

**Open Report on behalf of Richard Wills
Executive Director, Environment & Economy**

Report to:	Planning and Regulation Committee
Date:	16 January 2017
Subject:	County Matter Applications - N30/1341/16, N30/1342/16, N30/1354/16, N30/1361/16, N30/1364/16

Summary:

Planning permissions are sought by Harmston Waste Management Limited to vary conditions attached to five separate planning consents which cover the mineral and waste operations being carried out at Harmston Quarry, Tower Lane, Harmston.

Harmston Quarry has a mineral permission for the extraction of limestone as well as waste permissions for the operation of an inert waste recycling/landfill operation, associated waste transfer station, a wash plant and associated centrifuge. The mineral and waste operations are covered by separate planning consents, however, these two operations are inter-related as the recycling/landfill/centrifuge operations also provide a means to facilitate the restoration of the quarry. The existing mineral permission allows for the winning and working of limestone until 21 February 2042, however, the wash plant and centrifuge are required to be removed by March 2017 with the recycling/landfill and transfer operations ceasing by March 2019.

Following the grant of the landfill permission in 2011, there was a two year delay in the Environment Agency issuing the necessary Environmental Permit to allow the inert landfill to progress. This delay, together with the improved efficiency of the recycling operations as a consequence of the introduction of the wash plant in 2012, means that the infilling and restoration of the quarry is taking longer than originally envisaged and therefore cannot now be completed within the timescales currently permitted. The applicant is therefore seeking to extend the permitted timescales and thus the completion of the restoration works. The initial timescale proposed by the applicant was to retain the wash plant and centrifuge until 2022 with the recycling/landfill and waste transfer operations remaining until March 2023. However, following discussion with your Officers the timescale has been revised and the applicant is now seeking to allow the operation of the wash plant and centrifuge until 2018, landfilling to 2021 and the recycling and waste transfer operations to 2022 with the quarry to be restored 3 months from the cessation of such activities (i.e. by 15 March 2023).

Recommendation:

Following consideration of the relevant development plan policies and the comments received through consultation and publicity it is recommended that conditional planning permission be granted.

Background

1. Harmston Quarry is currently used for quarrying limestone as well as the operation of an inert waste recycling/landfill operation and associated waste transfer station. The mineral extraction and waste operations are covered by separate planning consents, however, these two operations are inter-related as the recycling/landfill operations also provide a means to facilitate the restoration of the quarry. In February 2012 a further planning permission was granted to install a wash plant, followed in September 2013 by the introduction of an associated centrifuge, this new equipment subsequently increased the overall recovery of aggregates from imported waste to a level of 90%.
2. Although the existing mineral permission allows for the winning and working of limestone until 21 February 2042, the subsequent planning permissions for the recycling/landfill, waste transfer, wash plant and centrifuge permissions require those operations to cease by the end of 2018 and for the quarry to be restored in 2019. As a result conditions were imposed to limit activities to a period ending on 15 September 2018 with restoration of the site by 15 March 2019. The revised timescale/dates had been selected to coincide with the earliest date by which the sites mineral planning permission (ref: N30/1035/03) could be scheduled to be reviewed as per the provisions of the Environment Act 1995 should this be necessary. The most recent planning permissions, relating to all five applications, to increase hours of work at the site until 18:00 hours Monday to Friday were granted in 2014.

The Applications

3. Planning permission is sought by Harmston Waste Management Ltd (Agent: Silkstone Environmental Ltd) to vary planning conditions attached to five separate planning consents which cover the existing mineral and waste operations at Harmston Quarry, Tower Lane, Harmston. The proposed variations to the existing conditions are sought in order to allow the various waste recycling operations and activities to continue for a longer period and therefore enable the quarry to be restored in accordance with the existing approved restoration landform.
4. **Application A – N30/1341/16:** This application seeks to vary condition 2 of planning permission N30/0486/13 (as amended by N30/1493/14) which covers the operations of the centrifuge which is associated with the permitted wash plant. The wording of the existing condition and proposed revised condition put forward by the applicant are as follows:

	Existing Condition	Proposed Revised Condition
2	The development hereby permitted shall cease not later than 31 March 2017. Thereafter all associated structures, plant and machinery shall be removed from the site within 28 days of such cessation.	The development hereby permitted shall cease not later than 30 November 2018. Thereafter all associated structures, plant and machinery shall be removed from the site within 28 days of such cessation.
	Reason: To enable the Waste Planning Authority to control the development, and to enable the extraction of any remaining limestone and ensure the site is restored in accordance with the approved phasing scheme as set out in the existing planning permissions for inert waste recycling activities at Harmston Quarry.	

5. **Application B - N30/1342/16:** This application seeks to vary the wording of condition 17 of planning permission N30/1212/10 (as amended by N30/1496/14) which covers the mineral extraction operations at the quarry and allows for the winning and working of mineral until 21 February 2042. Condition 17 requires the site to be restored in accordance with timescales permitted by the recycling and infilling permissions. The wording of the existing condition and the proposed revised condition (it should be noted that the numeration of the proposed decision notice would change insofar as the requirement of Condition 14 of the existing permission have been satisfied) put forward by the applicant are as follows:

	Existing Condition		Proposed Revised Condition
17	In the event that the site has not been fully infilled and restored by the date required by planning permission reference number N30/1211/10 then no further operations authorised by the relevant planning permission shall take place until the written approval of the Mineral Planning Authority has been secured for a revised scheme and programme of restoration that does not rely on the importation of inert waste. Such scheme shall include details of:- <ul style="list-style-type: none"> • final landform; • the final depth and nature of cover; • material; 	16	In the event that the site has not been fully infilled and restored by the date required by planning permission reference number N30/1361/16 then no further operations authorised by the relevant planning permission shall take place until the written approval of the Mineral Planning Authority has been secured for a revised scheme and programme of restoration that does not rely on the importation of inert waste. Such scheme shall include details of:- <ul style="list-style-type: none"> • final landform; • the final depth and nature of cover; • material;

<ul style="list-style-type: none"> the retention, if possible, of appropriate sections of the quarry; and the proposed after-use of the site and aftercare scheme. 	<ul style="list-style-type: none"> the retention, if possible, of appropriate sections of the quarry; and the proposed after-use of the site and aftercare scheme.
Reason: To ensure the site is restored to a condition capable of beneficial after-use and in the interests of the amenity of the area.	

