



Town and Country Planning Act 1990

PLANNING PERMISSION

Name and address of applicant

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The Old Piggeries
The Stables
Long Lane
East Haddon
Northampton
NN6 8DU

Name and address of agent (if any)

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Part I - Particulars of application

Date of Application

6 March 2013

Application No.

NCC Ref: 13/00001/WASFUL

DDC Ref: DA/2013/0164

Particulars and location of development

Revised restoration of the former mineral workings from a fishing lake to agriculture, involving the use of inert waste and temporary inert waste recycling at Pitsford Quarry at Pitsford Pond/Quarry, Harborough Road (A508), Pitsford, Northamptonshire, NN6 9BB.

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. Commencement

The development to which this permission relates must 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 Waste Planning Authority within seven days of such commencement.

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 comply with Section 91 of the Town and Country Planning Act as amended by the Planning and Compulsory Purchase Act 2004.

2. Detailed Approval

Unless otherwise agreed in writing by the Waste 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, plans and mitigation measures:

- a) Application forms dated 21 February 2013
- b) Description of site and proposed development at paragraphs 1.5.1 to 1.6.30 of the submitted planning statement dated 21 February 2013
- c) Proposed biodiversity mitigation measures at 3.4.33 to 3.4.36
- d) Proposed Phasing plan drawing no. GPP/PB/PP/12/07 revision no. 5 dated 13 December 2012
- e) Site Plan drawing no. GPP/PB/PP12/02 revision no. 6 dated 30 August 2012
- f) Site Layout Plan drawing no. GPP/PB/PP/12/03 revision no. 1 dated 17 October 2012
- g) Existing and proposed bunds drawing no. GPP/PB/PP/13/05 revision no. 3 dated 23 January 2013
- h) Restoration Contours drawing no. GPP/PB/PP/12/05 revision no 1 dated 6 December 2012
- i) Proposed cross sections dated 19 October 2012

Reason: To define the scope of this planning permission and secure the proposed mitigation measures set out in the application.

3. Duration and Cessation

The development hereby permitted, excluding aftercare, shall be completed no later than three years from the date of commencement, as required to be notified under condition 1. The site shall be subject to aftercare for a period of five years in accordance with the required aftercare scheme.

Reason: To retain control over the development and in the interests of amenity and landscape and to ensure that the development does not prejudice the restoration of mineral workings having regard to Policies CS3, CS13 and CS14 of the Northamptonshire MWDF Core Strategy DPD (May 2010) and Policy CMD13 of the Northamptonshire MWDF Control and Management of Development DPD (June 2011).

4. Waste Operations

Waste processing operations on site shall be restricted to the screening, crushing, stockpiling and disposal or recovery of non hazardous inert waste, with no waste to be imported to the site prior to the drainage of Pitsford Pond and the construction of the proposed haul road and soil bunds.

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Reason: To restrict the waste types and processes to those specified in the application in the interests of amenity and the environment having regard to Policy CS14 of the Northamptonshire MWDF Core Strategy DPD (May 2010).

5. Only recycled aggregate produced from the recycling operations on site shall be exported from the site with no mineral extraction and/or exportation permitted under the terms of this permission.

Reason: To restrict the operations to those specified in the application in the interests of amenity and the environment having regard to Policy CS14 of the Northamptonshire MWDF Core Strategy DPD (May 2010).

6. **Mineral Permission**

Prior to the outcome of the Partial Review of planning permission DA/97/1140 no mineral shall be extracted from the Pitsford Quarry site under planning permission DA/97/1140 except from the area shown as Phase A on Drawing No. GPP/PB/PR/13/06 Revision No. 1 dated 17 October 2013.

Reason: To restrict the operations to those specified in the application in the interests of amenity and biodiversity having regard to Policy CS14 of the Northamptonshire MWDF Core Strategy DPD (May 2010).

