Town and Country Planning Act 1990

PLANNING PERMISSION

Name and address of applicant  Name and address of agent (if any)
Mick George Ltd  -
6 Lancaster Way
Ermine Business Park
Huntingdon
PE29 6XU

Part I - Particulars of application

Date of Application  Application No.
15 January 2016  NCC Ref: 15/00092/WASFUL

ENC Ref: 16/00151/NCC

Particulars and location of development

Proposed importation of inert materials for the final restoration of Stonehill Quarry including the creation of calcareous grassland – Stonehill Quarry, Off King’s Cliffe Road, Nr. Wansford/Yarwell, Northamptonshire PE8 6NU

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

1. The development hereby permitted shall be begun before the expiry of three years from the date of this permission. Written notification of the date of commencement shall be sent to the Waste Planning Authority within seven days of such commencement.

2. Upon commencement under Condition 1 of this planning permission, this planning permission shall consolidate, supersede and replace Northamptonshire County Council planning permission ref. nos. 12/00078/MINFUL and 13/00004/MINVOC within the red line of this planning application.

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Reason for Conditions 1 and 2: 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.

Scope of Permission

3. Except as otherwise required by the conditions attached to this planning permission the development hereby permitted shall be carried out in accordance with the following approved documents:

- The Planning Application Form dated 3 December 2015;
- The Revised Supporting and Planning Statement by Mick George Limited, dated January 2016;
- The letter from John Gough dated 6 July 2016;
- The Location Plan ref. no. S22/15/01, dated 23 November 2015;
- The Existing Features Plan ref. no. S22/15/02 Rev. A, dated 23 November 2015;
- The Working Scheme Plan ref. no. S22/15/03 Rev. A, dated 23 August 2016;
- The Restoration Plan, ref. no. S22/15/04 Rev. B, dated 4 August 2016;
- The Extended Phase 1 Habitat Survey by Whitcher Wildlife Ltd., dated 8 June 2016;
- The Noise Assessment by LF Acoustics Ltd, dated November 2015;
- The Flood Risk Assessment (version 2) by Amber Planning, dated April 2016;

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 of the Northamptonshire Minerals and Waste Local Plan (October 2014).

4. From the date of the commencement to the completion of 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

5. The development hereby permitted, including restoration in accordance with the conditions attached to this permission, shall be completed no later than four years from the date of commencement, which shall have been notified under Condition 1.

6. In the event that 6 months prior to the end date to be determined in accordance with Condition 5 it is expected by the Waste Planning Authority that the site will

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not be completed to the contours as required by Condition 15 an amended Proposed Levels drawing shall be submitted for approval in writing by the Waste Planning Authority. The approved plan shall be implemented and completed by the date specified in Condition 5.

7. The development hereby permitted shall be the subject of an aftercare period of five years upon completion of the development.

Reason for Conditions 5 – 7: To retain control over the development and to ensure the satisfactory restoration of the site for a nature conservation benefit having regard to Policies 22 and 28 of the Northamptonshire Minerals and Waste Local Plan (October 2014).

Method of Working and Operation Limits

8. Except where modified by conditions below in this permission, the site shall be worked in a sequential manner and operated in accordance with Working Scheme Plan ref. no. S22/15/03 and S22/15/05.

9. This permission is for the infilling and restoration of the site only, which shall only be undertaken with non-hazardous inert waste, previously stripped soils and mineral waste. There shall be no mineral extraction or processing, or waste recycling at the site.

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

11. All stockpiles or stores of minerals, mineral waste, topsoil, subsoil overburden and infilling materials shall be no higher than 4m above ground level unless otherwise approved in writing under this condition by the Minerals and Waste Planning Authority.

Reason for Conditions 8 to 11: To specify working methods to protect amenity, natural assets and landscape character having regard to Policies 22, 24 and 25 of the Northamptonshire Minerals and Waste Local Plan (October 2014).

Removal of Permitted Development Rights

12. 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 or altered at the site without prior written approval from the Waste Planning Authority.

Reason: In the interests of amenity protection and landscape character having regard to Policies 22 and 26 of the Northamptonshire Minerals and Waste Local Plan (October 2014) and Policy 3 of the North Northamptonshire Joint Core Strategy (July 2016).

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Built Development, Fencing, Machinery

13. No perimeter fencing or gates shall be erected or replaced on site unless and until the details of the proposed locations, heights, materials, design and colour have been submitted to and approved in writing by the Waste Planning Authority. The approved fencing shall be erected and maintained as approved.

Reason: In the interests of amenity protection and landscape character having regard to Policy 22 and 26 of the Northamptonshire Minerals and Waste Local Plan (October 2014).

Construction Environmental Management Plan

14. Prior to the commencement of the development (including ground works, vegetation clearance) a Construction Environmental Management Plan (CEMP) shall have been submitted to and approved in writing by the Waste Planning Authority. The CEMP shall include the following:

a) Identification of “biodiversity protection zones” (reptiles, amphibians dormouse, badgers and birds);

b) Details of the precise extent of tipping, retained habitats/features, habitat stand-offs, protective fencing, exclusion barriers and warning signs;

c) The location and timing of sensitive works to avoid harm to biodiversity features, and working practices to avoid or reduce impacts during construction;

d) The times during construction when specialist ecologists need to be present on site to oversee works;

e) The role and responsibilities on site of an ecological clerk of works (ECoW);

f) Details of roles, contact details and lines of communication and reporting.

