



WASTE RECOVERY PLAN

CROSS LEYS QUARRY
LEICESTER ROAD
THORNHAUGH
PERTH BOROUGH
PE8 6NH

Document Reference: MG1000/07
March 2021



**Project Quality Assurance
Information Sheet**

**WASTE RECOVERY PLAN
CROSS LEYS QUARRY, LEICESTER ROAD, THORNHAUGH, PETERBOROUGH**

Report Status : Final

Report Reference : MG1000/07

Report Date : March 2021

Prepared for : Mick George Limited

Prepared by : Sirius Environmental Limited
The Beacon Centre for Enterprise
Dafen
Llanelli
SA14 8LQ

Written by :

**Rhiannon Chapple BSc (Hons) MSc
Graduate Environmental Consultant**

Reviewed by :

**Dylan Thomas BSc (Hons) PGDip MCIWM
Principal Environmental Consultant**

Approved by :

**Mark Griffiths BSc (Hons) MSc CGeol MCIWM
Environmental Director**

Revision	Date	Amendment Details	Author	Reviewer

This report is written for the sole use of Mick George Limited and their appointed agents. No other third party may rely on or reproduce the contents of this report without the written approval of Sirius. If any unauthorised third party comes into possession of this report, they rely upon it entirely at their own risk and the authors do not owe them any Duty of Care or Skill.

**CROSS LEYS QUARRY
LEICESTER ROAD
THORNHAUGH
PETRBOROUGH
PE8 6NH**

WASTE RECOVERY PLAN

CONTENTS

1.0	INTRODUCTION.....	1
2.0	SITE SETTING.....	2
3.0	DEVELOPMENT HISTORY	4
4.0	PLANNING HISTORY.....	4
5.0	PERMIT HISTORY.....	6
6.0	PROPOSED DEVELOPMENT	7
7.0	SCHEME OF RESTORATION	8
8.0	SUMMARY AND CONCLUSIONS.....	10

LIST OF DRAWINGS

CL 5/1	Primary Material Movements
CL 5/2	Phase 1 Import/Restoration
CL 5/3	Phase 2A Import/Restoration
CL 5/4	Phase 2B Import/Restoration
CL 5/5	Phase 3 Import Final Restoration
CL 5/7	Illustrative Section on Western Boundary
CL 3/6	Cross Section Through Restored Landform
MG1000/12/02	Site Restoration Sections

LIST OF APPENDICES

Appendix WRP1	Previous Paragraph 9 Exemption
Appendix WRP2	Planning Consents Associated with Previous Restoration Scheme
Appendix WRP3	Planning Consents Issued in December 2020

LIST OF FIGURES

Figure 1: Site Location.....	2
------------------------------	---

LIST OF TABLES

Table 1: List of Waste Codes Permitted for Cross Leys Quarry	7
--	---

1.0 Introduction

1.1 Sirius Environmental Limited ('Sirius') has been commissioned by Mick George Limited (Mick George) to prepare and submit an Environmental Permit Variation Application (EPVA) for Cross Leys Quarry, Leicester Road, Thornhaugh, Peterborough, PE8 6NH.

1.2 Mick George was granted planning permission by Peterborough City Council for the importation of inert waste for the restoration of Cross Leys Quarry until July 2010. Subsequently, an application was submitted to extend the restoration period until 31st July 2012.

1.3 Initial infilling of Cross Leys Quarry was undertaken using inert wastes under a Paragraph 9 exemption under the Environmental Permitted Regulations. However, following the permanent withdrawal of that exemption by the Environment Agency on 1st October 2011, restoration operations ceased. To date, the infilling of the northern part of the quarry has been partially completed under the exemption, while the southern part of the site still requires infilling under a waste recovery permit to complete the restoration of the site.

1.4 Mick George Ltd secured an Environmental Permit (Permit Ref: EPR/DB3132AZ) in February 2012 to allow for the importation of inert waste as a wastes recovery operation for the purposes of the restoration of the quarry.

1.5 Since the securing of the abovementioned Environmental Permit in 2012, Great Crested Newts (GCNs) have colonised the water bodies located in the southern portion of the site and using the surrounding vegetation as terrestrial habitat. In view of the population of GCNs within the quarry; as well as their designation as a 'European Protect Species' and fully protected under Schedule 5 of the Wildlife and Countryside Act 1981 (as amended) and the Conservation of Habitats and Species Regulations 2017 (The Habitats Regulations) as amended it was recognised that an amended restoration scheme for the site was required. It was considered that the amended restoration scheme would need to afford adequate mitigation for the GCN population and their habitat on site.

1.6 Accordingly, an application was submitted to Peterborough City Council in October 2019 for the revision of the scheme of restoration. The submitted revised restoration scheme involves the maintenance, creation and enhancement of habitats and ponds in the southern section of the site to encourage biodiversity and protect the GCN population and associated habitat. Whilst it is still intended to restore the northern section of the site to a gentle agriculture. The deposit of restoration materials in the north is proposed to create a gentle dome to aid surface water drainage for the grazing area and support the GCN habitats in the southern portion of the site.

1.7 Planning Approval for the revised restoration scheme was issued by Peterborough City Council on 10th December 2020.

1.8 Mick George are therefore seeking approval to deliver the revised Cross Leys Quarry restoration scheme. This restoration scheme adapts the previously restoration profile previously approved by planning to incorporate and protect the self-established GCN population. The revised scheme seeks to restore the site to a restoration profile that will both protect the identified GCN population as well as manage surface waters within the restored quarry.

1.9 The guidance contained within Article 3(15) of the Waste Framework Direction (2008/98/EC) and published by the Environment Agency on 18th October 2016 presents the approach that determines whether an activity involving the permanent deposit of waste on land is waste recovery or waste disposal. The recovery guidance states the following:

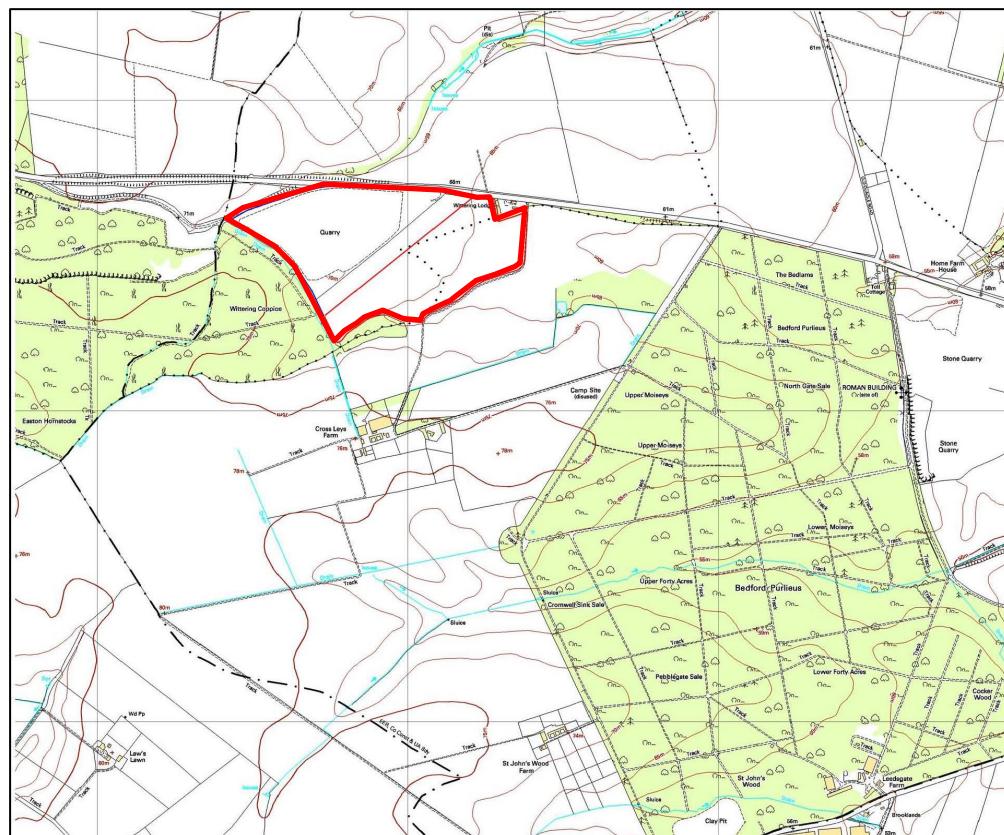
1.10 *“Waste recovery is when your main aim is replacing a non-waste material you would have used in your operation with a waste material that performs the same function. That waste then serves a useful purpose as you’re using fewer natural resources”.*

1.11 This document constitutes a Waste Recovery Plan for the purpose of satisfying the requirements of the Environment Agency Guidance relating to applications for “deposit for recovery purposes”.

2.0 Site Setting

2.1 Cross Leys Quarry is located adjacent to the A47 and largely surrounded by agricultural land. The National Grid Reference (NGR) for the site is TF 02900 00536. Overall, the quarry extends to around 28.4 hectares (ha) and is broadly rectangular in shape. Entrance to and exit from the site is undertaken from the main access road (A47) (at NGR TF03114 00707) which runs adjacent to the northern site boundary. The access is currently blocked by large concrete blocks, beyond which is a metal gate. The location of the site is illustrated in Figure 1.

Figure 1: Site Location



2.2 The site is bounded to the east and south east by agricultural land and to the south west and west by Wittering Coppice Woodland. The village of Wittering is located 2.8 km to the north east of the site boundary. Peterborough city centre is situated approximately 16km east southeast of the site boundary.

2.3 The site is bisected by a north-east to south-west aligned pipeline (and associated corridor) which supplies aviation fuel to RAF Wittering. To the north of this pipeline, the site contains the remnants of the processing plant, roadways and numerous stockpiles of both soils and mineral wastes. This area extends to around 14 ha. At the north-western corner, the workings have been backfilled whilst along the western boundary (adjacent to Wittering Coppice) the quarry face is still visible, at the foot of which is a narrow water body which expands adjacent to the pipeline. The area along the northern side of the pipeline has also been backfilled. To the south of the pipeline are multiple large waterbodies, along with visible rock faces, further stockpiles of soils and an area along the southern boundary that has been restored. The southern part of the quarry extends to around 13ha.

2.4 Under the adopted Cambridgeshire and Peterborough Minerals and Waste Site Specific Proposals, Cross Leys Quarry has been identified as having a void capacity of 433,333 m³. Some restoration operations have been undertaken within the site, particularly along the southern boundary and the north-western corner.

2.5 There are several residential properties within 2km of the site, as well as the Bedford Purlieus and Collyweston Great Wood and Easton Hornstocks National Nature Reserves. Furthermore, there are three Sites of Special Scientific Interest (SSSI) situated within 2km of the site; the Bonemills Hollow SSSI, Bedford Purlieus SSSI and Collyweston Great Wood and Easton Hornstocks SSSI (which borders the western site boundary). There are no RAMSAR sites, Special Areas of Conservation (SACs) or Special Protected Areas (SPAs) located within 2 km of the site boundary. Additionally, Cross Leys Quarry does not lie within an Air Quality Management Area (AQMA) or a Source Protection Zone (SPZ). The Wittering Airfield, home to the Royal Air Force, is situated approximately 1.7km to the north of the site. Businesses within 2km of the site include the East Northants Resource Management Facility (situated c. 1.3km south west of the site) and the Thornhaugh Landfill site (1.25km to the south east), as well as Silo Services Ltd steel fabricator.

2.6 The East Northants Resource Management Facility (ENRMF) is located ~1.3km to the southwest of the site and comprises a hazardous landfill and soil treatment centre. The ENRMF handles various hazardous waste streams, including ash residues from EfW and Biomass Plants, dredgings, contaminated soil and low-level radioactive waste. This site has been operational since 2009. Also, Thornhaugh Landfill Site (a non-hazardous and stable non-reactive hazardous waste landfill) lies ~1.25km to the southeast of the site and has been operational since 2005. Both ENRMF and Thornhaugh Landfill site are operated by Augean South Limited.

2.7 DEFRA's "Magic Map" Application indicates that the historic land use in the area (250m grid) primarily consists of Enclosed Agriculture (including ancient, pre-modern and modern forms), with patches of woodland and forestry. This is interspersed with settlements, unimproved land, and areas of Industry. For example, the area upon which the site lies is shown as having historic landscape classifications of both enclosed agriculture and industry (which is a reference to the presence of the quarry).

2.8 The site is within a Flood Zone 1, which means that the land has been assessed as having a less than 1 in 1,000 annual probability of river or sea flooding (<0.1%).

2.9 The site overlies a principal bedrock Aquifer which is classified as being of high vulnerability due to the limited overburden in the vicinity. The Bedrock geology over the western half of the site comprises Lower Lincolnshire Limestone, while the bedrock geology of the eastern half of the site consists of Upper Lincolnshire Limestone.

3.0 Development History

3.1 There has been a quarry within the site footprint, albeit considerably smaller, since the mid-19th century, labelled the “Old Quarry” on historical maps. Quarrying at the site began in the 1960’s with Lincolnshire Limestone being extracted.

3.2 The quarry site has been mothballed since c.2012 following the exhaustion of permitted limestone reserves. Following this, under a Paragraph 9 Exemption, infilling of the void began with inert materials for the purpose of restoration (**Appendix WRP1**). However, following the withdrawal of this exemption, an Environmental Permit was granted in 2012 for the continuation of restoration via deposit of inert materials. Cross Leys Quarry lies at about 65 mAOD within the limestone upland plateau of Kesteven. The quarry occupies the top of and indistinct minor plateau within the general landform. The undulating plateau locally reaches elevations of 90m to 100m AOD and is deeply dissected by a series of watercourses, including the Willow Brook and the River Welland, flowing eastwards towards the fens. Within the northern part of the site, levels are typically within the range of 63m (at the south-western corner) to 74m AOD (north-western corner), whilst in the southern part, the levels range from 65m to 60m AOD.

3.3 To date, c. 70,000 m³ of inert material has been deposited at the site. To achieve the approved revised restoration scheme c. 395,000 m³ would be required to supplement existing site derived supplies of topsoil (20,541 m³) and backfill (23,254 m³) and reach final levels at the site.

3.4 The final levels for the approved revised restoration scheme range from between 70–75 mAOD in the northern site section and 60–65 mAOD in the southern section of the site.

4.0 Planning History

4.1 Cross Leys Quarry has operated since the late 1960’s, originally as Peterborough Quarries Ltd and subsequently by the applicant. The quarry is bisected by a Government Pipeline and Storage System (GPSS), which supplies aviation fuel to RAF Wittering, located approximately 1.7km to the north of the site.

4.2 The quarrying operations have been subject to three planning permissions granted in 1967, 1978 and 1999; under the provisions of s.96 of the Environment Act 1995, these permissions have been subject to a formal review¹, with the application made on the 27th October 1999 (**Application Ref., 99/01273/RMP**). Following the case of R v North Yorkshire County Council ex part Brown and Cartwright, the Mineral Planning Authority (MPA) requested that the submission be supported by an Environmental Impact Assessment (EIA). This applicant commissioned SLR Consulting to undertake the EIA and the Environmental Statement (ES), which were submitted in March 2001. Following

¹ Application for the determination of new planning conditions.

a period of consultation and consideration of the application, the MPA issued a new scheme of conditions on 11th October 2004.

4.3 The full planning history for the site is summarised below with planning permissions associated with previous Cross Leys Quarry restoration scheme presented in **Appendix WRP2**:

- **98/01252/MMFUL** Extraction of additional mineral reserves within existing quarry perimeter.
- **99/01273/RMP** Application for the determination of updated planning Conditions (Main Permission).
- **04/00850/WCMM** Variation of condition 15 of planning permission.
- **98/01252/MMFUL** to allow the operating company a reduction in the monitoring of noise levels to annually at two locations instead of three monthly at five locations.
- **06/00415/MMFUL** Importation of inert (construction and demolition) waste in order to assist in the overall restoration of Cross Leys Quarry.
- **98/01336/WCMM** Application to carry out development permitted by P0581/78 (extraction of limestone) without complying with condition 1 (relating to phasing working).
- **09/00667/MMFUL** Importation of inert material to achieve beneficial restoration at Cross Leys Quarry.
- **10/00488/WCMM** Variation of condition 1 of planning permission 06/00415/MMFUL to vary the completion date of the permitted infilling from 31/07/2010 to 31/07/2012.
- **10/00500/SCOP** EIA Regulations Scoping Opinion at Cross Leys Quarry – proposed extension of quarry workings and importation of inert material into the quarry.
- **11/01898/FUL** See Covering Letter – The development hereby permitted shall be completed, apart from the aftercare works required by condition 14 by the 31st July 2014.
- **11/00017/SCREEN** Screening opinion.
- **11/01936/OTH** Environment Agency consultation request.
- **12/00005/SCOP** Scoping opinion request for (I) proposed importation of inert waste material and (II) proposed extension of quarry workings and importation of inert waste material into the quarry.
- **12/01189/WCMM** Variation of condition 1 of planning permission.
- **10/00488/WCMM** to vary the completion date of the permitted infilling from 31/07/2012 to 31/07/2013.

4.4 On the 10th October 2019, a further three applications were made for planning permission to revise the scheme of restoration at Cross Leys Quarry, as discussed in **Section 7**. These were approved on 10th December 2020 and comprise of the following:

- **19/01365/MMFUL** Restoration of quarry workings to agriculture and woodland through the importation and deposit of inert restoration materials and quarry waste.
- **19/01370/WCMM** Variation of conditions C1 and C5 of planning permission 99/01273/RMP with regards to restoration.
- **19/01530/WCMM** Removal of conditions C1, C3 and C27 of planning permission 98/01252/MMFUL with regards to restoration.

5.0 Permit History

5.1 Restoration at the site initially began with a Paragraph 9 Exemption to allow the deposit of inert material into the quarry void. Following permanent withdrawal of the exemption by the Environment Agency on 1st October 2011, Mick George Ltd ceased restoration operations. To date, the infilling of the northern part of the quarry has been partially completed under the exemption. An application by Mick George Ltd to the Environment Agency for an Environmental Permit for Cross Leys Quarry was determined on the 15th February 2012 (EPR/DB3132AZ). This permit allows the importation of inert waste for the purposes of the restoration of the quarry under a waste recovery activity. At the time of issue, the operator's accepted Waste Recovery Plan proposed to recover a further 65,000 tonnes of inert waste to support the restoration of the remainder of the site. This Environmental Permit Variation Applications (EPVA) is the first since the permit was determined.

5.2 The permitted waste types are listed in **Section 6, Table 1**. Due to the nature and purpose of the wastes, there are no monitoring requirements at the site.

5.3 Permitted activities at the site include:

- R13: Storage of wastes pending any of the operations numbered R3 and R5.
- R3: Recycling/reclamation of organic substances which are not used as solvents.
- R5: Recycled or reclamation of other inorganic materials.

5.4 These activities are limited to the secure storage and use of wastes listed in Table S2.1 of the permit for the purposes of:

- Restoration and improvement of land as detailed in the approved waste recovery plan;
- The activities shall not be carried out other than in accordance with the approved waste recovery plan.

5.5 Owing to the approved Revised Restoration Scheme for the site, as part of the permit variation application this Waste Recovery Plan (WRP) has been prepared.

6.0 Proposed Development

6.1 The restoration scheme previously approved under planning comprise the restoration of the whole quarry to a combination of low-level agricultural land, with areas of woodland and areas of nature conservation. As of 2011, it is estimated that approximately 70,000m³ or 91,000 tonnes of inert material has been deposited under the original exemption on the site.

6.2 In light of the identified presence of a 'European Protect Species' (Great Crested Newts) since the last restoration scheme was approved under planning regulations, the operator wishes to vary the Cross Leys Quarry restoration scheme. The revised restoration scheme involves retaining agricultural land end-use in the site's northern area, which expands the area of land restored to a nature conservation end-use. Existing waterbodies will be retained in the southern section of the site and new ponds will be created. Additionally, hedgerows, shrubbery, woodland, wetland areas will be created in the southern area as well as earth mounds and ripped soils re-seeded with species-rich grassland.

6.3 To achieve agricultural restoration in the northern section of the site, the proposal seeks to import c. 395,000m³ of additional inert restoration materials to raise the levels within the quarry void to create a gentle domed profile which would improve the surface water drainage and resultantly provide a superior quality of agricultural pasture.

6.4 The proposal to increase the area of land restored to a nature conservation end-use is due to the presence of GCNs in the waterbodies located in the site's southern area. The revised scheme of restoration has been designed to preserve and enhance biodiversity and habitats within the southern section and to provide an improved quality of agricultural land in the north.

6.5 There will be no changes to the inert waste types currently approved within the site's Environmental Permit. The List of Waste (LoW) codes that are permitted to be accepted at the site have been summarised in **Table 1**, below.

Table 1: List of Waste Codes Permitted for Cross Leys Quarry

Code	Description
01 04 08	Waste gravel and crushed rocks other than those mentioned in 01 04 07.
01 04 09	Waste sand and clays.
17 01 01	Concrete.
17 01 02	Bricks.
17 01 03	Tiles and Ceramics.
17 01 07	Mixtures of concrete, bricks, tiles, and ceramics other than those mentioned in 17 01 06.
17 05 04	Soil and stones other than those mentioned in 17 05 03.
17 05 06	Dredging spoil other than those mentioned in 17 05 05.
19 12 09	Minerals (for example sand, stones).
19 13 02	Solid wastes from soil remediation other than those mentioned in 19 13 01.
20 02 02	Soil and stones.

6.6 The imported materials to be utilised in the restoration of Cross Leys Quarry will be of a quality that presents a pollution potential that is less than, or equal to, the natural quality of the surrounding geology/groundwater. The primary source of material to be deposited is proposed to be uncontaminated soils, with quarry wastes/fines and other uncontaminated construction and demolition wastes to be deposited also. Site specific waste acceptance criteria and procedures will be derived for other wastes that may be accepted at the site. Appropriate

criteria will be derived from a site-specific assessment of the risk to controlled waters.

7.0 Scheme of Restoration

7.1 The revised scheme of restoration approved by the Mineral Planning Authority under planning consent reference “19/01365/MMFUL” is presented in **Drawing Nos. CL 5/1, CL 5/2, CL 5/3, CL 5/4, CL 5/5, and CL 5/7**. Cross-sections through the final restored landform are presented in **Drawing No. CL 3/6** and **Drawing No. MG1000/12/02**.

