



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
Cambridgeshire
PE29 6XU

Name and address of agent (if any)

Part I - Particulars of application

Date of Application

6 April 2020

Application No.

NCC Ref: 20/00018/WASVOC

ENC Ref: 20/00513/NCC

Particulars and location of development

Variation of conditions 9 and 19 of planning consent ref:15/00092/WASFUL to allow crushing to produce recycled aggregate at Stonehill Quarry, Off King's Cliffe Road, Near Wansford/Yarwell, Northamptonshire PE8 6NU

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

1. The development hereby permitted has commenced and the conditions of this retrospective planning permission shall take effect from the date of this permission.
2. This planning permission shall consolidate, supersede and replace Northamptonshire County Council planning permission ref.

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15/00092/WASFUL and 16/00049/WASNMA within the red line of this planning application.

Reason for conditions 1 and 2: In the interest of clarity and to comply with Section 91 of the Town and Country Planning Act as amended by the Planning and Compulsory Purchase Act 2004.

Scope of Permission

3. Except as otherwise required by the conditions attached to this planning permission the development hereby permitted shall be carried out in accordance with the following approved documents:

Approved documents relating to planning permission 15/00092/WASFUL

- The Planning Application Form dated 3 December 2015;
- The Revised Supporting and Planning Statement by Mick George Limited, dated January 2016;
- The letter from John Gough dated 6 July 2016;
- The Location Plan ref. no. S22/15/01, dated 23 November 2015;
- The Existing Features Plan ref. no. S22/15/02 Rev. A, dated 23 November 2015;
- The Working Scheme Plan ref. no. S22/15/03 Rev. A, dated 23 August 2016;
- The Restoration Plan, ref. no. S22/15/04 Rev. B, dated 4 August 2016;
- The Extended Phase 1 Habitat Survey by Whitcher Wildlife Ltd., dated 8 June 2016;
- The Noise Assessment by LF Acoustics Ltd, dated November 2015; and
- The Flood Risk Assessment (version 2) by Amber Planning, dated April 2016.

Approved documents relating to planning permission 20/00018/WASVOC

- Application Forms dated 26 March 2020;
- Cover letter dated 6 April 2020;
- Drawing No. S22/05/20/VOC1 Location of Temporary Crushing Operations;
- Noise Assessment dated 24 March 2020; and
- Email from MG dated 30 April 2020 with further information regarding HGV movements.

Reason: To specify the approved documents and secure the mitigation measures set out in the application in the interests of amenity and the environment having regard to Policy 18 of the Northamptonshire Minerals and Waste Local Plan (2017).

4. From the date of the commencement to the completion of restoration to approved levels, a copy of this permission including all documents hereby approved, and any other documents subsequently approved in accordance

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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.

Duration and Cessation

5. The development hereby permitted, including restoration in accordance with the conditions attached to this permission, shall be completed no later than end of January 2022.
6. In the event that 6 months prior to the end date in Condition 5 it is expected by the Waste Planning Authority that the site will not be completed to the contours as required by Condition 15 an amended Proposed Levels drawing shall be submitted for approval in writing by the Waste Planning Authority. The approved plan shall be implemented and completed by the date specified in Condition 5.
7. The development hereby permitted shall be the subject of an aftercare period of five years upon completion of the development.

Reasons for Conditions 5 – 7: To retain control over the development and to ensure the satisfactory restoration of the site for a nature conservation benefit having regard to Policies 18 and 24 of the Northamptonshire Minerals and Waste Local Plan (2017).

Method of Working and Operational Limits

8. Except where modified by conditions below in this permission, the site shall be worked in a sequential manner and operated in accordance with Working Scheme Plan ref. no. S22/15/03 and S22/15/05.
9. This permission is for the infilling and restoration of the site only, which shall only be undertaken with inert materials. There shall be no mineral extraction or processing at the site. The inert waste recycling hereby permitted shall only be undertaken in the area shown on Location of Temporary Crushing Operations Drawing No. S22/05/20/VOC1. The location and use of a temporary crusher and loading shovel on the site for the purposes of inert waste recycling shall be on a periodic basis not exceeding three periods of no more than three weeks for each period in a calendar year.
10. All topsoil, subsoil, soil making material and mineral waste shall be retained on the application site for subsequent re-use in site restoration.
11. All stockpiles or stores of minerals, mineral waste, topsoil, subsoil overburden, infilling materials and inert material imported to the site for the purpose of recycling shall be no higher than 4m above ground level unless otherwise approved in writing under this condition by the Minerals and Waste Planning Authority.

