



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 (if any)

Part I - Particulars of application

Date of Application

5th March 2019

Application No.

NCC Ref: 19/00011/MINVOC

ENC Ref: 19/00426/NCC

Particulars and location of development

Variation of Conditions 2, 42, 48 and 52 of Planning Permission 15/00073/MINVOC to amend the Restoration Scheme and Ecological Management to remove references to agricultural grassland at Ringstead Grange Quarry, Raunds Road, Ringstead, Northamptonshire, NN14 4DT

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:-

Note: This consent supersedes, consolidates, and updates the previously granted planning permission for the site; reference 12/00016/MINFUL and 15/00073MINVOC. Changes to the conditions are shown in bold.

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 sent to the Mineral 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 1990 as amended by the Planning and Compulsory Purchase Act 2004.

Scope of the Permission

2. Unless otherwise agreed in writing by the Mineral 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:

- Planning Application Forms dated 9 March 2012;
- Planning Statement dated March 2012;
- Supplementary Planning Statement (NPPF) dated April 2012;
- Phase 1 Habitat and Protected Fauna Survey including a Winter Bird Survey prepared by Witcher Wildlife Ltd dated February 2012;
- Landscape and Visual Impact Assessment prepared by Crestwood Environmental Ltd dated March 2012;
- Dust Action Plan prepared by Mick George Ltd dated March 2012;
- Hydrological and Hydrogeological Assessment prepared by DAB Geotechnics dated June 2012;
- Transport Statement prepared by David Tucker Associations dated February 2012;
- **Ecological Management Plan prepared by Crestwood Environmental Ltd. dated 19th February 2019**
- Drawing No. R15/01 Location Plan
- Drawing No. R15/02 Existing Situation Plan
- ~~Drawing No. R15/03 Working Scheme~~
- Drawing No. R15/154 Working Scheme (Revised 2015)
- Drawing No. R15/202 Working Scheme & Overnight Parking Area
(Revised 2015)
- Drawing No. R15/15/201 Site Reception Area
- ~~Drawing No. R15/04 Rev B Concept Restoration Plan~~
- **Drawing No. R15/04 Rev D Concept Restoration Plan**
- Drawing No. R15/05 Indicative Phasing Plans
- **Drawing No. R15/203 Rev C Detailed Planting Plan (dated 19th February 2019)**

Reason: To define the scope of this planning permission and in the interest of clarity.

3. From the date of the commencement to the completion of the development, a copy of this permission including all documents hereby approved and any other documents subsequently approved in accordance with this permission, shall always be on display at the main office for inspection during normal working hours.

Reason: To ensure this planning permission and associated documents are available on site for reference and inspection.

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Duration and Cessation

4. The development hereby permitted, including restoration in accordance with the conditions attached to this permission, shall be completed no later than 15 years from the date of commencement as notified under condition 1. The site shall be subject to aftercare for a period of 5 years

Reason: To retain control over the development and in the interests of visual amenity and to ensure that the development does not prejudice the overall restoration of the site having regard to Policies 18 and 25 of the Minerals and Waste Local Plan (2014).

Working Hours (Normal Hours & Exceptions)

5. Except in emergencies to maintain safe quarry working (which shall be notified to the Mineral Planning Authority as soon as practicable), no operations, other than water pumping, plant servicing, and environmental monitoring of plant shall be carried at the site except between the following times (or in the case of the exceptions listed in a) and b) of this condition):

- 07:00 to 18:00 hours Monday to Fridays (with the exception of the night time delivery of material from essential highway maintenance works for a maximum of 21 days per annum and for a temporary period only unless otherwise agreed in writing with the Mineral Planning Authority)
 - 07:00 to 13:00 hours Saturdays
 - and at no other times or on Sundays, Bank or Public Holidays.
- a) As an exception the loading of vehicles for export of minerals can be carried out between 06.00 to 07.00 hours Mondays to Fridays.
 - b) As an exception the night time delivery (18:00 to 07:00) of inert waste materials from essential highway maintenance works can be carried out for a maximum of 21 days in a year for a temporary period of one year from the date of the first night-time delivery under this condition (which shall be notified to the Minerals Planning Authority within 7 days of taking place). The temporary permission shall only be for one year, unless an extension is otherwise agreed in writing by the Minerals Planning Authority on the basis that the night time operations have been demonstrated to be able to be controlled in accordance with the noise limits in condition 24.