7.2 A copy of the planning consents issued in December 2020 are presented in **Appendix WRP3**.

7.3 The aims of the revised restoration scheme are to:

- Maximise agricultural land;
- Reuse on-site materials and import restoration materials as restoration fill within the void space;
- To allow the removal of any waste material that cannot be reused on site, either to be sold off site or removed and disposed of off-site;
- To re-use soils stored on site within the site, and;
- To conserve, maintain and where possible enhance the biodiversity value of the site. This includes maintaining the favourable conservation status of the Great Crested Newt (GCN) population and other wildlife on site in accordance with relevant statute, AI biodiversity policy commitments and local planning policies.

7.4 The restoration scheme approved in December 2020 would allow for the creation of predominantly agricultural restoration (12.7 ha) in westerly and northerly parts of the site and 12.8 ha of wildlife habitat in easterly and southerly parts of the site which would include the GCN receptor site. Across the whole site created habitats include woodland (1.2 ha), areas of water (3.85 ha), scrub (0.36 ha), species rich grassland (2 ha), wetland (0.85 ha) with 1,540 linear metres of hedgerows and 15 hedgerow trees. The receptor area for GCNs would be supplemented with six purpose built GCN mitigation ponds with adjacent earth-mound hibernacula constructed from excavated pond material.

7.5 The agricultural restoration area has a maximum crest elevation of 76 mAOD at a localised undulation situated centrally to the proposed field but for the most part levels would range from 65 mAOD and 70 mAOD. This is representative of topographical trends in the local area. Gradients within the proposed restored agricultural areas typically range from 1:8 to 1:25 and would be accessible by precision seeding and harvesting equipment (according to the limits set out in the former Minerals Planning Guidance 7). Alongside the A47, gradients would also be typically between 1:8 and 1:25.

7.6 The agricultural restoration area would incorporate land drains and surface water would be allowed to collect in ponds located in the corners of the restored landform. These ponds would provide an additional wetland feature within the site which would be beneficial for invertebrates, amphibians and reptiles.

7.7 The approved restoration scheme retains key components of the previously permitted scheme including woodland and scrub planting, agricultural and nature conservation land provision, and hedgerows.

7.8 To support these restoration plans, a site office, weighbridge, stores and wheelwash will be installed at the site for the duration of the works. Waste vehicles will gain access to the site via the A47 (adjacent to the site's northern boundary) and be directed to the weighbridge where waste acceptance criteria checks will be conducted to confirm the origin, nature/type and weight of the restoration wastes in order to ensure activities are in compliance with the site's Environmental Permit and planning permission at all times. Access to the tipping area will be provided via temporary haul roads.

7.9 The use of inert waste materials in lieu of primary aggregates and natural soils is a key benefit of the approved revised restoration scheme as it removes the need to purchase and import primary aggregate and soils to complete the site restoration. Such materials are a non-renewable resource and resultantly, it is vitally important that they are conserved for end uses where the importation of waste materials is unviable or inappropriate.

7.10 The waste materials will not vary from those already permitted at the site, which principally comprises uncontaminated soils, but also suitable quarry, construction and demolition wastes. These waste types are ideal for the restoration of the site as many are physically similar to the likely primary aggregate non-waste materials which would be used e.g. soils, sand, stone, gravel etc and can therefore be considered replacements. As these materials are inert in nature and composition, they do not pose a risk to human health or the environment. They are capable of being sufficiently compacted so they can form a stable landform for the medium to long term.

7.11 Strict waste acceptance procedures, including careful screening of materials entering the site, ensures that no prohibited materials will be accepted at Cross Leys Quarry. There is no evidence of pollution arising from the area of the site which has already been filled with inert wastes under the Paragraph 9 Exemption. It is therefore considered that the proposed wastes are suitable for use in creating the approved restoration landform.

7.12 The approved restoration landform has been carefully designed; considering the physical and technical requirements of the restoration (e.g., land stability, drainage etc) and the inclusion of landscape features, such as woodland and seasonal wetland areas that would fit in with the surrounding local landscape and character. Furthermore, cognizance has been given in the revised restoration design to the topography of the local area to remain in keeping with the wider environment. The site will be surveyed to ensure that levels do not exceed those which have been agreed with Peterborough City Council, therefore, only the required and agreed quantities of waste will be imported.

7.13 The use of waste as a substitute for non-waste materials gives rise to significant benefits in terms of the sustainable use of resources, the management of wastes and costs savings.

8.0 Summary and Conclusions

8.1 The Mineral Planning Consent that authorised the extraction of limestone from the extension area was originally granted on the basis that the void would be restored. The original scheme of restoration for the extraction void was consented by means of the deposit of inert materials via a non-landfill activity to return the site to the required standard for agricultural land and nature conservation.

8.2 Mick George Ltd propose to import inert waste materials and utilise available site-derived material to complete the restoration of Cross Leys Quarry with a revised scheme aimed at maintaining and enhancing the habitats and biodiversity in the southern site section and improving the quality of agricultural grazing land in the northern site section.

8.3 Some restoration occurred under a Paragraph 9 Exemption from Environmental Permitting Regulations until 1st October 2011, when the exemption was revoked. The site has had an Environmental Permit since 2012 for the deposit of inert materials for the purpose of restoration of the quarry site.

8.4 The proposed restoration scheme would restore the northern part of the quarry to undulating farmland with areas of woodland, but it would also incorporate low-lying wetland and grassland for nature conservation (including the protection of the identified Great Crested Newt Population) within retained areas of former mineral extraction to the south of the pipeline.

8.5 Revised final levels will accord with the drawings, which are provided with this document. All the imported inert materials will be suitably compacted to ensure they can form a stable landform for the medium to long term. An estimated c. 395,000 m³ of imported inert material is required to supplement site derived material and restore the site to final levels in line with the approved revised restoration scheme.

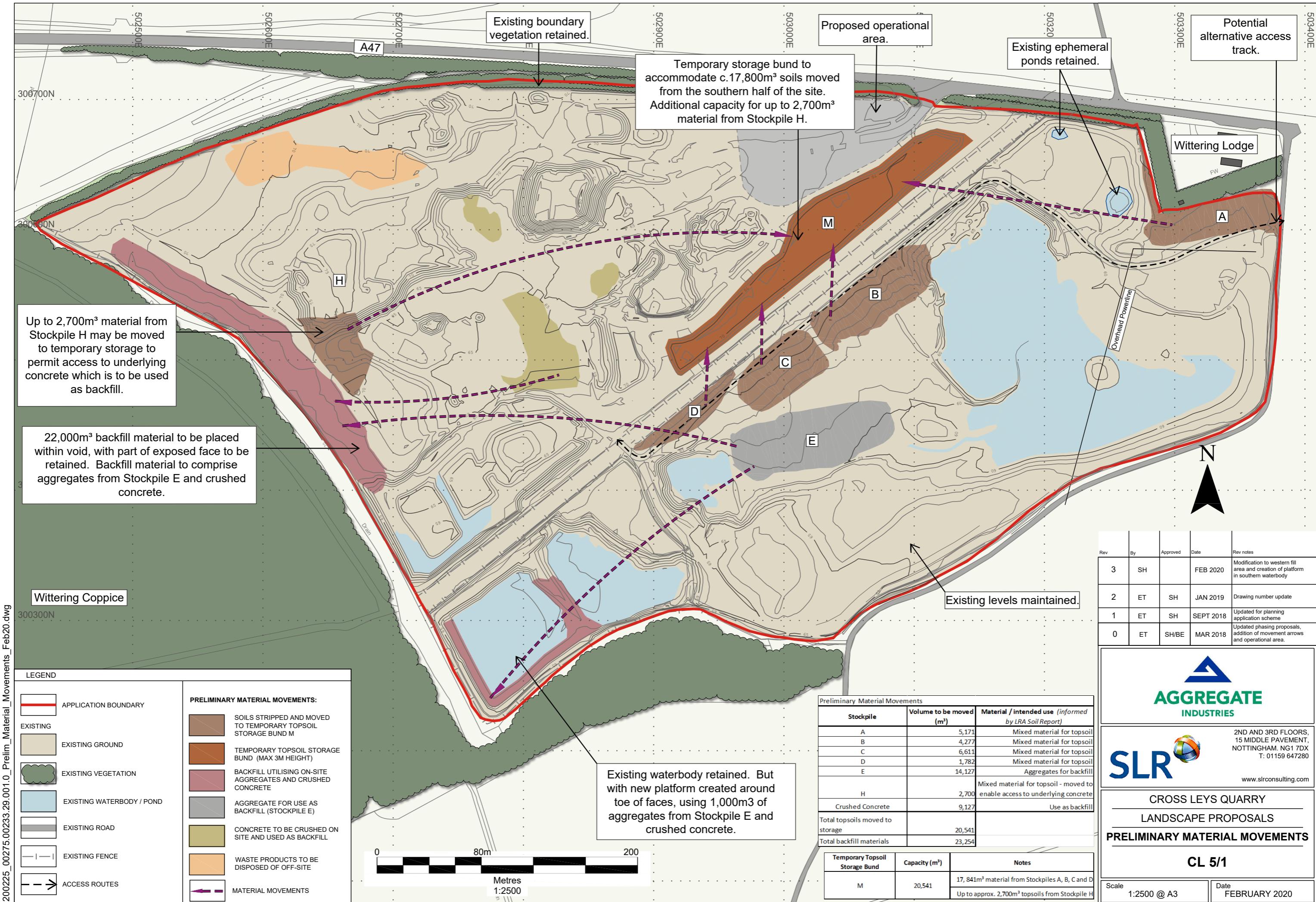
8.6 The importation of inert wastes will remove the need to source and utilise significant quantities of primary non-waste materials, which would otherwise be used for construction and landscaping purposes. Suitable non-waste materials would include crushed rock, soils and aggregate and as a non-renewable resource, it is considered that such materials should be conserved for higher grade uses, such as construction and infrastructure maintenance. There is, therefore, a significant benefit in sustainability terms, by importing wastes in preference to non-waste materials.

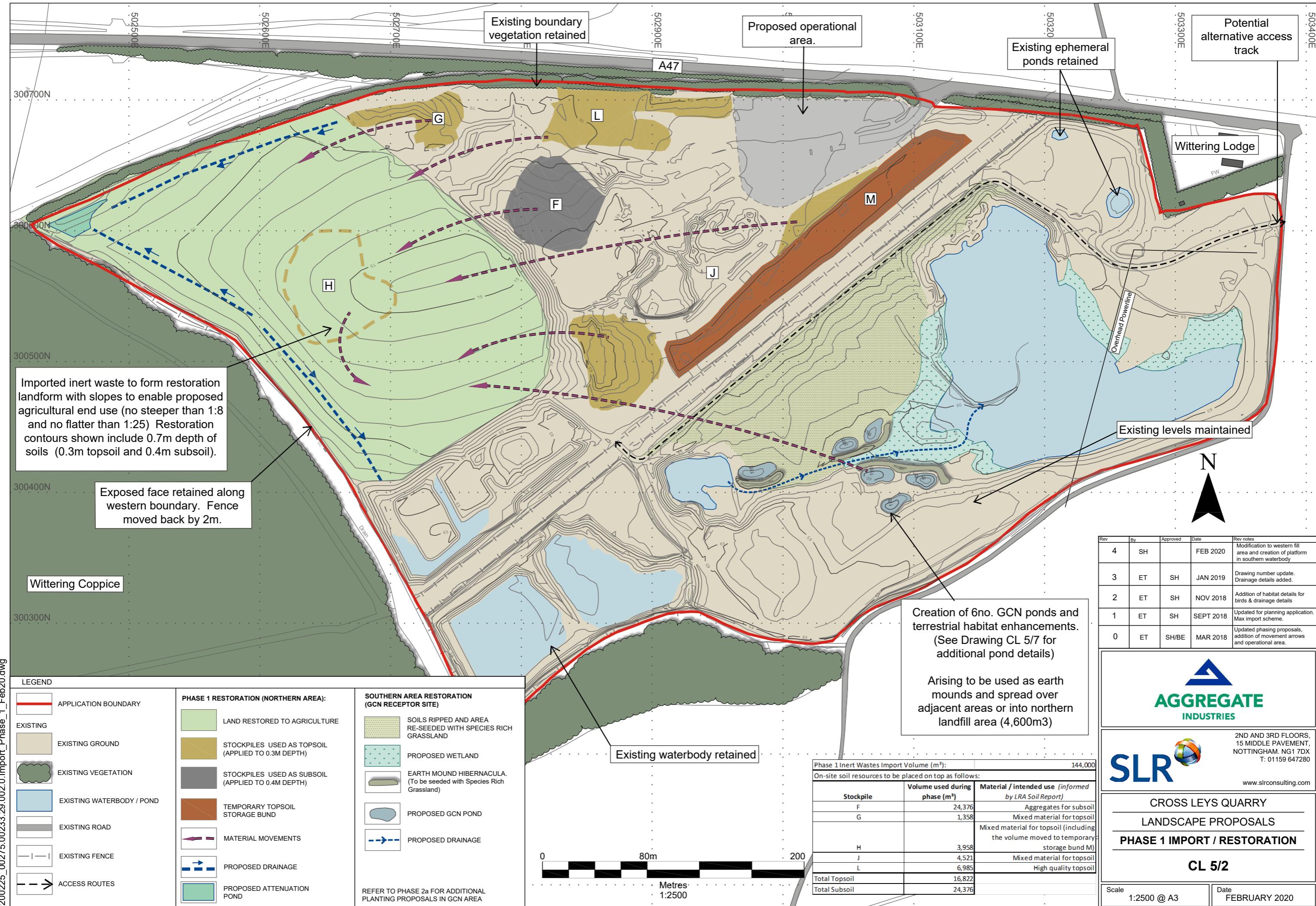
8.7 It is therefore considered that the proposed development at Cross Leys Quarry (the permanent deposit of waste on land) is classified as a recovery operation.



