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Rutland County Council

Catmose,
Oakham,
Rutland
LE15 6HP

Application:	2023/0532/MIN	ITEM 2	
Proposal:	Temporary permission to amend the initial extraction operations already approved under planning permission ref: 2020/0297/MIN.		
Address:	Greetham Quarry, Stretton Road, Greetham, Rutland, LE15 7NP		
Applicant	Mick George Ltd	Parish	Greetham
Agent:	Mick George Ltd	Ward	Greetham
Reason for presenting to Committee:	Objections received		
Date of Committee:	24 October 2023		
Determination Date:	22 August 2023		
Agreed Extension of Time Date:	27 October 2023		

EXECUTIVE SUMMARY

The application proposes amendment to the initial operations associated with the extraction of limestone from the quarry extension granted permission in February 2023. This permission allowed for a temporary use of the existing access point off the B668 whilst limestone in the area of a new access/roadway/office complex is extracted.

The proposal involves the location of a mobile crusher on the application site at the existing ground level within the former quarry to facilitate this extraction, with an area of Phase 5 extracted initially to allow access to phase 1 from within the existing quarry.

The implications of the proposal are that the crusher would then be operating on the existing quarry floor, (a level approximately 15m below the existing ground level of the quarry extension), with an associated reduction in the predicted noise levels at the monitoring points set out in the conditions attached to the permission for the quarry extension.

No objections have been received to the proposal from any of the relevant statutory consultees.

Objections received from Greetham Parish Council (GPC) and Campaign for the Protection of Rural England (CPRE) relate to the proposal delaying the restoration of the former quarry, and GPC alone consider there will be no environmental nor amenity benefits in moving the crushing operations within the former quarry.

Ten letters of objection have been received, stating that the proposal is unacceptable on the grounds that it will delay the further restoration of the former quarry.

RECOMMENDATION

1	Commencement of Development

	<p>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.</p> <p>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.</p>
2	<p>Scope of Permission</p> <p>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 2023/0532/MIN: Application forms dated 23 May 2023; Submitted Plan/Drawing Numbers: G17/6/23/02 G17/6/23/03</p> <p>Noise Impact Assessment undertaken by LFAcoustics and dated May 2023</p> <p>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.</p> <p>Reason: To ensure this planning permission and associated documents are available on site for reference and inspection by all operatives working on site.</p>
3	<p>Temporary period – 12 months from commencement.</p> <p>The development hereby permitted shall be ceased and the land restored in accordance with a restoration plan*, which shall be submitted to and agreed in writing by the local planning authority within six months of commencement of the development. The approved restoration scheme shall be implemented no later than 12 months from the date of commencement, which shall have been notified under condition 1.</p> <p>Reason: To retain control over the development and to ensure that the development does not prejudice the overall restoration of the wider 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.</p> <p>*Note to applicant – The restoration scheme required by this condition shall only relate to the area of land outlined in red on the site location plan for application 2023/0532/MIN. The remainder of the land shall be restored in accordance with any approved quarry restoration scheme.</p>
4	<p>Working Hours</p> <p>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; Save that no use of a mechanical breaker (Pecker) shall commence before 0800 on any operating day.</p> <p>There shall be no operations carried out on Sundays, or Public or Bank Holidays.</p> <p>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.</p>

5	<p>Removal of Permitted Development Rights</p> <p>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.</p>
6	<p>Lighting</p> <p>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 of permission 2020/0297/MIN. 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. 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.</p>
7	<p>Water Resources –</p> <p>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. Reason: 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.</p>
8	<p>Pollution Prevention</p> <p>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.</p>
9	<p>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.</p>

	Reason for conditions 8 to 9: 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.
10	Noise The development hereby approved shall only commence following the implementation of the planning permission approved under application reference 2020/0297/MIN and the implementation of the conditions approved under that permission. The development hereby approved shall be implemented in full accordance with the Noise Assessment prepared by LFAcoustics Dated May 2023.
11	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.
12	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.
13	Except for temporary works under the provisions of Condition 34 of planning permission 2020/0297/MIN, the equivalent sound level (LAeq), measured at the potentially noise sensitive receptors listed below over any one-hour time period attributable to the operations on site, as measured free field, shall not exceed: 48 dBA (1hr LAeq) at 48 Great Lane, Greetham, 51 dBA (1hr LAeq) at the White House, Thistleton Lane, Greetham, and 55 dBA (1hr LAeq) at Greetham Community Centre, Great Lane, Greetham.