6. **Application C - N30/1354/16:** This application seeks to vary the wording of condition 1 of planning permission N30/1210/10 (as amended by N30/1494/14) which covers the waste transfer operations taking place in the western sector of the quarry. This part of the quarry has previously been infilled under the terms of an older planning permission (N30/465/88). The wording of the existing condition and proposed revised condition put forward by the applicant are as follows:

	Existing Condition	Proposed Revised Condition
1	The use hereby permitted shall cease not later than 15 September 2018. Within six months of the expiry of this period or such longer period as may be agreed by the Director of Highways and Planning, the site shall be restored in accordance with the relevant conditions set out below and all remaining processed and unprocessed waste shall be removed from the site.	The use hereby permitted shall cease not later than 30 November 2022 all remaining processed and unprocessed waste shall be removed from the site within 28 days of such cessation. Within three months of the expiry of this period the site shall be restored in accordance with the relevant conditions set out below.
Reason: To secure the proper restoration of the site within a reasonable timescale and acceptable timescale, in the interest of local amenity.		

7. **Application D - N30/1361/16:** This application seeks to vary the wording of conditions 1 and 3 of planning permission N30/1211/10 (as amended by N30/1495/14) which covers the recycling and infilling operations taking place in the eastern sector of the quarry. The wording of the existing condition and proposed revised condition put forward by the applicant are as follows:

	Existing Condition	Proposed Revised Condition
1	The recycling of inert waste materials hereby permitted shall cease no later than 15 September 2018. Within six	The recycling of inert waste materials hereby permitted shall cease and all remaining processed and unprocessed waste and plant and

	<p>months of the expiry of the 15 September 2018 the scheme for landfilling hereby permitted shall be completed in accordance with the relevant conditions set out below and all remaining processed and unprocessed waste and plant and machinery shall be removed from the site.</p>	<p>machinery shall be removed from the site no later than 31 December 2022. Within three months of the expiry of the 31 December 2022 the surface levels/contours of the final restored landform shall conform to those shown on Drawing No. 10086/450 (as defined by condition 5).</p>
	<p>Reason: To secure the proper restoration of the site within a reasonable and acceptable timescale, in the interest of local amenity.</p>	
<p>3</p>	<p>The site shall be progressively restored in accordance with the phasing sequence as shown on Drawing No. 10086/403 (as defined by condition 5) and to the following timescales:</p> <ul style="list-style-type: none"> • Phase 1 by 31 December 2011 • Phase 2 by 31 December 2013 • Phase 3 by 31 December 2016 • Phase 4 by 15 March 2019 <p>Should the Waste Planning Authority consider that insufficient progress is being made on the restoration of the quarry and that the requirements of this condition are not being met, it may serve notice on the Developer that all activities permitted by this planning permission should cease until the matter has been resolved. Accordingly, if notice is given, all such activities should stop and should not recommence until the Waste Planning Authority has provided written notification that the matter has been resolved.</p> <p>The surface levels/contours of the final restored landform shall conform to those shown on Drawing No. 10086/450 (as</p>	<p>The site shall be progressively restored in accordance with the phasing sequence as shown on Drawing No. 10086/403 (as defined by condition 6) and to the following timescales:</p> <ul style="list-style-type: none"> • Phases 1 and 2 by 30 April 2017; • Phase 3 by 30 June 2018; and • Phase 4 by 31 December 2021. <p>Should the Waste Planning Authority consider that insufficient progress is being made on the restoration of the quarry and that the requirements of this condition are not being met, it may serve notice on the Developer that all activities permitted by this planning permission should cease until the matter has been resolved. Accordingly, if notice is given, all such activities shall stop and shall not recommence until the Waste Planning Authority has provided written notification that the matter has been resolved.</p> <p>The surface levels/contours of the final restored landform shall conform to those shown on Drawing No. 10086/450 (as defined by condition 6).</p>

	defined by condition 5).	
	Reason: To secure the proper restoration of the site within a reasonable and acceptable timescale, in the interest of local amenity.	

8. **Application E - N30/1364/16:** This application seeks to vary condition 3 of planning permission N30/0056/12 (as amended by N30/1497/14) which covers the operations of the wash plant. The wording of the existing condition and proposed revised condition put forward by the applicant are as follows:

	Existing Condition	Proposed Revised Condition
3	The development hereby permitted shall cease not later than 15 March 2017. Thereafter all associated structures, plant and machinery shall be immediately removed from the site.	The development hereby permitted shall cease not later than 30 November 2018. Thereafter all associated structures, plant and machinery shall be removed from the site within 28 days of such cessation.
	Reason: To enable the Waste Planning Authority to control the development, and to enable the extraction of any remaining limestone and ensure the site is restored in accordance with the approved phasing scheme as set out in the existing planning permissions for inert waste recycling activities at Harmston Quarry.	

Summary of the Applicant's Supporting Statement

9. An outline of the proposal and summary of the main reasons and case put forward by the applicant for seeking to extend the life of the various waste recycling and ancillary operations is given below:
- The applicant states that the operations at Harmston Quarry recover materials from construction and demolition wastes and enable them to be re-used in other infrastructure and construction projects. The recovery and re-use of such materials therefore reduces the overall quantities of waste that may otherwise go to landfill but also helps reduce the demand for the extraction of primary or new virgin materials. The recycling operations therefore represent a sustainable waste management practice and help move the management of wastes up the waste hierarchy. The waste recycling operations also provide the source of the restoration materials to restore the site back to original ground levels and their continued operation will therefore provide the opportunity to return the land to agriculture which would enhance the visual amenity of the area in the long-term.
 - The waste operations take place within the confines of the quarry and provide a means of restoring the quarry by backfilling the void with

residual wastes. Following the grant of planning permissions in 2011 the applicant had the reasonable expectation that the Environment Agency would provide the necessary Environmental Permit to allow the continued use of the site for inert landfill however the Permit was not issued until February 2013 and therefore has been unable to meet the scheduled completion of Phases 1 and 2 by 31 December 2013 as initially proposed.

- The introduction of the wash plant and associated centrifuge, have helped to increase the efficiency of the overall recycling operations with 90% of materials now been recoverable. Although this has reduced the volumes of residual wastes available, permission has been granted which allows increased hours of operation and since that time the rate of infill of the quarry void has increased to 39% of the total tonnage of waste permitted to be imported to the site. This has resulted in the restoration of the site to ground level in Phases 1 and 2 being substantially completed and requiring grading out and final topsoil placement (Photographs 1 and 2).

