Town and Country Planning Act 1990

PLANNING PERMISSION

Name and address of applicant   Name and address of agent
Mick George Ltd
6 Lancaster Way
Ermine Business Park
Huntingdon
PE29 6XU

Part I - Particulars of application

Date of Application   Application No.:
7 June 2016           NCC Ref: 16/00025/MINFUL
                       ENC Ref: 16/01255/NCC

Particulars and location of development
Revised Access onto Duddington Road from Wakerley Quarry.
Wakerley Quarry, Laxton Park, Laxton, Northamptonshire NN17 3AZ

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:-

1. The development to which this relates must be begun not later than the expiration of three years beginning with the date of this permission.

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

2. This planning permission shall only relate to the area edged in red on submitted drawing W4/16/801 dated 31/05/2016.

3. Unless otherwise agreed in writing by the Minerals 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 documents as submitted with this application as follows:

- Drawing No.14/16/801 dated 31/05/2016
- Drawing No. 5542-46 dated April 2016

Reason for conditions 2 to 3: To define the scope of the permission and in the interest of clarity

4. Prior to the commencement of the development a scheme for the provision of biodiversity improvement in the area identified for landscaping shown on Drawing No. W4/16/801 shall be submitted to the Minerals Planning Authority for approval in writing. The scheme shall be designed as mitigation for the loss of habitat in the designated County Wildlife Site known as 'Wakerley Verge North' which will result from the new access and associated highway improvement works on Duddingston Road. The scheme shall include:

- The deletion of the landscaping works and planting proposals and replacement with the creation of calcareous or species-rich grassland to the east of the access track (and its management for the duration of the development).
- Translocation of hedgerow to be removed and replanting with local provenance stock of any gaps in hedgerow H22.

The scheme as approved shall be implemented in full and managed throughout the life of the development and the 5 year aftercare period and any plants which die, are removed or become seriously damaged or diseased within five years of planting shall be replaced in the next planting season with others of a similar size and species, unless otherwise agreed in writing with the Minerals Planning Authority.

5. The ecological impacts of the access construction and Duddingston Road improvement works shall be controlled in accordance with paragraph 4.9 of the Ecological Appraisal & Mitigation Strategy submitted in connection with Condition 29 of planning permission 08.00026.MIN which shall be implemented prior to commencement of vegetation removal, soil stripping, reptile destructive search or commencement of development work.

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6. The development shall be implemented in full accordance with the all the recommendations and proposals made in section 4.0 of the Ecological Appraisal & Mitigation Strategy submitted in connection with Condition 28 of planning permission 08.00026.MIN particularly: 4.34 (specifically to avoid impact to glow worms); 4.36 including inspection to check for active badger sets immediately prior to commencement and Appendix E, and sections 4.46, 4.51-4.52, 4.58, 4.60-4.63, 4.88, and 4.93-4.118.

**Reason for conditions 4 to 6**: to safeguard and mitigate the impacts of the development on areas of ecological value and on protected species having regard to Policy 24 of the Northamptonshire Minerals and Waste Local Plan (October 2014) and paragraph 118 of the National Planning Policy Framework

7. All HGV vehicles leaving the site shall be cleansed of mud and other debris and no mud or deleterious material shall be deposited on the public highway.

**Reason for condition 7**: In the interests of highway safety having regard to Policy 22 of the Northamptonshire Minerals and Waste Local Plan (October 2014).

**POSITIVE AND PROACTIVE MANNER STATEMENT**

In determining this planning application, the County Planning Authority has worked with the applicant in a positive and proactive manner based on seeking solutions to problems arising in relation to dealing with the planning application by liaising with consultees, respondents and the applicant/agent and discussing changes to the proposal where considered appropriate or necessary. This approach has been taken in accordance with the requirement in the NPPF, as set out in the Town and Country Planning (Development Management Procedure) (England) (Amendment No.2) Order 2012.

Date: 6th September 2016
Signed: [Signature]
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.

4. Guidance on using the Planning Portal’s online appeals service, see leaflet PCS4 available at
   

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