

TOWN AND COUNTRY PLANNING ACT 1990

NORTH YORKSHIRE COUNTY COUNCIL

**NOTICE OF DECISION OF PLANNING AUTHORITY ON APPLICATION FOR
PERMISSION TO CARRY OUT DEVELOPMENT**

TO:

Aggregate Industries UK Limited
High Roads
Nether Kellet
Carnforth
Lancaster
LA6 1EA

The above-named Council, being the Local Planning Authority for the purposes of your application dated 6 August 2008 in respect of proposed development for the purposes of an extension to the existing sand and gravel working, retention of existing plant site and access and consolidation of existing planning permissions at Ripon City Quarry, Boroughbridge Road, Ripon, have considered your said application and have:

- Pursuant to Regulation 3 of the Town and Country Planning (Environmental Impact Assessment) (England and Wales) Regulations 1999 (as amended), taken the environmental information into consideration;
- **GRANTED** planning permission for the proposed development
 - **HAVING CONSIDERED** the development to comply with the development plan for the area and there being no or insufficient material considerations to indicate a decision other than in accordance with the development plan, and in particular, **FOR THE FOLLOWING REASONS:**
- (i) The development accords with national objectives and policies for minerals planning as stated in Mineral Policy Statement 1 published by Department for Communities and Local Government in November 2006 and Mineral Policy Statement 2 published by the Office of the Deputy Prime Minister in 2005
 - Minerals Policy Statement 1 advises that it is essential there is an adequate and steady supply of material to provide the infrastructure, buildings and goods that society, industry and economy needs, but that this provision is made in accordance with the principles of sustainable development. Furthermore, that the social, environmental and economic factors of mineral extraction should be considered and that mineral planning should secure avoidance or appropriate mitigation of environmental impacts where extraction takes place. National policies include providing for the maintenance of landbanks, considering the benefits of extensions to existing workings rather

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than new sites, taking account of the value of the wider countryside and landscape and considering cumulative effect and taking account of opportunities to enhance the quality of the environment. In having due regard to this national policy, it is considered that the proposal can contribute to the maintenance of the County Council's landbank of permitted reserves and ensure the County's adequate contribution to the region's aggregate requirements.

- Minerals Policy Statement 2 advises that since minerals can only be worked where they are found the need to minimise the impacts is a high priority and that where adverse environmental effects cannot be adequately controlled or mitigated through the design of proposals or the attachment of conditions, planning permission should be refused. Proposals should take into account the level of existing activity and impacts, the duration and nature of proposals for new or further working, and the extent of impacts which a particular site, locality, community, environment or wider area of mineral working can reasonably be expected to tolerate over a particular or proposed period. In having due regard to this national policy, it is considered that the proposal has demonstrated that the impacts referred to can be adequately minimized.
- (ii) The development does not conflict with the guidance in respect of 'best and most versatile' agricultural land in Planning Policy Statement 7 (2004)
- Planning Policy Statement 7 states that the presence of best and most versatile agricultural land should be taken into account when determining planning applications; that local planning authorities should seek to use areas of poorer quality land in preference to that of a higher quality, except where this would be inconsistent with other sustainability considerations and that any adverse effects on the environment should be minimised. Furthermore, it is for local planning authorities to decide whether best and most versatile agricultural land can be developed, having carefully weighed the options in the light of competent advice. In having due regard to this national policy, the County Council is satisfied that the nature of the restoration proposed achieves the best practicable standard and that the irreversible loss of 'best and most versatile' agricultural land is minimized as far as possible;
- (iii) The development accords with the general aims and objectives of the North Yorkshire Minerals Local Plan because the development contributes to ensuring an adequate and steady supply of minerals, minimizes as far as reasonably practicable any adverse effects on amenity, provides an opportunity for enhanced biodiversity, would be carried out in an environmentally acceptable way and would ensure continuity of employment.
- (iv) The development accords with the specific aims and objectives of 'saved' Policies 4/1, 4/6A, 4/10, 4/13, 4/14, 4/15, 4/18 and 4/20 of the North Yorkshire Minerals Local Plan (1997)
- Policy 4/1 sets out those measures which need to be addressed so as to minimise the potential impact of mineral development;
 - Policy 4/6A seeks to protect areas of nature conservation interest;

