



**Town and Country Planning Act 1990**

**PLANNING PERMISSION**

**Name and address of applicant**

Churchill Waste Management Ltd  
Winterhills  
Silverstone  
Towcester  
Northamptonshire  
NN12 8UG

**Name and address of agent (if any)**

Miss Maureen Darrie  
G P Planning Ltd  
Icon Innovation Centre  
Eastern Way  
Daventry  
Northamptonshire  
NN11 0QB

**Part I - Particulars of application**

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**Date of Application**

10 April 2018

**Application No.**

**NCC Ref:** 18/00017/WASFUL

**ENC Ref:** S/2018/1066/PC

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**Particulars and location of development**

**Proposed restoration of former quarry by importation of inert waste materials to agricultural land – Astwick Quarry, Buckingham Road, Croughton/Evenley, Northamptonshire NN13 5LL**

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**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 to which this permission 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. nos. 12/00013/WASFUL and 16/00043/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 6 April 2018;
- Plan/drawing no. GPP/CWM/AQ/18/01 Revision 1 (dated 21/03/2018);
- Plan/drawing no. GPP/CMW/AQ/18/02 Revision 2 (dated 21/03/2018);
- Plan/drawing no. GPP/CMW/AQ/18/04 Revision 2 (dated 21/03/2018);
- Plan/drawing no. GPP/CMW/AQ/18/05 Revision 1 (dated 21/03/2018);
- Plan/drawing no. 9110/58/19A (dated 19/03/2018);
- Plan/drawing no. 9110/58/14C (dated December 2017);
- Plan/drawing no. 9110/58/17A (dated December 2017);
- The Planning Statement/Design & Access Statement (Rev.1) by GP Planning (dated 04/05/2018);
- The Flood Risk Assessment by Abingdon Consulting Engineers (Rev. C, dated 23/07/2018);
- The Ecological Verification Survey by REC (Ref. 105240EC1R0, dated March 2018);
- The Updated Ecological Appraisal by Aspect Ecology (dated January 2019).

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 18 of the Northamptonshire Minerals and Waste Local Plan (July 2017) 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 five 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, with the commencement of the aftercare period agreed in writing with the Waste Planning Authority.

Reason for Conditions 4 and 5: To ensure the satisfactory restoration of the site for a nature conservation benefit in a reasonable timescale in accordance with

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Policies 18 and 24 of the Northamptonshire Minerals and Waste Local Plan (July 2017).

### **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; together with 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 18, 21 and 23 of the Northamptonshire Minerals and Waste Local Plan (July 2017).

### **Landscaping, Restoration & Aftercare**

8. No vegetation clearance or working shall take place on the site until a detailed Construction Environmental Management Plan for Biodiversity has been submitted to and approved in writing by the Waste Planning Authority. The plan be based upon *Updated Ecological Appraisal by Aspect Ecology (dated January 2019)* and shall detail how the impact of the development upon features and species of ecological importance will be undertaken, managed and mitigated throughout the life of the development. The Construction Environmental Management Plan shall be fully implemented as approved by the Waste Planning Authority.
9. No development shall take place on site under this permission 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 upon submitted plan/drawing *Updated Ecological Appraisal by Aspect Ecology (dated January 2019)* accompanying planning application ref. no. 18/00017/WASFUL, and shall include the following:
  - a) A scaled comprehensive restoration plan of the site including detailed levels;
  - b) Aims, objectives and prescriptive management actions;
  - c) Details of planting and seeding of locally native species of local provenance;
  - d) A detailed grassland translocation plan and methodology;
  - e) Timescales for the phasing of restoration and habitat creation;
  - f) A detailed 5 year aftercare annual work programme to manage and maintain habitats;
  - g) Details of the annual monitoring and reporting of the actions in f) above to the Waste Planning Authority for a period of 5 years following site restoration;

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- 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 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.

Reasons for conditions 8 and 9: To ensure the protection, retention, enhancement and management of ecological assets and habitats on the site in accordance with Policies 20, 21, 23 and 24 of the Northamptonshire Minerals & Waste Local Plan (July 2017), Policy BN2 of the West Northamptonshire Joint Core Strategy (December 2014) and Policies EV21 and EV29 of the South Northamptonshire Local Plan (October 1997).

### **Hours of Operation**

10. 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 18 of the Northamptonshire Minerals and Waste Local Plan (July 2017) and Policy BN9 of the West Northamptonshire Joint Core Strategy (December 2014).

### **Amenity**

11. No vehicles and mobile plant used on site shall be operated, unless they have been fitted with and use white noise or other non-tonal reversing alarms at all times on the site.
12. 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 specifications.
13. The site shall only 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.
14. The equivalent sound level ( $L_{Aeq}$ ), measured over any 1 hour time period (at any time), 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 Cottages and Astwick Barns, Croughton.
15. Monitoring of noise (by a qualified noise consultant) from the landfill operations shall be undertaken at the properties listed in condition 14 within two weeks of a written request of the Waste Planning Authority. Unless otherwise agreed in

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writing by the Waste Planning Authority the monitoring shall be undertaken for a period of 1 hour during operational phases.