7. **Pond Drainage**

Prior to the commencement of development hereby permitted the applicant shall submit a scheme to the Waste Planning Authority for prior written approval to monitor the pond drainage works to mitigate potential contamination of surface water bodies in the area with parasites and non-native and invasive species contained in Pitsford Pond. The scheme shall have regard to measures to protect and monitor the proposed pipework that would convey water from the pond to the proposed soakaway. The scheme as approved by the Waste Planning Authority shall be implemented for the duration of the pond drainage works.

Reason: In the interests of water quality having regard to Policy CS14 of the Northamptonshire MWDF Core Strategy DPD (May 2010) and Policy CMD7 of the Northamptonshire MWDF Control and Management of Development DPD (June 2011).

8. Unless an acceptable alternative location is agreed in writing by the Waste Planning Authority the proposed soakaway shall be no less than 400 square metres and shall be located on the quarry floor as shown on the submitted Dewatering Plan, Figure GPP/PB/PP/13/09 Revision No. 2 dated 22 May 2013. The soakaway shall be enclosed by a soil bund no less than 1m in height. Water shall be pumped from Pitsford Pond to the soakaway at a rate no greater than 10 litres per second.

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Reason: In the interests of water quality and biodiversity having regard to Policy CS14 of the Northamptonshire MWDF Core Strategy DPD (May 2010) and Policy CMD7 of the Northamptonshire MWDF Control and Management of Development DPD (June 2011).

9. **Ecology/Biodiversity, Mitigation, Restoration and Aftercare**

No development, including construction of the soakaway, drainage of Pitsford Pond, soil stripping or vegetation clearance or operations that involve the destruction and removal of dry-stone walls, trees, shrubs, hedgerows or other vegetation, shall take place until an ecological mitigation plan and revised restoration and aftercare plans have been submitted to and approved in writing by the Waste Planning Authority. The development shall be undertaken in accordance with the approved plans and associated details.

Reason: To make appropriate provision for the management of natural habitat relating to the approved development in the interests of biodiversity having regard to Policies CS13 and CS14 of the Northamptonshire MWDF Core Strategy DPD (May 2010) and Policies CMD7 and CMD8 of the Northamptonshire MWDF Control and Management of Development DPD (June 2011).

10. No development, including soil or vegetation clearance or operations that involve the destruction and removal of trees, shrubs, hedgerows or other vegetation, shall take place until an Arboricultural Method Statement for the protection of trees, shrubs and hedgerows to be retained within the vicinity of the development has been submitted to and approved in writing by the Waste Planning Authority. The Arboricultural Method Statement shall be prepared in accordance with the guidelines contained in BS5837:2012 (Trees in relation to design, demolition and construction). The protection measures shall be appropriate to the scale and duration of the development hereby permitted and shall include:
- a) A Tree Protection Plan that clearly shows any trees that are to be removed as well as those trees in the vicinity of the development that are to be retained, including the location of protection measures proposed around any Root Protection Area, Construction Exclusion Zone and/or Ground Protection Zones;
 - b) A schedule of tree works for all the retained trees shown on the tree protection plan specifying pruning and other remedial or preventative work;

The Arboricultural Method Statement shall be implemented as approved.

Reason: To minimise the environmental impact of the development and to safeguard and enhance the visual amenities of the area having regard to Policy CS14 of the Northamptonshire MWDF Core Strategy DPD (May 2010) and Policy CMD8 of the Northamptonshire MWDF Control and Management of Development DPD (June 2011).

11. Trees, shrubs and hedges planted in accordance with the restoration plan required by condition 9 shall be maintained and any plants which within five

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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 with the Waste Planning Authority.

Reason: To minimise the environmental impact of the development and to safeguard and enhance the visual amenities of the area having regard to Policy CS14 of the Northamptonshire MWDF Core Strategy DPD (May 2010) and Policy CMD8 of the Northamptonshire MWDF Control and Management of Development DPD (June 2011).

12. Upon the completion of the infilling operations, and in any event no later than the three year completion date established in accordance with condition 3, the final levels at the site shall comply with the contours as shown on Restoration Contours drawing no. GPP/PB/PP/12/05 revision no 1 dated 6 December 2012. A detailed survey of the final levels on site shall be submitted to the Waste Planning Authority to verify compliance with the approved contours once infilling operations are complete, and not later than the three year completion date.

