

Application Ref: 12/01008/MMFUL

Proposal: Extraction of sand and gravel with restoration to agriculture using uncontaminated inert waste, continued use of new haul road and crossing of Willow Hall Lane

Site: Land To The West Of Willow Hall Farm, Willow Hall Lane, Thorney, Peterborough

Applicant: P J Thory Ltd

Agent: G P Planning Ltd

Referred by: Head of Service

Reason: 25% of proposed extraction area lies outside site allocation MF1 of Cambs & Peterborough Mineral & Waste Site Specific DPD. The site is not allocated for inert landfill.

Site visit: 09.08.2012

Case officer: Mr A O Jones
Telephone No. 01733 454440
E-Mail: alan.jones@peterborough.gov.uk

Recommendation: **GRANT** subject to relevant conditions

1 Description of the site and surroundings and Summary of the proposal

Site and Surroundings

The site covers an area of approximately 65 hectares in a rural location to the east of Peterborough. The area proposed for extraction is broadly within an area allocated for sand and gravel extraction and has high voltage electric pylons running through it on a southwest to northeast diagonal. That part of the site allocated in the Cambridgeshire and Peterborough Minerals and Waste Site Specific Proposals DPD as M1F is bounded to the south by the Green Wheel network, and the additional area is a field to the south of the Green Wheel. Beyond the Cats Water Drain to the west lies the existing Eyebury quarry and landfill site. Bar Pastures Farm Scheduled Monument lies immediately to the north, along with arable fields which extend to the A47. Willow Hall Lane, Willow Hall Farm and Willow Hall Farm cottage lie adjacent to the east of the proposed extraction and infill area. Willow Holt, a residential property, lies to the south east of the site.

A haul road is proposed to run east from the extraction / infill area, across Willow Hall Lane, through open fields to an area currently used for the processing and storage of sand and gravel extracted from the Briggs Farm / Priors Fen agricultural reservoir. From there, the proposed haul road follows the line of the existing Briggs Farm / Priors Fen haul road east until joining the B1040 approximately halfway between Thorney and Whittlesey.

The entire proposal site lies within the generally flat topography of the Fens landscape.

Proposal

The development will seek to extract approximately 2,250,000 tonnes of sand and gravel from the extraction area to the west of Willow Hall Lane over a 9-12 year period. The site will be

progressively restored with approximately 1,900,000 tonnes of inert fill material in 3 phases from north to south. The restoration includes;

- a landscape enhancement area on and adjacent to the Bar Pastures Farm Scheduled Monument;
- a habitat corridor linking the Eyebury 'southern extension habitat corridor', the Cats Water Drain and extending to the hamlet around Willow Hall;
- landscape enhancements along Willow Hall Lane;
- biodiversity enhancements along the length of the Cats Water Drain and the processing and storage area situated between Willow Hall Lane and the B1040;

The Green Wheel is proposed to be diverted during the course of operational works, before reverting to the current alignment and being upgraded to bridleway standard, with the diverted foot/cycle path to be retained in perpetuity.

A controlled crossing point for plant and machinery is proposed over Willow Hall Lane approximately halfway between Bar Pastures Farm and Willow Hall Farm.

The proposal is EIA development, under Schedule 1(19) of the Town and Country Planning (Environmental Impact Assessment) Regulations 2011, and is accompanied by an Environmental Statement.

2 Planning History

Reference	Proposal	Decision	Date
11/00001/SCOP	Proposed sand and gravel quarry	Comments	28/04/2011
07/01120/MMFUL	Construction and use of haul road and erection of processing plant	Permitted	22/11/2007

3 Planning Policy

Decisions must be taken in accordance with the development plan policies below, unless material considerations indicate otherwise.

National Planning Policy Framework (2012)

Section 12 - Conservation of Heritage Assets

Account should be taken of the desirability of sustaining/enhancing heritage assets; the positive contribution that they can make to sustainable communities including economic viability; and the desirability of new development making a positive contribution to local character and distinctiveness. When considering the impact of a new development great weight should be given to the asset's conservation.

Planning permission should be refused for development which would lead to substantial harm to or total loss of significance unless this is necessary to achieve public benefits that outweigh the harm/loss. In such cases all reasonable steps should be taken to ensure the new development will proceed after the harm/ loss has occurred.

Section 13 - Economic Benefit

Give great weight to the benefits of the mineral extraction, including to the economy.

Non energy minerals should be provided for outside of Scheduled Monuments and Conservation Areas where practicable.

Section 13 - Unacceptable Adverse Impacts

Should be avoided on the natural and historic environment, human health and aviation safety. The cumulative effect of multiple impacts from individual sites and/or from a number of sites in a locality must be taken into account.

Section 13 - Noise, Dust and Particle Emissions

Including any blasting vibrations must be controlled, mitigated or removed at source. Noise limits for extraction in proximity to noise sensitive properties should be established.

Section 13 - Restoration and Aftercare

Should be provided for at the earliest opportunity and carried out to high environmental standards through the use of appropriate conditions.

Cambridgeshire & Peterborough Mineral and Waste Core Strategy DPD (2011)

MW01 - Strategic Vision and Objectives for Sustainable Minerals Development

In delivering the growth agenda there will be an increase in the use of recycled secondary aggregates and a preference in these over land won minerals, however, where this is not practicable a steady supply of mineral from the Plan area will be maintained. Limestone only exists in the Peterborough area and extraction will continue throughout the Plan period. In order to avoid reserves becoming exhausted, new sites will need to be identified and brought forward if they meet environmental criteria. Major infrastructure projects will be facilitated by the supply of mineral and in the case of the A14 improvements, by borrowpits close to the scheme. Mineral safeguarding and consultation areas will be identified to avoid needless sterilisation and prejudice to future mineral extraction. As extraction progresses across the area it will help deliver other objectives through restoration including increased biodiversity, amenity and recreational use. The natural and historic environment will continue to be protected with increased emphasis on operation practices which contribute towards addressing climate change and minimise the impact of such development upon communities. (Policy CS1 sets out a list of strategic objectives to support this vision; those of relevance will be discussed in the body of the report).

MW02 - Strategic Vision and Objectives for Sustainable Waste Management Development

Growth will be supported by a network of waste management facilities which will deliver sustainable waste management. The facilities will be 'new generation' which will achieve higher levels of waste recovery and recycling in line with relevant targets. They will also be of high quality design and operation, contributing towards addressing climate change and minimising impacts on communities in Cambridgeshire and Peterborough. There will be a network of stand alone facilities but also co-located facilities in modern waste management 'eco-parks'. The network will manage a wide range of wastes from the plan area, contributing to self sufficiency but also accommodating the apportioned waste residues from London or authorities in the East of England. Any long distance movement of waste should be through sustainable transport means - such facilities will be safeguarded via Transport Zones. A flexible approach regarding different types of suitable waste technology on different sites will be taken and Waste Consultation Areas and Waste Water Treatment Works Safeguarding Areas will be designated to safeguard waste management sites from incompatible development. A proactive approach to sustainable construction and recycling will be taken and strategic developments will need to facilitate temporary waste facilities to maximise the reuse, recovery and recycling of inert and sustainable construction waste throughout the development period. Where inert waste cannot be recycled it will be used in a positive manner to restore sites. The natural and built historic environment will continue to be protected with an increased emphasis on operational practices which contribute towards climate change and minimise the impact of such development on local communities. (Policy CS2 sets out a list of strategic objectives to support this vision; those of relevance will be discussed in the body of the report).