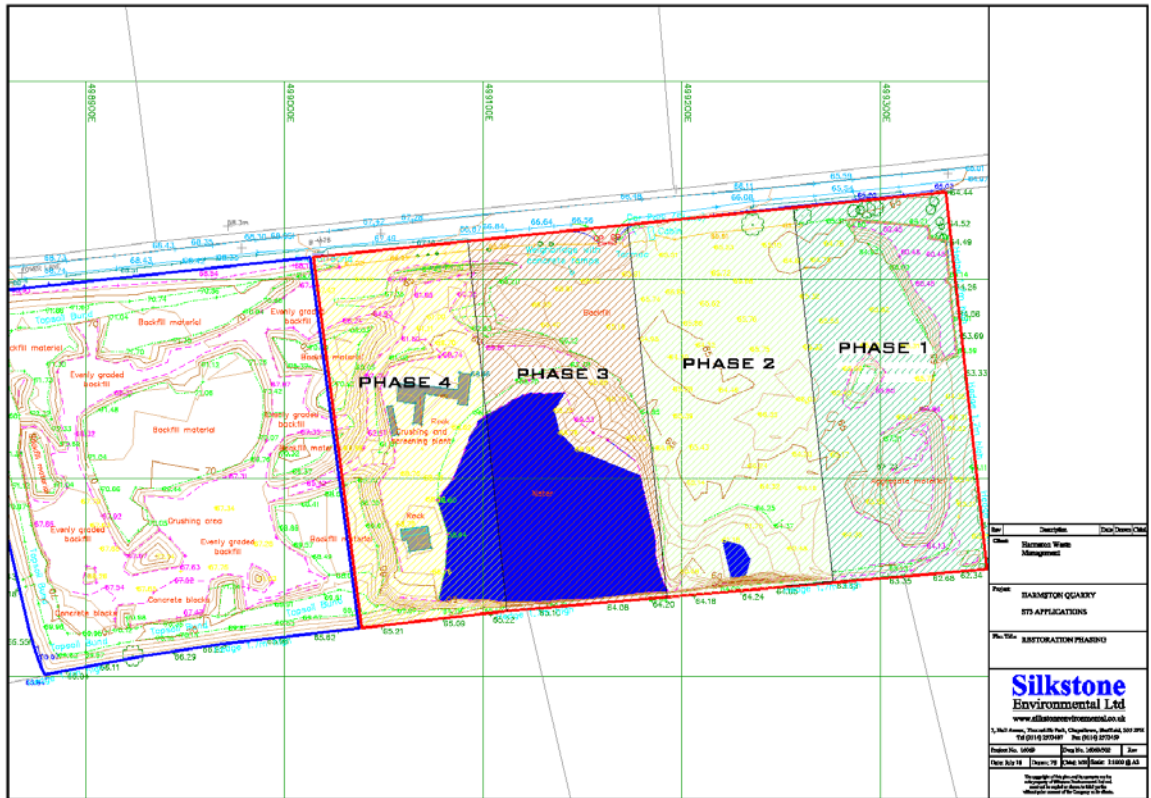


Photograph 1 - Looking towards south west of the site over Phases 1 and 2



Photograph 2 – Looking from Phase 1 along the northern boundary of the site

- Progress is now being made on the restoration of the site. Phase 3 has already received some infill and it is estimated that it will take until June 2018 to complete at the current rate of fill (approx. 88,000 tonnes per annum), Plan 1 illustrates the phasing plan and the site levels as of May 2016.



Plan 1 – Phase Plan and Topographical Survey May 2016.

- The wash plant and centrifuge (Photograph 3) would be removed in advance of entering Phase 4 of the landfilling operations. This would allow the extraction of the remaining 150,000 tonnes of limestone which lie below the site of the wash plant and centrifuge. The wash plant and centrifuge would therefore be removed before the end of December 2018 so that Phase 4 can be infilled unfettered. Phase 4 should be restored back to ground level by December 2021.



Photograph 3 – Wash Plant and Centrifuge

- To allow the operator sufficient time to clear the waste transfer operations, machinery, stockpiles, weighbridge, haul road and office facilities and allow the grading out of the western end of the site to conform with that of the quarry a further 12 months are sought to December 2022 with the final placement of soils and subsequent seeding carried out by March 2023.
10. It should be noted that when these applications were first submitted/registered the timescales proposed by the applicant for the operation of the waste recycling/landfill and transfer operation was until 15 September 2023 including restoration of the quarry, with the wash plant and centrifuge being removed by March 2022. However, following discussions between the applicant and the Waste Planning Authority, these dates have since been revised. For the avoidance of doubt, the timescales/dates now being proposed are as follows:
- Completion of Phases 1 and 2 restoration April 2017;
 - Completion of Phase 3 restoration June 2018;
 - Completion of the removal of the wash plant and centrifuge and extraction of remaining limestone reserve December 2018;
 - Completion of Phase 4 restoration December 2021;
 - Completion of the removal of the recycling operations December 2022;
 - Final placement of top soil and seeding March 2023.
11. Finally, the proposed extension of time would not bring an increase to recycling rates and traffic movements associated with the operations as these would continue at the same levels which they are currently operating.

Site and Surroundings

12. Harmston Quarry covers an area of 9.45 hectares and is located in flat open countryside approximately 1km to the south of RAF Waddington and 1.5km east of the village of Harmston. Access to the site is off B1178 (Tower Lane) which links the A607 to the west and the A15 to the east.
13. The northern boundary of the quarry is bounded by the B1178. This road has been realigned to the north west of the quarry in order to remove two sharp bends. Whilst the former line of this road is a public right of way, it is not considered that it would be affected by these proposals. The southern and eastern boundaries of the quarry are marked by low boundary hedges and trees beyond which lies agricultural land. To the west a number of soil bunds have been constructed that help to screen the tipping and waste transfer operations which are taking place in this section of the site.
14. There are no residential properties in close proximity to the quarry.

Main Planning Considerations

National Guidance

15. National Planning Policy Framework (NPPF) (March 2012) sets out the Government's planning policies for England and is a material planning consideration in the determination of planning applications. In assessing and determining development proposals, Local Planning Authorities should apply the presumption in favour of sustainable development. The main policies/statements set out in the NPPF which are relevant to this proposal are as follows (summarised):

Paragraph 14 states that there is a presumption in favour of sustainable development and that planning law requires applications to be determined in accordance with the Development Plan unless material considerations indicate otherwise.

Paragraph 17 sets out 12 core land-use planning principles that should underpin both plan-making and decision-taking.

Paragraph 120 states that planning decisions should ensure that new development is appropriate for its location and that the effects (including cumulative effects) of pollution on health, the natural environment or general amenity and the potential sensitivity of the areas or proposed development to adverse effects from pollution, should be taken into account.

Paragraph 122 states that local planning authorities should focus on whether the development itself is an acceptable use of land, and the impact of the use, rather than the control of processes or emissions themselves where they are subject to approval under pollution control regimes. Local planning authorities should assume that these regimes will operate effectively.

Paragraph 144 sets out a series of criteria to be taken into account when determining applications for minerals development, including ensuring that there are no unacceptable adverse impacts on the natural and historic environment and human health and that the cumulative effects from multiple individual sites are taken into account; ensure that any unavoidable noise, dust and particle emissions are controlled and mitigated and establish noise limits for extraction in proximity to noise sensitive properties; and provide for restoration and aftercare at the earliest opportunity to high environmental standards.