Reason: In the interests of the general amenity of the area having regard to Policies CS13 and CS14 of the Northamptonshire MWDF Core Strategy DPD (May 2010) and Policies CMD7 and CMD8 of the Northamptonshire MWDF Control and Management of Development DPD (June 2011).

13. All buildings, structures, plant, machinery and hardstanding erected in the compound and recycling area in accordance with this permission shall be removed from the site by the three year completion date established in accordance with Condition 3.

Reason: In the interests of the general amenity of the area having regard to Policies CS13 and CS14 of the Northamptonshire MWDF Core Strategy DPD (May 2010) and Policies CMD7 and CMD8 of the Northamptonshire MWDF Control and Management of Development DPD (June 2011).

14. **Working Hours**

No operations, including pumping shall be carried out at the site except between the hours of 07.30 to 18.00 hours Mondays to Fridays and 08.00 to 13.00 on Saturdays with no works on Sundays, public or bank holidays. In addition, no soil stripping, bund formation or screening and crushing of inert waste shall be carried out on the site on Saturdays.

Reason: To ensure that operations are carried out within reasonable hours so as to minimise amenity disturbance in accordance with Policy CS14 of the Northamptonshire MWDF Core Strategy DPD (May 2010).

15. **Noise and Dust**

Except as required by conditions attached to this permission the noise mitigation, management and monitoring measures set out in sections 3.1 and 3.2 of the submitted noise information dated 4 June 2013 ref

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R12.1105/Add1/DRK shall be implemented for the lifetime of the development hereby permitted. The results of the noise monitoring shall be submitted in writing to the Waste Planning Authority within two weeks of monitoring taking place.

Reason: In the interests of amenity protection having regard to Policy CS14 of the Northamptonshire MWDF Core Strategy DPD (May 2010).

16. The site 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 or subsequent edition thereof. 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) or exceed background levels by more than 10dB(A) at the noise sensitive properties set out at Table 2.1 of the submitted further noise information dated 4 June 2013 ref R12.1105/Add1/DRK and included below, with the reference to Bunkers Hill Farm to be taken to include all residential properties within the Bunkers Hill Farm complex.

Receptor	Background noise level LA90 (dB) [lowest L90]
Fox Covert Farm	44[43]
Fox Covert Hall	44[43]
The Oaks	45[41]
Bunkers Hill Farm	45[42]
Butcher's Lane	45[42]
Church Holding	45[42]
Stud Farm	45[41]
Stud Farm Cottages	45[41]
Spring Meadow Farm	45[42]
Moulton Mill	45[42]
Home Farm (Pitsford)	47[46]
Stewart Close	45[41]
Holcot Centre	45[41]

For soil stripping and bund formation the equivalent sound level (LAeq), measured over any 1 hour time period as measured free field shall not exceed 70 dBA (1hrLAeq) at the noise sensitive properties in the above table.

Reason: In the interests of amenity protection having regard to Policy CS14 of the Northamptonshire MWDF Core Strategy DPD (May 2010).

17. Prior to the commencement of pond drainage and soil stripping, except for soil stripping to facilitate bund construction, a three metre high bund shall be constructed along the southern boundary of Pitsford Pond as shown on the Existing and proposed bunds drawing no. GPP/PB/PP/13/05 revision no. 3 dated 23 January 2013, and maintained throughout the development until the final stage of restoration of the site.

Reason: In the interests of amenity protection having regard to Policy CS14 of the Northamptonshire MWDF Core Strategy DPD (May 2010).

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18. Unless otherwise agreed in writing by the Waste Planning Authority crushing of inert waste shall take place on no more than 30 days per calendar year. A written log of crushing activities shall be kept by the Site Manager and submitted to the Waste Planning Authority in writing within one week of a written request.

Reason: In the interests of amenity protection having regard to Policy CS14 of the Northamptonshire MWDF Core Strategy DPD (May 2010).

