Town and Country Planning Act 1990

PLANNING PERMISSION

Name and address of applicant
Mick George Ltd
Second Drove
Meadow Lane
St Ives
Cambs
PE27 4YQ

Name and address of agent

Part I - Particulars of application

Date of Application
10\textsuperscript{th} March 2014

Application No.:
NCC – 14/00008/MINFUL
ENC – 14/00511/NCC

Particulars and location of development
Importation of aggregate from Rectory Farm Quarry, Thrapston to Lilford Lodge at Lilford Lodge Farm, Thrapston Road, Barnwell, Northamptonshire PE8 5SA

Part II - Particulars of decision:

The Northamptonshire County Council

Hereby give notice in pursuance of the provisions of the Town and Country Planning Act 1990 that permission has been granted for the carrying out of the development referred to in Part I hereof in accordance with the application and plans submitted subject to the following conditions:-

Conditions and Reasons:

Commencement

1. The development hereby permitted shall be begun before the expiration of one year from the date of this permission. Written notification of the date of commencement shall be sent to the Minerals Planning Authority within 7 days of such commencement.

REASON: To conform with the requirements of Section 91 of the Town and Country Planning Act 1990 as amended by the Planning and Compulsory Purchase Act 2004.

Note: This permission only relates to planning permission and does not include consent under the Building Regulations for which separate permission may be required. The requirements of the Chronically Sick and Disabled Persons Act 1970, the Disability Discrimination Act 1995 and the Special Education Needs and Disability Act 2001 should also be adhered to wherever appropriate.
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:

   (a) Application Form Part I dated 5 February 2014;
   (b) Application Form Part VI dated 27th February 2014;
   (c) Drawing Number L23-01 Importation of Mineral dated 16th January 2014;
   (d) Drawing Number L23-02 Site Location Plan; and
   (e) Supporting Statement prepared by Mick George Ltd dated 10th March 2014.

REASON: To specify the approved plans and documents in the interests of amenity with regard to Policy CS14 of the Northamptonshire MWDF Core Strategy DPD (2010).

3. From the date of the commencement to the completion of the development, a copy of this permission including all documents hereby approved and any other documents subsequently approved in accordance with this permission, shall always be on display at the main office for inspection during normal working hours.

REASON: To ensure this planning permission and associated documents are available on site for reference and inspection.

Completion

4. All operations (mineral importation and processing) shall cease by no later than 31st July 2015 after which date all the requirements in the planning conditions on Planning Permission 09/00079/MIN shall apply to the land.

REASON: To specify the date when the operations shall have been fully implemented in the interests of safeguarding the environment and amenities having regard to Policy CS14 of the MWDF Core Strategy (2010).

Working and Related Operations

Hours of Working

5. Unless otherwise approved in writing by the Minerals Planning Authority, the development hereby permitted shall only be carried out during the following times:

   07:30 to 18:00 hours Monday to Friday

Note: This permission only relates to planning permission and does not include consent under the Building Regulations for which separate permission may be required. The requirements of the Chronically Sick and Disabled Persons Act 1970, the Disability Discrimination Act 1995 and the Special Education Needs and Disability Act 2001 should also be adhered to wherever appropriate.
08:00 to 13:00 hours Saturdays

and at no other times or on Sundays, Bank or Public Holidays.

REASON: In the interests of limiting the effects on local amenity, to control the impacts of the development and to comply with Policy CS14 of the MWDF Core Strategy (2010).

Access and Highway Safety

Access Junction

6. The sole vehicular access in association with the development hereby permitted shall be via the existing access used in connection with planning permission 09/00079/MIN, and the access shall be retained and maintained in accordance with the planning conditions and approvals under planning permission 09/00079/MIN.

REASON: In the interests of highway safety and local amenity in accordance with Policy CS14 of the MWDF Core Strategy (2010).

Signage

7. The highway warning signs within the site and at the site access as approved in connection with planning permission 09/00079/MIN shall be maintained for the duration of the development hereby permitted.

REASON: In the interests of highway safety in accordance with Policy CS14 of the MWDF Core Strategy (2010).

Pedestrian/PROW Signage

8. The signs warning pedestrians and vehicles of the intersection of the haul road/site access road and Footpath NG1 as erected in connection with planning permission 09/00079/MIN shall be maintained for the duration of the development hereby permitted.

REASON: In the interest of the safety of all users of both the Right of Way and the haul road.

Prevention of Mud and Debris on Highway

9. The wheel and underside chassis cleaning facilities as approved in connection with planning permission 09/00079/MIN shall be maintained for the duration of the development hereby permitted to ensure no commercial vehicles shall leave the site unless the wheels and the underside chassis are clean to prevent materials, including mud and debris, being deposited on the public highway.

