

NOTICE OF MEETING

MEETING	PLANNING AND ENVIRONMENTAL PROTECTION COMMITTEE
DATE:	TUESDAY 26 APRIL 2011
TIME:	1.30 pm
VENUE:	BOURGES/VIERSEN ROOMS - TOWN HALL
CONTACT:	Gemma George, Senior Governance Officer Telephone: 01733 452268 e-mail address: gemma.george@peterborough.gov.uk
<i>Despatch date:</i>	<i>14 April 2011</i>

AGENDA

PAGE NO

1. **Apologies for Absence**
2. **Declarations of Interest**
3. **Members' Declaration of intention to make representations as Ward Councillor**
4. **Development Control and Enforcement Matters**
 - 4.1 **10/01705/FUL - 90 Vere Road, Peterborough, PE1 3EA** **1 - 6**
 - 4.2 **03/01171/RMP, 10/01440/MMFUL, 10/01441/MMFUL, 10/01442/MMFUL - Cooks Hole Quarry, Leicester Road, Thornhaugh, Peterborough** **7 - 36**



There is an induction hearing loop system available in all meeting rooms. Some of the systems are infra-red operated, if you wish to use this system then please contact Gemma George on 01733 452268.

MEMBERS OF PLANNING AND ENVIRONMENTAL PROTECTION COMMITTEE

Councillor North (Chairman), Councillor Lowndes (Vice-Chairman), Councillor Burton, Councillor Hiller, Councillor Serluca, Councillor Thacker, Councillor Todd, Councillor Ash, Councillor Lane and Councillor Harrington

Subs: Councillors Winslade and Swift

CASE OFFICERS

Planning and Development Team: Nicholas Harding, Lee Collins, Andrew Cundy, Paul Smith, Mike Roberts, Louise Lewis, Janet Maclennan, Astrid Hawley, David Jolley, Louise Lovegrove, Vicky Hurrell, Amanda McSherry, Sam Falco, Matt Thomson, Chris Edwards, Michael Freeman

Minerals and Waste: Theresa Nicholl, Alan Jones

Compliance: Nigel Barnes, Anthony Whittle, Karen Cole, Julie Robshaw

NOTES:

1. Any queries on completeness or accuracy of reports should be raised with the Case Officer or Head of Planning Services as soon as possible.
2. The purpose of location plans is to assist Members in identifying the location of the site. Location plans may not be up-to-date, and may not always show the proposed development.
3. These reports take into account the Council's equal opportunities policy but have no implications for that policy, except where expressly stated.
4. The background papers for planning applications are the application file plus any documents specifically referred to in the report itself.
5. These reports may be updated orally at the meeting if additional relevant information is received after their preparation.



LOCATION PLAN 10/01705/FUL

90 Vere Road, Peterborough

Scale NTS **Date 13/4/2011** **Name MKB** **Department Planning Services**

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10/01705/FUL PROPOSED TWO STOREY SIDE EXTENSION AND GROUND FLOOR REAR EXTENSION AT 90 VERE ROAD, PETERBOROUGH (PART RETROSPECTIVE)

VALID: 22/12/2010
APPLICANT: MISS S BIBBI
AGENT: MR N P BRANSTON
REFERRED BY: HEAD OF PLANNING SERVICES
REASON: THE IMPACT CAUSED BY THE PROPOSAL ON THE AMENITY OF THE APPLICANT'S PROPERTY AND THAT OF NEIGHBOURING DWELLINGS AND UPON THE CHARACTER OF THE AREA

DEPARTURE: NO

CASE OFFICER: MR C J EDWARDS
TELEPHONE: 01733 454443
E-MAIL: chris.edwards@peterborough.gov.uk

1 SUMMARY/OUTLINE OF THE MAIN ISSUES

The main considerations are:

- Size and scale of proposed rear single storey extension
- Loss of amenity space to host dwelling
- Impact on amenity on neighbouring dwelling
- Impact of proposal on character of the area

The Head of Planning, Transportation & Engineering Services recommends that the application is **APPROVED**.

2 PLANNING POLICY

In order to comply with Section 38(6) of the Planning and Compulsory Purchase Act 2004 decisions must be taken in accordance with the development plan policies set out below, unless material considerations indicate otherwise.

Development Plan Policies

Relevant policies are listed below with the key policies highlighted.

Peterborough Core Strategy Development Plan CS16 Urban Design and the Public Realm

High quality and inclusive design will be required for all new developments as part of a strategy to achieve an attractive, safe, healthy, accessible and sustainable environment throughout Peterborough. Design solutions should take the following principles into account [...]:

- New development should not result in unacceptable impact on the amenities of occupiers of any nearby properties.

3 DESCRIPTION OF PROPOSAL

This application has arisen as a result of unauthorised works being reported to the Planning Compliance (enforcement) team. Work has already started to construct the rear extension without obtaining either Planning Permission or Building Regulations approval.

Permission is hereby sought to construct two extensions to the property at 90 Vere Road, Peterborough.

Two storey side extension – This application seeks permission to erect a two storey extension to the side of the dwelling. This will result in the width of the dwelling being extended by approximately 2m and bring the end wall up to the boundary with the adjacent property. The purpose of this is to extend the third bedroom and create an additional room for use as a study on the first floor. The ground floor is to be left open to create a covered passageway to the rear.

Single storey rear extension – The application also seeks permission to erect a single storey extension to the rear of the dwelling. This proposed extension measures 7m from the rear wall of the original dwelling and will be stepped in from the northern boundary to a maximum distance of 0.5m to help mitigate the impact on the amenity of the neighbouring property.

The purpose of this extension as stated on the plans is to create an enlarged kitchen and lounge extension measuring 7.3 metres deep x 6.0 metres wide. Taking account of an existing kitchen extension which will be incorporated into the new rear extension, the proposed floor space measures approximately 35.4 sq metres. The proposal will create an additional WC in place of the area currently occupied by the kitchen.

Subsequent communication with the applicant has revealed that the purpose of the rear extension is to be an annex for the applicant's disabled mother.

4 DESCRIPTION OF SITE AND SURROUNDINGS

Vere Road is a predominantly residential area built sometime around the 1930s. It features a wide road with the houses set back some way from it. Most properties have off-road parking and modest front garden space.

The house itself is a detached property and has an attractive and well maintained appearance. It is set between a row of semi-detached houses to the left and a short terrace to the right.

The house sits off-centre within its plot leaving approximately 2m space between the left hand gable wall and the property boundary. The neighbouring property is set another 2-3m within its plot leaving considerable separation between the two dwellings. On its right the house abuts the property boundary with a small 1m wide footpath separating it from the terraced houses.

The rear garden is approximately 18m x 8m and ends in a row of tall conifer trees. As noted above, at the time of visiting construction of the rear extension was already underway and so the intended scale of this extension was immediately apparent.

5 PLANNING HISTORY

Ref	Description	Status	Open Date	Closed Date
10/00040/CONTRA	Building Regulations Contravention	SER		
10/01705/FUL	Proposed two storey side extension and ground floor rear extension	PDE	16.12.2010	
10/00558/ENFEXT	Enforcement Enquiry	PLNREC	23.11.2010	

6 CONSULTATIONS/REPRESENTATIONS

LOCAL RESIDENTS

One letter of objection has been received from the Millfield and New England Regeneration Partnership (MANERP) raising objections on the basis that:

- The proposed extensions are an over development of the site, further that the proposed rear extension is likely to have a detrimental impact on the neighbouring properties.

COUNCILLORS

Cllr Hussain was present at the site visit and spoke in support of the applicant's intention to care for her mother at this address.

7 REASONING

Background

The original scheme proposed by the applicant included a rear extension that measured a total of 9m from the rear wall of the original dwelling. The Council took the view that this was not only excessive in size given the modest garden space of the property; but also that that this extension would have a substantial negative impact on the amenity of number 92 Vere Road. This application was previously presented to Committee with a recommendation of refusal.

Since this time the applicant has contacted the Council and offered a compromise scheme which is broadly in line with an earlier scheme submitted by the applicant's agent Mr Phil Branston. This scheme would have been accepted and approved under delegated powers had the applicant not instructed the Officer to disregard the amended plan and only consider the original scheme.

The current scheme being presented has taken on board the material amendments required by the Local Planning Authority in respect of the original proposal. The extension is still on the limit of what would normally be considered acceptable however, Officers consider that the proposal as amended has been reduced enough to make any impact on neighbours acceptable in planning terms.

The design of the rear extension has taken into account Officer's concerns in respect of its impact on the amenity of number 92 Vere Road. The side wall is now stepped in from that of the original dwelling to reduce the massing effect that would have otherwise impacted on the amenity of the neighbouring property. Moving the side wall of the extension away from the boundary should also help to mitigate any loss of light that will be caused at the rear of the neighbour's house.

As mentioned above, construction work has already commenced at this site. Presently the materials being used for the rear extension do not match those of the original dwelling. The bricks that have been used are unacceptable due to their colour. Either the applicant will need to find a brick which better matches those used in the existing house or possibly render the rear extension. Appropriate bricks will need to be sourced for the side extension. Any approval must therefore be subject to a condition requiring that the materials proposed to be used must be submitted first to the Local Planning Authority for approval.

8 CONCLUSIONS

Side Extension – The proposed side extension is considered acceptable as it will not have any adverse impact on the neighbouring properties or the character of the area and indeed is similar to many other properties in the area. The design has incorporated a number of finishing details from the original dwelling house which help to integrate it. The front wall of the extension is also stepped back and the roof ridge lower, making the extension appear subservient to the original dwelling house.

Rear Extension – The proposed rear extension, whilst considered large, is acceptable. The design of the extension now incorporates a stepped side wall which takes it away from the boundary line thereby reducing its impact on the amenity of the neighbouring property.

9 RECOMMENDATION

This application is recommended for **APPROVAL**.

1. The development hereby permitted shall be begun before the expiration of three years from the date of this permission.

Reason: In accordance with Section 91 of the Town and Country Planning Act 1990 (as amended).

2. No development shall take place until details of the materials to be used on the external walls have been submitted to and approved in writing by the Local Planning Authority. The details submitted for approval shall include the name of the manufacturer, the product type, colour (using BS4800) and reference number. The development shall not be carried out except in accordance with the approved details; namely the bricks to be used on all external walls and render to be used on any external walls.