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- Policy 4/10 states that mineral development should not have an unacceptable impact on surface or groundwater resources;
- Policy 4/13 states that the level of vehicle movements should be capable of being accommodated by the local highway network and should not cause undue disturbance to local communities;
- Policy 4/14 states that mineral development should not have an unacceptable impact on the local environment or residential amenity;
- Policy 4/15 seeks to ensure the protection of public rights of way or continuity of the enjoyment of their use during and after development;
- Policy 4/18 seeks to ensure the best standard possible where restoration is to agriculture;
- Policy 4/20 encourages a period of after-care over and above that which is normally required.

In all respects above, the County Council is satisfied that the proposed development ensures the impacts have been minimized as far as is reasonably practicable.

(v) Notwithstanding the judgment that the proposals, by virtue of their extent, are not consistent with 'saved' Policy 3/4 of the North Yorkshire Minerals Local Plan (1997), the current shortfall in the southwards distribution landbank is considered to be a significant material consideration and one which will allow the development to contribute to the maintenance of the County Council's landbank of permitted reserves and ensure the County's adequate contribution to the region's aggregate requirements in accordance with Mineral Policy Statement 1 and Policy ENV4 of The Yorkshire and Humber Plan Regional Spatial Strategy to 2026

- Minerals Policy Statement 1 states that Mineral Planning Authorities should use the length of landbank in its area as an indicator of when new permissions are likely to be needed and that the landbank indicators is at least seven years for sand and gravel. A longer period may be appropriate to take account of the need to supply a range of types of aggregate, locations of permitted reserves relative to markets, and producing capacity of permitted sites. A landbank below these levels indicates that additional reserves will need to be permitted if acceptable planning applications are submitted
- Policy ENV4 states that mineral deposits in the region should be safeguarded from sterilisation and there should be provision for an adequate and steady supply of minerals; that the use of secondary and recycled aggregates should be maximised and that Mineral Planning Authorities should make provision for the sub regional apportionments and endeavour to maintain a landbank for all nationally and regionally significant minerals with a progressive reduction in aggregate production from National Parks and Areas of Outstanding Natural Beauty.

(vi) the development does not conflict with the 'saved' Policies C2, C9, NC3, HD7A, R5, R10, R11, R12 and A7 of the Harrogate District Local Plan (2001, as altered 2004);

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- (vii) the development does not conflict with the adopted Policies EQ1, EQ2, JB1 and TRA1 of the Harrogate Borough Council Core Strategy (2009);
 - (viii) the proposed mitigation measures will protect environment, amenity and archaeological interests; and,
 - (ix) the imposition of conditions will ensure the development has no unacceptable effects on the environment or residential amenity.
- o **AND HAVING SECURED** a section 106 Agreement providing for the following matters:
 - i. the provision of a Restoration Management Plan to cover a period of no less than 50 years following the completion of the statutory after-care period within the land identified by the Plan and providing a contribution of no less than £200,000 towards the long-term maintenance and management of the land subject to the Plan;
 - ii. a provision towards off-site landscaping;
 - iii. the provision of an after-care scheme and provision of endowment;
 - iv. the establishment of a Management Advisory Committee and a Quarry Liaison Committee; and,
 - v. the provision of a Bird Hazard Management Plan.
 - o **AND SUBJECT TO THE FOLLOWING CONDITIONS** imposed for the reasons thereafter given:

Commencement of development

1. The development hereby permitted shall be begun within three years of the date of this permission. Written notification of the date of commencement of soil-stripping and mineral extraction shall be forwarded to the County Planning Authority within seven days from the commencement of soil-stripping and mineral extraction.