Site & Surroundings

1. The application site forms part of the former Greetham Quarry, specifically a section to the northwest corner of the quarry adjacent to the area permitted for extended quarrying operations. The quarry floor is approximately 15 metres below the level of the surrounding land and there is an exposed rockface to the northwest boundary of the proposed site that forms phase five of the extended operation.
2. The application site is accessed from the B668 to the southeast through the existing haul road that served the existing quarry during its operational phase.
3. Greetham village lies to the southwest of the application site, and a residential dwelling is located immediately to the north of the site.

Proposal

4. The application seeks temporary planning permission to amend the initial extraction operations approved under planning permission 2020/0297/MIN. The proposal specifically seeks to allow the use of a portion of the existing quarry floor for the siting of a mobile crusher and limestone stockpile whilst quarrying operations on the extension are undertaken in a revised manner.
5. Quarrying operations would proceed into the permitted extension through a section of phase 5 and into phase 1 from the existing quarry floor rather than from ground level in the phase 1 area.

6. The proposal would not seek to amend the 12-month limitation on the haul road use to the B668 and would not affect the timeline for restoration of the existing quarry.

Relevant Planning History

Planning Guidance and Policy

Minerals Core Strategy DPD (2010)

MCS Policy 2 – The Supply of Minerals in Rutland

MCS Policy 7 – Residential and Sensitive Land – Uses

MCS Policy 12 – Restoration

MDC Policy 1 – Impacts of Mineral Development

MDC Policy 2 – Pollution, health, quality of life and amenity

MDC Policy 12 – Restoration and Aftercare

Neighbourhood Plan

Mineral rights land lies outside the scope of a Neighbourhood Plan and therefore there are no relevant policies.

Officer Evaluation

Principle of the use

7. The proposal is to allow for the temporary processing of mineral within the existing quarry and does not seek to gain permission for any additional mineral extraction from the adjacent land.
8. Minerals Core Strategy Policy 2 states that the County Council will allow proposals for minerals development only where they will not cause unacceptable harm to the environment or communities.
9. MCS Policy 7 states that the County Council will see to ensure that the adverse impact of mineral working on neighbouring communities and sensitive land-uses is minimised.
10. MCS Policy 12 states that 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. It goes on to say that the County Council's primary objective will be to achieve after-uses that enhance or add to biodiversity and geological conservation interests.

11. MDC Policy 1 sets out the issues that will be considered in relation to the determination of planning applications, which includes impacts relating to noise, and the natural environment. MDC Policy 2 notes that impacts on amenity will be given full consideration, while MDC Policy 12 states that restoration schemes will be required, followed and should be carried out at the earliest opportunity.
12. There are no policies therefore that would indicate that an application such as this would be contrary to the provisions of the Minerals Core Strategy DPD, and its acceptability therefore will be a matter of judgement in considering the planning balance.

