Town and Country Planning Act 1990

PLANNING PERMISSION

Name and address of applicant | Name and address of agent (if any)
---|---
Bullimores Sand And Gravel Ltd | Liam Tolland
South Witham | Heaton Planning Ltd
Grantham | 9 The Square
Lincs | Keyworth
NG33 5QE | Nottingham
NG12 5JT

Part I - Particulars of application

Date of Application | Application No.
---|---
23 May 2014 | NCC Ref: 14/00035/MINFUL

ENC Ref: 14/01037/NCC

Particulars and location of development

Proposed Western Extension at Collyweston Quarry, Peterborough Road, Duddington, Northamptonshire, PE9 3QA

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:-

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.

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Scope of the 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 14/00035/MINFUL:

Application forms dated 21 May 2014;

The Planning & Environmental Statement dated May 2014:
Chapter 6: The Proposed Development - Detailed Working, Design & Restoration Scheme;
Chapter 9: Environmental Impact Assessment;
Appendix 1: The Working Method Statement dated May 2014;
Appendix 2: Blasting Impact Assessment;
Appendix 4: Landscape & Visual Impact Assessment;
Appendix 5: Ecological Impact Assessment;
Appendix 6: Noise Impact Assessment;
Appendix 7: Air Quality Assessment;
Appendix 8: Soil Resources and Agricultural Land Use & Quality of Land
Appendix 9: Hydrology;

Submitted Plan/Drawing Nos.:
HPL/COLLY/001: Site Location Plan;
HPL/COLLY/002: Planning Application Drawing;
HPL/COLLY/003: Extraction Areas & Phasing;
HPL/COLLY/004: Rights of Way Plan;
Collyweston Quarry Surface Elevations, Duddington Northamptonshire;

Reason: 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 Policy 22 Northamptonshire Minerals & Waste Local Plan (October 2014).

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.

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 13 years from the date of commencement, which shall have been notified under condition 1. The site shall be subject to aftercare for a further period of five years.

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5. In the event of a cessation of mineral extraction 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. 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 Policies 22 and 28 of the Northamptonshire Minerals & Waste Local Plan (October 2014).

**Method of Working and Operation Limits**

6. No development subject of this application shall commence until such time as a scheme showing the location, heights, dimensions and profiles of the soil storage bund, the seeding mix to be sown and maintenance regime for the bund, have been submitted to and approved in writing by the Mineral Planning Authority. The submitted details shall include the bund constructed and maintained at a constant height Above Ordnance Datum for the entire length along the site western site boundary. The development shall only be carried out in accordance with the scheme as approved under this condition.

7. Operations on the application site shall be carried out sequentially in a phased manner in accordance with plan/drawing no. HPL/COLLY/004 dated May 2014 and paragraphs 6.2.1 - 6.2.20 of the Planning & Environmental Statement dated May 2014, with the approved soil bund constructed (and seeded) progressively to screen all active phases and the adjacent northern phase, before development commences in the relevant phase. No more than 4 phases of the development shall be active at any one time, and no part of the operations specified therein shall be amended or omitted without the prior written approval of the Mineral Planning Authority.

8. Within 24 months of the commencement of the development hereby permitted and for the life of mineral extraction, all fixed and mobile plant and machinery, stockpiles of material shall be located on the quarry floor within the red line area of permission reference no. 14/00035/MINFUL, until such time as the final phase of the development has been extracted.

9. The extraction of minerals from the site shall be confined to limestone aggregate, building stone and Collyweston Slate Log, and the infilling and restoration of the site shall only be undertaken with inert waste, quarry waste and previously stripped soils.

10. Unless otherwise agreed in writing by the Mineral Planning Authority as a result of circumstances where Collyweston Slate Log is not present within the current exposed and workable mineral deposits, at least 200 tonnes of excavated Collyweston Slate Log shall be maintained and made available for

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inspection by the Mineral Planning Authority between the months of October to March. Any Collyweston Slate Log that is not of an adequate quality should be replaced by additional Collyweston Slate Log to the minimum two hundred tonnes requirement.