Note: This permission only relates to planning permission and does not include consent under the Building Regulations for which separate permission may be required. The requirements of the Chronically Sick and Disabled Persons Act 1970, the Disability Discrimination Act 1995 and the Special Education Needs and Disability Act 2001 should also be adhered to wherever appropriate.
REASON: In the interests of highway safety and local amenity in accordance with Policy CS14 of the MWDF Core Strategy (2010).

Vehicle Sheeting

10. All imported minerals and minerals transported from the site shall be securely sheeted in such a way as to ensure that no material is deposited on the public highway.

REASON: In the interests of highway safety and safeguarding the local environment in accordance with Policy CS14 of the MWDF Core Strategy (2010).

Local Amenity Protection

Noise

11. Except as otherwise may be agreed in writing by the Minerals Planning Authority:

   i. All plant, equipment and machinery used on site; including vehicular traffic, shall be designed and maintained to reduce noise levels to a minimum and be operated in accordance with manufacturer’s instruction;

   ii. All plant, equipment and machinery, including vehicles shall, where capable, be fitted with silencers, baffles, cladding or rubber linings, and be maintained so as to reduce noise to a minimum and operated in accordance with manufacturer’s instructions;

   iii. All mobile plant/vehicles operating on the site shall be fitted with white noise audible reversing alarms;

   iv. The site shall be operated in accordance with the measures set out in Part 1 of the British Standard 5228-1:2009 “Code of Practice for Noise and Vibration on Construction and Open Sites”. The equivalent sound level (LAEq), measured over any 1 hour time period, attributable to the normal operations on site, as measured free field shall not exceed 55 dBA (1hrLAEq) at White Lodge, the dwelling at The Growing Garden, Mill Farm Cottage, The Old Rectory in Stoke Doyle, Keepers Lodge in Lilford Park and the dwelling at Lilford Lodge Farm.

REASON: To safeguard the amenities of local residents in accordance with Policy CS14 of the MWDF Core Strategy (2010).

12. Following notification in writing by the Mineral Planning Authority monitoring of noise from the development shall be undertaken at White Lodge, the dwelling

Note: This permission only relates to planning permission and does not include consent under the Building Regulations for which separate permission may be required. The requirements of the Chronically Sick and Disabled Persons Act 1970, the Disability Discrimination Act 1995 and the Special Education Needs and Disability Act 2001 should also be adhered to wherever appropriate.
at The Growing Garden, Mill Farm Cottage, the Old Rectory in Stoke Doyle, Keepers Lodge in Lilford Park and the dwelling at Lilford Lodge Farm, for a period of 15 minutes at each property. The results of the noise monitoring shall be submitted to the Mineral Planning Authority when required and shall include the following information:

i. The measured LAeq (free field) level in dB(A);
ii. The LAeq(free-field) attributable to operations on the development site;
iii. Date and time of measurement;
iv. Description of site activity;
v. Details of measuring equipment;
vi. Weather conditions, including wind speed and direction.

REASON: To safeguard the amenities of local residents in accordance with Policy CS14 of the MWDF Core Strategy (2010).

13. In the event that any complaints regarding noise are received by the Mineral Planning Authority from any sensitive receptor, and thereafter notified to the operator in writing, an immediate assessment of the complaint shall be undertaken. A report on the findings, with proposals for rectifying and a program for the implementation of remedial measures to be undertaken, shall be submitted to the Mineral Planning Authority no later than 5 working days from the receipt of the written notification from the Mineral Planning Authority.

REASON: To safeguard the amenities of local residents in accordance with Policy CS14 of the MWDF Core Strategy (2010).

**Dust**

14. Dust shall be controlled in accordance with the scheme required in connection with planning permission 09/00079/MIN. The development shall be implemented in accordance with the approved scheme with the approved dust suppression measures being retained and maintained in a fully functional condition for the duration of the development hereby permitted.

REASON: To safeguard the local environment and protect amenity of the local residents from unreasonable dust levels in accordance with Policy CS14 of the MWDF Core Strategy (2010).

15. In the event that any complaints regarding dust are received by the Mineral Planning Authority from any sensitive receptor, and thereafter notified to the operator in writing, an immediate assessment of the complaint shall be undertaken. A report on the findings, with proposals for rectifying and a program for the implementation of remedial measures to be undertaken, shall be submitted to the Mineral Planning Authority no later than 5 working days from the receipt of the written notification from the Mineral Planning Authority.

