



Town and Country Planning Act 1990

PLANNING PERMISSION

Name and address of applicant	Name and address of agent (if any)
1. The Burghley House Preservation Trust Limited.	Mark G Oldridge Mineral Surveying Services
2. Executors of 6 th Marquess of Exeter. The Estate Office 61 St. Martins Stamford Lincolnshire PE9 2LQ	20 Saddlers Close Glenfield Leicester LE3 8QU

Part I - Particulars of application

Date of Application	Application No.
09 April 2008	NCC Ref: 08/00026/MIN ENC Ref: EN/08/00727/NCC/PMJB

Particulars and location of development

Extension to existing old mining consent for the extraction of ironstone and overlying minerals at Wakerley Quarry, Wakerley, Northamptonshire.

Part II - Particulars of decision:

The Northamptonshire County Council

Hereby give notice in pursuance of the provisions of the Town and Country Planning Act 1990 that permission has been granted for the carrying out of the development referred to in Part I hereof in accordance with the application and plans submitted subject to the following conditions:-

Commencement of Development

1. The development hereby permitted shall be begun before the expiration of ten years from the date of this permission. Written notification of the date of commencement shall be provided to the Mineral Planning Authority within seven days of commencement.

Note: This permission only relates to planning permission and does not include consent under the Building Regulations for which separate permission may be required. The requirements of the Chronically Sick and Disabled Persons Act 1970, the Disability Discrimination Act 1995 and the Special Education Needs and Disability Act 2001 should also be adhered to wherever appropriate.

Reason: In the interest of clarity and to conform with the requirements of Section 91 of the Town and Country Planning Act 1990 as amended by the Planning and Compulsory Purchase Act 2004.

Approved Documents

2. Except as otherwise required by conditions attached to this planning permission the development hereby approved shall be carried out in accordance with the documents and plans submitted as part of the application, including the following:

Application forms dated 27 March 2008

Written Statement (dated 13 March 2008) – Sections 7 and 8

Drawings

- a) Location Plan (Plan 1 ref WK530-D19v3) – except as amended by Proposed Access Road Revised Route (Plan 2c)
- b) Detailed Location Plan (Plan 1b ref WK530-D19v3 except as amended by Proposed Access Road Revised Route (Plan 2c)
- c) Detailed Location Plan (Plan 1c ref WK530-D19v3 except as amended by Proposed Access Road Revised Route (Plan 2c)
- d) Proposed Access Road (Revised Route) (Plan 2c ref WK530-D13v7)
- e) Phase 1 (Plan 3 ref WK530-D7v9)
- f) Phase 2 (Plan 4 ref WK530-D8v9)
- g) Phase 3 (Plan 5 ref WK530-D9v9)
- h) Phase 4 (Plan 6 ref WK530-D10v9)
- i) Phase 5 (Plan 7 ref WK530-D11v9)
- j) Proposed Restoration Scheme (Plan 8 ref WK530-D12v8)
- k) Restoration Cross Sections (Plan 9 ref WK530-D20v2)

Environmental Statement (Version 2 dated 13 March 2008)

Section 3 – Details of Proposed Development

Section 5.2 – Landscape and Visual Amenity (5.2.7 - 5.2.9)

Section 5.3 – Hydrology (5.3.10 – 5.3.11)

Section 5.4 – Flood Risk (5.4.2 – 5.4.8)

Section 5.5 – Highways and Traffic (5.5.3 – 5.5.8)

Section 5.6 – Noise (5.6.4 – 5.6.5)

Section 5.7 – Air Quality (5.7.3 – 5.7.5, 5.7.14 – 5.7.16)

Section 5.8 – Ecology and Conservation (5.8.12 – 5.8.14)

Section 5.10 – Soils and Agriculture (5.10.4 – 5.10.8)

Appendix B – Landscape and Visual Impact Assessment and Scheme for Restoration (Sections 4, and 5.4-5.5)

Appendix C – Investigation of the Hydrology and Hydrogeology in the vicinity of Wakerley Quarry, Northamptonshire (Sections 3 and 4.2.4)

Appendix D – Flood Risk Assessment (Sections 4.5 – 4.7)

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Appendix E – Highway aspects of the proposed development (Paragraphs 7 – 12)

Appendix F – Noise Assessment (Sections 5 – 6)

Appendix G – Air Quality Assessment (Sections 3 and 8)

Appendix H – Ecology and Nature Conservation (Section 5)

Appendix J – Agricultural Land Quality and Soil Resource Conservation Assessment (Section 7)

Reason: To define the scope of this planning permission and in the interest of clarity.