11. The depth of mineral extraction and the quarry floor shall not at any point exceed 13m below un-worked ground levels (as shown on plan/drawing no. 'Collyweston Quarry Surface Elevations, Duddington Northamptonshire' submitted with this planning application) at any point on that part of the quarry.

12. All topsoil, subsoil and soil making material shall be retained on the site for subsequent re-use in site restoration.

**Reason for conditions 6 to 12:** To specify working methods to protect amenity, natural assets and landscape character having regard to Policies 22, 24 and 25 of the Northamptonshire Minerals & Waste Local Plan (October 2014).

**Working Hours**

13. Operations within the permission area as shown on plan/drawing no. HPL/COLLY/002 dated May 2014, shall only take place as follows:

i) Except for those operations referred to in clauses ii), iii) and iv) below, site operations shall only take place between 07:00 - 18:00hrs Monday to Friday and 08:00 - 13:00hrs on Saturdays, with no operations to take place on Sundays and Public Bank Holidays;

ii) Soil stripping shall only take place between the hours of 07:00 - 18:00 Monday to Friday, with no such operations taking place on Saturdays, Sundays or Public Bank Holidays;

iii) Operations involving the use of a hydraulic breaker shall only take place between the hours of 09:00 - 15:30hrs Monday - Friday, with no such operations taking place on Saturdays, Sundays or Public Bank Holidays;

iv) Blasting shall only take place between 10:00 - 15:00hrs, with no such operations permitted on Saturdays, Sundays and Public Bank Holidays.

**Reason:** To ensure that operations are carried out within reasonable hours so as to minimise amenity disturbance in accordance with Policy 22 of the Northamptonshire Minerals & Waste Local Plan (October 2014).

**Removal of Permitted Development Rights**

14. Notwithstanding the provisions of parts 7 and 17 of Schedule 2 of the Town and Country Planning (General Permitted Development) 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 or private ways shall be erected, extended, installed, rearranged, replaced, repaired or altered at the site without prior planning permission from the Mineral Planning Authority.

**Reason:** In the interests of amenity protection and landscape character

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having regard to Policies 22 and 26 of the Northamptonshire Minerals & Waste Local Plan (October 2014).

**Built Development, Fencing, Machinery**

15. No perimeter fencing shall be erected on site unless and 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 Policy 22 and 26 of the Northamptonshire Minerals & Waste Local Plan.

**Highway and Access, including Public Rights of Way**

16. The sole vehicular access to the development hereby permitted shall be by the existing access off the A47 as indicated and outlined in red on plan/drawing no. HPL/COLLY/002.

17. The internal haul road to the development hereby permitted shall be maintained in a clean and good state of repair and free from potholes 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, and wheel washing/cleansing facilities shall be provided on site and maintained to a full working standard. In the event that the existing wheel cleansing facilities fail to prevent the deposit of mud, then additional wheel cleaning facilities shall be installed.

19. All HGVs 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.

20. The public highway immediately outside the site east and west of the access shall be kept free of mud and other detritus from the site for the life of the development hereby permitted.

21. Prior to the commencement of works affecting any existing public right of way, a scheme of details of the diversions and closures of all public rights of way, details of timetables for works, signage and way marking, surfacing and proposed enhancements and improvements for diverted and reinstated routes shall be submitted to and be approved in writing by the Mineral Planning Authority. The scheme shall be implemented in full as approved.

**Reason for conditions 16 to 21:** In the interests of highway safety and amenity in accordance with Policy 22 of the Minerals & Waste Local Plan (October 2014).

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Water Resources

22. No development shall commence until such time as a scheme for management of water resources has been submitted to and approved in writing by the Mineral Planning Authority. The scheme shall include measures for groundwater monitoring boreholes, the construction of sumps on the quarry floor 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 be fully implemented as approved for the lifetime of the development hereby permitted.

**Reason:** To ensure that the development does not increase flood risk having regard to Policy 22 of the Northamptonshire Minerals & Waste Local Plan (October 2014).

Pollution Prevention

23. Any fuel, lubricant or/and chemical storage vessel shall be placed or installed within an impermeable container with a sealed sump and capable of holding at least 110% of the vessel's capacity. All fill, draw and overflow pipes shall be properly housed within the bunded area to avoid spillage. The storage vessel, impermeable container and pipes shall be maintained for the duration of extraction and restoration operations on site.