Paragraphs 186 & 187 state that local planning authorities should approach decision-taking in a positive way to foster the delivery of sustainable development and should look for solutions rather than problems and decision-takers at every level should seek to approve applications for sustainable development where possible. Local planning authorities should work proactively with the applicant to secure developments that improve the economic, social and environmental conditions in the area.

Paragraph 215 states that 12 months after the publication of the NPPF (2012) due weight should be given to relevant policies in existing plans according to their degree of consistency with the NPPF, with the closer the policies in the plan to the policies in the NPPF, the greater the weight that may be given. This is of relevance to the Lincolnshire Minerals and Waste Local Plan: Core Strategy and Development Management Policies (CSDMP) (2016) and the North Kesteven Local Plan 2007.

Paragraph 216 advises that weight may also be given to relevant policies contained within emerging plans with greater weight being afforded to taking into account their stage of preparation and/or the extent to which there are unresolved objections to relevant policies. This is of relevance to the Draft Site Locations Document – Preferred Site and Areas of the Lincolnshire Mineral and Waste Local Plan (December 2015) and the Submission Draft Central Lincolnshire Local Plan (April 2016) which is currently undergoing Examination.

16. In addition to the NPPF, in March 2014 the Government published the web-based Planning Policy Guidance (PPG), which gives guidance on the restoration of mineral sites.
17. National Planning Policy for Waste (NPPW) (October 2014) - requires that in the determination of planning applications consideration is given to the impact of the waste development on the surrounding area, pushing waste up the Waste Hierarchy and contains a set of locational criteria against which proposals for new waste development should be assessed, including protection of water quality and flood risk management, landscape and visual impacts, nature conservation, conserving the historic environment, traffic and access, odour and noise.

Local Plan Context

18. Lincolnshire Minerals & Waste Local Plan: Core Strategy & Development Management Policies (CSDMP) (June 2016) – this document was formally adopted on 1 June 2016 and as a recently adopted document the policies contained therein should be given great weight in the determination of planning applications. The key policies of relevance in this case are as follows (summarised):

Policy DM1 (Presumption in Favour of Sustainable Development) states that when considering development proposals, the County Council will take a positive approach. Planning applications that accord with the policies in this Local Plan will be approved without delay, unless material considerations indicate otherwise;

Policy DM2 (Climate Change) states that proposals for minerals and waste management developments should address the following matters where applicable:

- Minerals and Waste – Locations which reduce distances travelled by HCVs in the supply of minerals and the treatment of waste; and
- Waste – Implement the Waste Hierarchy and reduce waste to landfill;

Policy DM3 (Quality of Life and Amenity) states that planning permission will be granted for minerals and waste development provided that it does not generate unacceptable adverse impacts arising;

Policy DM6 (Impact on Landscape) – provided that due regard has been given to the likely impact of the proposed development on the landscape, including landscape character, valued or distinctive landscape features and elements;

Policy DM14 (Transport by Road) states that planning permission will be granted for minerals and waste development involving transport by road where the highways network is of appropriate standard for use by the traffic generated by the development and arrangements for site access would not have an unacceptable impact on highway safety, free flow of traffic, residential amenity or the environment;

Policy DM17 (Cumulative Impacts) states that planning permission will be granted for minerals and waste developments where the cumulative impact would not result in significant adverse impacts;

Policy R1 (Restoration and Aftercare) states that proposals must demonstrate that the restoration of mineral workings will be of high quality and be carried out at the earliest opportunity; and

Policy R4 (Restoration of limestone and chalk workings) states that proposal should be sympathetic to the surrounding landscape and should seek to retain suitable exposures for geological educational use where appropriate.

19. North Kesteven Local Plan 2007 (Saved Policies 2010) – as confirmed by the NPPF, due weight should be given to relevant policies within the plan according to their degree of consistency with the policies of the NPPF. The following policies are of most relevance to this proposal:

Policy C2 (Development in the Countryside) supports development proposals within the countryside which would maintain or enhance the environmental, economic and social value of the countryside; protect and enhance the character of the countryside; that cannot be located within or adjacent to settlements and; do not attract or generate a large number of journeys; and

Policy C5 (Effects upon Amenities) supports proposals which would not adversely affect the amenities enjoyed by other land users.

20. Central Lincolnshire Local Plan (CLLP) (Proposed Submission Draft – April 2016) – this plan will eventually replace the current Local Plans for the City of Lincoln, West Lindsey and North Kesteven District Councils. This

document given its stage of preparation, in line with paragraph 216 of the NPPF, the policies contained within this document currently carry more weight in the determination of planning applications, the key draft policies that are of relevance in this case are as follows:

Policy LP1 (Presumption in Favour of Sustainable Development) emphasises the need to take a positive approach in the presumption in favour of sustainable development contained in the NPPF where there are no identifiable adverse impacts;

Policy LP17 (Landscape, Townscape and Views) seeks to protect and enhance the intrinsic value of our landscape; and

Policy LP26 (Design and Amenity) requires developments to demonstrate how amenity of neighbouring residents and land users have been considered.

Results of Consultation and Publicity

21. (a) Local County Council Member, Councillor Mrs M Overton (summarised) – has expressed concern regarding the failure to restore back to ground level and stated that in the event of operations ceasing restoration should follow without delay.
- (b) Harmston Parish Council (summarised) – opposes the applications strongly on the following grounds:
- there are sufficient quarries and recycling centres in the District and adjacent districts with available capacity to provide for material disposal requirements as currently anticipated over and beyond the extension period;
 - secure a financial bond to ensure restoration;
 - it would appear that there is sufficient material on site to reinstate the quarry area;
 - prolong and exacerbate the detrimental environmental effects created by excessive and extended transport movements;
 - recycling inert materials generates considerable ‘waste’ which is not suitable for re-use and would have either to be accommodated on site or removed for disposal; and
 - the A15 or A607, is not the route taken by the lorries from the quarry, and poses a very real danger to the residents of the village as well as creating perpetual noise and disturbance.
- (c) Aubourn and Haddington Parish Council (summarised) – would like it known that they object to the above planning permission:
- due to increase in heavy traffic continuing to travel through the village;
 - poor state of repair of the roads;
 - damage to property due to heavy vehicles; and

- villagers' unhappiness at constant disturbance.
- (d) Coleby Parish Council - have no comments to make on these applications.
 - (e) Environment Agency (EA) – has returned no objection.
 - (f) Environmental Health Officer (North Kesteven District Council) – was consulted on 27 October 2016 but had not responded when this report was prepared.
 - (g) Highways Officer and Lead Local Flood Authority (Lincolnshire County Council) – does not wish to object to this planning application.
 - (h) Ministry of Defence (Safeguarding) – has no safeguarding objections to this proposal.
 - (i) Lincolnshire Wildlife Trust – was consulted on 27 October 2016 but had not responded when this report was prepared.
 - (j) Countryside Officer (Lincolnshire County Council) – was consulted on 03 November 2016 but had not responded when this report was prepared.
22. The application has been publicised by notice posted at the site and in the local press (Lincolnshire Echo on 3 November 2016). No representations have been received as a result of this publicity.