MW04 - The Scale and Location of Future Sand and Gravel Extraction

The Mineral Planning Authorities will maintain a sand and gravel landbank of at least 7 years and will meet the requirement to supply 2.82 million tonnes per annum (mtpa) of sand and gravel, including a margin for flexibility, thus provision is made to supply 3.0 mtpa of sand and gravel over the plan period.

With regard to Peterborough;

New allocations plus permitted reserves will enable the supply of an annual average of 0.75mtpa from the Northern Zone i.e. Peterborough and north Fenland District

The principal broad locations for sand and gravel extraction will be:

For the Northern Zone;

- Kings Delph
- Maxey
- Eye/Thorney

Allocations will be outside the Ouse and Nene river valleys.

MW13 - Additional Mineral Extraction

Additional mineral extraction, lying beyond the scope of the minerals spatial strategy in the Plan will not be permitted unless it can be demonstrated there are overriding benefits which justify an exception to this policy.

MW14 - The Scale of Waste Management Provision

Sets out the amounts of waste provision and timescales for the various types of waste management facility to be provided for by the Waste Planning Authority by 2026.

MW15 - The Location of Future Waste Management Facilities

A network of waste management facilities will be developed across Cambridgeshire and Peterborough. The spatial distribution of the network will be guided by various economic and environmental factors (the relevant details of which will be discussed in the main body of the report).

MW20 - Inert Landfill

Strategic allocation is made at Block Fen/Langwood Fen Area of Search.

Sites to deliver the remaining 3.69 million cubic metres capacity will be made at mineral extraction sites requiring restoration and identified in the Site Specific Proposals Plan.

MW22 - Climate Change

Minerals and waste proposals will need to take account of climate change over the lifetime of the development, setting out how this will be achieved. Proposals will need to adopt emissions reduction measures and will need to set out how they will be resilient to climate change. Restoration schemes which contribute to climate change adaption will be encouraged.

MW24 - Design of Sustainable Minerals and Waste Management Facilities

All proposals for minerals and waste management development must achieve a high standard in design and environmental mitigation. Waste Management proposals must be consistent with guidance set out in The Location and Design of Waste Management Facilities SPD.

MW25 - Restoration and Aftercare of Mineral and Waste Management Sites

Minerals workings and waste management sites will be restored to a beneficial afteruse with aftercare arrangements. Restoration proposals will be considered on a site by site basis but must meet the criteria set out in the policy.

MW26 – Mineral Safeguarding Areas

Mineral Safeguarding Areas are designated for deposits of minerals that are considered to be of current or future economic importance in order that proven resources are not needlessly sterilised.

MW27 – Mineral Consultation Areas

Mineral consultation areas are identified around existing or planned mineral sites to ensure the future working of reserves will not be prejudiced or prevented by other forms of development.

MW29 - The Need for Waste Management Development and the Movement of Waste

Proposals for new or extended waste management development will be permitted where they meet a demonstrated need within Cambridgeshire and Peterborough. Applicants will be required to enter into binding restrictions on catchment area, tonnages and/or types of waste. Permission may be granted for development involving importation of waste from outside the Plan area where it is demonstrated it is sustainable.

MW30 - Waste Consultation Areas

Waste Consultation Areas will be identified through the Core Strategy and Site Specific Proposals Plan and development will only be permitted in these areas where it is demonstrated it will not prejudice future or existing planned waste management operations.

MW32 - Traffic and Highways

Minerals and Waste development will only be permitted where it meets the criteria set out in this policy.

MW33 - Protection of Landscape Character

Minerals and Waste development will only be permitted where it can be assimilated into the local landscape character in accordance with the Cambridgeshire Landscape Guidelines, local Landscape Character Assessments and related SPDs.

MW34 - Protecting Surrounding Uses

Mineral and waste management development will only be permitted where it can be demonstrated (with mitigation where necessary) there is no significant harm to the environment, human health or safety, existing or proposed neighbouring land uses, visual intrusion or loss of residential/other amenity.

MW35 - Biodiversity and Geodiversity

Mineral and waste management development will only be permitted where there will likely be no significant adverse affect on local nature conservation or geological interest. Where it is demonstrated there are overriding benefits to the development compensation and/or mitigation measures must be put in place. Proposals for new habitat creation must have regard to the Peterborough Biodiversity Action Plan and supporting Habitat and Species Action Plans.

MW36 - Archaeology and the Historic Environment

Minerals and waste development will not be permitted where there is an adverse effect on a designated heritage asset, historic landscape or other historic asset of national importance and/or its setting unless substantial public benefits outweigh the harm, or any significant adverse impact on a site of local architectural, archaeological or historical importance. Development may be permitted where appropriate mitigation measures are in place following consideration of the results of prior evaluation.

MW37 - Public Rights of Way

Minerals and waste development will only be permitted where permanent or temporary diversions of public rights of way are adversely affected if appropriate alternatives are provided. Proposals should, where practicable, provide for the enhancement of public rights of way.

MW38 - Sustainable Use of Soils

Mineral and Waste development which affects the best and most versatile agricultural land will only be permitted where it meets the criteria set out in this policy.

MW39 - Water Resources and Water Pollution Prevention

Mineral and waste management development will only be permitted where it is demonstrated there is no significant adverse impact or risk to;

- a. Quantity or quality of groundwater/water resources
- b. Quantity or quality of water enjoyed by current abstractors unless alternative provision is made

c. Flow of groundwater in or near the site

Adequate water pollution control measures will need to be incorporated.

Cambridgeshire & Peterborough Mineral and Waste Site Specific Proposals DPD (2012)

SSPM1 – Site specific allocations for Sand and Gravel

M1F – Pode Hole and Eye / Thorney

SSPM9 – Mineral Consultation Areas

M9R – Pode Hole and Eye / Thorney

SSPW8 – Waste Consultation Areas

W8U Eyebury Landfill

Community Infrastructure Levy (CIL) Regulations 2010/

Circular 05/2005: Planning Obligations

Requests for planning obligations whether CIL is in place or not can only be lawful where they meet the following tests:-

- (a) necessary to make the development acceptable in planning terms;
- (b) directly related to the development; and
- (c) fairly and reasonably related in scale and kind to the development.

In addition obligations should be:

- (i) relevant to planning;
- (ii) reasonable in all other respects.

Planning permissions may not be bought or sold. Unacceptable development cannot be permitted because of benefits/inducements offered by a developer which are not necessary to make the development acceptable in planning terms. Neither can obligations be used purely as a means of securing for the local community a share in the profits of development.

4 Consultations/Representations

Transport and Engineering Services (17.07.12)

No objections. The increase of traffic along the B1040 will not have a detrimental impact on the existing highway network. A condition survey in the vicinity of the site entrance should be undertaken to establish if remedial works are required to cater for the increase in vehicle movements. The Willow Hall Lane Crossing is suitable in principle, subject to a Section 278 application. An easement will be required should the traffic signals be provided on private land.

Environment and Pollution Control (26.09.12)

No objections. Noise levels are likely to be acceptable if limits are set 10dBA above the typical background noise levels rather than the average levels. The need for de-watering requires a lower level noise limit for when the site is not operating. Noise levels for temporary operations can be controlled by condition. Regular monitoring can ensure noise impacts are mitigated appropriately. The use of reversing alarms can be controlled by condition. Dust control measures as specified are appropriate, and will also need to be used for infilling operations. A dust monitoring scheme will be required.

