



Town and Country Planning Act 1990

PLANNING PERMISSION

Name and address of applicant

Mick George Ltd
6 Lancaster Way
Ermine Business Park
Huntingdon
PE29 6XU

Name and address of agent

Part I - Particulars of application

Date of Application

8 January 2018

Application No.:

NCC Ref: 17/00065/MINFUL
DDC Ref: 18/000125/NCC

Particulars and location of development

Importation of suitable materials to create a seal for the previously approved dust suppression/storm water attenuation ponds including provision of temporary clay stockpile. Wakerley Quarry, Wakerley, Northamptonshire.

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 provided to the Mineral Planning Authority within seven days of commencement.

Reason: In the interest of clarity and to conform with the requirements of Section

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91 of the Town and Country Planning Act 1990 as amended by the Planning and Compulsory Purchase Act 2004.

Approved Documents

2. Except as otherwise required by conditions attached to this planning permission the development hereby approved shall be carried out in accordance with the documents and plans submitted as part of the application, including the following:

Application forms dated 22 December 2017

Written Statement dated January 2018

Letter from MG Planning dated 22 December 2018

Drawings

Drawing W4/17/12/01 – Location Plan

Drawing W4/17/12/01 – Proposed Importation of Engineering Materials

Scope of Permission

3. Clay importation shall be restricted to the quantity required to seal the dust suppression lakes.
4. The development hereby permitted is ancillary to the main planning permissions and conditions relating to the Wakerley Quarry site granted under consents 08/00026/MIN and EN/97/522C, which remain the extant permissions for the application area and the quarry site as a whole.

Reason for condition: to define the scope of this permission in accordance with the submitted application and to control the development in the interests of amenity protection having regard to Policy 18 of the Northamptonshire Minerals and Waste Local Plan (July 2017).

Working Hours

5. Operations, excluding blasting and the construction of any soil screening mound, shall be confined to the hours of 07.00 to 18.00 Mondays to Fridays and 07.00 to 13.00 on Saturdays with no works on Sundays, public or bank holidays.
6. Operations for the construction of any soil screening mound shall be confined to the hours of 08.00 to 18.00 Mondays to Fridays and 08.00 to 13.00 Saturdays with no works on Sundays, public or bank holidays.

Reason for conditions 5 and 6: to ensure that operations are carried out within reasonable hours so as to minimise amenity disturbance having regard to Policy 18 of the Northamptonshire Minerals and Waste Local Plan (July 2017).

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Height of Clay Storage Area

7. Clay materials shall be stored on the quarry floor at the base of the excavation in the temporary storage area and the height of the stored materials shall not exceed the AOD height of the original ground levels prior to quarrying.

Reason for condition: to ensure that the clay is stored below the height of the noise screening bunds in the interests of amenity protection having regard to Policy 18 of the Northamptonshire Minerals and Waste Local Plan (July 2017).

Access and Highway Safety

8. Heavy Goods Vehicle access to and from the site shall only be gained via the access point onto the minor road connecting Wakerley to the A43 (Duddington Road) as shown on Drawing W4/17/12/01.

Reason for condition: In the interests of highway safety and amenity having regard to Policy 18 of the Northamptonshire Minerals and Waste Local Plan (October 2017).

Noise and Dust

9. No vehicles and mobile plant used exclusively on site shall be operated unless they have been fitted with and use white noise alarms.
10. 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.
11. Traffic management operations at the site shall be controlled to ensure that all Heavy Goods Vehicles are routed to minimise reversing manoeuvres.
12. 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 (L_{Aeq}), measured over any 1 hour time period, attributable to the normal operations on site, as measured free field shall not exceed the following limits at the potentially noise sensitive locations listed:

1)	Oak Farm, Wakerley Village	49 dBA (1hr L_{Aeq})
2)	Wakerley Church	45 dBA (1hr L_{Aeq})
3)	Laxton Hall	45 dBA (1hr L_{Aeq})
4)	Town Wood Farm	45 dBA (1hr L_{Aeq})
5)	The Bungalows, Shotley	45 dBA (1hr L_{Aeq})

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13. Dust shall be controlled in accordance with the dust management scheme approved in connection with planning permissions 08/00026/MIN and EN/97/522C.
14. In the event that complaints regarding noise or dust are 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.

Reason for conditions 9 to 14: To safeguard amenity having regard to Policy 18 of the Northamptonshire Minerals and Waste Local Plan (July 2017).

Restoration, Habitat Creation and Aftercare

15. The site shall be restored, incorporating habitat creation and aftercare, in accordance with the schemes approved in connection with planning permissions 08/00026/MIN and EN/97/522C.

Reason for condition: To safeguard the landscape, biodiversity and afteruse of the site having regard to Policies 20, 21 and 24 of the Northamptonshire Minerals and Waste Local Plan (July 2017).

INFORMATIVE

Environmental permitting regulations

From the information provided, it is unclear whether the imported clay will be waste or virgin material. If any waste is to be used onsite, the applicant will be required to obtain the appropriate waste exemption or permit from us. The applicant is advised to contact the Environment Management team at the Kettering Office on 02030 255922 or refer to guidance on our website at <https://www.gov.uk/guidance/waste-environmental-permits> for more information.

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; considered any valid representations received; liaised with

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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 Procedure) (England) Order 2015.

Date 6th April 2018

Signed G.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.*
4. *Guidance on using the Planning Portal's online appeals service is available at <https://www.planningportal.co.uk/info/200207/appeals>*

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