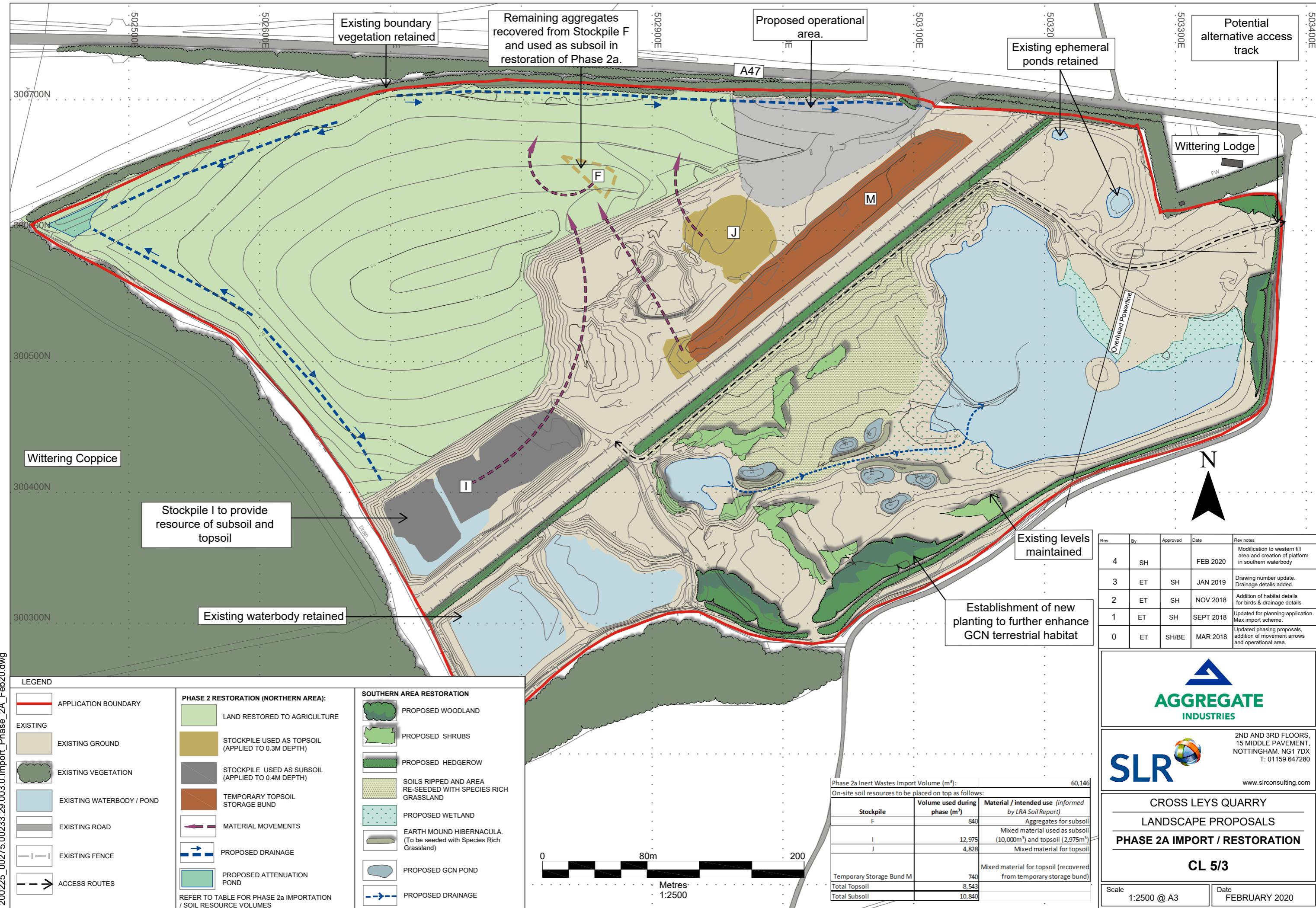
Sirius

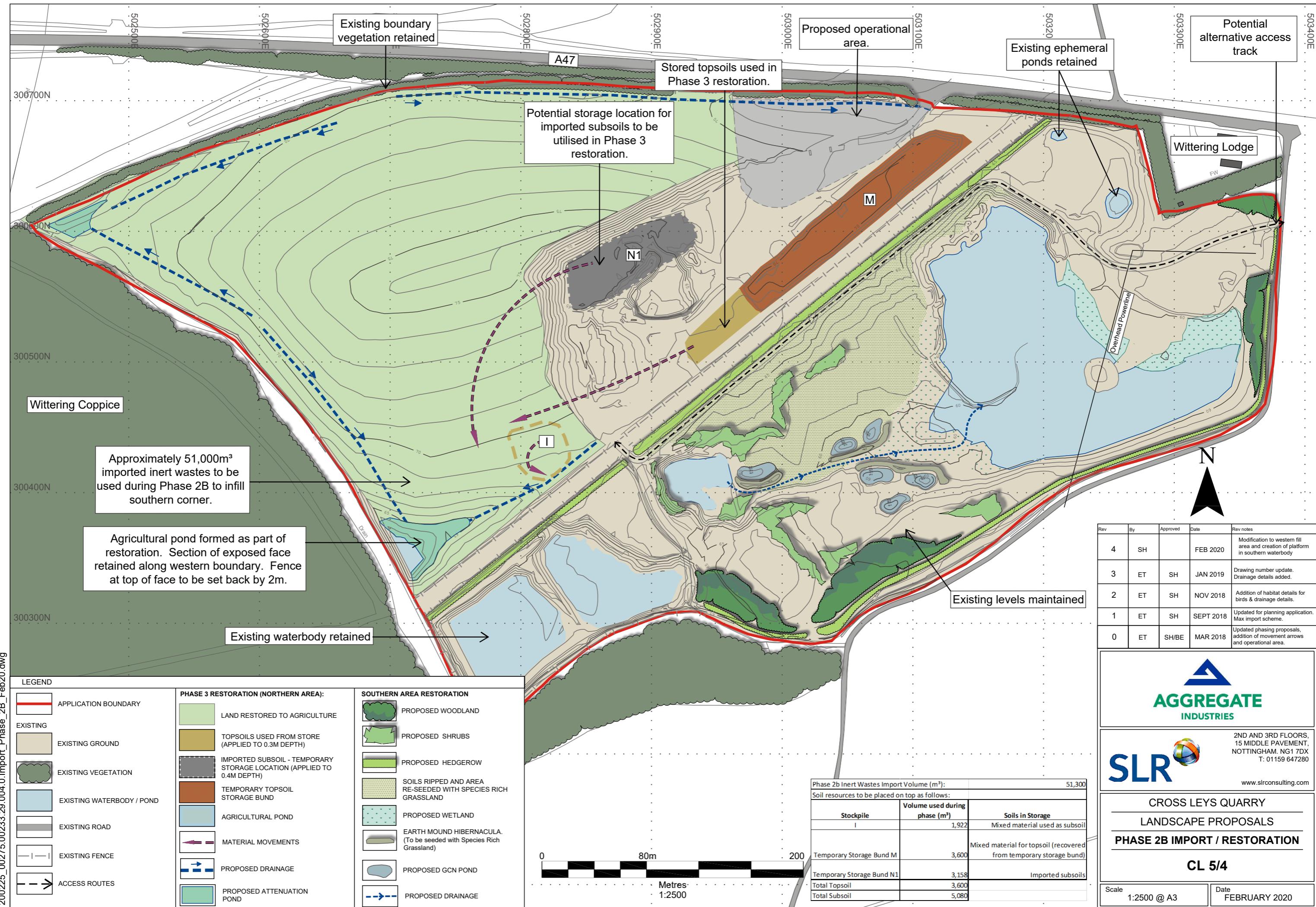
DRAWINGS

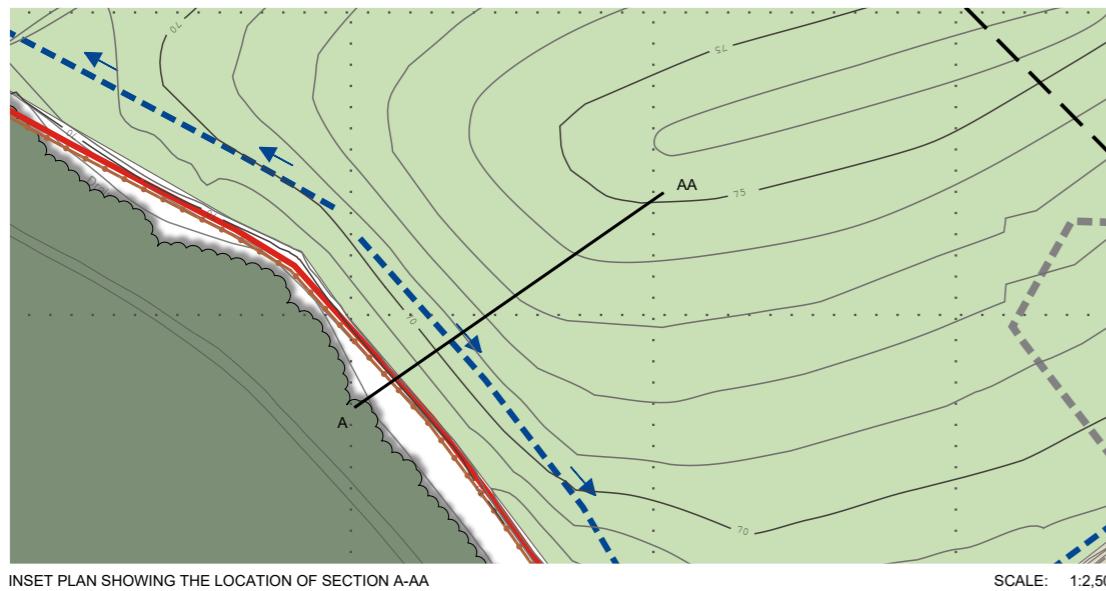
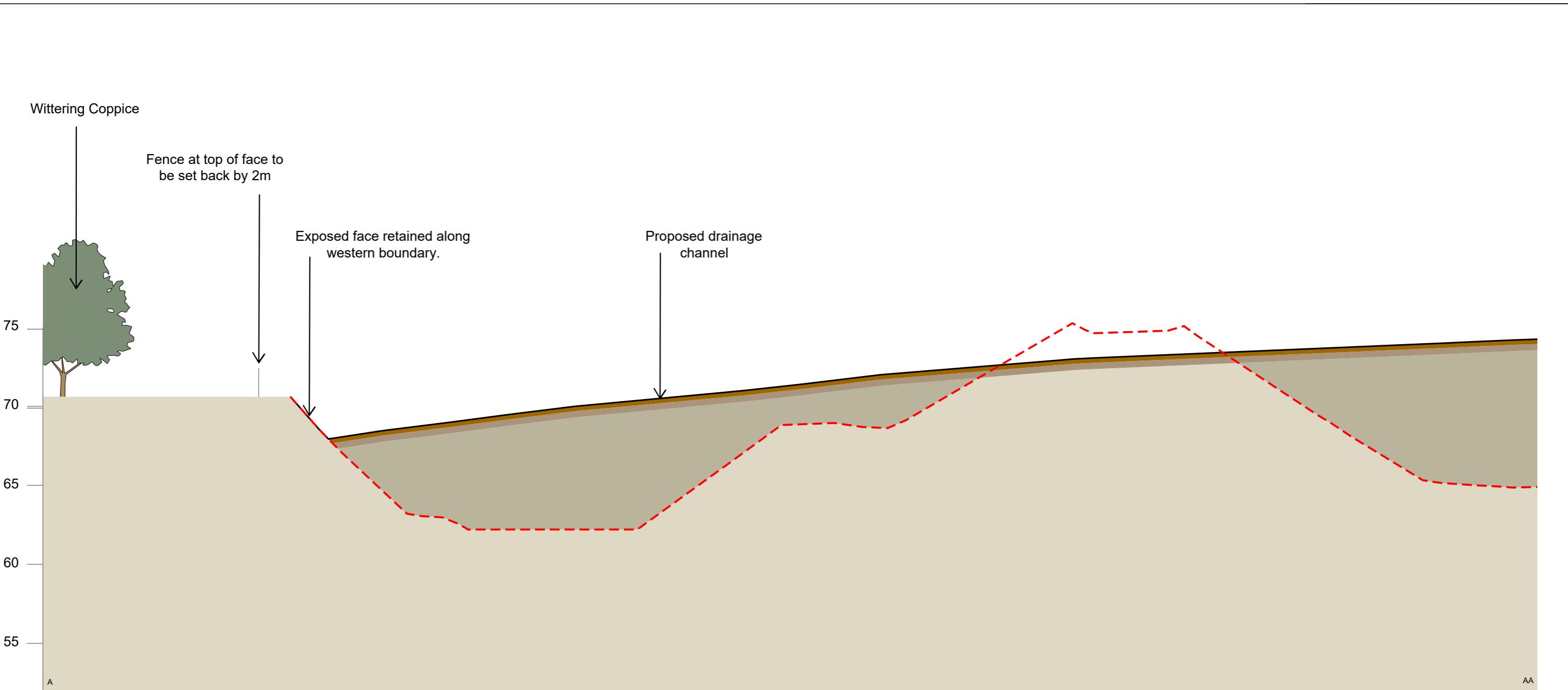




Rev	By	Approved	Date	Rev notes
4	SH		FEB 2020	Modification to western fill area and creation of platform in southern waterbody
3	ET	SH	JAN 2019	Drawing number update. Drainage details added.
2	ET	SH	NOV 2018	Addition of habitat details for birds & drainage details
1	ET	SH	SEPT 2018	Updated for planning application. Max import scheme.
0	ET	SH/BE	MAR 2018	Updated phasing proposals, addition of movement arrows and operational area.







SECTION LEGEND	
	EXISTING LANDFORM (NOVEMBER 2016)
	PROPOSED LANDFORM
	INSITU LANDFORM (NOVEMBER 2016)
	FILL MATERIAL
	TOPSOIL 30CM THICK
	SUBSOIL 40CM THICK

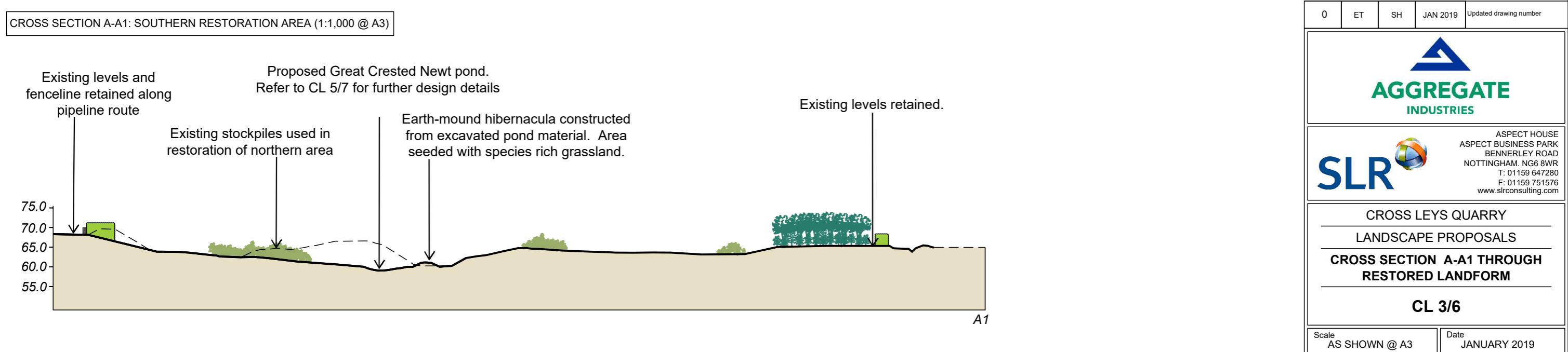
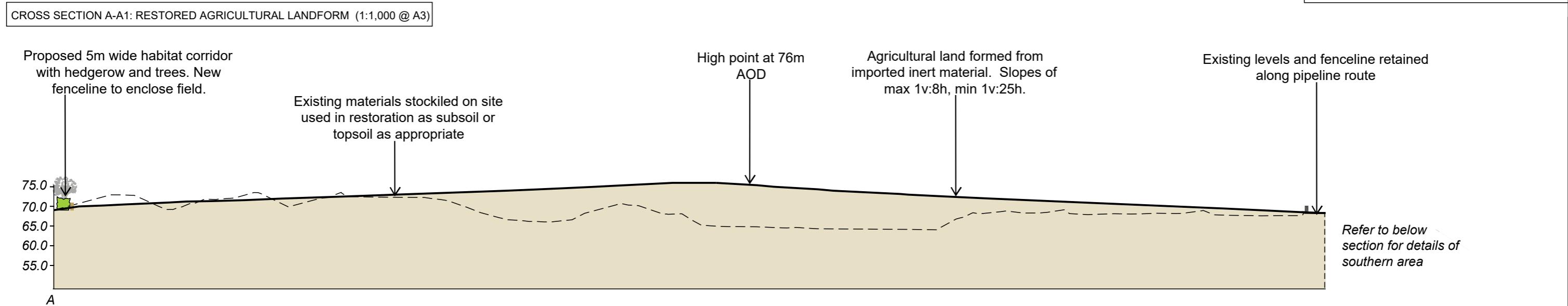
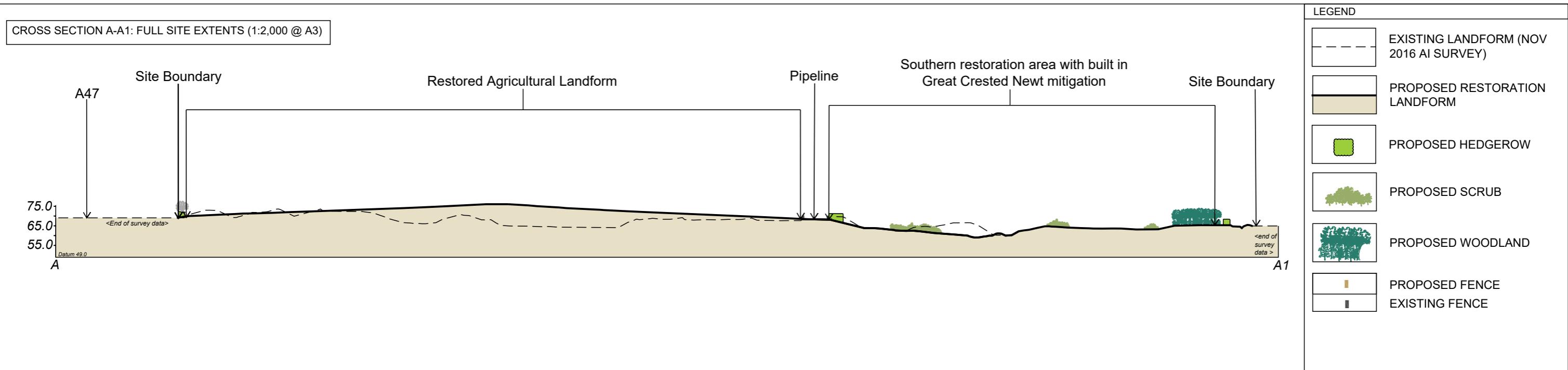
AGGREGATE INDUSTRIES

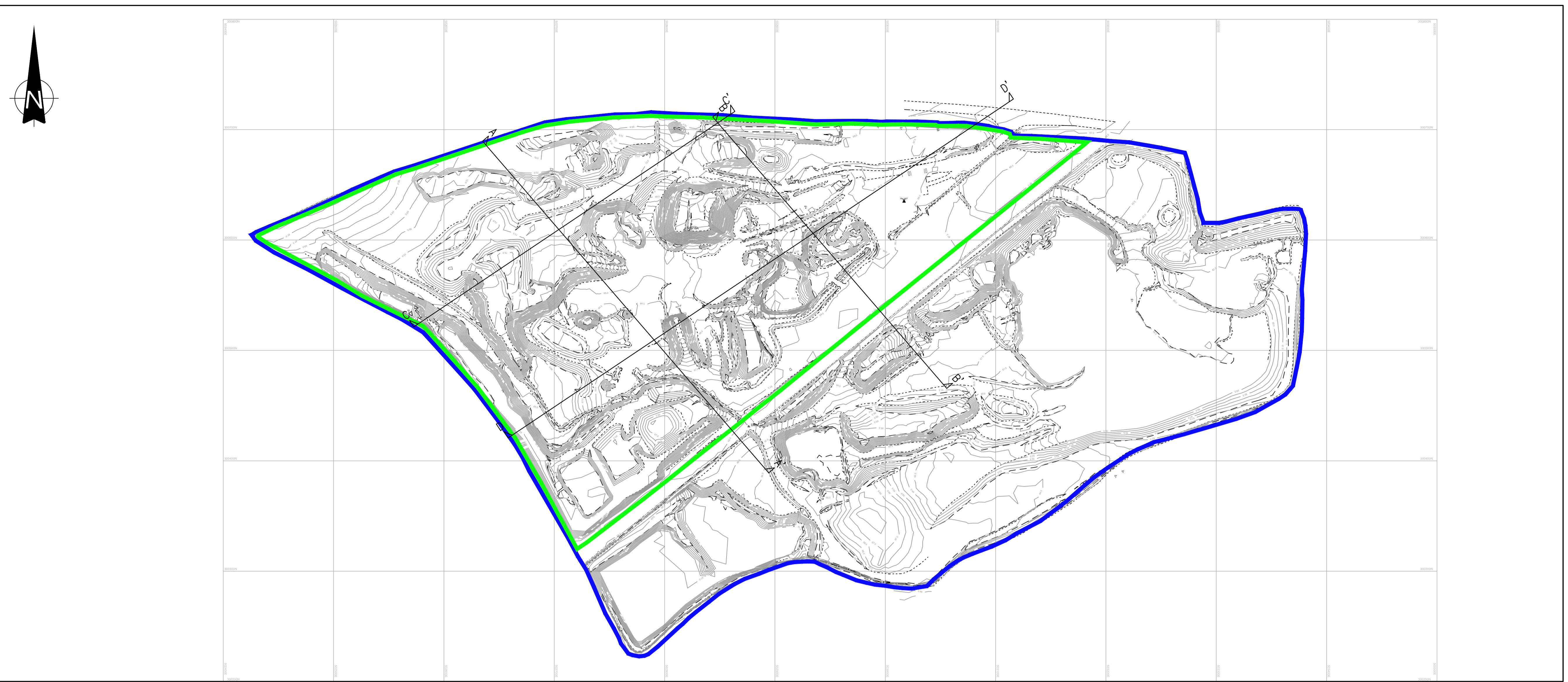
 2ND AND 3RD FLOORS, 15 MIDDLE PAVEMENT, NOTTINGHAM, NG1 7DX
 T: 01159 647280
www.aggregateindustries.com

SLR 
 global environmental solutions
www.slrconsulting.com

CROSS LEYS QUARRY
LANDSCAPE PROPOSALS
ILLUSTRATIVE SECTION ON WESTERN BOUNDARY
CL 5/7

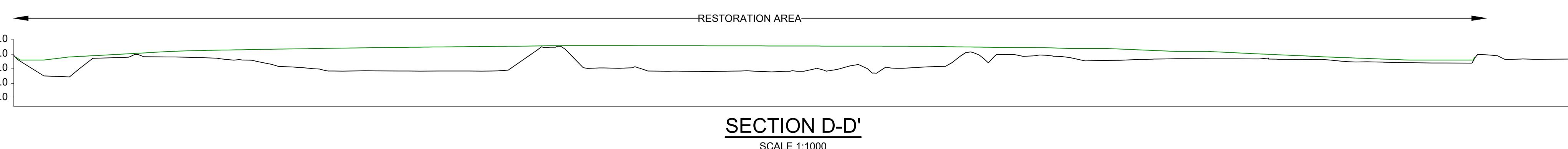
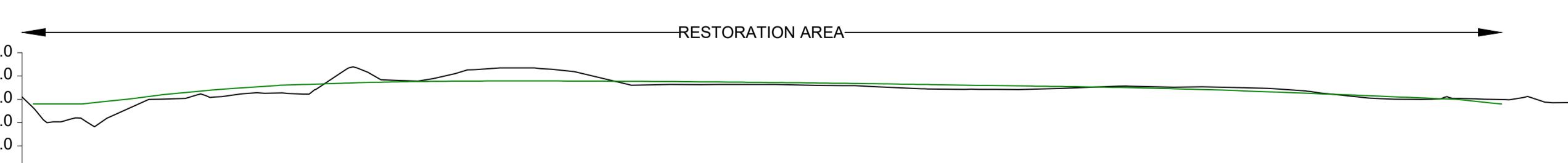
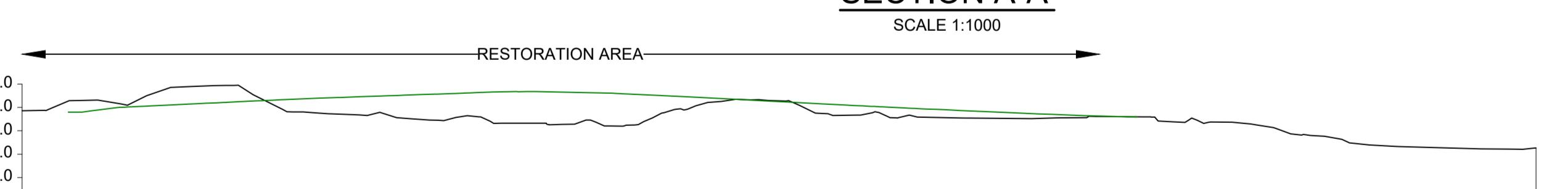
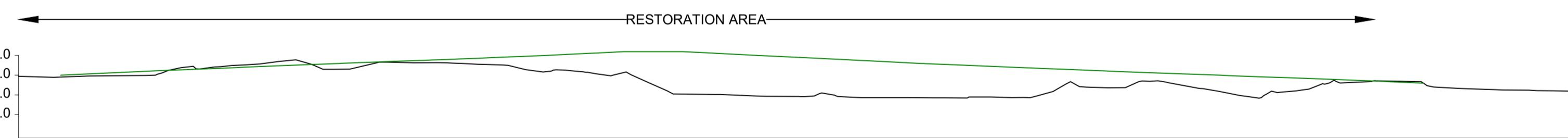
Scale 1:250 @ A3	Date AUGUST 2020
------------------	------------------





PLAN SHOWING LOCATIONS OF
SECTIONS

SCALE 1:2000



THIS INFORMATION IS CONFIDENTIAL AND THE PROPERTY OF SIRIUS. IT IS RELEASED ON CONDITION THAT NONE OF THE INFORMATION SHALL BE DISCLOSED TO ANY THIRD PARTY OR REPRODUCED IN WHOLE OR PART WITHOUT THE PRIOR CONSENT IN WRITING OF SIRIUS.

NOTES

1. ALL LEVELS IN METRES ABOVE ORDNANCE DATUM.
2. SITE SURVEY LEVELS RECORDED IN NOVEMBER 2016.
3. RESTORATION CONTOURS INCORPORATED FROM DRAWING REF.: CL5/5, FEBRUARY 2020

KEY

- OWNERSHIP BOUNDARY
- PROPOSED RESTORATION AREA BOUNDARY
- SITE SURVEY LEVELS
- APPROVED RESTORATION CONTOURS

REV DESCRIPTION DATE BY

CLIENT

MICK GEORGE 

Sirius Environmental

Office Suite 2, The Beacon Centre for Enterprise, Dafen, Llanelli. SA14 8LQ. 01554 780 544

JOB TITLE
CROSS LEYS QUARRY - ENVIRONMENTAL PERMIT APPLICATION

DRAWING TITLE
RESTORATION PROFILE CROSS-SECTIONS

DRAWN DATE APPROVED DATE

M.C 05/02/2021 M.K 05/02/2021

SCALE SHEET DRAWING NUMBER REVISION

As Shown A1L MG1000/02/01 0



APPENDICES



APPENDIX WRP1

Previous Paragraph 9 Exemption



Mr N Johnson
Mick George Ltd
Meadow Lane
St. Ives
Cambridgeshire
PE27 4YQ

Exemption Ref: AY1/002922/2010
Our Ref: PSC/C22490

Your Ref:

Date: 20/10/2010



Dear Mr Johnson

**Environmental Protection, England and Wales
Environmental Permitting (England and Wales) Regulations 2007**

CONFIRMATION OF RENEWAL REGISTRATION

Name of the establishment or undertaking: **Mick George Ltd**

Location of the activity: **Cross Leys Quarry, Wittering, Peterborough,
Cambridgeshire, PE8 6NS**

Activities under paragraph: **9**

Date of Registration: **28/11/2010**

Following your notification received 18/10/2010 I confirm that the details of the activity you describe have been placed on our public register of exempt activities. If the details above are incorrect, please contact us on 08708 506 506.

The activity will only continue to be exempt if it meets the criteria set out in schedule 3 of the above regulations and does not endanger human health or involve processes which could harm the environment. In particular, it should not:

- pose a risk to water, air, soil, plants or animals
- cause nuisance through noise or odours
- adversely affect the countryside or places of special interest

You are required to keep a record of the quantity, nature, origin, destination and treatment method of all waste disposed of or recovered in the course of your exempt activity. These records must be kept for at least two years. They must also be made available to us on request. *If your exemption is for a Paragraph 9 or 19 and uses less than 2,500 cubic metres of waste, you do not need to do this.*





APPENDIX WRP2

Planning Consents Associated with Previous Restoration Scheme

Environmental Services

Bridge House, Town Bridge, Peterborough, PE1 1HB

DX 12310 Peterborough 1

NOTICE OF PLANNING PERMISSION

Town and Country Planning Act 1990

Reference: 06/00415/MMFUL
Decision Date: 20 July 2006

Proposal	Importation of inert (construction and demolition) waste in order to assist in the overall restoration of Cross Leys Quarry
At	Cross Leys Quarry Leicester Road Wansford Peterborough
Applicant	Aggregate Industries (UK) Ltd

PERMISSION IS GRANTED for this application in accordance with the following plans, drawings and documents:

Application received: 16 March 2006

Plan/Drawing Nos/Documents: CL3 dated June 2006

Reason for decision:

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

Cambridgeshire Aggregates (Minerals) Local Plan Policies

CALP 17 Restoration and Aftercare

Cambridgeshire and Peterborough Waste Local Plan Policies

WLP7 Protection of Landscape Character

WLP9 Protecting Surrounding Uses

WLP10 Nature Conservation

WLP34 Ancillary Waste Development

WLP37 Planning Control

Peterborough Local Plan Policies

- DA13 Noise
- LNE1 Development in the Countryside
- LNE5 Area of Best Landscape
- LNE15 Sites of National Nature Conservation Importance
- LNE16 Sites of Local Nature Conservation Importance

Permission is granted subject to the following conditions and reasons:

C 1 The development hereby permitted shall be completed, apart from aftercare works required by condition 14 by the 31 July 2010.

Reason: In the interests of local amenity and to ensure that the site is restored to a beneficial afteruse in accordance with policy WLP37 of the Cambridgeshire and Peterborough Waste Local Plan.

C 2 This development hereby permitted shall be carried out in accordance with the details submitted by way of the application dated 16 March and drawing number CL3 dated March 2006 as amended by a letter from SLR dated 13 June and accompanying drawing number CL3 dated June 2006.

Reason: In the interests of defining the development in order to ensure the site is restored to a beneficial afteruse in accordance with policy WLP37 of the Cambridgeshire and Peterborough Waste Local Plan.