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Reason for Conditions 8 – 11: To specify working methods to protect amenity, natural assets and landscape character having regard to Policies 18, 20 and 21 of the Northamptonshire Minerals and Waste Local Plan (2017).

Removal of Permitted Development Rights

12. Notwithstanding the provisions of Parts 7 and 17 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 or altered at the site without prior written approval from the Waste Planning Authority.

Reason: In the interests of amenity protection and landscape character having regard to Policies 18 and 22 of the Northamptonshire Minerals and Waste Local Plan (2017) and Policy 3 of the North Northamptonshire Joint Core Strategy (2016).

Built Development, Fencing, Machinery

13. No perimeter fencing or gates shall be erected or replaced on site unless and until the details of the proposed locations, heights, materials, design and colour have been submitted to and approved in writing by the Waste Planning Authority. The approved fencing shall be erected and maintained as approved.

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

Construction Environmental Management Plan

14. The development hereby permitted shall be undertaken in accordance with the submitted scheme approved 21 December 2016. The approved CEMP shall be adhered to and implemented throughout the clearance and construction period strictly in accordance with the approved details, unless otherwise agreed in writing by the Waste Planning Authority.

Reason: In the interests of the local landscape and biodiversity having regard to Policies 18, 20, 21 and 24 of the Northamptonshire Minerals and Waste Local Plan (2017).

Restoration, Landscape and Ecological Management

15. The development hereby permitted shall be undertaken in accordance with the submitted scheme approved 21 December 2016. The Ecological Management, Restoration and Habitat Management Plan as agreed in writing by the Waste Planning Authority shall be fully implemented as approved in accordance with the timescales prescribed within the Plan, unless a subsequent revision is previously agreed in writing by the Waste Planning Authority.

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Reason: In the interests of the local landscape and achieving beneficial biodiversity establishment and outcomes having regard to Policies 18, 20, 21 and 24 of the Northamptonshire Minerals and Waste Local Plan (2017).

16. A detailed survey of the final levels on site shall be submitted to the Waste Planning Authority not later than within 1 month of the completion date required under Condition 5 above. In the event that levels differ from the final approved restoration levels, the operator shall undertake the necessary steps to ensure compliance with the approved levels, in accordance with a scheme that has been agreed with the Waste Planning Authority.
17. Except as otherwise agreed in writing by the Waste Planning Authority and except as required by Condition 15, all buildings, structures, plant, machinery, bunds, fences, drainage swales, ponds, and hardstandings, including the haul road, on the application site, shall be removed from the site by the completion date under Condition 5.

Reason for Conditions 16 and 17: To ensure proper restoration of the site and in the interests of the general amenity of the area having regard to Policies 18, 20 and 24 of the Northamptonshire Minerals and Waste Local Plan (2017).

The Water Environment

18. The development hereby permitted shall be undertaken in accordance with Version 2 (dated April 2016) of the Flood Risk Assessment and addendum dated 21 December 2016, approved 3 January 2017. The Flood Risk Assessment and addendum shall be implemented in accordance with the approved details.

Reason: To prevent the increased risk of flooding, both on and off site, by ensuring the satisfactory means of surface water attenuation and discharge from the site having regard to Policies 18 and 24 of the Northamptonshire Minerals and Waste Local Plan (2017).

Working Hours

19. Operations at the site from the development hereby permitted shall only take place between 07:00 – 18:00hrs Monday to Friday and 07:00 – 13:00hrs on Saturdays, with the exception of crushing to produce recycled aggregate which shall only take place between 08:00 – 18:00hrs Monday to Friday and 08:00 – 13:00hrs on Saturdays. There shall be no operations at the site on Sundays or Bank Holidays.

Reason: To ensure that operations are carried out within reasonable hours so as to limit amenity disturbance in accordance with Policy 18 of the Northamptonshire Minerals and Waste Local Plan (2017).

Amenity

20. No vehicles and mobile plant used exclusively on site shall be operated, unless they have been fitted with and use white noise or other non-tonal

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reversing alarms, and the operator shall issue instructions to all haulage companies and hauliers using the site that non-tonal reversing alarms shall be fitted and utilised on the site.