District Council's Observations/Recommendations

23. North Kesteven District Council - no objection subject to all previously approved conditions being re-applied and, in particular, hours of operation being carefully monitored to ensure compliance, given that access to the site is via a number of villages in the North Kesteven District area.

Conclusion

24. The current applications seek to vary conditions attached to each of the planning permissions affecting the site. The proposed variations would enable the continued operation of the wash plant and centrifuge until 2018, the waste recycling and transfer operations until 2022 with the final restoration of the site by 2023.
25. The existing planning permissions permit the operation of an inert recycling facility, wash plant and centrifuge, with infilling of the quarry as well as the operation of an associated waste transfer station. Whilst the quantities of recycled wastes exported off the site has increased over recent years, neither of the existing permissions contain conditions that restrict the scale of the operations in terms of quantities that may be processed or limits the

number of vehicle movements associated with these activities. The current applications seek to extend the permitted time period affecting these operations and would not materially change the principle use or operations permitted to take place. The implications of the continuation of the activities and operations are a factor that can be taken into account and re-assessed in evaluating the acceptability of the revised proposals subject of these applications.

26. The main issues to be considered in the determination of these applications are therefore whether the continued operation of the waste recycling/landfill and transfer operations in this location is appropriate in planning policy terms and whether it would give rise to significant adverse impacts on the restoration of the quarry and/or amenity of the area and the environment.

Planning Policy Context

27. The operations at Harmston Quarry recover materials from construction and demolition wastes and enable them to be re-used in other infrastructure and construction projects. The recovery and re-use of such materials therefore not only reduces the overall quantity of wastes that may otherwise go to landfill but also helps to reduce the demand for the extraction of primary or new virgin minerals. The recycling operations therefore represent a sustainable waste management practice and help to move the management of wastes up the waste hierarchy. Consequently, the continued operation of these activities is in line with the principles and objectives of the NPPF, NPPW and Policies DM1 and DM2 of the CSDMP and does not conflict with nor compromise Policy LP1 of the emerging Central Lincolnshire Local Plan which promotes sustainable development.

Restoration

28. The proposed extension of time to allow the continuation of the recycling/landfilling operations would enable the applicant to continue to infill the quarry back to surrounding land levels. The infilling was initially suspended by two years (until 2013) due to a delay in the Environment Agency issuing an Environmental Permit for inert landfill. Despite this delay Phases One and Two have been substantially filled back to ground level and Phase One has received a final layer of top soil but, the applicant has identified that even with a fill rate of 39% of the imported inert waste being diverted from recycling it would be unlikely to complete Phases Three and Four by the current target date of March 2019.
29. It is therefore necessary to consider whether permission be granted to extend the time to achieve the approved landform. Given that over half of the quarry void has now been filled the failure to continue infilling to create a back to ground level landform, which is suitable for the intended agricultural after-use, as well as be in keeping with the surrounding landscape, may present engineering difficulties. The NPPF, PPG and Policies R1 and R4 of the CSDMP which promotes high quality restoration of limestone workings sympathetic to the surrounding landscape and it is therefore considered

appropriate given that the predominant land-use in the surrounding area is agriculture that permitting the extension of time to continue operations at Harmston Quarry would achieve the best outcome and would not conflict with nor compromise Policy C2 of the North Kesteven Local Plan and Policy LP17 of CLLP which supports development proposals within the countryside which would maintain the economic value and enhance the character of the countryside.

30. Construction and demolition recycling facilities must not impede the restoration of quarry sites. Whilst it is accepted that the site has not been restored within the timescales originally envisaged, there are permitted mineral reserves within the site which have yet to be worked. The approximate volumes of such minerals are cited as being around 150,000 tonnes. The mineral planning permission is valid until 2042, however given the small volume of reserves remaining in the site on the grant of the 2011 permissions it was envisaged that these would be worked out and the site restored before the current mineral permission became due for its next review under the provisions of the Environment Act 1995 (the ROMP review). In 2014 the Government introduced the Planning Practice Guidance which modified the provisions of the Environment Act insofar as it permitted Mineral Planning Authority (MPA) latitude to not trigger the ROMP review process every 15 years but to use discretion to evaluate the need for a ROMP. As a consequence the extension of time the applicant proposes is not constrained by the previous timescale to coincide with the ROMP. If, for some reason, the MPA consider that the applicant fails to meet the agreed target dates and the mineral has not been worked out and the site has not been restored, then the mineral permission will be due for review regardless and as part of that process the restoration proposals and design of the site could be reassessed independent of the current recycling/landfilling operations. However, in the meantime the continued operation of the recycling and landfill operations would provide a means to facilitate the restoration of the site and would also enable more materials to be deposited which would facilitate the creation of a more appropriate landform for the intended after-use. Consequently, on balance and given the context of the site, the delay in receiving the Environmental Permit, the support given in Policies DM1 and DM2 of the CSDMP to sustainable waste management practices and along with the fact that the site has the potential to be restored earlier than 2042, it is considered appropriate to allow the extensions of time in this instance.
31. Notwithstanding the above, given that the applicant has proposed to restore the quarry by 2023, in order to ensure that the site is progressively restored by this date, and to enable the MPA to adequately monitor and review the progress of such works, the condition attached to the relevant permissions which requires an annual topographical survey of the site to be carried out and submitted to the MPA for their attention be retained. This survey would demonstrate how the restoration works have progressed year on year. Should the topographical survey demonstrate that the restoration phasing/timescales cited have not been adhered to, this condition could require the exportation of recycled and waste materials to cease until the

applicant has agreed a way forward with the MPA to resolve this issue (e.g. by revising the restoration levels). This condition would continue to ensure that the continued operations can be adequately monitored and controlled so as to ensure that the site is restored within the timescales cited and thus not conflict with the objectives of the NPPF, PPG and Policy R1 of the CSDMP.

32. Harmston Parish Council has suggested that a financial bond be secured to ensure a full and satisfactory reinstatement in accordance with current planning conditions. Given that there are existing permitted mineral reserves remaining within the quarry that can legally be worked up until 21 February 2042, so long as the continued operation of the recycling/landfill and transfer uses would not conflict with the future working of these minerals, nor jeopardise the ultimate restoration of the quarry or give rise to any unacceptable adverse impacts, then the continued operation of the waste activities is considered acceptable in general planning policy terms. However, it would be appropriate to ensure that within the mineral planning permission the Council still has a mechanism for securing the restoration of the quarry in the event that the applicant is unable to infill the quarry in the timescale envisaged. This would prevent the objectives of Policies DM6 and R1 of the CSDMP being undermined and would not conflict with nor compromise the objectives of Policy C2 of the North Kesteven Local Plan and the emerging CLLP Policy LP17 that seek to protect and enhance the landscape character of the area. This will in turn address the concerns expressed by Harmston Parish Council with regard to ensuring that the approved restoration levels are achieved and provide the MPA with the ability to enforce planning control.