Reason: In the interests of limiting the effects on local amenity, to control the impacts of the development and having regard to Policy 18 of the Minerals and Waste Local Plan (2017).

Method of Working

6. All mineral operations and recycling activities including crushing, screening, loading and the stockpiling of minerals and/or recycled aggregate shall be confined to the base of the active quarry phase part from the first phase of

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working which will be in excess of 700m from any occupied dwelling in Ringstead village

Reason: In the interests of amenity having regard to Policy 18 of the Minerals and Waste Local Plan (2017).

7. The site shall be worked and restored sequentially in accordance with details contained in the submitted and approved Drawing Nos. R15/03 and R15/05 and mineral extraction shall not progress unless the phased restoration has been completed as indicated on Drawing No. R15/05.

Reason: To specify working methods to protect amenity, natural assets and landscaping character in accordance with this planning permission having regard to Policy 18 of the Minerals and Waste Local Plan (2017).

8. No waste shall be imported into the site other than inert waste for the purposes of recycling, backfilling and/or restoration purposes.

Reason: To prevent uncontrolled waste importation to the site having regard to amenity and proposed restoration in accordance with Policies 18 and 24 of the Minerals and Waste Local Plan (2017).

9. No blasting of minerals shall take place in connection with the development hereby permitted.

Reason: To protect the amenities of local residents having regard to Policy 18 of the Minerals and Waste Local Plan (2017).

10. The extraction of limestone hereby permitted shall be restricted to an average of 18 metres and no more than a maximum depth of 24 metres below original ground levels.

Reason: To specify the depth of working in the interests of safeguarding local hydrology and water supplies having regard to Policy 18 of the Minerals and Waste Local Plan (2017).

Operation Limits

11. The output of clay leaving the site shall not exceed a level of 12,000 tonnes per annum.

Reason: To define the scope of the permission and in the interest of clarity, highway safety and amenity protection having regard to Policy 18 of the Minerals and Waste Local Plan (2017).

Access and Highway Safety

12. No mineral extraction shall take place until full details of the footpath to be provided on the eastern side of Raunds Road between the A45 and the site entrance including 20 metres beyond the proposed site entrance as shown on plan ref. 13150-06 revision A have been submitted to the Minerals Planning

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Authority for approval in writing. The scheme as approved shall be completed prior to the commencement of mineral extraction and maintained thereafter.

Reason: In the interests of highway safety and the amenities of the area having regard to Policy 18 of the Minerals and Waste Local Plan (2017).

13. Within 3 months of the date of this permission a scheme for the provision of a footway facility along the eastern verge of Raunds Road to link the existing footpath on the edge of Ringstead to the new footpath to be provided in accordance with Condition 13 of this permission shall be submitted to the Minerals Planning Authority for approval in writing. The scheme as agreed shall be completed in accordance with a programme to be submitted and agreed with the Minerals Planning Authority.

Reason: In the wider interests of highway safety and community benefit having regard to Policy 25 of the Minerals and Waste Local Plan (2017).

14. Prior to the commencement of the development, the following access details shall be submitted to the Mineral Planning Authority for approval in writing:

- Hard surface materials to form the vehicle access as identified on drawing No 13150-06 revision A;
- Provision of vision splays at the junction with the public highway.
- Technically approved detailed design and construction plans forming an appropriate agreement within the Highways Act to undertake and complete the promoted off-site accommodation works identified on drawing No 13150-06 revision A.