3. From the date of the commencement to the completion of mineral extraction, a copy of this permission including all documents hereby approved and any other documents subsequently approved in accordance with this permission, shall always be available at the site for inspection during normal working hours.

Reason: To ensure this planning permission and associated documents are available on site for reference and inspection.

Completion

4. All mineral extraction shall cease no later than 45 years from the date of this permission. Restoration shall be completed within 18 months of cessation of mineral extraction and the site shall be subject to aftercare for a period of five years for land returned to agriculture and ten years for all other areas.

Reason: To specify the date when the conditions of this permission shall have been fully implemented.

Working Hours

5. Operations, excluding blasting and the construction of any soil screening mound, shall be confined to the hours of 07.00 to 18.00 Mondays to Fridays and 07.00 to 13.00 on Saturdays with no works on Sundays, public or bank holidays.
6. Operations for the construction of any soil screening mound shall be confined to the hours of 08.00 to 18.00 Mondays to Fridays and 08.00 to 13.00 Saturdays with no works on Sundays, public or bank holidays.

Reason for conditions 5 to 6: To ensure that operations are carried out within reasonable hours so as to minimise amenity disturbance having regard to Policy 22 of the Northamptonshire Minerals and Waste Local Plan (October 2014).

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Method of Working

7. Mineral extraction shall be confined to the areas shown on Plans 3 to 7 for consecutive respective phases of operations (Phases 1 to 5).
8. The site shall be worked and restored in a phased manner in accordance with the approved phasing drawings and the details contained in Section 3.2 of the Environmental Statement.
9. Margins of support shall be retained at the perimeter of the excavations to ensure support to adjoining unworked land and to protect retained peripheral boundary features, hedgerows and fencing.

Reason for conditions 7 to 9: To specify working methods to protect amenity, natural assets and landscape character having regard to Policies 22, 24 and 25 of the Northamptonshire Minerals and Waste Local Plan (October 2014).

Deposit of Waste

10. No waste materials shall be imported to the site for backfilling and/or restoration purposes.

Reason: To prevent uncontrolled waste importation to the site having regard to amenity and proposed restoration having regard to Policies 11 and 22 of the Northamptonshire Minerals and Waste Local Plan (October 2014).

Access and Highway Safety

Duddington Road access

11. Heavy Goods Vehicle access to and from the site shall only be gained via the access point onto the minor road connecting Wakerley to the A43 (Duddington Road) as shown on Plan 2c (Proposed Access Road (Revised Route) ref WK530-D13v7).
12. No mineral extraction shall take place until the Duddington Road access has been completed in accordance with a scheme which has been submitted to and approved in writing by the Mineral Planning Authority. In particular the scheme shall include:
 - a) Proposed hard surface materials;
 - b) Proposed drainage measures to prevent the unregulated discharge of surface water onto the highway;
 - c) A maximum design gradient of 1 in 15 from the highway boundary;
 - d) A minimum design width of 7.3 metres for a distance of 30 metres from the nearest edge of Duddington Road;
 - e) Proposals to metal the access for a minimum distance of 100 metres from the nearest edge of Duddington Road up to and including the

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- wheel cleansing facility;
- f) Proposals to maintain the access in a condition free from potholes while in use;
 - g) Visibility splays on either side of the access onto Duddington Road as shown on drawing 1386/4 dated February 2008 except located as identified on Plan 2C Proposed Access Road (Revised Route) (ref WK530-D13v7); and
 - h) Proposals to maintain vegetation within the visibility splay area to a height not exceeding 600 millimetres.

The submitted details shall illustrate an access which is to the local authority's adoptable standard. The hard surfacing shall be completed in accordance with the approved details in accordance with an approved timetable. Development shall be undertaken in strict accordance with the approved details and maintained thereafter.

13. Gates erected at the Duddington Road access shall only open inwards toward the access haul road and shall be set back a minimum of 20 metres from the nearest edge of Duddington Road for the lifetime of the development hereby permitted.

