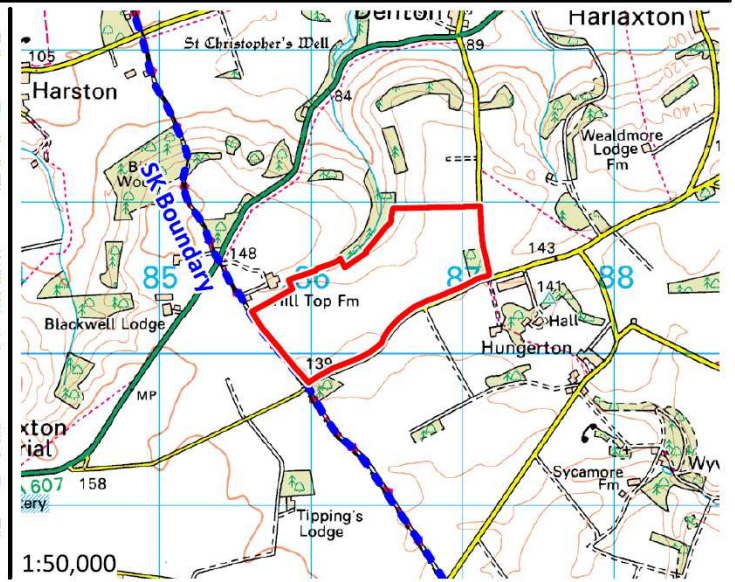
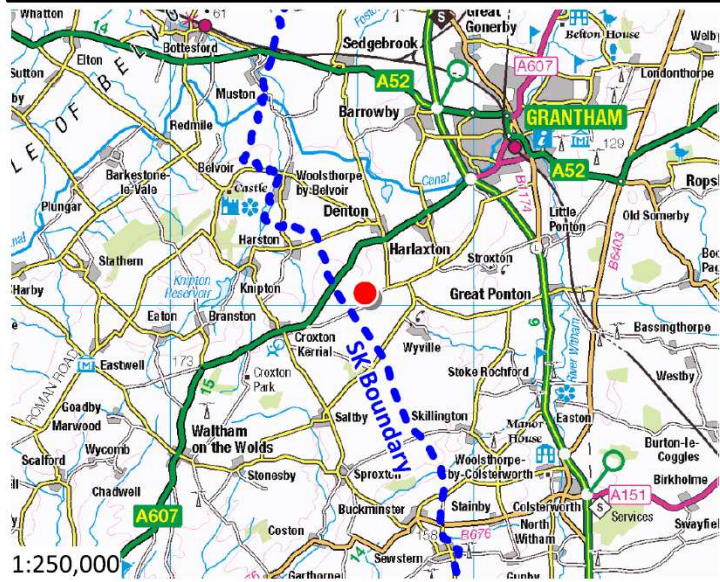


