



County Hall Beverley East Riding of Yorkshire HU17 9BA Telephone (01482) 393939

www.eastriding.gov.uk

Stephen Hunt Head of Planning and Development Management

Golder Associates (UK) Ltd
C/o Mr Chris McDonald
Attenborough House
Browns Lane Business Park
Stanton On The Wolds
NG12 5BL
UK

Application No: **DC/18/00581/CM/STRAT**
PP-06758032

Case Officer: **Mr Matthew Sunman**

NOTICE OF DECISION

TOWN AND COUNTRY PLANNING ACT 1990

Application Type: **County Matter**

Proposal: **Extension to the mineral extraction and land filling boundary northwards by 40m along the northern edge of the Site (in-line with Sandsfield's ownership boundary) and retention of 2 leachate holding tanks and a 750m long 90mm diameter gravity fed buried pipeline to discharge leachate to sewer (ADDITIONAL SURFACE WATER DRAINAGE INFORMATION)**

Location: **Sandsfield Gravel Company Limited Foss Hill Quarry Catwick Lane Brandesburton East Riding Of Yorkshire YO25 8SA**

Applicant: **Sandsfield Gravel Company Ltd**

The above application has been considered by the Council in pursuance of their powers under the above mentioned Act and has been **APPROVED**, in accordance with the terms and details as submitted, subject to the following conditions:

1. Extraction of minerals and restoration of the site by tipping shall cease by 21 February 2038, unless otherwise approved in writing by the Planning Authority.

This condition is imposed in order to comply with the submitted details and reduce the duration of disturbance to a minimum.

2. The development hereby permitted shall be carried out in accordance with the following approved plans:

Drawing No	Description	Date Received
PAS2	Location Plan	21.02.2018
PAS4	Existing Site Boundary	21.02.2018
PAS6	Existing Site Activity	21.02.2018
PAS8	Existing Topographic Survey	21.08.2018
PAS9	Proposed Site Layout and Landfill	21.08.2018
Phasing Plan		21.02.2018

PAS10	Leachate and Landfill Gas Management	21.02.2018
PAS11	Environmental Monitoring	21.02.2018
PAS12	Pre-Settlement, Pre Restoration Landform	21.02.2018
PAS13	Pre-Settlement, Pre Restoration Landform Including Surface Water Drainage	21.02.2018
PAS14	Existing Site Plan	21.02.2018
PAS16	Environmental Setting	21.02.2018
PAS17	Leachate Holding Tanks and Discharge Pipeline	21.02.2018

This condition is imposed in accordance with policy ENV1 of the East Riding Local Plan and for the avoidance of doubt and to ensure that the development hereby permitted is carried out in accordance with the approved details in the interests of the character and amenity of the area and the provisions of the development plan.

3. No development shall take place until the applicant has secured the implementation of a programme of archaeological work in accordance with a written scheme of investigation which has been submitted by the applicant and approved by the Planning Authority.

The scheme shall provide for:

- (i) the proper identification and evaluation of the extent, character and significance of archaeological remains within the application area;
- (ii) an assessment of the impact of the proposed development on the archaeological remains;
- (iii) proposals for the preservation in situ, or the for the investigation, recording and recovery of archaeological remains and the publishing of the findings, it being understood that there shall be a presumption in favour of their preservation in situ wherever feasible;
- (iv) sufficient notification and allowance of time to archaeological contractors nominated by the developer to ensure that archaeological fieldwork as proposed in pursuance of (i) and (iii) above is completed prior to the commencement of permitted development in the area of archaeological interest; and
- (v) notification in writing to the Curatorial Officer of the Humber Archaeology Partnership of the commencement of archaeological works and the opportunity to monitor such works.

This pre-commencement condition is imposed as the site is known to contain archaeological remains of the Neolithic /Bronze Age periods. Evaluations on the site have demonstrated the survival of an extensive pattern of Iron Age and Romano- British settlements and enclosures, along with some Anglo-Saxon and Medieval remains. The excavated remains identified in the previous evaluations merit further analysis and publication, in order to secure their preservation by record.

5. Within 2 months of the date of the permission a photographic highway condition survey of Catwick Lane together with a schedule of further surveys and remedial maintenance works to be agreed shall be submitted to and approved in writing by the Local Planning Authority.

This condition is imposed to secure a safe and adequate means of access to the proposed development.