Wakerley to Fineshade Road crossing

14. No Heavy Goods Vehicle associated with the approved mineral operation may use any section of the Wakerley to Fineshade Road, except where the access haul road crosses over it as shown on Drawing 1386/4 dated February 2008.
15. No mineral extraction shall take place until the Wakerley to Fineshade Road crossing has been constructed as shown on drawing 1386/3 dated February 2008. If the proposed crossing fails a subsequent Safety Audit (as required under the terms of a Section 278 Agreement under the Highways Act 1980) the alternative scheme approved under condition 16 shall be implemented to facilitate the safe crossing of the Wakerley to Fineshade Road. The approved scheme shall be implemented prior to the commencement of mineral extraction and thereafter maintained for the duration of mineral extraction operations at the site.
16. No mineral extraction shall take place until a contingency traffic management scheme for the Wakerley to Fineshade Road crossing has been submitted to and approved in writing by the Mineral Planning Authority. The scheme shall provide an alternative to the proposed quarry traffic control measures on drawing 1386/3 which can be implemented should the proposed scheme not be effective when safety audited. The approved contingency scheme shall, if required to be implemented, shall be implemented in accordance with timescales to be agreed in writing with the Mineral Planning Authority and be maintained for the duration of mineral extraction operations at the site.

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A43 Stamford Road and Duddington Road junction

17. No mineral extraction shall take place until the junction of the A43 Stamford Road and Duddington Road has been improved as shown on preliminary layout drawing 1386/6 dated February 2008, including the installation of reflective 'Keep Left' signs in the central hatched area of the two small kerbed islands on either side of the right hand turning lane onto the A43 and appropriate road marking to prevent overtaking prior to the central zone.

Highway Safety

18. No Heavy Goods Vehicle loaded with quarry products shall leave the site unless its load has been securely sheeted.
19. No development shall take place until a scheme for wheel cleansing facilities has been submitted to and approved in writing by the Mineral Planning Authority. The scheme shall detail measures to ensure that the wheels and chassis of vehicles using the crossing of the Wakerley to Fineshade Road and leaving the site are sufficiently clean to prevent the deposit of mud, dust or other detritus on the public highway. Any vehicle wash water, including steam cleaning effluent should be contained and either re-circulated or disposed of off-site. A dedicated area, graded to ensure that wash water is directed to the discharge point, should be provided. The agreed scheme shall be implemented as approved and thereafter maintained for the duration of mineral extraction operations at the site.

Reason for conditions 11 to 19: In the interests of highway safety and amenity having regard to Policy 22 of the Northamptonshire Minerals and Waste Local Plan (October 2014).

Contaminated Land

20. Prior to the commencement of development, including soil stripping, a scheme to deal with the risks associated with contamination of the site shall be submitted to and approved in writing by the Mineral Planning Authority. The scheme shall include:
- a) A preliminary risk assessment which has identified:
 - all previous uses;
 - potential contaminants associated with those uses;
 - a conceptual model of the site indicating sources, pathways and receptors; and
 - potentially unacceptable risks arising from contamination at the site.
 - b) A site investigation scheme, based on the preliminary risk assessment (condition 20a) to provide information for a detailed assessment of the risk to all receptors that may be affected, including those off site.
 - c) The site investigation results and the detailed risk assessment and, based

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on these, an options appraisal and remediation strategy giving full details of the remediation measures required and how they are to be undertaken.

- d) A verification plan providing details of the data that will be collected in order to demonstrate that the works set out in condition 20c are complete and identifying any requirements for longer-term monitoring of pollutant linkages, maintenance and arrangements for contingency action.

The scheme shall be implemented as approved and thereafter maintained for the duration of mineral extraction operations at the site.

Reason: In the interests of human health and protection of the water environment having regard to Policies 22 and 24 of the Northamptonshire Minerals and Waste Local Plan (October 2014).

Surface Water Drainage, Controlled Waters and Flood Risk Management

21. The proposed development shall be implemented and maintained in full accordance with the details provided in the application including section 5.3 of the Environment Statement, the report prepared by Hafren Water dated May 2007 entitled "Investigation of the hydrology and hydrogeology in the vicinity of Wakerley Quarry" as revised by the Flood Risk Assessment dated August 2008 report reference 2286/1 (Rev5).

Reason: To ensure that the development does not increase flood risk having regard to Policy 22 of the Northamptonshire Minerals and Waste Local Plan (October 2014).

Groundwater Protection / Water Resources

22. The maximum depth of working shall not extend below 75 metres above ordnance datum.
23. With the exception of extraction in the northern quarry section during Phase 5 workings, mineral extraction shall not be undertaken below the ground water table level or penetrate the underlying clay layer separating the upper and lower aquifers.

Pollution Control

24. Any facilities, above ground, for storage of oils, fuels or chemicals shall 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. The drainage system of the bund shall 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.

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25. All drums and small containers used for oil and other chemicals shall be stored in bunded areas which do not drain to any watercourse, surface water sewer or soakaway.