Definition of development

2. The development hereby permitted shall be carried out in strict accordance with those details provided in respect of Application Ref No C6/500/90/E/CMA, including those contained in the Environmental Statement of July 2008, the Environmental Statement Addendum of July 2009 and additional Consultants Reports together with such other details as may subsequently be approved. For the avoidance of doubt, no mineral extraction shall take place beyond the confines of the Phasing Plan RQ 4/1 dated July 2008.

Duration of development

3. The permission hereby granted in respect of the extraction and processing of sand and gravel arising from the application site is valid only until seven years from the date of notification of the commencement of mineral extraction (as required by condition no 1 above); after which time those operations specified in this condition shall be discontinued and the land restored entirely in accordance with the agreed

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Restoration Plan (Drawing No's 5.1, 5.2.1, 5.2.2 and 5.3 dated June 2009) within twelve months.

Limitations to the development

4. Notwithstanding the provisions of the Town and Country Planning (General Permitted Development) Order 1995 (or any other Order revoking or re-enacting the Order), no plant or buildings (other than those authorised by this permission) shall be erected on site without the prior grant of planning permission.

Highway matters: access

5. With the exception of the use of the existing access to the existing sailing club for the specific purpose of the construction of the temporary bridge, there shall be no access or egress between the highway and the application site by any vehicles other than via the existing access with the public highway at Boroughbridge Road. The existing service road leading to the access including the existing junction/bellmouth onto the B6265 shall be maintained free from pot-holes and maintained to the satisfaction of the County Planning Authority throughout the whole duration of the development hereby permitted.

Highway matters: Vehicle cleaning

6. Precautions shall be taken and maintained to ensure that all vehicles leaving the site are in a clean condition such that no dirt and/or mud are deposited on the public highway by vehicles travelling from the site.

Highway matters: Traffic

7. The total number of Heavy Goods Vehicle movements on the highway associated with this development (comprising the total number of movements entering the application site plus the total number of movements leaving the application site) shall not exceed 200 per day.
8. Records of the number of heavy goods vehicle movements per day, both accessing and egressing the site, shall be maintained for a period of no less than twelve months and made available to the County Planning Authority upon request.

Environmental controls: Noise control:

9. Except for site preparation, soil stripping and replacement, bund formation and removal and final restoration operations, the free-field Equivalent Continuous Noise Level, $L_{Aeq, 1 \text{ hour}}$, at the noise sensitive premises nearest the extraction site (identified in the table below) due to operations in the site, shall not exceed the relevant criterion limit as set out in the table below at each nominated dwelling. Measurements taken to verify compliance shall have regard to the effects of extraneous noise and shall be corrected for any such effects.

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No.	Location	Site Noise Limit (dB LAeq, 1 hour, free field)
1	Bridge Hewick House (130 metres) (OS grid ref. 433570,470180)	55 dB LAeq, 1 hour, free field
2	Great Givendale (170 metres) (OS grid ref. 433880,469210)	49 dB LAeq, 1 hour, free field
3	Haven End (330 metres) (OS grid ref. 434340,468450)	45 dB LAeq, 1 hour, free field
4	Newby Hall (330 metres) (OS grid ref. 434450,467260)	50 dB LAeq, 1 hour, free field
5	Ox Close House (70 metres) (OS grid ref. 433200,468170)	46 dB LAeq, 1 hour, free field

10. For site preparation, soil stripping and replacement, bund formation and removal and final restoration operations, the free-field noise level due to work at the nearest point to each noise sensitive property shall not exceed 70 dB LAeq, 1 hour, free field expressed in the same manner as condition no. 9 above. The operations cited in this condition shall not exceed a total of eight weeks in any twelve month period of work close to any individual noise sensitive property.

11. Noise levels shall be monitored at three monthly intervals at the five locations identified in condition no. 9 above beginning with the date of notification of the commencement of soil stripping operations as required in condition no 1 above.