Reason: For the Local Authority to ensure a satisfactory external appearance, in accordance with Policy CS16 of the adopted Peterborough Core Strategy DPD.

Copies to Councillors Kreling, Lowndes, Peach



LOCATION PLAN 03/01171/RMP

Cooks Hole, Leicester Road, Thornhaugh, Peterborough

Scale NTS **Date 13/4/2011** **Name MKB** **Department Planning Services**

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LOCATION PLAN 10/01440/MMFUL

Cooks Hole Quarry, Leicester Road, Thornhaugh, Peterborough

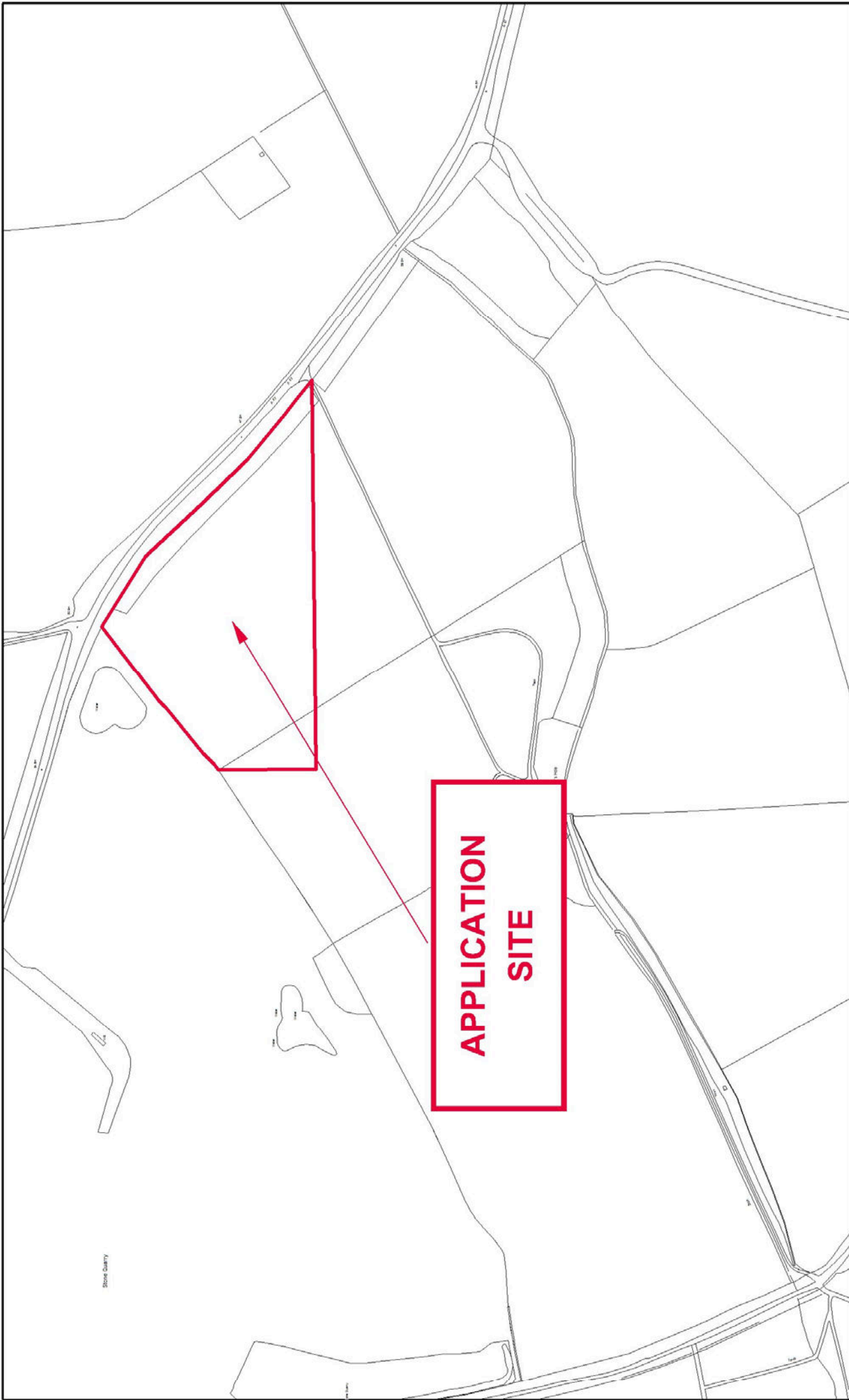
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LOCATION PLAN 10/01441/MMFUL

Cooks Hole Quarry, Leicester Road, Thornhaugh, Peterborough

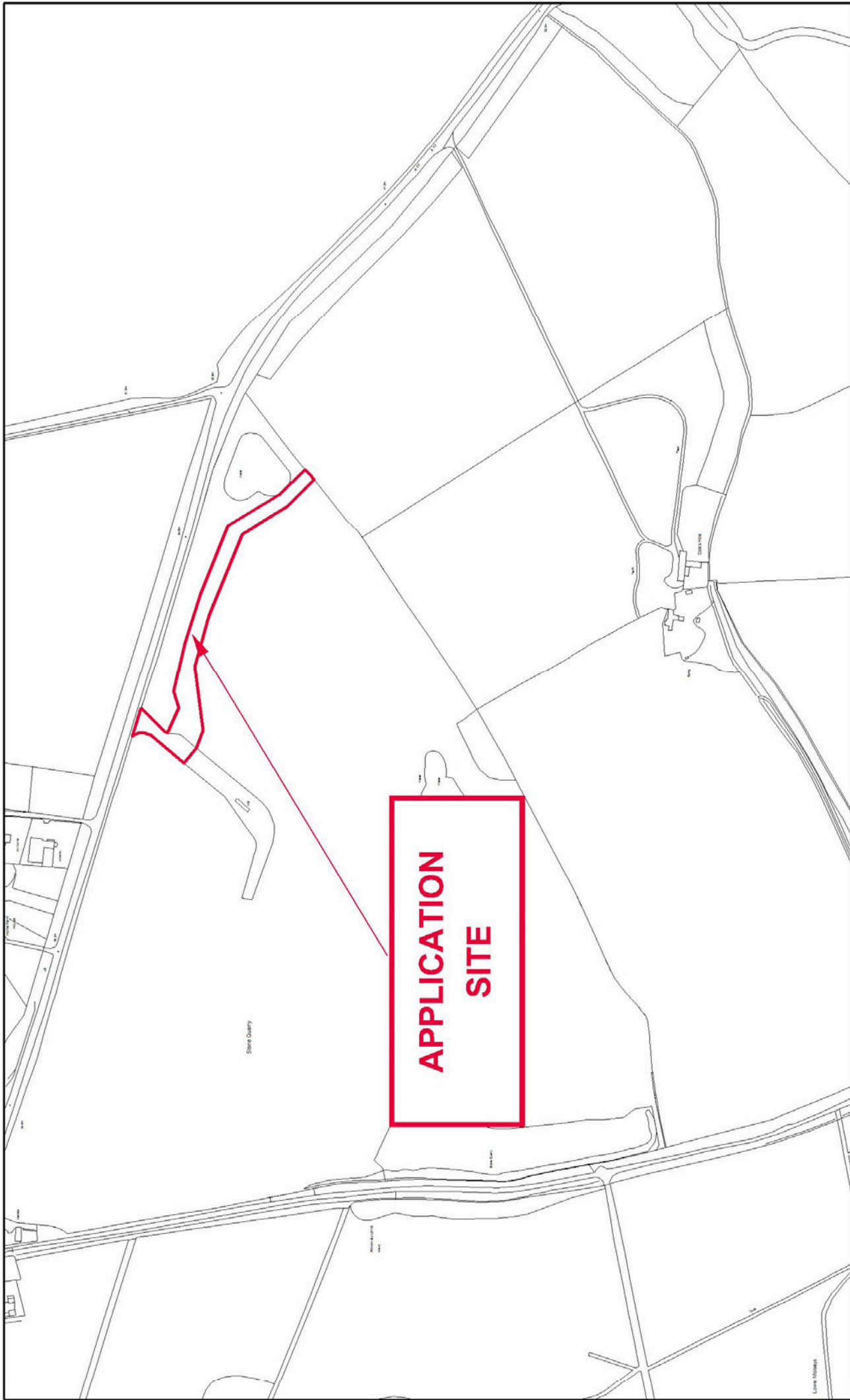
Scale NTS **Date** 13/4/2011 **Name** MKB **Department** Planning Services

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LOCATION PLAN 10/01442/MMF/UL

Cooks Hole Quarry, Leicester Road, Thornhaugh, Peterborough

Scale NTS **Date 13/4/2011** **Name MKB** **Department Planning Services**

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03/01171/RMP: APPLICATION FOR THE DETERMINATION OF UPDATED PLANNING CONDITIONS

10/01440/MMFUL: INSTALLATION OF WEIGHBRIDGE, WEIGHBRIDGE AND SITE OFFICES, MESS ROOM, FUEL STORE, EQUIPMENT STORE, PROCESSING PLANT, SUBSTATION AND OTHER ANCILLARY FACILITIES

10/01441/MMFUL: EXTENSION OF QUARRY AREA FOR THE WINNING AND WORKING OF MINERALS (LIMESTONE, SAND AND IRONSTONE)

10/01442/MMFUL: CONSTRUCTION OF ALTERNATIVE MEANS OF ACCESS AND WHEEL WASH FACILITY

VALID: RMP RECEIVED 05.08.2003 AND WAS PENDING SUBJECT TO SUBMISSION OF UPDATED ENVIRONMENTAL IMPACT ASSESSMENT WHICH WAS SUBMITTED AND MADE VALID ON 29.09.2010
10/01440/MMFUL: 19.10.10, 10/01441/MMFUL: 28.10.10, 10/01442/MMFUL: 19.10.10

APPLICANT: AUGEAN PLC
AGENT: SCOTT WILSON LTD
REFERRED BY: HEAD OF PLANNING, TRANSPORT AND ENGINEERING SERVICES
REASON: THE SCALE AND NATURE OF THE PROPOSALS WARRANT DETERMINATION BY COMMITTEE

DEPARTURE: NO

CASE OFFICER: THERESA NICHOLL
TELEPHONE: 01733 454442
E-MAIL: Theresa.Nicholl@peterborough.gov.uk

1 SUMMARY/OUTLINE OF THE MAIN ISSUES

Background and introduction

The above four applications are being presented in a single report because if approval is granted the development would proceed as a single operation, albeit a phased development. This being said, each individual application will require determination by the Committee.