6. Within 1 year of the date of this permission, details of site restoration and landscaping shall be submitted for approval by the Planning Authority. Such details shall incorporate the general principles indicated in the application and Environmental Statement to restore the land to agriculture and shall provide for the following:-

- (a) a detailed plan of the proposed restoration showing , phasing, restoration levels and contours particularly on the margins of the site and including site haul roads and soil storage areas.;

- (b) details of the placement of sub-soils and top-soil previously stripped from the site;
- (c) cultivation of areas by ripping;
- (d) grass seeding of reclaimed areas with a suitable grass seed or herbage mixture;
- (e) proposed planting including the size, species, spacing of trees and protection measures;
- (f) an aftercare scheme for the agricultural restoration area and other maintenance measures to include grass cutting, weed control, upkeep of planting protection and the replacement of any planting failures;
- (g) a timetable for implementation and aftercare, such aftercare and maintenance to be for a minimum period of 5 years;

This condition is imposed to ensure that the site is reclaimed in an orderly manner to a condition capable of beneficial after use and in the interests of the general amenity of the area and local residents.

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

This condition is imposed to prevent pollution of the water environment.

8. Except in emergencies to maintain safe quarry working (which shall be notified to the Planning Authority as soon as practicable) or unless the Planning Authority has agreed otherwise in writing:-

- (a) no operations other than water pumping, servicing environmental monitoring and testing of plants shall be carried out at the site except between the times:-

0700 hours and 1800 hours Monday to Friday, and
0800 hours and 1300 hours Saturdays;

- (b) no servicing, maintenance and testing of plant shall be carried out at the site between 2000 hours and 0700 hours on any day and at no time on Sundays, or public holidays;

- (c) periods of servicing and maintenance of plant outside the hours set out in (a) above, shall be noted in the site log book.

This condition is imposed to protect the amenities of local residents.

9. Notwithstanding the provisions of Schedule 2 Part 17 of the Town and Country Planning (General Development) (England) Order 2015 no buildings, fixed plant or machinery shall be erected on the site in connection with the working and treatment of minerals without the specific consent in writing of the Planning Authority.

This condition is imposed to protect the amenities of the area.

10. No topsoil shall be removed from the site unless it has been demonstrated to the satisfaction of the Planning Authority that the material is not required to fulfil restoration obligations.

This condition is imposed in order to ensure that restoration obligations are met before surplus topsoil is allowed to be removed from site, in the interests of the general amenities of the area.

11. All vehicles, plant and machinery operated within the site shall be maintained in accordance with the manufacturer's specification at all times, and shall be fitted with and use effective silencers.

This condition is imposed to ensure minimum disturbance from operations and avoidance of nuisance to the local community.

12. Noise levels as a result of the proposed operations on the site shall not exceed 55 dB(A) Laeq freefield at noise sensitive receptors. In the event of complaint to the Planning Authority noise monitoring shall be carried out at the nearest properties to ensure that the predicted level is being met and the results shall be supplied to the Planning Authority. Should the predicted levels be exceeded then a scheme of additional procedures/measures to be adopted to reduce noise levels to the predicted level shall be agreed with the Planning Authority. As soon as the scheme is approved it shall be implemented

This condition is imposed to protect the amenities of local residents.

13. Mobile pumps shall at all times be located and if necessary acoustically screened to ensure minimum disturbance to occupiers of residential property to the satisfaction of the Planning Authority.

This condition is imposed to protect the amenities of local residents.

14. The vehicle parking, loading, off-loading and manoeuvring facilities within the site curtilage shall be retained at all times and not used for any other purpose.

This condition is imposed in order to ensure that the demand for vehicle parking and servicing can be met within the site as vehicles having to park, load, off-load or manoeuvre on the public highway would adversely affect the safety of other highway users.

15. The wheel cleaning facilities shall be retained, maintained and used for the duration of the development.

This condition is imposed in order to assist in preventing detritus and other material being deposited on the publicly maintainable highway to the detriment of other road users.

16. Heavy goods vehicles entering and exiting the site shall use the C24 Catwick Lane to the north of the site entrance onto the A165 roundabout at Brandesburton. HGV movements shall not pass through Catwick Village.

This condition is imposed in order to reduce HGV movements through Catwick village.

17. No development shall take place unless in strict accordance with the recommendations for the provision of bat and bird boxes as detailed in in Section 6.5 of the Environmental Statement (Golders Associates, February 2018) as submitted with the application in all respects. Any variation thereto shall be agreed in writing by the local planning authority before such change is made.

