



Town and Country Planning Act 1990

PLANNING PERMISSION

Name and address of applicant

Mr A E Dijksterhuis
Lilford Lodge Farm
Barnwell
Oundle
Northamptonshire
PE8 5SA

Name and address of agent (if any)

Mr Stephen Rice
S B Rice Ltd
Abbey House
1650 Arlington Business Park
Theale
Reading RG7 4SA

Part I - Particulars of application

Date of Application

19 September 2018

Application No.

NCC Ref: 18/00040/WASVOC

WBC Ref: 18/01951/NCC

Particulars and location of development:

Variation of conditions 7 (waste materials), 8 (Permitted Operations) and 10 (permitted operations) of planning permission ref. no. 09/00049/WAS to allow for the regularisation of the operation of a screener and crusher on site and to clarify the quantity of materials to be imported and associated vehicle movements – Lilford Lodge Farm, Thrapston Road, Barnwell, Oundle, Northamptonshire PE8 5SA

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 the non-material amendment referred to in Part I hereof has been granted with the amendments set out below.

Commencement

1. The development hereby permitted commences on the date of this permission.

Reason: Required to be imposed pursuant to Section 91 of the Town and Country Planning Act 1990.

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.

Scope of Planning Permission

2. This planning permission shall relate to the area outlined in red on the plan of GP Planning Ltd GPP/AD/LLF/09/02, dated 30/07/2009, hereafter referred to as "the site". The development hereby permitted shall only be carried out within "the site" in accordance with the details set out in the submitted application forms and supporting information except where otherwise amended by specific conditions attached to this permission.

Reason: To conform with the requirements of Section 91 of the Town and Country Planning Act 1990 as amended by the Planning and Compulsory Purchase Act 2004.

Access and Highway Safety

3. The sole access to the site for the development hereby permitted shall be the existing access from the Class 3 Oundle Road as shown on Drawing GPP/AD/LLF/09/02 (originally submitted with application ref. no. 09/00049/WAS).
4. The site access referred to in condition 3 above shall be retained and maintained in accordance with plan/drawing nos. Drawing 16 A titled Layout Plan: Scale 1:200 (dated 25/02/04), Drawing 16 A titled Setting Out Plan: Scale 1:200 (dated 25/02/04) and Vehicular Crossing Construction Heavy Duty Types 2 & 3 Flexible (originally approved under planning permission ref. no. 09/00079/MIN) for the life of this development hereby permitted.

Reason for conditions 3 and 4: In the interests of highway safety (Policy 19 of the Northamptonshire Minerals and Waste Local Plan (July 2016)).

5. All operational vehicles arriving at and leaving the site shall be appropriately sealed so as to prevent material spillage, wind blow and dust nuisance.
6. All operational vehicles leaving the site shall be cleansed to ensure they are free of mud and other debris to ensure no mud or other debris is deposited on the public highway.

Reason for conditions 5 and 6: In the interest of local amenity and in the interests of highway safety (Policies 18 and 19 of the Northamptonshire Minerals and Waste Local Plan (July 2016) and Policy 8 of the North Northamptonshire Joint Core Strategy (July 2016)).

Waste Materials

7. A maximum of 50,000 tonnes per annum of waste materials restricted to hardcore, demolition materials and natural stone, all to be inert in nature, shall be imported to the site.

Reason: To define the waste materials which can be imported to the site and in the interest of local amenity (Policies 10 and 11 of the Northamptonshire Minerals and Waste Local Plan (adopted July 2016)).

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.

Permitted Operations

8. The development hereby permitted shall allow for the importation of material as set out in condition 7 for cutting and refacing to produce building stone, along with the processing of waste material to recover all recyclable material including stone for cutting and refacing, soils for reuse and recycled material for use in the construction industry. The processing operation shall include screening and crushing using a Maximus 512 Screener (or similar) and RM 7OGO 2.0 Crusher (or similar). All recovered material shall be subsequently exported from site.

Reason: To define the operations which are permitted and in the interests of local amenity (Policy 18 of the Northamptonshire Minerals and Waste Local Plan (adopted July 2016) and Policy 8 of the North Northamptonshire Joint Core Strategy (July 2016)).

9. All waste materials, including unusable natural stone, arising from the operations set out in condition 8, shall periodically be removed from the site to avoid spillage beyond the site boundary and avoid stockpiles above 5 metres in height.

Reason: To prevent an accumulation of waste material and in the interest of local amenity (Policy 18 of the Northamptonshire Minerals and Waste Local Plan (adopted July 2016) and Policy 8 of the North Northamptonshire Joint Core Strategy (July 2016)).