Impact on nearby amenity of residential uses (including noise)

13. There are two main issues in relation to the planning balance of this application. The first of these is the impact of the proposed operations and relocation of the crusher to the floor of the former quarry.
14. The permissions in place would see the location of a mobile crusher on the area consented as an extension of the Greetham Quarry. The existing approved phasing plan for the extraction of the mineral from this site would currently see a small portion of the land at the north eastern corner of that site extracted first, providing for a new site entrance, roadway and office compound to be constructed in this area that would then serve the site as quarrying moves into phase 2 and beyond, with mineral extraction taking place from the north of the site and proceeding in a southerly direction with the final phase being extraction along the border with the existing quarry. This phasing plan would require extraction of mineral from the site via the existing route southeast to the B668 for a period of 12 months while the new access, roadway and office compound are established.
15. The proposal under consideration would instead see quarrying commence through a section of phase 5 where it adjoins phases 1 and 2. Stockpiled limestone would be located immediately to the south of this area for removal via the access to the southeast, and the crusher would proceed to the west into the extended area as quarrying operations continue. This would see the operations comply with the time period previously allowed for use of the existing access but with the advantage of the crusher being located on the floor of the existing quarry, which would reduce noise levels at two of the three monitoring locations with no adverse impact at the third.
16. The Public Protection team of the Local Authority have examined the noise report submitted alongside the application to provide evidence of the improved noise levels and have identified no concerns with the findings or methodology of the report.
17. Consequently, the relocation of the crusher to the floor of the existing quarry for the proposed temporary period would result in a reduction in the impact of

the quarrying operations on residential amenity through a reduction in the likely noise impacts of the proposal, and this would weigh positively in the planning balance in respect of the scheme.

Impact of the use on the character of the area

18. The proposal would allow for the continued use of a portion of the former quarry floor during the initial phase of excavation of the extended quarry area. The existing permission granting consent for quarrying operations in the extended area already allows the existing infrastructure and haul road to be used for the first twelve months of quarrying operations. The proposal seeks temporary permission for the use of the existing quarry floor whilst extraction proceeds into the extended area. The main impacts of the proposal in respect of the character of the area are that quarrying operations and the mobile crusher would be located at the level of the existing quarry floor, approximately 15 metres below the level of the ground within the extended site. On that basis, the scheme is likely to result in reduced visual impacts to the surrounding area of the extension whilst resulting in only minor detrimental changes to the wider surroundings of the development site – the location of the crusher and stockpile on the floor of the existing quarry is likely to have only very limited impacts in this respect, with no public views available into the quarry except through the main existing entrance on the B668, a point in excess of 450 metres from the proposed crusher location on the opposite side of the quarry itself.
19. In this regard therefore the proposal is considered to have a neutral impact in the planning balance.

Heritage

20. There are no heritage impacts arising from the proposal. This is confirmed in the responses from the relevant statutory consultees.

Highway issues

21. The proposal will have no impact on the highway as it will not amend any of the existing permissions in respect of vehicular access or haul routes. The Highways Authority has confirmed that they have no objections to the proposals.

Restoration

22. The restoration scheme required for the existing quarry will not be affected by the proposal.

Section 106 Heads of Terms

23. Not applicable

Crime and Disorder

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

Human Rights Implications

25. 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.
26. It is considered that no relevant Article of that act will be breached.

Consultations

Below is a summary of the comments. Full details can be viewed on the Council's website. (https://publicaccess.rutland.gov.uk/online-applications/?_ga=2.69299920.1503643438.1693558555-1954588303.1693558555)

27. **Greetham Parish Council**
Objections received from Greetham Parish Council (GPC) and Campaign for the Protection of Rural England (CPRE) relate to the proposal delaying the restoration of the former quarry, with the comments asserting that the proposal represents a mechanism by which the applicant is seeking to delay undertaking of the restoration.
28. GPC also considers there will be no environmental nor amenity benefits in moving the crushing operations within the former quarry.
29. 'No objections' were received from the following consultees:
- British Pipeline Agency
 - Environment Agency
 - Natural England
 - National Highways
 - RCC Highways
 - Historic England
 - LCC Archaeology
 - RCC Public Protection
 - RCC Public Rights of Way