19. The dust management and mitigation measures shall be carried out in accordance with the measures set out at paragraph 1.8.1 of the additional information dated 3 July 2013 shall be implemented for the lifetime of the development hereby permitted.

Reason: In the interests of amenity protection having regard to Policy CS14 of the Northamptonshire MWDF Core Strategy DPD (May 2010).

20. No development shall take place until a scheme of measures for continuous dust monitoring and analysis of particulates has been submitted to and approved in writing by the Waste Planning Authority. The scheme shall be implemented as approved for the lifetime of the development.

Reason: In the interests of amenity protection having regard to Policy CS14 of the Northamptonshire MWDF Core Strategy DPD (May 2010).

21. No vehicles and mobile plant used exclusively on site shall be operated unless they have been fitted with and use white noise reversing alarms. Tipping lorries shall either be fitted with and use white noise reversing alarms, or other non tonal alarms, or be routed and managed to minimise reversing manoeuvres.

Reason: In the interests of amenity protection having regard to Policy CS14 of the Northamptonshire MWDF Core Strategy DPD (May 2010).

22. No vehicle, plant, equipment or machinery used exclusively 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.

Reason: In the interests of amenity protection having regard to Policy CS14 of the Northamptonshire MWDF Core Strategy DPD (May 2010).

23. In the event that complaints regarding noise or dust are received by the Waste 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 Waste 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

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by the Waste Planning Authority. If complaints relating to noise continue after remedial measures have been implemented noise monitoring shall be undertaken at the request of the Waste Planning Authority to verify whether the requirements of condition 16 are being met and the monitoring information shall be submitted to the Waste Planning Authority within five working days. If monitoring shows the restrictions in condition 16 are not being met operations shall cease until such time as remedial measures are agreed in writing by the Waste Planning Authority and thereafter implemented to bring the operations into compliance with the noise limits established in condition 16. These measures shall thereafter be maintained.

Reason: To reduce the amenity impacts of noise and dust disturbance from the site on the local environment having regard to Policy CS14 of MWDF Core Strategy DPD.

24. Highway and Access

Other than on the A508 Road, no Heavy Goods Vehicles importing or exporting material to or from the site shall travel through Boughton or Pitsford villages unless they are fulfilling contracts within those settlements.

Reason: In the interests of amenity protection and highway safety having regard to Policy CS14 of the Northamptonshire MWDF Core Strategy DPD (May 2010).

25. No import of waste or export of recycled aggregate from the site shall commence until the applicant has submitted to the Waste Planning Authority and received written approval for, a scheme to monitor HGV routing. The scheme shall include measures to ensure that all drivers of vehicles attending the site are made aware of the approved routing arrangements and the steps that will be exercised in the event of default. The approved scheme shall be implemented for the lifetime of the development.

Reason: In the interests of amenity protection and highway safety having regard to Policy CS14 of the Northamptonshire MWDF Core Strategy DPD (May 2010).

26. HGV movements to and from the site associated with the development hereby permitted and mineral extraction at the Pitsford Quarry under planning permission DA/97/1140C and any replacement mineral extraction permission shall not exceed 300 per week.

Reason: To restrict the operations to those specified in the application in the interests of amenity and traffic and highway safety having regard to Policy CS14 of the Northamptonshire MWDF Core Strategy DPD (May 2010).

27. All vehicular access and egress to and from the site shall be from the existing highway access point on the A508 as shown on Site Plan drawing no. GPP/PB/PP12/02 revision no. 6 dated 30 August 2012. No other access shall be used by vehicles entering or exiting the site.

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Reason: In the interests of amenity protection and highway safety having regard to Policy CS14 of the Northamptonshire MWDF Core Strategy DPD (May 2010).

28. The vehicular access shall be maintained in a good state of repair free from potholes and kept clean and free of mud and other debris at all times.

Reason: In the interests of highway safety having regard to Policy CS14 of the Northamptonshire MWDF Core Strategy DPD (May 2010).

