Importation of aggregate to process at Lilford Lodge, Nr Oundle

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Revised 10th March 2014
**Proposed development**

1. Planning permission exists for the extraction and processing of sand and gravel associated with the creation of the new marina development at Lilford Lodge adjacent to the River Nene. The planning consent (09/00079/MIN) granted by the County Council in February 2012 additionally approved the importation of suitable inert material to complete the project. Moreover, the planning consent requires the development to be completed within 6 years from commencement.

2. Mick George Ltd operate the Rectory Farm Quarry near Thrapston although due to the poor quality of the sand and gravel resource which is glacial in origin little aggregate has been exported from the site over recent years.

3. However, with the reasonable proximity between the Rectory Farm and Lilford Lodge developments, the opportunity exists to tranship the "as-raised" aggregate from the site at Rectory Farm and process this mineral at Lilford Lodge enabling the site at Thrapston to be fully restored in 2014 in advance of the date required under the extant planning consent for the site.

4. It is estimated that the mineral could be removed from the Rectory Farm quarry over a 6 month period utilising HGV's that would in any event be travelling north along the A605. In a typical day 17 loads could move the material from Rectory Farm to Lilford Lodge. The detail over the page shows the HGV route between the two sites.

5. The mineral processing and associated quarry infrastructure is already established at Lilford Lodge and the importation of the Rectory Farm aggregate to the “as-raised” mineral stockpile area will not require any additional plant or equipment to be utilised on site. Moreover, the additional mineral processing operations can be undertaken within the permitted timeframe consented under the planning permission for the creation of the marina development. The silt generated from the processing of the imported mineral can readily be accommodated within the existing lagoon system at Lilford Lodge.

6. Clearly planning conditions prevail at Lilford Lodge to control matters such as noise and dust and the proposal to bring materials to the site will not increase daily HGV movements beyond those detailed within the original planning application for the marina development.
Proposed HGV route
Traffic Generation

7. The Transport Assessment undertaken as part of the marina development and prepared by DT Transport Planning considers the traffic implications of the engineering operations related to the construction of the marina and then subsequently the ongoing use of that development once constructed.

8. The engineering operations included the export of processed mineral and the importation of suitable inert material and as a typical impact is was assumed that the combined traffic movements would equate to some 64 HGV movements per day.

9. The proposal to import mineral from Rectory Farm would typically generate 17 loads into the site per day. All vehicles leaving the site would carry processed mineral and therefore no additional HGVs would be generated above those previously assessed within the transport assessment that accompanied the Lilford Lodge planning application. It is however recognised that the operations would potentially continue for a longer period but on a daily basis there would be no increase and therefore the impacts considered previously would remain unchanged.

Policy considerations

10. The National Planning Policy Framework document (NPPF) was published in 2012 and sets out the government’s requirements for the planning system, reiterating the fact that planning law requires that all applications for planning permission must be determined in accordance with the Development Plan unless material considerations indicate otherwise. The Ministerial Foreword of the document confirms that the purpose of planning is to help achieve sustainable development where “sustainable” means insuring that better lives for communities does not result in worse lives for future generations and “development” means growth. The Minister for Planning confirms that in his opinion “development that is sustainable should go ahead, without delay – a presumption in favour of sustainable development that is the basis for every plan, and every decision”. The proposal to process mineral at Lilford Lodge to enable the early restoration at Rectory Farm has been designed to implement sustainable development as envisaged in the Planning and Compulsory Purchase Act 2004 and the provisions of the National Planning Policy Framework.

11. Importantly, paragraph 14 of the NPPF states “At the heart of the National Planning Policy Framework is a presumption in favour of sustainable development, which should be seen as a golden thread running through both plan-making and decision-taking.” The paragraph goes on to highlight:

For **plan-making** this means that:

- Local planning authorities should positively seek opportunities to meet the development needs of their area;

- Local Plans should meet objectively assessed needs, with sufficient flexibility to adapt to rapid change, unless:
  - any adverse impacts of doing so would significantly and demonstrably outweigh the benefits, when assessed against the policies in this Framework taken as a whole; or
  - specific policies in this Framework indicate development should be restricted.
For decision-taking this means:

approving development proposals that accord with the development plan without delay; and

where the development plan is absent, silent or relevant policies are out-of-date, granting permission unless:

- any adverse impacts of doing so would significantly and demonstrably outweigh the benefits, when assessed against the policies in this Framework taken as a whole; or
- specific policies in this Framework indicate development should be restricted.

12. The following paragraph emphasises that "policies in local plans should follow the approach of the presumption in favour of sustainable development so that it is clear that development which is sustainable can be approved without delay." The development at Lilford Lodge has been considered against policies within the up-to-date Minerals and Waste Development Framework documents and no conflict is found to arise.

13. Paragraph 122 states that local authorities should focus on whether the development itself is an acceptable use of the land, and the impact of the use, rather than the control of processes or emissions themselves where these are subject to approval under pollution control regimes, and that where a planning decision has been made on a particular development, the planning issues should not be revisited through the permitting regimes operated by pollution control authorities.

14. Paragraph 123 states the planning policies and decisions should aim to avoid unreasonable noise, whilst Paragraph 124 confirms that planning policies should sustain compliance with and contribute towards national objectives for pollutants, taking into account the presence of Air Quality Management Areas, and that new development should be consistent with the local Air Quality Action Plan. The proposal to import mineral to an existing processing facility will not increase noise levels above those established by the County Council as being acceptable.

15. Paragraphs 186 and 187 relate to the decision making process (for all types of development) and local planning authorities are advised that they should “approach decision taking in a positive way to foster the delivery of sustainable development” and “seek to approve applications for sustainable development where possible”.