**Reason:** To minimise the risk of pollution of the water environment having regard to Policy 22 of the Minerals & Waste Local Plan (October 2014).

Amenity

24. No vehicles and mobile plant used exclusively on site shall be operated, unless they have been fitted with and use white noise or other non tonal reversing alarms, and the operator shall issue instructions to all haulage companies and hauliers using the site that non-tonal reversing alarms shall be fitted and utilised on the site.

25. No vehicles, plant, equipment or machinery used on site shall be operated at the site unless it has been fitted with and uses an effective silencer. All vehicles, plant, equipment and machinery shall be maintained in accordance with the manufacturer's specification.

26. 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".

27. Except for temporary works under the provisions of condition 28 below, the equivalent sound level (L_{Aeq}), measured over any 1 hour time period attributable to the operations on site, as measured free field shall not exceed 55 dBA (1hr L_{Aeq}) at Robinswood, The Pines or Oak Cottage located as shown on Figure 1 of Appendix 6 (Noise Impact Assessment) of the EIA Technical Appendices submitted with the application.

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28. For temporary operations that shall be limited to soil stripping and replacement, and bund construction works, for up to 8 weeks in a year the equivalent sound level (L\text{Aeq}) measured over any 1 hour time period as measured free field, shall not exceed 70 dBA (1hr L\text{Aeq}) at any inhabited property.

29. Following notification in writing to the operator by the Mineral Planning Authority, monitoring of noise from the development hereby permitted shall be undertaken at Robinswood, The Pines and Oak Cottage located as shown on Figure 1 of Appendix 6 (Noise Impact Assessment) of the EIA Technical Appendices, for a period of 1 hour at each property. Those results presented together with an assessment against the noise levels specified at condition 27 and 28, and any mitigation proposals in the event of a breach of the applicable levels in condition 27 and 28 being indicated, shall be submitted to the Mineral Planning Authority within 21 days of the operator being notified in writing of the request.

30. The measures to control dust specified in sections 9.5.15 - 9.5.28 of the Planning and Environmental Statement dated May 2014 submitted with application ref. no. 14/00035/MINFUL, shall be implemented in full throughout the operational life of the development hereby permitted. In the event of any complaint being received by the Mineral Planning Authority and thereafter notified to the operator, an assessment of the complaint shall be undertaken by the operator. 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.

31. Unless otherwise previously approved in writing by the Mineral Planning Authority, no fixed, temporary or mobile external lighting shall be erected or installed on site.

32. There shall be no more than 12 quarry blast events in any 12 month period within the land edged red on plan/drawing no. HPL/COLLY/002, and no blasting in phase 7 onwards until such time as a review of the effects (as demonstrated by monitoring) and justification (for the ongoing need) for blasting, has been submitted to and approved in writing by the Mineral Planning Authority. Blasting from Phase 7 onwards shall only take place in accordance with the details as approved.

33. Except as may otherwise be agreed in writing by the Mineral Planning Authority, blasting shall only be undertaken in accordance with the measures stated in Section 3 (Blast Management Plan) of Appendix 1 (Working Method Statement dated May 2014) of the Environmental Impact Assessment Technical Appendices dated May 2014 submitted with this planning application, except where modified by the following requirements:

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a) Ground vibration from quarry blasting shall be kept to a minimum and shall not exceed a maximum satisfactory limit of 6mms-1 peak particle velocity when measured on a firm surface outside the residential premises of Robinswood, The Pines or Oak Cottage (located as shown on Figure 2 of Appendix 2 (Blast Impact Assessment) of the EIA Technical Appendices submitted with this application), for 90% of blasts over any 24 month period;

b) Ground vibration from blasting shall not exceed 9mms-1 peak particle velocity for any individual blast when measured on a firm surface outside the residential premises of Robinswood, The Pines or Oak Cottage (located as shown on Figure 2 of Appendix 2 (Blast Impact Assessment) of the EIA Technical Appendices submitted with this application);

c) No blasting shall take place within 120m of the buildings indicated as 'Smallholding' to the west of Phase 3 of the site, as shown on Figure 2 of Appendix 2 (Blast Impact Assessment) of the EIA Technical Appendices submitted with this application, without the written agreement of the occupier of that property;