29. Prior to the commencement of waste inputs wheel cleaning facilities shall be provided and thereafter maintained on site so that operational vehicles leaving the site are cleansed of mud and other debris and ensure that none is deposited on the public highway.

Reason: In the interests of highway safety having regard to Policy CS14 of the Northamptonshire MWDF Core Strategy DPD (May 2010).

30. All loaded Heavy Goods Vehicles arriving at and leaving the site shall be securely sheeted.

Reason: In the interests of highway safety having regard to Policy CS14 of the Northamptonshire MWDF Core Strategy DPD (May 2010).

31. **Water Resources**

No development shall take place until a surface water drainage scheme for the site, based on sustainable drainage principles and an assessment of the hydrological and hydrogeological context of the development, has been submitted to and approved in writing by the Waste Planning Authority. The drainage strategy should demonstrate the surface water run-off generated up to and including the 0.5% (1 in 200) critical storm will not exceed the existing run-off rates. The scheme shall also include:

Percolation tests, undertaken in accordance with BRE Digest 365 (or CIRIA Report 156)

- Soakaways designed and constructed in accordance with BRE Digest 365 (or CIRIA Report 156)
- Evidence the hierarchy for surface water disposal established in the Approved Document Part H of the Building Regulations 2000 is followed.

The scheme shall subsequently be implemented in accordance with the approved details prior to the completion of the infilling operations and retained for the life of operations at the site.

Reason: To ensure that the development does not increase flood risk having regard to Policy CS14 of the Northamptonshire MWDF Core Strategy DPD (May 2010).

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32. Lighting

No fixed or temporary lighting shall be erected or installed unless full details of the location, height, design, sensors and luminance have been submitted to and approved in writing by the Waste Planning Authority. The details shall ensure that the lighting is designed to minimise the potential nuisance of light spillage on adjoining properties, natural environment and highways. The lighting shall thereafter be erected, installed and operated in accordance with the approved details.

Reason: In the interests of the visual and rural amenities of the area and biodiversity having regard to Policy CS14 of the Northamptonshire MWDF Core Strategy DPD (May 2010) and Policy CMD8 of the Northamptonshire MWDF Control and Management of Development DPD (June 2011).

33. Pollution Prevention

Repair, maintenance and refuelling of plant, equipment and machinery shall only take place on an impervious surface drained to an interceptor.

Reason: To minimise the risk of pollution of the water environment having regard to Policy CS14 of the Northamptonshire MWDF Core Strategy DPD (May 2010).

- 34.** 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 operations on site.

Reason: To minimise the risk of pollution of the water environment having regard to Policy CS14 of the Northamptonshire MWDF Core Strategy DPD (May 2010).

35. Catchment Area

All waste materials to be processed on the site shall originate from locations within the area shown on the submitted Catchment Area Plan, Drawing No. GPP/PB/PP/12/06, Revision No. 1, dated 13 December 2012. The annual report required by condition 36 shall incorporate such records that demonstrate compliance with the indicative area plan.

Reason: To ensure that waste materials are dealt with as close to their source as possible in the interests of self sufficiency and sustainability having regard to Policy CS9 of the Northamptonshire MWDF Core Strategy DPD (May 2010) and to enable the Waste Planning Authority to monitor progress towards achieving the principles in Policies CS1 and CS3 of the Northamptonshire MWDF Core Strategy DPD (May 2010) and Policies CMD5 and CMD14 of the

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Northamptonshire MWDF Control and Management of Development DPD (June 2011).

36. Monitoring

The operating company shall submit an annual report in writing to the Waste Planning Authority within one month of the first anniversary of operations commencing and at 12 monthly intervals thereafter. The report shall include detailed information on the types, quantities and sources of all inert waste materials brought on to the site, deposited on site and taken off the site, including an estimate of remaining inert waste disposal capacity and records of vehicle movements demonstrating compliance with condition 26. The annual report shall also incorporate records that demonstrate compliance with the catchment area condition (condition 35). The information required by this condition shall also be supplied at any other time on request by the Waste Planning Authority. All such information will be treated on a confidential basis.