21. No vehicles, plant, equipment or machinery used 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.
22. The site subject of this planning permission 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", and subsequent edition thereof.
23. The equivalent sound level (L_{Aeq}) measured over a 1 hour time period, attributable to the normal operations on the permission site, as measured free field, shall not exceed the background noise level ($L_{Aeq, 1h}$) by more than 10dB(A), or the following levels (whichever is lesser), at the following premises:

- Linley Cottage	52 dB $L_{Aeq, 1h}$
- Hill House	55 dB $L_{Aeq, 1h}$
- Sulehay Cottage	46 dB $L_{Aeq, 1h}$
- Nightingale Farm	49 dB $L_{Aeq, 1h}$
- Old Pump House	49 dB $L_{Aeq, 1h}$
- Wansford Village	55 dB $L_{Aeq, 1h}$
24. For temporary operations which shall be limited to soil stripping and replacement, and bund construction works, for up to 8 weeks in any consecutive 12 month period, the equivalent sound level (L_{Aeq}), measured over a 1 hour time period as measured free field, shall not exceed 70 dB ($L_{Aeq, 1h}$) at any inhabited property.
25. The development hereby permitted shall be undertaken in full accordance with the Dust Action Plan dated October 2016 and approved 21 December 2016.
26. Following notification in writing to the operator by the Waste Planning Authority, the monitoring of noise from the development hereby permitted shall be undertaken at any property listed in Condition 23 above, as stipulated to the operator by the Waste Planning Authority, for a period of 1 hour. Those results shall be presented to the Waste Planning Authority together with any assessment against the noise levels specified at Condition 23 above (as appropriate to the Waste Planning Authority request), together with appropriate mitigation proposals in the event of a breach of the applicable noise levels. The assessment and mitigation shall be submitted to the Waste Planning Authority within 7 days of the operator being notified of the request. The mitigation measures shall be fully implemented as approved and specified by the Waste Planning Authority.

Reason for Conditions 20 – 26: In the interests of residential amenity and the amenities of the area having regard to Policies 18, 20 and 21 of the

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Northamptonshire Minerals and Waste Local Plan (2017) and Policy 3 of the North Northamptonshire Joint Core Strategy (2016).

Transportation

27. The development hereby permitted shall be carried out in full accordance with the scheme for the routing of HGVs to and from the site dated October 2016 and approved 21 December 2016. The total number of HGVs delivering inert materials for recycling purposes shall not exceed 20 on a working daily basis and shall average no more than 10 per working day over a calendar month.
28. All HGVs importing materials into the site shall be securely sheeted in such a way as to minimise dust and to ensure that no material is deposited on the public highway.
29. No HGVs shall leave the application site unless their wheels and chassis have been cleaned sufficiently to prevent mud or detritus being deposited on the highway, and wheel washing/cleansing facilities shall be provided on site and maintained to a full working standard which the site is operational. In the event that the wheel cleansing facilities fail to prevent the deposit of mud or detritus, then additional measures or facilities shall be installed forthwith.

Reason for Condition 27 – 29: In the interests of highway safety and amenity in accordance with Policy 18 of the Northamptonshire Minerals and Waste Local Plan (2017).

Catchment Area

30. The development hereby permitted shall be carried out in full accordance with the indicative plan showing the catchment area for waste sources to be imported for restoration of the site dated October 2016 and approved 21 December 2016. The annual report required by Condition 31 shall incorporate such records that demonstrate compliance with the indicative catchment area plan.

Reason: To ensure that waste materials are dealt with as close to their source as possible in the interest of self-sufficiency and sustainability having regard to Policy 19 of the Northamptonshire Minerals and Waste Local Plan (2017).

Annual Monitoring Report

31. The operating company shall submit an annual report in writing to the 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 types, quantities and sources of all waste materials brought on to the site and taken off the site, including records of vehicle movements demonstrating compliance with Condition 30. This information required by this condition shall also be supplied at any other time on request within the 12 month period by the Waste Planning Authority, within three weeks of a receipt of this request in writing.

Reason: To enable the Waste Planning Authority to monitor progress towards

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achieving the principles in Policy 10 and 25 of the Northamptonshire Minerals and Waste Local Plan (2017) and to ensure that waste materials are dealt with close to their source in accordance with Policy 19 of the Northamptonshire Minerals and Waste Local Plan (2017).

POSITIVE AND PROACTIVE MANNER 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 and agreeing the draft planning conditions with the applicant 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 July 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, 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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