



Town and Country Planning Act 1990

PLANNING PERMISSION

Name and address of applicant

Churchill Waste Management Ltd &
Mr Jeff Tredwell
C/o Agent

Name and address of agent (if any)

Mrs Rebecca Lock
Fisher German
2 Birch Court
Blackpole East
Worcester
WR3 8SG

Part I - Particulars of application

Date of Application

4 October 2016

Application No.

NCC Ref: 16/00043/WASFUL

SNC Ref: S/2016/2649

Particulars and location of development

Importation of inert waste materials to create a fishing lake, and ancillary works and development including an access track, stock ponds, parking facilities, a facilities building and temporary bund at the Former Astwick Quarry, Buckingham Road, Evenley, Northamptonshire NN13 5LL.

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:-

Time Limit

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. Written notification of the date of commencement of the development shall be provided to the Waste Planning Authority within seven days of such commencement.
2. Upon commencement under Condition 1 of this planning permission, this planning permission shall consolidate, supersede and replace

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Northamptonshire County Council planning permission ref. no.
12/00013/WASFUL.

Reason for conditions 1 and 2: 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.

Scope of Permission

3. Unless otherwise agreed in writing by the Waste 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 documents and plans submitted with the application:
- The application form dated 23 September 2016;
 - Plan/drawing no. 8346/G dated April 2016 (Plans As Proposed);
 - Plan/drawing no. FPV258/001c dated January 2017 (As Proposed);
 - The Flood Risk Assessment (Revision A) by Abington Consulting Engineers dated 19 January 2017;
 - The Detailed Planning Statement by Fisher German dated September 2016;
 - Plan/drawing no. 8346/2 dated December 2011 (Fishing Platform As Proposed);
 - The Ecological Management Plan by Ecological Planning, Design & Management dated April 2017;

Reason: To define the scope of the permission and secure the mitigation measures set out in the application in the interests of amenity and the environment in accordance with Policy 22 of the Northamptonshire Minerals and Waste Local Plan (October 2014) and Policy BN9 of the West Northamptonshire Joint Core Strategy (December 2014).

Duration and Cessation

4. The development hereby permitted, including full implementation of restoration and landscaping in accordance with the conditions attached to this permission, shall be complete no later than two years from the date of commencement, which shall have been notified under Condition 1.
5. The development hereby permitted shall be the subject of an aftercare period of five years upon completion of the development, the commencement of which shall be agreed in writing with the Waste Planning Authority.

Reason for Conditions 4 and 5: To retain control over the development and to ensure the satisfactory restoration of the site for a nature conservation benefit in accordance with Policies 22 and 28 of the Northamptonshire Minerals and Waste Local Plan (October 2014).

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Method of Working

6. This permission is for: the infilling and restoration of the site which shall only be undertaken with inert waste, previously stripped soils and mineral waste; and the screening and export of topsoils from the temporary bund permitted under condition 7 below.
7. There shall be no waste recycling at the site, except for the screening and subsequent off-site removal of the soils that are already present in the temporary screening bund to the south of the lake. The location of the screening plant shall have been previously approved in writing by the Waste Planning Authority.

Reason for conditions 6 and 7: To specify working methods to protect amenity and natural assets in accordance with Policies 22, 24 and 25 of the Northamptonshire Minerals and Waste Local Plan (October 2014).

Landscaping, Restoration & Aftercare

8. Except where approved under condition 9 and 10 below, or minor changes to timing previously agreed in writing by the Waste Planning Authority, ecological mitigation during the construction and restoration operations of the development hereby permitted, shall be undertaken in full accordance with the Ecological Management Plan by Ecological Design, Planning & Management, dated April 2017, submitted with this application.
9. No development shall take place on site under this permission (including ground works, vegetation clearance) until a Landscaping, Habitat Management & Aftercare Plan has been submitted to and approved in writing by the Waste Planning Authority. The Plan shall be based broadly upon submitted plan/drawing 8346/G dated April 2017 and the submitted Ecological Management Plan accompanying planning application ref. no. 16/00043/WASFUL, and shall include the following:
 - a) A scaled comprehensive restoration plan of the site including detailed levels;
 - b) Amended detailed aims, objectives and prescriptive management actions;
 - c) Details of proposed planting and seeding of locally native species of local provenance;
 - d) Details of fishing platforms and access from the perimeter path;
 - e) Timescales for the phasing of restoration and habitat creation;
 - f) Details of a 5 year aftercare annual work programme addressing the objectives of the plan, ecological surveys, reporting and long-term maintenance;
 - g) Details of the monitoring and reporting for the maintenance of the habitat types to the Waste Planning Authority for a period of 5 years following site restoration;
 - h) Details of the triggers for remedial actions and contingency measures over the aftercare period;

The Landscaping, Habitat Management & Aftercare Plan as agreed in writing

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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.

10. Except where previously and expressly agreed in writing under this condition by the Waste Planning Authority, for the duration of the construction period and restoration works tree, shrub and hedgerow protection shall be undertaken in accordance with plan/drawing no. Figure CR001-13 submitted pursuant to condition 19 of planning permission ref. no. 12/00013/WASFUL. No trees or shrubs shall be damaged or works to take place within the protected areas.

Reasons for conditions 8 to 10: To ensure the protection, retention enhancement and management of ecological assets and habitats on the site in accordance with Policies 24, 25, 27 and 28 of the Northamptonshire Minerals & Waste Local Plan (October 2014), Policy BN2 of the West Northamptonshire Joint Core Strategy (December 2014) and Policy EV21 and EV29 of the South Northamptonshire Local Plan (October 1997).