This condition is imposed to ensure that all species are protected having regard to the Wildlife and Countryside Act 1981 (as amended) and The Conservation of Habitats and Species Regulations 2017.

18. Unless otherwise agreed in writing with the Local Planning Authority, the development shall be implemented in accordance with the approved foul and surface water drainage details provided in Chapter 5 of the Environmental Statement, Section 5 of the Planning Statement and additional surface water drainage information contained in a letter from Golder dated 24 May 2018. The surface and foul water drainage system shall be managed and maintained in accordance with the approved details.

This condition is imposed in accordance with policy ENV6 of the East Riding Local Plan and in order to ensure that the proposal is provided with a satisfactory means of drainage.

Notes for Applicant/Agent

Public Rights of Way

The scale of the Definitive Map and the information contained within the accompanying statement make precise determination of the PROW lines extremely difficult. Applicants should satisfy themselves that they have determined this first prior to submitting an application. Applicants should not use the planning process to determine the width, status or precise route of a public right of way. It may be from time to time that during the application process, during construction, or post construction that evidence is presented to the authority that would suggest that any route incorporated within a development, or adjacent to a development site, is not on the correct line, even though the line on the Definitive Map might appear to be protected. The authority is legally bound to consider this evidence and it could lead to a situation, through no fault of the Planning or Highway Authority that a route is built upon, or obstructed by gardens or boundary walls. Applicants should be aware of this, and make all reasonable attempts to seek clarification of this prior to commencing development.

The granting of planning permission does not grant permission to obstruct a public right of way, and applicants should ensure that they have protected the line shown on the Definitive Map.

Interference or improvement of the surface of a public right of way requires the specific permission of the PROW section of the East Riding Council. Interference without permission constitutes an offence under the Highways Act.

Applicants should ensure that they have the necessary private vehicular rights to use the public right of way as driving a motor vehicle on a footpath, bridleway or restricted byway may constitute a criminal offence. The rights of way section reserves the right to have sight of this documentary evidence.

Yorkshire Water Services

Please contact the Yorkshire Waters Trade Effluent Team (telephone 0345 1242424) on any proposal to discharge trade effluent to the public sewer network or alter an existing trade effluent consent.

Nature Conservation and Ecology

Protected species - The granting of planning permission does not absolve the applicants from complying with the relevant law protecting species, including obtaining and complying with the terms of conditions of any licences required, as described in Part IVB of Circular 06/2005.

Should any protected species or evidence of protected species be found prior to or during development, work must stop immediately and Natural England contacted for further advice. This is a legal requirement under the Wildlife and Countryside Act 1981 (as amended) and applies to whoever carries out the work. All contractors on site should be made aware of this requirement and be given Natural England's contact details.

Nesting Birds - With certain exceptions, all wild birds, their nests and eggs are protected by the Wildlife and Countryside Act 1981 (as amended by the Countryside and Rights of Way Act 2000). If any proposed works is scheduled to take place in the main bird breeding season (early March to late August) the potential impact on nesting birds and the risk of committing an offence is increased. Therefore, in such an instance the Council would advise that a survey for active bird nests should be carried out by a suitably competent person immediately prior to commencing works. If active nests are found, all construction works around the nest should be avoided until the breeding attempt has ended.

Environmental Impact Assessment Regulations 2017

The proposed scheme represents an acceptable form of development, in terms of its size, siting and design and will not therefore result in any significant harm to the character and appearance of the landscape or the open countryside. The proposed development would be acceptable in respect of matters relating to highway safety, flood risk and drainage, ecology, public rights of way and heritage; subject to appropriate conditions where necessary.

The proposal adjoins an active quarry and landfill site. It is also controlled through an Environment Agent (EA) permit. It is unlikely to have any adverse impact on residential amenity.

The effects of the development on the environment are not considered to be significant or likely to cause harm.