d) Records of the dates and times of every blast shall be kept for inspection together with details of the type, amount, location and depth of charge. This information shall made available to the Mineral Planning Authority within 5 days of such a request;

e) Monitoring of ground vibration and air overpressure shall be undertaken for each blast on a firm surface outside the residential premises of either Robinswood, The Pines or Oak Cottage (located as shown on Figure 2 of Appendix 2 (Blast Impact Assessment) of the EIA Technical Appendices submitted with this application), whichever is closest to the blast point. The results of the test, with figures for ground vibration and air overpressure shall be forwarded within 5 working days in writing to the Mineral Planning Authority;

f) In the event of ground vibration exceeding the maximum levels in a) and/or b) of this Condition, all blasting shall be temporarily suspended until a revised Blast Management Plan is agreed in writing by the Mineral Planning Authority;

g) Except with the prior written approval of the Mineral Planning Authority no blasting shall be carried out on any part of site except between the hours of 10:00 - 15:00hrs Monday to Friday inclusive and no blasting shall be carried out at any time on Saturdays, Sundays or Public Bank Holidays.

Reason for conditions 24 to 33: In the interests of residential amenity and the rural amenities of the area having regard to Policy 22 and 25 of the Minerals & Waste Local Plan (October 2014).

Archaeology

34. No development shall take place until the applicant has secured the

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implementation of a programme of archaeological work as specified within the Brief for a Programme of Archaeological Investigation and Brief for a Programme of Archaeological Field Evaluation, (both briefs for Land at Collyweston Quarry, Peterborough Road, Duddington, Northamptonshire, both V2 dated 28th November 2014, produced by Planning Services Northamptonshire County Council) and in accordance with a written scheme of investigation which has been submitted by the applicant and approved in writing by the Mineral Planning Authority. This written scheme will include the following components, completion of each of which will trigger the phased discharging of the condition:

(i) fieldwork in accordance with the agreed Brief and written scheme of investigation;
(ii) post-excavation assessment (to be submitted within six months of the completion of fieldwork, unless otherwise agreed in advance with the Mineral Planning Authority);
(iii) completion of post-excavation analysis, preparation of site archive ready for deposition at a store approved by the Mineral Planning Authority, completion of an archive report, and submission of a publication report to be completed within two years of the completion of fieldwork, unless otherwise agreed in advance with the Mineral Planning Authority.

Reason: To ensure that adequate archaeological in investigations and recording is undertaken in accordance with Policies 22 and 26 of the Minerals & Waste Local Plan (October 2014).

Soil Handling

35. All topsoil shall be stripped from any areas prior to be excavated, or used for the stationing of plant and buildings, the storage of subsoil and overburden, haul roads or traversed by heavy machinery. No plant or vehicles shall cross any areas of un-stripped topsoil except for the purpose of stripping operations.

36. All topsoil, subsoil and soil making material shall only be handled when in a dry and friable condition. The criteria for determining dry and friable shall be based on a field assessment of the soil's wetness in relation to its lower plastic limit. An assessment shall be made by attempting to roll a ball of soil into a thread on the surface of a clean plain glazed tile (or plate glass square) using light pressure from the flat of the hand. If a long thread of less than 3 millimetres diameter can be formed, the soil is wetter than the lower plastic limit, and soil movement should not take place until the soils have dried out. If the soil crumbles before a long thread of 3 millimetres diameter can be formed, then the soil is dry enough to move. This assessment shall be carried out on representative samples of each major soil type.

37. The movement and handling of all soils shall be in accordance with sheets 1-4 (soils handling using excavators and dump trucks) and sheet 15 (soil replacement with bulldozers and dump trucks) of the 'Goods practice guide for handling soils' published by the Ministry of Agriculture Fisheries and Food in April 2000 or subsequent edition thereof.

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**Reason for conditions 35 to 37:** To prevent damage to soils and in the interests of the visual and rural amenities of the area having regard to Policies 22 and 24 of the Northamptonshire Minerals & Waste Local Plan (October 2014).

