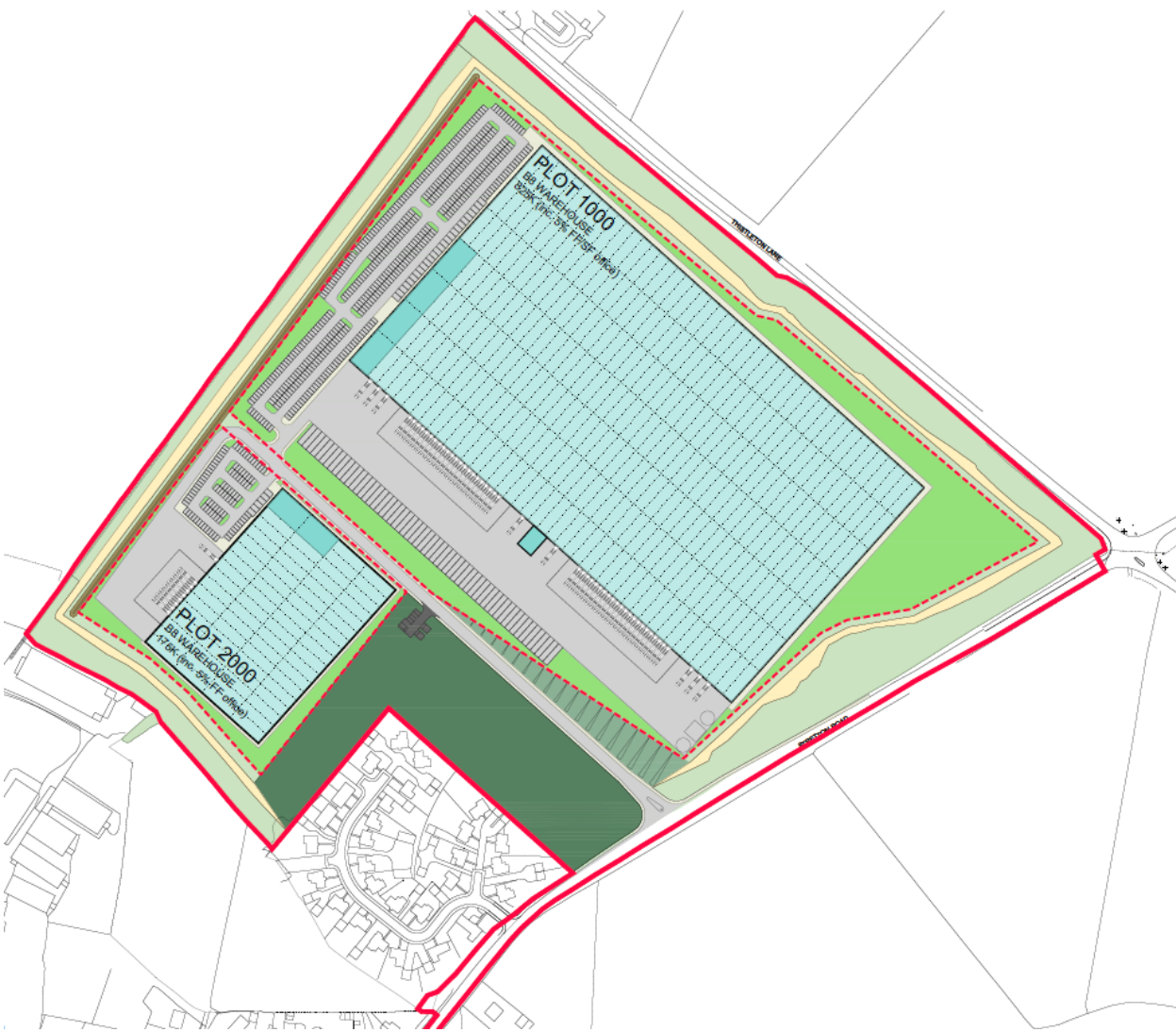
Site: GREATHAM QUARRY  
 RUTLAND  
 Project: ILLUSTRATIVE MASTERPLAN  
 COMMERCIAL DEVELOPMENT OPTION 2  
 Date: HEREWARD HOMES

**FRANK  
 SHAW  
 ASSOCIATES  
 LIMITED  
 ARCHITECTS**

Revision	Number	Author	Checked	Date
1	1250/A1	DHW		25/09/20
Drawing Number: 17101-FGA-00-10-CR-A-0125				

Option 2

135



FOR INFORMATION

ILLUSTRATIVE ONLY - NOT FOR APPROVAL

- Legend
- B2/B5 industrial logistics space
  - B2/B5 ancillary office space
  - Existing landscaping
  - Infrastructure landscaping
  - On plot landscaping
  - Acoustic and visual buffer zone
  - Yards and carparking
  - Reprofiled quarry cliff edge
  - 5 m wide bund to quarry floor
  - Access road
  - RIGD car park

Site: Greetham Quarry, Rutland

Client: Hereward Homes

Project: Illustrative Masterplan Commercial Development Option 1

**FRANK SHAW ASSOCIATES LIMITED ARCHITECTS**

17101-PSA-00-01-CP-A-0124

Option 1





## PLANNING AND LICENSING COMMITTEE

26 September 2022

### APPEALS

#### Report of the Strategic Director of Places

Strategic Aim:	Delivering Sustainable Development		
Exempt Information	No		
Cabinet Member Responsible:	Councillor Rosemary Powell - Portfolio Holder for Planning, Highways and Transport		
Contact Officer(s):	Penny Sharp, Strategic Director of Places	Tel: 01572 758160	<a href="mailto:psharp@rutland.gov.uk">psharp@rutland.gov.uk</a>
	Justin Johnson, Development Control Manager	Tel: 01572 720950	<a href="mailto:jjohnson@rutland.gov.uk">jjohnson@rutland.gov.uk</a>
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 None

### **3. DECISIONS**

- 3.1 **APP/A2470/W/22/3295422 – Mr Daniel Buckley – 2021/0767/OUT**  
31 The Quadrant, Uppingham, Rutland, LE15 9QP  
Construction of single-storey two bedroom dwelling.  
**Delegated Decision**  
**Appeal Dismissed – 6<sup>th</sup> September 2022**

### **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

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