C 3 Vehicular access to the site shall only be via the existing quarry access from the A47 Trunk Road as approved by Planning Permission P/1166/80 dated 30 April 1981.

Reason: In order to protect highway safety in accordance with policy WLP4 of the Cambridgeshire and Peterborough Waste Local Plan.

C 4 The existing wheel cleaning facility for quarry traffic, as shown on submitted plan referenced 1140/12B, shall be retained and maintained in a good working order for the duration of quarrying activities. Internal traffic arrangements shall ensure that all quarry traffic leaving the site shall pass through the wheel cleaning facility.

Reason: To prevent mud and debris being deposited onto the public highway in the interests of highway safety and in accordance with policies T1 of the Peterborough Local Plan and WLP4 of the Cambridgeshire and Peterborough Waste Local Plan.

C 5 The operations authorised, required or associated with the development hereby permitted including associated vehicle movements, shall only be carried out between the following times:-

07.00 - 19.00 - Monday to Friday

07.00 - 13.00 Saturdays

and at no other time or on Sundays or Public Holidays without the prior written approval of the Mineral Planning Authority.

Reason: To protect the amenity of local residents in accordance with policy WLP37 of the Cambridgeshire and Peterborough Waste Local Plan.

C 6 The scheme of dust suppression and management measures approved under condition 7 of planning permission 99/01273/RMP shall also apply to the development hereby permitted and be implemented throughout the duration of the development.

Reason: In order to protect the amenity of local residents and the locality in accordance with policies WLP37 of the Cambridgeshire and Peterborough Waste Local Plan and DA13 Noise of the Peterborough Local Plan Policies.

C 7 No reversing alarm shall be fitted to any dump truck or loading shovel except in accordance with details to be agreed in writing beforehand by the Mineral Planning Authority or in accordance with any details agreed in accordance with condition 8 of planning permission 99/01273/RMP.

Reason: In order to protect the amenity of local residents and the locality in accordance with policies WLP37 of the Cambridgeshire and Peterborough Waste Local Plan and DA13 Noise of the Peterborough Local Plan Policies.

C 8 All plant and machinery shall be silenced at all times in accordance with the manufacturer's recommendations.

Reason: In order to protect the amenity of local residents and the locality in accordance with policies WLP37 of the Cambridgeshire and Peterborough Waste Local Plan and DA13 Noise of the Peterborough Local Plan Policies.

C 9 a) The volume of noise received at the properties specified below shall not exceed:

Wittering Lodge - 53 dB (L_{Aeq}) One Hour Free Field

Cross Leys Farm- 45 dB (L_{Aeq}) One Hour Free Field

b) Temporary operations are being undertaken, which are herein defined as final restoration works and other temporary activity as may be agreed in writing with the Mineral Planning Authority. Temporary operations shall not be carried out over a period exceeding a total of four weeks in any continuous 12-month period, and relate to work carried out within 200 metres of the boundary of the noise sensitive properties cited in a), The free field noise level received at noise sensitive properties shall not exceed 70 dB L_{Aeq}, 1 hour free field during these temporary operations. Five days' written notice shall be given to Mineral Planning Authority in advance of the commencement of any temporary operations as may be agreed, in advance of works taking place.

c) The scheme for the monitoring of the levels of noise received at the noise sensitive properties cited in a) above approved under condition 10 of planning permission 99/01273/RMP shall also apply to the development hereby permitted and be implemented throughout the duration of the development.

Reason: In order to protect the amenity of local residents and the locality in accordance with policies WLP37 of the Cambridgeshire and Peterborough Waste Local Plan and DA13 Noise of the Peterborough Local Plan Policies.

C10 Topsoil and subsoil movements and re-spreading shall only be carried out when the full depth of soil to be handled is in a suitable dry and friable condition (soil conditions to be assessed by the method set out in Appendix 2 of the Guidance on Good Practice for the Reclamation of Mineral Workings to Agriculture DoE 1996). Soils shall not be handled or re-spread between the months of October to March inclusive, unless otherwise agreed in writing by the Mineral Planning Authority.

Reason: In order to protect the soil resource in accordance with policies WLP37 of the Cambridgeshire and Peterborough Waste Local Plan and CALP 17 of the Cambridgeshire Aggregates (Minerals) Local Plan.

C11 Plant or vehicle movements shall be confined to clearly defined haul routes and shall not cross areas of topsoil and subsoil except for the express purpose of soil replacement operations. No stored topsoil and subsoil shall be removed from the site.

Reason: In order to protect the soil resource in accordance with policies WLP37 of the Cambridgeshire and Peterborough Waste Local Plan and CALP 17 of the Cambridgeshire Aggregates (Minerals) Local Plan.

C12 Prior to the replacement of topsoil or subsoil or any soil substitute, a scheme of soil placement shall be submitted to and approved in writing by the Mineral Planning Authority. Such a scheme shall include:

- a) How the quarry floor will be prepared prior to soil placement, including levelling and ripping.
- b) The proposed soil profile.
- c) Method of soil spreading and the machinery to be used.
- d) Subsoiling of any compacted layers.
- e) Removal of any material capable of impeding agricultural and land drainage operations; including the removal of stones and other objects greater than 75 mm in any dimension rising to the topsoil surface following subsoiling operations.
- f) A timetable for the implementation of the scheme including the planting and creation of new habitat areas shown on drawing number CL3 June 2003.

The restoration of the site shall subsequently be carried out in accordance with the approved scheme.

Reason: In order to ensure that soils are replaced in a manner which will not lead to their damage, degradation or loss and in accordance with policies WLP37 of the Cambridgeshire and Peterborough Waste Local Plan and CALP 17 of the Cambridgeshire Aggregates (Minerals) Local Plan.

C13 Prior to the commencement of development a phased overall landscaping plan for the Cross Leys Quarry based on drawing number CL3 Dated June 2006 shall be submitted to and approved in writing by the Mineral Planning Authority. The scheme shall provide detailed proposals indicating height, spacing and protection of all proposed planting together with programme for implementation and arrangements for maintenance. The landscaping shall be maintained over the life of the project and for a further period of five years following the final phase of restoration planting. The development shall subsequently be implemented in accordance with the approved details.

Reason: In the interests of local amenity and in accordance with policy WLP37 of the Cambridgeshire and Peterborough Waste Local Plan.

C14 Within six months of the date of this decision notice a scheme for the aftercare of the site shall be submitted for the approval in writing of the Mineral Planning Authority. The scheme shall set out the steps to be taken to bring the land to the required standard for use for agriculture and nature conservation, and shall:

- a) provide an outline strategy , in accordance with Annex A of MPG7, for the management of the land for a period of five years from the completion of restoration works required by Condition 12, and shall specify the steps to be taken and the period during which they are to be taken;
- b) contain details including drainage, the timing and pattern of vegetation establishment (including trees, hedgerows, and pond vegetation), cultivation practices, secondary treatments, management of soil fertility, irrigation and watering
- c) make provision for annual meetings between the operator, landowner, Mineral Planning Authority, and the Department of the Environment, Food and Rural Affairs;
- d) provide for a detailed annual programme, in accordance with Annex A of MPG7, to be submitted for the approval in writing of the Mineral Planning Authority no later than two months before the date of each annual aftercare meeting,
- e) the detailed aftercare programme approved by the Mineral Planning Authority shall be implemented in full over the time period to which it relates.

Reason: In order to ensure the land is reclaimed to an appropriate standard for agricultural and nature conservation users and in accordance with policies WLP37 of the Cambridgeshire and Peterborough Waste Local Plan and CALP 17 of the Cambridgeshire Aggregates (Minerals) Local Plan.

The notes on the following sheet should be read in conjunction with this decision notice.


.....
Head of Planning Services

The following notes should be read in conjunction with decision notice 06/00415/MMFUL

General Notes

- 1 Planning permission does not constitute approval under the Building Regulations or Bye-law approval relating to new streets and buildings.
- 2 It is an offence under Section 171 of the Highways Act 1980 to temporarily deposit building materials, rubbish or other things on the public highway or make a temporary excavation on it without the written consent of the Highway Authority. The Highway Authority may give its consent subject to such conditions as it thinks fit.

Legal Notes

Notes Relating to Appeals to the Secretary of State

- 1 The applicant has a **right to appeal** to the Secretary of State against any conditions of this planning permission, under Section 78 of the Town & Country Planning Act 1990. The appeal must be made on a form which may be obtained from: The Planning Inspectorate, Temple Quay House, 2 The Square, Temple Quay, Bristol. BS1 6PN (Tel 0117 372 6372) or web site www.planning-inspectorate.gov.uk.

2 If you want to appeal, then you must do so within six months of the date of this notice.

- 3 The Secretary of State can allow a longer period for giving notice of an appeal, but he will not normally be prepared to use this power unless there are special circumstances which excuse the delay in giving notice of appeal.
- 4 The Secretary of State need not consider an appeal if it seems to him that the local planning authority could not have granted planning permission for the proposed development or could not have granted it without the conditions they imposed, having regard to the statutory requirements, to the provisions of any development order and to any directions given under a development order.

In practice, the Secretary of State does not refuse to consider appeals solely because the Local Planning Authority based their decision on a direction given by him.

Note Relating to Purchase Notices

If the Local Planning Authority or the Secretary of State grants permission subject to conditions the owner may claim that he/she can neither put the land to a reasonably beneficial use in its existing state nor render the land capable of a reasonably beneficial use by the carrying out of any development which has been or would be permitted. In these circumstances the owner may serve a purchase notice on the Council to purchase his interest in the land in accordance with the provisions of Part VI of the Town and Country Planning Act 1990.

Note Relating to UK Ceed

Peterborough's UK Centre for Economic & Environmental Development (UK CEED) is researching aspects of the disposal, segregation & recycling of waste from construction and demolition activities. This is taking place at the Ecotrade Centre, Welland Road, Dogsthorpe, which is testing new approaches to material reuse and recycling. You can participate in the research at this facility by bringing waste material, and at the same time benefit from cost savings, and ensuring compliance with legislation. For more information contact Cristina Royo, UK CEED, 48 Broadway, Peterborough PE1 1SB; telephone 01733 311644 or e-mail c.royo@ukceed.org.

Note Relating to Starting Work too Soon

If you start work on this development before complying with conditions that require to be met before work starts, your action has made this planning permission invalid. A fresh planning application will then be required, with the associated cost and delay.

**NOTICE OF PERMISSION TO DEVELOP LAND WITHOUT COMPLIANCE
 WITH CONDITIONS PREVIOUSLY ATTACHED TO A GRANT OF
 PLANNING PERMISSION**

Town and Country Planning Act 1990: Section 73

Reference: 10/00488/WCMM
 Decision Date: 29 June 2010

Proposal	Variation of condition 1 of planning permission 06/00415/MMFUL to vary the completion date of the permitted infilling from 31/07/2010 to 31/07/2012
At	Cross Leys Quarry Leicester Road Wansford Peterborough
Applicant	Mick George Ltd
Date Received	13 April 2010

Title	Reference – Drawing No.	Version No.	Dated
Location Plan	CL3		

Reason for decision:

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

Cambridgeshire Aggregates (Minerals) Local Plan Policies

CALP 17 Restoration and Aftercare

Cambridgeshire and Peterborough Waste Local Plan Policies

WLP7 Protection of Landscape Character

WLP9 Protecting Surrounding Uses

WLP34 Ancillary Waste Development

Peterborough Local Plan Policies

LNE1 Development in the Countryside

LNE5 Area of Best Landscape

LNE15 Sites of National Nature Conservation Importance

LNE16 Sites of Local Nature Conservation Importance

Permission is granted subject to the following conditions and reasons:

C 1 The development hereby permitted shall be completed, apart from aftercare works required by condition 14 by 31 July 2012.

Reason: In the interests of local amenity and to ensure that the site is restored to a beneficial afteruse in accordance with policy WLP37 of the Cambridgeshire and Peterborough Waste Local Plan.

C 2 The development hereby permitted shall be carried out in accordance with the details submitted by way of the application dated 16 March 2006 and drawing number CL3 dated March 2006 as amended by a letter from SLR dated 13 June 2006 and accompanying drawing number CL3 dated June 2006.

Reason: In the interests of defining the development in order to ensure the site is restored to a beneficial afteruse in accordance with policy WLP37 of the Cambridgeshire and Peterborough Waste Local Plan.

C 3 Vehicular access to the site shall only be via the existing quarry access from the A47 Trunk Road as approved by Planning Permission P/1166/80 dated 30 April 1981.

Reason: In order to protect highway safety in accordance with policy WLP4 of the Cambridgeshire and Peterborough Waste Local Plan.

C 4 The existing wheel cleaning facility for quarry traffic, as shown on submitted plan referenced 1140/12B, shall be retained and maintained in a good working order for the duration of quarrying activities. Internal traffic arrangements shall ensure that all quarry traffic leaving the site shall pass through the wheel cleaning facility.

Reason: To prevent mud and debris being deposited onto the public highway in the interests of highway safety and in accordance with policies T1 of the Peterborough Local Plan and WLP4 of the Cambridgeshire and Peterborough Waste Local Plan.

C 5 The operations authorised, required or associated with the development hereby permitted including associated vehicle movements, shall only be carried out between the following times:-

07.00 - 19.00 Monday to Friday
07.00 - 13.00 Saturdays

and at no other time or on Sundays or Public Holidays.

Reason: To protect the amenity of local residents in accordance with policy WLP37 of the Cambridgeshire and Peterborough Waste Local Plan.

C 6 The scheme of dust suppression and management measures approved under condition 7 of planning permission 99/01273/RMP shall also apply to the development hereby permitted and be implemented throughout the duration of the development.

Reason: In order to protect the amenity of local residents and the locality in accordance with policies WLP37 of the Cambridgeshire and Peterborough Waste Local Plan and DA13 Noise of the Peterborough Local Plan Policies.

C 7 No reversing alarm shall be fitted to any dump truck or loading shovel except in accordance with details to be agreed in writing beforehand by the Mineral Planning Authority or in accordance with any details agreed in accordance with condition 8 of planning permission 99/01273/RMP.

Reason: In order to protect the amenity of local residents and the locality in accordance with policies WLP37 of the Cambridgeshire and Peterborough Waste Local Plan and DA13 Noise of the Peterborough Local Plan Policies.

C 8 All plant and machinery shall be silenced at all times in accordance with the manufacturer's recommendations.

Reason: In order to protect the amenity of local residents and the locality in accordance with policies WLP37 of the Cambridgeshire and Peterborough Waste Local Plan and DA13 Noise of the Peterborough Local Plan Policies.

C 9 a) The volume of noise received at the properties specified below shall not exceed:

Wittering Lodge - 53 dB (L_{Aeq}) One Hour Free Field

Cross Leys Farm- 45 dB (L_{Aeq}) One Hour Free Field

b) Temporary operations are being undertaken, which are herein defined as final restoration works and other temporary activity as may be agreed in writing with the Mineral Planning Authority. Temporary operations shall not be carried out over a period exceeding a total of four weeks in any continuous 12-month period, and relate to work carried out within 200 metres of the boundary of the noise sensitive properties cited in a), The free field noise level received at noise sensitive properties shall not exceed 70 dB L_{Aeq}, 1 hour free field during these temporary operations. Five days' written notice shall be given to Mineral Planning Authority in advance of the commencement of any temporary operations as may be agreed, in advance of works taking place.

c) The scheme for the monitoring of the levels of noise received at the noise sensitive properties cited in a) above approved under condition 10 of planning permission 99/01273/RMP shall also apply to the development hereby permitted and be implemented throughout the duration of the development.

Reason: In order to protect the amenity of local residents and the locality in accordance with policies WLP37 of the Cambridgeshire and Peterborough Waste Local Plan and DA13 Noise of the Peterborough Local Plan Policies.

C10 Topsoil and subsoil movements and re-spreading shall only be carried out when the full depth of soil to be handled is in a suitable dry and friable condition (soil conditions to be assessed by the method set out in Appendix 2 of the Guidance on Good Practice for the Reclamation of Mineral Workings to Agriculture DoE 1996). Soils shall not be handled or re-spread between the months of October to March inclusive, unless otherwise agreed in writing by the Mineral Planning Authority.

Reason: In order to protect the soil resource in accordance with policies WLP37 of the Cambridgeshire and Peterborough Waste Local Plan and CALP 17 of the Cambridgeshire Aggregates (Minerals) Local Plan.

C11 Plant or vehicle movements shall be confined to clearly defined haul routes and shall not cross areas of topsoil and subsoil except for the express purpose of soil replacement operations. No stored topsoil and subsoil shall be removed from the site.

Reason: In order to protect the soil resource in accordance with policies WLP37 of the Cambridgeshire and Peterborough Waste Local Plan and CALP 17 of the Cambridgeshire Aggregates (Minerals) Local Plan.

C12 Prior to the replacement of topsoil or subsoil or any soil substitute, a scheme of soil placement shall be submitted to and approved in writing by the Mineral Planning Authority. Such a scheme shall include:

- a) How the quarry floor will be prepared prior to soil placement, including levelling and ripping.
- b) The proposed soil profile.
- c) Method of soil spreading and the machinery to be used.
- d) Subsoiling of any compacted layers.
- e) Removal of any material capable of impeding agricultural and land drainage operations; including the removal of stones and other objects greater than 75 mm in any dimension rising to the topsoil surface following subsoiling operations.
- f) A timetable for the implementation of the scheme including the planting and creation of new habitat areas shown on drawing number CL3 dated June 2003.

The restoration of the site shall subsequently be carried out in accordance with the approved scheme.

Reason: In order to ensure that soils are replaced in a manner which will not lead to their damage, degradation or loss and in accordance with policies WLP37 of the Cambridgeshire and Peterborough Waste Local Plan and CALP 17 of the Cambridgeshire Aggregates (Minerals) Local Plan.

C13 Prior to the commencement of development a phased overall landscaping plan for the Cross Leys Quarry based on drawing number CL3 Dated June 2006 shall be submitted to and approved in writing by the Mineral Planning Authority. The scheme shall provide detailed proposals indicating height, spacing and protection of all proposed planting together with programme for implementation and arrangements for maintenance. The landscaping shall be maintained over the life of the project and for a further period of five years following the final phase of restoration planting. The development shall subsequently be implemented in accordance with the approved details.

Reason: In the interests of local amenity and in accordance with policy WLP37 of the Cambridgeshire and Peterborough Waste Local Plan.

C14 Within six months of the date of this decision notice a scheme for the aftercare of the site shall be submitted for the approval in writing of the Mineral Planning Authority. The scheme shall set out the steps to be taken to bring the land to the required standard for use for agriculture and nature conservation, and shall:

- a) provide an outline strategy , in accordance with Annex A of MPG7, for the management of the land for a period of five years from the completion of restoration works required by Condition 12, and shall specify the steps to be taken and the period during which they are to be taken;
- b) contain details including drainage, the timing and pattern of vegetation establishment (including trees, hedgerows, and pond vegetation), cultivation practices, secondary treatments, management of soil fertility, irrigation and watering
- c) make provision for annual meetings between the operator, landowner, Mineral Planning Authority, and the Department of the Environment, Food and Rural Affairs;
- d) provide for a detailed annual programme, in accordance with Annex A of MPG7, to be submitted for the approval in writing of the Mineral Planning Authority no later than two months before the date of each annual aftercare meeting,
- e) the detailed aftercare programme approved by the Mineral Planning Authority shall be implemented in full over the time period to which it relates.

Reason: In order to ensure the land is reclaimed to an appropriate standard for agricultural and nature conservation users and in accordance with policies WLP37 of the Cambridgeshire and Peterborough Waste Local Plan and CALP 17 of the Cambridgeshire Aggregates (Minerals) Local Plan.

C15 This permission does not include the restoration scheme as shown on the submitted plan CL3.

REASON: To clarify what is hereby approved.

DETAILS OF THE PREVIOUS PLANNING PERMISSION SUBJECT OF THIS APPLICATION:

Reference No: 06/00415/MMFUL

Date of Decision: 27.07.2006

Condition(s) of the previous planning permission subject of this application:

1 - time limit to complete aftercare scheme

NOTE ALL OTHER CONDITIONS OF THE PREVIOUS PLANNING PERMISSION REMAIN IN FORCE.

The notes on the following sheet should be read in conjunction with this decision notice.

IP


Head of Planning Services

Legal Notes

General Notes

- 1 All other conditions of the planning permission approval remain in force.

Notes Relating to Appeals to the Secretary of State

- 1 The applicant has a **right to appeal** to the Secretary of State against any conditions of this planning permission, under Section 78 of the Town & Country Planning Act 1990. The appeal must be made on a form which may be obtained from: The Planning Inspectorate, Temple Quay House, 2 The Square, Temple Quay, Bristol. BS1 6PN (Tel 0117 372 6372) or web site www.planning-inspectorate.gov.uk.
- 2 If you want to appeal, then you must do so within six months of the date of this notice.
- 3 The Secretary of State can allow a longer period for giving notice of an appeal, but he will not normally be prepared to use this power unless there are special circumstances which excuse the delay in giving notice of appeal.
- 4 The Secretary of State need not consider an appeal if it seems to him that the local planning authority could not have granted planning permission for the proposed development or could not have granted it without the conditions they imposed, having regard to the statutory requirements, to the provisions of any development order and to any directions given under a development order.

In practice, the Secretary of State does not refuse to consider appeals solely because the Local Planning Authority based their decision on a direction given by him.

