



## Town and Country Planning Act 1990

### PLANNING PERMISSION

Name and address of applicant	Name and address of agent (if any)
GRS Roadstone Limited Passenham Quarry Buckingham Road Deanshanger Northamptonshire MK19 6JT	Mr Dan Walker 89 Station Road Eckington Sheffield S21 4FW

### Part I - Particulars of application

Date of Application	Application No.
10 May 2017	<b>NCC Ref:</b> 17/00027/MINVOC <b>SNC Ref:</b> S/2017/1575/PC

### Particulars and location of development

Variation of Condition 2 of planning consent 12/00025/MIN to extend operations (retention of the access roadway including two bailey bridges for haulage of minerals from Milton Keynes) until 31/05/2021 at Passenham Quarry, Buckingham Road, Deanshanger, Northamptonshire, MK19 6JT.

### 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:-

1. Commencement

The development hereby permitted has commenced and shall be used in connection with existing extraction permitted in Milton Keynes under planning permission 04/02194/MIN (and any subsequent variations thereof) and any further permitted extraction of sand and gravel relating to the application made to Milton Keynes Council (ref.17/01267/MIN).

Reason: To tie this permission to an existing sand and gravel extraction

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planning permission in Milton Keynes, and the application before Milton Keynes Council for an eastern expansion area, in accordance with the submitted application proposals in the interests of amenity, having regard to Policy 18 of the NMWLP (2017).

## 2. Scope of Permission

Except as otherwise required by other conditions attached to this planning permission, the development hereby permitted shall only be carried out and maintained in accordance with the following approved documents and plans:

- Application forms dated 10 May 2017;
- Covering Letter dated 10 May 2017;
- Drawing No. Plan 1                      Location Plan; and
- Drawing No. P1/1271/16    Access Road.

Reason: To define the scope of this planning permission having regard to Policy 18 of the NMWLP (2017).

## 3. Duration and Cessation

The development hereby permitted shall cease not later than 31 May 2021 and the land shall be restored in accordance with details to be approved by the Mineral Planning Authority under condition 12 of this planning permission. If the working of minerals ceases for a period in excess of nine months or if the extraction permitted in Milton Keynes under planning permission 17/01267/MIN (and any subsequent variations thereof) ceases for a like period, a revised timetable for the restoration, rehabilitation and aftercare of the site shall be submitted to the Mineral Planning Authority for agreement in writing. This agreed timetable shall be implemented.

Reason: To ensure appropriate restoration having regard to Policies 18 and 24 of the NMWLP (2017).

## 4. Dust

Dust control measures shall be in accordance with the scheme submitted to the Mineral Planning Authority on 20 February 2006 as approved on 25 April 2006 in connection with planning permission SN/05/560C.

Reason: In the interests of local amenity and having regard to Policy 18 of the NMWLP (2017).

## 5. Noise

Noise control measures shall be in accordance with the scheme submitted to the Mineral Planning Authority on 3 March 2006 as approved on 25 April 2006 in connection with planning permission SN/05/560C.

## 6. No vehicles and mobile plant used exclusively on site shall be operated

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unless they have been fitted with white noise alarm or an alternative systems with written agreement from the Mineral Planning Authority.

7. 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.
8. Unless otherwise agreed in writing by the Mineral Planning Authority, the use of the access roadway by dumper trucks or heavy lorries for the transportation of minerals or fill materials shall be restricted to between the hours of 7.30am to 5.00pm Mondays to Fridays with no such working on Saturdays, Sundays or Public Holidays.
9. Restoration in connection with the haul road shall be restricted to between the hours of 7.30am and 5.00pm on Mondays to Fridays.
10. 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 the normal operations on site, as measured free field shall not exceed 55 dBA (1hrLAeq) at the noise sensitive premises. For soil stripping and bund formation and removal the equivalent sound level (LAeq), measured over any 1 hour time period as measured free field shall not exceed 70 dBA (1hrLAeq) at any residential property.
11. 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 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 Mineral Planning Authority no later than five working days from the receipt of the complaint, unless a later date is otherwise agreed in writing by the Mineral 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 Mineral Planning Authority to verify whether the requirements of condition 10 are being met.

Reason for conditions 5 to 11: In the interests of local amenity and having regard to Policy 18 of the NMWLP (2017).

## 12. Restoration

Not later than within three months of the completion of mineral extraction and restoration operations in the Milton Keynes area (edged in red on Milton Keynes planning application no. 17/01267/MIN), or of the date referred to in condition 3 of this permission, whichever is the sooner, the haul road and bailey bridges, together with any associated structures and foundations, shall

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be removed, the stored topsoil reinstated, and the land shall be restored in accordance with a landscaping, restoration and aftercare scheme that has been previously submitted and approved in writing by the Mineral Planning Authority. The scheme shall be fully implemented as approved.

Reason: To ensure appropriate restoration and aftercare having regard to Policy 18 and 24 of the NMWLP (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 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 19<sup>th</sup> September 2017

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](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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