Transport

33. Specific issues/areas of concerns regarding traffic movements raised by both Harmston and Aubourn and Haddington Parish Council in respect of vehicle movements and damage to the highway infrastructure, the applicant has indicated that the total number of movements associated with all activities is unlikely to exceed those already being undertaken. North Kesteven District Council has not objected but have emphasised the need to ensure that the hours of operation are respected. Harmston Quarry is situated between two A Class roads (A607 and A15) and therefore HGVs only have to travel a short distance to gain access to the strategic highway network. Once traffic has entered this network it is difficult to justify or restrict the use of specific routes that HGVs may take beyond this network without the imposition of weight restriction orders. Whilst the Parish Councils have objected to the development on the grounds of HGV traffic travelling through their villages, which are not subject to weight restriction orders, no objection has been raised by the Highways Officer on the proposal. Furthermore, restricting HGV movements through these villages would probably increase HGV movements through other villages.

Hours of Operation

34. In respect of hours of operation, the Committee is advised that the hours of operation cited on all five existing permissions are the same and would remain unchanged by the current proposals. Therefore it is not considered necessary to revise or revisit them as part of this proposal. In respect of the noise concerns linked to the hours of operation, whilst the comments of North Kesteven District Council are noted it is at the discretion of the MPA to consider the necessity of monitoring the activities at the site. The County Council have not received complaints with respect to hours of operation since 2012. The proposed extensions of the duration of the permissions to complete restoration are therefore in line with Policy DM3 of the CSDMP and would not conflict with nor compromise Policy C5 of North Kesteven Local Plan or the emerging CLLP Policy LP26 that seek to protect the amenity of local land users.

Final conclusion

35. In conclusion, in assessing these Section 73 applications, and taking into account the issues raised during consultation, it is considered appropriate and acceptable to allow the continued operation of the wash plant and centrifuge until 30 November 2018, recycling/landfill and waste transfer operations until 30 November 2022 and therefore to update the relevant planning conditions on the existing permissions including that of the winning and working of mineral, to reflect this extended time period the revised wording proposed by the applicant for the relevant conditions will make them enforceable and consistent across all five consents. Although Section 73 applications are commonly referred to as applications to “amend” or “vary” conditions they result in the grant of a new planning permission. Therefore, and for clarity and the avoidance of any doubt, it is recommended that the decision notices be issued with a comprehensive set of conditions which consolidates and (where relevant) recites the conditions, which were originally included and which were attached to the previous planning permissions relating to these proposals, on the permissions issued which requires the applicant to carry out all works, including phased restoration, timescales as per the applications details and are in line with the objectives of the NPPF, NPPW and Policy DM17 of the CSDMP which requires consideration of the cumulative impacts of development.
36. The proposed development has been considered against Human Rights implications especially with regard to Article 8 – right to respect for private and family life and Protocol 1, Article 1 – protection of property and balancing the public interest and well – being of the community within these rights and the Council has had due regard to its public sector equality duty under Section 149 of the Equality Act 2010.

RECOMMENDATIONS

That planning permissions be granted subject to the following conditions:

Appendix B - N30/1341/16

Appendix C - N30/1342/16

Appendix D - N30/1354/16

Appendix E - N30/1361/16

Appendix F - N30/1364/16

Appendices

These are listed below and attached at the back of the report

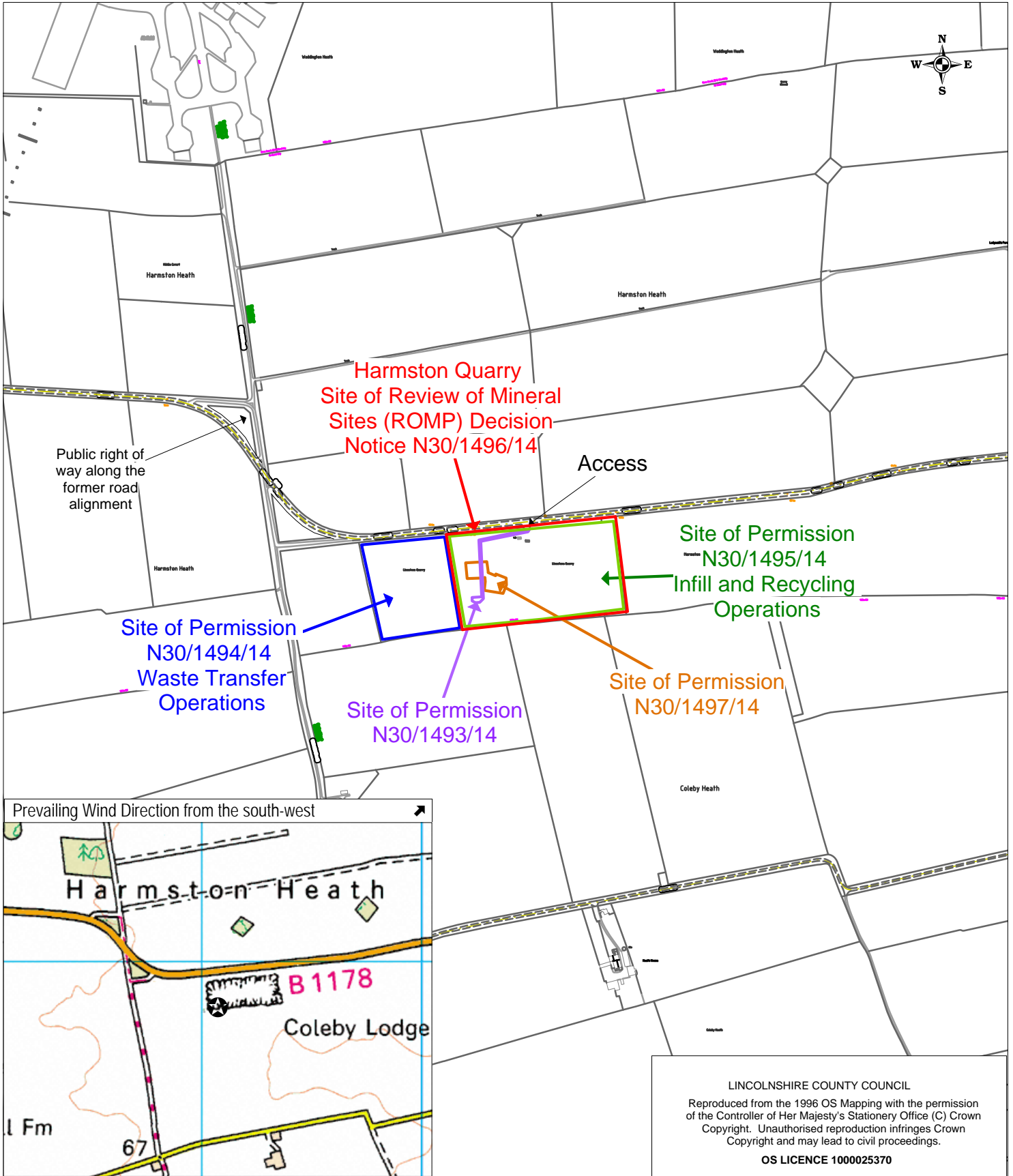
Appendix A	Committee Plan
Appendix B	N30/1341/16 – Conditions
Appendix C	N30/1342/16 - Conditions
Appendix D	N30/1354/16 - Conditions
Appendix E	N30/1361/16 - Conditions
Appendix F	N30/1364/16 - Conditions

Background Papers

The following background papers as defined in the Local Government Act 1972 were relied upon in the writing of this report.