Northamptonshire Minerals and Waste Development Framework

16. Section 38 of the Planning and Compulsory Purchase Act 2004, requires that when in determining any planning application, regard is to be made to the development plan and that determination shall be made in accordance with the development plan unless material considerations indicate otherwise. In the case of the proposed development at Lilford Lodge, the documents to consider are the Core Strategy (adopted May 2010), and the Control and Management of Development document (adopted June 2011).

17. Although the MWDF is relatively new, the documents are in the process of being reviewed to accord with the National planning Policy Framework that was published in March 2012. However, the elements of the Core Strategy that set out the spatial strategy and other key development considerations remain valid.

18. The minerals and waste development framework or MWDF contains the land use planning strategy for both minerals and waste related development within Northamptonshire. The Core Strategy’s vision for the County envisages sustained growth and development within Northamptonshire up to 2026 and the document is intended to act as a driver for new investment within the County identifying how investment in minerals (and waste) development can be optimised for everyone’s benefit. The MWDF has been prepared in the context of a set of national and regional guidelines and strategies and the strategic context for the Core Strategy is provided by a number of key policy documents.

19. The application does not seek consent to extract any additional mineral and therefore Policies CS4 or CS5 are irrelevant.

20. Policy CS9 encourages sustainable transport movements. Within the explanatory text relating to this policy this states that the impact on the local environment and amenity from traffic associated with minerals developments is a key matter to consider although recognizes that transportation impacts can be reduced by sensible traffic routing.

21. In the case of the moving “as-raised” minerals from the Rectory Farm to Lilford Lodge, this is a direct route along the A605 with traffic not passing any residential dwelling from leaving the Rectory Farm Quarry to this recognized primary road.

22. Policy CS13 relates to the restoration and afteruse of minerals and waste developments and encourages the progressive restoration of sites. In permitting minerals to be transported to Lilford lodge, this will enable the Rectory Farm site to be restored at an earlier stage consistent with the objective of this policy. At Lilford Lodge, that site cannot be fully restored to the desired profile until such time as all inert materials are bought to the site. The continuation of mineral processing will not delay the restoration of the Lilford Lodge project and the additional silt can readily be accommodated within the existing silt ponds.

23. The Core Strategy Policy CS14 relates to requirements to address the potential impacts from proposed minerals development and states “proposals for minerals and waste development must demonstrate that the following matters have been addressed;

- minimising environmental impact and protecting Northamptonshire’s key environmental designations,
- protecting natural resources or ensuring that any unavoidable loss or reduction is mitigated,
• ensuring built development is of a design and layout that has regard to its visual appearance in the context of the defining characteristics of the local area,

• ensuring that access is sustainable, safe and environmentally acceptable, and

• ensuring that local amenity is protected.”

24. In developing the proposal to trans-ship minerals from the Rectory Farm site at Thrapston to the development at Lilford Lodge with its established mineral processing facility, full regard has been paid to minimising any potential environmental harm or adverse impacts. There are no significant landscape designations to impact upon whilst the closest important ecological designated areas are relatively remote from the proposed operations. Furthermore designated sites of cultural heritage in the immediate vicinity will not be adversely impacted upon. Heavy Goods Vehicles are the only feasible option to move mineral from both Rectory Farm and Lilford Lodge and in each case access can be grained to the A605 without passing by any residential dwelling.

25. Policy CS14 addresses the potential impact of minerals development. The proposal to move minerals from Rectory Farm will not adversely impact upon any natural resources nor the visual appearance of either site. Access is sustainable, safe and environmentally acceptable and extant planning conditions endure which will ensure that local amenity is protected.

**Control and Management of Development DPD**

26. In respect of the “Control and Management of Development DPD”, objective 2 of the MWDF relates to sustainability of minerals (and waste). The objective promotes “a step change in high quality design led sustainable development by maximizing resource efficiency……..”. By moving poor quality glacial “as-raised” mineral from the Rectory Farm to an existing mineral processing plant of modern design at Lilford Lodge this will enable a far higher quality mineral resource to be produced.

27. Similarly Objective 6 relates to the efficient use of mineral resources and by processing the Rectory Farm mineral to produce higher quality aggregate (rather than using it is a general fill material) will be consistent with the objective.

28. Although the proposals do not involve the excavation of additional minerals, **Policy CMD4** (Development criteria for mineral extraction) seeks to “maximize the recovery of a particular reserve” and “promotes the most appropriate end-use of materials…..”. Again, by processing the remaining Rectory Farm Quarry minerals at Lilford Lodge will maximize the recovery of the mineral resource and produce the highest quality end-use of the product in accordance with the sustainable development objectives of Development Framework.
**Conclusion**

29. It is proposed to use the existing site infrastructure at Lilford Lodge to process poor quality "as-raised" mineral from the Rectory Farm Quarry to be restored at an earlier stage which is wholly consistent with the sustainable development objectives of the National Planning Policy Framework and policies within the adopted Minerals and Waste Development Framework Core Strategy DPD (adopted May 2010) and the Control and Management of Development DPD (adopted May 2011).

30. The proposed operations can be undertaken without resulting in any material harm to local amenity and without delaying the restoration of the Lilford Lodge scheme. It will maximize the use of this mineral by producing a higher quality products from the Rectory Farm mineral. The silt generated from processing the additional mineral can readily be accommodated within the existing on-site lagoons.

31. The proposal will enable the Rectory Farm site to be restored at an earlier stage whilst the utilisation of the existing infrastructure at Lilford Lodge will not result in any material adverse harm to the local amenity.