**Landscaping, Ecology and Restoration**

38. No vegetation clearance or working shall take place on the site until a detailed Construction Environmental Management Plan for Biodiversity 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 Construction Management Environmental Plan shall be fully implemented as approved.

39. No vegetation clearance or working shall take place on the site until an Ecological Management, Restoration & Aftercare Plan has been submitted to and approved in writing by the Mineral Planning Authority. The Plan shall be based upon the principles of the restoration scheme shown on plan/drawing no. 5526-L-03 Rev. C titled Collyweston Overall Landscape Restoration Plan dated May 2014 submitted with this application. The plan shall include:

(a) The aims and objectives of management;
(b) Prescriptions for management actions;
(c) A comprehensive restoration plan including detailed levels;
(d) Comprehensive details of proposed planting and seeding of locally native species of local provenance;
(e) Maintenance of habitat types proposed as part of the ecological enhancement of the site;
(f) Methods for maintaining and monitoring soil pH levels;
(g) Preparation of a work, monitoring and reporting schedule;
(h) Monitoring, remedial and contingency measures triggered by monitoring;
(i) Aftercare and long term management and maintenance;

The scheme as agreed in writing by the Mineral Planning Authority shall be fully implemented as approved in accordance with the timescales prescribed within the Ecological Management Plan, unless a subsequent revision is previously agreed in writing by the Mineral Planning Authority.

40. No vegetation clearance or working shall take place on the site until a scheme of advance planting has been submitted to and approved in writing by the Mineral Planning Authority. The scheme shall be fully implemented as approved.

41. Prior to the commencement of any vegetation clearance or working at each phase of the development, badger and bat surveys (in accordance with best practice guidelines) including any necessary mitigation measures shall be submitted to and approved in writing by the Mineral Planning Authority. The development shall only proceed in accordance with any mitigation measures approved by the Mineral Planning Authority.

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42. 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.

Reason for conditions 38 to 42: In the interests of landscape and biodiversity having regard to Policies 22, 24 and 28 of the Northamptonshire Minerals & Waste Local Plan (October 2014).

43. The areas filled in shall be progressively restored in accordance with the approved phasing drawings and covered with the stored soils as tipping proceeds to a depth of not less than one metre with the top 300 millimetres comprising topsoil or other suitable soils as may be agreed in writing by the Mineral Planning Authority. This one metre covering shall be kept free of materials likely to interfere with final restoration and subsequent cultivation and tree planting and shall be ripped (rooted) as necessary to relieve compaction prior to the replacement of topsoil. Any stones or other materials greater than 80mm in any one dimension, and materials which would impede subsequent agricultural operations shall be removed or buried on site to a depth of at least one metre.

44. Unless modified as the result of agreement of different levels under condition 39 above or 46 below, the site shall be progressively restored to final levels in accordance with the levels shown on plan/drawing ref. Collyweston Quarry Surface Elevations, Duddington Northamptonshire that has been submitted with planning application ref. no. 14/00035/MINFUL.

45. 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 date specified by condition 4.

46. In the event that 24 months prior to the end date specified by condition 4 it is expected that the site will not be completed to the pre-settlement contours as agreed under condition 44 an amended restoration contour drawing shall be submitted for approval in writing by the Mineral Planning Authority. The amended scheme, incorporating any alterations the Mineral Planning Authority may require, shall be implemented as approved and completed by the date specified by condition 4.

47. 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, as approved in writing, shall be implemented in full.

48. Except as otherwise agreed in writing by the Mineral Planning Authority and except as required by condition 39, all buildings, structures, plant, machinery, bunds, fences, drainage swales, ponds, and hardstanding, including the haul road, erected and constructed in accordance with this permission, shall be removed from the site by the date specified by condition 4.

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49. Any ditches, fences, hedges, gates, field drains or water courses and supplies disturbed during the working shall be made good where necessary and any further ditches, fences, hedges, gates, field drains and water supplies shall be provided on re-soiling for good husbandry.

Reason for conditions 43 to 49: To ensure proper restoration of the site and in the interests of the general amenity of the area having regard to Policies 22, 24 and 28 of the Northamptonshire Minerals & Waste Local Plan (October 2014).