The access details shall be implemented and maintained as approved for the lifetime of this development.

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

15. Prior to the commencement of the development, a scheme detailing the locations and wording for highway warning signs within the public highway shall be submitted to the Minerals Planning Authority for approval in writing. The scheme as approved shall be implemented and maintained.

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

16. A sign, the details of which shall be submitted to and approved by the Minerals Planning Authority, shall be erected prior to the commencement of the development and maintained at the site/quarry complex exit, advising drivers of vehicle routes agreed with the Minerals Planning Authority.

Reason: In the interests of highway safety and the amenities of the area having regard to Policy 18 of the Minerals and Waste Local Plan (2017).

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17. The total number of HGV vehicle movements associated with the development hereby permitted shall not exceed the following limits:

- 190 movements [95 in and 95 out] per day (Mondays to Fridays)
- 100 movements [50 in and 50 out] per day (Saturdays)

In the event that the extension in hours for delivery of materials from essential highway maintenance works is not extended beyond 1 year, in accordance with the controls in condition 5 of this permission, the total number of HGV movements shall revert back to those originally consented, as follows:

- 180 movements [90 in and 90 out] per day (Mondays to Fridays)
- 90 movements [45 in and 45 out] per day (Saturdays)

No movements shall take place outside the hours of operation authorised in Condition 5 of this permission.

Reason: In the interests of highway safety and safeguarding local amenity having regard to Policy 18 of the Minerals and Waste Local Plan (2017).

18. No development shall take place until the details of wheel and underside chassis cleaning facilities have been submitted to and approved in writing by the Minerals Planning Authority. The approved facilities shall be installed prior to the commencement of construction operations in accordance with the approved details and implemented and maintained for the duration of the development hereby permitted. No commercial vehicle shall leave the site unless the wheels and the underside chassis are clean to prevent materials, including mud and debris, being deposited on the public highway.

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

19. All operational vehicles arriving at and leaving the site shall be sheeted to prevent material spillage, wind blow and dust nuisance.

Reason: In the interests of highway safety and safeguarding local amenity having regard to Policy 18 of the Minerals and Waste Local Plan (2017).

Noise and Dust

20. No vehicles and/or mobile plant used exclusively on site shall be operated unless they have been fitted with tonal white noise alarms to ensure that, when reversing, they do not emit a warning noise that would have an adverse impact on residential or rural amenity.

Reason: In the interests of local amenity and having regard to Policy 18 of the Minerals and Waste Local Plan (2017).

21. 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

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silencer. All vehicles, plant, equipment and machinery shall be maintained in accordance with the manufacturer's specification.

Reason: In the interests of local amenity and having regard to Policy 18 of the Minerals and Waste Local Plan (2017).

22. Traffic management operations at the site shall be controlled to ensure that all Heavy Goods Vehicles associated with loading minerals between 06.00 – 07.00 hours and the night time deposit of inert waste from essential highway maintenance works between 18:00 and 07:00 hours are routed to avoid reversing manoeuvres.

Reason: In the interests of local amenity and having regard to Policy 18 of the Minerals and Waste Local Plan (2017).

23. 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 all operations on site, as measured free field shall not exceed 55 dBA (1hrLAeq) at the following potentially noise sensitive locations:

- i. Track West of Mallows Cotton (SPA);
- ii. Nene Valley Gravel Pits (SPA);
- iii. Ringstead Grange;
- iv. Property – Station Road;
- v. Footpath – Ringstead Village;
- vi. Scalley Farm;
- vii. Ringstead Primary School.

Reason: In the interests of local amenity and having regard to Policy 18 of the Minerals and Waste Local Plan (2017).

24. Noise from night time operations (18:00 to 07:00 hours) when outside the nearest, sensitive residential receptor at the sensitive residential receptors shall not exceed 30 dBLAeq8hr and 42 dBLAmax, F.