Reason for conditions 22 to 25: To minimise risk of watercourse and aquifer pollution and to prevent pollution of the water environment having regard to Policies 22 and 24 of the Northamptonshire Minerals and Waste Local Plan (October 2014).

Items of Archaeological or Scientific Interest

26. No development, including soil stripping, within any individual phase of working as shown on Plans 2C, 3, 4, 5, 6 and 7 shall take place until the applicant, or their agents or successors in title, has secured the implementation of a programme of archaeological work in accordance with a written scheme of investigation which has been submitted to and approved by the Mineral Planning Authority.

Reason: To ensure that adequate archaeological investigations and recording are undertaken prior to the development taking place having regard to Policy 26 of the Northamptonshire Minerals and Waste Local Plan (October 2014).

Ecology and Biodiversity

27. No development, including soil stripping or vegetation clearance, shall take place until an ecological mitigation plan for the development and aftercare phases has been submitted to and approved in writing by the Mineral Planning Authority. The ecological mitigation plan shall be informed by up-to-date Extended Phase One Habitat and desktop surveys. The development shall be implemented in accordance with the approved plans and details for the lifetime of the development.

28. Six months prior to the commencement of development, including soil stripping or vegetation clearance, within any individual phase of working as shown on Plans 2C, 3, 4, 5, 6 and 7 shall take place until a survey has been submitted to the Mineral Planning Authority establishing the presence or otherwise of any protected species or species of principal importance within that phase. Should a survey reveal that notable or protected species may be affected by the development of that phase, a scheme of measures to mitigate and compensate for the impact of the development upon the identified notable or protected species shall be provided for that phase prior to the commencement of soil stripping and vegetation clearance. These measures shall be implemented in accordance with findings and conclusions to be approved in writing by the Mineral Planning Authority. If operations in the respective phase do not commence within one year of the approval, the phase shall be re-surveyed in accordance with the requirements of this condition.

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29. No development, including soil stripping or vegetation clearance, shall take place until a scheme for the protection of Local Wildlife Sites and protected verges at the Duddington Road access or Wakerley to Fineshade Road crossing have been submitted to and approved by the Mineral Planning Authority. The scheme shall include:

- a) Prevention of unauthorised vehicular traffic from entering designated wildlife site and verge areas;
- b) Avoidance of dumping or storage of materials, parking vehicles or machinery or equipment storage on the areas of the designated sites and verges;
- c) Ensure management guidelines are being followed for the protected verges including restricted cutting methods, cutting being restricted to specific late summer periods, no pesticide use on the verge and reporting any concerns regarding the protected wildflower verges.

The scheme shall be implemented as approved and maintained thereafter.

30. Operations that involve the destruction and removal of vegetation or buildings shall not be undertaken during the months of February to September inclusive, unless an ecologist report demonstrating that breeding birds will not be affected is submitted to and approved in writing by the Mineral Planning Authority. Should breeding birds be found, development shall be delayed until such time as breeding has ceased.

Reason for conditions 27 to 30: To make appropriate provision for the management of natural habitat relating to the approved development in the interests of biodiversity having regard to Policies 24, 25 and 28 of the Northamptonshire Minerals and Waste Local Plan (October 2014).

Noise and Dust

31. No vehicles and mobile plant used exclusively on site shall be operated unless they have been fitted with and use white noise alarms.

32. No vehicle, plant, equipment or machinery used exclusively on site shall be operated at the site unless it has been fitted with and uses an effective silencer. All vehicles, plant, equipment and machinery shall be maintained in accordance with the manufacturer's specification.

33. Traffic management operations at the site shall be controlled to ensure that all Heavy Goods Vehicles are routed to minimise reversing manoeuvres.

34. The site shall be worked in accordance with the measures set out in Part 1 (Noise), Section 8 of British Standard 5228: 2009 "Noise and Vibration Control on Construction and Open Sites or subsequent edition thereof. The equivalent sound level (L_{Aeq}), measured over any 1 hour time period, attributable to the normal operations on site, as measured free field shall not exceed the following limits at the potentially noise sensitive locations listed:

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1)	Oak Farm, Wakerley Village	49 dBA (1hrL _{Aeq})
2)	Wakerley Church	45 dBA (1hrL _{Aeq})
3)	Laxton Hall	45 dBA (1hrL _{Aeq})
4)	Town Wood Farm	45 dBA (1hrL _{Aeq})
5)	The Bungalows, Shotley	45 dBA (1hrL _{Aeq})

35. Monitoring of noise from the mineral extraction operations shall be undertaken at the sites listed in condition 34 at intervals to be agreed in writing with the Mineral Planning Authority prior to the commencement of mineral extraction. The monitoring shall be undertaken for a period of 1 hour during operational phases.