Hours of Operation

11. With the exception of water pumping, plant servicing, environmental monitoring, maintenance and testing of plant, the development hereby permitted shall only shall be carried out between 07:30 to 17:00 hours Monday to Fridays, with no operations on Saturdays, Sundays, Bank or Public Holidays.

Reason: To ensure that operations are carried out within reasonable hours so as to limit amenity disturbance in accordance with Policy 22 of the Northamptonshire Minerals and Waste Local Plan (October 2014) and Policy BN9 of the West Northamptonshire Joint Core Strategy (December 2014).

Amenity

12. 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 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.
13. 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.
14. 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.
15. 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 54 dBA ($1hrL_{Aeq}$) at the boundaries of The Bungalows, Astwick

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Cottages and Astwick Barns, Croughton.

16. Monitoring of noise (by a qualified noise consultant) from the landfill operations shall be undertaken at the properties listed in condition 15 within two weeks of a written request of the Waste Planning Authority. Unless otherwise agreed in writing by the Waste Planning Authority the monitoring shall be undertaken for a period of 1 hour during operational phases.
17. The results of the noise monitoring under condition 16 shall be submitted to the Waste Planning Authority within 2 weeks of monitoring taking place and shall include the following information:
 - (a) The measured LA_{eq} (free field) level in dB(A);
 - (b) The LA_{eq} (free field) attributable to operations on the development site;
 - (c) Date and time of measurement;
 - (d) Description of site activity;
 - (e) Details of measuring equipment;
 - (f) Weather conditions, including wind speed and direction;
18. The development hereby permitted shall be operated in full accordance with the measures for the suppression of dust detailed in sections 1.4 and 1.5 of the submission to discharge conditions by S B Rice Consulting Ltd, dated February 2013, submitted pursuant to conditions attached to planning permission ref. no. 12/00013/WASFUL.
19. In the event that complaints regarding noise or dust are received by the Waste Planning Authority from any sensitive receptor, 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 identified adverse effects resulting from the operation, and a programme for the implementation of remedial measures to be undertaken shall be submitted to the Waste Planning Authority no later than 5 working days from notification of the complaint to the operator, unless a later date is otherwise agreed in writing by the Waste Planning Authority. If complaints relate to noise and continue after remedial measures have been implemented noise monitoring shall be undertaken at the request of the Waste Planning Authority to verify whether the requirements of condition 15 are being met.

Reason for Conditions 12 – 19: In the interests of residential amenity and the amenities of the area having regard to Policies 22, 24 and 25 of the Minerals and Waste Local Plan (October 2014) and Policy BN9 of the West Northamptonshire Joint Core Strategy (December 2014).

Highways & Access

20. The surfacing of the site access shown on plan/drawing ref: 8346/G (dated April 2017) shall be maintained in a good state of repair and kept clean and free of mud, other debris and potholes at all times, until completion of site restoration.
21. No commercial vehicles shall enter the public highway unless their wheels and chassis have been cleaned to ensure that no material is deposited on the public

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highway.

22. All loaded operational vehicles arriving at and leaving the site shall be sheeted to prevent material spillage or wind blow.
23. No HGVs from the development hereby permitted shall travel through Croughton village. A sign shall be maintained at the site entrance to instruct drivers of the routeing arrangements.

Reason for conditions 20 – 23: In the interests of highway safety and amenity in accordance with Policies 22 and 23 of the Minerals and Waste Local Plan (October 2014).

Catchment Area

24. All waste materials to be deposited at the site shall originate from locations within the area shown on the submitted Plan Ref: GPP-T-CFL-11-04 submitted with planning application ref. no. 12/00013/WASFUL.

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 23 of the Minerals and Waste Local Plan (2014)

Public Rights of Way

25. Prior to the bringing into use of the fishing lakes a scheme for a permissive pedestrian link from Public Footpath AK9 to the Public Rights of Way network to create a safe off road link with Public Footpath AK13 to the south of the B4031 shall be submitted to the Waste Planning Authority for approval in writing. The scheme as approved shall be implemented within 3 months of approval and thereafter maintained.

Reason: To improve the leisure activities around the lake and in the interests of amenity in accordance with Policy 23 and 28 of the Northamptonshire Minerals & Waste Local Plan (October 2014) and Policy BN1 of the West Northamptonshire Joint Core Strategy (December 2014).

The Water Environment

26. The development hereby permitted shall only be constructed and maintained in full accordance with the plans, details and specifications of the Flood Risk Assessment (Rev. A, dated 19 January 2017) prepared by Abington Consulting Engineers.

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 22 and 28 of the Northamptonshire Minerals and Waste Local Plan (October 2014) and Policy BN1 of the West Northamptonshire Joint Core Strategy (December 2014).

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Facilities Building

27. The building shall not be erected until details of the materials to be used for the external appearance have been submitted to and approved in writing by the Waste Planning Authority. The details shall include the materials, colours and finishes to be used, including specifications and locations of any photovoltaic panels. The development shall be implemented in accordance with the approved details.

Reason: In the interest of the amenity of the local area having regard to policy 25, 28 and 30 of the Northamptonshire Minerals & Waste Local Plan (October 2014) and Policies G3 and EV1 of the South Northamptonshire Local Plan (1997).

Lighting

28. 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 Waste 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 22 of the Northamptonshire Minerals & Waste Local Plan (October 2014).

Positive and Proactive Statement

In determining this application the Waste Planning Authority has worked positively and proactively with the applicant by assessing the proposals against relevant Development Plan policies, all material considerations, consultation responses and any valid representations that may have been received. The applicant has been sent a draft copy of the 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 3rd May 2017 Signed G. P. Watson

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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