Relevant Planning Policies

Joint Waste Local Plan for Kingston upon Hull and the East Riding of Yorkshire (JWLP) (2004)

Policy W2	Development complying with specific policies of the JWLP
Policy W4	Sequential Approach to site selection
Policy W11	Waste Management Development will not be allowed if it harms groundwater source protection, aquifers or surface waters
Policy W14	Trees, hedgerows and woodland
Policy W17	Agricultural Land
Policy W19	Archaeology
Policy W22	Transport - Alternative transport methods
Policy W23	Road traffic
Policy W26	Self Sufficiency

Joint Minerals Local Plan for Kingston upon Hull and the East Riding of Yorkshire (JMLP) (2004)

Policy DC1	Development Control Criteria
Policy DC2	Planning Obligations
Policy DC4	Ground Water and Surface Water Resources
Policy DC8	Trees, Hedgerows and Woodland
Policy DC9	Special Protection Area, Special Areas of Conservation and Ramsar sites
Policy DC10	Sites of Special Scientific Interest
Policy DC11	Local Nature Reserves and Sites of Important for Nature Conservation
Policy DC12(a)	Archaeological Sites
Policy DC13	Other Heritage Features
Policy DC16	Grades 1, 2 and 3a Agricultural Land
Policy DC19	Traffic Movements
Policy DC21	Schemes of Working and Restoration
Policy DC22	Biodiversity
Policy DC23	Aftercare
Policy DC25	Public Rights of Way

East Riding Local Plan -Strategy Document (ERLP-SD) (2016)

Policy A1	Beverley and Central sub area
Policy EC1	Supporting the growth and diversification of the East Riding economy
Policy EC4	Enhancing sustainable transport
Policy ENV1	Integrating high quality design
Policy ENV2	Promoting a high quality landscape
Policy ENV3	Valuing our heritage
Policy ENV4	Conserving and enhancing biodiversity and geodiversity
Policy ENV5	Strengthening green infrastructure
Policy ENV6	Managing environmental hazards
Policy S1	Presumption in favour of sustainable development
Policy S2	Addressing climate change
Policy S3	Focusing development
Policy S4	Supporting development in Villages and the Countryside

Legislation

Waste Management Plan for England 2013

Section 66 of Planning (Listed Buildings and Conservation Areas) Act 1990 - Special regard to the

desirability of preserving the listed building or its setting
Section 72 of Planning (Listed Buildings and Conservation Areas) Act 1990 -
Special regard to the desirability of preserving the Conservation Area or its setting

National Planning Policy

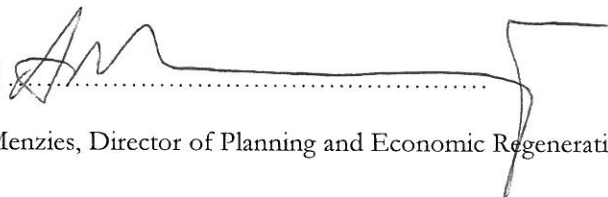
National Planning Policy Framework (NPPF) (2012)
National Planning Policy for Waste (NPPFW) (2014)
National Planning Policy Guidance (PPG) (2014)

East Riding of Yorkshire and Kingston upon Hull Joint Minerals Local Plan - Proposed Submission April 2018

Policy AGG1 Supply of Sand and Gravel
Policy AGG2 Site Allocations for Sand and Gravel Extraction
Policy DM1 Impacts of Mineral Development
Policy DM2 Protecting Residential Amenity and Other Uses
Policy DM3 Restoration and Aftercare
Policy DM4 Best and Most Versatile Agricultural Land
Policy DM5 Public Rights of Way
Policy DM6 Transportation

In making this decision the Council has followed the requirements in paragraphs 186 and 187 of the National Planning Policy Framework.

Signed



Date : 6 June 2018

Alan Menzies, Director of Planning and Economic Regeneration.

Notes to accompany application no DC/18/00581/CM/STRAT

1. Town and Country Planning Act

Any approval given by this notice of decision refers only to that required under the Town and Country Planning Acts and does not include any consent or approval under other legislation, e.g. Building Regulations.

2. Duration of Permission

The Town and Country Planning Act 1990 (as amended by the Planning and Compulsory Purchase Act 2004) provides that every permission shall be granted subject to a condition that the development must be begun within a specified time period. This period of time can vary depending on the type of application and the circumstances of the particular case. Usually there will be a specific condition on the notice of decision itself specifying the relevant period but if this has not been imposed, please refer to the provisions of Section 51 of the Planning and Compensation Act 2004 for a definition of the relevant period. Further guidance on this is also available in Circular 8/2005.