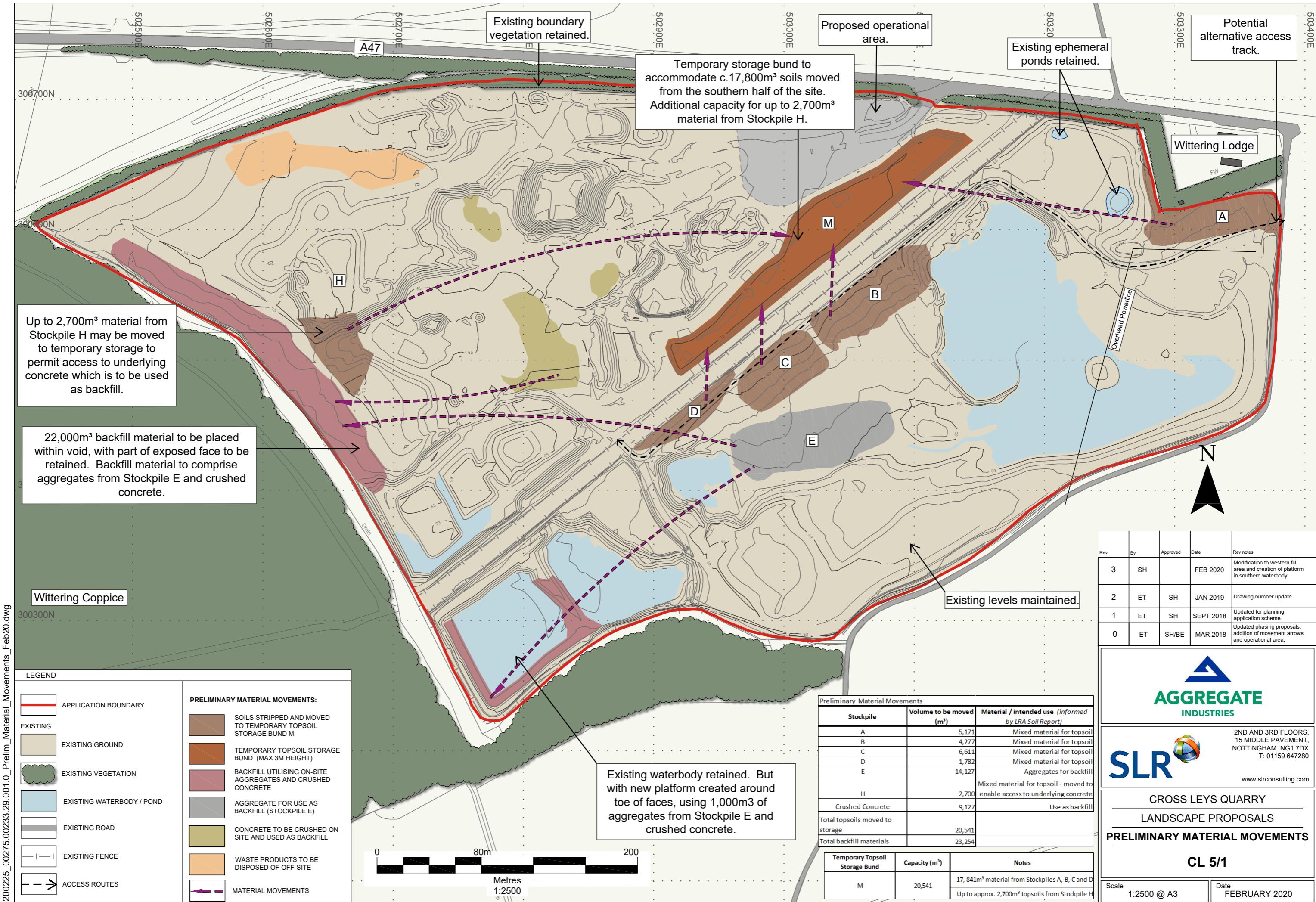
Notes Relating to Purchase Notices

- 1 If the Local Planning Authority or the Secretary of State grants permission subject to conditions the owner may claim that he can neither put the land to a reasonably beneficial use in its existing state nor render the land capable of a reasonably beneficial use by the carrying out of any development which has been or would be permitted. In these circumstances the owner may serve a purchase notice on the Council to purchase his interest in the land in accordance with the provisions of Part VI of the Town and Country Planning Act 1990.



APPENDIX WRP3

Planning Consents Issued in
December 2020



Rev	By	Approved	Date	Rev notes
3	SH		FEB 2020	Modification to western fill area and creation of platform in southern waterbody
2	ET	SH	JAN 2019	Drawing number update
1	ET	SH	SEPT 2018	Updated for planning application scheme
0	ET	SH/BE	MAR 2018	Updated phasing proposals, addition of movement arrows and operational area.



2ND AND 3RD FLOORS,
15 MIDDLE PAVEMENT,
NOTTINGHAM. NG1 7DX
T: 01159 647280
www.slrconsulting.com

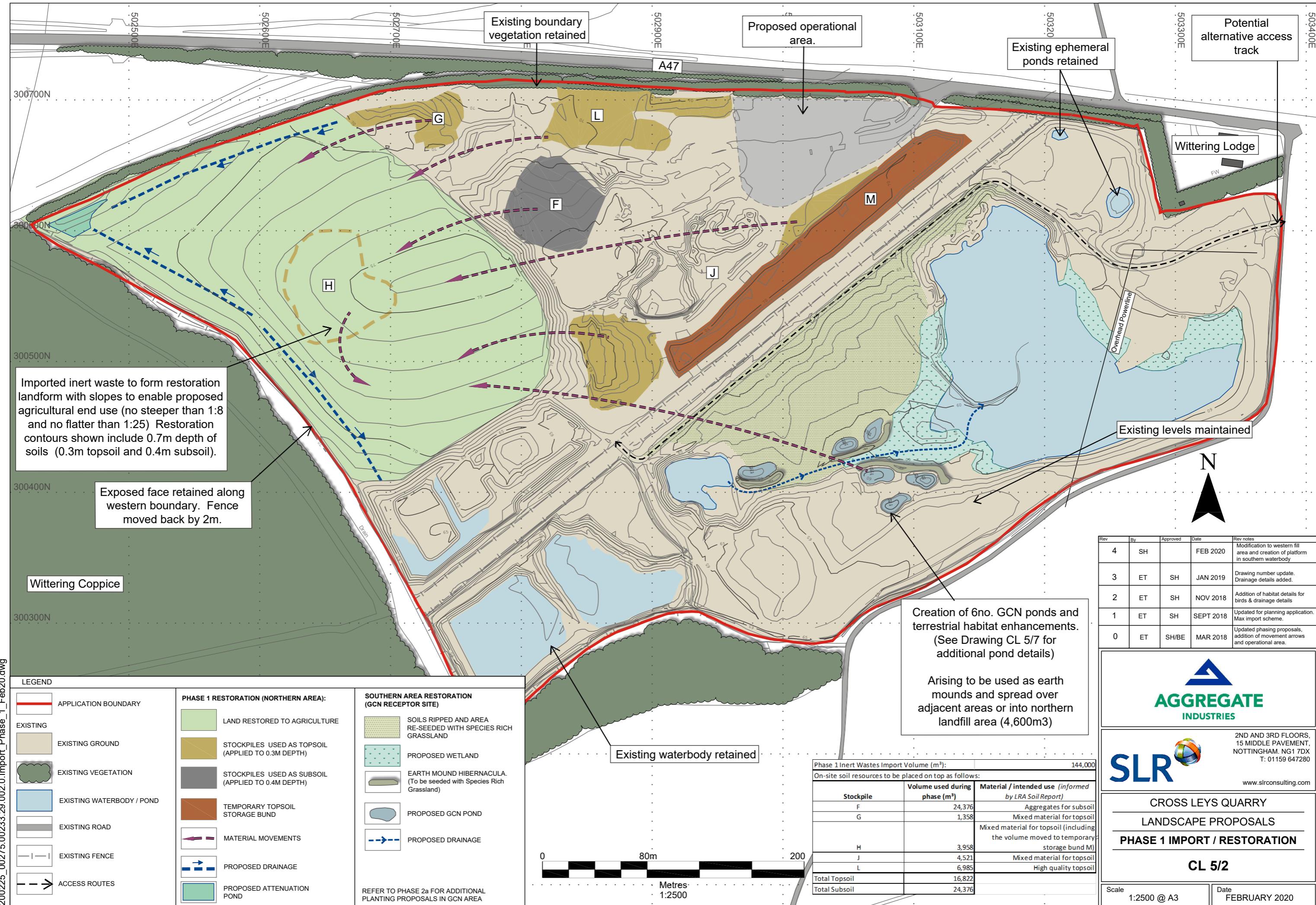
SLR

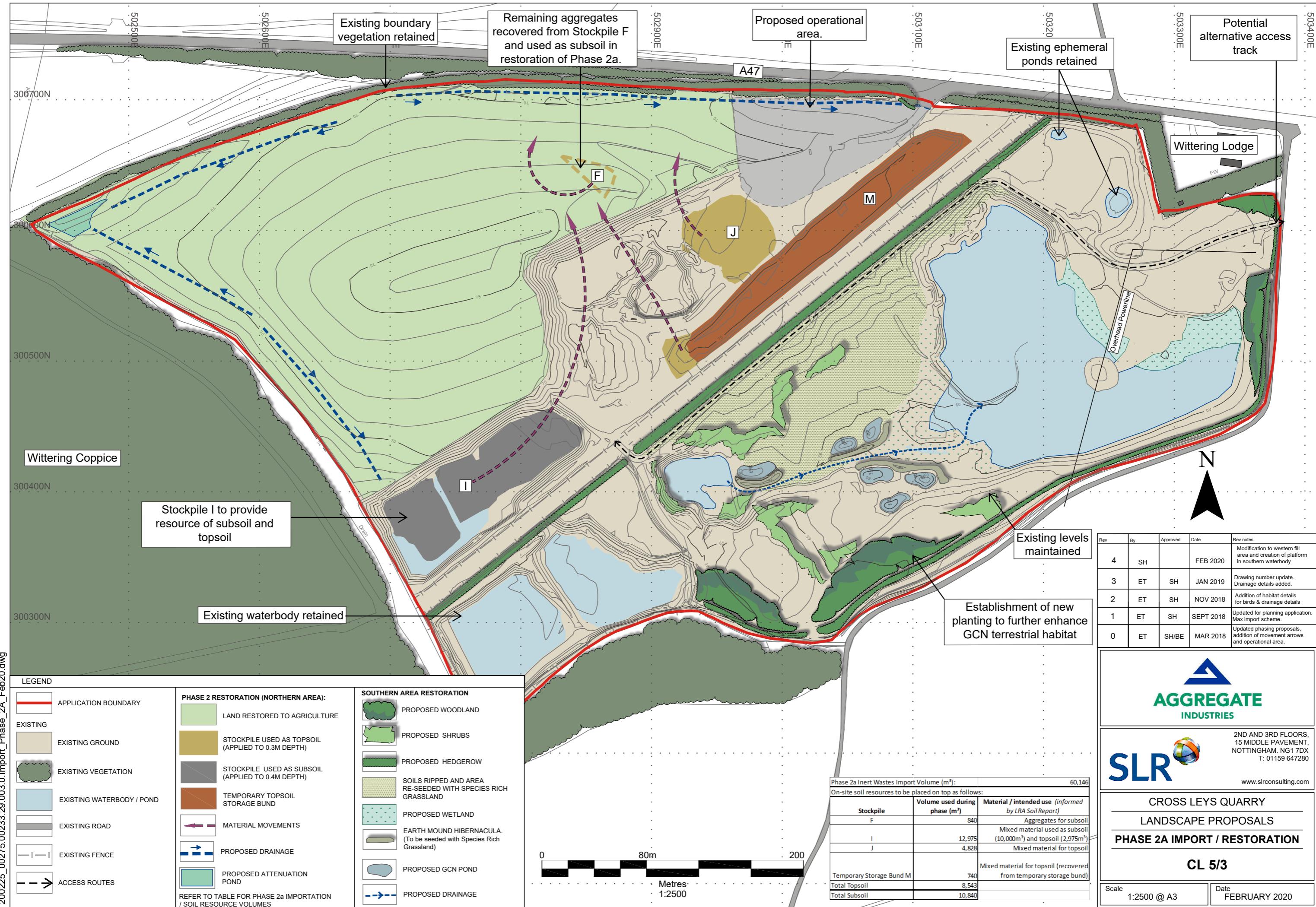
CROSS LEYS QUARRY
LANDSCAPE PROPOSALS

PRELIMINARY MATERIAL MOVEMENTS

CL 5/1

Scale 1:2500 @ A3 Date FEBRUARY 2020



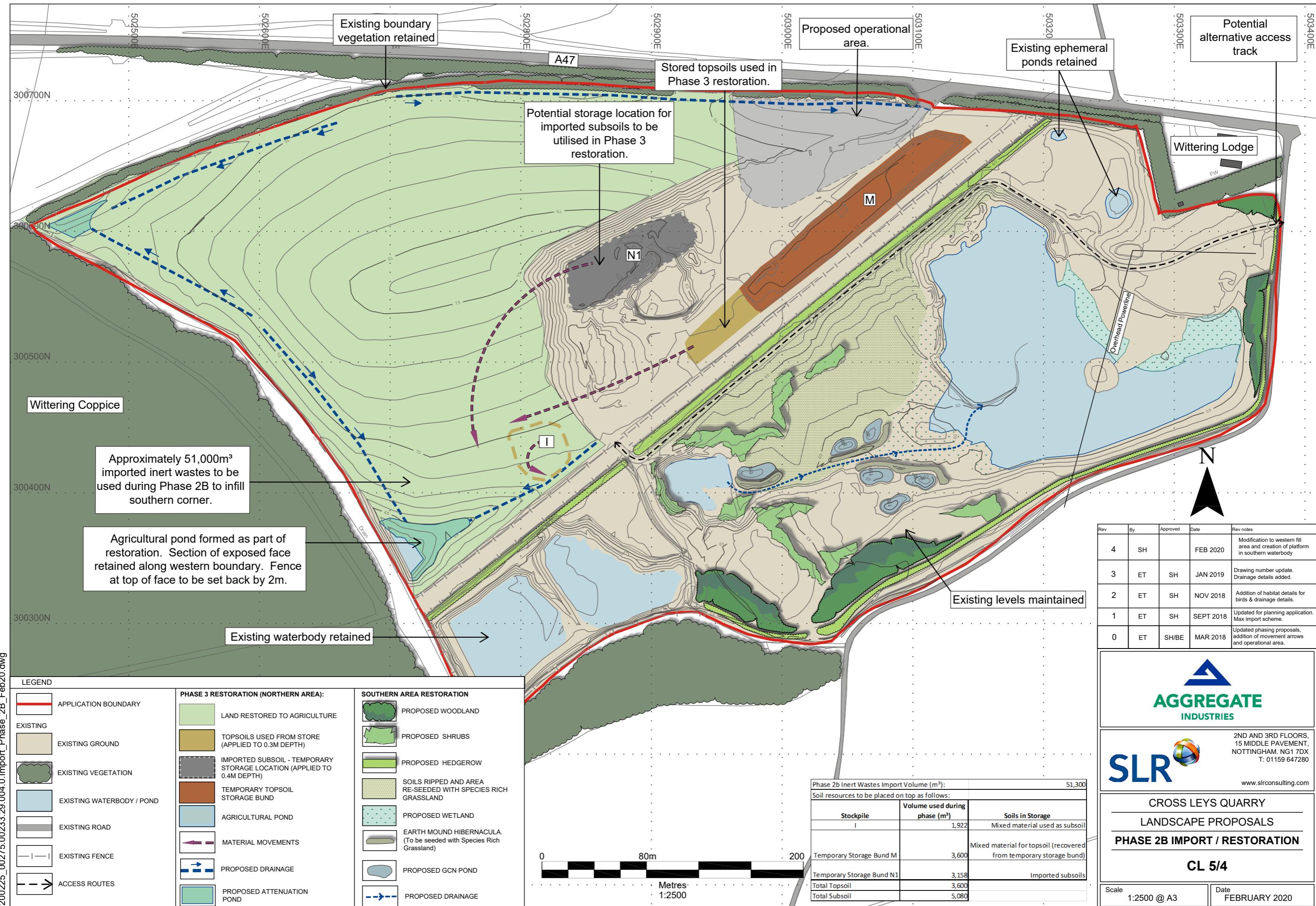


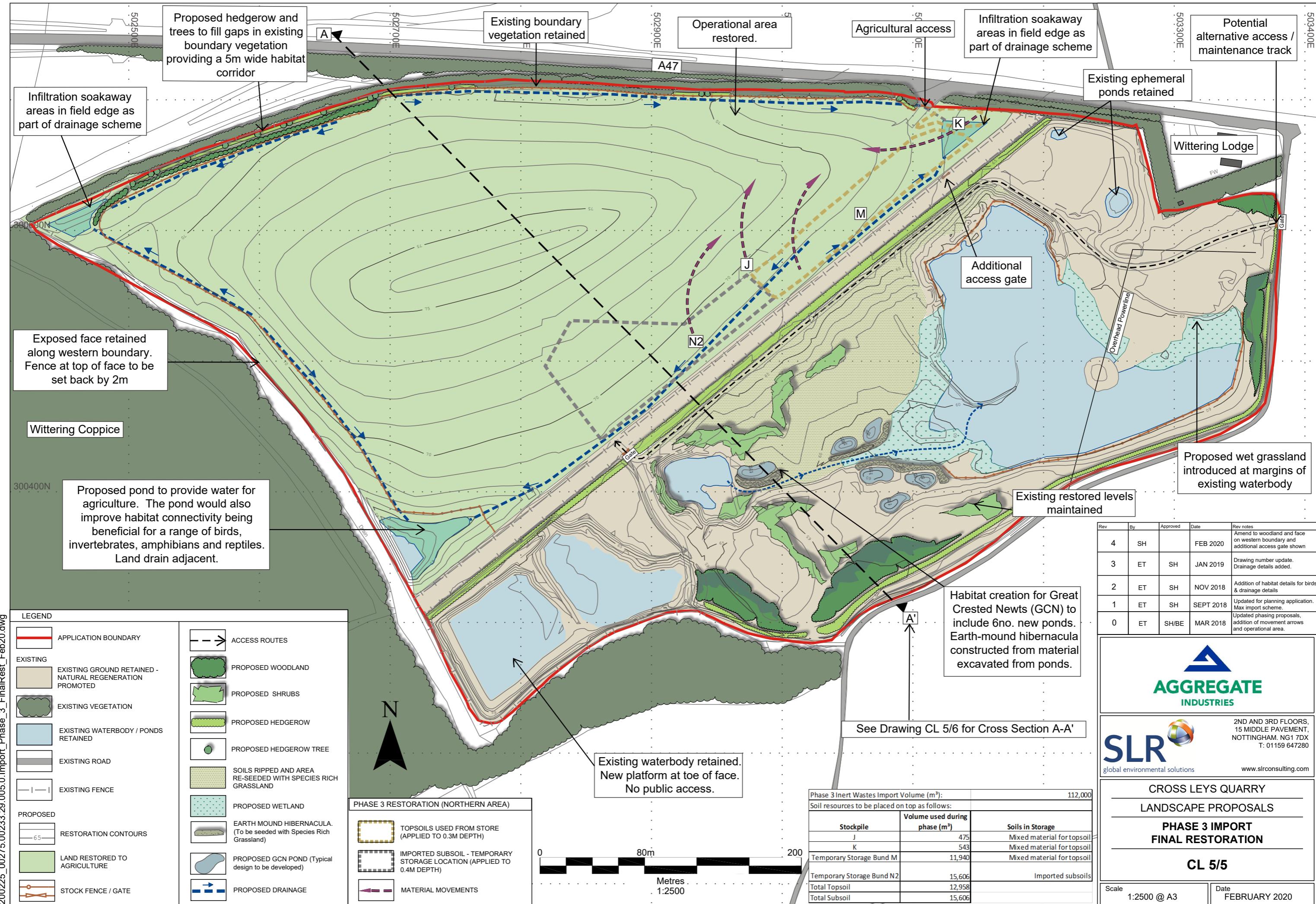
Rev	By	Approved	Date	Rev notes
4	SH		FEB 2020	Modification to western fill area and creation of platform in southern waterbody
3	ET	SH	JAN 2019	Drawing number update. Drainage details added.
2	ET	SH	NOV 2018	Addition of habitat details for birds & drainage details
1	ET	SH	SEPT 2018	Updated for planning application. Max import scheme.
0	ET	SH/BE	MAR 2018	Updated phasing proposals, addition of movement arrows and operational area.