Neighbour Representations

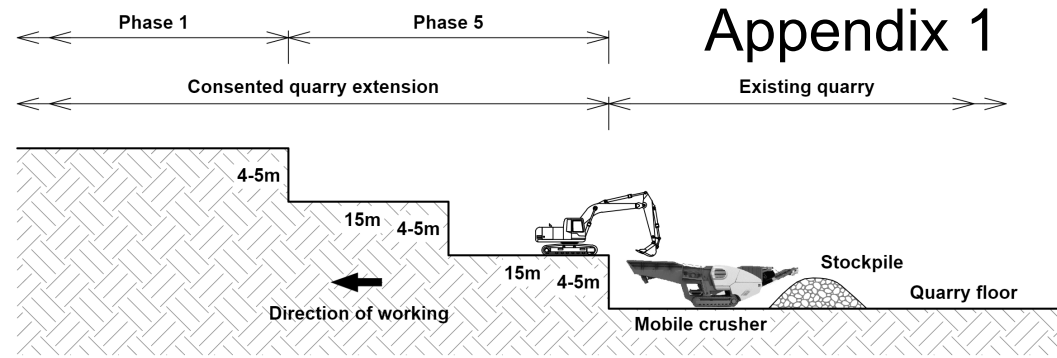
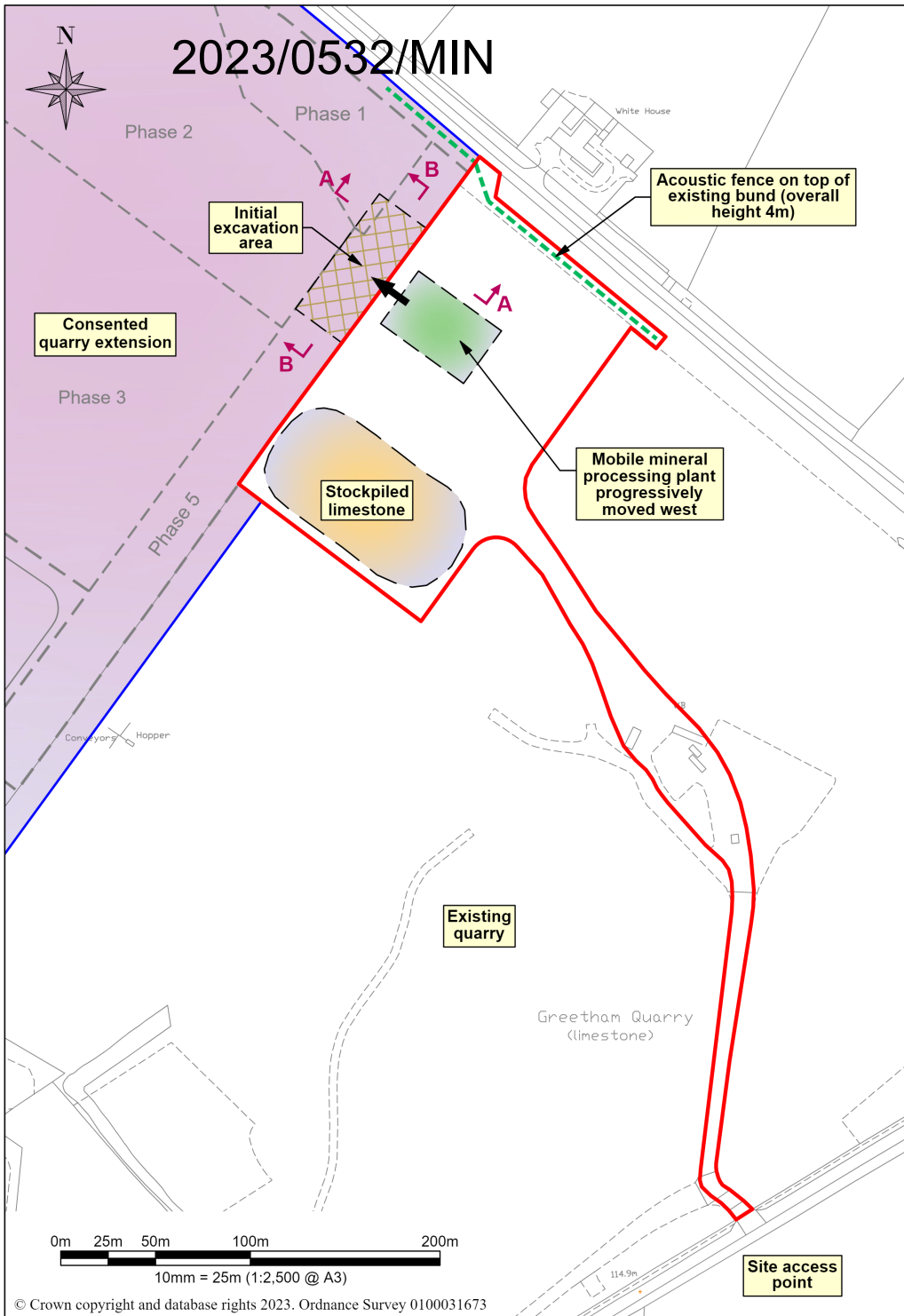
Below is a summary of the comments. Full details can be viewed on the Council's website. (https://publicaccess.rutland.gov.uk/online-applications/?_ga=2.69299920.1503643438.1693558555-1954588303.1693558555)