Reason: To comply with World Health Organisation guidance on external night time noise limits and in the interests of local amenity having regard to Policy 18 of the Minerals and Waste Local Plan (2017).

25. Monitoring of noise from the mineral extraction operations shall be undertaken at the noise sensitive locations listed in condition 23 at intervals to be agreed in accordance with a scheme to be submitted for agreement in writing with the Mineral Planning Authority prior to the commencement of mineral extraction. Unless otherwise agreed in writing by the Mineral Planning Authority the monitoring shall be undertaken for a period of 1 hour during operational phases. The noise monitoring scheme as agreed in writing shall be implemented.

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Reason: In the interests of local amenity having regard to Policy 18 of the Minerals and Waste Local Plan (2017).

26. The results of the noise monitoring shall be submitted to the Mineral Planning Authority within 2 weeks of monitoring taking place and shall include the following information:

- a) The measured LAeq (free field) level in dB(A)
- b) Date and time of measurement
- c) Description of site activity
- d) Details of measuring equipment
- e) Weather conditions, including wind speed and direction

REASON: In the interests of local amenity having regard to Policy 18 of the Minerals and Waste Local Plan (2017).

27. No development shall take place until a revised Dust Action Plan has been submitted to the Mineral Planning Authority for approval in writing. The revised Dust Action Plan shall include the provision of dust monitoring at Ringstead Primary School. The revised plan as approved shall thereafter be implemented.

Reason: To safeguard amenity having regard to Policy 18 of the Minerals and Waste Local Plan (2017).

28. In the event that complaints regarding noise or dust are received by the Mineral Planning Authority from any sensitive receptor, and thereafter notified to the operator, an assessment of the complaint shall be undertaken. A report on the findings, with proposals for rectifying and a program for the implementation of remedial measures to be undertaken, shall be submitted to the Mineral Planning Authority no later than 5 working days from notification of the complaint to the operator.

Reason: To safeguard amenity having regard to Policy 18 of the Minerals and Waste Local Plan (2017).

Surface Water Drainage

29. The proposed development shall not begin until a scheme for the provision, implementation, ownership and maintenance of the surface water drainage 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 Mineral Planning Authority. The scheme shall subsequently be implemented in accordance with the approved details before the development is occupied.

Reason: To prevent flooding by ensuring the satisfactory storage of/disposal of surface water from the site and to ensure future maintenance of the surface water drainage system having regard to Policy 18 of the Minerals and Waste Local Plan (2017).

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Pollution Control

30. Prior to the commencement of development, a percolation test must be undertaken to ensure that the soakaway serving the proposed foul drainage system (septic tank) will work in adverse conditions. Results of this test shall be submitted to and approved in writing by the Mineral Planning Authority. If, after tests it is found that soakaways do not work satisfactorily, an alternative method of foul sewage disposal must be submitted to the Mineral Planning Authority for approval in writing.

Reason: To prevent pollution of the water environment having regard to Policy 18 of the Minerals and Waste Local Plan (2017).

31. Foul drainage disposal shall be by a septic tank, unless otherwise agreed in writing by the Mineral Planning Authority. Full details of the proposed septic tank, (including Environment Agency Discharge Consent Number, site of unit, design and projected loading of unit, together with final discharge point and maintenance schedule) shall be submitted to the Mineral Planning Authority. Only a scheme approved in writing by the Mineral Planning Authority shall be implemented at the site and shall be fully operational before the development is occupied and maintained in perpetuity. Trade effluent must not be discharged to a septic tank.

Reason: To prevent pollution of the water environment having regard to Policy 18 of the Minerals and Waste Local Plan (2017).

Buildings, Plant and Machinery Details

32. No fixed, buildings, structures (including security fencing), plant or machinery shall be erected until details of the proposed location and external materials, colour and finishes have been submitted to and approved in writing by the Mineral Planning Authority. Development shall be implemented in accordance with the approved details.