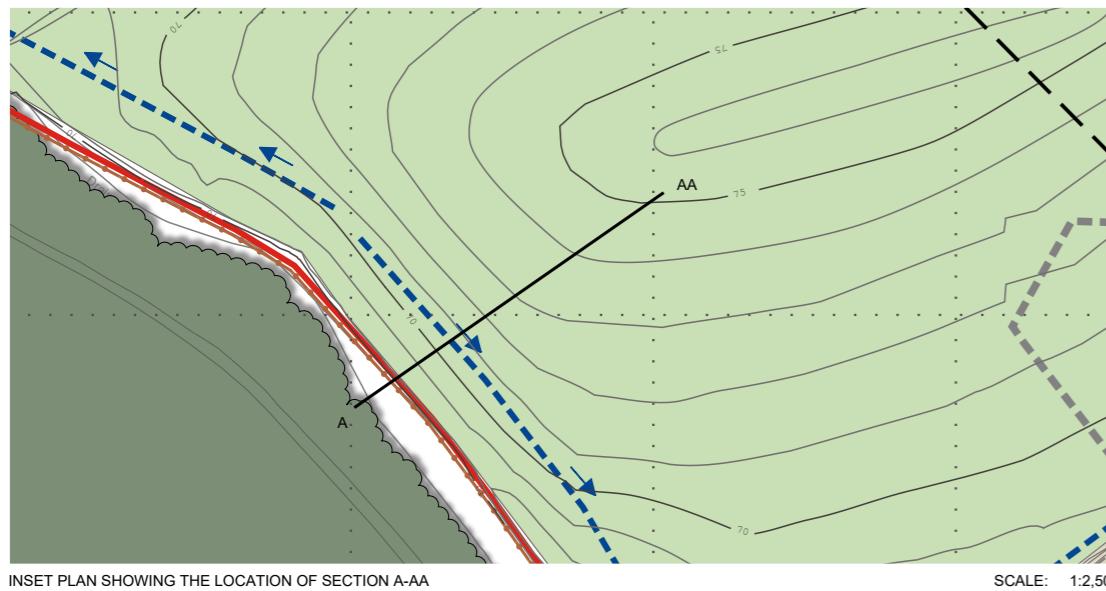
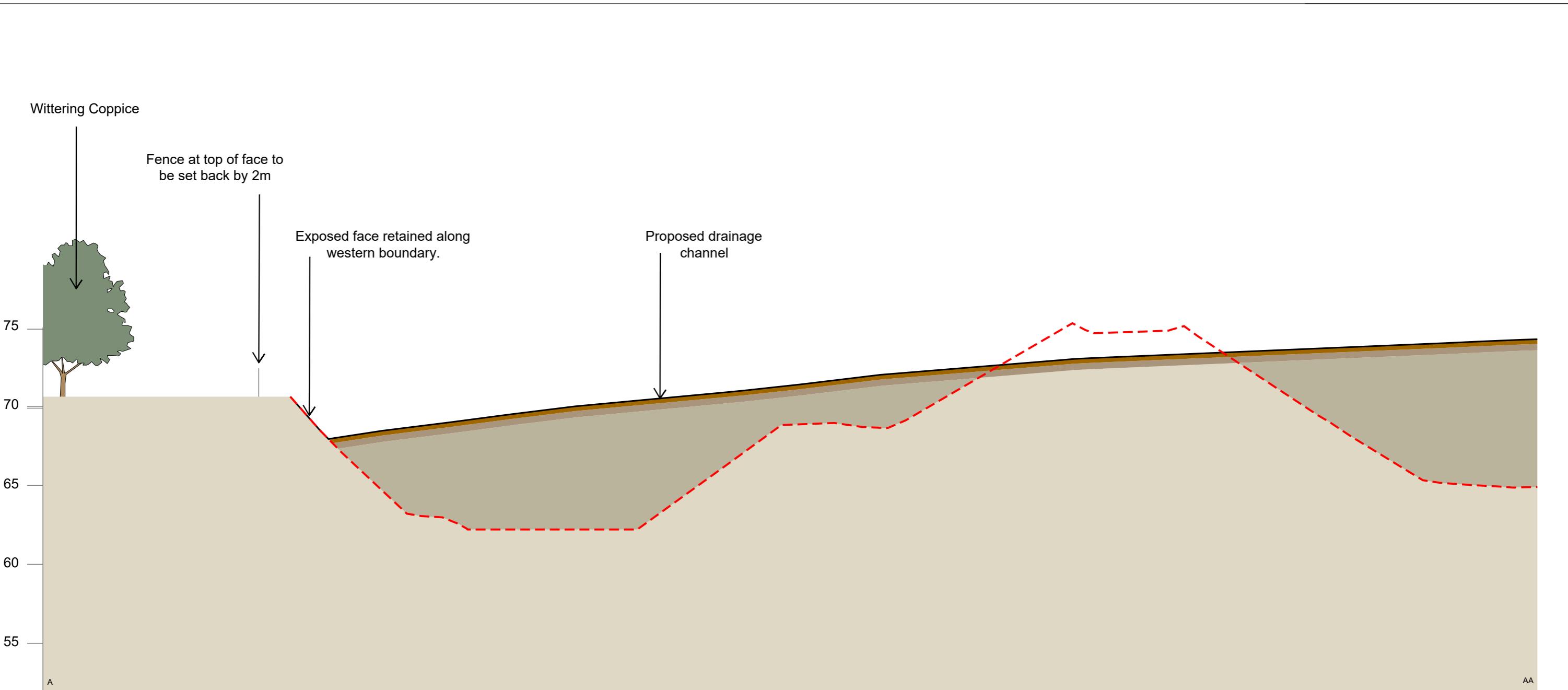


2ND AND 3RD FLOORS,
15 MIDDLE PAVEMENT,
NOTTINGHAM. NG1 7DX
T: 01159 647280
www.slrconsulting.com

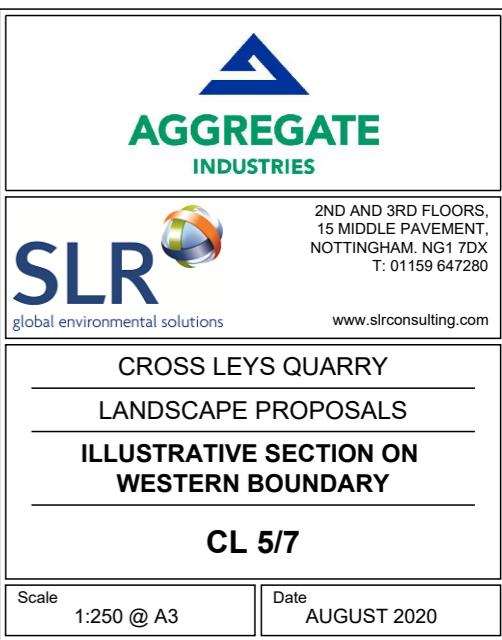
SLR
CROSS LEYS QUARRY
LANDSCAPE PROPOSALS
PHASE 2A IMPORT / RESTORATION
CL 5/3
Scale 1:2500 @ A3 Date FEBRUARY 2020







SECTION LEGEND	
	EXISTING LANDFORM (NOVEMBER 2016)
	PROPOSED LANDFORM
	INSITU LANDFORM (NOVEMBER 2016)
	FILL MATERIAL
	TOPSOIL 30CM THICK
	SUBSOIL 40CM THICK



Telephone: 01733 453410 (open 9am - 1pm)
Email: planningcontrol@peterborough.gov.uk
Case Officer: Mr A O Jones
Our Ref: 19/01365/MMFUL
Your Ref:

Mr Chris Lowden
SLR Consulting Ltd
Aspect House
Aspect Business Park
Bennerley Road
Nottingham
NG6 8WR



Planning Services
Sand Martin House
Bittern Way
Fletton Quays
Peterborough
PE2 8TY

DX 12310 Peterborough 1
01733 747474

10 December 2020

Dear Mr Lowden

Application for Planning Permission

Proposal: Restoration of quarry workings to agriculture and woodland through the importation and deposit of inert restoration materials and quarry waste

Site address: Cross Leys Quarry Leicester Road Wansford Peterborough

Your client: Mr John Gough

Further in the above matter, please find enclosed our formal decision notice relating to your client's application for planning permission. Please be sure to remind your client that the scheme should be carried out in line with the approved plans. This will avoid the need for any enforcement action.

Making changes to the approved plans

In the event that you wish to change your proposal, please contact your case officer who will advise you on whether the change can be dealt with as a "non-material" or "material" amendment. In either case you will have to complete a form and provide fresh drawings.

Complying with the approved plans

We would like to draw your attention to 'precedent conditions':- these are conditions which require you to either do certain works or submit something for approval prior to starting any work. These conditions must be complied with. Please check your Decision Notice carefully and familiarise yourself with its requirements, allowing plenty of time for the conditions to be complied with before work commences. If these conditions are overlooked you may invalidate your consent, risk enforcement action being taken and may need to submit a further application.

In addition you should be aware that failing to build in accordance with the approved plans or properly discharging conditions often causes problems and delays if selling the property.

Complying with conditions

Please read the conditions attached to this permission carefully. Some conditions may require you to submit more information to us before you can start work.

If further information is required you will need to submit a separate application together with the required supporting documentation. The relevant application form (PF27) for discharge of conditions can be downloaded from our application One Stop Shop at www.peterborough.gov.uk/planningoss

Please ensure that the required details are submitted in duplicate and if you are applying to discharge more than one condition that the supporting information is clearly separated and referenced to each individual condition.

There is a fee required with an application to discharge planning conditions, however this is chargeable per application rather than per condition, please ensure that this is enclosed as part of your application. For further information please visit our application One Stop Shop or contact Planning Services on 01733 453410.

Appeals against conditions

You should also be aware that the applicant has the right to appeal against any conditions attached to this Notice, please see <https://www.gov.uk/government/organisations/planning-inspectorate> for details. If you are concerned about any condition you should contact the case officer in the first instance for advice.

Your feedback on our service is welcomed

We are interested in finding out what you thought of our service and how we might make it better. To give us feedback please go to <http://consult.peterborough.gov.uk/portal/pscsl>.

Yours sincerely



Nicholas Harding
Head of Planning

NOTICE OF PLANNING PERMISSION

Town and Country Planning Act 1990

Reference 19/01365/MMFUL

Proposal Restoration of quarry workings to agriculture and woodland through the importation and deposit of inert restoration materials and quarry waste

At Cross Leys Quarry Leicester Road Wansford Peterborough

Applicant Mr John Gough
Mick George Ltd

Date valid 3 September 2019

Conditions

Permission is granted subject to the following conditions and reasons:

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

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

C 2 This permission relates to the importation of inert materials and restoration of the site edged red, on the "Application Site" plan referenced CL2/3, dated March 2019.

The importation of inert restoration materials shall cease not later than 7 years from the date of this permission. Landscaping and restoration works shall be completed no later than 12 months after the final importation of restoration materials, or 7 years from the date of this permission, whichever is the sooner.

Reason: To ensure that the site is restored in a timely manner in accordance with Cambridgeshire and Peterborough Core Strategy policy CS25.

C 3 Vehicular access to the site shall only be via the existing quarry access from the A47 Trunk Road as shown on approved plan "Phase 1 Import / Restoration", ref. CL5/2, rev. 4 dated Feb 2020.

Reason: In the interest of highway safety and in accordance with Cambridgeshire and Peterborough Minerals and Waste policy CS32.

C 4 A wheel cleaning facility for Large Goods Vehicles (LGV's), in the 'operational area' as depicted on the phasing drawings CL5/2, CL5/3 and CL4/4, shall be retained and maintained in a good working order for the duration of the importation of restoration materials. Internal site traffic arrangements must ensure that all LGVs leaving the site shall pass through the wheel cleaning facility. No materials shall be deposited on the public highway.

Reason: In the interest of highway safety and in accordance with Cambridgeshire and Peterborough Minerals and Waste policy CS32.

C 5 All LGVs leaving the site with any loose materials must be securely sheeted.

Reason: In the interest of highway safety and in accordance with Cambridgeshire and Peterborough Minerals and Waste policy CS32.

C 6 Restoration, landscaping and habitat provision at the site, including the ordering of soil movements, must be carried out in accordance with the approved plans;

Preliminary Material Movements, ref. CL 5/1, rev. 3, dated February 2020

Phase 1 Import / Restoration, ref. CL 5/2, rev. 4, dated February 2020

Phase 2A Import / Restoration, ref. CL 5/3, rev. 4, dated February 2020

Phase 2B Import / Restoration, ref. CL 5/4, rev. 4, dated February 2020

Phase 3 Import Final Restoration, ref. CL 5/5, rev. 4, dated February 2020

Illustrative Section on Western Boundary, ref. CL 5/7, dated August 2020

With the exception that the land identified as "land restored to agriculture on "Phase 3 Import / Final Restoration" is to be specifically restored as 'species rich pasture'.

Reason: To clarify what is hereby approved.

C 7 Other than water pumping, servicing, and testing of plant and equipment, environmental monitoring and emergency / safety work, the development hereby permitted shall be carried out on the site only between the following times:

0600 and 1900 hours Mondays to Fridays

0600 and 1300 hours on Saturdays

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

Reason: In the interests of the amenity of the nearest residential occupiers in accordance with Cambridgeshire and Peterborough Minerals and Waste Core strategy policy CS34.

C 8 Prior to commencement of the importation of restoration materials, a Dust Management Scheme shall be submitted to and approved in writing by the Mineral Planning Authority. The scheme shall take into consideration the ecological sensitivities of the site. The approved scheme should be implemented throughout the period of development.

Reason: To secure an appropriate dust management scheme in the interests of the amenity of the nearest residential occupiers, and the ecological sensitivities of the site and surroundings, in accordance with Cambridgeshire and Peterborough Minerals and Waste Core Strategy policy CS34. This is a pre-commencement condition because appropriate control needs to be exercised on activities which from the outset may give rise to adverse air quality impacts.

C 9 a) No mobile plant will operate using intrusive audible reversing alarms. Plant requiring reversing alarms will be fitted with "white noise" type alarms throughout the period of the development.
b) All plant and machinery shall be silenced at all times in accordance with the manufacturer's recommendations.
c) No hydraulic breakers shall be operated at the site except in accordance with details of their location and noise suppression measures to be submitted to and, approved in writing by the Mineral Planning Authority, no less than 3 months in advance of them being required to be used on site.

Reason: In the interests of the amenity of the nearest residential occupiers, and the ecological sensitivities of the site and surroundings, in accordance with Cambridgeshire and Peterborough Minerals and Waste Core Strategy policy CS34.

C10 The volume of noise received at the properties specified below shall not exceed:

42dB (L_{Aeq} 1 hour Free Field) between the hours of 0600 and 0700 Mondays to Saturdays at Wittering Lodge or Cross Leys Farm, or

Wittering Lodge - 53 dB (L_{Aeq}) One Hour Free Field
Cross Leys Farm - 45 dB (L_{Aeq}) One Hour Free Field

at any other time during the permitted operating hours.

Reason: In the interests of the amenity of the nearest residential occupiers, and the ecological sensitivities of the site and surroundings, in accordance with Cambridgeshire and Peterborough Minerals and Waste Core Strategy policy CS34.

C11 Temporary operations shall not be carried out over a period exceeding a total of 8 weeks in any continuous 12 month period, and relate to work carried out within 200m of the boundary of the noise sensitive properties cited in a). The free field noise level received at noise sensitive properties shall not exceed 70 dB (L_{Aeq}) one hour free field during these temporary operations. Five days written notice shall be given to the Mineral Planning Authority in advance of the commencement of any temporary operations as may be agreed, in advance of works taking place.

Reason: In the interests of the amenity of the nearest residential occupiers, and the ecological sensitivities of the site and surroundings, in accordance with Cambridgeshire and Peterborough Minerals and Waste Core Strategy policy CS34.

C12 Prior to commencement of the importation of restoration materials, a Noise Monitoring Scheme shall be submitted to and approved in writing by the Mineral Planning Authority. The scheme shall take into consideration the ecological sensitivities of the site, and the noise control measures specified in the Bird Hazard Management Plan. The approved scheme should be implemented throughout the period of development.

Reason: To secure an appropriate noise monitoring scheme in the interests of the amenity of the nearest residential occupiers, and the ecological sensitivities of the site and surroundings, in accordance with Cambridgeshire and Peterborough Minerals and Waste Core Strategy policy CS34. This is a pre-commencement condition because appropriate

control needs to be exercised on activities which from the outset may give rise to adverse noise impacts.

C13 Prior to commencement of the importation of restoration materials, a Biodiversity & Landscape Management Plan, based on the measures outlined in Chapter 6 of the 'Cross Leys Quarry: Planning application for revisions to the restoration scheme' planning statement dated April 2019, and the accompanying appendices and plan, and including, but not necessarily limited to full details of all protected species avoidance and mitigation measures, including a reptile mitigation strategy, full details and specifications of ponds to be created, non-native species eradication programme and updated species surveys, 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 Biodiversity & Landscape Management Plan.

Reason: To secure appropriate management and mitigation of ecological impacts and protect features of nature conservation importance in accordance with Cambridgeshire and Peterborough Minerals and Waste Core Strategy policy CS35. This is a pre-commencement condition because appropriate control needs to be exercised on activities which from the outset may give rise to adverse ecological impacts.

C14 Topsoil and Subsoil movements and re-spreading shall only be carried out when the full depth of soil is in a dry and friable condition (soils to be assessed by the method set out in Appendix 2 of the Guidance on Good Practice for the Reclamation of Mineral Workings to Agriculture to DoE 1996). Soils shall not be stripped, handled or re-spread between the months of October to March inclusive.

Reason: To ensure the sustainable use of soils in accordance with Cambridgeshire and Peterborough Minerals and Waste Core Strategy policies CS34 and CS38.

C15 Plant or vehicle movements shall be confined to clearly defined haul routes approved beforehand in writing by the Mineral Planning Authority and shall not cross areas of topsoil and subsoil except for the express purpose of soil stripping or replacement operations. No stored topsoil and subsoil shall be removed from the site.

C16 All storage bunds intended to remain in situ for more than 6 months or over the winter period shall be grassed over and weed control and other necessary maintenance undertaken. The seed mixture and the application rates and subsequent maintenance shall be submitted to and approved in writing by the Minerals Planning Authority prior to the construction of the soil storage bunds.

Reason: To ensure the sustainable use of soils in accordance with Cambridgeshire and Peterborough Minerals and Waste Core Strategy policy CS38.

C17 All fuel, oil or chemical storage tanks, building, ancillary handling facilities and equipment, including pumps and valves, shall be contained within an impervious bund of at least 110% of the tank capacity.

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

C18 Prior to the replacement of topsoil or subsoil or any subsoil substitute, a scheme of soil placement shall be submitted to and approved in writing by the Mineral Planning Authority. Such a scheme shall include:

- a) How the restored quarry floor will be prepared prior to soil placement, including levelling and ripping.
- b) The proposed soil profile.
- c) Method of soil spreading and the machinery to be used.

- d) Subsoiling of any compacted layers.
- e) Removal of any material capable of impeding agriculture and land drainage operations; including the removal of stones and other objects greater than 75mm in any dimension rising to the topsoil surface following subsoiling operations.
- f) A timetable for the implementation of the scheme.

The restoration of the site shall be carried out in accordance with the approved scheme.

Reason: To ensure the sustainable use of soils in accordance with Cambridgeshire and Peterborough Minerals and Waste Core Strategy policy CS38.

C19 Within 12 months of the date on this decision, an Aftercare Management Plan shall be submitted to, and approved in writing by the Mineral Planning Authority. Such a plan shall be based on Chapter 3 of the Planning Statement (SLR Ref: 403.00275.00233, dated April / 2019) and 'Phase 3 Import / Final Restoration (drawing CL 5/5, dated February 2020) and amended as required by the requirements of the requisite European Protected Species License (ESPL) (and potentially the Biodiversity and Landscape Management Plan required under C13). The plan shall include, but is not necessarily limited to;

- Aftercare provision for a period of 5 years for agriculture.
- Aftercare provision for a period of 15 years for the ponds and wetland conservation area.
- Details of the grass seed to be used to provide a species rich pasture area marked as 'land to be restored to agriculture' on the Phase 3 Final Import Restoration drawing.
- Provision for ongoing maintenance of the exposed rockfaces for the purposes of geological conservation.

The development shall thereafter be carried out in complete accordance with the approved Aftercare Management Plan.

Reason: To secure the sustainable use of soils and to provide long term biodiversity enhancements in accordance with Cambridgeshire and Peterborough Minerals and Waste Core Strategy policies CS25, CS33 and CS34.

C20 No less than 12 months after the date on this decision notice, a detailed layout / arrangement for the operational area for the final phase of works, as depicted on the 'Phase 2B Import / Restoration' drawing, and based on Chris Lowden's email of 28 August 2020, 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 approved scheme.

Reason: In order to secure appropriate access to the site post restoration, and in accordance with Cambridgeshire and Peterborough Minerals and Waste Core Strategy policy CS32.

C21 No less than 12 months after the date on this decision notice, a Drainage Maintenance and Management schedule 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 approved schedule.

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

C22 The development hereby approved, including the aftercare period, and beyond as required by the provisions of the Statutory Birdstrike Safeguarding Zone, shall be carried out in complete accordance with the "Bird Hazard Management Plan" (Pre-Consent Draft Copy, Version No.1 Rev A, dated Dec 2018).

Reason: To minimise the hazard to air traffic in accordance with Cambridgeshire and Peterborough Minerals and Waste Core Strategy policy CS40.

C23 The developer, shall make allowance for Temporary Section Recording / inspection of the exposed rockfaces on an annual basis and / or at the request of the Minerals Planning Authority. Notification of visits will be provided no less than 4 weeks in advance. Visits by groups of more than 6 will require the agreement of the developer and / or landowner.

Reason: To secure the benefits of the exposed rockface within a Local Geological Site in accordance with Cambridgeshire and Peterborough Minerals and Waste Core Strategy policy CS35.

C24 No less than 12 months after the date on this decision notice, a scheme for the provision of a safe and suitable post restoration access to the public Highway shall be submitted to, and approved in writing by the Mineral Planning Authority. Upon completion of the restoration and landscaping works the site access as approved shall be implemented and retained thereafter.

Reason: In the interest of highway safety and in accordance with Cambridgeshire and Peterborough Minerals and Waste policy CS32.

Statement of compliance

The proposal as submitted was not in accordance with local and national planning policy. The local planning authority have 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. Amendments were discussed and agreed with the applicant to bring the proposal into compliance with policy, and the application can therefore be approved in accordance with Paragraph 38 of the National Planning Policy Framework (2019).

Authorisation

Authorised by:



Nicholas Harding
Head of Planning

Date the decision was made: 10 December 2020

Informatives

- 1 It is an offence to take, damage or destroy the nest of any wild bird while it is being built or in use. Trees, scrub and/or structures likely to contain nesting birds between 1st March and 31st August are present on the application site. You should assume that they contain nesting birds between the above dates unless survey has shown it is absolutely certain that nesting birds are not present. Planning consent for a development does not provide a defence against prosecution. The protection of nesting wild birds remains unchanged even when planning permission is granted. For further information on surveys contact Peterborough City Council's Wildlife Officer (wildlife@peterborough.gov.uk)
- 2 The applicant is reminded that under the Wildlife and Countryside Act 1981(Section 1) (as amended) it is an offence to take, damage or destroy the nest of any wild bird while that nest is in use or being built. Trees and scrub are likely to contain nesting birds between 1 March and 31 August. Trees within the application should be assumed to contain nesting birds between the above dates unless a survey has shown it is absolutely certain that nesting birds are not present.
- 3 The wheel cleansing equipment shall be capable of cleaning the wheels, underside and chassis of the vehicles. The road between the cleaning equipment and the public highway shall be surfaced either in concrete or blacktop and be maintained free of mud, slurry and any other form of contamination whilst in use.
- 4 Highways Act 1980 - Section 148, Sub-Section C
It is an offence to deposit anything including building materials or debris on a highway which may cause interruption to any user of the highway (including footways). In the event that a person is found guilty of this offence, a penalty may be imposed in the form of a fine. It is the responsibility of the developer and contractor(s) to ensure that no building materials or debris are placed on or remain within the highway during or after the construction period.
- 5 Highways Act 1980 - Section 149
If anything is so deposited on a highway as to constitute a nuisance, the Local Planning Authority may by notice require the person who deposited it there to remove it forthwith and if he fails to comply the Local Planning Authority may make a complaint to a Magistrates Court for a Removal and Disposal Order under this Section. In the event that the deposit is considered to constitute a danger, the Local Planning Authority may remove the deposit forthwith and recover reasonable expenses from the person who made the deposit. It is the responsibility of the developer and contractor(s) to ensure that no building materials or debris are placed on or remain within the highway during or after the construction period.

General Notes

- 1.1 Planning permission does not constitute approval under the Building Regulations or Bye-law approval relating to new streets and buildings.
- 1.2 It is an offence under Section 171 of the Highways Act 1980 to temporarily deposit building materials, rubbish or other things on the public highway or make a temporary excavation on it without the written consent of the Highway Authority. The Highway Authority may give its consent subject to such conditions as it thinks fit.
- 1.3 The applicant is reminded that under the Wildlife and Countryside Act 1981(Section 1) (as amended) it is an offence to take, damage or destroy the nest of any wild bird while that nest is in use or being built. Trees and scrub are likely to contain nesting birds between 1 March and 31 August. Trees within the application should be assumed to contain nesting birds between the above dates unless a survey has shown it is absolutely certain that nesting birds are not present.