Landscape Architect (Enterprise) (02.10.12)

No objections. Minimisation of the visual impact at Willow Hall Lane is advised. Bunding along Willow Hall Lane needs to be increased to 3m (the highway is nearly 1.5m above surrounding land). Additional hedgerow planting along Cats Water Drain would be beneficial. Detailed landscaping proposals, including phasing of works are required. Additional details are required for the lagoons and processing area proposals, and the lagoons themselves could be better designed

as a single lake. Removal of haul roads post restoration would be preferable.

Wildlife Officer (12.09.12)

No objections. The southern habitat link needs to be established at an early stage to ensure appropriate translocation of any GCNs encountered during trapping out of the southern phase. An Environment Management Plan is required to ensure appropriate mitigation and supervision of works. Further opportunities for biodiversity enhancement would be welcomed. The biodiversity plan is broadly acceptable. Additional details relating to ecological mitigation measures, surveying and monitoring, and a revised restoration scheme, will be required through appropriate planning conditions.

Rights of Way Officer (25.07.12)

No objections. The temporary footpath and cycleway diversion (i.e. Thorney footpath number 6) should be a minimum of 3m in width, and made permanent. The Green Wheel is to be re-instated and upgraded to Bridleway status. Details of the crossing point of the haul road and Thorney footpath number 5 to be agreed, and maintained appropriately.

Environment Agency (10.09.12)

No objections. The applicant is advised that the development may require an Environmental Permit from the Environment Agency. The current licensing exemption on dewatering is likely to be removed in 2012 and dewatering will be regulated by the EA. A discharge license will be required.

English Heritage (01.10.12)

No objections. Mitigation as proposed for the screening and buffering of the Bar Pastures Farm is appropriate and can be conditioned. The landscape enhancement around the Scheduled Monument (SM) is to be implemented as proposed in the Indicative restoration drawing, with the final detail to be resolved through appropriate condition.

Natural England - Consultation Service (24.09.12)

No objections. Biodiversity mitigation and enhancement recommendations should be detailed in an Environmental Management Plan. The site falls within a Regionally Important Geological Site and should contribute to the protection and enhancement of geodiversity. The developer should be encouraged to contribute to a greater scale of BAP habitat creation / enhancement.

Highways Agency - Zones 6, 8 & 13 (23.07.12)

No objections. No significant impact on the safe operation of the A47.

Cambridgeshire County Council Highways (20.08.12)

No objections. The proposal will only result in a minimal increase in HCV movements.

North Level District Internal Drainage Board (11.09.12)

No objections. Byelaws prohibit working within 9m of the Catswater Drain. Formal consent will be required to discharge water from the site into the Board's system, and a levy will be payable.

GeoPeterborough (13.09.12)

The site sits within the Eye/Thorney Area of Search Regionally Important Geological Site (RIGS). As such the proposal presents the opportunity to explore a series of sections through a complex sequence of Pleistocene river terraces, and potentially into the rarely exposed underlying Oxford Clay. Temporary section recording can be controlled by condition. The retention of a representative section(s) within the gravel sequence should be included in the restoration, and would be appropriately retained within the southern area to be restored as a nature reserve.

Thorney Parish Council (11.07.12)

Thorney PC has major concerns with traffic flow through the village and the vibration of properties along Whittlesey Road.

Eye Parish Council (20.07.12)

Eye PC has no comments to make.

Local Residents/Interested Parties

Initial consultations: 63

Total number of responses: 7

Total number of objections: 4

Total number in support: 0

- Concerns regarding proximity to residential properties. Opportunities exist to improve walking and cycling network (including surfacing). Planting to the south of the extraction should be put in prior to excavations to act as an improved landscape buffer. Concerns relating to impact on water table and de-watering of new ponds. Concerns that footpath improvements required of the developer to Thorney footpath number 5 in relation to another development have not been carried out.
- Concerns regarding the ongoing use of the haul road, associated deleterious effects on the condition of the B1040, and continued vibration, noise, and dirt associated with vehicle movements along the B1040, including in Thorney, and the general unsuitability of the B1040 for such traffic.
- The A47 is nearer to the site and more suitable to traffic associated with the proposed activity, and nearer to the final destination points of the aggregates, and the acceptability of forcing site traffic through Whittlesey and Thorney is questioned.
- The proposal does not accord with the implementation strategy of the Core Strategy or with the characteristics or implementation issues set out in the Site Specific Proposals DPD.

5 Assessment of the planning issues

The main considerations are;

- Suitability of the proposal.
- Access (including Rights of Way) and transport
- Noise and dust
- Biodiversity, Geodiversity and Agricultural land quality
- Landscaping and visual impact
- Historic environment
- Water / drainage

a) Suitability of the proposal

The proposed works include the extraction of mineral and the deposition of waste. As such, it must accord with policies CS 1 and 2 of the Cambridgeshire and Peterborough Minerals and Waste Core Strategy DPD (C&PMWCS). In particular the proposal must help to ensure that local requirements for sand and gravel can be met at a rate sufficient to enable the delivery of the planned growth of Cambridgeshire and Peterborough, and help maintain a sand and gravel landbank in the 'Northern Zone' of the plan area (CS4). The proposal must be considered in the light of the National Planning Policy Framework, particularly the requirement to 'give great weight to the benefits of mineral extraction, including to the economy' (paragraph 144).

Mineral Extraction

The majority of the extraction area lies within allocated site M1F in the Cambridgeshire and Peterborough Site Specific Proposals DPD (C&PMWSSP DPD). The remainder of the extraction area lies within a Mineral Safeguarding Area (MSA) (CS26), and the Minerals Consultation Area (CS27) designated alongside the allocation, to the south of the Green Wheel, which demarcates the southern extent of the allocated site. Additional mineral extraction beyond the scope of the minerals strategy will only be permitted where there are overriding benefits to do so (CS13). The MSA designates mineral deposits considered to be of economic importance; the extension of the site beyond the allocated site enables the accessing of mineral reserves in this area, ensuring the mineral is not sterilised due to land ownership

issues and the economic viability of extracting that mineral at a later date. As the proposal meets with all other relevant policy and material considerations, the principle of extraction in the area to the south of the Green Wheel is acceptable. The remainder of this report sets out why this is the case, under the headings of; Access and Transport, Noise and Dust, Biodiversity and Geodiversity, Landscaping, Historic Environment and Water Drainage, indicating how the proposal complies with the relevant policies.

The processing area and haul road access were previously temporarily permitted under permission reference 07/01120/MMFUL.

Infilling with inert material

Planning Policy Statement 10: Planning for Sustainable Waste Management (PPS 10), states that applications for unallocated sites should be considered favourably if they are consistent with, PPS 10 policies, the planning authority's core strategy, and if it is demonstrated that the envisaged facility will not undermine the waste planning strategy through prejudicing movement up the waste hierarchy (paragraphs 24 & 25). The principles of sustainable waste management are based on the waste hierarchy which clearly states that landfill, as a means of waste disposal, should only be considered if all other options for the reduction, recycling, or recovery of waste have been exhausted. Operators handling waste are bound by the 'Duty of Care' regulations enforced by the Environment Agency, and each individual load has to be certified; it is therefore possible to ensure that the inert material to be used for restoration purposes has passed through the waste hierarchy and all alternative options have been exhausted. PPS10 states that planning authorities should be concerned with whether the proposal is an acceptable use of the land, and the impacts of the proposed uses on the development and on the land itself; the remainder of this report will address how these issues have been overcome by the proposal.