Reason: To enable the Waste Planning Authority to monitor progress towards achieving the principles in Policies CS1 and CS3 of the Northamptonshire MWDF Core Strategy DPD (May 2010) and to ensure that waste materials are dealt with close to their source in accordance with Policy CS9 of the Northamptonshire MWDF Core Strategy DPD (May 2010) and Policies CMD3 and CMD14 of the Northamptonshire MWDF Control and Management of Development DPD (June 2011).

37. Agricultural, Restoration and Aftercare

All topsoil, subsoil and soil making material shall be stripped from the site and stored and retained on the site for sole use in the restoration scheme required by condition 9, and these soils shall thereafter be utilised in accordance with the requirements in conditions 39.

Reason: To prevent the loss of soil and aid the final restoration of the site having regard to Policy CS13 of the Northamptonshire MWDF Core Strategy DPD (May 2010).

- 38.** Prior to the commencement of development hereby permitted a scheme and method statement of how imported waste soils will be managed to ensure that appropriate imported subsoils and topsoils are safeguarded and stored to supplement the soils stripped in accordance with condition 37, to enable progressive restoration of the Pitsford Pond part of the site. The development shall be implemented in accordance with the scheme as may be agreed in writing by the Waste Planning Authority.

Reason: To ensure that the land is satisfactorily restored within a reasonable time, having regard to Policy CS13 of the Northamptonshire MWDF Core Strategy DPD (May 2010).

- 39.** Unless otherwise agreed in writing by the Waste Planning Authority, the areas filled in shall be progressively covered with soils as tipping proceeds to a depth of not less than one metre, with the top 300mm comprising topsoil

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stored in accordance with condition 37. This one metre covering shall be kept free of materials likely to interfere with final restoration and subsequent cultivation and tree planting and prior to the replacement of topsoil the site shall be ripped (rooted) as necessary to relieve compaction. Any stones or other materials which would impede subsequent agricultural operations shall be removed or buried on site to a depth of at least one metre.

Reason: To ensure that the land is satisfactorily restored within a reasonable time, having regard to Policy CS13 of the Northamptonshire MWDF Core Strategy DPD (May 2010).

40. An aftercare scheme detailing the steps that are necessary to bring the land to be restored to agriculture to the required standard for agricultural use shall be submitted to and approved in writing by the Waste Planning Authority prior to commencement of infilling. The submitted Scheme shall:
- a) Provide an outline strategy in accordance with Annex A of MPG7 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 Waste Planning Authority.
 - b) Provide for a detailed annual programme, in accordance with Annexes A and B of MPG7 to be submitted to the Waste Planning Authority not later than two months prior to the annual Aftercare meeting.
 - c) Unless the Waste Planning Authority agree in writing with the person or persons responsible for undertaking the Aftercare steps that there shall be lesser steps or a different timing between steps, the Aftercare shall be carried out in accordance with the submitted Scheme.

The development shall be implemented in accordance with the approved aftercare scheme.

Reason: To ensure the satisfactory restoration of part of the site for agriculture having regard to Policies CS13 and CS14 of the Northamptonshire MWDF Core Strategy DPD (May 2010).

REASONS FOR APPROVAL

This application is for the infilling of Pitsford Pond with inert waste. The applicant proposes to import around 85,000 tonnes per annum to Pitsford Quarry for three years. Imports would be screened and approximately 25,000tpa of recyclable material removed with the balance to be used as infill.

To facilitate the infilling operation Pitsford Pond would first need to be drained. To overcome potential water quality issues the applicant proposes that the pond water would be drained to a soakaway in the adjacent Pitsford quarry floor. To provide access to the pond an extension of the existing haul road would be required as would a bund to screen the movement of vehicles along the haul road from nearby sensitive receptors.

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The applicant proposes that the pond area would be restored to agriculture, with features of biodiversity interest also to be created, over a period of three years.

In conjunction with these proposals the applicant proposes to recommence mineral working within part of the area covered by planning permission DA/97/1140.