The approved CEMP shall be adhered to and implemented throughout the clearance and construction period strictly in accordance with the approved details, unless otherwise agreed in writing by the Waste Planning Authority.

Reason: In the interests of the local landscape and biodiversity having regard to Policies 22, 24, 25 and 28 of the Northamptonshire Minerals and Waste Local Plan (October 2014).

Restoration, Landscape and Ecological Management

15. Prior to the commencement of the development (including ground works, vegetation clearance) an Ecological Management, Restoration and Habitat Management Plan shall have been submitted to and approved in writing by the Waste Planning Authority. The Plan shall be based broadly upon submitted plan/drawing S22/15/04 Rev. B, S/22/15/05 and the Supporting and Planning Statement and the Extended Phase 1 Ecology Reports, and shall include the following:

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a) A comprehensive restoration scaled plan including detailed levels;
b) Amended detailed aims, objectives and prescriptive management actions 
   (including for reptiles, invertebrates, breeding birds, and amphibians);
c) Details of the method of creating the upper horizon of the calcareous 
   grassland and pond banks;
d) Details of proposed planting and seeding of locally native species of local 
   provenance;
e) Timescales for the phasing of restoration and habitat creation;
f) Details of a 5 year aftercare annual work programme addressing the 
   objectives of the plan, ecological surveys, reporting and long-term 
   maintenance;
g) Details of the longer-term annual management regime for the biodiversity 
   habitats and a work schedule for a further period of 5 years beyond the initial 
   5 year aftercare period;
h) Details of the monitoring and reporting for the maintenance of the habitat 
   types to the Waste Planning Authority for a period of 5 years following site 
   restoration;
i) Details of the triggers for remedial actions and contingency measures over 
   the management plan period;

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

Reason: In the interests of the local landscape and achieving beneficial 
biodiversity establishment and outcomes having regard to Policies 22, 24, 25 
and 28 of the Northamptonshire Minerals and Waste Local Plan (October 
2014).

16. A detailed survey of the final levels on site shall be submitted to the Waste 
Planning Authority not later than within 1 month of the completion date required 
under Condition 5 above. In the event that levels differ the final approved 
restoration levels, the operator shall undertake the necessary steps to ensure 
compliance with the approved levels, in accordance with a scheme that has 
been agreed with the Waste Planning Authority.

17. Except as otherwise agreed in writing by the Waste Planning Authority and 
except as required by Condition 15, all buildings, structures, plant, machinery, 
bunds, fences, drainage swales, ponds, and hardstandings, including the haul 
road, on the application site, shall be removed from the site by the completion 
date under Condition 5.

Reason for Conditions 16 and 17: 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 and Waste Local Plan (October 
2014).

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Discrimination Act 1995 and the Special Education Needs and Disability Act 2001 should 
also be adhered to wherever appropriate.
The Water Environment

18. No development shall take place until full details of a surface water drainage scheme for the site, based on the approved Flood Risk Assessment (prepared by Amber Planning Flood Risk and Hydrology Version 2, April 2016) has been submitted to and approved in writing by the Waste Planning Authority. The scheme shall subsequently be implemented in accordance with the approved details. The details of the scheme shall include the following (as deemed necessary by the Lead Local Flood Authority):

a) Details (i.e. designs, diameters, invert and cover levels, gradients, dimensions and so on) of all elements of the proposed drainage system, to include pipes, inspection chambers, outfalls/inlets and attenuation basins, where required; and,
b) Cross sections of all control chambers and attenuation ponds (including site specific levels mAOD) and manufacturers’ hydraulic curves for all hydrobrakes and any other flow control devices.

Reason: To prevent the increased risk of flooding, both on and off site, by ensuring the satisfactory means of surface water attenuation and discharge from the site having regard to Policies 22 and 28 of the Northamptonshire Minerals and Waste Local Plan (October 2014).

Working Hours

19. Operations at the site from the development hereby permitted shall only take place between 07:00 – 18:00hrs Monday to Friday and 07:00 – 13:00hrs on Saturdays, with no operations at the site on Sundays or Bank Holidays.

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

Amenity

20. 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.

21. 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.

22. The site subject of this planning permission shall 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”, and subsequent edition thereof.