Reason: In the interest of the amenity of the local area having regard to Policies 18 and 23 of the Minerals and Waste Local Plan (2017).

Lighting

33. No fixed lighting shall be erected or installed until details of the location, height, design, sensors, and luminance have been submitted to and approved in writing by the Mineral Planning Authority. The details shall ensure 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 having regard to Policy 18 of the Minerals and Waste Local Plan (2017).

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34. Any external lighting shall be downward facing to minimise the risk of light spillage beyond the operational areas and into the sky. The lighting shall be switched off when not required and shall not be operated outside the permitted working hours at the site.

Reason: In the interests of the visual and rural amenities of the area having regard to Policy 18 of the Minerals and Waste Local Plan (2017).

Soil Handling

35. Prior to commencement of soil stripping and storage mound construction, a scheme of grass seeding, weed control and management of all storage mounds that will remain in situ for more than 6 months or over winter shall be submitted to and approved in writing by the Mineral Planning Authority. Seeding and management of the storage mounds shall be carried out in accordance with the approved details.

Reason: To protect mounds from soil erosion, prevent build-up of weed seeds in the soil and remove vegetation prior to soil replacement having regard to Policy 18 of the Minerals and Waste Local Plan (2017).

36. Bunds for the storage of soils shall conform to the following criteria:

- a) Topsoil bunds shall not exceed 3 metres in height
- b) Subsoil bunds shall not exceed 5 metres in height

Reason: To protect mounds from soil erosion, prevent build-up of weed seeds in the soil and remove vegetation prior to soil replacement having regard to Policy 18 of the Minerals and Waste Local Plan (2017).

37. All topsoil shall be stripped from any areas to be excavated or used for the stationing of plant and buildings, the storage of subsoil and overburden or traversed by heavy machinery. No plant or vehicles shall cross any areas of unstripped topsoil except for the purpose of stripping operations.

Reason: To prevent damage to soils having regard to Policy 18 of the Minerals and Waste Local Plan (2017).

38. Unless otherwise agreed in writing by the Mineral Planning Authority, all topsoil, subsoil and soil making material shall only be handled when in a dry and friable condition. The criteria for determining dry and friable shall be based on a field assessment of the soil's wetness in relation to its lower plastic limit. An assessment shall be made by attempting to roll a ball of soil into a thread on the surface of a clean plain glazed tile (or plate glass square) using light pressure from the flat of the hand. If a long thread of less than 3 millimetres diameter can be formed, the soil is wetter than the lower plastic limit, and soil movement should not take place until the soils have dried out. If the soil crumbles before a long thread of 3 millimetres diameter can be formed, then the soil is dry enough to move. This assessment shall be carried out on representative samples of each major soil type.

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Reason: To prevent damage to soils having regard to Policy 18 of the Minerals and Waste Local Plan (2017).

39. Unless otherwise agreed in writing by the Mineral Planning Authority the movement and handling of soils shall be in accordance with sheets 1-4 (soils handling using excavators and dump trucks) and sheet 15 (soil replacement with bulldozers and dump trucks) of the "Goods practice guide for handling soils" published by the Ministry of Agriculture Fisheries and Food in April 2000 or subsequent edition thereof.

Reason: To prevent damage to soils having regard to Policy 18 of the Minerals and Waste Local Plan (2017).

Site Maintenance

40. From the date of commencement until restoration of the site, the following shall be carried out unless otherwise agreed in writing by the Mineral Planning Authority:

- a) the maintenance of fences in a stock proof condition between any areas used for development authorised by this planning permission and any adjoining agricultural land used for grazing purposes;
- b) the maintenance of fencing or other suitable protective barriers around retained hedgerows and trees;

Reason: In order to maintain site security, ensure that the effect of the proposed development on sites of known wildlife interest is minimised, and in the interests of the general amenity of the area having regard to Policy 18 of the Minerals and Waste Local Plan (2017).