Aftercare

50. An aftercare scheme detailing the steps that are necessary to bring the land to the required standard for agriculture shall be submitted and approved in writing by the Mineral Planning Authority prior to commencement of restoration works. The submitted scheme shall:

(a) Provide an outline strategy in accordance with the Planning Practice Guidance for the five year aftercare period. 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.
(b) Provide for a detailed annual programme, in accordance with the Planning Practice Guidance, to be submitted to the Mineral Planning Authority not later than two months prior to the annual Aftercare meeting.

The aftercare shall be undertaken in accordance with the approved scheme for the duration of aftercare.

51. 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 12 months, results of tests undertaken to ensure satisfactory soil structures, and setting out the intended operations for the next 12 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.

52. 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.

Reason for conditions 50 to 52: To ensure appropriate aftercare having regard to Policy 28 of the Northamptonshire Minerals & Waste Local Plan (October 2014).

Monitoring

53. Unless otherwise previously agreed in writing with the Mineral Planning Authority.

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Authority, all waste imported to the site shall only originate from within the area outlined in red on plan/drawing no. HPL/COLLY/005 titled Waste Catchment Plan, submitted with this planning application.

54. 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 12 monthly intervals thereafter. The report shall include:

(a) detailed information on the quantities of aggregate, building stone and Collyweston Slate Log exported from site in the previous 12 months;
(b) records of the amount and origin of all waste materials imported into the site in the previous 12 months;

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 for conditions 53 and 54: To enable the Mineral Planning Authority to monitor progress towards achieving the principles in Policy 6 and 22 of the Minerals & Waste Local Plan (October 2014).

Local Liaison Group

55. The operating company shall set-up and facilitate a Local Liaison Group and invite representatives from the local community, the County Council, East Northamptonshire Council and local Parish Councils. The operator shall arrange the first meeting in consultation with the County Council prior to the date of commencement as notified under condition 1. Subsequent meetings shall be arranged by the operating company at six monthly intervals, or such other time period as agreed by members of the Local Liaison Group, for the life of the operations.

Reason: To discuss and review the operator's current working practices and their future intentions and to monitor their compliance with the Planning Permission having regard to Policy 22 of the Northamptonshire Minerals & Waste Local Plan October 2014).

POSITIVE AND PROACTIVE MANNER STATEMENT

In determining this application the Minerals & Waste Planning Authority has worked positively and proactively with the applicant by entering into pre-application discussions and the scoping of the application. The proposals and the content of the Environmental Statement have been assessed against relevant Development Plan policies, the National Planning Policy Framework, the National Planning Policy for Waste and the National Planning Policy Guidance. The Minerals and Waste Planning Authority has identified all material considerations; forwarded consultation responses that may have been received in a timely manner; considered any valid representations received; liaised with consultees to resolve issues; and, progressed towards a timely determination of the application. Issues of concern have been raised with the applicant, through negotiation and amendments to the proposals, and

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requested through a Regulation 22 submission. The applicant has been given advance sight of the draft planning conditions. This 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.

INFORMATIVE

1. The applicant's attention is drawn to the informative comments of The Highway Authority dated 23 June 2014:

   No works affecting any existing public right of way may commence without the express written permission of the highway authority's Rights of Way team.

   The routes must be kept clear, unobstructed, safe for users, and no structures or material placed on the right of way at all times, it is an offence to obstruct the highway under s137 HA 1980. There must be no interference or damage to the surface of the right of way as a result of the construction. Any damage to the surface of the path must be made good by the applicant, specifications for any repair or surfacing work must be approved by this office, under s131 HA1980.

   The developer is reminded to apply to the local planning authority for any proposed diversion of a right of way under section 257 of the Town and Country Planning act 1990 required to facilitate the development reference 14/00035/MINFUL. The alternative route for such a diversion must be agreed with the highway authority's Rights of Way team and be available for public use prior to the closure of any existing route. Northamptonshire County Council is available and preferably required for the involvement, guidance and consultation at all stages of the diversion orders as necessary. This response is without prejudice to any Public Right of Way which may exist across the site but whose presence is not recorded on the County Council's Definitive Map and Statement (2010).

Date: 26th July 2016  
Signed: C.P. Watson

For Assistant Director of Environment, Planning and Transport

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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.


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