The RMP application is required as a result of Section 96 and Schedule 13 of the Environment Act 1995. Put simply, this Act required Minerals Local Planning Authorities (MLPA's) to draw up lists of old minerals permissions dating back to 1943. Applications have been included in tranches according to which decade they were originally granted. The purpose behind the Act was to ensure that old permissions, still capable of being implemented were brought up to modern environmental standards via the imposition of new conditions and where necessary the submission of an updated Environmental Impact Assessment (EIA). Cook's Hole quarry was placed on the list of old minerals applications as a dormant site. As such before the original permissions for quarrying at the site can be "re-activated" a new set of conditions must be agreed taking into account the submission of an EIA. The original permissions are:-

- 1900/4009/3 approved on 5th August 1954
- 1900/40009/6 approved on 29th March 1957.

Both permissions were subject to very few conditions. The later permission specifically excluded an area of land from being worked due to a possible disturbance to the water flow to Thornhaugh spring and a disruption to water supply in Wansford and Thornhaugh. The applications granted permission to win and work by opencast methods Northampton Sand Ironstone and any minerals overlying such ironstone. This area of previously excluded land is now subject to the current application for full planning permission to quarry sand and limestone reference 10/01441/MMFUL. If approved this application would be implemented in conjunction with the resumption of quarrying in the remainder of the site covered by the RMP application.

The other two applications are for a proposed access (with wheel wash facility) to the site via Thornhaugh 1 (the existing, adjacent landfill site operated by Augean), and site compound/buildings and plant and machinery to be located within the Cook's Hole site.

The main considerations are:

- Whether the updated conditions to be considered under RMP/03/01171 are acceptable
- Whether the principle of the extension to the permitted quarry area is acceptable and if so whether the detailed proposals are acceptable in terms of environmental and visual impact including impact on nearby residents (as assessed against current development plan policy).
- Whether the proposed access is acceptable in terms of highway safety and impact upon nearby residents and any other environmental concerns.
- Whether the proposed buildings and plant are acceptable in visual, environmental and neighbour amenity terms.

The detail within these key headings will be examined in the report below.

The Head of Planning, Transport and Engineering Services recommends that the updated conditions submitted under 03/01171/RMP are acceptable and that the three full applications are **APPROVED** subject to conditions.

2 PLANNING POLICY

In order to comply with section 38(6) of the Planning and Compulsory Purchase Act 2004 decisions must be taken in accordance with the development plan policies set out below, unless material considerations indicate otherwise.

Development Plan Policies

Peterborough City Council Core Strategy DPD

- CS10 Environment Capital
- CS11 Renewable Energy
- CS12 Infrastructure
- CS13 Developer Contributions to Infrastructure Provision
- CS14 Transport
- CS16 Urban Design and the Public Realm
- CS17 The Historic Environment
- CS20 Landscape Character
- CS21 Biodiversity and Geological Conservation
- CS22 Flood Risk

Peterborough Local Plan (First Replacement) 2005

It is considered that the most relevant policies, namely those relating to landscaping and natural environment have been superseded by policies contained in the adopted Core Strategy (above).

Cambridgeshire Aggregates (Minerals) Local Plan 1991

- CALP 5 –** Assessment of proposals for mineral extraction will take into account operational and economic needs and the likely overall impact on the environment, the provisions of the development plan and any supplemental policies and proposals of the LPA.
- CALP 9 –** Permission for surface mineral working will not normally be granted which would destroy or damage scheduled ancient monuments or other sites of archaeological, historical or architectural importance.

- CALP 10** – Surface mineral working will not normally be allowed in areas of special landscape value in statutory local plans.
- CALP 12** – Permission for mineral workings only permitted where disturbance can be minimised and appropriate after use can be achieved.
- CALP 14** – Surface mineral workings will only be permitted where access arrangements are satisfactory.
- CALP 15** – Normally the transportation of worked mineral between the extraction areas and processing areas will not involve the public highway.
- CALP 16** – Where mineral sites cross public rights of way, appropriate measures will need to be put in place to ensure that these ROW re maintained during and after mineral extraction.
- CALP 17** – Applications will need to be accompanied by a scheme of restoration, normally to agriculture or forestry.
- CALP 18** – Where restoration to original site levels is impractical, the Council will normally require restoration to agriculture to a lower level.
- CALP 20** – When granting permission for mineral working the Council will impose conditions which make provision for after – care.
- CALP 21** – The developer will normally be required to maintain the landscaping scheme for a period of 5 years following initial completion of the landscaping scheme.

Note: The site covered by the 1954 and 1957 permissions (i.e. the subject of the RMP application) is coloured up on Inset Map number 17 in the CALP as being major limestone permission.

Material Planning Considerations

Decisions can be influenced by material planning considerations. Relevant material considerations are set out below, with the key areas highlighted:

Minerals Policy Statement 1: Planning and Minerals

MPS 2: Controlling and mitigating the Environmental Effects of Mineral Extraction in England

MPG 2: Applications, permissions and conditions

MPG 7: The Reclamation of Mineral Workings

MPG 14: Environment Act 1995 – Review of Mineral Planning Permissions

PPS 1: Delivering Sustainable Development

PPS 4: Planning for Sustainable Economic Growth

PPS 5: Planning for the Historic Environment

PPS 9: Biodiversity and Geological Conservation

PPG 13: Transport

PPS 23: Pollution

Cambridgeshire and Peterborough Minerals and Waste Development Plan – Core Strategy DPD Submission

The Core Strategy is due to be put before Council in July for formal adoption. Until then it does not form part of the development plan, however, given the advanced nature of the document it is capable of being a material consideration. It should be borne in mind that if the applications were to be refused and an appeal lodged it is likely that the Core Strategy will have become the development plan by the time an appeal is heard and it would be these policies upon which an Inspector would base any appeal decision.

CS1 – Strategic Vision and Objectives for Sustainable Minerals Development

limestone only exists within a small geographical area north west of Peterborough. The extraction of limestone will continue through the plan period but if no new sites are identified during the plan period reserves will become exhausted.

CS4 – The Scale and Location of Future Sand and Gravel Extraction

the MPA's will maintain a landbank of at least 7 years supply. New allocations plus permitted reserves will enable the supply of 0.75 million tonnes per annum over the plan period from the Northern zone i.e. Peterborough and North Fenland district.

CS6 – The Scale and Location of Future Limestone Extraction

Proposals for new quarries or extensions to existing quarries for the extraction of oolitic limestone from the north west of Peterborough area will only be permitted where it can be demonstrated that:

- a) The extent, quantity and quality of the proposed reserve has been assessed and is an economic resource
- b) The environmental constraints have been assessed and can be mitigated
- c) There is safe and suitable site access
- d) Safeguarding constraints due to Wittering airfield are not compromised
- e) Hydrological and hydrogeological constraints have been assessed and can be mitigated
- f) The proposal meets other policies of the development plan

CS22 – Climate Change

Proposals should demonstrate measures to minimise greenhouse gas emissions

CS24 – Design of Sustainable Minerals and Waste Management Facilities

CS27 – Restoration and Aftercare of Mineral Workings

CS32 – Traffic and Highways

minerals and waste development will be permitted where it is demonstrated that the use of alternative methods of transport have been evaluated and most appropriate pursued where practicable, access and the highway network serving the site is safe and able to accommodate any increase in traffic, any associated increase in traffic will not cause unacceptable harm to the environment, road safety or residential amenity

CS33 – Protection of Landscape Character

CS35 – Biodiversity

CS36 – Archaeology and the Historic Environment

CS37 – Public Rights of Way

CS38 – Sustainable use of Soils

CS39 – Water Resources and Water Pollution Prevention

CS41 – Ancillary development

The Core Strategy sets out a target of maintenance of a landbank of at least 10 years permitted reserves of limestone i.e. 3 million tonnes.

The Cambridgeshire and Peterborough Minerals and Waste Development Plan, Site Specific Proposals Development Plan Document (Site Specific DPD) is not as advanced in the adoption process. The Examination in Public is scheduled for end of June/beginning of July 2011. It should be noted, however, that Cook's Hole is defined as an existing minerals site (map 36) and this includes the land subject of the full application 10/01441/MMFUL. Cook's Hole is also allocated as an inert landfill site (map 71). The current applications do not include any waste proposals.

3 DESCRIPTION OF PROPOSAL

The four applications have been briefly outlined above. The RMP application has been accompanied by an Environmental Impact Assessment (EIA) which has covered all aspects of the four applications although the applicant has asserted that the three full applications do not require EIA's. The case officer views the proposals as a "project" and that the cumulative impact of the whole development must be assessed in the round. The officer has therefore assessed all the proposals as a "project" in terms of EIA regulations and advises that the submitted EIA has provided a scope which covers all the proposals.

The proposals include the resumption of mineral working at Cook's Hole quarry via the existing 1954 and 1957 permissions together with an application for extension of the quarry area to the north east of the RMP area, vehicular access to the site and associated buildings and plant normally expected with such an operation.

The proposals will enable a phased working programme which will produce and process about 2.9 million tonnes of limestone and 1.0 million tonnes of sand and associated ironstone. The average HGV traffic generation will be around 100 lorry movements per day (50 in and 50 out) over a minimum 15 year period. The operations will be carried out 6 days a week, Monday to Saturday. Access to the site is proposed through the existing access to Thornhaugh 1. Restoration of the site is at a lower level than existing ground levels without the need to bring in waste materials from outside Cook's Hole Quarry. Restoration will be mainly to agriculture with landscape woodland planting to resulting side slopes of the quarry edge.

4 DESCRIPTION OF SITE AND SURROUNDINGS

The application site is broadly rectangular and extends to some 54.4 hectares of which 39.5 hectares is proposed to be worked. The site is located about 1.7 km west of the A1 at Wansford. Thornhaugh village lies about 1 km to the northeast and Wittering 1.7 km to the north. The cluster of residential properties at Home Farm (about 10 residences) lies about 400m to the north and several other isolated farm houses and residences lie within a few hundred metres of the site, notably Oaks Wood Cottage, 300 metres to the north beyond the A47, Nightingale Farm about 325 metres to the South and Sibberton Lodge, about 500 metres to the east of the site beyond the A47.