Document title	Where the document can be viewed
Planning Application Files N30/1341/16 N30/1342/16 N30/1354/16 N30/1361/16 N30/1364/16	Lincolnshire County Council, Planning, Witham Park House, Waterside South, Lincoln
National Planning Policy Framework (2012) Planning Policy Guidance (2014) National Planning Policy for Waste (2014)	The Government's website www.gov.uk
Lincolnshire Minerals & Waste Local Plan: Core Strategy & Development Management Policies (CSDMP) (June 2016) North Kesteven Local Plan 2007	Lincolnshire County Council website www.lincolnshire.gov.uk North Kesteven District Council website www.n-kesteven.gov.uk
Emerging Plans Central Lincolnshire Local Plan (CLLP) (Proposed Submission Draft – April 2016)	Central Lincolnshire Local Plan https://www.n-kesteven.gov.uk/central-lincolnshire/local-plan-examination/

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 OS LICENCE 1000025370

Location:

Harmston Quarry
 Tower Lane
 Harmston

Application No: See Report

Scale: 1:10,000

Description:

Resubmission of applications to vary condition 3 of planning permission N30/0056/12 as amended by N30/1497/14; to vary condition 1 of planning permission N30/1210/10 as amended by N30/1494/14; to vary conditions 1 and 3 of planning permission N30/1211/10 as amended by N30/1495/14; to vary condition 2 of planning permission N30/0486/13 as amended by N30/1493/14; to vary condition 17 of planning permission N30/1212/10 as amended by N30/1496/14

Application A

N30/1341/16 - To vary condition 2 of planning permission N30/0486/13 (as amended by N30/1493/14) to continue recycling and infilling the quarry void to enable the site to be fully restored to the approved restoration contours for a further five years (until 31 March 2022)

Conditions

1. This permission (being granted under Section 73A of the Town and Country Planning Act 1990, as amended) has effect from the date of this decision notice as the development subject of planning permission N30/0486/13 (as amended by N30/1493/14) has been implemented and therefore commenced.
2. The development hereby permitted shall be retained in strict accordance with the details contained in the application, including the Noise Measurement Report (date stamped received 5 July 2013) as supplemented by the information and details contained in the Planning Application Form and Supporting Statement (date stamped received 14 October 2016) and the following drawing numbers:
 - (a) RDS 10887/01 "Quarry Drawing" (received 1 March 2013);
 - (b) RDS 10887/02 "Ordnance Survey" (received 1 March 2013);
 - (c) SP617-LAYOUT-01E (received 17 May 2013).
3. The development hereby permitted shall cease not later than 30 November 2018. Thereafter all associated structures, plant and machinery shall be removed from the site within 28 days of such cessation.
4. No activities or operations associated with the development hereby permitted shall take place outside the hours of:

07:30-18:00 Monday to Friday; and
07:30-13:00 Saturdays

No activities or operations associated with the hereby permitted development shall take place on Sundays, Bank Holidays or Public Holidays.
5. The development hereby permitted shall only be used in association with the existing washing plant operation at Harmston Quarry (granted under planning permission reference N30/1364/16) and no material shall be brought onto the site solely in connection with the development hereby permitted.
6. There shall be no external storage of materials associated with the development hereby permitted.

7. The rating level of noise emitted from any fixed plant and equipment on site shall not exceed the existing background level by more than +5dB(A) at any time. The noise levels shall be taken at the nearest noise sensitive premises. The measurements and assessments shall be made in accordance with BS4142:2014.

Reasons

1. To comply with Section 73A of The Town and Country Planning Act 1990 (as amended).
2. To ensure that the development is carried out in an acceptable manner and for the avoidance of doubt as to the development that is permitted.
3. To enable the Waste Planning Authority to control the development, and to enable the extraction of any remaining limestone and ensure the site is restored in accordance with the approved phasing scheme as set out in the existing planning permissions for inert waste recycling activities at Harmston Quarry.
4. In the interest of local amenity.
5. To ensure that the impacts of the development have been fully and appropriately assessed.
6. In the interests of the general amenity of the area and to ensure that the restoration of the site is not prevented or harmed.
7. In the interests of residential amenity.

Appendix C

Application B

N30/1342/16 - To vary condition 17 of planning permission N30/1212/10 as amended by N30/1496/14 to enable additional time for inert waste recycling operations to continue to enable the site to be fully restored to the approved restoration contours.

Conditions

Cessation Date

1. The winning and working of minerals shall cease no later than 21 February 2042.

Scheme of working

2. No further mineral extraction shall take place beyond the proposed extraction limit delineated by red dashed lines on submitted Drawing No. H/0190/2/B.
3. Operations authorised or required by the relevant planning permission shall take place in accordance with Drawing No. 10086/402 'Restoration Phasing' date stamped received 26 July 2010 and Paragraph 3.22 of 'Harmston Quarry S73 Supporting Statement' date stamped received 14 October 2016.
4. No stockpiles or storage mounds of limestone, quarry waste, or soil shall exceed the minimum height of the unworked land adjacent to the site unless otherwise agreed in writing by the Mineral Planning Authority.

Hours of Operation

5. No activities or operations associated with the development hereby permitted shall take place outside the hours of:

07:30-18:00 Monday to Friday: and
07:30-13:00 Saturdays

No activities or operations associated with the hereby permitted development shall take place on Sundays, Bank Holidays or Public Holidays.

Sheeting

6. All lorries leaving the site laden with minerals shall be sheeted before entering the highway.

Dust

7. Dust control and suppression measures shall continue to be implemented and carried out for the duration of the development in accordance with the details

previously submitted and approved by the Mineral Planning Authority as set out in the decision notice/letter dated 16 September 2010 (originally approved pursuant to condition 7 of planning permission N30/1035/03).

