

Agenda Item	A10
Application Number	22/00237/CCC
Proposal	County Council Consultation request for the variation of condition 1 of planning permission LCC/2016/0061 to allow for continued operation of the concrete batching plant until 21 February 2034, with all buildings, plant and associated equipment being removed and the site restored by 21 February 2035
Application site	Dunald Mill Quarry Long Dales Lane Nether Kellet Lancashire
Applicant	Lancashire County Council
Agent	
Case Officer	Mr Mark Potts
Departure	No
Summary of Recommendation	That in response to the County Council consultation, the City Council offers no objection subject to the imposition of conditions associated with the parent consent on the assumption that the wider application associated with LCC/2021/0058 is supported.

(i) **Procedural Matters**

This application has been submitted to, and will be determined by, Lancashire County Council as they are responsible for planning matters that relate to waste and minerals. Lancaster City Council has been consulted as the proposal falls within their District, and as such this report sets out the City Council's proposed **consultation response** to the continuation of mineral extraction at Dunald Mill Quarry, Nether Kellet. It will be for the County to determine whether planning consent should be granted or not.

1.0 Application Site and Setting

1.1 Dunald Mill Quarry is a large limestone quarry, of regional importance, located on both sides of Long Dales Lane, approximately 6km northeast from Lancaster and to the east of Nether Kellet Village. The quarry is divided into two areas by Long Dales Lane. To the west is the main quarry void, with the restoration scheme forming a lake within the main void space. To the east, where the application site is located, is a much shallower quarry formerly used for the processing plant and stocking area. The batching plant is currently non-operational and removed from site. It was situated in the south-eastern corner of the eastern extent of the quarry.

2.0 Proposal

2.1 The scheme is made under Section 73 of the Town and Country Planning Act to allow for the variation of condition 1 of planning permission LCC/2016/0061 to extend the operation period of the concrete batching plant to 21 February 2034 in line with the extension proposed on application

LCC/2021/0058 which relates to the continuation of the winning and working of minerals. The proposal suggests full restoration by 21 February 2035.

2.2 There is currently a planning application with the County Council to allow the continuation of mineral extraction until 21 February 2034 with site restoration being completed by 21 February 2035 (application ref: LCC/2021/0058). The City Council raised no objections to this scheme earlier in 2022, subject to the imposition of conditions associated with the parent consent. At the time of drafting this report the County has still to determine the application.

3.0 Site History

3.1 The site has historic planning permissions relating to the site for the wining and working of limestone.

Application Number	Proposal	Decision
LCC/2021/0058	Amendment of Condition 1 of permission 1/97/1298 to allow continuation of mineral extraction until 21 February 2034 with site restoration being completed by 21 February 2035	Pending consideration Lancaster City Council raised no objection
LCC/2016/0061	Variation of condition 1 of 01/06/1004 to permit the use of the existing batching plant until 21 February 2022	Granted
01/98/0495	Continued use and retention of batching plant and ancillary facilities	Granted
01/97/1298	Review of Old Mineral Permission (ROMP)	Granted

4.0 Consultation Responses

4.1 The following responses have been received from statutory and internal consultees:

Consultee	Response
Engineers	No observations received within the statutory timescales
Planning Policy	No observations received within the statutory timescales
Tree Protection Officer	No observations received within the statutory timescales
Environmental Health	No observations received within the statutory timescales

4.2 No comments have been received in relation to the application, all publicity is undertaken by the County.

5.0 Analysis

5.1 The key considerations in the assessment of this application are:

- Landscape and Visual

5.2 Landscape and Visual - NPPF Section 2 Achieving Sustainable Development, Section 15 Conserving and Preserving the Natural Environment, Section 17 Facilitating the sustainable use of Minerals; Policies DM29 Key Design Principles, DM44 The Protection and Enhancement of Biodiversity, DM45 Protection of Trees, Hedgerows and Woodland, DM46 Development and Landscape Impact of the Development Management DPD; Policies EN3 The Open Countryside, EN7 Environmentally Important Areas)

5.2.1 The planning application boundary encompasses a concrete batching plant which, when operational, comprises a conveyor rising to raised covered bins which feed materials into the main mixing building which is raised above the concrete truck mixer load out bay. A weighbridge

cabin, canteen and ancillary store are located adjacent to the plant. A stocking area for imported materials used in the production of concrete is located adjacent to the plant. Access to the site is via an entrance off Long Dales Lane and through a route across the quarry floor. Turning space is provided at both the aggregate bays and the plant itself.

- 5.2.2 The plant can produce approximately 15,000m³ of ready mixed concrete, mortars and screeds per annum, using approximately 19,000 tonnes of aggregate and sand products, all of which are imported to the site. The site had been mothballed as had the main winning and working of minerals on the site but was an important supplier of mortars, screeds and concrete to Lancashire, Cumbria and North Yorkshire. Officers support the use on the assumption consent is granted by the County for the continuation of mineral working. The development is well sited and as such it is not considered would be harmful to the amenity of the local area however concerns would be expressed if the development was continued in isolation from the main use.

6.0 Conclusion and Planning Balance

- 6.1 The site is covered by a Mineral Safeguarding Area within Policy SC1 of the Minerals and Waste Core Strategy. Minerals, and mineral products make an important contribution to the local economy. Given the positioning of the concrete batching plant on the site, assuming the County support the wider winning and working of minerals would not be harmful to the open countryside nature of the area. The site shall be restored in accordance with an agreed scheme to be agreed in writing by the Mineral Planning Authority.

Recommendation

That the City Council has **NO OBJECTION** to the proposal, on the assumption that application LCC/2021/0058 is supported by the County, and subject to the imposition of conditions associated with the parent consent remaining.

Article 35, Town and Country Planning (Development Management Procedure) (England) Order 2015

This is not relevant as Lancashire County Council is the determining authority. Lancaster City Council is simply a consultee for this application.

Background Papers