41. All areas, including amenity/screening bunding, are to be kept free of weeds and necessary steps shall be taken to destroy weeds at an early stage of growth to prevent seeding.

Reason: In order to maintain site security, ensure that the effect of the proposed development on sites of known wildlife interest is minimised, and in the interests of the general amenity of the area having regard to Policy 18 of the Minerals and Waste Local Plan (2017).

Landscaping, Habitat Creation, Ecology and Restoration

42. **Landscaping shall be in accordance with Drawing No. R15/04 Revision D and Drawing No. R15/203 Revision C dated 19th February 2019.** The approved scheme shall be implemented in full.

Reason: To minimise the environmental impact of the development and to safeguard and enhance the visual amenities of the area having regard to Policy 18 of the Minerals and Waste Local Plan (2017).

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43. The approved early planting approved under Condition 42 shall be implemented in the first available planting season following the approval of the landscape scheme.

Reason: To minimise the environmental impact of the development and to safeguard and enhance the visual amenities of the area having regard to Policy 18 of the Minerals and Waste Local Plan (2017).

44. Planting associated with each respective phase of restoration shall be undertaken in the first available planting season following restoration of that phase.

Reason: To minimise the environmental impact of the development and to safeguard and enhance the visual amenities of the area having regard to Policy 18 of the Minerals and Waste Local Plan (2017).

45. No development shall commence until a detailed method statement, incorporating plans and specifications (including a programme for implementation) for the proposed hedgerow improvement works has been submitted to and approved in writing by the Mineral Planning Authority. The approved method statement shall be implemented in full.

Reason: To minimise the environmental impact of the development and to safeguard and enhance the visual amenities of the area having regard to Policy 18 of the Minerals and Waste Local Plan (2017).

46. Operations that involve the destruction and removal of vegetation shall not be undertaken during the months of February to September inclusive, unless an ecologist report demonstrating that breeding birds will not be affected is submitted to and approved in writing by the Mineral Planning Authority. Should nesting birds be found, development shall be delayed until such time as nesting has ceased.

Reason: To minimise the environmental impact of the development and to safeguard and enhance the visual amenities of the area having regard to Policy 18 of the Minerals and Waste Local Plan (2017).

47. Trees, shrubs and hedges planted in accordance with the approved scheme shall be maintained and any plants which within five 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.

Reason: To minimise the environmental impact of the development and to safeguard and enhance the visual amenities of the area having regard to Policy 18 of the Minerals and Waste Local Plan (2017).

- 48. The Ecological Management Plan submitted to the Mineral Planning Authority in February 2019 shall be implemented in accordance with the approved plan including monitoring, aftercare and long term management.**

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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 18, 21 and 24 of the Minerals and Waste Local Plan (2017).

Archaeology

49. No development shall take place until the applicant, or their agents or successors in title, has secured the implementation of a programme of archaeological work in accordance with a written scheme of investigation which has been submitted by the applicant and approved in writing by the Mineral Planning Authority. This written scheme will include the following components, completion of each of which will trigger the phased discharging of the condition:

- i. Approval of a Written Scheme of Investigation;
- ii. Fieldwork in accordance with the agreed Written Scheme of Investigation;
- iii. Completion of a Post-Excavation Assessment report and approval of an approved Updated Project Design: to be submitted within six months of the completion of fieldwork, unless otherwise agreed in advance with the Mineral Planning Authority;
- iv. Completion of analysis, preparation of site archive ready for deposition at a store approved by the Mineral Planning Authority, production of an archive report, and submission of a publication report: to be completed within two years of the completion of fieldwork, unless otherwise agreed in advance with the Mineral Planning Authority.

Reason: To ensure that any archaeological interest has been adequately investigated and recorded prior to the development taking place having regard to Policy 22 of the Minerals and Waste Local Plan (2017).

