



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	NCC Ref: 17/00028/WASVOC SNC Ref: S/2017/1577/PC

Particulars and location of development

Variation of Condition 3 of planning consent 14/00011/WASCOU to extend operations (inert waste recycling facility) until 01/10/2022 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. Scope of Permission

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

- Application forms dated 27 February 2014 and 10 May 2017;
- Submitted planning statement dated 20 February 2014 Section 3 Proposed Development;
- Covering Letter dated 10 May 2017:

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.

- Drawing No. P14/PL01/01 Passenham Quarry Location Plan dated 02/14;
- Drawing No. P14/PL01/02 Passenham Quarry Existing Situation dated 02/14;
- Drawing No. P14/PL01/03 Proposed Site Layout dated 02/14; and
- Flood Risk Assessment dated 20/2/14.

Reason: To define the scope of this planning permission and secure the proposed mitigation measures set out in the application and to enable an alternative location for the inert plant and material stockpiles area to be agreed in the interests of biodiversity and amenity having regard to Policies 18, 20, 21 and 24 of the MWLP (2017).

2. Duration and Cessation

The development hereby permitted has commenced. Excluding any aftercare requirements, the development shall cease by no later than 1 October 2022 and the land shall have been restored, in accordance with details approved by the Waste Planning Authority under condition 20. The site shall be subject to aftercare for a period of five years in accordance with the approved aftercare scheme under condition 26.

Reason: To retain control over the development and in the interests of amenity and landscape and to ensure that the development does not prejudice the restoration of mineral workings having regard to Policies 14, 18 and 24 of the MWLP (2017).

3. Inert Waste Recycling Operations

Waste processing operations on site shall be restricted to the screening, crushing, stockpiling and export of non-hazardous inert waste and the total amount of inert waste imported per year for recycling shall not exceed 40,000 tonnes.

Reason: To restrict the waste types and processes to those specified in the application in the interests of amenity and the environment having regard to Policy 18 of the MWLP (2017).

4. Breeding Birds, Biodiversity and Ecology

Operations that involve the destruction and removal of trees, shrubs, hedgerow and other vegetation shall not be undertaken during the months of March to September inclusive, unless an ecologist report is submitted to demonstrate that breeding birds will not be affected and this has been submitted to and approved in writing by the Waste Planning Authority.

Reason: To make appropriate provision for the management of natural habitat relating to the approved development and to enable an alternative location for the inert plant and material stockpiles area to be agreed in the interests of biodiversity having regard to Policies 18, 20, 21 and 24 of the MWLP (2017).

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.

5. Except as may otherwise be agreed in writing by the Waste Planning Authority as a result of any agreed alternative location for the plant and material stockpiles area, no development that involves the destruction and removal of trees, shrubs, hedgerows or other vegetation, shall take place until an Arboricultural Method Statement for the protection of the hedgerow to be retained adjacent to the western boundary, within the vicinity of the development, has been submitted to and approved in writing by the Waste Planning Authority. The Arboricultural Method Statement shall be fully implemented as approved.

Reason: To minimise the environmental impact of the development and to safeguard and enhance the visual amenities of the area and to enable an alternative location for the inert plant and material stockpiles area to be agreed having regard to Policies 18 and 21 of the MWLP (2017).

6. Access and Protection of the Public Highway

The sole vehicular access in association with the development hereby permitted shall be via the existing access from Passenham Lane and all traffic shall travel direct to and fro the A422 Road and not through Passenham village.

7. The vehicular access shall be hardsurfaced and maintained in a good state of repair and kept clean and free of mud and other debris at all times until completion of site restoration and aftercare.
8. No Heavy Goods Vehicles shall enter the public highway unless their wheels and chassis have been cleaned to prevent material being deposited on the public highway.
9. All loaded Heavy Goods Vehicles arriving at and leaving the site shall be securely sheeted.

Reason for conditions 6-9: In the interests of highway safety and safeguarding local amenity having regard to Policy 18 of the MWLP (2017).

10. Indicative Catchment Area

The proposed development shall be undertaken in compliance with the approved indicative catchment area (drawing ref. P14/PL01/04a) submitted to the Waste Planning Authority on 19 January 2016 as approved on 3 August 2016 in connection with condition 15 of permission ref. 14/00011/WASCOU.

Reason: To ensure that waste materials are dealt with as close to their source as possible in the interests of self-sufficiency and sustainability having regard to Policy 19 of the MWLP (2017) and to enable the Waste Planning Authority to monitor progress towards achieving the principles in Policies 10 and 18 of the MWLP (2017).

11. Dust

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.

The proposed development shall be undertaken in compliance with the approved dust control measures submitted to the Waste Planning Authority on 19 January 2016 as approved on 3 August 2016 in connection with condition 16 of permission ref. 14/00011/WASCOU.

Reason: To control the operations in the interests of amenity and the environment having regard to Policy 18 of the MWLP (2017).

12. Working Hours

The development hereby permitted shall only operate in accordance with the following hours:

a) Inert waste processing operations including crushing and screening shall be carried out at the site only between the hours of 09.00 and 16.00 hours Mondays to Fridays and 09.00 to 13.00 on Saturdays with no works on Sundays, public or bank holidays.

b) Inert waste handling operations shall be carried out at the site only between the hours of 07.30 to 17.00 hours Mondays to Fridays and 08.00 to 13.00 on Saturdays with no works on Sundays, public or bank holidays.