The proposal site sits on high grade agricultural land. As such, the C&PMWCS policy CS25, states that infilling by means of waste disposal may be appropriate to bring land levels back to those suitable for reinstatement to agriculture (or habitat creation). The scale of waste management provision (CS14) sets out the requirements for inert landfill void space over the Plan period to which the proposal will contribute. The location of such facilities is guided principally (CS15) by the Minerals and Waste Management Key Diagram and additional factors, including, for example, site availability. Of the sites within Peterborough identified within the SSP policy W2 for inert waste infill, none currently benefit from an extant permission and all face uncertainty in providing significant capacity in the short term. The waste management element of the proposal is outside an allocated area (CS18), but can be considered favourably if it is consistent with the spatial strategy for waste management. In this regard policy CS20 allows for sites to deliver inert landfill capacity where such sites are mineral sites requiring restoration; as such the proposal adequately demonstrates the need for inert fill to enable an appropriate restoration (for the sustainable use of soils for agricultural purposes) of a mineral extraction site.

Concerns have been raised as to the manner in which the proposal fits with the 'Characteristics' and 'Implementation Issues' for allocated site M1F within the C&PSSP DPD. The characteristics and implementation issues are designed to give a broad understanding of the site and be used to inform planning applications, they are not policy requirements. The proposal adequately demonstrates sound reasoning for the use of, for example, alternative access and use of processing plant distinct from the existing Pode Hole site. Additionally, the Core Strategy broadly outlines an implementation strategy (Ch.12) which describes the dependence of maintaining production in the northern part of the plan area on extensions to existing quarries, including Pode Hole. This is not a policy requirement and the proposal has appropriately assessed a range of development opportunities therefore the proposal is considered to be appropriate.

b) Access (including Rights of Way) and transport

The proposal seeks to utilise a previously approved haul road access / egress point on to the

B1040 (see permission 06/00464/MMFUL). The Highways Agency has confirmed that the proposal does not impact on the continued safe operation of the A47 trunk road. Despite concerns having been expressed relating to the retention of the haul road, which was approved on a temporary basis, and the implications for additional traffic along the B1040 (Thorney to Whittlesey road), it has been established by the Local Highway Authority (Peterborough City Council) and the neighbouring highway authority (Cambridgeshire County Council) that although the proposal would represent an increase in traffic along the B1040 this would not have a detrimental impact in traffic terms on the existing highway network.

Additional concerns relating to the use of the B1040 as an access / egress point centre on the proximity to the final destination of extracted material and the need for lorries to bring in inert fill to restore the site. As such a Section 106 agreement has been agreed to encourage backloading (i.e. the same lorry takes sand and gravel out and returns with fill material to reduce overall traffic movements) and lorry routing in accordance with policy CS32. This will help ensure that sand and gravel is taken on the shortest possible route to the operators depot in Coates (in Fenland), thus offering assurance that the traffic impacts that can be expected as a result of the development will be minimised, and complying with the policy requirements (CS23) to ensure the sustainable transport of minerals and waste. The Agreement will be supplemented by a Traffic Management Plan ensuring effective monitoring, review and enforcement procedures.

The carriageway of the B1040 in the immediate vicinity of the site entrance has suffered as a result of continued HCV movements into the site, and remedial works may be required to cater for the increase in vehicle movements. This can be controlled by condition to ensure appropriate survey work is undertaken to inform any potential remedial measures, in accordance with policy CS32. Annual monitoring will also be required to ensure that any deterioration can be identified and rectified accordingly. The action required to have the road surface improved would need to be undertaken by the Highway Authority on the basis of the monitoring evidence presented. This will mitigate the deleterious impacts on the condition of the road that may be attributable to traffic associated to the development.

The proposed Haul road crossing of Willow Hall Lane will require agreement between the applicant and the Local Highway Authority, to be resolved via a Section 278 application. Additionally, the provision of traffic signals and signage may require easements over private land.

The proposal will temporarily adversely affect two separate public rights of way, Thorney footpaths numbers 5 and (Green Wheel) 6. Thorney footpath 5 will be crossed (close to the processing area) by the proposed haul road; as such to safeguard users of the path appropriate conditions are required to ensure the safeguarding and prioritising of users at this junction. Thorney footpath 6 forms part of the Peterborough Green Wheel network and will be required to be diverted during operations in the southern phase of the extraction area. Policy CS37 requires proposals to make provision for the enhancement of existing, and provision of new routes and links. The proposed diversion is to be retained and the original path to be re-installed, and upgraded to bridleway standard, upon completion of the restoration of the site, in accordance with policy CS37.

c) Noise and dust

The National Planning Policy Framework clearly establishes (para. 144) that some noisy short term activities are unavoidable to facilitate minerals extraction, and there is a corresponding need to ensure that unavoidable noise emissions are controlled, mitigated or removed at source. The Technical Guidance accompanying the NPPF provides guidance and advice upon acceptable levels of noise from minerals operations.

‘Typical’ background levels are advised as the most appropriate means of establishing the permissible noise levels for the site and will minimise the impact on noise sensitive properties without imposing unreasonable burdens on the operator, ensuring noise levels are

appropriately controlled by condition to protect surrounding uses, including residential noise sensitive properties. Concerns have been identified regarding the manner in which the 'typical background noise levels' have been established for the site, whereby a (mean) average appears to have been used. Although it has been suggested that the background levels are frequently recorded as being 31-32dBA, the proposed noise levels for the site have taken account of what has been presented as a typical background level (i.e. 37dBA). The Technical Guidance to the NPPF seeks to ensure that noise limits are subject to a maximum of 55dBAeq and no more than 10dB in excess of background levels; it is also recognised that it may place unreasonable burdens on operators to be restricted to this level. It is applicable in this instance that noise levels should be set as near that level as is practicable as similar operations in the vicinity, such as at Pode Hole quarry and Eyebury landfill, have noise limits in the range of 49-55dBA. Historically, noise related problems in the vicinity have stemmed from specific incidents of the usage of inappropriate reversing beepers. Notwithstanding this, the illustrative development plans provide assurance that the site will have bunds in place at appropriate stages of the development which will reduce the noise impacts of the proposal (CS34).

Temporary operations which will be in excess of noise limits (such as site preparation, soil stripping and replacement, and bund formation and removal) can be satisfactorily controlled by condition to limited timescales per year. Mobile plant can cause nuisance if unsuitable reversing beepers are used; this can be satisfactorily controlled by condition to ensure suitable beepers are utilised.

The proximity of residential properties to the extraction area of the proposal requires regular monitoring to ensure that additional mitigation measures can be implemented if required. Such measures could include alterations to working hours, and the temporary placement of additional acoustic fencing / mitigation on top of the screening bunds. Regular monitoring will inform the requirements for additional noise mitigation measures, and this can be appropriately controlled by condition. Additionally, it is noted that the impacts of the development will vary over time as operations progress between phases. As such, it has been identified that the southern phase may require specific additional measures to ensure appropriate noise mitigation; this can be controlled by condition. Such mitigation may include landscape and biodiversity enhancement features, the timing of planting of which can be controlled by condition (see sections c and d).

The satisfactory implementation of the bunds to assist with noise mitigation measures will be dependent on the availability of soils at different stages of development. The effective storage of top-soils (to preserve its nutrients) dictates that top soil cannot be stored greater than 3m bunds. The provision of a scheme of soil movements prior to the commencement of each phase of development will ensure both the satisfactory storage of soils and the effectiveness of the bunds as noise mitigation barriers. This can be appropriately controlled by condition in accordance with CS34.

Pumps may be required to operate outside of the proposed operating hours to ensure satisfactory control of water levels, as such, separate appropriate noise levels can be controlled by condition. Additionally, operating hours, and the use of machinery to manufacturers specifications can be controlled by condition to ensure minimal noise impacts.

