



Town and Country Planning Act 1990

PLANNING PERMISSION

Name and address of applicant

Mr John Gough
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

3 October 2019

Application No.:

NCC Ref: 19/00060/WASFUL
ENC Ref: 19/01651/NCC

Particulars and location of development

Proposed importation of suitable inert waste material to the Wakerly Quarry site to restore the land close to pre-development contours to produce a more naturalistic profile upon restoration across the entire site than approved at present.
Wakerley Quarry, Wakerley , Northamptonshire NN17 3AZ.

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.

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 the interest of clarity and 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.

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 23 September 2008
Planning Statement (dated August 2019)*

Environmental Statement (dated August 2019)

Section 1 – Introduction

Section 2 – Proposed Development

Section 3.- Design Statement and Restoration Scheme

Section 5 – Environmental Considerations

Section 6 Summary and Conclusions

Annexure 1 Drawings:

-Site Location and Phasing Sequence Plan;- Drawing No: W4/18/01 Rev A

-Landscape Restoration Masterplan;-Drawing No: W4/18/02

Annexure 2 – Noise Assessment

*Annexure 3 – Hydrological and Hydrological assessment and Flood Risk ---
Assessment*

Annexure 4 – Landscape and Visual Impact Assessment

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 mineral extraction, a copy of this permission including all documents hereby approved and any other documents subsequently approved in accordance with this permission, shall always be available at the site for inspection during normal working hours.

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

Completion

4. All waste disposal operations shall cease no later than 12 December 2060 (two thousand and sixty). Restoration shall be completed within 18 months of

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cessation of waste disposal operations and the site shall be subject to aftercare for a period of five years for land returned to agriculture and ten years for all other areas.

Reason: To specify the date when the conditions of this permission shall have been fully implemented.

Waste Category and Operational Limits

5. Waste materials to be deposited shall be confined to inert materials, quarry waste and previously stripped soils. No radioactive waste shall be deposited at the site.
6. Any loads of imported inert waste containing hardcore or concrete materials shall be stored separately at the base of the quarry workings and processed for secondary aggregate use.
7. The maximum annual input of inert waste materials shall not exceed 150,000 tonnes per annum and the waste shall be backhauled in vehicles collecting minerals wherever possible and the maximum number of single load vehicles per day shall not exceed 30 (averaged over a calendar month period).
8. Inert waste importation shall not commence to the site until such time as the hard surfacing of the haul road, required by condition 13, is fully completed.

Reason for conditions 5 to 8: To specify the scope of the application in the interests of amenity and highway safety, having regard to Policy 18 of the Northamptonshire Minerals and Waste Local Plan (July 2017).

Working Hours

9. Waste disposal operations, excluding 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.
10. 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 9 to 10: To ensure that operations are carried out within reasonable hours so as to minimise amenity disturbance having regard to Policy 22 of the Northamptonshire Minerals and Waste Local Plan (July 2017).

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Method of Working

11. Waste disposal operations at the site shall be undertaken in a phased manner in accordance with the submitted Site Location and Phasing sequence Plan Drawing No: W4/18/01 Revision A, dated July 2018 and in accordance with the Working Proposals in section 2.2 of the submitted Environmental Statement.

Reason for condition 11: To specify working methods to protect amenity, natural assets and landscape character having regard to Policies 18, 21 and 24 of the Northamptonshire Minerals and Waste Local Plan (July 2017).

Access and Highway Safety

12. 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 the submitted Site Location and Phasing sequence Plan Drawing No: W4/18/01 Revision A, dated July 2018.

13. Prior to the importation of inert waste on the quarry haul road from the plant site area to the site access on to the Duddington Road (close to the A43) as shown as a dashed brown line on submitted Drawing No. W4/18/01 shall be fully hard surfaced with asphalt or concrete road surfacing materials.

14. No Heavy Goods Vehicle associated with the waste disposal operation, permitted mineral extraction operation, and all ancillary related operations, shall use any section of the Wakerley to Fineshade Road, except where the access haul road crosses over it as shown on the submitted Site Location and Phasing sequence Plan Drawing No: W4/18/01 Revision A, dated July 2018.

15. No Heavy Goods Vehicle loaded with quarry products or waste materials shall leave or enter the site unless its load has been securely sheeted to prevent material spillage, wind blow and airborne dust. Any faulty, damaged, or ripped sheeting shall be repaired forthwith.

16. The wheel cleaning facilities approved in connection with condition 19 of Planning Permission 08/00026/MIN, including a jet spray to clean the underside of the vehicles shall be installed and maintained for the duration of the development hereby permitted, and supplemented by additional facilities and HGV cleaning management operations where necessary, subject to prior agreement in writing with the Waste Planning Authority. 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.