The application has generated a large number of objections from residents in the Pitsford area and objections have also been received from both Boughton and Pitsford Parish Councils, the County Councillor for the area and the Member of Parliament for Daventry.

Issues around the need for the facility, particularly the recycling element, and the suitability of this site for such a proposal have been raised and discussed at some length. Particular concerns have also been raised at the potential traffic and access implications, amenity impacts, water quality, landscape and biodiversity implications of these proposals.

The implications of the development have been carefully considered in relation to the relevant Development Plan policies, and having regard to the consultation responses to the application. In particular this application has been assessed against Policies CS1, CS2, CS3, CS7, CS13 and CS14 of the Northamptonshire MWDF Core Strategy (May 2010) and Policies CMD3, CMD5, CMD7, CMD8, CMD9, CMD13 and CMD14 of the Northamptonshire MWDF Control and Management of Development DPD (June 2011).

The primary benefits associated with this proposal are the contributions to inert waste disposal and recycling capacity in and around Northampton. There is a shortfall of operational capacity around Northampton and this facility would help alleviate this issue in the short term. Minor landscape benefits would be forthcoming from the infilling of the pond to levels in line with the surrounding area.

The proposals would however have impacts on amenity and biodiversity which have been assessed in detail in this report. Noise and dust are the primary amenity concerns with proposals of this nature. It is considered that best practice measures can be employed to control noise and dust to acceptable levels in line with national and local policy and recommended conditions require noise and dust monitoring to check compliance. Similarly impacts on visual amenity can be ameliorated to a degree through the implication of mitigation measures but there will remain some residual impacts in the short term.

The applicant considers there will be an overall biodiversity benefit but this is not accepted. It is however considered that subject to mitigation measures the negative impacts on biodiversity can be mitigated to an acceptable level and the eradication of non-native invasive species does offer some support to the application. The restoration to original land levels would have some positive benefit in landscape terms and reinstate land character for the setting of Boughton Park and to nearby listed buildings, although there would be temporary disturbance to the setting during the filling and recycling operations.

Potential issues around water resources can also be overcome through best practice measures. Traffic and access has been raised as a concern but there is no

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objection from the Highway Authority and in reality the HGV movements from a purpose built access to the A508 would not justify refusal of this application. The

proposed routing conditions address concerns regarding potential for HGV movements through Boughton and Pitsford villages.

There is an existing mineral permission and these proposals could be suitably co-located together. While there is potential for cumulative impacts these have been considered and none would justify refusal of this application.

On balance it is considered that the proposed operations, in conjunction with the recommended conditions, would not create an adverse impact sufficient to justify refusal of this application having regard to the development plan.

POSITIVE AND PROACTIVE MANNER STATEMENT

In determining this planning application, the Waste 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.

INFORMATIVE

1. The applicant has undertaken to continue to participate in the Local Liaison Group.
2. The applicant's attention is drawn to the informative comments of the Environment Agency in their response dated 26 April 2013.
3. The applicant's attention is drawn to the protection given to breeding birds under the Wildlife and Countryside Act 1981. To avoid contravening the relevant provisions of the Act it would be advisable to avoid carrying out any work that might damage an active nest during the bird breeding season (March to September inclusive) or to ensure that an appropriate inspection is undertaken by a competent person to ensure that no breeding birds will be adversely affected.
4. The applicant must ensure that the public rights of way likely to be affected by this planning application are kept open and unimpeded at all times. Any diversionary works necessary must be agreed in writing with the Highway Authority and be implemented and in place on the ground prior to any development taking place on the site.
5. The applicant's attention is drawn to the requirements of National Grid as set out in their consultation response dated 8 November 2013.

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.

Date: 23rd December 2013

Signed 

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.*
4. *Guidance on using the Planning Portal's online appeals service, see leaflet PCS4 available at http://www.planningportal.gov.uk/PpWeb/jsp/redirect.jsp?url=http%3A//www.planningportal.gov.uk/uploads/pins/pcs_a5_leaflet.pdf*

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