Neither the Pollution Control Officer nor English Heritage have raised objections with regard to noise or vibration caused by off site lorry movements (i.e. on the B1040 and through Thorney). At the time of preparing pre-application advice to the applicant, we sought advice from the Pollution Control Officer and the Conservation Officer (who himself sought informal advice from English Heritage). The issues related to noise and vibration to residential property located on the B1040 and upon historic property in Thorney. It was concluded that refusal of the proposal could not be sustained on the basis of the additional lorry movements generated by this proposal. It is considered that the proposal is not contrary to policies CS34 and CS36 (of the C&PMWCS) which seek to protect surrounding uses and the historic environment/assets.

The Dust and Air Quality Assessment provided with the application sets out an appropriate range of mitigation measures which can be controlled by condition to minimise the environmental impacts. Restricting plant and vehicle movements to clearly defined haul routes, will serve to both preserve the condition of soils, in accordance with policy CS38, and minimise the potential for dust to arise on site in accordance with policy CS34. In addition, the provision of a water bowser / spray to be used as required for infill operations can be satisfactorily conditioned.

d) Biodiversity, Geodiversity and Agricultural land quality

The Ecological Impact Assessment has adequately assessed protected species and habitats, including the Cats Water Drain County Wildlife Site, Thorney Dike County Wildlife Site, both immediately adjacent to the site and the Eyebury Habitat Corridor (the intended replacement Eyebury Road Pits County Wildlife Site), and provides broadly acceptable mitigation and enhancement measures to ensure ecology and biodiversity is effectively controlled through a detailed Environmental Management Plan (EMP) to be required by condition in line with the strategic objectives of policies CS1 and 2. The requirement for a detailed EMP will ensure that relevant works are overseen by an appropriately qualified Ecological clerk of works, and that surveys and monitoring inform detailed mitigation and aftercare measures. The detailed EMP also needs to clearly define an implementation timetable to ensure the timely delivery of enhancement works, particularly where features will provide additional landscaping mitigation, and are required for the establishment of habitat. Such measures address the issues raised by Natural England (NE) and the Wildlife Officer. The Wildlife Officer has also concluded that sufficient information has been provided to establish that a Great Crested Newt European Protected Species licence can be achieved and NE support the proposed mitigation measures including the provision of new habitat which prevent GCN being impacted during constructional and operational activities and provide habitat enhancements.

The National Planning Policy Framework aims to ensure the conservation and enhancement of the national environment (Ch.11), and the safeguarding of best and most versatile agricultural land through the restoration and aftercare of mineral sites (Ch. 12).

The Statement of Physical Characteristics and Aftercare and Drainage Scheme provided with the proposal states the Agricultural Land Classification of the site as 62.5% of the total site area (i.e. 35Ha) lying within Grade 2, and 37.5% (i.e. 21Ha) lying within Grade 3a. The soils on the site are therefore classified as 'Very Good' and 'Good', as such, the proposal must incorporate proposals for the sustainable use of soils in accordance with CS38. As previously described, schemes of soil movements prior to commencement of each phase will ensure the satisfactory handling, temporary storage, and replacement of top and sub soils.

The final restoration proposals must strike a balance between retention of the site for agricultural purposes and biodiversity enhancements. The two are not mutually exclusive, and effective husbandry of agricultural land can enhance biodiversity on a site. Notwithstanding such measures which can be controlled by an effective Aftercare Scheme required by condition, the proposed restoration of the site offers a number of biodiversity enhancements over and above its current condition, in physical areas distinct from the arable restoration. The proposal therefore accords with policy CS25 particularly parts c and e with respect to biodiversity enhancements and restoration of high grade agricultural land. Having achieved an appropriate balance with the restoration proposals, controlling the final detailed elements of the scheme will be required by Condition to ensure a comprehensively satisfactory scheme. The proposed restoration scheme has evolved from that submitted with the original application to that recommended for approval. The main biodiversity enhancement area, the southern habitat area, has increased substantially in size; the landscape enhancement area to the north of the site around Bar Pastures Farm is considered an additional biodiversity area, as is the proposed restoration of the lagoons and processing area. It is acknowledged that Natural England and the Wildlife Officer seek additional biodiversity enhancements, however the restoration scheme when viewed as a whole, and particularly in light of the high grade agricultural soils at the site,

is deemed to offer an appropriate balance. To secure biodiversity enhancement benefits, a detailed restoration and landscaping scheme will be required by condition to ensure the satisfactory balancing of competing and complementary afteruses.

The proposal site also lies within the 'Eye / Thorney Area of Search' Regionally Important Geological Site. As such the proposal presents an important opportunity to provide access to the otherwise poorly exposed underlying geology. Temporary section recording during the working life of the quarry can be facilitated by condition in accordance with policy CS35. Additionally, in finalising the restoration proposals there is opportunity to consider the retention of a representative gravel section in the southern area cited for biodiversity enhancement.

e) Landscaping and Visual Impact

Notwithstanding those issues of landscaping partially covered in the previous sections of this report, it has been established that the Landscape and Visual Impact Assessment has been carried out thoroughly and competently (including the Arboricultural Assessment), and appropriate landscape mitigation and enhancement measures can be controlled by condition in accordance with policy CS33.

There is a need to establish the timings of the implementation of the landscaping, as certain elements will effectively form screens which will act as visual impact mitigation at different stages of the development (as described above, and similarly in accordance with policies CS 33 and 34). The detail of the schemes of soil movement will establish the precise height and timings of bunds along Willow Hall Lane. Additionally, the provision of Illustrative Phase Development Plans has clarified the acceptability of the visual impact on the Bar Pastures Scheduled Monument and can be controlled by condition in accordance with policies CS33 and CS36. The potential additional noise mitigation measures, such as additional acoustic mitigation on top of bunds will be, if required in relation to working at certain locations over the course of the development, temporary in nature and therefore of minimal impact on visual amenity.

The existing processing plant which is proposed to be utilised for this development is adjudged not to have a significant visual impact due to its remote location and vegetation screening from the majority of viewpoints.

It is advised that within the constraints of what is acceptable from a Highways perspective that measures are taken to minimise the visual impact of the Haul road crossing of Willow Hall Lane.

As recommended under the 'Biodiversity and Geodiversity heading', the indicative schemes for landscaping are acceptable, subject to further detail, implementation and maintenance issues which can be secured by appropriate condition.

f) Historic environment

The site is adjacent to Bar Pastures Farm Scheduled Monument (SM). Further to on-site investigations a 50m stand-off has been agreed between the SM and the extraction area. The Illustrative Phase Development Plans identify the timing and implementation of the bunds to screen the views to and from the SM. The effects on the visual setting are therefore considered to be temporary, with the low level restoration presenting a barely discernible difference in post restoration contours in the vicinity of the site. To avoid negative impacts to the SM a clay seal bund is proposed to be placed underground at the northern extent of the extraction area prior to inert fill being placed; this will ensure the stability of groundwater levels at the SM which affect the preservation of underground remains. Furthermore, as a designated heritage asset, the National Planning Policy Framework (Ch.12) encourages the enhancement of the setting to be taken account of. As such, an extensive area to the north of the site currently under arable production, will be 'restored' (i.e. unworked) to a landscape enhancement area. The details of the area are to be agreed as part of the landscaping strategy (to be conditioned as described above); it is expected that this will comprise primarily grassland as plants with substantial roots

may disrupt the in-situ remains. The measures as outlined can be conditioned to ensure compliance with policy CS36 in relation to the SAM.