The northwest site boundary adjoins Thornhaugh 1 quarry (an active quarry being restored by landfill with access off the A47). The northeast boundary adjoins the A47 Leicester Road and the southern boundary adjoins the active Thornhaugh 2 quarry and agricultural land comprising Nightingale Farm. The west boundary is defined by a restrictive byway and the edge of Bedford Purlieu National Nature Reserve (which is a Site of Special Scientific Interest).

Thornhaugh Beck rises to the west of Bedford Purlieu, flows eastwards through the site before joining the White Water Brook, a tributary of the River Nene). Although parts of the site have been worked previously for ironstone extraction the land generally slopes down, as to be expected towards the stream valley running west to east through the site.

Central to the site is Cook's Hole Farmhouse, an abandoned stone farmhouse and associated barn and outbuildings. The farmhouse has recently been grade II listed and so the associated buildings are also listed by way of being curtilage buildings. The property is uninhabitable without extensive restoration works. Land in the immediate vicinity of the farmhouse is excluded from the 1950's permissions and the current proposals, albeit the farm is within the application site boundary.

The site is traversed by various Public Rights of Way some of which will need to be diverted ahead of the commencement of the main works.

5 PLANNING HISTORY

Cook's Hole History Overview

Reference	Description	Status	Decision Date
03/01171/RMP	Application for the determination of updated planning conditions	PCO	
10/00002/SCOP	Transport assessment in support of Limestone working at dormant site	COM	10/08/2010
10/01440/MMFUL	Installation of a weighbridge, weighbridge and site offices, mess room, fuel store, equipment store, processing plant, sub-station and other ancillary facilities	PCO	
10/01441/MMFUL	Extension of quarry area for the winning and working of minerals (limestone, sand and ironstone)	PCO	
10/01442/MMFUL	Construction of alternative means of access and wheelwash facility	PCO	
T3018	Prospecting for and winning of minerals by opencast mining including restoration of site on completion	PER	29/03/1957
T2330	Prospecting for and winning of minerals by opencast mining including restoration of the site on completion	PER	05/08/1954
T202	The winning, working and getting of sand urgently required for moulding purposes	PER	05/01/1949

Thornhaugh 1 History Overview

Reference	Description	Status	Decision Date
04/00004/MMFUL	Erection of 6m high mesh fencing around boundaries of landfill cells to prevent blown litter from leaving the site	REF	17/02/2004
97/00006/MMFUL	Application for determination of new conditions for extraction of limestone and restoration to agricultural use by landfill	PER	25/04/1997
04/00352/CLP	Construction using imported waste and other materials of the restoration landform	WDN	18/05/2004
04/00329/CLE	Removal of material from north of site	WDN	18/05/2004
04/00459/FUL	Siting of temporary portable unit for residential use	APPRET	
04/00346/CLP	Removal of materials from north west part of site	APPRET	
05/00685/WCMM	Variation of condition 7 of planning permission P070/97 to enable mineral extraction over a larger area within the currently approved boundaries of the Quarry	PER	21/04/2006
06/00145/MMFUL	Siting of temporary gas flare and associated equipment	PER	08/06/2006
06/01069/MMFUL	Processing of secondary aggregate materials recovered from Phase 7 within Thornhaugh Quarry for use off-site; processing of secondary aggregates from suitable waste streams brought to the site for disposal for use off-site, for a temporary period ending 15 November 2011	PER	11/10/2006
07/01466/MMFUL	Siting and operation of a temporary gas flare and associated equipment	PER	19/10/2007
08/00391/MMFUL	Installation and operation of a micro turbine landfill gas power generator, permanent flare and associated equipment	PER	30/05/2008
08/01260/WCMM	Variation of condition 1 of planning permission 07/01466/MMFUL to allow for the retention of the operation of a temporary gas flare and associated equipment	PER	23/12/2008
09/01458/WCMM	Variation of condition 1 of planning permission 07/01466/MMFUL to allow for the retention of a temporary gas flare and associated equipment until 30.12.2010	PER	03/02/2010
10/01659/WCMM	Variation of condition C1 of planning permission 09/01458/WCMM - Siting and operation of a temporary gas flare and associated equipment - to extend date of commencement to 30 December 2011	PER	15/02/2011
T7767	Extraction of limestone	PER	03/05/1963

The comments below represent summaries of responses received to all the applications

INTERNAL

Highways

The Local Highways Agency (LHA) are not concerned about the potential traffic generation discussed within the transport assessment. (This is due to the level of predicted traffic being no worse than levels already approved and implemented during the previous peak in operations at Thornhaugh 1 quarry. In other words the traffic levels proposed will be no worse than levels that have already taken place at the proposed access point with the A47. The LHA asked for confirmation of accident record and visibility details from the applicant. This was provided to the LHA. The visibility splays are 215 metres in either direction measured at a point 4.5 metres in from the edge of the carriageway. The LHA finds this to be acceptable.

Landscape Architect

Commented on original submission that the restoration scheme proposed quite steep constant gradients on two sides of the quarry, not common in this location, the quarry will be visible from gaps in the hedge to the A47 and distant views from Sibberton Lodge, the landscape plans do not show any detail, the landform does not show relationship with neighbouring sites, the scheme should show how vegetation around the stream will not be disrupted by the excavation, the hedges on site appear to have all been replaced in the last 100 years (except that by the A47) but all should be properly protected and it is good to see a 20 metre standoff, phase 1 will be the most prominent and proposed moundings may well screen the workings but need to see the detail.

With regards to the amended plan (Figure 4.9 – Rev B) and the new section drawing, these address many of the issues raise and improve the screening in the NE corner. The significant issue of how restoration relates to the adjoining site is still unresolved but not sure if we are in a position to really do anything about this. In terms of a master plan this is about as good as we can get with the current situation.

Rights of Way Officer

No objections to the proposed temporary diversion of Footpath No. 2, however figures 4.5 – 4.8 appear to show the footpath disappearing under “phase 5 topsoils” – please confirm the routing of Footpath No. 2 to the end of Phase 3.

Wildlife Officer

The Ecological Management Plan condition still does not address all the issues raised by the Wildlife Trust and these matters should be fully addressed for inclusion in a suitably worded condition (these issues include management proposals for Thornhaugh Beck and associated buffer zones, timing of potentially damaging works such as vegetation clearance, details of appropriate native wild grass species mix for use on the soil bunds, provision for Ecological Clerk of Works, arrangements for monitoring.

There should be an emphasis on biodiversity creation rather than agriculture.

The overall design and working of the scheme is acceptable subject to the above issues being addressed.

Environmental Health Officer

The noise limits and hours conditions are acceptable. A suitable lighting scheme is suggested.

Wildlife Trust

(At the time of the first consultation, the WLT was acting as ecological consultant to PCC in the absence of a Wildlife Officer. A substantive response was received from the WLT, the key points are summarised below);

A condition requiring a lighting scheme is required and should be assessed in terms of its impact on ecology (particularly Beford Purlieus). The Local Planning Authority (LPA) should require the production of an Environmental Management Plan (EMP) and suggest that detailed methodology for the trapping of Great Crested Newts (north west corner only) could be included in this EMP. The same is true for the mitigation of other species. Soils stored within the site should be seeded with an appropriate native grass mix. The exact nature of soils and their chemical mix in relation to restoration will need to be conditioned so as to inform the appropriate grass mix. There is a missed opportunity to increase biodiversity and to enhance habitat creation over the majority of the site.

EXTERNAL

Government Pipeline Operator

Standard type response letter received reminding developer of obligations. (A map of the pipeline enclosed shows is located on the other side of the A47 to the site).

Northamptonshire County Council Highway Authority

No comments regarding access location (as beyond NCC boundary). Expect to see a routing agreement to prevent mis-use of the overall highway network.

Highways Agency

No objections

East Northamptonshire Council

No objections

Natural England

Welcomes the inclusion of the new woodland planting within the revised restoration plan. NE clarifies its position set out in its original comments, namely that there is an opportunity to maximise the biodiversity of the site which could be achieved through an Environmental Management Plan. The extent of limestone grassland should be set out/specified (most easily achieved through a revised masterplan fig. 4.9). The most appropriate areas are the steeper sloping areas of the site. Some details in the application refer to intensive agricultural management – this would be incompatible with the less intensive approach needed in limestone grassland areas where chemical input must be limited.

Environment Agency

Satisfied with hydrological information except details for dealing with surface water and suggest imposing a condition. Also request that standard condition be imposed regarding pollution prevention/oil spills.

Defence Estates Safeguarding (MOD)

No objections

Wansford Parish Council

Two substantive responses have been received which are summarised as follows;

- Are the 1950's permissions still lawfully able to be implemented i.e. can the quarry re-open?
- Thornhaugh II causes considerable problems to people in Wansford due to dust, noise and traffic.
- The stream which flows through the site feeds into the Mill Pond at Sacrewell Farm. The most likely problem for quarrying is silt entering the stream. There should be a silt trap that can be cleaned out regularly and the developer should fund the monitoring of water quality at Sacrewell Farm.
- There should be a condition which states that no visible airborne dust shall move outside the consented area. Any dust seen should be immediately watered down and operations cease if no water is available.
- The noise evaluation is defective because it does not specify the equipment used and does not include properties in Wansford. Certainly noise from Thornhaugh II is very intrusive in Wansford.
- There should be a condition which controls light spillage.
- The working hours should be more restrictive in line with construction sites i.e. no start before 0800 hours
- Agree the safest access to the site is via Thornhaugh 1 but as traffic on the A47 will increase over the next 15 years, the A47 should be improved through acceleration and deceleration lanes and a protective area in the middle of the road. It would be good to ban right hand turns at the junction but probably impractical.
- The phasing needs to be controlled so that only one cell can be worked at any one time and restoration must be completed within 6 months of commencement of a new cell. If the works carry on for more than 15 years new conditions should be agreed.
- Use of the Thornhaugh 1 access should not delay the restoration of this site.