17. Mobile wheel cleaning plant shall be utilized to supplement the wheel washing plant to clean the hard surfaces internal haul road and the public highway

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beyond the site entrance.

Reason for conditions 12 to 17: In the interests of highway safety and amenity having regard to Policy 18 of the Northamptonshire Minerals and Waste Local Plan (July 2017).

Contaminated Land

18. Operations at the site shall be controlled in accordance with the recommendations in the Contaminated Land Assessment by Haffren Water (April 2016) Surface Water Drainage submitted in connection with condition 20 of planning permission 08/00026/MIN.

Reason for condition 18: To ensure that risks from land contamination are minimised and to ensure that the development can be carried out safely without unacceptable risks to human health and the environment having regard to Policy 18 of the Northamptonshire Minerals and Waste Local Plan (July 2017) and Policy 8 of the North Northamptonshire Joint Core Strategy (July 2016).

Surface Water Drainage

19. The surface water drainage scheme to be installed in a phased manner (reflecting the working phases A to E) as part of the restoration proposals for the site shall be in accordance with the submitted scheme prepared by Hafren Water report Reference 2594/HIA Version F2 June 2018, and Hafren Water letter dated 13 January 2020.

20. No later than the three months following the completion of backfilling operations in:

- (i) Phases A and B
- (ii) Phases C, D and E

a Verification Report for the installed surface water drainage system for these respective joint phases of the site, based on the Flood Risk Assessment for Revised Restoration of Permitted Mineral Extraction Wakerley Quarry, Northamptonshire ver 2 ref 2594FRA dated June 2019 (prepared by Hafren Water), shall be submitted in writing by a suitably qualified independent drainage engineer for approval by the Local Planning Authority. The details shall include:

- a) Any departure from the agreed design is keeping with the approved principles
- b) Any As-Built Drawings and accompanying photos
- c) Results of any Performance testing undertaken as a part of the application process (if required / necessary)

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- d) Copies of any Statutory Approvals, such as Land Drainage Consent for Discharges etc.
- e) Confirmation that the system is free from defects, damage and foreign objects.
- f) A detailed scheme for ownership and maintenance for every element of the surface water drainage system.

Reason for conditions 19 and 20: To reduce the risk of flooding, both on and off site, and future maintenance of the drainage system, in accordance with the NPPF, Policy 18 of the Northamptonshire Minerals and Waste Local Plan (July 2017) and Policy 5 of the North Northamptonshire Joint Core Strategy (July 2016) by ensuring the satisfactory means of surface water attenuation and discharge from the site.

Pollution Control

21. Any facilities, above ground, for storage of oils, fuels or chemicals shall be sited on impervious bases and surrounded by impervious bund walls. The volume of the bunded compound should be at least equivalent to the capacity of the tank plus 10%. All filling points, vents, gauges and sight glasses must be located within the bund. The drainage system of the bund shall be sealed with no discharge to any watercourse, land or underground strata. Associated pipework should be located above ground and protected from accidental damage. All filling points and tank overflow pipe outlets should be detailed to discharge into the bund.

Reason for conditions 20: To minimise risk of watercourse and aquifer pollution and to prevent pollution of the water environment having regard to Policies 18 of the Northamptonshire Minerals and Waste Local Plan (July 2017).

Ecology and Biodiversity

22. Operations at the site shall be controlled in full accordance with the revised Ecological Appraisal and Mitigation Strategy (EAMS) Jan 2017 Rev A and the Addendum EAMS Rev B January 2017 submitted in connection with condition 27 and 28 of planning permission 08/00026/MIN. An annual monitoring report shall be submitted to demonstrate the implementation of the strategy and the ongoing management prescriptions in Section 5 and 4 of the respective reports,
23. The Local Wildlife sites and Protected verges at the Fineshade Road crossing and Duddington Road access shall be protected throughout the life of the development hereby permitted in accordance with the strategy in the Ecological Appraisal and Mitigation Strategy (EAMS) Jan 2017 Rev A and the Addendum EAMS Rev B January 2017 submitted in connection with condition 27, 28 and 29 of planning permission 08/00026/MIN.

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Reason for conditions 22 and 23: To make appropriate provision for the management of natural habitat relating to the approved development in the interests of biodiversity having regard to Policies 20 of the Northamptonshire Minerals and Waste Local Plan (July 2017).