36. The results of the noise monitoring shall be submitted to the Mineral Planning Authority within 2 weeks of monitoring taking place and shall include the following information:

- The measured L_{Aeq} (free field) level in dB(A)
- Date and time of measurement
- Description of site activity
- Details of measuring equipment
- Weather conditions, including wind speed and direction

37. Notwithstanding details of soil storage mounds on the submitted plans showing phasing of working as listed in condition 2, no development within any individual phase of working as shown on Plans 2C, 3, 4, 5, 6 and 7 shall take place until a scheme for the location of soil storage mounds to secure noise and dust screening mitigation at the boundaries of the working area has been submitted in writing and approved by the Mineral Planning Authority. The scheme as approved shall be implemented thereafter.

38. No development shall take place until a scheme of measures to minimise and monitor dust generation associated with the development has been submitted to and approved in writing by the Mineral Planning Authority. The approved scheme shall be implemented for the duration of operations and restoration at the site and shall include dust monitoring and the use of water-spray facilities for dampening operational areas and haul roads.

39. In the event that complaints regarding noise or dust are received by the Mineral Planning Authority and thereafter notified to the operator, an assessment of the complaint shall be undertaken by the operator. A report on the findings, with proposals for removing, reducing or mitigating identified adverse effects resulting from the operation, and a programme for the implementation of remedial measures (if necessary) to be undertaken shall be submitted to the Mineral Planning Authority no later than five working days from notification of the complaint to the operator, unless a later date is otherwise agreed in writing by the Mineral Planning Authority. If complaints relating to noise continue after remedial measures have been implemented in full, noise monitoring shall be undertaken at the request of the Mineral Planning Authority to verify whether the requirements of condition 34 are

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being met and the monitoring information shall be submitted to the Mineral Planning Authority within five working days. If monitoring shows the restrictions in condition 34 are not being met operations shall cease until such time as remedial measures are agreed in writing by the Mineral Planning Authority and thereafter implemented to bring the operations into compliance with the noise limits established in condition 34. These measures shall thereafter be maintained.

Blasting

40. Prior to any blasting being carried out at the site, details of the methods to be employed to minimise vibration and air overpressure from blasting operations in accordance with current best practice such as BS7385 or subsequent edition thereof shall be submitted in writing to the Mineral Planning Authority for approval. The methodology shall include maximum limits for ground vibration (measured in millimetres per second peak particle velocity) and air overpressure (measured in decibels peak linear) at the nearest sensitive receptors. All blasting operations shall take place in accordance with the approved scheme.
41. Prior to any blasting being carried out at the site, a scheme shall be submitted in writing to the Mineral Planning Authority setting out proposals for notifying local residents of the date and time of any proposed blast. Notifications shall be managed in accordance with the approved proposals for the lifetime of the development hereby permitted.
42. Blasting at the site shall be controlled and monitored, and include the following:
 - a) Ground vibration and air overpressure from blasting at the nearest sensitive receptors shall be kept to a minimum by adopting safe and practical measures in line with best available techniques and in any event shall not exceed the maximum limits agreed under condition 40.
 - b) Records of the dates and times of every blast shall be kept for inspection together with details of the type, amount, location and depth of charge. This information shall be sent to the Mineral Planning Authority upon request.
 - c) Monitoring of ground vibration and air overpressure shall be undertaken at the nearest sensitive receptors at intervals and at locations to be agreed in writing by the Mineral Planning Authority before any blasting takes place. The results of monitoring, with figures for ground vibration and air overpressure shall be sent to the Mineral Planning Authority in writing at three monthly intervals.
 - d) If monitoring shows the limits in condition 40 are not being met, all blasting shall be suspended until such time as remedial measures are agreed in writing by the Mineral Planning Authority and thereafter implemented to bring the operations into compliance with the blasting limits established in condition 40. These measures shall thereafter be maintained.
 - e) Except with the prior approval of the Mineral Planning Authority no blasting shall take place on any part of the site except between the hours of 10.00

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and 16.00 Mondays to Friday inclusive and no blasting shall be carried out at any time on Saturdays, Sundays, public or bank holidays.

Lighting

43. No external lighting shall be erected or installed unless full details have been submitted to and approved in writing by the Mineral Planning Authority. The development shall be implemented and maintained in accordance with the approved details for the lifetime of the development.