Thornhaugh Parish Council

- No objections to the applications for the extension of the quarry and the installation of the ancillary facilities but object to the ROMP application and the proposed access/wheelwash for the following reasons;
- The proposed access should only be permitted for 6 years and the existing Cook's Hole access should not be restricted to enable the applicant as discussed to consider alternative access points including that through Thornhaugh 2.
- The sides of the restored site should not be so steep and the overall contouring of the site with the adjoining sites should be addressed

NEIGHBOURS

Letters of objection have been received from 2 local residents raising the following issues:

- The requirements for conditions as set out in Wansford Parish Council's response should be adhered to.
- The application cannot be for "conditions to be set" (RMP application) as the quarry operation has been shut down for many years. It must be a new application.
- We are already subjected to noise, dust and irritating reversing beepers from the Mick George site and add to this Augean's intentions the situation will be untenable for us and the village of Wansford.
- I strongly object to the re-working of a reinstated agricultural site and can see no commercial viability in it except to create a hole in which Augean can tip waste.
- The application is probably part of a larger scheme that extends to using the site for landfill. This larger scheme should be addressed from the outset when considering this application.

One letter has been received which makes comments rather than objections:

- Agree that the proposed access via Thornhaugh 1 is the best option. Perhaps the embankment could be raised a bit to screen the internal road and the wheel wash facility?
- Almost certainly the hedges will disappear. Once the site is eventually closed we would like to think that new hedges will be planted.
- The two proposed stiles covering the FP2/3 crossing with the site access are not seen as user friendly by disabled or elderly walkers. Fairly wide kissing gate stiles are the preferred option.

Assessing the project as a whole, the key issues are as follows;

1. The legal position with regards to the RMP application
2. The strategic planning policy position with regard to the need for the mineral and the designation of this site
3. Access, traffic and transport
4. Landscape and visual effects
5. Cultural Heritage
6. Hydrology/Hydrogeology (all water related issues)
7. Biodiversity
8. Noise and vibration
9. Air quality
10. Lighting
11. Restoration and Aftercare
12. Any other issues

1. The legal position with regards to the RMP application

Prior to the submission of the EIA and updated conditions (plus the three new full applications), both the applicant and the Council took separate and independent legal advice regarding the legal position with regard to the two 1950's planning permissions and whether those permissions can still be implemented (subject to updated EIA and revised conditions). Counsel advised the Local Planning Authority that as the site was included on the list of dormant sites (following the 1995 Environment Act) this has had the effect of keeping those permissions "alive" i.e. capable of being implemented subject to the submission of revised conditions etc. Counsel also looked at the wording of the 1950's decision notices and the issue of whether limestone could be worked from the site and found no reason why it could not. The Council has no reason not to accept this advice from Counsel. The prospect of any legal challenge to this position succeeding would be slim because the challenge would have to have been made at the time that Cook's Hole site was added to the list of dormant sites. With regard to the RMP application therefore, the position is that the site is granted permission for quarrying works by two separate planning permissions granted under 1900/4009/3 approved on 5th August 1954 and 1900/4009/6 approved on 29th March 1957. The Council is therefore only considering whether the list of updated conditions is acceptable with regard to 03/01171/RMP.

2. The Strategic planning policy position with regard to the need for the mineral and the designation of this site

This is not a question that should be addressed with regard to the site of the RMP application because as discussed above, this site has extant planning permissions to quarry mineral and the principle of the development is therefore not up for consideration on this part of the site. The principle of development should be assessed, however, on the site of the quarry extension (10/01441/MMFUL). The proposed extension to the quarry area covers an area of land to the north of the site, adjacent to the A47. The reasons for excluding it from the 1950's permissions no longer apply and it now makes economic sense to work this part of the site as part of the overall Cook's Hole quarry operation. The application shows that this land would mainly form phase two of the seven phases proposed to be worked across the whole site. If this area was left, it would not be viable to return to it in later years. The site is allocated in the emerging Site Specific Minerals and Waste DPD as a potential landfill site. Although landfill is not proposed as part of this application, the policy assumes that the site will be excavated to create a void. Oolitic limestone is only quarried in this area of Peterborough in the East of England. The emerging Core Strategy requires a landbank of at least 10 years supply of limestone and as no new sites have been allocated it is important to realise the potential of this extension site to Cook's Hole. The applicant estimates that 70% of the limestone will be used in Cambridgeshire and the remaining 30% in neighbouring areas. With regard to the principle of the extension to Cook's Hole Quarry (10/01141/MMFUL), the proposal is acceptable and complies with policy CALP 5 of the Aggregates Local Plan and criteria (a) of emerging policy CS6 of the Core Strategy.

3. Access, Traffic and Transport

A separate application has been submitted for access and associated wheel wash facilities 10/01140/MMFUL. The proposal will utilise the existing access off the A47 to Thornhaugh 1. The haul road would then run eastwards along the top of the site at Thornhaugh 1, adjacent to the A47 before crossing public footpath No. 2 to enter the Cook's Hole site at Phase 1. The detail to Figure AA3 shows that the wheel wash facility will be located close to the site entrance at Thornhaugh 1 just inside the area of road to be hardsurfaced. This is the sensible place for the wheel wash to be located. Where the haul road crosses the public footpath, the applicant had originally proposed stiles, but following comments from one of the near neighbours and the Council's Public Rights of Way (PROW) Officer, has agreed to install kissing gates instead.

If the 1950's permissions were resumed with no further application for access, the applicant would have to utilise the existing entrance to Cook's Hole Farm, which at present is little more than a farm track. Of course this would have to be upgraded if used for mineral haulage. However, the applicant has applied to use the existing access at Cook's Hole as they believe it is preferable in terms of highway safety. The access to Thornhaugh 1 is already constructed to a width to take HGVs and this proposed access fits with the quarry phasing pattern proposed. A transport assessment was submitted as part of the EIA. The Highways Officer and the Highways Agency have raised no objections to the proposed access.

Thornhaugh Parish Council has objected to the proposed access and the proposed conditions because it believes that this would preclude other alternative access points being looked at in the future, in particular the existing Cook's Hole entrance and potential access via land to the south east of the site currently owned by Aggregate Industries. The Parish suggests that the proposed access be allowed for a period of 6 years to tie in with the completion of Thornhaugh 1. Discussions about access have been ongoing between officers, the applicant and the Parish Councils throughout and in particular at quarry liaison meetings. The facts of the matter are that the City Council must determine the applications before them on their own merits and based upon the current proposals the highways section has no concerns with regard to highway safety with the proposed new access. This being the case, there is no need to pursue alternative access points, particularly those outside the ownership of the applicant. The level of traffic proposed will be no greater than that taking place at the height of the workings at Thornhaugh 1. It is not considered that the location of the access will not adversely affect nearby residents to any significant degree. The applicant has agreed to improve the landscaping between the site and the A47 and this is covered by condition.

There are public rights of way which cross the site and go around the edge of the site. It is proposed that for the duration of the quarry workings the public rights of way which cross the site will be diverted around the edge of the site. The PROW officer has not objected in principle to these diversions which would be undertaken under Highways legislation. The officer raised some issues regarding conflict of soil mounding with the footpaths but this will be resolved by the imposition of a condition.

Should any future proposals be received these will be assessed in light of new traffic generation figures and the access re-evaluated accordingly but the current proposal, assessed on its own merits is acceptable and complies with policies CALP 14, 15 and 16 and policies CS 6, CS32 and CS37 of the emerging Core Strategy. Conditions have been imposed to cover the eventuality that the new access may not be approved and that the Cook's Hole entrance may have to be implemented. However, the conditions ensure that only one vehicular access for HGV's from Cook's Hole can be used at any one time.

4. Landscape and visual effects

The existing site is used as grazing land by the tenant farmer. It is undulating (perhaps in part due to previous quarry workings) and slopes quite steeply towards the centre of the site, down to the old farmhouse and Thornhaugh Beck. The re-opening of the site for a quarry is going to have obvious effects on its visual appearance and the landscape but the principle of developing the majority of the site is not in question. However, these effects should be mitigated where possible.

During the operational use of the site, worked phases will be restored as the quarrying operation progresses. This phasing of working and restoration is set out in Figures 4.1 to 4.9 and will be

conditioned to be so phased and restored. The landscape bund to the front of the site will be improved and this has also been conditioned. Almost 4 million tonnes of limestone and sand will be taken off site. 1.5 million tonnes of sand plus the top and sub soil will be needed for the restoration. This application is not proposing to bring material into the site from outside, it follows, therefore that restoration will have to take place at a lower level than existing. In fact the resultant landform will create a “bowl” shape. The sides to the site will be quite steeply sloping as can be seen in Fig 4.9 REV B. This plan was amended to slightly reduce the steepness of some of the sides and to introduce more woodland planting. The quarry face will have a 20 metre stand off from the sides of the site and no quarrying will take place in the vicinity of the farmhouse or Thornhaugh Beck. The resultant landform is not ideal but it must be noted that the original 1950’s permissions which will be “re-activated” do not permitted material being brought onto the site. The site is far enough away from nearby residents so as not to directly affect outlook but obviously the site will be visible from the public footpaths and parts of the A47. Unless or until any scheme is submitted to fill the resultant void, the current restoration proposals are considered to be acceptable subject to conditions requiring detail on planting and methodology and a 5 year aftercare period. Biodiversity is discussed separately below.

Both the case officer and some of the consultees have raised the issue of the relationship of resultant land levels at Cook’s Hole with the neighbouring sites, Thornhaugh 1 and 2. These are not ideal and it will be difficult to address the relationship between Cook’s Hole and Thornhaugh 2 as the latter is in different ownership (Note that the conditions relating to Thornhaugh 2 will be assessed as part of the Council’s monitoring programme which will be on-going from April 2011). Augean has stated publicly that the “Bradshaw land” within Thornhaugh 1 requires restoration and that the Company is looking at the restoration of the whole site and is flexible on options of looking at restoration of Thornhaugh 1 and Cook’s Hole comprehensively when further proposals come forward for Thornhaugh 1. However, this application must be determined on its merits and although not the ideal solution the proposal is considered to be acceptable.

The proposed compound area is set well into the site to the north of the farmhouse buildings. The proposed buildings are as expected on a quarry site, namely a weighbridge, weighbridge office, site office and mess room and fuel store. All these buildings are single storey, only 2.5 metres high. It is considered that their visual impact will be negligible particularly as they will be set within a quarry site as soon as extraction begins. There are no detailed plans of the process plant which will be set close to the buildings. The details of this plant will be covered by condition. It is considered that the plant and buildings will not have a detrimental impact upon any nearby property. There is no need to further restrict building or plant heights as any further buildings will need to be approved separately.

With regard to landscape and visual effects the proposal is considered to be acceptable and to comply with policy CS16 of the adopted Core Strategy, policies CALP 12, 17, 18, 20 and 21 and policies CS6, CS27, CS33, CS38 and CS41 of the emerging Core Strategy.