REASON: To safeguard the amenities of local residents in accordance with

**Note:** This permission only relates to planning permission and does not include consent under the Building Regulations for which separate permission may be required. The requirements of the Chronically Sick and Disabled Persons Act 1970, the Disability Discrimination Act 1995 and the Special Education Needs and Disability Act 2001 should also be adhered to wherever appropriate.
Policy CS14 of the MWDF Core Strategy (2010).

Stockpile Heights

16. No materials shall be stockpiled or stored at a height greater than 5 metres when measured from adjacent ground level and shall then only be in the locations identified on drawing reference plan GPP-FG-LLF-09-03 Revision 1 relating to planning permission reference 09/00079/MIN.

REASON: To minimise the visual impact of the development in the interests of visual amenity in accordance with Policy CS14 of the MWDF Core Strategy (2010).

Environmental Protection

Flood Risk

17. The development permitted by this planning permission shall only be carried out in accordance with the Flood Risk Assessment (FRA) (approved by planning permission reference 09/00079/MIN) undertaken by Rolton Group Limited (dated November 2009, ref: 08-0593-REV D) and the following mitigation measures detailed within the FRA:

1. Provision of compensatory flood storage.
2. Finished floor levels of the facilities building is set no lower than 24.0m ODN.

REASONS: To reduce the risk and impact of flooding to the proposed development and future occupants, surrounding area and third parties.

Foul Water Disposal

18. The development permitted by this planning permission shall only be carried out in accordance with the approved non-mains drainage assessment (planning permission 09/00079/MIN) including the following specific mitigation measures detailed therein:

1. The outlet from the plant shall drain into the existing watercourse, sited a minimum of 24.72m AOD – no infiltration of treated foul water drainage into the ground is permitted;

2. The applicant shall enter into a service agreement with the plant provider which secures the responsibility for the operation and maintenance of the plant in accordance with the manufacturer’s instructions for the duration of the plant’s use.

REASON: To ensure that the risk of pollution is minimal. The site lies on a sequence of different geological formations classified as principal and

Note: This permission only relates to planning permission and does not include consent under the Building Regulations for which separate permission may be required. The requirements of the Chronically Sick and Disabled Persons Act 1970, the Disability Discrimination Act 1995 and the Special Education Needs and Disability Act 2001 should also be adhered to wherever appropriate.
secondary aquifers therefore the site is considered particularly sensitive in respect of pollution in accordance with Policy CS14 of the MWDF Core Strategy (2010).

Pollution Control

19. Pollution control shall be in accordance with the following:

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

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

REASON: To minimise risk of watercourse and aquifer pollution and to prevent pollution of the water environment in accordance with Policy CS14 of the MWDF Core Strategy (2010).

Landscaping

20. Landscaping at the site shall be undertaken and maintained in accordance with the requirements of the scheme required in connection with planning permission 09/00079/MIN.

21. Any trees, shrubs or hedges planted in accordance with the approved scheme shall be maintained and any plants which within five years of planting die, are removed or become seriously damaged or diseased shall be replaced in the next planting season with others of a similar size and species, unless otherwise agreed in writing by the Minerals Planning Authority.

REASON for 20 and 21:: In the interests of the landscape and visual amenity in accordance with Policy CS14 of the MWDF Core Strategy (2010).

Protection of RIGS Site

22. The RIGS site shall be safeguarded in accordance with the scheme required in connection with planning permission 09/00079/MIN.

Note: This permission only relates to planning permission and does not include consent under the Building Regulations for which separate permission may be required. The requirements of the Chronically Sick and Disabled Persons Act 1970, the Disability Discrimination Act 1995 and the Special Education Needs and Disability Act 2001 should also be adhered to wherever appropriate.
REASON: In the interests of geodiversity in accordance with Policy CS14 of the MWDF Core Strategy (2010).

**Removal of Plant**

23. All mineral processing plant and associated apparatus including pipework, machinery and buildings, temporary offices, weighbridges, wheel cleaning facilities, all hard standings and foundations and mineral stockpiles and temporary soil bunds shall be removed from the site in accordance with the requirements of planning permission 09/00079/MIN.

REASON: To ensure that the Mineral Planning Authority retains control of the location, erection, appearance and removal of fixed and mobile plant, machinery, buildings and foundations in the interests of amenity in accordance with Policy CS14 of the MWDF Core Strategy (2010).

**Informative**

a. This is a temporary permission until the 31st July 2015 for the importation and processing of sand and gravel at the existing processing plant. The principle permission for the land is that granted in connection with 09/00079/MIN for the extraction of sand and gravel and construction of a 100 berth marina basin.