The duration of the sample measurements shall be 15 minutes unless the site noise level is at or above the relevant site noise limit agreed for the location, in which event a full 1 hour sample shall be taken. The surveys shall exclude so far as possible extraneous noises such as passing traffic. The measurements shall be carried out in accordance with the provisions of BS4142: 1997 for instrument selection and calibration. The LA90, T, and LAeq, T, noise levels shall be reported, together with the weather conditions and the sources of audible noise. The County Planning Authority shall, without undue delay, be furnished with the particulars of the noise measurements upon request. The monitoring locations and frequency of sampling may be varied by written agreement with the County Planning Authority, with less sampling necessary if the results show consistently that site noise levels are below the appropriate site noise limits.

12. In the event that noise levels stipulated in condition no. 9 above are being exceeded, those operations at the site giving rise to the excessive noise shall be immediately subject to steps taken to attenuate the noise level to bring the operations into compliance with those limits stated within condition no 9 above.

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13. All plant, machinery and vehicles used on any part of the site shall be regularly maintained to ensure that noise levels are maintained below the levels identified within condition no 9 above. Where earth-moving equipment is operating in the vicinity of any residential properties or noise sensitive locations reversing warning alarm systems, which reduce to a minimum, excessive disturbance using best practicable means shall be deployed.

Environmental controls: Dust control

14. Dust control measures shall be employed to minimise the emission of dust from the site. Such measures shall include the spraying of roadways and stockpiles and discontinuance of soil movements during periods of high winds.
15. All vehicles leaving the site transporting mineral shall be securely sheeted.

Pollution control:

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

Hydrological & hydrogeological matters: Flooding:

17. Measures devised for the workers on site, including the erection of warning notices, shall be implemented in accordance with the approved Flood Warning and Evacuation Plan.

Temporary bridge crossing over the River Ure:

18. Prior to the commencement of soil stripping operations within the Newby Gravel Beds site (Phase 3), details of the construction and siting of the temporary bridge shall be submitted in writing to the County Planning Authority for its written approval. Thereafter, the temporary bridge will be sited and constructed in accordance with the approved details. Upon the cessation of development, the temporary bridge hereby approved shall be removed and each bank of the river upon which it stands restored to its original condition prior to the installation of the temporary bridge.
19. The soffit level of the temporary bridge approved under condition no 18 above shall be a minimum of 0.75 metres above the 1 in 100 year modelled flood level as proposed.

Water monitoring:

20. Within six months of the date of this permission, a scheme for the monitoring groundwater and surface waters, including boreholes and trigger levels, shall be

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submitted to and approved in writing by the County Planning Authority. Thereafter, the monitoring shall be undertaken in strict accordance with the approved scheme. The scheme shall provide for the monitoring of ground and surface waters prior to the commencement of mineral extraction to establish a baseline. Monitoring shall continue during and after quarrying activities and shall continue until restoration is completed. The results and interpretation of the monitoring should be presented in a report and submitted to County Planning Authority initially twelve months from the date of the commencement of the implementation of the scheme and thereafter at six monthly intervals.

21. If the results of the monitoring as specified in condition no 20 above indicate that dewatering is exceeding the trigger levels set within the approved scheme under condition no 20 above, a programme of measures having first been submitted to and approved in writing by the County Planning Authority shall be implemented in order to rectify the situation.
22. The design of the flood bunds should ensure that they would overtop in anything above a 1 in 2 year flood event.

Soil and overburden management:

23. The phasing, scheme for stripping, handling, placement and removal of soils shall be carried out strictly in accordance with the submitted details.
24. All top-soil, sub-soil and overburden materials shall be stripped separately and either placed directly to final restoration or stored separately in temporary storage mounds in accordance with the submitted application details. All screening mounds and all top-soil and sub-soil storage mounds shall be graded to an even slope, shall be seeded with grass and shall be kept free of weeds until after their removal for use in site restoration. No topsoil or subsoil shall be removed from the site.
25. No soils shall be stripped, moved, placed or removed during the months of November to April inclusive unless the said soils are dry and friable. Soils shall only be stripped, moved, placed or removed during dry conditions and soils shall not be removed whilst wet. During soil stripping, placement and removal, machinery shall be routed so as to avoid compaction of such soils.
26. During soil stripping, placement and removal, machinery shall be routed so as to avoid the compaction of such soils.