5. Cultural Heritage

A geo-physical survey has been carried out which points to some potential archaeology being located within the un-worked area which will need investigation. It is proposed to deal with this matter by condition.

Cook’s Hole Farmhouse is a Grade II listed building. The buildings are quite dilapidated in appearance. The operation of the site as a quarry will prevent the building being brought back into a residential use until the quarrying and restoration is complete. In the meantime, the applicant as owner has a duty under the Listed Buildings and Conservation Areas Act to keep the building from deteriorating. The Council’s Conservation Officer is to inspect the building in this regard, separately from dealing with these applications. The proposals will otherwise not affect the listed building.

In terms of cultural heritage, the applications comply with policy CS17 of the adopted Peterborough Core Strategy, CALP 9, emerging policies CS6 and CS36 of the Minerals and Waste Core Strategy and PPS 5.

6. Hydrology/Hydrogeology

Section F of the submitted EIA provides details on the existing surface and groundwater conditions at the site and the potential effects that the development will have on the existing conditions. The physical works within the site will not affect Thornhaugh Beck directly but in certain areas of the site it is proposed to work below the water table. To mitigate against this the applicant proposals to create a sump in each phase and pump out water collected and either re-water the existing or adjacent phase which will ensure that groundwater flow is maintained. A system of continual monitoring and if necessary remedial action will be put in place. The Environment Agency has raised no objections with regard this aspect of the proposal. The EIA states that a water quality monitoring programme will be agreed with the Environment Agency.

The submission has evaluated potential impact upon the nearest protected sites including Bedford Purlieus SSSI and Sutton Heath and Bog SSSI. Natural England has not raised concerns with regard to this aspect of the proposal.

Wansford Parish Council has asked that the developer pay for water quality monitoring at Sacrewell Farm which is downstream of Thornhaugh Beck albeit some 3km to the east of the site. The Parish is concerned about water quality which is understandable. However, the applicant can only be responsible for any change in the quality of the water between it entering the site and leaving the site in terms of Thornhaugh Beck. It is considered that monitoring must be carried out within the site to ensure that water quality is retained to safe standards. This appears to be a responsibility that would fall within the remit of the Environment Agency to monitor and enforce through the permitting regime. The Environment Agency has confirmed that water quality would be covered by the Environmental Permit and as such the EA does not require a condition to cover this.

The EA has requested that conditions be imposed on any permission granted with regard to surface water drainage and storage of oil and chemicals on site. Suitable conditions would be imposed.

It is considered that the work undertaken within the EIA gives sufficient comfort that the operations will have negligible impact on surface and groundwater and that the proposals comply with emerging policies CS6 and CS39 together with advice contained in PPS 23 and PPS 25.

7. Biodiversity

The original permissions require that the land be restored to agriculture. Not surprisingly given the age of these permissions, there is no mention of biodiversity. Current and emerging policy (policy CS21 of the adopted Core Strategy and policy CS35 of the emerging Minerals and Waste Core Strategy), in line with European and National policies and Directives, place much greater emphasis on protection of biodiversity and its enhancement/creation. Consultees have commented that the application presents an opportunity to improve the network of biodiversity habitats in this area. The overall restoration masterplan has been amended to indicate greater woodland planting on the steeper slopes of the restored site. The applicant has also agreed to submit an Environmental Management Plan (EMP) (as suggested by Natural England and the Wildlife Trust) to provide detail on the various aspects of soil conservation and restoration and aftercare. The site will still be brought back into pasture use but the proposed planting and its management can both suit agriculture and biodiversity.

Site surveys carried out have indicated that in some areas of the site there are amphibians and reptiles. There are also badger sets within the site. The proposed EMP will need to set out in detail how these issues are to be dealt with.

It is considered that the amended restoration scheme together with the submitted EIA and conditions is sufficient to apply with the above mentioned policies together with CALP policies 17, 20 and 21 and PPS 9.

8. Noise and Vibration

Noise and vibration at quarry sites can come from the act of winning the mineral, machinery and vehicles. In this case, no blasting will take place and most of any audible noise will likely come from lorry movements and the process plant. The Environmental Health Officer has raised no objections to the proposal subject to suitable noise conditions being imposed.

Wansford Parish Council has requested that the hours of operation be more restricted than proposed, indeed in line with building sites. However, the applicant has pointed out that the suggested hours of working are the same as those at the neighbouring Thornhaugh 1 and 2 sites. Quarry sites need to open earlier than building sites to enable material to be delivered to these sites early. The applicant is happy to exclude working or processing of the mineral material on site between 0700 and 0800 on Saturday mornings and this has been incorporated into the proposed condition. The applicant has also accepted a restriction on use of hydraulic breakers unless approved in accordance with a scheme to be submitted and approved by the Minerals Planning Authority. A condition which sets maximum noise levels at the boundaries of the nearest noise sensitive premises will be imposed – if noise levels are met at these properties they will be met in Wansford. The proposal therefore complies with policy CS16 of the adopted Core Strategy, policy CALP 5, emerging policy CS6 of the Core Strategy and advice contained in PPG 24.

9. Air Quality

The proposal includes a dust mitigation scheme which appears to be at least to industry standard. Residents have raised the issue of dust and it has been a topic of discussion at quarry liaison meetings. The applicant has set out that if there is visible dust outside the site, this will be the trigger for further remedial action to be taken and this has been incorporated into a condition. The Environmental Health Officer has not objected to the scheme. It is therefore considered that the proposal is acceptable and complies with policy CALP 5 and advice in PPS 23.

10. Lighting

It is important that light spillage from the site is minimised, not only for residents but for the sake of woodland species (especially bats). Light spillage affecting Bedford Purlieus should be avoided. The suggested lighting condition has been agreed between the case officer and the Environmental Health Officer and accepted by the applicant and this should be sufficient to control external lighting at the site.

11. Restoration and Aftercare

This has been discussed at some length in the paragraphs above. The detail of the restoration and aftercare scheme must be submitted. The phasing plans submitted show how restoration will take place following the completion of excavation in each phase. Once restoration is complete the applicant must provide an aftercare scheme for 5 years. All of this, including soil replacement and timings is covered by conditions.

12. Any other issues

Under the provisions of the 1995 Environment Act, the placing of the site on the list of dormant sites allows the 1950's permissions to continue until 2042. In reality the excavation of the site is likely to take 15 to 20 years, however an end date for excavation of 2042 has been included in condition 3 to tie in with what is permitted already.

8 CONCLUSIONS

Subject to the imposition of the attached conditions, the proposal is acceptable having been assessed in the light of all material considerations, including weighting against relevant policies of the development plan.

The above report sets out in detail the key aspects of the proposal. Much greater detail on the proposal has been set out in the accompanying EIA. Overall it must be borne in mind that the majority of the site already has extant planning permissions granted in the 1950's and only the updated conditions are being considered. The site has been accepted in the Minerals Local Plan as being an existing site. It is designated in the emerging Site Specific Minerals and Waste DPD as a landfill site, although this application does not include landfill. However, it follows that to be designated as a landfill, the extraction operation in principle has been accepted. The inclusion of the triangular area of land, previously excluded from the permissions makes sense in economic terms and will not result in any greater impact

on the environment if worked with the permitted site area. The resultant landform is not ideal but given that we are not looking at an infill operation as part of this proposal, is acceptable subject to a suitable EMP being submitted which gives detail to the approved masterplan and especially demonstrates the enhancements to biodiversity looked for by Natural England and the other conservation bodies. It is considered that all potential areas where control is necessary by the Mineral Planning Authority are covered by the suggested conditions. Of course the site will be heavily regulated by other Authorities not least by the Environment Agency.

9 RECOMMENDATION

The Head of Planning, Transport and Engineering Services recommends that the suggested list of updated conditions to accompany 03/01171/RMP is accepted.

The Head of Planning Services recommends that the following applications each be approved subject to conditions;

10/01440/MMFUL – Weighbridge and site offices, mess room, fuel store, equipment store processing plant and other ancillary facilities

10/01441/MMFUL – Extension of quarry area for the winning and working of minerals (limestone, sand and ironstone)

10/01440/MMFUL – Access and wheel wash facility

03/01171/RMP Conditions

1. The development hereby approved shall be carried out in accordance with the details set out in the application supporting statement dated 29th September 2010 and the replacement Environmental Statement also dated 29th September 2010 - including the phased programme and timetable specified in the Phasing Sequence (Figures 4.2 to 4.8 inclusive in the application Environmental Statement) – as amended by URS Scott Wilson’s letter dated 11th February 2011 and Figures 4.9 (Rev B) and Figure 4.12 (Rev A), except:
 - a) as required elsewhere in this scheme of conditions; or
 - b) for such minor amendments thereto as shall have received the approval in writing of the Mineral Planning Authority.

Reason: To clarify what is hereby approved and in accordance with policies CS, 14, 16, 17, 20, 21 and 22 of the adopted Peterborough Core Strategy, policies 5, 12, 17, 20 and 21 of the Cambridgeshire Aggregates Local Plan and emerging policies 6, 24, 32, 35, 36, 37, 38 and 39 of the Minerals and Waste Core Strategy DPD.
2. The winning and working of minerals shall not take place outside the areas bounded showing the limit of the excavation on Figure 4.1 in the application Environmental Statement.

Reason: To clarify what is hereby approved and in accordance with policies CS, 14, 16, 17, 20, 21 and 22 of the adopted Peterborough Core Strategy, policies 5, 12, 17, 20 and 21 of the Cambridgeshire Aggregates Local Plan and emerging policies 6, 24, 32, 35, 36, 37, 38 and 39 of the Minerals and Waste Core Strategy DPD.
3. The development hereby approved (excluding the after-care works required by Condition 22) shall be completed no later than 21st February 2042.

Reason: To comply with the Environment Act 1995 or as subsequently re-enacted or amended.
4. No blasting shall take place at the site.

Reason: In order to safeguard the amenity of nearby residents in accordance with policy CS 16 of the adopted Peterborough Core Strategy and PPG 24.
5. The development hereby approved shall take place in accordance with the scheme of noise mitigation measures set out in Appendix A: Proposed Noise Control Scheme” of “Application Number 03/01171/RMP: Supporting Statement: September 2010.
Except for temporary operations, the rating level of noise emitted from the site shall not exceed the limit specified below when measured at each location listed. Measurements taken to verify

compliance shall have regard to the effects of extraneous noise and shall be corrected for such effects.