**REASONS FOR APPROVAL**

This proposal seeks to import aggregate (sand and gravel) from Rectory Farm Quarry, near Thrapston to utilise the existing on-site mineral processing plant at Lilford Lodge over an estimated 6 month period. It is considered that to allow the importation of sand and gravel from Rectory Farm Quarry to utilise the existing temporary processing plant and facilities at Lilford Lodge provides a commercially viable opportunity to utilise the poor quality aggregate thus allowing it to contribute to the recognised need for sand and gravel in Northamptonshire. It is considered that the benefits of bringing the poor quality material from Rectory Farm Quarry to its best possible end use outweigh the inevitable increase in HGV movements for a temporary period. Granting of this permission would also enable the site at Thrapston to be fully restored in advance of the date required under the planning consent for the site. The environmental, amenity and highway safety implications of the application have been carefully considered in relation to the relevant Development Plan policies and National Planning Policy Framework, and having regard to the consultation responses to the application. In particular the proposal is considered to be in keeping with Policies CS5, CS9, CS13 and CS14 of the MWDF Core Strategy DPD and Policies CMD4, CMD8 and CMD13 of the MWDF Control and Management of Development DPD.

**Note:** This permission only relates to planning permission and does not include consent under the Building Regulations for which separate permission may be required. The requirements of the Chronically Sick and Disabled Persons Act 1970, the Disability Discrimination Act 1995 and the Special Education Needs and Disability Act 2001 should also be adhered to wherever appropriate.
The site is an established processing site and subject to the proposed planning conditions it is considered that key amenity impacts relating to noise, dust and traffic can continue to be minimised to an acceptable level.

On balance it is considered that the proposed operations, in conjunction with the conditions, would not create an adverse impact sufficient to justify refusal of this application. It is therefore recommended that planning permission is granted subject to the conditions.

**POSITIVE PROACTIVE STATEMENT**

In determining this planning application the Minerals Planning Authority has worked with the applicant in a positive and proactive manner. Concerns and issues raised during consultation on the submitted application have been considered by the Minerals Planning Authority, discussed with consultees and the applicant/agent and are addressed by conditions where appropriate.

The approach to this application has been taken in accordance with the requirement in the National Planning Policy Framework, as set out in the Town and Country Planning (Development Management Procedure) (England) (Amendment No.2) Order 2012.

Date 9th June 2014 Signed [Signature]

For Assistant Director of Environment and Planning

---

**Note:** This permission only relates to planning permission and does not include consent under the Building Regulations for which separate permission may be required. The requirements of the Chronically Sick and Disabled Persons Act 1970, the Disability Discrimination Act 1995 and the Special Education Needs and Disability Act 2001 should also be adhered to wherever appropriate.
1. If the applicant is aggrieved by the decision of the local planning authority to refuse permission or approval for the proposed development, or the grant permission or approval subject to conditions, he may appeal to the Secretary of State for the Environment in accordance with Sections 78 and 79 of the Town and Country Planning Act 1990 within six months of receipt of this notice. (Appeals must be made on a form which is obtainable from the Planning Inspectorate, 3/08a Kite Wing, Temple Quay House, 2 The Square, Temple Quay, Bristol, BS1 6PN). The Secretary of State has power to allow a longer period for the giving of a notice of appeal but he will not normally be prepared to exercise this power unless there are special circumstances which excuse the delay in giving notice of appeal. The Secretary of State is not required to entertain an appeal if it appears to him that permission for the proposed development could not have been granted by the local planning authority, or could not have been so granted otherwise than subject to the conditions imposed by them having regard to the statutory requirements (a), to the provisions of the development order, and to any direction given under the order. He does not in practice refuse to entertain appeals solely because the decision of the local planning authority was based on a direction given by him.

2. If permission to develop land is refused or granted subject to conditions, whether by the local planning authority or by the Secretary of State for the Environment and the owner of the land claims that the land has become incapable of reasonably beneficial use in its existing state and cannot be rendered capable of reasonably beneficial use by carrying out of any development which has been or would be permitted he may serve on the Council of the district in which the land is situated a purchase notice requiring that council to purchase his interest in the land in accordance with the provisions of Part VI of the Town and Country Planning Act 1990.

3. In certain circumstances, a claim may be made against the local planning authority for compensation, where permission is refused or granted subject to conditions by the Secretary of State on appeal or on a reference of the application to him. The circumstances in which such compensation is payable are set out in Section 114 of the Town and Country Planning Act 1990.

(a) The statutory requirements are those set out in Section 79(6) of the Town and Country Planning Act 1990, namely sections 70 and 72(1) of the Act.


Note: This permission only relates to planning permission and does not include consent under the Building Regulations for which separate permission may be required. The requirements of the Chronically Sick and Disabled Persons Act 1970, the Disability Discrimination Act 1995 and the Special Education Needs and Disability Act 2001 should also be adhered to wherever appropriate.