Removal of Plant, Machinery and Buildings

50. All mineral processing plant and associated apparatus including pipework, machinery and buildings, temporary offices, weighbridges, wheel cleaning facilities, all hardstandings and foundations and mineral stockpiles and temporary soil bunds shall be removed from the site by the end of the period specified in condition 5 of this permission.

Reason: To ensure that the Mineral Planning Authority retains control of the location, erection, appearance and removal of fixed and mobile plant, machinery, buildings and foundations in the interests of amenity having regard to Policy 18 of the Minerals and Waste Local Plan (2017).

Removal of Site Access and Haul Roads

51. Upon completion of the restoration operations or the date referred to in Condition 5 of this permission, whichever is the sooner, the vehicular access and haul route shall be reinstated in accordance with a scheme to be submitted to and agreed in writing by the Mineral Planning Authority.

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Reason: To ensure that the site is satisfactorily restored and in the interests of highway safety and safeguarding local amenity and having regard to Policies 18 and 25 of the Minerals and Waste Local Plan (2074).

Restoration

52. The progressive restoration scheme, reference **R15/04 Revision D** received by this Authority and hereby approved shall be implemented upon cessation of mineral extraction operations in each phase of the development, and shall be implemented progressively and completed in its entirety before the end date of this permission as stated in Condition 5.

Reason: To ensure the proper restoration of the site within a reasonable time in a progressive and orderly manner in the interests of local amenity having regard to Policy 24 of the Minerals and Waste Local Plan (2017).

53. Any ditches, fences, hedges, gates, field drains and water courses and supplies disturbed during the mineral extraction operations shall be made good where necessary and any further ditches, fences, hedges, gates, field drains and water courses and supplies shall be provided on restoration for good husbandry.

REASON: To safeguard the visual amenities and agricultural characteristics of the having regard to Policies 18 and 24 of the Minerals and Waste Local Plan (2017).

Aftercare

54. An aftercare scheme detailing the steps that are necessary to bring the land to the required standard for agricultural use shall be submitted to and approved in writing by the Mineral Planning Authority prior to commencement of restoration works/infilling/the placement of soils on site. The submitted Scheme shall:

- i. Provide an outline strategy in accordance with paragraphs 45-46 of the Technical Guidance to the National Planning Policy Framework 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 Mineral Planning Authority.
- ii. Provide for a detailed annual programme, in accordance with paragraphs 47-48 of the Technical Guidance to the National Planning Policy Framework, to be submitted to the Mineral Planning Authority not later than two months prior to the annual Aftercare meeting.
- iii. Unless the Mineral 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.

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

Reason: To ensure the satisfactory restoration of the site for agriculture and having regard to Policies 18 and 25 of the Minerals and Waste Local Plan (2017).

Monitoring

55. The operating company shall submit an annual report in writing to the Minerals and 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 quantities and types of mineral extracted, including records of vehicle movements demonstrating compliance with condition 18 relating to HGV movements and condition 12 relating to clay extraction. In addition, the report shall include detailed information on the types, quantities and sources of all inert waste materials brought on to the site and recycled inert waste taken off the site, including records of vehicle movements demonstrating compliance with condition 18 relating to HGV movements. The information required by this condition shall also be supplied at any other time on request by the Mineral and Waste Planning Authority. All such information will be treated on a confidential basis.

Reason: To enable the Minerals and Waste Planning Authority to monitor progress towards achieving the principles in Policies 1 and 14 of the Minerals and Waste Local Plan (2017).

56. Within one month of the date of this permission an indicative plan outlining the intended catchment area for inert waste sources for treatment at the facility shall be submitted to the Minerals Planning Authority for approval in writing. All inert waste inputs shall be in accordance with the agreed indicative catchment 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 and to enable the Waste Planning Authority to monitor progress towards achieving the principles having regard to Policies 10, 12, 19 and 25 of the Minerals and Waste Local Plan (2017).

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.

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) Order 2015.

Date 08/05/2019

Signed 

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:*

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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