Location	(Mondays to Fridays)	(Saturdays)
Home Farm House	55 dB LAeq,1h	55 dB LAeq,1h
Leedsgate Farm	50 dB LAeq,1h	50 dB LAeq,1h
Nightingale Farm	50 dB LAeq,1h	46 dB LAeq,1h
Sibberton Lodge	51 dB LAeq,1h	51 dB LAeq,1h
Oaks Wood Cottage	55 dB LAeq,1h	55 dB LAeq,1h
Toll Cottage	55 dB LAeq,1h	55 dB LAeq,1h

For temporary operations such as site preparation, soil stripping and replacement, and screen bund formation and removal, the free field noise level due to operations at the nearest point to each dwelling shall not exceed 70 dB LAeq,1hour(free field). Temporary operations shall not take place for more than eight weeks in any calendar year.

Reason: In order to safeguard the amenity of nearby residents in accordance with policy CS 16 of the adopted Peterborough Core Strategy and PPG 24.

6. No mobile hydraulic breakers shall be used on site unless otherwise approved in accordance with a scheme to be approved by the Mineral Planning Authority.

Reason: In order to safeguard the amenity of nearby residents in accordance with policy CS 16 of the adopted Peterborough Core Strategy and PPG 24.

7. Dust generated by the development hereby approved shall be controlled in accordance with the scheme set out in Appendix B of the application Supporting Statement dated 29th September 2010 subject to the trigger for the remedial actions specified being any signs of visible dust outside the boundary of the site.

Reason: In order to safeguard the amenity of nearby residents and users of the public footpath network in accordance with policy CS 16 of the adopted Core Strategy and PPS 23.

8. An Environmental Management Plan (EMP) which confirms:
- the surveys/watching brief and working method statement/mitigation plan in respect of badger, barn owl and red kite;
 - the working method statement/mitigation plan in respect of amphibians, reptiles and nesting birds;
 - the monitoring methodology in respect of wet woodland (to include) i) annual monitoring of hydrological targets based on borehole data and the extent of wet woodland ground flora and ii) the presence/absence of notable damp woodland invertebrates every three years during life of project; iii) one survey post-restoration and iv) protocol for remedial action if necessary
 - the extent, location, planting specification, ground preparation and management/monitoring requirements in respect of limestone grassland & woody plantings habitat creation - during and post-establishment (wherein each quarry phase is monitored in years 1, 3 and 5 after restoration and a final monitoring visit is undertaken on all the earlier restored phases three years after completion of restoration of the whole site); and
 - the steps to be taken to avoid inappropriate agricultural management of the limestone grassland areas, shall be submitted to and approved in writing by the Mineral Planning Authority prior to the commencement of the development and the development hereby approved shall take place in accordance with the approved EMP.

Reason: In order to assure appropriate protection and conservation of protected species and provide appropriate landscape restoration and biodiversity enhancement in accordance with policies CS1 10 and CS 21 of the adopted Core Strategy, policies 12, 20 and 21 of the Cambridgeshire Aggregates Local Plan, emerging policies 6, 27, 33, 35 and 38 of the Minerals and Waste Core Strategy DPD and PPS1 and PPS 9.

9. No operations under this permission shall be begun before a scheme for the mitigation of impacts on surface waters has been submitted to and approved by the Mineral Planning Authority. The scheme shall be limited to the mitigation measures proposed in the Hydrogeological and Hydrological Impact assessment included at Appendix F of the Environmental Statement. The development shall be carried out in accordance with the approved scheme.

Reason: In order to maintain the present hydrological conditions in order to preserve the quality of water, flow of water and the natural environment that depends on such hydrology in accordance with policies CS 21 and CS 22 of the adopted Peterborough Core Strategy, emerging policies 35 and 39 of the Minerals and Waste Core Strategy DPD and PPS9, 23 and 25.

10. The winning and working of minerals hereby approved shall not take place below the water table until a scheme for the mitigation of impacts on ground waters has been submitted to and approved by the Mineral Planning Authority. The scheme shall be limited to the mitigation measures proposed in the Hydrogeological and Hydrological Impact assessment included at Appendix F of the Environmental Statement. The development shall be carried out in accordance with the approved scheme.

Reason: In order to maintain the present hydrological conditions in order to preserve the quality of water, flow of water and the natural environment that depends on such hydrology in accordance with policies CS 21 and CS 22 of the adopted Peterborough Core Strategy, emerging policies 35 and 39 of the Minerals and Waste Core Strategy DPD and PPS9, 23 and 25.

11. Any facilities, above ground, for the storage of oils, fuels or chemicals should be sited on impervious bases and surrounded by impervious bund walls. The volume of the bunded compound should be at least equivalent to the capacity of the tank plus 10%. All filling points, vents, gauges and sight glasses must be located within the bund and the drainage system should be sealed with no discharge to any watercourse, land or underground strata. Associated pipework should be located above ground and protected from accidental damage. All filling points and tank overflow pipe outlets should be detailed to discharge into the bund.

Reason: In order to prevent pollution of the natural environment in accordance with policy CS 21 of the adopted Core Strategy, emerging policies 6 and 39 of the Minerals and Waste Core Strategy DPD and PPS9, PPS23 and PPS 25.

12. No development (including any servicing, maintenance or testing of plant), other than pumping operations for the removal of water from the excavations, authorised or required by this permission shall be carried out on the site except between the following times:

0700 - 1700 hours Mondays to Fridays

0700 - 1300 hours Saturdays.

There shall be no development on Sundays, Bank Holidays or national holidays.

Between 0700 and 0800 on Saturdays operations shall be limited to loading vehicles from stockpiles, traffic movements associated with the collection of mineral and associated environmental control and administrative activities.

Reason: In order to safeguard the amenity of nearby residents in accordance with policy CS 16 of the adopted Core Strategy and PPG 24.

13. No operations (except those required to form the vehicular access) shall take place within the boundaries shown on Figure 4.1 in the application Supporting Statement dated 29th September 2010 until a scheme for the protection and retention of existing trees and hedgerows has been submitted to and approved in writing by the Mineral Planning Authority. The scheme shall specify:

a) root protection areas ('RPA') for each area or tree/hedgerow referred to above within which there will be no (i) soil stripping, (ii) storage of soils, overburden or other materials, (iii) mineral or other excavation and (iv) trafficking of vehicles or plant; and

b) the fencing to be provided before any other development takes place and maintained until the site is finally restored in accordance with Conditions 20 and 21 to define and protect each RPA.

Reason: In order to safeguard the existing trees and hedgerows to be retained in the interests of visual appearance and biodiversity in accordance with policies CS 20 and 21 of the adopted Core Strategy, emerging policies CS6 and CS 35 of the Minerals and Waste Core Strategy DPD and PPS 9.

14. Any lighting (external to the buildings) erected within the site shall not exceed the obtrusive light limitations for sky glow, light into windows, source intensity and building luminance specified for

environmental zone 2 in the Institution of Lighting Engineers document "Guidance Notes for the Reduction of Light Pollution (Revised) (2005). In the event of reasonable complaint as determined by the Mineral Planning Authority, the quarry operator shall instruct a suitably competent professional to monitor and report in writing to the Local Planning Authority on the matters raised in the complaint in accordance with a schedule to be agreed by the Mineral Planning Authority. Should the report demonstrate that the lighting does not comply with the above mentioned Guidance Notes; the offending light source shall be rectified by the applicant/developer within 7 days of receipt of notice from the Local Planning Authority to do so.

Reason: In order to minimise light spillage from the site in the interests of the natural environment and to reduce light pollution to the night sky in accordance with policies CS21 of the adopted Core Strategy, CALP 5 and emerging policies CS 6 and CS35 of the Minerals and Waste Core Strategy.

15. No operations under this permission shall be begun until a programme of archaeological work in accordance with a written scheme has been provided to and approved by the Mineral Planning Authority. The scheme shall include:

- a) a timetable for the investigation;
- b) the recording of archaeological features which are revealed during site operations;
- c) the production of an archive and report of findings made;
- d) the deposit of a copy of any report with the County Sites and Monuments Records Officer; and
- e) the conservation of any artefacts which are recovered and deposit of such artefacts at a suitable museum.

and the development shall be carried out in accordance with the approved scheme.

The developer shall afford access to the site at all reasonable times to any archaeologist nominated by the Mineral Planning Authority and shall allow that person to observe the soil stripping operations, conduct archaeological investigations and where appropriate excavations, and record and recover items of interest.

Reason: In order to protect and preserve the historic environment in accordance with policy CS 17 of the adopted Core Strategy, policy 9 of the Cambridgeshire Aggregates Local Plan, emerging policy CS 36 of the Minerals and Waste Core Strategy DPD and PPS 5.

16. No vehicular access to the Public Highway shall be used in connection with the development hereby approved other than:

- the existing track linking Cook's Hole Farm to the A47, and
- the link to the entrance serving Thornhaugh I Quarry proposed in planning permission number 10/01442/MMFUL.

In the event that planning permission number 10/01442/MMFUL is implemented the existing track linking Cook's Hole Farm to the A47 shall be used in connection with agricultural, after-care and/or after-use purposes only. In the event that 10/01442/MMFUL is not implemented, prior to the use of the Cook's Hole access for non agricultural purposes, full details of access improvements to this access to facilitate quarry traffic shall be submitted to and approved in writing by the MPA. The access shall only be used for quarry traffic once the approved scheme has been completed.

Reason: In the interests of highway safety in accordance with policy CS 14 of the adopted Core Strategy, policy 14 of the Cambridgeshire Aggregates Local Plan, emerging policies CS 6 and 32 of the Minerals and Waste Core Strategy DPD and PPG 13.

17. No mud or other debris shall be carried from the site onto the Public Highway and no mineral shall be transported from the site until a scheme for the management of traffic impacts has been submitted to and approved by the Mineral Planning Authority. The scheme shall include details of (i) wheel cleaning, (ii) vehicle sheeting, (iii) staff and visitor parking, (iv) vehicle manoeuvring space, (v) the bound surfacing of the site access road between the wheel wash and the junction with the A47 and site access road (vi) HGV waiting area facilities and (vii) the

programme for the installation of these facilities. The subsequent development shall be carried out in accordance with the approved scheme.