Permitted hours of operation:

27. No mineral extraction or transport of mineral to the plant shall take place except between the following times:-

0730 -1800 hours Mondays to Fridays

and no mineral processing shall take place except between the following times:-

0730 - 1800 hours Mondays to Fridays

0730 -1300 hours Saturdays

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No mineral extraction or transport of mineral to the plant shall take place on Sundays, Bank Holidays or race days and no mineral processing shall take place on Sundays or Bank Holidays.

28. Site preparation, soil stripping and replacement, bund formation and removal and final restoration operations shall be carried out only between the hours of:-

0830 -1730 hours Mondays to Fridays

0930 -1300 hours Saturdays

and at no time on Sundays and Bank (or Public) Holidays.

Landscaping & site restoration:

29. Landscaping and restoration shall take place on a phased and progressive basis in accordance with the planning application details dated 6 August 2008 and as amended by the Environmental Statement Addendum dated July 2009. Any tree/shrub planted or habitat created in accordance with the approved schemes which dies or becomes diseased within five years of the date of planting or creation shall be replaced or recreated to the satisfaction of the County Planning Authority.

30. In the event that mineral extraction ceases on site for a period in excess of 12 months before the completion of the development, a revised scheme of interim restoration and landscaping shall be submitted to the County Planning Authority for approval within 14 months of the cessation.

The approved scheme shall be implemented in accordance with the programme to be included in that scheme.

31. Within twelve months of the cessation of mineral extraction, all quarry plant, buildings, weighbridge, pumphouse and other associated structures shall be removed from the site and the land restored in accordance with the details of the approved overall restoration plan as indicated in drawing ref. no. 5.6 dated June 2009.

32. Upon the completion of the extraction operations hereby permitted, the site shall be subject to an after-care period of five years, the details of which shall have been subject to a written submission to the County Planning Authority for its approval. Thereafter, the land shall be managed in accordance with the approved after-care scheme.

33. Every twelve months from the date of this permission or at such times as may be agreed in writing with the County Planning Authority, a review of the previous year's landscaping, working, restoration and aftercare shall be carried out in conjunction with a representative of the County Planning Authority. The review will take account of any departure from the approved scheme and revised schemes shall be submitted to the County Planning Authority for approval and shall provide for the taking of such steps as may be necessary to continue the satisfactory working, landscaping, restoration and aftercare of the site.

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Prohibition on importation of minerals:

34. No mineral shall be brought onto the site for stock-piling purposes or any other purpose other than as specified in the application details.

Archaeology:

35. The development shall take place entirely in accordance with the programme of archaeological work as set out in the scheme of investigation Consultants Report received on 2 October 2009.

Reasons:

