



Town and Country Planning Act 1990

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

7 February 2020

Application No.:

NCC Ref: 20/00006/MINFUL
ENC Ref: 20/0275/NCC

Particulars and location of development

Wakerley quarry access road additional drainage provisions.
Planning application 20/00006/MINFUL. Wakerley Quarry, Wakerley, NN17 3BA.

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 and Scope of Permission

1. The development to which this relates must be begun not later than the expiration of three years beginning with the date of this permission.

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

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.

2. Unless otherwise agreed in writing by the Minerals 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 documents as submitted with this application as follows:

- Cover Letter dated 6 February 2020
- Drawing No.W4/12/20/01 Location Plan dated 06 February 2020
- Drawing No. W4/12/20/02 Detailed Drainage dated 06 February 2020
- Drawing accompanying email dated 23 March 2020 –Distance from Lagoon 6 to Gas Pipe.

Reason for condition 2 : To define the scope of the permission and in the interest of clarity

Working Hours

3. Operations relating to construction of the drainage lagoons 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.

Noise

4. Noise from the operations shall be controlled in accordance with the limits set by conditions on the main mineral extraction permissions relating to Wakerley Quarry (Planning Permissions 08/00026/MINFUL and EN/97/522C).

Reasons for conditions 3 and 4: To ensure that operations are carried out within reasonable hours and to control noise emissions so as to minimise amenity disturbance having regard to Policy18 of the Minerals and Waste Local Plan July 2017.

Gas Pipeline Safeguarding

5. The High Pressure Gas Pipeline shall be protected in accordance with the requirements of National Grid as required in its email and attached letter dated 26 March 2020, and the related specifications document attached to this permission.

Reason: To safeguard the High Pressure Gas Pipeline in accordance with the requirements of National Grid and avoid adverse impacts in accordance with the requirements of Policy18 of the Minerals and Waste Local Plan July 2017.

Restoration

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6. No later than six months prior to the completion of the Wakerley Quarry mineral extraction applications, or of the extraction operations otherwise ceasing, a scheme for restoration of the drainage lagoons shall be submitted to the Mineral Planning Authority for agreement in writing. The scheme as agreed shall be implemented in full in accordance with the details and timescale as agreed by the Authority.

Reason: To ensure the satisfactory reinstatement of the land in accordance with Policy 24 of the Northamptonshire Minerals and Waste Local Plan July 2017.

INFORMATIVE

1. Refer to attached documentation from National Grid as per condition 5..

POSITIVE AND PROACTIVE STATEMENT

In determining this planning application, the County 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...6 May 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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