Appeals to the Secretary of State

- 1 The applicant has a right to appeal to the Secretary of State against any conditions of this planning permission, under Section 78 of the Town & Country Planning Act 1990.
- 2 If you want to appeal against your local planning authority's decision then you must do so within **6 months** of the date of this notice.
- 3 Appeals can be made online at: <https://www.gov.uk/planning-inspectorate>.
If you are unable to access the online appeal form, please contact the Planning Inspectorate to obtain a paper copy of the appeal form on
tel: 0303 444 5000.
- 4 The Secretary of State can allow a longer period for giving notice of an appeal but will not normally be prepared to use this power unless there are special circumstances which excuse the delay in giving notice of appeal.
- 5 The Secretary of State need not consider an appeal if it seems to the Secretary of State that the local planning authority could not have granted planning permission for the proposed development or could not have granted it without the conditions they imposed, having regard to the statutory requirements, to the provisions of any development order and to any directions given under a development order.
- 6 If you intend to submit an appeal that you would like examined by inquiry then you must notify the Local Planning Authority and Planning Inspectorate (inquiryappeals@planninginspectorate.gov.uk) at least 10 days before submitting the appeal. Further details are on GOV.UK.

Purchase Notices

If the Local Planning Authority or the Secretary of State grants permission subject to conditions the owner may claim that he/she can neither put the land to a reasonably beneficial use in its existing state nor render the land capable of a reasonably beneficial use by the carrying out of any development which has been or would be permitted. In these circumstances the owner may serve a purchase notice on the Council to purchase his interest in the land in accordance with the provisions of Part VI of the Town and Country Planning Act 1990.

Starting Work too soon

If you start work on this development before complying with conditions that require to be met before work starts, your action has made this planning permission invalid. A fresh planning application will then be required, with the associated cost and delay.

Third Party Rights to challenge a planning decision

Currently there are no third party rights of appeal through the planning system against a decision of a Local Planning Authority. Therefore, if you have concerns about a planning application and permission is granted, you cannot appeal that decision.

Any challenge under current legislation would have to be made outside the planning system through a process called Judicial Review.

A 'claim for judicial review' includes a claim to review the lawfulness of a decision, action or failure to act in relation to the exercise of a public function, in this case, a planning decision. The court's permission to proceed is required in a claim for Judicial Review. A claim for Judicial Review is dealt with by the Administrative Court and if leave to judicially review a planning decision is granted, the Judicial Review will be decided by a judge at the High Court.

An application to Judicial Review a decision must be made within **6 weeks** of the decision about which you have a grievance being made. For further information on judicial review and the contact details for the Administrative Courts, please go to <http://www.justice.gov.uk/>

Telephone: 01733 453410 (open 9am - 1pm)
Email: planningcontrol@peterborough.gov.uk
Case Officer: Mr A O Jones
Our Ref: 19/01370/WCMM
Your Ref:

Mr Chris Lowden
SLR Consulting Ltd
Aspect House
Aspect Business Park
Bennerley Road
Nottingham
NG6 8WR



Planning Services
Sand Martin House
Bittern Way
Fletton Quays
Peterborough
PE2 8TY

DX 12310 Peterborough 1
01733 747474

10 December 2020

Dear Mr Lowden

Application for Amendment to an existing Planning Permission

Proposal: Variation of conditions C1 and C5 of planning permission 99/01273/RMP with regards to restoration

Site address: Cross Leys Quarry Leicester Road Wansford Peterborough

Your client: Mr John Gough

Further in the above matter, please find enclosed our formal decision notice relating to your client's application for planning permission. Please be sure to remind your client that the scheme should be carried out in line with the approved plans. This will avoid the need for any enforcement action.

Complying with the approved plans

We would like to draw your attention to 'precedent conditions':- these are conditions which require you to either do certain works or submit something for approval prior to starting any work. These conditions must be complied with. Please check your Decision Notice carefully and familiarise yourself with its requirements, allowing plenty of time for the conditions to be complied with before work commences. If these conditions are overlooked you may invalidate your consent, risk enforcement action being taken and may need to submit a further application.

In addition you should be aware that failing to build in accordance with the approved plans or properly discharging conditions often causes problems and delays if selling the property.

Complying with conditions

Please read the conditions attached to this permission carefully. Some conditions may require you to submit more information to us before you can start work.

If further information is required you will need to submit a separate application together with the required supporting documentation. The relevant application form (PF27) for discharge of conditions can be downloaded from our application One Stop Shop at www.peterborough.gov.uk/planningoss

Please ensure that the required details are submitted in duplicate and if you are applying to discharge more than one condition that the supporting information is clearly separated and referenced to each individual condition.

There is a fee required with an application to discharge planning conditions, however this is chargeable per application rather than per condition, please ensure that this is enclosed as part of your application. For further information please visit our application One Stop Shop or contact Planning Services on 01733 453410.

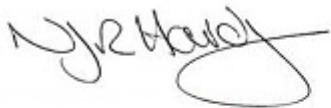
Appeals against conditions

You should also be aware that the applicant has the right to appeal against any conditions attached to this Notice, please see <https://www.gov.uk/government/organisations/planning-inspectorate> for details. If you are concerned about any condition you should contact the case officer in the first instance for advice.

Your feedback on our service is welcomed

We are interested in finding out what you thought of our service and how we might make it better. To give us feedback please go to <http://consult.peterborough.gov.uk/portal/pscsl>.

Yours sincerely



Nicholas Harding
Head of Planning

**NOTICE OF PERMISSION TO DEVELOP
LAND WITHOUT COMPLIANCE WITH
CONDITIONS PREVIOUSLY ATTACHED TO
A GRANT OF PLANNING PERMISSION**

Town and Country Planning Act 1990: Section 73

GRANTED

Reference	19/01370/WCMM
Proposal	Variation of conditions C1 and C5 of planning permission 99/01273/RMP with regards to restoration
At	Cross Leys Quarry Leicester Road Wansford Peterborough
Applicant	Mr John Gough Mick George Ltd
Date valid	3 September 2019

Conditions

Permission is granted subject to the following conditions and reasons:

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

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

C 2 This permission relates to the restoration of the site edged blue, on the "Existing Planning Permissions", Drawing number CQ2/2, dated March 2001.

Landscaping and restoration works shall be completed no later than 12 months after the final importation of inert materials associated with permission 19/001365/MMFUL, or 7 years from the date this permission is granted, whichever is the sooner.

Reason: To ensure that the site is restored in a timely manner in accordance with Cambridgeshire and Peterborough Core Strategy policy CS25.

C 3 Vehicular access to the site shall only be via the existing quarry access from the A47 Trunk Road as shown on approved plan "Phase 1 Import / Restoration", ref. CL5/2, rev. 4 dated Feb 2020.

Reason: In the interest of highway safety and in accordance with Cambridgeshire and Peterborough Minerals and Waste policy CS32.

C 4 A wheel cleaning facility for Large Goods Vehicles (LGV's), in the 'operational area' as depicted on the phasing drawings CL5/2, CL5/3 and CL4/4, shall be retained and maintained in a good working order for the duration of the importation of restoration materials. Internal site traffic arrangements must ensure that all LGVs leaving the site shall pass through the wheel cleaning facility. No materials shall be deposited on the public highway.

Reason: In the interest of highway safety and in accordance with Cambridgeshire and Peterborough Minerals and Waste policy CS32.

C 5 All LGVs leaving the site with any loose materials must be securely sheeted.

Reason: In the interest of highway safety and in accordance with Cambridgeshire and Peterborough Minerals and Waste policy CS32.

C 6 Restoration, landscaping and habitat provision at the site, including the ordering of soil movements, must be carried out in accordance with the approved plans;

Preliminary Material Movements, ref. CL 5/1, rev. 3, dated February 2020

Phase 1 Import / Restoration, ref. CL 5/2, rev. 4, dated February 2020

Phase 2A Import / Restoration, ref. CL 5/3, rev. 4, dated February 2020

Phase 2B Import / Restoration, ref. CL 5/4, rev. 4, dated February 2020

Phase 3 Import Final Restoration, ref. CL 5/5, rev. 4, dated February 2020

Illustrative Section on Western Boundary, ref. CL 5/7, dated August 2020

With the exception that the land identified as "land restored to agriculture on "Phase 3 Import / Final Restoration" is to be specifically restored as 'species rich pasture'.

Reason: To clarify what is hereby approved.

C 7 Other than water pumping, servicing, and testing of plant and equipment, environmental monitoring and emergency / safety work, the development hereby permitted shall be carried out on the site only between the following times:

0600 and 1900 hours Mondays to Fridays

0600 and 1300 hours on Saturdays

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

Reason: In the interests of the amenity of the nearest residential occupiers in accordance with Cambridgeshire and Peterborough Minerals and Waste Core strategy policy CS34.

C 8 Prior to commencement of the importation of restoration materials, a Dust Management Scheme shall be submitted to and approved in writing by the Mineral Planning Authority.

The scheme shall take into consideration the ecological sensitivities of the site. The approved scheme should be implemented throughout the period of development.

Reason: To secure an appropriate dust management scheme in the interests of the amenity of the nearest residential occupiers, and the ecological sensitivities of the site and surroundings, in accordance with Cambridgeshire and Peterborough Minerals and Waste Core Strategy policy CS34. This is a pre-commencement condition because appropriate control needs to be exercised on activities which from the outset may give rise to adverse air quality impacts.

C 9 a) No mobile plant will operate using intrusive audible reversing alarms. Plant requiring reversing alarms will be fitted with "white noise" type alarms throughout the period of the development.

b) All plant and machinery shall be silenced at all times in accordance with the manufacturer's recommendations.

c) No hydraulic breakers shall be operated at the site except in accordance with details of their location and noise suppression measures to be submitted to and, approved in writing by the Mineral Planning Authority, no less than 3 months in advance of them being required to be used on site.

Reason: In the interests of the amenity of the nearest residential occupiers, and the ecological sensitivities of the site and surroundings, in accordance with Cambridgeshire and Peterborough Minerals and Waste Core Strategy policy CS34.

C10 The volume of noise received at the properties specified below shall not exceed:

42dB (LAeq 1 hour Free Field) between the hours of 0600 and 0700 Mondays to Saturdays at Wittering Lodge pr Cross Leys Farm, or

Wittering Lodge - 53 dB (LAeq) One Hour Free Field
Cross Leys Farm - 45 dB (LAeq) One Hour Free Field

at any other time during the permitted operating hours.

Reason: In the interests of the amenity of the nearest residential occupiers, and the ecological sensitivities of the site and surroundings, in accordance with Cambridgeshire and Peterborough Minerals and Waste Core Strategy policy CS34.

C11 Temporary operations shall not be carried out over a period exceeding a total of 8 weeks in any continuous 12 month period, and relate to work carried out within 200m of the boundary of the noise sensitive properties cited in a). The free field noise level received at noise sensitive properties shall not exceed 70 dB (LAeq) one hour free field during these temporary operations. Five days written notice shall be given to the Mineral Planning Authority in advance of the commencement of any temporary operations as may be agreed, in advance of works taking place.

Reason: In the interests of the amenity of the nearest residential occupiers, and the ecological sensitivities of the site and surroundings, in accordance with Cambridgeshire and Peterborough Minerals and Waste Core Strategy policy CS34.

C12 Prior to commencement of the importation of restoration materials, a Noise Monitoring Scheme shall be submitted to and approved in writing by the Mineral Planning Authority. The scheme shall take into consideration the noise control measures specified in the Bird Hazard Management Plan. The scheme shall take into consideration the ecological sensitivities of the site, and the noise control measures specified in the Bird Hazard

Management Plan. The approved scheme should be implemented throughout the period of development.

Reason: To secure an appropriate noise monitoring scheme in the interests of the amenity of the nearest residential occupiers, and the ecological sensitivities of the site and surroundings, in accordance with Cambridgeshire and Peterborough Minerals and Waste Core Strategy policy CS34. This is a pre-commencement condition because appropriate control needs to be exercised on activities which from the outset may give rise to adverse noise impacts.

C13 Prior to commencement of the importation of restoration materials, a Biodiversity & Landscape Management Plan, based on the measures outlined in Chapter 6 of the 'Cross Leys Quarry: Planning application for revisions to the restoration scheme' planning statement dated April 2019, and the accompanying appendices and plan, and including, but not necessarily limited to full details of all protected species avoidance and mitigation measures, including a reptile mitigation strategy, full details and specifications of ponds to be created, non-native species eradication programme and updated species surveys, 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 Biodiversity & Landscape Management Plan.

Reason: To secure appropriate management and mitigation of ecological impacts and protect features of nature conservation importance in accordance with Cambridgeshire and Peterborough Minerals and Waste Core Strategy policy CS35. This is a pre-commencement condition because appropriate control needs to be exercised on activities which from the outset may give rise to adverse ecological impacts.

C14 Topsoil and Subsoil movements and re-spreading shall only be carried out when the full depth of soil is in a dry and friable condition (soils to be assessed by the method set out in Appendix 2 of the Guidance on Good Practice for the Reclamation of Mineral Workings to Agriculture to DoE 1996). Soils shall not be stripped, handled or re-spread between the months of October to March inclusive.

Reason: To ensure the sustainable use of soils in accordance with Cambridgeshire and Peterborough Minerals and Waste Core Strategy policies CS34 and CS38.

C15 Plant or vehicle movements shall be confined to clearly defined haul routes approved beforehand in writing by the Mineral Planning Authority and shall not cross areas of topsoil and subsoil except for the express purpose of soil stripping or replacement operations. No stored topsoil and subsoil shall be removed from the site.

Reason: To ensure the sustainable use of soils in accordance with Cambridgeshire and Peterborough Minerals and Waste Core Strategy policies CS34 and CS38.

C16 All storage bunds intended to remain in situ for more than 6 months or over the winter period shall be grassed over and weed control and other necessary maintenance undertaken. The seed mixture and the application rates and subsequent maintenance shall be submitted to and approved in writing by the Minerals Planning Authority prior to the construction of the soil storage bunds.

Reason: To ensure the sustainable use of soils in accordance with Cambridgeshire and Peterborough Minerals and Waste Core Strategy policy CS38.

C17 All fuel, oil or chemical storage tanks, building, ancillary handling facilities and equipment, including pumps and valves, shall be contained within an impervious bund of at least 110% of the tank capacity.

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

C18 Prior to the replacement of topsoil or subsoil or any subsoil substitute, a scheme of soil placement shall be submitted to and approved in writing by the Mineral Planning Authority. Such a scheme shall include:

- a) How the restored quarry floor will be prepared prior to soil placement, including levelling and ripping.
- b) The proposed soil profile.
- c) Method of soil spreading and the machinery to be used.
- d) Subsoiling of any compacted layers.
- e) Removal of any material capable of impeding agriculture and land drainage operations; including the removal of stones and other objects greater than 75mm in any dimension rising to the topsoil surface following subsoiling operations.
- f) A timetable for the implementation of the scheme.

The restoration of the site shall be carried out in accordance with the approved scheme.

Reason: To ensure the sustainable use of soils in accordance with Cambridgeshire and Peterborough Minerals and Waste Core Strategy policy CS38.

C19 Within 12 months of the date on this decision, an Aftercare Management Plan shall be submitted to, and approved in writing by the Mineral Planning Authority. Such a plan shall be based on Chapter 3 of the Planning Statement (SLR Ref: 403.00275.00233, dated April / 2019) and 'Phase 3 Import / Final Restoration (drawing CL 5/5, dated February 2020) and amended as required by the requirements of the requisite European Protected Species License (ESPL) (and potentially the Biodiversity and Landscape Management Plan required under C13). The plan shall include, but is not necessarily limited to;

- Aftercare provision for a period of 5 years for agriculture.
- Aftercare provision for a period of 15 years for the ponds and wetland conservation area.
- Details of the grass seed to be used to provide a species rich pasture area marked as 'land to be restored to agriculture' on the Phase 3 Final Import Restoration drawing.
- Provision for ongoing maintenance of the exposed rockfaces for the purposes of geological conservation.

The development shall thereafter be carried out in complete accordance with the approved Aftercare Management Plan.

Reason: To secure the sustainable use of soils and to provide long term biodiversity enhancements in accordance with Cambridgeshire and Peterborough Minerals and Waste Core Strategy policies CS25, CS33 and CS34.

C20 No less than 12 months after the date on this decision notice, a detailed layout / arrangement for the operational area for the final phase of works, as depicted on the 'Phase 2B Import / Restoration' drawing, and based on Chris Lowden's email of 28 August 2020, 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 approved scheme.

Reason: In order to secure appropriate access to the site post restoration, and in accordance with Cambridgeshire and Peterborough Minerals and Waste Core Strategy policy CS32.

C21 No less than 12 months after the date on this decision notice, a Drainage Maintenance and Management schedule 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 approved schedule.

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

C22 The development hereby approved, including the aftercare period, and beyond as required by the provisions of the Statutory Birdstrike Safeguarding Zone, shall be carried out in complete accordance with the "Bird Hazard Management Plan" (Pre-Consent Draft Copy, Version No.1 Rev A, dated Dec 2018).

Reason: To minimise the hazard to air traffic in accordance with Cambridgeshire and Peterborough Minerals and Waste Core Strategy policy CS40.

C23 The developer, shall make allowance for Temporary Section Recording / inspection of the exposed rockfaces on an annual basis and / or at the request of the Minerals Planning Authority. Notification of visits will be provided no less than 4 weeks in advance. Visits by groups of more than 6 will require the agreement of the developer and / or landowner.

Reason: To secure the benefits of the exposed rockface within a Local Geological Site in accordance with Cambridgeshire and Peterborough Minerals and Waste Core Strategy policy CS35.

C24 No less than 12 months after the date on this decision notice, a scheme for the provision of a safe and suitable post restoration access to the public Highway shall be submitted to, and approved in writing by the Mineral Planning Authority. Upon completion of the restoration and landscaping works the site access as approved shall be implemented and retained thereafter.

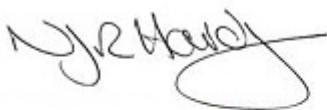
Reason: In the interest of highway safety and in accordance with Cambridgeshire and Peterborough Minerals and Waste policy CS32.

Statement of compliance

The proposal as submitted was not in accordance with local and national planning policy. The local planning authority have 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. Amendments were discussed and agreed with the applicant to bring the proposal into compliance with policy, and the application can therefore be approved in accordance with Paragraph 38 of the National Planning Policy Framework (2019).

Authorisation

Authorised by:



Nicholas Harding
Head of Planning

Date the decision was made: 10 December 2020

Informatives

- 1 It is an offence to take, damage or destroy the nest of any wild bird while it is being built or in use. Trees, scrub and/or structures likely to contain nesting birds between 1st March and 31st August are present on the application site. You should assume that they contain nesting birds between the above dates unless survey has shown it is absolutely certain that nesting birds are not present. Planning consent for a development does not provide a defence against prosecution. The protection of nesting wild birds remains unchanged even when planning permission is granted. For further information on surveys contact Peterborough City Council's Wildlife Officer (wildlife@peterborough.gov.uk)
- 2 The applicant is reminded that under the Wildlife and Countryside Act 1981(Section 1) (as amended) it is an offence to take, damage or destroy the nest of any wild bird while that nest is in use or being built. Trees and scrub are likely to contain nesting birds between 1 March and 31 August. Trees within the application should be assumed to contain nesting birds between the above dates unless a survey has shown it is absolutely certain that nesting birds are not present.
- 3 The wheel cleansing equipment shall be capable of cleaning the wheels, underside and chassis of the vehicles. The road between the cleaning equipment and the public highway shall be surfaced either in concrete or blacktop and be maintained free of mud, slurry and any other form of contamination whilst in use.
- 4 Highways Act 1980 - Section 148, Sub-Section C
It is an offence to deposit anything including building materials or debris on a highway which may cause interruption to any user of the highway (including footways). In the event that a person is found guilty of this offence, a penalty may be imposed in the form of a fine. It is the responsibility of the developer and contractor(s) to ensure that no building materials or debris are placed on or remain within the highway during or after the construction period.
- 5 Highways Act 1980 - Section 149
If anything is so deposited on a highway as to constitute a nuisance, the Local Planning Authority may by notice require the person who deposited it there to remove it forthwith and if he fails to comply the Local Planning Authority may make a complaint to a Magistrates Court for a Removal and Disposal Order under this Section. In the event that the deposit is considered to constitute a danger, the Local Planning Authority may remove the deposit forthwith and recover reasonable expenses from the person who made the deposit. It is the responsibility of the developer and contractor(s) to ensure that no building materials or debris are placed on or remain within the highway during or after the construction period.

General Notes

- 1.1 Planning permission does not constitute approval under the Building Regulations or Bye-law approval relating to new streets and buildings.
- 1.2 It is an offence under Section 171 of the Highways Act 1980 to temporarily deposit building materials, rubbish or other things on the public highway or make a temporary excavation on it without the written consent of the Highway Authority. The Highway Authority may give its consent subject to such conditions as it thinks fit.
- 1.3 The applicant is reminded that under the Wildlife and Countryside Act 1981(Section 1) (as amended) it is an offence to take, damage or destroy the nest of any wild bird while that

nest is in use or being built. Trees and scrub are likely to contain nesting birds between 1 March and 31 August. Trees within the application should be assumed to contain nesting birds between the above dates unless a survey has shown it is absolutely certain that nesting birds are not present.

Appeals to the Secretary of State

- 1 The applicant has a right to appeal to the Secretary of State against any conditions of this planning permission, under Section 78 of the Town & Country Planning Act 1990.
- 2 If you want to appeal against your local planning authority's decision then you must do so within **6 months** of the date of this notice.
- 3 Appeals can be made online at: <https://www.gov.uk/planning-inspectorate>. If you are unable to access the online appeal form, please contact the Planning Inspectorate to obtain a paper copy of the appeal form on tel: 0303 444 5000.
- 4 The Secretary of State can allow a longer period for giving notice of an appeal but will not normally be prepared to use this power unless there are special circumstances which excuse the delay in giving notice of appeal.
- 5 The Secretary of State need not consider an appeal if it seems to the Secretary of State that the local planning authority could not have granted planning permission for the proposed development or could not have granted it without the conditions they imposed, having regard to the statutory requirements, to the provisions of any development order and to any directions given under a development order.
- 6 If you intend to submit an appeal that you would like examined by inquiry then you must notify the Local Planning Authority and Planning Inspectorate (inquiryappeals@planninginspectorate.gov.uk) at least 10 days before submitting the appeal. Further details are on GOV.UK.

Purchase Notices

If the Local Planning Authority or the Secretary of State grants permission subject to conditions the owner may claim that he/she can neither put the land to a reasonably beneficial use in its existing state nor render the land capable of a reasonably beneficial use by the carrying out of any development which has been or would be permitted. In these circumstances the owner may serve a purchase notice on the Council to purchase his interest in the land in accordance with the provisions of Part VI of the Town and Country Planning Act 1990.