3. Appeals to Planning Inspectorate

If you are aggrieved by this decision you can appeal to the Planning Inspectorate within six months of the date of this decision (longer in special circumstances). 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 provision of any development order and to any directions given under a development order. The Planning Inspectorate have introduced an online appeals service which you can use to make your appeal online. You can find the service through the Appeals area of the Planning Portal – see <http://www.planningportal.gov.uk/planning/appeals/online/makeanappeal>. 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 telephone number: 0303 444 5000. The Inspectorate will publish details of your appeal on the internet (on the Appeals area of the Planning Portal). This may include a copy of the original planning application form and relevant supporting documents supplied to the local authority by you or your agent, together with the completed appeal form and information you submit to the Planning Inspectorate. Please ensure that you only provide information, including personal information belonging to you that you are happy will be made available to others in this way. If you supply personal information belonging to a third party please ensure you have their permission to do so. More detailed information about data protection and privacy matters is available on the Planning Portal.

4. Purchase Notice

If either the Local Planning Authority or the Secretary for the Environment refuses permission to develop land or grants it 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 reasonable 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 in whose area the land is situated. This notice will require 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.

5. Disabled Persons

Where permission is granted and relates to development resulting in the provision of buildings or premises to which the public are to be admitted (on payment or otherwise) or of premises being office, shop, railway or factory premises in which persons are employed to work, your attention is directed to Section 4, 7 and 8a of the Chronically Sick and Disabled Persons Act 1970 and to the Code of Practice for Access for the Disabled to Buildings: being the British Standards Institution Code of Practice BS 5810: 1979.

6. Fire Brigade Access

If planning permission is granted and relates to the erection or extension of a building, your attention is drawn to the provisions of Section 14 of the Humberside Act 1982 whereby the Council are required to reject plans submitted for building regulations approval if the plans do not show adequate means of access for the fire brigade to the building or if the erection of the building or extension would render inadequate the means of access for the fire brigade to a neighbouring building.

7. Affects Public Right of Way

A grant of planning permission does not entitle a developer to obstruct a public right of way. Development, in so far as it affects a public right of way, should not be commenced, and the right of way should be kept open for public use, until the necessary order under Section 247 or Section 257 of the Town and Country Planning Act 1990 for the diversion or extinguishment of the right of way has been made and confirmed.

8. Approval of Details Required by Condition

Please note that there is now a fee payable for the submission of any matters required to be submitted for approval by any conditions attached to this permission. The fee is payable for each submission, not for each condition, so you may wish to minimise the fee payable by submitting all of the outstanding details required by all of the conditions at the same time. Relevant forms for the submission of such details are available on the Planning Portal www.planningportal.gov.uk together with details of the fee payable. Please be aware that conditions which require correspondence between the Local Planning Authority and outside bodies could take approximately four weeks, to agree on the suitability of the details submitted. It is therefore in your own interests to submit such information at the earliest opportunity.

9. Amendment to Plans

If you are proposing to alter the plans hereby approved you should first consult the Local Planning Department.



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Stephen Hunt Head of Planning and Development Management

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Application No: **DC/18/00628/CM/STRAT**

Case Officer: **Mr Matthew Sunman**

NOTICE OF DECISION

TOWN AND COUNTRY PLANNING ACT 1990

Application Type: **County Matter**

Proposal: **Variation of Condition 1 (expiration period) and Condition 2 (approved plans and documents) of planning permission 08/00967/STVARE dated 1 September 2008 to allow operation of site for extraction of minerals and land filling of non-hazardous waste for a further 20 years until 21 February 2038**

Location: **Sandsfield Gravel Company Limited Foss Hill Quarry Catwick Lane Brandesburton East Riding Of Yorkshire YO25 8SA**

Applicant: **Sandsfield Gravel Company Ltd**

The above application has been considered by the Council in pursuance of their powers under the above mentioned Act and has been **APPROVED**, in accordance with the terms and details as submitted, subject to the following conditions:

1. Extraction of minerals and restoration of the site by tipping shall cease by 21 February 2038, unless otherwise approved in writing by the Planning Authority.

This condition is imposed in order to comply with the submitted details and reduce the duration of disturbance to a minimum.

2. The development hereby permitted shall be carried out in accordance with the following approved plans:

Drawing No	Description	Date Received
PAS1	Location Plan	21.02.2018
PAS3	Existing Site Boundary	21.02.2018
PAS5	Existing Site Activity	21.02.2018
PAS7	Existing Topographic Survey	21.08.2018
PAS9	Proposed Site Layout and Landfill	21.08.2018
Phasing Plan		21.02.2018
PAS10	Leachate and Landfill Gas Management	21.02.2018
PAS11	Environmental Monitoring	21.02.2018

PAS12	Pre-Settlement, Pre Restoration Landform	21.02.2018
PAS13	Pre-Settlement, Pre Restoration Landform Including Surface Water Drainage	21.02.2018
PAS14	Existing Site Plan	21.02.2018
PAS15	Environmental Setting	21.02.2018
PAS17	Leachate Holding Tanks and Discharge Pipeline	21.02.2018

This condition is imposed in accordance with policy ENV1 of the East Riding Local Plan and for the avoidance of doubt and to ensure that the development hereby permitted is carried out in accordance with the approved details in the interests of the character and amenity of the area and the provisions of the development plan.