10. Unless otherwise agreed by the Waste Planning Authority, the use hereby permitted and all associated vehicular movements shall be restricted to 7.30 – 17.00 hours (Monday to Friday) and 8.00-13.00 hours (Saturday) with no working on Sundays, public or bank holidays. HGV vehicle movements associated with the operation shall be restricted to a maximum of 5,000 movements (2,500 movements in and 2,500 out) per annum.

Reason: In the interests of local amenity (Policy 15 of the Northamptonshire Waste Local Plan (Policy 18 of the Northamptonshire Minerals and Waste Local Plan (adopted July 2016) and Policy 8 of the North Northamptonshire Joint Core Strategy (July 2016)).

Dust

11. Provision shall be made at all times for measures to ensure the suppression of dust including the availability of a water bowser, and shall be implemented at all times throughout the life of the site.

Reason: In the interests of local amenity (Policy 15 of the Northamptonshire Waste Local Plan (Policy 18 of the Northamptonshire Minerals and Waste Local Plan (adopted July 2016) and Policy 8 of the North Northamptonshire Joint Core Strategy (July 2016)).

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.

Noise

12. All plant, equipment and machinery, including vehicles shall, where capable, be fitted with silencers, baffles, cladding or rubber linings, and be maintained so as to reduce noise to a minimum and operated in accordance with manufacturer's instructions.

Reason: In the interests of local amenity (Policy 18 of the Northamptonshire Minerals and Waste Local Plan (July 2016) and Policy 8 of the North Northamptonshire Joint Core Strategy (July 2016)).

Stockpile Heights

13. Unless otherwise agreed in writing by the Waste Planning Authority stockpile heights of all materials shall at no time exceed 5 metres in height.

Reason: In the interests of local amenity (Policy 18 of the Northamptonshire Minerals and Waste Local Plan (adopted July 2016) and Policy 8 of the North Northamptonshire Joint Core Strategy (July 2016)).

Consignment Note Records

14. Consignment note records and waste transfer note records relating to materials imported to, stored on or taken away from the site shall be made available to the Waste Planning Authority upon request in writing.

Reason: To enable the Waste Planning Authority to monitor compliance with condition 7 and monitor progress towards achieving the principles in Policies 10 and 11 of the Northamptonshire Minerals and Waste Local Plan (July 2016) and the objectives of the National Planning Policy for Waste (October 2014).

HGV Movements & Monitoring

15. The operating company shall keep records of the quantity of waste received by weight, its source and Heavy Goods Vehicle (HGV) movements associated with the development and these records shall be provided to the Waste Planning Authority within seven days of a written request. All such information supplied will be treated on a confidential basis.

Reason: To enable the Waste Planning Authority to monitor compliance with condition 7 and monitor progress towards achieving the principles in Policies 10 and 11 of the Northamptonshire Minerals and Waste Local Plan (July 2016) and the objectives of the National Planning Policy for Waste (October 2014).

Catchment Area (Proximity Principle)

16. All imported demolition materials to be processed on the site shall be collected from locations within a radius of 20 miles of the application site, unless otherwise expressly approved in writing by the Waste Planning Authority.

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: In order to: reflect the proximity principle and to minimize the transportation of waste from source and across waste planning authority boundaries and in the interests of sustainability (Policies 8, 10 and 11 of the Northamptonshire Minerals and Waste Local Plan (July 2016)).

Restoration

17. In the event that the use of the site hereby permitted should cease for a period in excess of 12 months then within 15 months of the cessation a scheme of measure to remove all buildings, structures, plant and machinery restore the site to a beneficial use, appropriate to its rural location shall be submitted to the Waste Planning Authority for its approval in writing. Once approved, the scheme shall be implemented in full in accordance with the approved timescale.

Reason: In order to ensure the ultimate restoration of the site and in interests of local amenity. (Policies 20 and 24 of the Northamptonshire Minerals and Waste Local Plan (July 2016)).

Positive and Proactive Statement

In determining this application the Mineral and Waste Planning Authority has worked positively and proactively with the applicant by assessing the proposals against relevant development plan policies, material considerations, consultation responses, any valid representations that may have been received, and discussing changes to the proposal with the applicant/agent. The applicant has been sent a draft copy of the planning conditions. This approach has been taken in accordance with the requirements of the NPPF, as set out in the Town and Country Planning (Development Management Procedure) (England) Order 2015.

Date 13th December 2018

Signed G.P. Watson

For Assistant Director of Environment,
Planning and Transport

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*

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.