The Heritage Assessment provided with the application has assessed the impacts of the development on the wider 'heritage landscape' and concludes that the impact will be neither permanent nor constitute harm to the significance of assets affected. English Heritage has approved the principle of the timings for the screening bunds as depicted on the Illustrative Phasing plans, and no objections have been raised in relation to the temporary impacts on the settings of heritage assets.

Trial trenching has been undertaken within the site, and can be used to inform an Archaeological scheme of investigation using the strip map and sample methodology, in accordance with policy CS36. The scheme of investigation should reflect the phasing of the site and make provision for preservation in-situ should it be applicable. This will be secured by condition.

g) Water / drainage

The application was accompanied by both a Hydrogeological Impact Assessment and a Flood Risk Assessment which adequately cover the relevant issues and impacts for the water related issues. The impacts on the water bodies with nature designations that may be affected by the proposal, i.e. the Cates Water Drain and Nene Washes, can be mitigated through appropriate conditions ensuring pollution prevention as required by Natural England. Additionally, the dewatering of the site (i.e. to enable mineral extraction) requires a system of drainage and discharge to the Cats Water Drain which is deemed appropriate. Notwithstanding this, the operator will require a Discharge Consent from the North Level Internal Drainage Board (IDB). The lagoons in the processing area will also require occasional topping up with clean water, for which the operator will require an abstraction licence from the Environment Agency. The IDB require a stand-off of 9m from the Cats Water Drain to safeguard the integrity of the drain, and this can be controlled by condition. Additionally, the potential impacts of continued use of the haul road crossing of the Teakettle Drain can be controlled by the re-imposition of the previous pertinent condition.

The potential dewatering of ponds and potential impact on Great Crested Newt Habitat has been assessed and Natural England and the Wildlife Officer have concluded that the biodiversity mitigation measures are appropriate (i.e. through the Ecological Management Plan to be required by condition).

The dewatering of the northern phase to enable mineral extraction has the potential to negatively impact on the Bar Pastures Scheduled Monument. As described in the 'Historic Environment' section (above) an underground clay bund is required post extraction to ensure the preservation in-situ of any buried remains. It is considered that requiring details of the clay seal to be approved (by condition) and then ensuring that the seal is implemented as approved is using best practicable means available to ensure that possible de-watering of the SM is avoided.

The assessments clearly establish the need for the importation of material to achieve a satisfactory restoration enabling the agricultural afteruse of the site; the proposed final contours allow sufficient depth for restored groundlevels to be above the winter watertable groundwater levels providing sufficient rooting depth for future crop growth. Notwithstanding these considerations, underdrainage may still be required, to ensure satisfactory drainage of the soils and this can be controlled by condition in accordance with policies CS25 and 38.

6 Conclusions

The NPPF states that there is a presumption in favour of sustainable development – in terms of decision taking this means approving development proposals that accord with the development

plan without delay. The principle of development is generally in accordance with policy SSP M2 of the Cambridgeshire and Peterborough Minerals and Waste Site Specific Proposals DPD (SSP DPD) which allocates the site for sand and gravel extraction; the proposed extraction area lying beyond the allocation satisfies policies CS14, CS25 and CS26. The proposal also includes the restoration of the site through the importation of inert waste.

The site is not allocated for inert fill but the proposal complies with policies CS18 and CS25 of the Cambridgeshire and Peterborough Minerals and Waste Core Strategy DPD (the Core Strategy) with regards to the suitability of managing waste outside allocated areas due to the requirements to restore high grade agricultural land.

An Environmental Statement accompanies the application which is considered comprehensive and meets the requirements set out in the Town and Country Planning Environmental Impact Assessment Regulations 2011.

Detailed topic areas have been assessed/considered:- With regard to transport and public rights of way the proposal is in compliance with policies CS4, CS32 and CS37 of the Core Strategy. Noise, dust and air quality has been assessed and the proposal is in compliance with policy CS34 of the Core Strategy. The landscape and visual impacts of the proposal are in compliance with policies CS25, CS33 and CS34 of the Core Strategy. Ecology, Hydrogeology and Physical characteristics (including soils) have been carefully considered (no objections raised by Natural England or the Environment Agency subject to conditions) and are in compliance with policies CS22, CS25, CS35 CS38 and CS39 of the Core Strategy. Heritage and Archaeology have been assessed, including the impacts on the nearby Bar Pastures Farm Scheduled Monument (no objections raised by English Heritage subject to conditions) and are in compliance with policy CS36. Other matters have been assessed including Flood risk, Arboriculture, Quarry Design and Climate Change and are considered acceptable and in compliance with development plan policy. Cumulative impact of this development with that of the neighbouring site, Eyebury Landfill, has also been taken into account.

Comments of consultees have been taken into account and suitable conditions will be attached which address any issues raised. The comments of the neighbours have also been taken into account but given that the site is allocated for sand and gravel extraction and in all other respects the proposal is acceptable, there is no reason not to approve the application in line with Section 38(6) of the Planning and Compulsory Purchase Act.

7 Recommendation

The Head of Planning, Transport and Engineering Services recommends that planning permission is **GRANTED** subject to the following conditions:

C 1 The development hereby approved 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).

C 2 The development hereby permitted shall be carried out in complete accordance with the details set out in the application (received 27/06/2012) and approved plans except as required elsewhere in this scheme of conditions.

Site Plan (Sheets 1 & 2) Ref. GPP/PJT/WHF/11/02 Rev 7 (Jan 2011)

Processing Area Plan Ref. GPP/PJT/WHF/11/06 Rev 2 (Oct 2011)

General Quarry Layout and Development Plan Ref. WHF/MRQD/D8 (Nov 2011)

Planning Statement V5 (May 2012)

Environmental Statement V5 (May 2012) – including revised Table 4 from Appendix 5

Statement of Clarification (Aug 2012)

Haul Road Crossing Layout Ref. 11004/102 (31/8/11)

Processing Area Plan Ref. GPP/PJT/WHF/11/06 (11 Oct 2011)
Proposed Final Surface Restoration Contours – Drawing No. WHF/MRQD/D11
(09/11/2011)
Cross Sections - Drawing No. WHF/MRQD/D6 Rev A. (09/11/2011)
Typical Cross Section – Drawing No. WHF/MRQD/D12 (13/08/2012)

Reason: To clarify what is hereby approved and in accordance with policies CS; 1, 2, 4, 14, 15, 20, 22, 24, 25, 26, 27, 29, 30, 32, 33, 34, 35, 36, 37, 38 and 39 of the Cambridgeshire and Peterborough Minerals and Waste Core Strategy DPD, policies SSP M1, SSP M9 and SSP W8 of the Cambridgeshire and Peterborough Site Specific Proposals DPD, and the National Planning Policy Framework, particularly Chapters 12 and 13.

- C 3 The site shall be restored on a phased basis in accordance with the 'General Layout and Development Plan to a low level using inert fill in accordance with:
Proposed Final Surface Restoration Contours – Drawing No. WHF/MRQD/D11
Cross Sections - Drawing No. WHF/MRQD/D6 Rev A.
Typical Cross Section – Drawing No. WHF/MRQD/D12
Notwithstanding any additional landscaping, biodiversity enhancement or aftercare works, the restoration shall be complete no later than 15 years after the development is commenced.

Reason: To ensure a timely restoration allowing beneficial restoration in accordance with policy CS25 of the Cambridgeshire and Peterborough Minerals and Waste Core Strategy DPD.