Noise and Dust

24. No vehicles and mobile plant used exclusively on site shall be operated unless they have been fitted with and use white noise alarms
25. 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.
26. Traffic management operations at the site shall be controlled to ensure that all Heavy Goods Vehicles are routed to minimise reversing manoeuvres.
27. 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}) |
28. Monitoring of noise from the mineral extraction operations shall be undertaken at the sites listed in condition 26 at intervals to be agreed in writing with the Mineral Planning Authority prior to the commencement of mineral extraction. The monitoring shall be undertaken for a period of 1 hour during operational phases.
29. Monitoring of noise from the waste disposal operations shall be undertaken at the sites listed in condition 27 at intervals agreed in accordance with the information dated 8 June 2016 submitted in connection with condition 35 of planning permission 08/00026/MIN.
30. The control of dust from the waste disposal operations shall be undertaken in accordance with the information dated 8 June 2016 submitted in connection with condition 38 of planning permission 08/00026/MIN

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31. The agreed location of storage mounds are as identified on submitted Plan 3b (Drawing WK 1050-D1v8) and 4b (Drawing WK 1050-D1v8) dated January 2016 (submitted in connection with condition 37 of planning permission 08/00026/MIN), as amended by Non Material Amendment (NMA) applications 17/00005/MINNMA Drawing No. W4/902 Rev A; and NMA16/00042/MINNMA Drawing No. W4/16/NMA/01
32. In the event that complaints regarding noise or dust are received by the Mineral/ 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 any 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/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 by the Mineral/Waste Planning Authority. If complaints relating to noise continue after remedial measures have been implemented in full, noise monitoring shall be undertaken at the request of the Mineral/Waste Planning Authority to verify whether the requirements of condition 27 are being met and the monitoring information shall be submitted to the Mineral/Waste Planning Authority within five working days. If monitoring shows the restrictions in condition 27 are not being met operations shall cease until such time as remedial measures are agreed in writing by the Mineral/Waste Planning Authority and thereafter implemented to bring the operations into compliance with the noise limits established in condition 27. These measures shall thereafter be maintained. If it is considered by the Waste Planning Authority to be a matter more appropriately regulated under the Environmental Permit then the Environment Agency will be notified by the Mineral/Waste Planning Authority for it to take any action it sees appropriate.

Reasons for conditions 23 to 31: In the interests of amenity protection having regard to Policy 18 of the Northamptonshire Minerals and Waste Local Plan (July 2017) and Policy 8 of the North Northamptonshire Joint Core Strategy (July 2016).

Lighting

33. No external lighting shall be erected or installed unless full details have been submitted to and approved in writing by the Waste Planning Authority. The development shall be implemented and maintained in accordance with the approved details for the lifetime of the development.

Reason: In the interests of amenity protection and landscape character having regard to Policies 18 and 21 of the Northamptonshire Minerals and Waste Local Plan (July 2017) and Policy 8 of the North Northamptonshire Joint Core Strategy (July 2016)

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Rights of Way

34. All Rights of Way, existing, diverted or newly created, shall be clearly signposted. Any diversions or new paths shall be clearly shown on a plan which shall be maintained and kept up to date at all times, and shall be located at the boundary of the site at the points where the rights of way enter the application area.

Reason: To safeguard amenity and safety of rights of way users having regard to Policy 18 of the Northamptonshire Minerals and Waste Local Plan (July 2017).

Fixed Buildings Plant and Machinery

35. Notwithstanding the provisions of Part 7 of Schedule 2 of the Town and Country Planning (General Permitted Development) Order 2015 (or any Order amending, replacing or re-enacting that Order), except for those detailed in the application, no fixed plant or machinery, buildings, structures and erections or private ways shall be erected, extended, installed, rearranged, replaced, repaired or altered at the site without the prior written approval of the Planning Authority.

Reason: In the interests of amenity protection and landscape character having regard to Policies 18 and 22 of the Northamptonshire Minerals & Waste Local Plan (July 2017).

Soil Handling

36. All topsoil, subsoil and soil making material shall be retained on the site and used in the restoration required under condition 41 of this permission.

Reason: To prevent the loss of soil and aid the final restoration of the site having regard to Policies 24 of the Northamptonshire Minerals and Waste Local Plan (July 2017).

37. Soil stripping and storage mound construction shall be in accordance with the strategy submitted in connection with the scheme agreed in connection with condition 48 of planning permission 08/00026/MIN.

38. 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

39. 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

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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.

40. 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 for conditions 36 to 40: To prevent damage to soils having regard to Policies 18 and 20 of the Northamptonshire Minerals and Waste Local Plan (July 2017).