Rights of Way

44. Prior to any development likely to affect any Right of Way, details of Heavy Goods Vehicle crossing points with public rights of way shall be submitted to the Mineral Planning Authority for approval in writing. The details shall also include signs warning lorry drivers of the presence of Rights of Way. The approved details shall be implemented and maintained for the lifetime of the development.

45. All Rights of Way, existing, diverted or newly created, shall be clearly signposted. Any diversions or new paths shall be clearly shown on a plan which shall be maintained and kept up to date at all times, and shall be located at the boundary of the site at the points where the rights of way enter the application area.

Reason for conditions 31 to 45: To safeguard amenity having regard to Policy 22 of the Northamptonshire Minerals and Waste Local Plan (October 2014).

Fixed Buildings Plant and Machinery

46. Notwithstanding the provisions of Part 17 Class A and B of the Town and Country Planning (General Permitted Development) (England) Order 2015 (or any Order amending, replacing or re-enacting that Order) Notwithstanding the provisions of Part 17 Class A and B of the Town and Country Planning (General Permitted Development) (England) Order 2015 (or any Order amending, replacing or re-enacting that Order) no fixed or static or static buildings, structures (including perimeter fencing), plant or machinery shall be erected until details of the proposed locations and external materials, colours and finishes have been submitted to and approved in writing by the Mineral Planning Authority. Development shall be implemented and maintained in accordance with the approved details for the lifetime of the development. Any subsequent revisions shall be submitted to the Mineral Planning Authority for approval in writing.

Reason: To safeguard the local environment and protect amenity having regard to Policies 22 and 27 of the Northamptonshire Minerals and Waste Local Plan (October 2014).

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Soil Handling

47. All topsoil, subsoil and soil making material shall be retained on the site and used in the restoration required under condition 56 of this permission.

Reason: To prevent the loss of soil and aid the final restoration of the site having regard to Policies 24 and 28 of the Northamptonshire Minerals and Waste Local Plan (October 2014).

48. Prior to commencement of soil stripping and storage mound construction, a scheme of grass seeding, weed control and management of all storage mounds that will remain in situ for more than 6 months or over winter shall be submitted to and approved in writing by the Mineral Planning Authority. Seeding and management of the storage mounds shall be carried out in accordance with the approved details.

49. Prior to commencement of soil stripping and storage mound construction, a strategy for ensuring an effective outfall for drainage water shall be devised in case the proposed soakaways / sink point ponds, prove inadequate. This scheme shall be submitted to and approved in writing by the Mineral Planning Authority prior to soil stripping and works undertaken in accordance with the approved details.

50. Bunds for the storage of soils shall conform to the following criteria:

- a) Topsoil bunds shall not exceed 3 metres in height
- b) Subsoil bunds shall not exceed 5 metres in height

Reason for conditions 48 to 50: To protect mounds from soil erosion, prevent build up of weed seeds in the soil and remove vegetation prior to soil replacement having regard to Policy 22 of the Northamptonshire Minerals and Waste Local Plan (October 2014).

51. All topsoil shall be stripped from any areas to be excavated or used for the stationing of plant and buildings, the storage of subsoil and overburden or traversed by heavy machinery. No plant or vehicles shall cross any areas of unstripped topsoil except for the purpose of stripping operations.

52. All topsoil, subsoil and soil making material shall only be handled when in a dry and friable condition. The criteria for determining dry and friable shall be based on a field assessment of the soil's wetness in relation to its lower plastic limit. An assessment shall be made by attempting to roll a ball of soil into a thread on the surface of a clean plain glazed tile (or plate glass square) using light pressure from the flat of the hand. If a long thread of less than 3 millimetres diameter can be formed, the soil is wetter than the lower plastic limit, and soil movement should not take place until the soils have dried out. If the soil crumbles before a long thread of 3 millimetres diameter can be formed, then the soil is dry enough to move. This assessment shall be carried out on representative samples of each major soil type.

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53. The movement and handling of soils shall be in accordance with sheets 1-4 (soils handling using excavators and dump trucks) and sheet 15 (soil replacement with bulldozers and dump trucks) of the "Goods practice guide for handling soils" published by the Ministry of Agriculture Fisheries and Food in April 2000 or subsequent edition thereof.

Reason for conditions 51 to 53: To prevent damage to soils having regard to Policies 22 and 24 of the Northamptonshire Minerals and Waste Local Plan (October 2014).

