Town and Country Planning Act 1990

PLANNING PERMISSION

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<tr>
<th>Name and address of applicant</th>
<th>Name and address of agent</th>
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<td>Peter Bennie Ltd</td>
<td>GP Planning Ltd</td>
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<td>The Old Piggeries</td>
<td>The Stables</td>
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<td>Cranford Road</td>
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<td>Burton Latimer</td>
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Part I - Particulars of application

Date of Application | Application No.: |
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1st March 2012     | NCC Ref: 12/00014/WAS |
                   | DDC Ref: DA/2012/0168 |

Particulars and location of development

The erection and use of concrete batching plant and bagging plant, relocation of the weighbridge, wheelwash, and car park and construction of a new weighbridge office at Boughton Quarry, Brampton Lane, Northampton

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 and Compliance

1. The development hereby permitted shall be begun before the expiry of 3 years from the date of this permission. Written notification of the date of

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commencement shall be sent to the Waste Planning Authority within 7 days of such commencement.

REASON: To comply with Section 91 of the Town and Country Planning Act as amended by the Planning and Compulsory Purchase Act 2004.

Scope of the Permission

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

- Application forms dated 1\textsuperscript{st} December 2011;
- Planning Statement dated December 2011;
- Design and Access Statement dated February 2012;
- Transport Statement Rev A dated 3 May 2012;
- Transport Technical Note 1 Dated May 2012;
- Flood Risk Assessment dated 2\textsuperscript{nd} December 2011;
- Letter from ANV Acoustic Consultants dated 21\textsuperscript{st} February 2012;
- Drawing No. GPP/PB/BQ/11/01 Site Location Plan;
- Drawing No. GPP/PB/BQ/11/02 Rev 2 Site Plan;
- Drawing No. GPP/PB/BQ/11/04 Rev 5 Site Layout Plan;
- Drawing No. GPP/PB/BQ/11/05 Rev 1 Bagging Plant Plan;
- Drawing No. GPP/PB/BQ/11/06 Rev 1 Elevations for Concrete Batching Plant;
- Drawing No. GPP/PB/BQ/11/07 Rev 1 Elevations for Bagging Plant;
- Drawing No. GPP/PB/BQ/11/08 Rev 1 Weighbridge Office & Mess Facilities;
- Drawing No. GPP/PB/BQ/12/04 Rev 1 Lighting Scheme A;

REASON: To specify the approved documents in the interests of amenity with regard to Policy CS14 of MWDF Core Strategy DPD (May 2010).

Temporary Permission

3. The concrete batching plant and bagging plant hereby permitted shall cease on the 31\textsuperscript{st} May 2022 and thereafter within 3 months of this date all plant or machinery associated with concrete batching and bagging shall be removed from the site.

REASON: To ensure the temporary nature of the development is maintained in the interests of local amenity having regard to policy CS14 of MWDF Core Strategy (May 2010).

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Hours of Working

4. Except in emergencies (which shall be notified in writing to the Waste Planning Authority as soon as practicable), no operations, other than plant servicing, environmental monitoring, maintenance and testing of plant shall be carried at the site except between the following times:

- 07:00 to 18:00 hours Monday to Fridays
- 07:00 to 13:00 hours Saturdays

and at no other times or on Sundays, Bank or Public Holidays.

REASON: In the interests of limiting the effects on local amenity, to control the impacts of the development and having regard to Policy CS14 of MWDF Core Strategy (May 2010).

Dust

5. Prior to the commencement of use of the concrete batching plant and bagging plant, a scheme for dust management, suppression and monitoring for all operations associated with this permission shall be submitted to the Waste Planning Authority for their agreement in writing. The scheme shall include the use of water spray facilities around the batching and bagging plant, the aggregates storage bays and at any other locations where they may be required. The scheme shall include a method of assessment of any complaints received, details of actions to be taken in the event of any complaints and communication of any complaints to the Waste Planning Authority. Once approved, the scheme shall be implemented at all times and maintained throughout the life of the site.

REASON: To reduce the amenity impacts of dust disturbance from the site on the local environment having regard to Policy CS14 of MWDF Core Strategy DPD (May 2010).

Noise

6. Noise from all operations at the former Boughton Quarry Site including the batching plant and bagging plant and waste management operations shall not exceed the measured ambient background at any residential premises when measured as a 15 minute LAeq. In the event of any complaints of noise, the operator shall engage a suitably qualified and experienced noise consultant to carry out ambient background and operational noise measurements and report the findings to the Waste Planning Authority. Should the ambient background noise level stated be exceeded, the operator shall submit to the Waste Planning Authority within 28 days of the measured breach of condition, a scheme for mitigation of the noise to be agreed in writing. The scheme, as agreed, shall thereafter be implemented.

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REASON: In the interests of amenity and having regard to Policy CS14 of MWDF Core Strategy DPD (May 2010)

7. Except as may be otherwise agreed by the Waste Planning Authority all buildings, plant, equipment and machinery used on site, including vehicular traffic shall be designed and maintained to reduce noise. All on site plant shall be fitted with non-tonal ‘white noise’ reversing alarms and no tonal reversing alarms shall be used including all vehicles collecting from the concrete and bagging plant. All equipment and plant shall be maintained in accordance with manufacturers instructions.

REASON: In the interests of amenity and having regard to Policy CS14 of MWDF Core Strategy DPD (May 2010).

Lighting

8. 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 CS14 of the MWDF Core Strategy (2010).

External Appearance and Materials

9. No fixed, buildings, structures (including perimeter fencing), plant or machinery shall be erected until details of the proposed location and external materials, colour and finishes have been submitted to and approved in writing by the Waste Planning Authority. 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 CS14 of the MWDF Core Strategy (2010).