Restoration and Habitat Creation

41. The site shall be progressively restored in accordance with the Landscape Restoration Masterplan Drawing W4/18/02 and six months prior to the commencement of restoration of any identified phase of the development, as shown on submitted Site Location and Phasing Sequence Plan W4/18/01, a detailed scheme for the restoration of that given phase shall be submitted to and agreed in writing with the Mineral Planning Authority and thereafter implemented. The submitted schemes shall include final contours, profiles of any water bodies and details of tree planting, habitat establishment and management and timeline for implementation. The approved schemes shall be implemented thereafter in accordance with the approved details.
42. Notwithstanding condition 41, in regards to the creation of any standing water or ephemeral wet areas, restoration schemes shall incorporate measures so as to prevent the attraction of large and, or flocking bird species potentially hazardous to air traffic
43. All planting associated with each respective phase of operations shown on Plan W4/18/01 shall be undertaken in the first available planting season following restoration of that phase.

Reason for conditions 41 to 43: To ensure restoration and habitat creation maximises biodiversity in line with Biodiversity Action Plan regional species and is in accordance with agreed objectives having regard to Policy 24 of the Northamptonshire Minerals and Waste Local Plan (July 20147)

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Removal of Plant, Machinery and Buildings

44. All buildings, structures, plant and machinery erected or installed or installed in accordance with this permission shall be removed from the site by the end of the restoration completion period specified in Condition 4.

Reason: To ensure removal of all buildings, structures, plant and machinery following restoration in the interests of visual amenity and the environment having regard to Policy 24 of the Northamptonshire Minerals and Waste Local Plan (July 2017).

Removal of Site Compound and Access and Haul Roads

45. Prior to the completion of waste disposal operations, a scheme and timetable for the reinstatement of the Duddington Road access, the access haul road, the crossing of the Wakerley to Fineshade Road crossing as well as and any other areas of hardstanding to a form similar to pre-quarrying condition shall be submitted to and approved in writing by the Waste Planning Authority. The scheme shall include the permanent closure of the plant crossing and Duddington Road access to vehicle traffic. The reinstatement shall be carried out in accordance with the approved details and timetable .

Reason: To ensure removal of site compound, access and haul roads following restoration in the interests of visual amenity and the environment having regard to Policy 24 of the Northamptonshire Minerals and Waste Local Plan (July 2017).

Aftercare

46. Trees and shrubs planted in accordance with the detailed restoration scheme required by Condition 41 shall be maintained during the aftercare period (referred to in condition 4), such maintenance to include the following:

- a) Replacing any plants which die or are lost;
- b) Weeding to prevent the growth of plants being retarded;
- c) Maintaining any fences around planted areas in a rabbit-proof and deer-proof condition.

47. Before 30 November of every year during the aftercare period (referred to in condition 4), an Aftercare Management Report shall be submitted to the Mineral Planning Authority recording the restoration operations carried out on the land during the previous 12 months and setting out the intended restoration operations for the next 12 months. A site meeting shall be arranged to discuss the report to which the Mineral Planning Authority shall be invited together with any other parties as necessary.

48. Six months prior to the final restoration of the site, details of restoration information interpretation boards shall be submitted to the Waste Planning

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Authority for approval in writing. The interpretation boards shall include information regarding details of the newly created habitats. At least two information interpretation boards shall be provided and located adjacent to public rights of way. The interpretation boards shall be installed in accordance with the approved scheme and maintained thereafter.

49. During the aftercare period, temporary drainage works (e.g. ditches, watercourses, settling lagoons) shall be carried out as necessary to prevent soil erosion, flooding of land within or outside the site or the erosion or silting up of existing drainage channels within or outside the site.

Reason for conditions 46 to 48: To ensure restoration and habitat creation maximise biodiversity benefits having regard to Policy 24 of the Northamptonshire Minerals and Waste Local Plan (July 2017).

INFORMATIVES

Section 106 Legal Agreement

1. This permission shall be read in conjunction with the Section 106 legal agreement between Northamptonshire County Council, Burghley House Preservation Trust Limited and TATA Steel UK Limited dated 10 December 2015 which details:
 - The revocation, without compensation, of part of the former ironstone planning permission (dated 21 November 1962);
 - The establishment of an acceptable groundwater monitoring regime at the Town Wood Farm borehole;
 - The introduction of an acceptable Heavy Goods Vehicle routing agreement; and
 - Provisions for periodic highway condition surveys to be undertaken and for financial contributions if extraordinary damage occurs to the public highway as a result of this development

Local Liaison Group

2. The applicant has undertaken to participate in a Local Liaison Group.

National Grid High Pressure Gas Pipeline

3. Any works in the vicinity of the high pressure gas pipeline adjacent to the access haul road are subject a 24 metre wide legal easement and to strict controls in the proximity of the pipeline. For further information refer to National Grid and the local gas distribution network. Additional information is available in the "Work Safely in the Vicinity of National Grid High Pressure Gas Pipelines and Associated Installations" leaflet and at www.nationalgrid.com.

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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 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: 28/02/2020

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 is available at <https://www.planningportal.co.uk/info/200207/appeals>*

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