1. In accordance with Section 91 of the Town and Country Planning Act 1990 as amended by Section 51(1) of the Planning and Compulsory Purchase Act 2004 and to ensure that the County Planning Authority is formally notified of the commencement of soil-stripping and mineral extraction in relation to the duration of the permission.
2. To ensure the application is carried out in accordance with the application details and in accordance with 'saved' Policies 4/1 and 4/14 of the North Yorkshire Minerals Local Plan (1997)
3. To reserve the rights of control of the County Planning Authority to ensure restoration of the land with the minimum of delay in the interests of amenity and in accordance with 'saved' Policy 4/1 of the North Yorkshire Minerals Local Plan (1997)
4. To reserve the rights of control of the County Planning Authority in the interest of amenity.
5. In the interests of highway safety and amenity and in accordance with 'saved' Policies 4/1 and 4/14 of the North Yorkshire Minerals Local Plan (1997)
6. In the interests of highway safety and amenity and in accordance with 'saved' Policies 4/1 and 4/14 of the North Yorkshire Minerals Local Plan (1997)
7. In the interests of highway safety and amenity in accordance with 'saved' Policies 4/1 and 4/14 of the North Yorkshire Minerals Local Plan (1997)
8. To enable the verification of vehicle movements limited under condition no. 7 above in the interests of highway safety and amenity in accordance with 'saved' Policies 4/1 and 4/14 of the North Yorkshire Minerals Local Plan (1997)
9. In the interests of amenity in accordance with 'saved' Policies 4/1 and 4/14 of the North Yorkshire Minerals Local Plan (1997)
10. In the interests of amenity in accordance with 'saved' Policies 4/1 and 4/14 of the North Yorkshire Minerals Local Plan (1997)

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11. In the interests of amenity in accordance with 'saved' Policies 4/1 and 4/14 of the North Yorkshire Minerals Local Plan (1997)
12. In the interests of amenity in accordance with 'saved' Policies 4/1 and 4/14 of the North Yorkshire Minerals Local Plan (1997)
13. In the interests of amenity in accordance with 'saved' Policies 4/1 and 4/14 of the North Yorkshire Minerals Local Plan (1997)
14. In the interests of amenity in accordance with 'saved' Policies 4/1 and 4/14 of the North Yorkshire Minerals Local Plan (1997)
15. In the interests of amenity in accordance with 'saved' Policies 4/1 and 4/14 of the North Yorkshire Minerals Local Plan (1997)
16. To prevent pollution in accordance with 'saved' Policy 4/10 of the North Yorkshire Minerals Local Plan (1997)
17. In the interests of safety of those working on site and to ensure that site workers are aware of the risk and know what to do in the event of the defence bunds being breached in accordance with Planning Policy Statement 25 'Development and Flood Risk' (2010)
18. To reserve the rights of control of the County Planning Authority to ensure restoration of the land with the minimum of delay in the interests of amenity and in accordance with 'saved' Policy 4/1 of the North Yorkshire Minerals Local Plan (1997)
19. To ensure flow within the River Ure is not restricted in accordance with Planning Policy Statement 25 'Development and Flood Risk' (2010)
20. To protect ground and surface water resources in the area in accordance with 'saved' Policy 4/10 of the North Yorkshire Minerals Local Plan (1997)
21. To protect groundwater resources in the area in accordance with 'saved' Policy 4/10 of the North Yorkshire Minerals Local Plan (1997)
22. To ensure the proposed works do not displace floodwater in accordance with Planning Policy Statement 25 'Development and Flood Risk' (2010).
23. To safeguard the topsoil and subsoil resources in the interests of achieving a high standard of restoration of the site in accordance with 'saved' Policies 4/1 and 4/18 of the North Yorkshire Minerals Local Plan (1997)
24. To safeguard the topsoil and subsoil resources in the interests of achieving a high standard of restoration of the site in accordance with 'saved' Policies 4/1 and 4/18 of the North Yorkshire Minerals Local Plan (1997)
25. To safeguard the topsoil and subsoil resources in the interests of achieving a high standard of restoration of the site in accordance with 'saved' Policies 4/1 and 4/18 of the North Yorkshire Minerals Local Plan (1997)