3. Within 2 months of the date of the permission a photographic highway condition survey of Catwick Lane together with a schedule of further surveys and remedial maintenance works to be agreed shall be submitted to and approved in writing by the Local Planning Authority.

This condition is imposed to secure a safe and adequate means of access to the proposed development.

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

This condition is imposed to prevent pollution of the water environment.

5. Development shall be undertaken in accordance with the archaeological details approved by discharge of condition application reference 12/30464/CONDET.

This condition is imposed as the site is known to contain archaeological remains of the Neolithic /Bronze Age periods. Evaluations on the site have demonstrated the survival of an extensive pattern of Iron Age and Romano- British settlements and enclosures, along with some Anglo-Saxon and Medieval remains. The excavated remains identified in the previous evaluations merit further analysis and publication, in order to secure their preservation by record.

6. Except in emergencies to maintain safe quarry working (which shall be notified to the Planning Authority as soon as practicable) or unless the Planning Authority has agreed otherwise in writing:-

(a) no operations other than water pumping, servicing environmental monitoring and testing of plants shall be carried out at the site except between the times:-

0700 hours and 1800 hours Monday to Friday, and
0800 hours and 1300 hours Saturdays;

(b) no servicing, maintenance and testing of plant shall be carried out at the site between 2000 hours and 0700 hours on any day and at no time on Sundays, or public holidays;

(c) periods of servicing and maintenance of plant outside the hours set out in (a) above, shall be noted in the site log book.

This condition is imposed to protect the amenities of local residents.

7. Notwithstanding the provisions of Schedule 2 Part 17 of the Town and Country Planning (General Development) (England) Order 2015 no buildings, fixed plant or machinery shall be erected on the site

in connection with the working and treatment of minerals without the specific consent in writing of the Planning Authority.

This condition is imposed to protect the amenities of the area.

8. No topsoil shall be removed from the site unless it has been demonstrated to the satisfaction of the Planning Authority that the material is not required to fulfil restoration obligations.

This condition is imposed in order to ensure that restoration obligations are met before surplus topsoil is allowed to be removed from site, in the interests of the general amenities of the area.

9. All vehicles, plant and machinery operated within the site shall be maintained in accordance with the manufacturer's specification at all times, and shall be fitted with and use effective silencers.

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- (a) a detailed plan of the proposed restoration showing , phasing, restoration levels and contours particularly on the margins of the site and including site haul roads and soil storage areas;
- (b) details of the placement of sub-soils and top-soil previously stripped from the site;
- (c) cultivation of areas by ripping;
- (d) grass seeding of reclaimed areas with a suitable grass seed or herbage mixture;
- (e) proposed planting including the size, species, spacing of trees and protection measures;
- (f) an aftercare scheme for the agricultural restoration area and other maintenance measures to include grass cutting, weed control, upkeep of planting protection and the replacement of any planting failures;
- (g) a timetable for implementation and aftercare, such aftercare and maintenance to be for a minimum period of 5 years;

This condition is imposed to ensure that the site is reclaimed in an orderly manner to a condition capable of beneficial after use and in the interests of the general amenity of the area and local residents.

13. The vehicle parking, loading, off-loading and manoeuvring facilities within the site curtilage shall be

retained at all times and not used for any other purpose.

This condition is imposed in order to ensure that the demand for vehicle parking and servicing can be met within the site as vehicles having to park, load, off-load or manoeuvre on the public highway would adversely affect the safety of other highway users.

14. The wheel cleaning facilities shall be retained, maintained and used for the duration of the development.

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Public Rights of Way

The scale of the Definitive Map and the information contained within the accompanying statement make precise determination of the PROW lines extremely difficult. Applicants should satisfy themselves that they have determined this first prior to submitting an application. Applicants should not use the planning process to determine the width, status or precise route of a public right of way. It may be from time to time that during the application process, during construction, or post construction that evidence is presented to the authority that would suggest that any route incorporated within a development, or adjacent to a development site, is not on the correct line, even though the line on the Definitive Map might appear to be protected. The authority is legally bound to consider this evidence and it could lead to a situation, through no fault of the Planning or Highway Authority that a route is built upon, or obstructed by gardens or boundary walls. Applicants should be aware of this, and make all reasonable attempts to seek clarification of this prior to commencing development.