- C 4 Prior to the commencement of each phase of development a scheme of soil movements, placements and replacements, based on the 'Illustrative development plans';
Northern Phase Ref. WHF/MRQD/D13 (Aug 2012)
Central Phase Ref. WHF/MRQD/D13 (Aug 2012)
Southern Phase Ref. WHF/MRQD/D15 (Aug 2012)
shall be submitted to and approved in writing by the Mineral Planning Authority. The development thereafter shall be carried out in accordance with the approved plans.

Reason: To ensure the sustainable use of soils and to safeguard the amenity of sensitive receptors in the vicinity of the site in accordance with policies CS 34 and 38 of the Cambridgeshire and Peterborough Minerals and Waste Core Strategy DPD.

- C 5 Prior to the commencement of development an Environmental Management Plan, based on the mitigation measures outlined in the Ecological Baseline and Impact Assessment, and the Biodiversity Plan drawing ref 3489/D01/D11-3538 Rev 4, shall be submitted to and approved in writing by the Mineral Planning Authority. The scheme shall include at least the following:
- 1) An effective survey and monitoring programme, and submission of survey reports and updates of any implementation issues.
 - 2) Provision for overseeing of the permitted works by an appropriately qualified Ecological Clerk of Works, including works of biodiversity enhancement aftercare.
 - 3) Details of the timing of the measures to be put in place as part of the approved scheme, e.g. landscaping.
 - 4) Details for the biodiversity enhancements for the processing area.
 - 5) The retention of habitat buffers where appropriate.
- The development thereafter shall be carried out in accordance with the Environmental Management Plan.

Reason: In order to ensure appropriate protection and conservation of protected species and provide appropriate biodiversity enhancement and visual impact mitigation in accordance with Cambridgeshire and Peterborough Minerals and Waste Core Strategy policies CS1, 24 and 33.

- C 6 The operations authorised, required or associated with the development hereby permitted shall only be carried out between the following times:
 07:00 – 18:00 Mondays to Fridays
 07:00 – 12:00 Saturdays
 and at no other times including Sundays and Bank Holidays.

Reason: In order to safeguard the amenity of surrounding occupiers in accordance with Cambridgeshire and Peterborough Minerals and Waste Core Strategy policy CS34.

- C 7 All plant, machinery and vehicles operated within the site shall be maintained in accordance with the manufacturer's specification and shall be fitted with and use effective silencers in accordance with the manufacturer's recommendations and shall be operated so as to minimise noise emissions. The manufacturers' specifications shall be provided to the Minerals Planning Authority within 5 days of being so requested.

Reason: To ensure that operations are carried out in a manner which will safeguard the amenity of the area and minimise disturbance to adjacent land users in accordance with Cambridgeshire and Peterborough Minerals and Waste Core Strategy policy CS34.

- C 8 Prior to the commencement of development details of reversing alarms to be fitted to all mobile plant shall be submitted to and approved in writing by the Mineral Planning Authority. The approved reversing alarms shall be utilised on all mobile plant throughout the period of the development.

Reason: To ensure that operations are carried out in a manner which will safeguard the amenity of the area and minimise disturbance to adjacent land users in accordance with Cambridgeshire and Peterborough Minerals and Waste Core Strategy policy CS34.

- C 9 Except for temporary operations, the level of noise emitted from the site when measured at the noise sensitive properties listed, shall not exceed the limits set out in Table 1 below:

TABLE 1

LOCATION	During permitted daytime working hours dBLAeq 1 hour (free field)	At all times outside the permitted daytime working hours dBLAeq 5 mins (free field)
27 Willow Hall Lane	47	35
Willow Holt	47	35
Bar Pastures Farm	47	35
Prior's Farm	47	35
Stone Bridge Corner	45	35

Reason: To ensure that operations are carried out in a manner which will safeguard the amenity of the area and minimise disturbance to adjacent land users in accordance with Cambridgeshire and Peterborough Minerals and Waste Core Strategy policy CS34.

- C10 Prior to the commencement of development a scheme for the monitoring of noise from the site shall be submitted to and approved in writing by the Mineral Planning Authority. The scheme shall have regard to Section 7 ("Monitoring & Control Regime") of the submitted Noise Assessment (dated May 2012) contained with the Environmental Statement accompanying planning application reference 12/01008/MMFUL dated 27th June 2012. The development shall only be carried out in accordance with the approved scheme.

Reason: To ensure that operations are carried out in a manner which will safeguard the amenity of the area and minimise disturbance to adjacent land users in accordance with Cambridgeshire and Peterborough Minerals and Waste Core Strategy policy CS34.

- C11 For temporary operations essential for site preparation work and restoration such as soil stripping and replacement, and bund formation and removal, the free field noise level due to operations at the nearest point to locations identified in Table 1, condition 9, shall not exceed 70 dB LAeq,1hour(free field). The Local Planning Authority shall be notified between 7 and 21 days in advance of essential temporary operations. Temporary operations shall not take place for more than eight weeks in any calendar year.

Reason: To ensure that operations are carried out in a manner which will safeguard the amenity of the area and minimise disturbance to adjacent land users in accordance with Cambridgeshire and Peterborough Minerals and Waste Core Strategy policy CS34.

- C12 Prior to the commencement of development a scheme for the layout, signage and maintenance at the haul route crossing point with Thorney 5 footpath shall be submitted and approved by the Minerals Planning Authority. The scheme shall also make provision to ensure that haul route traffic gives way to Rights of Way users. The approved scheme shall be implemented throughout the period of development.

Reason: In order to safeguard the amenity of users of Public Rights of Way in accordance with Cambridgeshire and Peterborough Minerals and Waste Core Strategy policy CS37.

- C13 The width of the temporary diversion to the Green Wheel (Thorney 6 footpath) shall be installed at a minimum width of 3m prior to commencement of works in the southern phase, and retained thereafter in perpetuity for the use of pedestrians and cyclists.

Reason: In order to safeguard the amenity of users of Public Rights of Way in accordance with Cambridgeshire and Peterborough Minerals and Waste Core Strategy policy CS37.

- C14 Within 6 months of the restoration of the site, the Green Wheel (Thorney 6 footpath) shall be re-established upon its current line and be upgraded to Bridleway standard, and thereafter kept available as such. The developer shall notify the Local Planning Authority in writing that restoration is complete within one week of it being so completed.

Reason: In order to safeguard the amenity of users of Public Rights of Way in accordance with Cambridgeshire and Peterborough Minerals and Waste Core Strategy policy CS37.

- C15 Prior to the commencement of soil stripping in the Northern Phase a detailed scheme, including cross sections, for the underground clay seal bund adjacent to Bar Pastures Scheduled Monument shall be submitted to and approved in writing by the Mineral Planning Authority. The development shall thereafter be carried out in complete accordance with the scheme and the bund retained thereafter.

Reason: To secure the obligation on the planning applicant or developer to mitigate the impact of their scheme on the historic environment, in accordance with Policy CS36 of the Cambridgeshire and Peterborough Minerals and Waste Core Strategy DPD and the National Planning Policy Framework, particularly paragraph 126.

- C16 No basal clay shall be removed from the site.

Reason: For the avoidance of doubt of the extent of the development and operations hereby permitted in accordance with policies CS32, 34 and 39 of the Cambridgeshire and Peterborough Minerals and Waste Core Strategy DPD.

- C17 No development shall take place until a programme of archaeological work including a Written Scheme of Investigation has been submitted to, and approved by, the Local Planning Authority in writing. No development shall take place unless in complete

accordance with the approved scheme. The approved scheme shall be implemented in full including any post development requirements e.g. archiving and submission of final reports.