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23. The equivalent sound level ($L_{A\text{eq}}$) measured over a 1 hour time period, attributable to the normal operations on the permission site, as measured free field, shall not exceed the background noise level ($L_{A\text{BG,1h}}$) by more than 10dBA, or the following levels (whichever is lesser), at the following premises:

- Linley Cottage  52 dBA$_{\text{eq, 1hr}}$;
- Hill House  55 dBA$_{\text{eq, 1hr}}$;
- Sulehay Cottage  46 dBA$_{\text{eq, 1hr}}$;
- Nightingale Farm  49 dBA$_{\text{eq, 1hr}}$;
- Old Pump House  49 dBA$_{\text{eq, 1hr}}$;
- Wansford Village  55 dBA$_{\text{eq, 1hr}}$;

24. For temporary operations which shall be limited to soil stripping and replacement, and bund construction works, for up to 8 weeks any consecutive 12 month period, the equivalent sound level ($L_{A\text{eq}}$), measured over a 1 hour time period as measured free field, shall not exceed 70 dB ($L_{A\text{eq, 1hr}}$) at any inhabited property.

25. Prior to the commencement of the development a Dust Action Plan shall be submitted to and approved in writing by the Mineral Planning Authority. The assessment shall include the following information:

i) A scheme for the management and mitigation of dust in order that all site operations take place without causing harm to the amenity of the locality or nearby land uses;

ii) A procedure for the review of operations upon the receipt of complaints by the Waste Planning Authority, upon notification to the operator;

The development hereby permitted shall not commence until such time as the scheme submitted has been approved in full. The development hereby permitted shall be undertaken in full accordance with the approved scheme.

26. Following notification in writing to the operator by the Waste Planning Authority, the monitoring of noise from the development hereby permitted shall be undertaken at any property listed in Condition 23 above, as stipulated to the operator by the Waste Planning Authority, for a period of 1 hour. Those results shall be presented to the Waste Planning Authority together with an assessment against the noise levels specified at Conditions 23 above (as appropriate to the Waste Planning Authority request), together with appropriate mitigation proposals in the event of a breach of the applicable noise levels. The assessment and mitigation shall be submitted to the Waste Planning Authority within 7 days of the operator being notified of the request. The mitigation measures shall be fully implemented as approved as specified by the Waste Planning Authority.

Reason for Conditions 20 to 26: In the interests of residential amenity and the amenities of the area having regard to Policies 22, 24 and 25 of the Minerals and Waste Local Plan (October 2014) and Policies 3 and of the North Northamptonshire Joint Core Strategy (July 2016).

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27. Prior to the commencement of the development a Plan for the routeing of HGVs to and from the site shall be submitted for the prior written approval of the Waste Planning Authority. The Plan shall identify arrangements for:

i) Preventing vehicles entering King’s Cliffe or the centre of Wansford;
ii) Identify what measures will be employed to govern the quantity and direction of HGV movements;
iii) Monitoring of the approved arrangements;
iv) Ensuring that drivers under the control of the applicant are made aware of the approved arrangements; and,
v) The disciplinary steps that will be exercised in the event of a default.

The development shall be carried out in full accordance with the approved scheme.

28. All HGVs importing 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.

29. No HGVs shall leave the application site unless their wheels and chassis have been cleaned sufficiently to prevent mud or detritus being deposited on the highway, and wheel washing/cleansing facilities shall be provided on site and maintained to a full working standard when the site is operational. In the event that the wheel cleansing facilities fail to prevent the deposit of mud or detritus, then additional measures or facilities shall be installed forthwith.

Reason for Conditions 27 to 29: In the interests of highway safety and amenity in accordance with Policy 22 of the Minerals and Waste Local Plan (October 2014).

Catchment Area

30. Prior to commencement of development hereby permitted the operator shall submit to the Waste Planning Authority for approval in writing an indicative plan showing the catchment area for waste sources to be imported for restoration of the site. The plan shall be in accordance with the Local Catchment area criteria at paragraph 5.110 of the adopted Northamptonshire Minerals and Waste Local Plan (October 2014). The annual report required by Condition 31 shall incorporate such records that demonstrate compliance with the indicative catchment area plan.

Reason: To ensure that waste materials are dealt with as close to their source as possible in the interest of self-sufficiency and sustainability having regard to Policy 23 of the Minerals and Waste Local Plan (2014).

Annual Monitoring Report

31. The operating company shall submit an annual report in writing to the Waste Planning Authority within one month of the first anniversary of operations

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commencing and at 12 monthly intervals thereafter. The report shall include
detailed information on the types, quantities and sources of all waste materials
brought on to the site and taken off the site, including records of vehicle
movements demonstrating compliance with Condition 30. This information
required by this condition shall also be supplied at any other time on request
within the 12 month period by the Waste Planning Authority, within three weeks
of a receipt of this request in writing.

**Reason:** To enable the Waste Planning Authority to monitor progress towards
achieving the principles in Policy 11 and 29 of the Minerals and Waste Local
Plan (2014) and to ensure that waste materials are dealt with close to their
source in accordance with Policy 23 of the Minerals and Waste Local Plan
(2014).

**INFORMATIVE ADVICE**

Please see the attached letter from National Grid dated 12 April 2016.

**POSITIVE AND PROACTIVE STATEMENT**

In determining this application the Waste Planning Authority has worked positively and
proactively with the applicant. The proposals and the content of the application 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 Waste Planning Authority has identified all material
considerations; forwarded consultation responses of interest 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 acceptable amendments to the proposals. 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

Date: 21st September 2016

Signed

For Assistant Director of Environment,
Planning & Transport

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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.


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