The granting of planning permission does not grant permission to obstruct a public right of way, and applicants should ensure that they have protected the line shown on the Definitive Map.

Interference or improvement of the surface of a public right of way requires the specific permission of the PROW section of the East Riding Council. Interference without permission constitutes an offence under the Highways Act.

Applicants should ensure that they have the necessary private vehicular rights to use the public right of way

as driving a motor vehicle on a footpath, bridleway or restricted byway may constitute a criminal offence. The rights of way section reserves the right to have sight of this documentary evidence.

Environmental Impact Assessment Regulations 2017

The proposed scheme represents an acceptable form of development, in terms of its size, siting and design and will not therefore result in any significant harm to the character and appearance of the landscape or the open countryside. The proposed development would be acceptable in respect of matters relating to highway safety, flood risk and drainage, ecology, public rights of way and heritage; subject to appropriate conditions where necessary.

The proposal is an active quarry and landfill site. It is also controlled through an Environment Agent (EA) permit. It is unlikely to have any adverse impact on residential amenity.

The effects of the development on the environment are not considered to be significant or likely to cause harm.

Relevant Planning Policies

Joint Waste Local Plan for Kingston upon Hull and the East Riding of Yorkshire (JWLP) (2004)

Policy W2	Development complying with specific policies of the JWLP
Policy W4	Sequential Approach to site selection
Policy W11	Waste Management Development will not be allowed if it harms groundwater source protection, aquifers or surface waters
Policy W14	Trees, hedgerows and woodland
Policy W17	Agricultural Land
Policy W19	Archaeology
Policy W22	Transport - Alternative transport methods
Policy W23	Road traffic
Policy W26	Self Sufficiency

Joint Minerals Local Plan for Kingston upon Hull and the East Riding of Yorkshire (JMLP) (2004)

Policy DC1	Development Control Criteria
Policy DC2	Planning Obligations
Policy DC4	Ground Water and Surface Water Resources
Policy DC8	Trees, Hedgerows and Woodland
Policy DC9	Special Protection Area, Special Areas of Conservation and Ramsar sites
Policy DC10	Sites of Special Scientific Interest
Policy DC11	Local Nature Reserves and Sites of Importance for Nature Conservation
Policy DC12(a)	Archaeological Sites
Policy DC13	Other Heritage Features
Policy DC16	Grades 1, 2 and 3a Agricultural Land
Policy DC19	Traffic Movements
Policy DC21	Schemes of Working and Restoration
Policy DC22	Biodiversity
Policy DC23	Aftercare
Policy DC25	Public Rights of Way

East Riding Local Plan -Strategy Document (ERLP-SD) (2016)

Policy A1	Beverley and Central sub area
Policy EC1	Supporting the growth and diversification of the East Riding economy
Policy EC4	Enhancing sustainable transport
Policy ENV1	Integrating high quality design
Policy ENV2	Promoting a high quality landscape
Policy ENV3	Valuing our heritage

Policy ENV4	Conserving and enhancing biodiversity and geodiversity
Policy ENV5	Strengthening green infrastructure
Policy ENV6	Managing environmental hazards
Policy S1	Presumption in favour of sustainable development
Policy S2	Addressing climate change
Policy S3	Focusing development
Policy S4	Supporting development in Villages and the Countryside

Legislation

Waste Management Plan for England 2013

Section 66 of Planning (Listed Buildings and Conservation Areas) Act 1990 - Special regard to the desirability of preserving the listed building or its setting

Section 72 of Planning (Listed Buildings and Conservation Areas) Act 1990 -

Special regard to the desirability of preserving the Conservation Area or its setting

National Planning Policy

National Planning Policy Framework (NPPF) (2012)

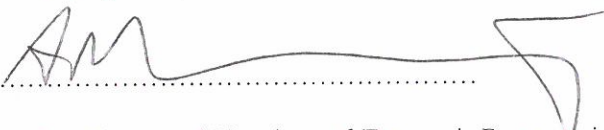
National Planning Policy for Waste (NPPFW) (2014)

National Planning Policy Guidance (PPG) (2014)

East Riding of Yorkshire and Kingston upon Hull Joint Minerals Local Plan - Proposed Submission (JMLP-PS) April 2018

Policy AGG1	Supply of Sand and Gravel
Policy AGG2	Site Allocations for Sand and Gravel Extraction
Policy DM1	Impacts of Mineral Development
Policy DM2	Protecting Residential Amenity and Other Uses
Policy DM3	Restoration and Aftercare
Policy DM4	Best and Most Versatile Agricultural Land
Policy DM5	Public Rights of Way
Policy DM6	Transportation

In making this decision the Council has followed the requirements in paragraphs 186 and 187 of the National Planning Policy Framework.