Site Maintenance

54. From the date of commencement until restoration of the site, the following shall be carried out:

- a) the maintenance of fences in a stock proof condition between any areas used for development authorised by this planning permission and any adjoining agricultural land used for grazing purposes;
- b) the installation and maintenance of fencing or other suitable protective barriers around retained hedgerows and trees in accordance with Section 6.20 of BS5837:2012 or subsequent edition thereof;

55. All areas, including amenity/screening bunding, are to be kept free of weeds and necessary steps shall be taken to destroy weeds at an early stage of growth to prevent seeding.

Reason for conditions 54 to 55: In order to maintain site security, ensure that the effect of the proposed development on sites of known wildlife interest is minimised, and in the interests of the general amenity of the area having regard to Policy 22 of the Northamptonshire Minerals and Waste Local Plan (October 2014).

Restoration and Habitat Creation

56. Six months prior to the commencement of restoration of any identified phase of the development as shown on Plans 3, 4, 5, 6 and 7, a detailed scheme for the restoration of that given phase shall be submitted to and agreed in writing with the Mineral Planning Authority and thereafter implemented. The submitted schemes shall include final contours, profiles of any water bodies and details of tree planting, habitat establishment and management and timeline for implementation. The approved schemes shall be implemented thereafter in accordance with the approved details.

57. Notwithstanding condition 56, in regards to the creation of any standing water or ephemeral wet areas, restoration schemes shall incorporate measures so as to prevent the attraction of large and, or flocking bird species potentially hazardous to air traffic.

58. All planting associated with each respective phase of operations shown on

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Plans 2c, 3, 4, 5, 6, 7 and 8 shall be undertaken in the first available planting season following restoration of that phase.

Reason for conditions 56 to 58: To ensure restoration and habitat creation maximises biodiversity in line with Biodiversity Action Plan regional species and is in accordance with agreed objectives having regard to Policy 28 of the Northamptonshire Minerals and Waste Local Plan (October 2014).

Removal of Plant, Machinery and Buildings

59. All buildings, structures, plant and machinery erected or installed or installed in accordance with this permission shall be removed from the site by the end of the restoration completion period specified in Condition 4.

Reason: To ensure removal of all buildings, structures, plant and machinery following restoration having regard to Policy 28 of the Northamptonshire Minerals and Waste Local Plan (October 2014).

Removal of Site Compound and Access and Haul Roads

60. Prior to the completion of mineral extraction, a scheme and timetable for the reinstatement of the Duddington Road access, the access haul road, the crossing of the Wakerley to Fineshade Road crossing as well as and any other areas of hardstanding shall be submitted to and approved in writing by the Mineral Planning Authority. The scheme shall include the permanent closure of the plant crossing and Duddington Road access to vehicle traffic. The reinstatement shall be carried out in accordance with the approved details and timetable.

Reason: To ensure removal of site compound, access and haul roads following restoration having regard to Policy 28 of the Northamptonshire Minerals and Waste Local Plan (October 2014).

Aftercare

61. Trees and shrubs planted in accordance with the detailed restoration scheme required by Condition 56 shall be maintained during the aftercare period, such maintenance to include the following:

- a) Replacing any plants which die or are lost;
- b) Weeding to prevent the growth of plants being retarded;
- c) Maintaining any fences around planted areas in a rabbit-proof and deer-proof condition.

62. Before 30 November of every year during the aftercare period, an Aftercare Management Report shall be submitted to the Mineral Planning Authority recording the restoration operations carried out on the land during the previous 12 months and setting out the intended restoration operations for the next 12 months. A site meeting shall be arranged to discuss the report to which the Mineral Planning Authority shall be invited together with any other

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parties as necessary.

63. Six months prior to the final restoration of the site, details of restoration information interpretation boards shall be submitted to the Mineral Planning Authority for approval in writing. The interpretation boards shall include information regarding details of the newly created habitats. At least two information interpretation boards shall be provided and located adjacent to public rights of way. The interpretation boards shall be installed in accordance with the approved scheme and maintained thereafter.
64. During the aftercare period, temporary drainage works (e.g. ditches, watercourses, settling lagoons) shall be carried out as necessary to prevent soil erosion, flooding of land within or outside the site or the erosion or silting up of existing drainage channels within or outside the site.

Reason for conditions 61 to 64: To ensure restoration and habitat creation maximise biodiversity benefits having regard to Policy 28 of the Northamptonshire Minerals and Waste Local Plan (October 2014).