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26. To safeguard the topsoil and subsoil resources in the interest of achieving a high standard of restoration of the site in accordance with 'saved' Policies 4/1 and 4/18 of the North Yorkshire Minerals Local Plan (1997)
27. In the interests of amenity in accordance with 'saved' Policies 4/1 and 4/14 of the North Yorkshire Minerals Local Plan (1997)
28. In the interests of amenity in accordance with 'saved' Policies 4/1 and 4/14 of the North Yorkshire Minerals Local Plan (1997)
29. To secure a good standard of progressive restoration in the interests of amenity in accordance with 'saved' Policies 4/1 and 4/14 of the North Yorkshire Minerals Local Plan (1997)
30. To secure a good standard of progressive restoration in the interests of amenity in accordance with 'saved' Policies 4/1 and 4/14 of the North Yorkshire Minerals Local Plan (1997)
31. To secure a good standard of progressive restoration in the interests of amenity in accordance with 'saved' Policies 4/1 and 4/14 of the North Yorkshire Minerals Local Plan (1997)
32. To ensure satisfactory restoration and beneficial afteruse of the site in accordance with 'saved' Policies 4/1 and 4/14 of the North Yorkshire Minerals Local Plan (1997)
33. To ensure an orderly and progressive pattern of working and restoration of the site in accordance with 'saved' Policies 4/1 and 4/14 of the North Yorkshire Minerals Local Plan (1997)
34. To reserve the rights of control of the County Planning Authority in accordance with 'saved' Policy 4/1 of the North Yorkshire Minerals Local Plan (1997)
35. To ensure proper steps are taken to preserve and record any archaeological remains which may be found on site during the course of development in accordance with the advice as set out in Planning Policy Statement 5 'Planning for the Historic Environment' (2010)

Informatives:

1. The applicant/developer is advised to contact third party works engineer, Ken Fowler (0113 281 6875) in order to ensure that any necessary consents are obtained and the works compliant with the current British Waterways' 'Code of Practice for works affecting British Waterways';
2. The attention of the Applicant is drawn to the need to safeguard birds during the nesting season and to the need for licence in respect of any species protected under the Wildlife and Countryside Act 1981 (as amended)
3. The Applicant's attention is drawn to the advice and guidance on 'Flood Warning and Evacuation Plans' contained within the accompanying Practice Guide to Planning

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Policy Statement 25 'Development and Flood Risk (published by the Department for Communities and Local Government in December 2009)

4. The Environment Agency has advised that the Applicant should ensure the strict control of the spread of the species of Giant Hogweed.

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Corporate Director, Business and Environmental Services

NOTE 1:-

In accordance with Regulation 3(2) of the Town and Country Planning (Environmental Impact Assessment) (England and Wales) Regulations 1999 (EIA Regulations 1999) and Article 31(2) of the Town and Country Planning (Development Management Procedure) (England) Order 2010, notice is hereby given that the County Council, in determining the above application, has taken into consideration the accompanying Environmental Statement and other environmental information (as defined by Regulation 2 of the EIA Regulations 1999). Furthermore, in determining the application the County Council has taken into consideration the policies of the development plan for the area and all other material considerations.

NOTE 2:-

No consent, permission or approval hereby given absolves the applicant from the necessity of obtaining the approval, under the Building Regulations, of the District Council in whose area the site of the proposed development is situated; or of obtaining approval under any other byelaws, local acts, orders, regulations and statutory provisions in force; and no part of the proposed development should be commenced until such further approval has been obtained.

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RIGHTS OF APPEAL

- (1) If you are aggrieved by the decision of your local planning authority to refuse permission for the proposed development, or to grant it subject to conditions, then you can appeal to the Secretary of State under Section 78 of the Town and Country Planning Act 1990 within six months of the date of this notice.

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. 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.

Appeals must be made using a form which you can get from the Secretary of State at Temple Quay House, 2 The Square, Temple Quay, BRISTOL BS1 6PN or online at www.planningportal.gov.uk/pcs

- (2) If permission to develop land is refused or granted subject to conditions, whether by the local planning authority or by the Secretary of State for Communities and Local Government, and the owner of the land claims that the land has become incapable of reasonably beneficial use in its existing state and cannot be rendered capable of reasonably beneficial use by the carrying out of any development which has been or would be permitted, he/she may serve on the Council of the county district in which the land is situated, a purchase notice requiring that Council to purchase his/her interest in the land in accordance with the provisions of Part VI of the Town and Country Planning Act 1990.