30. Ten letters of objection have been received, raising the following matters:
- No public benefit.
 - Prevents restoration of the quarry.
 - 3 years have not passed since the clearance of Japanese knotweed from the site therefore the soils should not be disturbed.

- The old quarry is not properly fenced off.

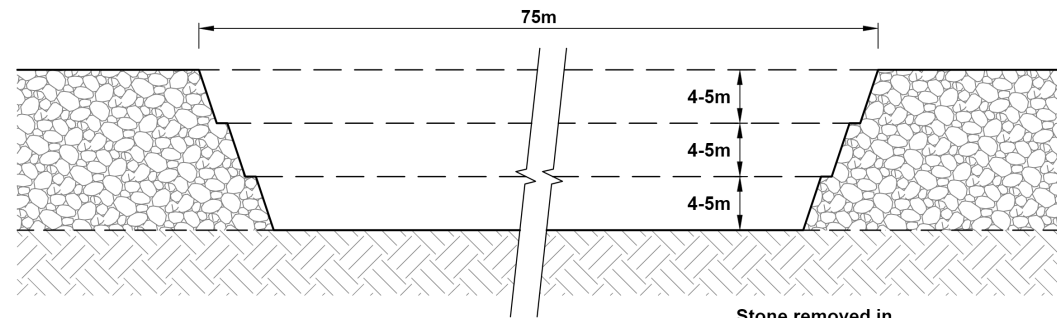
Conclusion

31. The proposal will result in an improvement in the relationship between the quarrying operations and residential amenity in the surrounding area. The impact of the quarrying operations within the extended quarry on residential amenity was considered at the time of the application to be within acceptable levels, however this application will result in further reduction of those noise levels to the majority of receptors, with no worsening of the noise at the remaining monitoring locations. Consequently, the scheme represents a benefit in terms of its impact on residential amenity.
32. The scheme will not result in an impact on the restoration of the quarry as it is a temporary proposal that does not seek to extend operations in the existing quarry beyond the 12-month period already granted to the use of the existing haul road and access, which would prevent restoration of this part of the quarry in any case.
33. The proposal is therefore considered to be in accordance with the relevant policies of the development plan and there are no material considerations that would indicate permission should not be granted in accordance with those policies.



Section A-A

Scale 1:500 @ A3



Section B-B

Scale 1:500 @ A3

— Application boundary

Appendix 1

MICK GEORGE

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 HUNTINGDON
 CAMBS
 PE29 6XU
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Project
**GREETHAM QUARRY
 EXTENSION - PROPOSED
 TEMPORARY MINERAL
 PROCESSING AREA**

Title
**BLOCK PLAN &
 CROSS SECTIONS**

Drawn: AP Approved: JG

Date: 16/05/2023 Scale: As shown

Drawing number Paper size Rev.
 G17/6/23/03 A3 -