PWM3 S15/1611/CM

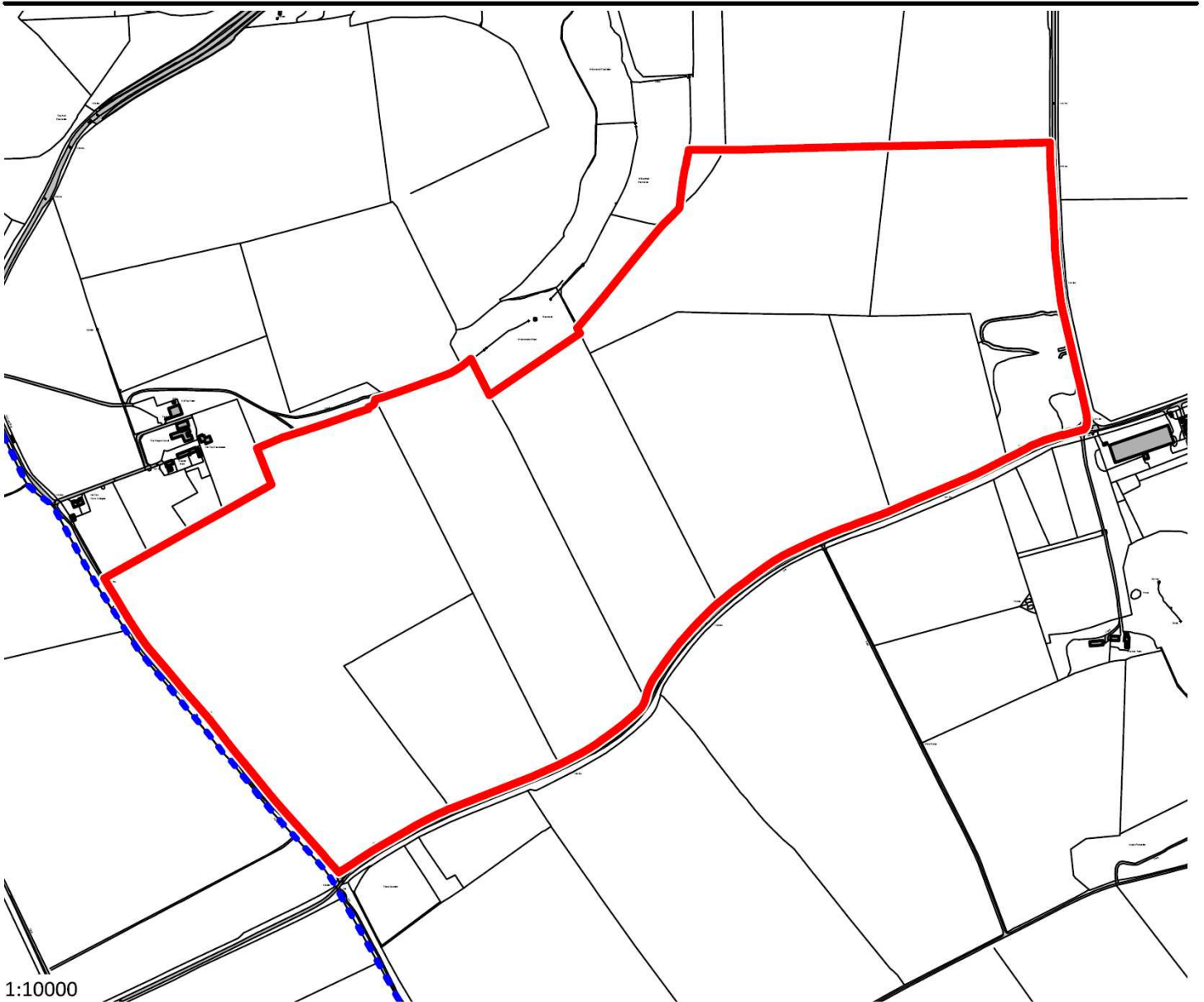
Target Decision Date: 26-Jun-2015

Committee Date: 21-Jul-2015

Applicant	Mick George Ltd Second Drove, Meadow Lane, St Ives, Cambridgeshire, PE27 4YQ
Agent	
Proposal	(PL/0082/15) or the extraction of limestone and importation of sustainable inert fill to achieve a beneficial restoration of the site
Location	Land at Gorse Lane, Denton, Grantham
App Type	County Matter
Parish(es)	Denton
Reason for Referral to Committee	County Council application which causes wide public interest in the South Kesteven Area.
Recommendation	Approved (without conditions)



Site Boundary Plan



- Key**
- Application Location
 - Application Boundary

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REPORT

S15/1611- Consultation on a planning application submitted to Lincolnshire County Council for - the extraction of limestone and importation of sustainable inert fill to achieve a beneficial restoration of the site.

Land at Gorse Lane, Denton, Grantham

1.0 Role of the District Council

1.1 This planning application has been submitted to Lincolnshire County Council who in their role as the Minerals Planning Authority is the determining authority for this type of development. As the application site is within South Kesteven, South Kesteven District Council has been consulted on the application.