Reason: In the interests of highway safety in accordance with policy CS 14 of the adopted Core Strategy, policy 14 of the Cambridgeshire Aggregates Local Plan, emerging policies CS 6 and 32 of the Minerals and Waste Core Strategy DPD and PPG 13.

18. Prior to the winning and working of minerals hereby approved, the sub and topsoils present within each phase shown on Figure 4.1 in the application Environmental Statement dated 29th September 2010, shall be separately stripped and stored in accordance with the soil handling arrangements specified in section 3 of the Adams Land Management report included at appendix K of the Environmental Statement dated 29th September 2010 and maintained on site until required for restoration works in accordance with Condition 20.

Reason: In the interests of geological conservation and satisfactory restoration of the site in accordance with policy CS 21 of the adopted Core Strategy, policies 5, 17, 18, 20 and 21 of the Cambridgeshire Aggregates Local Plan, emerging policies CS 6, 27, 35 and 38 of the Minerals and Waste Core Strategy DPD and PPS 9.

19. Following the completion of mineral extraction within each phase shown on Figure 4.1 in the application Environmental Statement dated 29th September 2010, the resultant void shall be graded to achieve the final levels shown on Figure 4.1 in the application Environmental Statement dated 29th September 2010 (as amended by URS Scott Wilson's letter dated 11th February 2011 and Figures 4.9 (Rev B) and Figure 4.12 (Rev A)), within the following 12 month period (minus the depth to be allowed for the replacement of sub and topsoil).

Reason: In the interests of geological conservation and satisfactory restoration of the site in accordance with policy CS 21 of the adopted Core Strategy, policies 5, 17, 18, 20 and 21 of the Cambridgeshire Aggregates Local Plan, emerging policies CS 6, 27, 35 and 38 of the Minerals and Waste Core Strategy DPD and PPS 9.

20. Within 6 months of the completion of the grading works in accordance with Condition 19, within each phase shown on Figure 4.1 in the application Environmental Statement dated 29th September 2010 (as amended by URS Scott Wilson's letter dated 11th February 2011 and Figures 4.9 (Rev B) and Figure 4.12 (Rev A)), the sub and topsoils present shall be re-spread (separately, evenly and in the correct sequence) to depths to be agreed in writing beforehand by the Mineral Planning Authority.

Reason: In the interests of geological conservation and satisfactory restoration of the site in accordance with policy CS 21 of the adopted Core Strategy, policies 5, 17, 18, 20 and 21 of the Cambridgeshire Aggregates Local Plan, emerging policies CS 6, 27, 35 and 38 of the Minerals and Waste Core Strategy DPD and PPS 9.

21. An aftercare/landscape scheme shall be submitted for approval in writing by the Mineral Planning Authority 6 months prior to the date on which the first phase shown on Figure 4.1 in the application Environmental Statement dated 29th September 2010 is restored in accordance with Condition numbers 19 and 20.

The scheme shall include details of the steps to be taken to bring the land to the required standard for the after-uses specified in the approved restoration scheme and their timing within a five year aftercare period and shall make provision for:

- (i) cultivation practices;
 - (ii) post-restoration secondary soil treatments;
 - (iii) soil analysis;
 - (iv) fertiliser applications, based on soil analysis;
 - (v) drainage;
 - (vi) Plans and schedules of tree planting, details of native grass mix and maintenance;
 - (vii) weed control;
 - (viii) watering
 - (ix) grazing management (where appropriate)
 - (x) keeping of records
 - (xi) annual meetings with representatives of the Mineral Planning Authority
- and to review performance.

The period of aftercare for the site or any part of it shall begin and thereafter be carried out in complete in accordance with the approved scheme on the date of written certification by the Mineral Planning Authority that the site or, as the case may be, the specified part of it, has been satisfactorily restored.

Reason: In the interests of geological conservation, enhancement to biodiversity and satisfactory restoration of the site in accordance with policy CS 21 of the adopted Core Strategy, policies 5, 17, 18, 20 and 21 of the Cambridgeshire Aggregates Local Plan, emerging policies CS 6, 27, 35 and 38 of the Minerals and Waste Core Strategy DPD and PPS 9.

22. A landscaping scheme for the treatment of frontage of the site with the A47 shall be submitted for approval in writing by the Mineral Planning Authority prior to the date on which extraction begins in the first phase shown on Figure 4.1 in the application Environmental Statement dated 29th September 2010.

The scheme shall include details of the numbers, spacing, species and size of plants, the arrangements for maintenance and replacement and the form and dimensions of the screen bunds and the timing of these works

The subsequent development shall be carried out in accordance with the approved scheme.

Reason: In the interest of the visual appearance of the development in accordance with policy CS 16 of the adopted Core Strategy, policies 5 and 12 of the Cambridgeshire Aggregates Local Plan and emerging policies 6 and 33 of the Minerals and Waste Core Strategy DPD.

23. Details of the steps to be taken to maintain the safety of PROW users shall be submitted for approval in writing by the Mineral Planning Authority before any section of internal haul which crosses a PROW is brought into use.

The subsequent development shall be carried out in accordance with the approved scheme.

Reason: In the interests of the safety of the users of the Public Rights of Way that cross and border the site in accordance with policy CS 14 of the adopted Core Strategy, policy 14 and 16 of the Cambridgeshire Aggregates Local Plan and emerging policy 37 of the Minerals and Waste Core Strategy DPD and PPG 13.

24. Plan and elevation details of the mineral processing plant shall be submitted for approval in writing by the Mineral Planning Authority before it is erected.

The subsequent development shall be carried out in accordance with the approved details.

Reason: In the interests of visual appearance and residential amenity in accordance with policy CS16 of the adopted Core Strategy, policy 5 of the Cambridgeshire Aggregates Local Plan and emerging policy CS 41 of the Minerals and Waste Core Strategy DPD.

25. A revision to Figure 3.4 shall be submitted for approval in writing by the Mineral Planning Authority within 6 months of the date on which extraction begins in the first phase shown on Figure 4.1 in the application Environmental Statement dated 29th September 2010.

The revisions shall be limited to those changes necessary to show:

- how the location of the soils stockpiles locations will be compatible with the proposed routes of the diverted public footpaths shown on Figure 3.4 in the application Environmental Statement dated 29th September 2010; and
- the location, form and timing of construction and removal of the noise bund on the southern site boundary referred to in URS Scott Wilson's letter dated 11th February 2011.

The subsequent development shall be carried out in accordance with the approved revised Figure 3.4.

Reason: In the interests of the safety of the users of the Public Rights of Way that cross and border the site in accordance with policy CS 14 of the adopted Core Strategy, policy 14 and 16 of the Cambridgeshire Aggregates Local Plan and emerging policy 37 of the Minerals and Waste Core Strategy DPD and PPG 13.

26. Bunds and mounds of soil stored within the site shall be managed in accordance with the details set out in Appendix K – Adams Land Management Report September 2010. The soil bunds and

mounds shall be seeded with a native grass mix, the details of which (including timing of grass seeding) shall be submitted to and approved in writing by the Mineral Planning Authority prior to any soil to be stored on site is placed in a bund or mound.

Reason: In the interest of geological preservation and biodiversity in accordance with policy CS 21 of the adopted Core Strategy, policies 17, 20 and 21 of the Cambridgeshire Aggregates Local Plan, emerging policies CS 6, 27, 35 and 38 of the Minerals and Waste Core Strategy DPD and PPS 9.

10/01441/MMFUL Conditions

It is proposed to attach the same conditions for this application as set out above.

10/01442/MMFUL Conditions

1. The construction and implementation of the access and wheel wash facility hereby approved shall only be carried out in complete accordance with the plan and details submitted to accompany the application.

Reason: To clarify what is hereby approved.

2. The access road shall be hard surfaced with tarmac between the edge of the A47 carriageway and the wheelwash as indicated on the Alternative Access Details and retained as such for the duration of the mineral extraction and restoration works.

Reason: In the interests of highway safety and dust control in accordance with policies CS14 of the adopted Core Strategy, CALP 14 and emerging policy CS6 of the Minerals and Waste Core Strategy.

3. The approved wheelwash facility shall be retained on site in full working order for the duration of the mineral extraction and restoration works.

Reason: In the interests of highway safety and dust control in accordance with policies CS14 of the adopted Core Strategy, CALP 14 and emerging policy CS6 of the Minerals and Waste Core Strategy.

10/01440/MMFUL Conditions

1. All buildings shall be constructed in complete accordance with the approved plans shown in Figure AF3 unless otherwise agreed in writing with the Minerals Planning Authority.

Reason: To clarify what is hereby approved and in the interests of visual appearance in accordance with policy CALP 5 and emerging policy CS41 of the Minerals and Waste Core Strategy.

2. Plan and elevation details of the mineral processing plant shall be submitted for approval in writing by the Mineral Planning Authority before it is erected.

The subsequent development shall be carried out in accordance with the approved details.

Reason: To clarify what is hereby approved and in the interests of visual appearance in accordance with policy CALP 5 and emerging policy CS41 of the Minerals and Waste Core Strategy.

3. Any lighting (external to the buildings) erected within the site shall not exceed the obtrusive light limitations for sky glow, light into windows, source intensity and building luminance specified for an environmental zone 2 in the Institution of Lighting Engineers document "Guidance Notes for the Reduction of Light Pollution (Revised) (2005)." In the event of reasonable complaint as determined by the Local Planning Authority, the applicant shall instruct a suitably competent professional to monitor and report in writing to the Local Planning Authority on the matters raised in the complaint in accordance with a schedule and timescale to be provided by the Local Planning Authority you might wish to say a time period to submit the schedule and require the schedule to be agreed with the LPA. Should the report demonstrate that the lighting does not comply with the above mentioned Guidance Notes; the offending light source shall be rectified by the applicant/developer within 7 days of receipt of notice from the Local Planning Authority to do so.

Reason: In order to minimise light spillage from the site in the interests of the natural environment and to reduce light pollution to the night sky in accordance with policies CS21 of the adopted Core Strategy, CALP 5 and emerging policies CS 6 and CS35 of the Minerals and Waste Core Strategy.

4. All buildings and plant shall be removed from the site and the site restored within 6 months of the final extraction of mineral taking place.

Reason: In order to ensure that the site is capable of being restored and brought back into a beneficial after use in accordance with policy CALP 17 and emerging policy CS 27 of the Minerals and Waste Core Strategy.

Copy to Councillors Holdich, Lamb