Starting Work too soon

If you start work on this development before complying with conditions that require to be met before work starts, your action has made this planning permission invalid. A fresh planning application will then be required, with the associated cost and delay.

Third Party Rights to challenge a planning decision

Currently there are no third party rights of appeal through the planning system against a decision of a Local Planning Authority. Therefore, if you have concerns about a planning application and permission is granted, you cannot appeal that decision.

Any challenge under current legislation would have to be made outside the planning system through a process called Judicial Review.

A 'claim for judicial review' includes a claim to review the lawfulness of a decision, action or failure

to act in relation to the exercise of a public function, in this case, a planning decision. The court's permission to proceed is required in a claim for Judicial Review. A claim for Judicial Review is dealt with by the Administrative Court and if leave to judicially review a planning decision is granted, the Judicial Review will be decided by a judge at the High Court.

An application to Judicial Review a decision must be made within **6 weeks** of the decision about which you have a grievance being made. For further information on judicial review and the contact details for the Administrative Courts, please go to <http://www.justice.gov.uk/>

Telephone: 01733 453410 (open 9am - 1pm)
Email: planningcontrol@peterborough.gov.uk
Case Officer: Mr A O Jones
Our Ref: 19/01530/WCMM
Your Ref:

Mr Chris Lowden
SLR Consulting Ltd
Aspect House
Aspect Business Park
Bennerley Road
Nottingham
NG6 8WR



Planning Services
Sand Martin House
Bittern Way
Fletton Quays
Peterborough
PE2 8TY

DX 12310 Peterborough 1
01733 747474

10 December 2020

Dear Mr Lowden

Application for Amendment to an existing Planning Permission

Proposal: Removal of conditions C1, C3 and C27 of planning permission 98/01252/MMFUL with regards to restoration

Site address: Cross Leys Quarry Leicester Road Wansford Peterborough

Your client: Mr John Gough

Further in the above matter, please find enclosed our formal decision notice relating to your client's application for planning permission. Please be sure to remind your client that the scheme should be carried out in line with the approved plans. This will avoid the need for any enforcement action.

Complying with the approved plans

We would like to draw your attention to 'precedent conditions':- these are conditions which require you to either do certain works or submit something for approval prior to starting any work. These conditions must be complied with. Please check your Decision Notice carefully and familiarise yourself with its requirements, allowing plenty of time for the conditions to be complied with before work commences. If these conditions are overlooked you may invalidate your consent, risk enforcement action being taken and may need to submit a further application.

In addition you should be aware that failing to build in accordance with the approved plans or properly discharging conditions often causes problems and delays if selling the property.

Complying with conditions

Please read the conditions attached to this permission carefully. Some conditions may require you to submit more information to us before you can start work.

If further information is required you will need to submit a separate application together with the required supporting documentation. The relevant application form (PF27) for discharge of conditions can be downloaded from our application One Stop Shop at www.peterborough.gov.uk/planningoss

Please ensure that the required details are submitted in duplicate and if you are applying to discharge more than one condition that the supporting information is clearly separated and referenced to each individual condition.

There is a fee required with an application to discharge planning conditions, however this is chargeable per application rather than per condition, please ensure that this is enclosed as part of your application. For further information please visit our application One Stop Shop or contact Planning Services on 01733 453410.

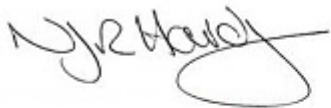
Appeals against conditions

You should also be aware that the applicant has the right to appeal against any conditions attached to this Notice, please see <https://www.gov.uk/government/organisations/planning-inspectorate> for details. If you are concerned about any condition you should contact the case officer in the first instance for advice.

Your feedback on our service is welcomed

We are interested in finding out what you thought of our service and how we might make it better. To give us feedback please go to <http://consult.peterborough.gov.uk/portal/pscsl>.

Yours sincerely



Nicholas Harding
Head of Planning



Planning Services
Sand Martin House
Bittern Way
Fletton Quays
Peterborough
PE2 8TY

DX 12310 Peterborough 1
01733 747474

**NOTICE OF PERMISSION TO DEVELOP
LAND WITHOUT COMPLIANCE WITH
CONDITIONS PREVIOUSLY ATTACHED TO
A GRANT OF PLANNING PERMISSION**

Town and Country Planning Act 1990: Section 73

GRANTED

Reference	19/01530/WCMM
Proposal	Removal of conditions C1, C3 and C27 of planning permission 98/01252/MMFUL with regards to restoration
At	Cross Leys Quarry Leicester Road Wansford Peterborough
Applicant	Mr John Gough Mick George Ltd
Date valid	1 October 2019

Conditions

Permission is granted subject to the following conditions and reasons:

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

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

C 2 This permission relates to the restoration of the site edged green, on the "Existing Planning Permissions", Drawing number CQ2/2, dated March 2001.

Landscaping and restoration works shall be completed no later than 12 months after the final importation of inert materials associated with permission 19/001365/MMFUL, or 7 years from the date this permission is granted, whichever is the sooner.

Reason: To ensure that the site is restored in a timely manner in accordance with Cambridgeshire and Peterborough Core Strategy policy CS25.

C 3 Vehicular access to the site shall only be via the existing quarry access from the A47 Trunk Road as shown on approved plan "Phase 1 Import / Restoration", ref. CL5/2, rev. 4 dated Feb 2020.

Reason: In the interest of highway safety and in accordance with Cambridgeshire and Peterborough Minerals and Waste policy CS32.

C 4 A wheel cleaning facility for Large Goods Vehicles (LGV's), in the 'operational area' as depicted on the phasing drawings CL5/2, CL5/3 and CL4/4, shall be retained and maintained in a good working order for the duration of the importation of restoration materials. Internal site traffic arrangements must ensure that all LGVs leaving the site shall pass through the wheel cleaning facility. No materials shall be deposited on the public highway.

Reason: In the interest of highway safety and in accordance with Cambridgeshire and Peterborough Minerals and Waste policy CS32.

C 5 All LGVs leaving the site with any loose materials must be securely sheeted.

Reason: In the interest of highway safety and in accordance with Cambridgeshire and Peterborough Minerals and Waste policy CS32.

C 6 Restoration, landscaping and habitat provision at the site, including the ordering of soil movements, must be carried out in accordance with the approved plans;

Preliminary Material Movements, ref. CL 5/1, rev. 3, dated February 2020

Phase 1 Import / Restoration, ref. CL 5/2, rev. 4, dated February 2020

Phase 2A Import / Restoration, ref. CL 5/3, rev. 4, dated February 2020

Phase 2B Import / Restoration, ref. CL 5/4, rev. 4, dated February 2020

Phase 3 Import Final Restoration, ref. CL 5/5, rev. 4, dated February 2020

Illustrative Section on Western Boundary, ref. CL 5/7, dated August 2020

With the exception that the land identified as "land restored to agriculture on "Phase 3 Import / Final Restoration" is to be specifically restored as 'species rich pasture'.

Reason: To clarify what is hereby approved.

C 7 Other than water pumping, servicing, and testing of plant and equipment, environmental monitoring and emergency / safety work, the development hereby permitted shall be carried out on the site only between the following times:

0600 and 1900 hours Mondays to Fridays

0600 and 1300 hours on Saturdays

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

Reason: In the interests of the amenity of the nearest residential occupiers in accordance with Cambridgeshire and Peterborough Minerals and Waste Core strategy policy CS34.

C 8 Prior to commencement of the importation of restoration materials, a Dust Management Scheme shall be submitted to and approved in writing by the Mineral Planning Authority.

The scheme shall take into consideration the ecological sensitivities of the site. The approved scheme should be implemented throughout the period of development.

Reason: To secure an appropriate dust management scheme in the interests of the amenity of the nearest residential occupiers, and the ecological sensitivities of the site and surroundings, in accordance with Cambridgeshire and Peterborough Minerals and Waste Core Strategy policy CS34. This is a pre-commencement condition because appropriate control needs to be exercised on activities which from the outset may give rise to adverse air quality impacts.

C 9 a) No mobile plant will operate using intrusive audible reversing alarms. Plant requiring reversing alarms will be fitted with "white noise" type alarms throughout the period of the development.
b) All plant and machinery shall be silenced at all times in accordance with the manufacturer's recommendations.
c) No hydraulic breakers shall be operated at the site except in accordance with details of their location and noise suppression measures to be submitted to and, approved in writing by the Mineral Planning Authority, no less than 3 months in advance of them being required to be used on site.

Reason: In the interests of the amenity of the nearest residential occupiers, and the ecological sensitivities of the site and surroundings, in accordance with Cambridgeshire and Peterborough Minerals and Waste Core Strategy policy CS34.

C10 The volume of noise received at the properties specified below shall not exceed:

42dB (L_{Aeq} 1 hour Free Field) between the hours of 0600 and 0700 Mondays to Saturdays at Wittering Lodge pr Cross Leys Farm, or

Wittering Lodge - 53 dB (L_{Aeq}) One Hour Free Field
Cross Leys Farm - 45 dB (L_{Aeq}) One Hour Free Field

at any other time during the permitted operating hours.

Reason: In the interests of the amenity of the nearest residential occupiers, and the ecological sensitivities of the site and surroundings, in accordance with Cambridgeshire and Peterborough Minerals and Waste Core Strategy policy CS34.

C11 Temporary operations shall not be carried out over a period exceeding a total of 8 weeks in any continuous 12 month period, and relate to work carried out within 200m of the boundary of the noise sensitive properties cited in a). The free field noise level received at noise sensitive properties shall not exceed 70 dB (L_{Aeq}) one hour free field during these temporary operations. Five days written notice shall be given to the Mineral Planning Authority in advance of the commencement of any temporary operations as may be agreed, in advance of works taking place.

Reason: In the interests of the amenity of the nearest residential occupiers, and the ecological sensitivities of the site and surroundings, in accordance with Cambridgeshire and Peterborough Minerals and Waste Core Strategy policy CS34.

C12 Prior to commencement of the importation of restoration materials, a Noise Monitoring Scheme shall be submitted to and approved in writing by the Mineral Planning Authority. The scheme shall take into consideration the noise control measures specified in the Bird Hazard Management Plan. The scheme shall take into consideration the ecological sensitivities of the site, and the noise control measures specified in the Bird Hazard Management Plan. The approved scheme should be implemented throughout the period of development.

Reason: To secure an appropriate noise monitoring scheme in the interests of the amenity of the nearest residential occupiers, and the ecological sensitivities of the site and surroundings, in accordance with Cambridgeshire and Peterborough Minerals and Waste Core Strategy policy CS34. This is a pre-commencement condition because appropriate control needs to be exercised on activities which from the outset may give rise to adverse noise impacts.

C13 Prior to commencement of the importation of restoration materials, a Biodiversity & Landscape Management Plan, based on the measures outlined in Chapter 6 of the 'Cross Leys Quarry: Planning application for revisions to the restoration scheme' planning statement dated April 2019, and the accompanying appendices and plan, and including, but not necessarily limited to full details of all protected species avoidance and mitigation measures, including a reptile mitigation strategy, full details and specifications of ponds to be created, non-native species eradication programme and updated species surveys, 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 Biodiversity & Landscape Management Plan.

Reason: To secure appropriate management and mitigation of ecological impacts and protect features of nature conservation importance in accordance with Cambridgeshire and Peterborough Minerals and Waste Core Strategy policy CS35. This is a pre-commencement condition because appropriate control needs to be exercised on activities which from the outset may give rise to adverse ecological impacts.

C14 Topsoil and Subsoil movements and re-spreading shall only be carried out when the full depth of soil is in a dry and friable condition (soils to be assessed by the method set out in Appendix 2 of the Guidance on Good Practice for the Reclamation of Mineral Workings to Agriculture to DoE 1996). Soils shall not be stripped, handled or re-spread between the months of October to March inclusive.

Reason: To ensure the sustainable use of soils in accordance with Cambridgeshire and Peterborough Minerals and Waste Core Strategy policies CS34 and CS38.

C15 Plant or vehicle movements shall be confined to clearly defined haul routes approved beforehand in writing by the Mineral Planning Authority and shall not cross areas of topsoil and subsoil except for the express purpose of soil stripping or replacement operations. No stored topsoil and subsoil shall be removed from the site.

Reason: To ensure the sustainable use of soils in accordance with Cambridgeshire and Peterborough Minerals and Waste Core Strategy policies CS34 and CS38.

C16 All storage bunds intended to remain in situ for more than 6 months or over the winter period shall be grassed over and weed control and other necessary maintenance undertaken. The seed mixture and the application rates and subsequent maintenance shall be submitted to and approved in writing by the Minerals Planning Authority prior to the construction of the soil storage bunds.

Reason: To ensure the sustainable use of soils in accordance with Cambridgeshire and Peterborough Minerals and Waste Core Strategy policy CS38.

C17 All fuel, oil or chemical storage tanks, building, ancillary handling facilities and equipment, including pumps and valves, shall be contained within an impervious bund of at least 110% of the tank capacity.

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

C18 Prior to the replacement of topsoil or subsoil or any subsoil substitute, a scheme of soil placement shall be submitted to and approved in writing by the Mineral Planning Authority. Such a scheme shall include:

- a) How the restored quarry floor will be prepared prior to soil placement, including levelling and ripping.
- b) The proposed soil profile.
- c) Method of soil spreading and the machinery to be used.
- d) Subsoiling of any compacted layers.
- e) Removal of any material capable of impeding agriculture and land drainage operations; including the removal of stones and other objects greater than 75mm in any dimension rising to the topsoil surface following subsoiling operations.
- f) A timetable for the implementation of the scheme.

The restoration of the site shall be carried out in accordance with the approved scheme.

Reason: To ensure the sustainable use of soils in accordance with Cambridgeshire and Peterborough Minerals and Waste Core Strategy policy CS38.

C19 Within 12 months of the date on this decision, an Aftercare Management Plan shall be submitted to, and approved in writing by the Mineral Planning Authority. Such a plan shall be based on Chapter 3 of the Planning Statement (SLR Ref: 403.00275.00233, dated April / 2019) and 'Phase 3 Import / Final Restoration (drawing CL 5/5, dated February 2020) and amended as required by the requirements of the requisite European Protected Species License (ESPL) (and potentially the Biodiversity and Landscape Management Plan required under C13). The plan shall include, but is not necessarily limited to;

- Aftercare provision for a period of 5 years for agriculture.
- Aftercare provision for a period of 15 years for the ponds and wetland conservation area.
- Details of the grass seed to be used to provide a species rich pasture area marked as 'land to be restored to agriculture' on the Phase 3 Final Import Restoration drawing.
- Provision for ongoing maintenance of the exposed rockfaces for the purposes of geological conservation.

The development shall thereafter be carried out in complete accordance with the approved Aftercare Management Plan.

Reason: To secure the sustainable use of soils and to provide long term biodiversity enhancements in accordance with Cambridgeshire and Peterborough Minerals and Waste Core Strategy policies CS25, CS33 and CS34

C20 No less than 12 months after the date on this decision notice, a detailed layout / arrangement for the operational area for the final phase of works, as depicted on the 'Phase 2B Import / Restoration' drawing, and based on Chris Lowden's email of 28 August 2020, 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 approved scheme.

Reason: In order to secure appropriate access to the site post restoration, and in accordance with Cambridgeshire and Peterborough Minerals and Waste Core Strategy policy CS32.

C21 No less than 12 months after the date on this decision notice, a Drainage Maintenance and Management schedule 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 approved schedule.

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

C22 The development hereby approved, including the aftercare period, and beyond as required by the provisions of the Statutory Birdstrike Safeguarding Zone, shall be carried out in complete accordance with the "Bird Hazard Management Plan" (Pre-Consent Draft Copy, Version No.1 Rev A, dated Dec 2018).

Reason: To minimise the hazard to air traffic in accordance with Cambridgeshire and Peterborough Minerals and Waste Core Strategy policy CS40.

C23 The developer, shall make allowance for Temporary Section Recording / inspection of the exposed rockfaces on an annual basis and / or at the request of the Minerals Planning Authority. Notification of visits will be provided no less than 4 weeks in advance. Visits by groups of more than 6 will require the agreement of the developer and / or landowner.

Reason: To secure the benefits of the exposed rockface within a Local Geological Site in accordance with Cambridgeshire and Peterborough Minerals and Waste Core Strategy policy CS35.

C24 No less than 12 months after the date on this decision notice, a scheme for the provision of a safe and suitable post restoration access to the public Highway shall be submitted to, and approved in writing by the Mineral Planning Authority. Upon completion of the restoration and landscaping works the site access as approved shall be implemented and retained thereafter.

Reason: In the interest of highway safety and in accordance with Cambridgeshire and Peterborough Minerals and Waste policy CS32.

Statement of compliance

The proposal as submitted was not in accordance with local and national planning policy. The local planning authority have 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. Amendments were discussed and agreed with the applicant to bring the proposal into compliance with policy, and the application can therefore be approved in accordance with Paragraph 38 of the National Planning Policy Framework (2019).

Authorisation

Authorised by:



Nicholas Harding
Head of Planning

Date the decision was made: 10 December 2020

Informatives

- 1 It is an offence to take, damage or destroy the nest of any wild bird while it is being built or in use. Trees, scrub and/or structures likely to contain nesting birds between 1st March and 31st August are present on the application site. You should assume that they contain nesting birds between the above dates unless survey has shown it is absolutely certain that nesting birds are not present. Planning consent for a development does not provide a defence against prosecution. The protection of nesting wild birds remains unchanged even when planning permission is granted. For further information on surveys contact Peterborough City Council's Wildlife Officer (wildlife@peterborough.gov.uk)
- 2 The applicant is reminded that under the Wildlife and Countryside Act 1981(Section 1) (as amended) it is an offence to take, damage or destroy the nest of any wild bird while that nest is in use or being built. Trees and scrub are likely to contain nesting birds between 1 March and 31 August. Trees within the application should be assumed to contain nesting birds between the above dates unless a survey has shown it is absolutely certain that nesting birds are not present.
- 3 The wheel cleansing equipment shall be capable of cleaning the wheels, underside and chassis of the vehicles. The road between the cleaning equipment and the public highway shall be surfaced either in concrete or blacktop and be maintained free of mud, slurry and any other form of contamination whilst in use.
- 4 Highways Act 1980 - Section 148, Sub-Section C
It is an offence to deposit anything including building materials or debris on a highway which may cause interruption to any user of the highway (including footways). In the event that a person is found guilty of this offence, a penalty may be imposed in the form of a fine. It is the responsibility of the developer and contractor(s) to ensure that no building materials or debris are placed on or remain within the highway during or after the construction period.
- 5 Highways Act 1980 - Section 149
If anything is so deposited on a highway as to constitute a nuisance, the Local Planning Authority may by notice require the person who deposited it there to remove it forthwith and if he fails to comply the Local Planning Authority may make a complaint to a Magistrates Court for a Removal and Disposal Order under this Section. In the event that the deposit is considered to constitute a danger, the Local Planning Authority may remove the deposit forthwith and recover reasonable expenses from the person who made the deposit. It is the responsibility of the developer and contractor(s) to ensure that no building materials or debris are placed on or remain within the highway during or after the construction period.

General Notes

- 1.1 Planning permission does not constitute approval under the Building Regulations or Bye-law approval relating to new streets and buildings.
- 1.2 It is an offence under Section 171 of the Highways Act 1980 to temporarily deposit building materials, rubbish or other things on the public highway or make a temporary excavation on it without the written consent of the Highway Authority. The Highway Authority may give its consent subject to such conditions as it thinks fit.
- 1.3 The applicant is reminded that under the Wildlife and Countryside Act 1981(Section 1) (as amended) it is an offence to take, damage or destroy the nest of any wild bird while that

nest is in use or being built. Trees and scrub are likely to contain nesting birds between 1 March and 31 August. Trees within the application should be assumed to contain nesting birds between the above dates unless a survey has shown it is absolutely certain that nesting birds are not present.

Appeals to the Secretary of State

- 1 The applicant has a right to appeal to the Secretary of State against any conditions of this planning permission, under Section 78 of the Town & Country Planning Act 1990.
- 2 If you want to appeal against your local planning authority's decision then you must do so within **6 months** of the date of this notice.
- 3 Appeals can be made online at: <https://www.gov.uk/planning-inspectorate>. If you are unable to access the online appeal form, please contact the Planning Inspectorate to obtain a paper copy of the appeal form on tel: 0303 444 5000.
- 4 The Secretary of State can allow a longer period for giving notice of an appeal but will not normally be prepared to use this power unless there are special circumstances which excuse the delay in giving notice of appeal.
- 5 The Secretary of State need not consider an appeal if it seems to the Secretary of State that the local planning authority could not have granted planning permission for the proposed development or could not have granted it without the conditions they imposed, having regard to the statutory requirements, to the provisions of any development order and to any directions given under a development order.
- 6 If you intend to submit an appeal that you would like examined by inquiry then you must notify the Local Planning Authority and Planning Inspectorate (inquiryappeals@planninginspectorate.gov.uk) at least 10 days before submitting the appeal. Further details are on GOV.UK.

Purchase Notices

If the Local Planning Authority or the Secretary of State grants permission subject to conditions the owner may claim that he/she can neither put the land to a reasonably beneficial use in its existing state nor render the land capable of a reasonably beneficial use by the carrying out of any development which has been or would be permitted. In these circumstances the owner may serve a purchase notice on the Council to purchase his interest in the land in accordance with the provisions of Part VI of the Town and Country Planning Act 1990.

Starting Work too soon

If you start work on this development before complying with conditions that require to be met before work starts, your action has made this planning permission invalid. A fresh planning application will then be required, with the associated cost and delay.

Third Party Rights to challenge a planning decision

Currently there are no third party rights of appeal through the planning system against a decision of a Local Planning Authority. Therefore, if you have concerns about a planning application and permission is granted, you cannot appeal that decision.

Any challenge under current legislation would have to be made outside the planning system through a process called Judicial Review.

A 'claim for judicial review' includes a claim to review the lawfulness of a decision, action or failure

to act in relation to the exercise of a public function, in this case, a planning decision. The court's permission to proceed is required in a claim for Judicial Review. A claim for Judicial Review is dealt with by the Administrative Court and if leave to judicially review a planning decision is granted, the Judicial Review will be decided by a judge at the High Court.

An application to Judicial Review a decision must be made within **6 weeks** of the decision about which you have a grievance being made. For further information on judicial review and the contact details for the Administrative Courts, please go to <http://www.justice.gov.uk/>