INFORMATIVES

Section 106 Legal Agreement

1. This permission shall be read in conjunction with the Section 106 legal agreement between Northamptonshire County Council, Burghley House Preservation Trust Limited and TATA Steel UK Limited dated 10 December 2105 which details:
 - The revocation, without compensation, of part of the former ironstone planning permission (dated 21 November 1962);
 - The establishment of an acceptable groundwater monitoring regime at the Town Wood Farm borehole;
 - The introduction of an acceptable Heavy Goods Vehicle routing agreement; and
 - Provisions for periodic highway condition surveys to be undertaken and for financial contributions if extraordinary damage occurs to the public highway as a result of this development

Local Liaison Group

2. The applicant has undertaken to participate in a Local Liaison Group.

Highway Issues

3. No works within the existing public highway and footpaths may commence without the express written permission of the Highway Authority. This planning permission does not give or infer such permission. The Highway Authority, will only give consent to commence works subject to the completion of Agreements, under Section 278 of the Highways Act 1980. Full engineering, drainage, road signing, road markings and constructional details will be

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required to process such an agreement. Any details submitted will be subject to a technical and safety audit that may result in changes to the details of the street and junction etc required to discharge the relevant condition above.

4. The attention is drawn to the implementation of the New Road Traffic Management Act 2004, where a three month notice period to allocate road space (for works within the highway) is formally given prior to the commencement of works.

National Grid High Pressure Gas Pipeline

5. During access road construction, works in the vicinity of the high pressure gas pipeline as indicated on the attached plan (Appendix 3) are subject a 24 metre wide legal easement and to strict controls in the proximity of the pipeline. For further information refer to National Grid and the local gas distribution network. Additional information is available in the "Work Safely in the Vicinity of National Grid High Pressure Gas Pipelines and Associated Installations" leaflet and at www.nationalgrid.com.

Environment Agency

6. If you are planning to use boreholes to de-water the site, notice must be served on the Environment Agency under section 30 of the Water Resources Act 1991. The Environment Agency will respond by specifying measures to be taken to protect existing sources.

POSITIVE AND PROACTIVE MANNER STATEMENT

In determining this planning application, the Mineral Planning Authority has worked with the applicant in a positive and proactive manner based on seeking solutions to problems arising in relation to dealing with the planning application by liaising with consultees, respondents and the applicant/agent and discussing changes to the proposal where considered appropriate or necessary. This approach has been taken in accordance with the requirement in the NPPF, as set out in the Town and Country Planning (Development Management Procedure) (England) (Amendment No.2) Order 2012.

Date 11th December 2015..... Signed 

For Assistant Director of Environment and Planning

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1. *If the applicant is aggrieved by the decision of the local planning authority to refuse permission or approval for the proposed development, or the grant permission or approval subject to conditions, he may appeal to the Secretary of State for the Environment in accordance with Sections 78 and 79 of the Town and Country Planning Act 1990 within six months of receipt of this notice. (Appeals must be made on a form which is obtainable from the Planning Inspectorate, 3/08a Kite Wing, Temple Quay House, 2 The Square, Temple Quay, Bristol, BS1 6PN). The Secretary of State has power to allow a longer period for the giving of a notice of appeal but he will not normally be prepared to exercise this power unless there are special circumstances which excuse the delay in giving notice of appeal. The Secretary of State is not required to entertain an appeal if it appears to him that permission for the proposed development could not have been granted by the local planning authority, or could not have been so granted otherwise than subject to the conditions imposed by them having regard to the statutory requirements (a), to the provisions of the development order, and to any direction given under the order. He does not in practice refuse to entertain appeals solely because the decision of the local planning authority was based on a direction given by him.*
2. *If permission to develop land is refused or granted subject to conditions, whether by the local planning authority or by the Secretary of State for the Environment and the owner of the land claims that the land has become incapable of reasonably beneficial use in its existing state and cannot be rendered capable of reasonably beneficial use by carrying out of any development which has been or would be permitted he may serve on the Council of the district in which the land is situated a purchase notice requiring that council to purchase his interest in the land in accordance with the provisions of Part VI of the Town and Country Planning Act 1990.*
3. *In certain circumstances, a claim may be made against the local planning authority for compensation, where permission is refused or granted subject to conditions by the Secretary of State on appeal or on a reference of the application to him. The circumstances in which such compensation is payable are set out in Section 114 of the Town and Country Planning Act 1990.*
 - (a) *The statutory requirements are those set out in Section 79(6) of the Town and Country Planning Act 1990, namely sections 70 and 72(1) of the Act.*
4. *Guidance on using the Planning Portal's online appeals service, see leaflet PCS4 available at http://www.planningportal.gov.uk/PpWeb/jsp/redirect.jsp?url=http%3A//www.planningportal.gov.uk/uploads/pins/pcs_a5_leaflet.pdf*

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