Access Improvements

10. Within 3 months of the date of this permission, a scheme detailing the improvements to the existing site access including kerbing of the splay radii shall be submitted to the Waste Planning Authority for approval in writing. The scheme as approved shall be implemented prior to the bringing into operational use of the development hereby permitted and thereafter maintained.

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REASON: In the interests of highway safety having regard to Policy CS14 of the MWDF Core Strategy (2010).

Access and Highway Safety

11.a) The sole vehicular access for the development hereby permitted shall be by way of the existing access to Brampton Lane (see condition 10 of this permission). The site entrance and internal haul road shall be maintained in a condition free from potholes.

b) Prior to the operational use of the development hereby permitted, a wheel washing facility shall be provided and maintained on site and the wheels and chassis of all vehicles leaving the site shall be cleansed of mud and other debris, and no such materials shall be deposited on the public highway.

REASON: In the interests of highway safety having regard to Policy CS14 of the MWDF Core Strategy (2010).

Gates

12. Gates erected at the site access shall open inwards toward the access haul road and be set back a minimum of 25 metres from the nearest edge of Brampton Lane.

REASON: In the interests of highway safety having regard to Policy CS14 of MWDF Core Strategy DPD (May 2010).

Kerbing

13. Prior to the operational use of the development hereby permitted, full height kerbing shall be provided between the existing site access and the Harborough Road on the north side of Brampton Lane.

REASON: In the interests of highway safety having regard to Policy CS14 of MWDF Core Strategy DPD (May 2010).

Lorry Routing

14. No operation shall commence on site until the applicant has submitted to the Mineral Planning Authority and received written approval to a Transport Management Scheme for the routing of HGVs to and from the site to exclude travelling through the nearby villages of Boughton, Pitsford, Church Brampton and Chapel Brampton except on the A Class roads. The Scheme shall identify the arrangements for:

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i. Monitoring of the approved arrangements

ii. Ensuring that all drivers of vehicles under the control of the applicant are made aware of the approved arrangements, and

iii. The disciplinary steps that will be exercises in the event of default.

iv. Details of signage to be erected to instruct drivers in relation to the routing of HGVs to and from the site.

The approved Scheme should be implemented throughout the life of the permission

REASON: In the interest of local amenity and to ensure that all heavy goods vehicles visiting and leaving the site are routed via the principal road network and do not travel through nearby villages resulting in traffic amenity disturbance, having regard to Policy CS14 of the MWDF Core Strategy (2010).

Vehicle Restrictions

15. The total number of HGV vehicle movements associated with the development hereby permitted and all other permitted waste management operations at the former Boughton Quarry site shall not exceed 132 movements per day. No vehicle movements shall take place outside of the hours of operations authorised in Condition 4 of this permission.

REASON: In the interests of highway safety and safeguarding local amenity having regard to Policy CS14 of MWDF Core Strategy DPD (May 2010).

Monitoring

16. The operating company shall keep records of the quantity of waste received by weight, type and source as well as the number of traffic movements to and from the site. These records shall be provided to the Waste Planning Authority within seven days of a written request.

REASON: To control any additional pressure on the existing infrastructure, in the interests of highway safety and convenience, having regard to Policy CS9 and CS14 of the MWDF Core Strategy (2010).

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Informative(s)

Flood Risk Standing Advice

1. The applicant’s attention is drawn to the Environment Agency Flood Risk Standing Advice which can be viewed on the Environment Agency web site at www.environment-agency.gov.uk.

Dust Control

2. The applicant is advised that a dust control plan that considers the effects of dust in a Southerly direction should be undertaken as it proposed to build residential properties close to the southern entrance.

Highways

3. No works may commence within the existing highway without the express written permission of the Local Highway Authority. This planning permission does not give or infer such consent which may be forthcoming subject to the completion of a suitable licence or Agreement under the Highways Act 1980. Any works within the highway shall comply with the Local Highway Authority’s standards and specifications.

4. The Applicant’s attention is drawn to the Traffic Management Act 2004 where three month notice periods to allocate road space (for works within the highway) is required prior to the commencement of works. Such notice can not be submitted or commence until the completion of a suitable license or Agreement with the Local Highway Authority.

5. Any new sewer connection required for this development within the highway will require a licence from the Local Highway Authority under Section 50 of the New Roads and Street Works Act 1991.

Environmental Permitting

6. The applicant should be aware that the proposed activity may require an environmental permit which would be issued by and regulated by Daventry District Council. Please contact the Environmental Improvement team on 01327 302260 to discuss this further. The applicant should note that the permit will need to be in place prior to operations starting at the site.

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REASONS FOR APPROVAL

The principle of the proposed erection and use of a new concrete batching and bagging plant at the former quarry site has been assessed in respect of the degree to which it prejudices the allocated waste management site and taking account of: the link to and sustainability benefits of using recycled aggregates in the plant; the fact that other existing waste management uses can continue; the removable nature of the structure of the plant, and that a temporary 10 year permission has been accepted by the applicant; it is considered that the development is acceptable having regard to Policies CS1, CS2 and CS11 of the MWDF Core Strategy (2010) and Policy W2 of the Locations for Waste Development DPD. The proposed development will enable the operator to improve operational and environmental management of the site. There are no outstanding objections to the application by the statutory consultees and it is considered that there are no significant highway safety, traffic amenity or noise, odour, dust and pollution issues which would justify refusal of the application. Therefore, the proposed development is considered to be acceptable having regard to Policies CS1, CS2, CS9, CS11 and CS14 of the Minerals and Waste Development Framework Core Strategy DPD (2010) and Policies CMD10 of the MWDF Control and Management of Development DPD (2011).

Date............28-5-2012........... Signed.....................

For Assistant Director of Environment and Planning

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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.


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