Signed 

Date : 6 June 2018

Alan Menzies, Director of Planning and Economic Regeneration.

Notes to accompany application no DC/18/00628/CM/STRAT

1. Town and Country Planning Act

Any approval given by this notice of decision refers only to that required under the Town and Country Planning Acts and does not include any consent or approval under other legislation, e.g. Building Regulations.

2. Duration of Permission

The Town and Country Planning Act 1990 (as amended by the Planning and Compulsory Purchase Act 2004) provides that every permission shall be granted subject to a condition that the development must be begun within a specified time period. This period of time can vary depending on the type of application and the circumstances of the particular case. Usually there will be a specific condition on the notice of decision itself specifying the relevant period but if this has not been imposed, please refer to the provisions of Section 51 of the Planning and Compensation Act 2004 for a definition of the relevant period. Further guidance on this is also available in Circular 8/2005.

3. Appeals to Planning Inspectorate

If you are aggrieved by this decision you can appeal to the Planning Inspectorate within six months of the date of this decision (longer in special circumstances). 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 provision of any development order and to any directions given under a development order. The Planning Inspectorate have introduced an online appeals service which you can use to make your appeal online. You can find the service through the Appeals area of the Planning Portal – see <http://www.planningportal.gov.uk/planning/appeals/online/makeanappeal>. 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 telephone number: 0303 444 5000. The Inspectorate will publish details of your appeal on the internet (on the Appeals area of the Planning Portal). This may include a copy of the original planning application form and relevant supporting documents supplied to the local authority by you or your agent, together with the completed appeal form and information you submit to the Planning Inspectorate. Please ensure that you only provide information, including personal information belonging to you that you are happy will be made available to others in this way. If you supply personal information belonging to a third party please ensure you have their permission to do so. More detailed information about data protection and privacy matters is available on the Planning Portal.

4. Purchase Notice

If either the Local Planning Authority or the Secretary for the Environment refuses permission to develop land or grants it 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 reasonable 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 in whose area the land is situated. This notice will require 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.

5. Disabled Persons

Where permission is granted and relates to development resulting in the provision of buildings or premises to which the public are to be admitted (on payment or otherwise) or of premises being office, shop, railway or factory premises in which persons are employed to work, your attention is directed to Section 4, 7 and 8a of the Chronically Sick and Disabled Persons Act 1970 and to the Code of Practice for Access for the Disabled to Buildings: being the British Standards Institution Code of Practice BS 5810: 1979.

6. Fire Brigade Access

If planning permission is granted and relates to the erection or extension of a building, your attention is drawn to the provisions of Section 14 of the Humberside Act 1982 whereby the Council are required to reject plans submitted for building regulations approval if the plans do not show adequate means of access for the fire brigade to the building or if the erection of the building or extension would render inadequate the means of access for the fire brigade to a neighbouring building.

7. Affects Public Right of Way

A grant of planning permission does not entitle a developer to obstruct a public right of way. Development, in so far as it affects a public right of way, should not be commenced, and the right of way should be kept open for public use, until the necessary order under Section 247 or Section 257 of the Town and Country Planning Act 1990 for the diversion or extinguishment of the right of way has been made and confirmed.

8. Approval of Details Required by Condition

Please note that there is now a fee payable for the submission of any matters required to be submitted for approval by any conditions attached to this permission. The fee is payable for each submission, not for each condition, so you may wish to minimise the fee payable by submitting all of the outstanding details required by all of the conditions at the same time. Relevant forms for the submission of such details are available on the Planning Portal www.planningportal.gov.uk together with details of the fee payable. Please be aware that conditions which require correspondence between the Local Planning Authority and outside bodies could take approximately four weeks, to agree on the suitability of the details submitted. It is therefore in your own interests to submit such information at the earliest opportunity.

9. Amendment to Plans

If you are proposing to alter the plans hereby approved you should first consult the Local Planning Department.