16. The results of the noise monitoring under condition 15 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;
17. Measures shall be taken to ensure that all operations are carried out in a manner to minimise the emission of dust from the site. Such measures shall include:
- Surfaced roads to be regularly swept.
  - All spillages to be removed without delay.
  - All haul roads within the site to be watered as necessary to control dust from internal traffic movements.
  - Water bowser to be available for use on site and applied when needed to prevent dust leaving the site.
  - Prevailing meteorological conditions to be monitored.
  - Volume of water applied to road surface to be monitored and adjusted according to weather conditions.
  - Any dry, exposed material to be watered as necessary in dry windy conditions.
  - Haul roads to be compacted, graded and maintained.
18. 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 11 – 18: In the interests of residential amenity and the amenities of the area having regard to Policies 18, 20 and 21 of the Northamptonshire Minerals and Waste Local Plan (July 2017) and Policy BN9 of the West Northamptonshire Joint Core Strategy (December 2014).

### **Highways & Access**

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19. The surfacing of the site access shown on plan/drawing no. GPP/CMW/AQ/18/02 Revision 2 (dated 21/03/2018) 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.
20. 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 highway.
21. All loaded operational vehicles arriving at and leaving the site shall be covered to ensure there is no spillage or wind blow.
22. 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 routing arrangements.

Reason for conditions 19 – 22: In the interests of highway safety and amenity in accordance with Policies 18 and 19 of the Northamptonshire Minerals and Waste Local Plan (July 2017).

### **Catchment Area**

23. Except for minor changes to the boundary that must be previously agreed in writing by the Waste Planning Authority, all waste materials to be deposited at the site shall only originate from locations within the shaded area shown on the submitted Plan in Appendix 1 of the *Planning Statement/Design & Access Statement (Rev.1)* by GP Planning (dated 04/05/2018) submitted with planning application ref. no. 18/00017/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 19 of the Northamptonshire Minerals and Waste Local Plan (2017).

### **The Water Environment**

24. The development hereby permitted shall only be constructed and maintained in full accordance with the plans, details, specifications and timings of the *Flood Risk Assessment by Abingdon Consulting Engineers (Rev. C, dated 23/07/2018)*.

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 (July 2017) and Policy BN7 of the West Northamptonshire Joint Core Strategy (December 2014).

25. Any fuel, lubricant or/and chemical storage vessel stored on the site 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

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spillage. The storage vessel, impermeable container and pipes shall be maintained for the duration of infilling and restoration operations on site.

Reason: To minimise the risk of pollution of the water environment having regard to Policy 18 of the Northamptonshire Minerals & Waste Local Plan (July 2017).

### **Lighting**

26. 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 18 of the Northamptonshire Minerals & Waste Local Plan (July 2017).

### **Removal of Permitted Development Rights**

27. Notwithstanding the provisions of Part 7 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, repaired or altered at the site without the prior written approval of the Planning Authority.

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

### **Restoration and Aftercare**

28. A detailed survey of the final levels on site shall be submitted to the Waste Planning Authority once infilling and restoration is complete, and in any event no later than the date specified in condition 4. In the event that the site has not been restored in accordance with the approved restoration plan subject of this planning permission, then an alternative scheme and implementation timetable shall have been submitted to and approved in writing by the Waste Planning Authority, no later than three months from the development end date set out in condition 4.
- 29 Except as otherwise agreed in writing by the Waste Planning Authority and except as required by the scheme agreed under condition 9 of this permission, all buildings, structures, plant, machinery, bunds, fences and hardstanding, including the haul road, erected and constructed in accordance with this permission, shall be removed from the site by the date specified in condition 4.

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Reason for conditions 28 and 29: To ensure proper restoration of the site and in the interests of the general amenity of the area having regard to Policies 20, 21 and 24 of the Northamptonshire Minerals & Waste Local Plan (July 2017).

30. During the aftercare period, temporary drainage works (e.g. ditches, watercourses, settling lagoons) shall be carried out as necessary to prevent soil erosion, flooding of land within or outside the site, or the erosion or silting up of existing drainage channels within or outside the site.

Reason: To ensure appropriate aftercare having regard to Policy 24 of the Northamptonshire Minerals & Waste Local Plan (July 2017).

### **Information for Applicant**

#### **Environmental permitting regulations**

The proposal to refill the quarry will require a number of environmental permits. The applicant is advised to contact 03708 506 506 for further advice. More information can be found at: <https://www.gov.uk/environmental-permit-check-if-you-need-one>. The applicant should be aware that there is no guarantee that a permit will be granted.

#### **Abstraction license**

The proposed dewatering from lake to stream may require an abstraction or transfer license from us should the applicant wish to abstract more than 20 cubic metres of water per day from a surface water source. There is no guarantee that a license will be granted as this is dependent on available water resources and existing protected rights. Further guidance can be found here: <https://www.gov.uk/water-management-apply-for-a-water-abstraction-or-impoundment-licence>.

### **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.....22.2.2019..... Signed .....M.B. Crant.....

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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