Reason: To secure the obligation on the planning applicant or developer to mitigate the impact of their scheme on the historic environment when preservation in situ is not possible, in accordance with Policy CS36 of the Cambridgeshire and Peterborough Minerals and Waste Core Strategy DPD and the National Planning Policy Framework, particularly paragraphs 128 and 141.

- C18 The developer shall make allowance for 'Temporary Section Recording' of the sand and gravel sequences on an annual basis and / or at the request of the Minerals Planning Authority.

Reason: To secure the benefits of exposing the geological interest within a RIGS site in accordance with policy CS35 of the Cambridgeshire and Peterborough Minerals and Waste Core Strategy DPD.

- C19 Prior to the commencement of the development details of the measures to be taken to prevent material entering the Teakettle Hall Drain at the point where the haul road crosses the drain shall be submitted to and approved in writing by the Mineral Planning Authority. The approved measures shall be implemented in full for the duration of the use of the haul road for the operations hereby permitted.

Reason: To prevent pollution of the water course in accordance with policy CS39 of the Cambridgeshire and Peterborough Minerals and Waste Core Strategy DPD.

- C20 No development shall take place within 9m of the Cats Water Drain running adjacent to the site.

Reason: To prevent pollution of the water course in accordance with policy CS39 of the Cambridgeshire and Peterborough Minerals and Waste Core Strategy DPD.

- C21 Plant and vehicle movements shall be restricted to clearly defined haul routes or to the overburden surface and shall not cross areas of topsoil and subsoil except for the express purpose of soil stripping or replacement operations.

Reason: To ensure that operations are carried out in a manner which will safeguard the amenity of the area and minimise disturbance to adjacent land users, and to ensure conservation of soils in accordance with policies CS34 and 38 of the Cambridgeshire and Peterborough Minerals and Waste Core Strategy.

- C22 Dust management, including the cleansing of the Willow Hall Lane crossing, shall be carried out in accordance with the mitigation measures outlined in the Dust and Air Quality Assessment (April 2012). Additionally, a water bowser / spray shall be used as required for infill operations. Dust monitoring reports shall be submitted to the Mineral Planning Authority annually, or additionally at the request of the Mineral Planning Authority.

Reason: To ensure that operations are carried out in a manner which will safeguard the amenity of the area and minimise disturbance to adjacent land users, and to ensure conservation of soils in accordance with policy CS34 of the Cambridgeshire and Peterborough Minerals and Waste Core Strategy.

- C23 The operator shall give the Mineral Planning Authority between 7 and 21 days written notice prior to the commencement of top or sub soil stripping from any part of the site. Prior to soil stripping any standing crop or vegetation shall be cut and removed.

Reason: To ensure that operations are carried out in a manner which will safeguard the amenity of the area and minimise disturbance to adjacent land users, and to ensure conservation of soils in accordance with policy CS34 of the Cambridgeshire and Peterborough Minerals and Waste Core Strategy.

- C24 There shall be no access to the site other than from that approved at the B1040 and via the approved haul route. (i.e. not from Willow Hall Lane).

Reason: In the interests of highway safety and local amenity in accordance with policy CS32 of the Cambridgeshire and Peterborough Minerals and Waste Core Strategy.

- C25 Within one year of the commencement of development the developer shall undertake a condition survey of the B1040 within 10m either side of the site entrance. Thereafter the survey shall be undertaken annually. The condition survey shall be submitted to the Mineral Planning Authority within 3 weeks of it being carried out.

Reason: In the interests of highway safety and local amenity in accordance with policy CS32 of the Cambridgeshire and Peterborough Minerals and Waste Core Strategy.

- C26 Notwithstanding the provisions of the Town and Country Planning (General Permitted Development) Order 1995 (or any other statutory instrument revoking and re-enacting that order) no fixed or mobile plant, machinery or buildings connected with the development shall be erected or placed on site without the express permission of the Mineral Planning Authority.

Reason: For the avoidance of doubt of the extent of the development and operations hereby permitted, and to safeguard the amenity of the area and minimise disturbance to adjacent land users, in accordance with policy CS34 of the Cambridgeshire and Peterborough Minerals and Waste Core Strategy DPD.

- C27 In the event of a cessation of operations prior to the completion of the development hereby permitted, which in the opinion of the Mineral Planning Authority constitutes a permanent cessation within the terms of paragraph 3 Schedule 9 of the Town and Country Planning Act 1990, a revised scheme, to include details of restoration, landscaping and aftercare, shall be submitted within 12 months of the cessation to the Mineral Planning Authority for approval. The approved revised scheme shall be implemented in full within 12 months of the written approval unless otherwise agreed in writing by the Mineral Planning Authority.

Reason: For the avoidance of doubt of the extent of the development and operations hereby permitted in accordance with policies CS1 and 2 of the Cambridgeshire and Peterborough Minerals and Waste Core Strategy DPD.

- C28 Prior to commencement of development a detailed landscaping scheme, including the timing of planting, shall be submitted to and approved in writing by the Mineral Planning Authority based on the following submitted drawings.

Indicative Restoration Plan – Drawing Ref. 3489/D01/D11-2131 Rev 5

Lagoon Indicative Restoration Plan – Drawing Ref. 3489/D01/D11-3330 Rev 4

The scheme shall include detail on when each area of landscaping is to be planted.

Should any trees, shrubs or other planting die, become diseased or be removed within 5 years from its planting, it shall be replaced in the first available planting season with a plant/plants of a similar size and species to that removed.

The development shall not take place except in complete accordance with the approved scheme.

Reason: To ensure the development will be appropriately assimilated into its surroundings and local landscape character in accordance with policy CS33 of the Cambridgeshire and Peterborough Minerals and Waste Core Strategy DPD.

C29 Any fuel, oil, or chemical storage above ground and refuelling facilities shall be bunded to at least 110% of the tank capacity and constructed on an impermeable base with an independent sealed drainage system with no direct discharge to any watercourse, land or underground strata.

Reason: To protect the water environment in accordance with policy CS39 of the Cambridgeshire and Peterborough Minerals and Waste Core Strategy DPD.

C30 Prior to commencement of development a scheme of lighting shall be submitted to and approved in writing by the Local Planning Authority. The scheme shall include details of types of lights, mountings and positions, lux values and measures to prevent light spillage occurring outside the site. No lighting shall be erected except in accordance with the approved scheme.

Reason: To ensure that operations are carried out in a manner which will safeguard the amenity of the area and minimise disturbance to adjacent land users in accordance with policy CS34 of the Cambridgeshire and Peterborough Minerals and Waste Core Strategy.

C31 Within six months of restoration of each phase a detailed 5 year strategy of agricultural aftercare shall be submitted to and improved in writing by the Mineral Planning Authority. The scheme shall incorporate, but not be limited to, measures for soil replacement, stone removal and under-drainage.

The aftercare shall be carried out in accordance with the approved scheme other than such minor variations as may be set out in the required annual detailed programmes for the forthcoming year which have been approved in writing by the Mineral Planning Authority.

Reason: To ensure the effective restoration of high grade agricultural land in accordance with policies CS25 and CS38 of the Cambridgeshire and Peterborough Minerals and Waste Core Strategy.

C32 Only inert material to which the developer has fulfilled their duty to apply the waste hierarchy shall be imported for the restoration of the site.

Reason: For the avoidance of doubt of the extent of the development and operations hereby permitted, and to ensure that the principles of the waste hierarchy have been applied in accordance with policy CS2 of the Cambridgeshire and Peterborough Minerals and Waste Core Strategy DPD.

Copies to Cllr McKean D and Sanders D A

This page is intentionally left blank