Reason: To ensure the operations are carried out within reasonable hours so as to minimise amenity disturbance in the interests of amenity and the environment having regard to Policy 18 of the MWLP (2017).

13. Noise

The proposed development shall be undertaken in compliance with the approved noise control measures submitted to the Waste Planning Authority on 19 January 2016 as approved on 3 August 2016 in connection with condition 18 of permission ref. 14/00011/WASCOU.

14. 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.

15. 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 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.

16. 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

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.

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 Waste Planning Authority to verify whether the requirements of condition 19 are being met.

Reason for conditions 13-16: To control the operations in the interests of amenity and the environment having regard to Policy 18 of the MWLP (2017).

17. Lighting

No fixed or temporary lighting shall be erected or installed unless full details of the location, height, design, sensors and luminance have been submitted to and approved in writing by the Mineral Planning Authority. The details shall ensure that 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: To control the operations in the interests of amenity and the environment having regard to Policy 18 of the MWLP (2017).

18. Fixed Plant and Machinery

The development hereby permitted shall be implemented in accordance with Layout Plan P14/PL01/03a approved 9 September 2014, and the height of the plant shall not exceed 9 metres.

19. All fixed and mobile plant, machinery and foundations shall be removed by the last date referred to in condition 2 or at such time or times as they are no longer required either for the purpose which they were installed, whichever is the sooner.

Reason for conditions 18-19: To control the operations in the interests of amenity and the environment having regard to Policy 18 of the MWLP (2017).

20. Landscaping and Restoration

Unless otherwise agreed in writing by the Mineral Planning Authority, the final restoration and landscaping scheme for the site shall be implemented in accordance with the 'Ecological Management and Aftercare Scheme for Passenham Quarry Southern Extension Area' dated 10 July 2017, prepared by David Jarvis Associates under condition 41 of permission ref. 16/00014/MINVOC. The approved scheme shall be carried out in accordance with the agreed timescales.

21. Any trees, hedgerows or shrubs which die or for any reason fail to become established within five years of planting shall be replaced as part of the

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.

aftercare programme during the following planting season with trees, hedgerows or shrubs of similar size and species to those originally required.

22. 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 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.
23. 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.
24. Any ditches, fences, hedges, gates, field drains and water courses and supplies disturbed during the working shall be repaired and made good as may be agreed by the Mineral Planning Authority, and any further ditches, fences, hedges, gates, field drains and water courses and supplies shall be provided on resoiling for good husbandry.

Reason for conditions 20-24: To safeguard landscaping, restoration and aftercare having regard to Policies 18, 21 and 24 of the MWLP (2017).

25. Pollution Control

Any fuel, lubricant or/and chemical storage vessel shall be placed or installed within an impermeable container with a sealed sump and capable of holding at least 110% of the vessel's capacity. All fill, draw and overflow pipes shall be properly housed within the bunded area to avoid spillage. The storage vessel, impermeable container and pipes shall be maintained for the duration of operations on site.

Reason: To minimise the risk of pollution of the water environment having regard to Policy 18 of the MWLP (2017).

26. Aftercare

Unless otherwise agreed in writing by the Mineral Planning Authority, the aftercare scheme for the site shall be implemented in accordance with the 'Ecological Management and Aftercare Scheme for Passenham Quarry Southern Extension Area' dated 10 July 2017, prepared by David Jarvis Associates under condition 41 of permission ref. 16/00014/MINVOC.

Reason: To ensure appropriate restoration and aftercare having regard to

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.

Policy 18 and 24 of the MWLP (2017).

27. Monitoring

The operating company shall submit an annual report in writing to the Mineral Planning Authority by 31 May each calendar year commencing in 2015 and at 12 monthly intervals thereafter. The report shall include detailed information on the quantities and types of mineral extracted from the adjacent mineral workings and on the types, quantities and sources of all inert waste materials brought on to the site. The annual report shall also incorporate records that demonstrate compliance with the indicative catchment area condition (condition 14). The information required by this condition shall also be supplied at any other time on request by the Mineral Planning Authority.

Reason: To enable the Mineral Planning Authority to monitor progress towards achieving the principles in Policy 10 of the MWLP (2017) and to ensure that waste materials are dealt with close to their source in accordance with Policies 12, 19 and 25 of the MWLP (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.

INFORMATIVES

1. The applicant has undertaken to continue to participate in the Local Liaison Group.
2. The applicant's attention is drawn to the informative comments of the Environment Agency in their response dated 2 April 2014.
3. The applicant's attention is drawn to the protection given the breeding birds under the Wildlife and Countryside Act 1981. To avoid contravening the relevant provisions of the Act it would be advisable to avoid carrying out any work that might damage an active nest during the bird breeding season (March to September inclusive) or to ensure that an appropriate inspection is undertaken by a competent person to ensure that no breeding birds will be adversely affected.

Date 19th September 2017 Signed G. P. Watson

For Assistant Director of Environment,
Planning and Transport

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.

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*

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.