2.0 Application Site

2.1 The site is mostly agricultural land with an area of approximately 103.9ha and is wholly within South Kesteven District and Denton Parish. It is gently undulating land on the top of the plateau.

3.0 Proposal

3.1 The application proposes phased quarrying and restoration of the land over a number of years. It is anticipated that at any one time 85% of the land will continue to be in agricultural use. Various landscaping (temporary and permanent) measures and biodiversity enhancements are also proposed.

3.2 The site is part of a far more extensive area (approximately 6 square km) which benefits from an extant historic planning permission for quarrying dating back to 1953. This includes sensitive areas directly adjacent to Denton and Harlaxton villages. Historic minerals permissions of this type are "dormant" under the 1995 Environmental Act but can be reactivated at any time on approval of a new scheme of planning conditions accompanied by an environmental statement submitted to the local minerals planning authority. This is the fallback position against which the application must be assessed. The applicant is proposing entering into a section 106 legal agreement which would rescind the historic permission as part of an approval for the current scheme.

4.0 Assessment

4.1 Apart from the north western part of the application site close to Hill Top Farm, Croxton Kerrial, the site is within the much larger area covered by the extant historic permission. The fallback position (i.e. what could be done under existing consents) is an important material consideration that must be taken into account. Should permission not be granted for the current scheme, the applicant could revert back to the much more extensive and environmentally damaging historic permission. Furthermore, granting permission for the current scheme subject to a section 106 would permanently rescind the historic permission ensuring that both permissions could not be carried out together. SKDC Environmental Protection Section have confirmed that in their opinion, there are adequate measures proposed to ensure that noise, disturbance and dust are kept within acceptable limits.

4.2 Taking the above into account, there are no grounds to object to the principle of the development. However, officers have identified a number of shortcomings in the submitted details, and particular issues that have not been adequately addressed. LCC as the minerals planning authority will need to be satisfied that these issues have been fully addressed before determining the application.

5.0 Recommendation

5.1 Your Officers recommend that South Kesteven District Council write to Lincolnshire County Council and advise that the following issues need to be addressed:

The issues identified include:

The Landscape and Visual Impact Assessment (LVIA) concludes that there is no conflict with South Kesteven CS policy EN1. EN1 states “Development must be appropriate to the character and significant natural, historic and cultural attributes and features of the landscape within which it is situated, and contribute to its conservation, enhancement or restoration.” Clearly the LVIA conclusion is incorrect as the area is part of the Kesteven Uplands which is described as relatively unspoilt undulating agricultural landscape in the South Kesteven Landscape Character Assessment. There will inevitably be an adverse landscape and visual impact through the nature of the operations, which can never be fully mitigated through landscaping. LCC must give this conflict with policy EN1 due weight in the planning balance and be satisfied that the benefits outweigh the adverse impacts if they are minded to approve.

The north western part of the site (which is beyond the historic permission), is very close to Hill Top Farm, which is former farmstead consisting of a grade II listed farmhouse and a range of associated curtilage listed barns converted to a dwelling, and another barn listed as grade II in its own right which has been converted to 2 x dwellings. There are also a pair of semi detached cottages nearby. Whilst some landscaping (including woodland planting and bunding) is proposed, there will inevitably be some adverse impact (less than substantial harm) on the relatively unspoilt rural setting of this group of heritage assets. It is considered that the ES understates the potential impact identified above which again conflicts with CS policy EN1. LCC must give this conflict with policy EN1 due weight in the planning balance and in accordance with the NPPF be satisfied that any public benefits outweigh the adverse impacts if they are minded to approve.

It is recommended that the northern boundary of the site be moved back to create a more acceptable separation distance, preferably to correspond to the extant permission.

If LCC are minded to approve the application in its current form they must be satisfied that the impacts are within acceptable limits and that all necessary mitigation is in place.

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