Wheel Cleaning

8. Wheel cleaning measures to prevent the deposition of material on the public highway shall continue to be implemented and carried out for the duration of the development in accordance with the details as set out in letter reference MCJ/H0180 dated 26 May 2004 and letter dated 16 July 2007 and Heavy Duty Wheel Washer identified in Drawing No: 0190/2-1 and approved in letter reference ENF/072/2005 dated 6 August 2007 (originally approved pursuant planning permission N30/1035/03). No commercial vehicles shall leave the site until their wheels and chassis have been cleaned to prevent the deposition of material on the highway.

Access

9. The site access shall be maintained in a good state of repair and kept clean of mud and other debris.

Blasting

10. No blasting shall take place on the site until the operator has secured the written approval of the Mineral Planning Authority a scheme which:-
 - specifies the maximum permissible impacts (peak particle velocity) as measure at agreed vibration locations;
 - specifies the times, frequency of blasting and method of warning of blasting episodes; and
 - provides for the monitoring of blasting including details of the equipment to be used.

Thereafter all blasting shall be undertaken strictly in accordance with the approved scheme and the results of the monitoring shall be kept at the quarry and made available for inspection by the Mineral Planning Authority at all reasonable time, with copies being supplied to the Mineral Planning Authority on request.

Water Protection and Pollution

11. 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 shall be at least equivalent to the capacity of the tank plus 10%. If there are multiple tankage, or the combined capacity of interconnected tanks, plus 10%. All filling point, vents gauges and sight glasses must be located within the bund. The drainage system of the bund shall be sealed with no discharge to any watercourse, land or underground

strata. Associated pipework should all 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 bunded compound.

Noise

12. 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.

Lighting

13. No permanent or temporary lighting shall be installed until details thereof have been submitted and approved in writing by the Mineral Planning Authority.

Landscaping/Treeplanting

14. All existing trees, bushes and hedgerows within the quarry shall be retained and shall not be felled, lopped or removed other than in accordance with the Scheme of Working without the prior written consent of the Mineral Planning Authority. Any vegetation removed without consent, dying, being severely damaged or becoming seriously diseased as a result of operations hereby permitted shall be replaced with trees or bushes of such size and species as may be specified by the Mineral Planning Authority in the planting season immediately following any such occurrences.
15. All trees and shrubs planted as a requirement of other conditions of this Decision Notice shall be maintained for a period of 10 years from the date they are planted. During this period all losses shall be replaced in the planting season immediately after they occur.

Reclamation

16. In the event that the site has not been fully infilled and restored in accordance with Drawing No. 10086/450 dated November 2010 then no further operations authorised by the relevant planning permission shall take place until the written approval of the Mineral Planning Authority has been secured for a revised scheme and programme of restoration that does not rely on the importation of inert waste. Such scheme shall include details of:-
 - final landform;
 - the final depth and nature of cover;
 - material;
 - the retention, if possible, of appropriate sections of the quarry; and
 - the proposed after-use of the site and aftercare scheme.

Reasons

1. Imposed by virtue of Schedule 5(1) of the Town and Country Planning Act.
2. To ensure that the development is carried out in accordance with the details set out in the application.
- 3 & 4 To enable the Mineral Planning Authority to adequately control the development and to minimise its impacts on the amenities of the local area.
5. In the interest of local amenity.
6. In the interests of highway safety.
7. To protect the amenity of the locality from the effect of dust from the development.
- 8 & 9 In the interests of highway safety.
10. To enable the Mineral Planning Authority to adequately control the development and to minimise its impacts on the amenities of the local area.
11. To minimise the risk of pollution of watercourses and aquifers.
12. To minimise the disturbances from operations.
13. To protect the amenity of the area from the effects of light pollution.
14. In the interests of amenity and wildlife conservation.
15. In the interests of the amenity of the local area and to ensure the development is appropriately screened.
16. To ensure the site is restored to a condition capable of beneficial after-use and in the interests of the amenity of the area.

Informative

Attention is drawn to the comments and advice contained in the Fisher German letter dated 4 October 2010 regarding the proximity of the GPSS pipeline.

Appendix D

Application C

N30/1354/16 - To vary condition 1 of planning permission N30/1210/10 as amended by N30/1494/14 – an extension of time is required for a further five years until 15 September 2023 to enable waste transfer to the site for recycling to enable the site to be fully restored to the approved restoration contours.

Conditions

1. This permission (being granted under Section 73A of the Town and Country Planning Act 1990, as amended) has effect from the date of this decision notice as the development subject of planning permission N30/1210/10 (as amended by N30/1494/14) has been implemented and therefore commenced.
2. The use hereby permitted shall cease not later than 30 November 2022 all remaining processed and unprocessed waste shall be removed from the site within 28 days of such cessation. Within three months of the expiry of this period the site shall be restored in accordance with the relevant conditions set out below.
3. No material other than clean, dry, non-putrescible inert waste materials (comprising topsoil, subsoil, brickwork, concrete, stone, clay, plaster, sand and silica or mixtures of the above materials) shall be brought to, transferred, stored, treated or deposited at the site unless otherwise agreed in writing by the Waste Planning Authority.
4. The development shall be undertaken in strict accordance with the details contained within the application form, supporting information and drawings (originally approved by permission N30/0941/04), except as may be modified by the information and details contained in the following documents and drawings:
 - Section 5.3 of the Supporting Statement dated August 2010, amended November 2010 which originally supported application N30/1210/10 (date stamped received 10 November 2010);
 - Planning application form and Supporting Statement dated September 2016 (date stamped received 14 October 2016);
 - Dwg No. 10086/405 – Site Plan (received 19 August 2010);
 - Dwg No.10086/403 – Restoration Phasing Plan (received 19 August 2010);
 - Dwg No. 10086/450 – Final Restoration Contours as per Site Closure Plan (received 10 November 2010).

5. All existing hedgerows along the boundary of the site shall be retained and shall not be removed without the written approval of the Waste Planning Authority. Any such vegetation removed without consent, dying or becoming seriously diseased as a result of permitted operations shall be replaced as may be specified by the Waste Planning Authority in the planting season immediately following such occurrences. All such replacement planting shall thereafter be adequately maintained.
6. No material shall be stockpiled or stored greater than the height of the bunds that surround the site.
7. The existing screening bunds shall be retained and maintained as currently constructed for the duration of the development.
8. The wheel wash system installed in accordance with the scheme, approved by the Waste Planning Authority on 6 August 2007 Ref ENF/072/2005, shall be maintained and shall be operational for the duration of the development. No commercial vehicles associated with the development hereby permitted shall enter the public highway unless their wheels and chassis have been cleaned to prevent material being deposited on the highway.
9. No activities or operations associated with the development hereby permitted shall take place outside the hours of:

07:30-18:00 Monday to Friday: and
07:30-13:00 Saturdays

No activities or operations associated with the hereby permitted development shall take place on Sundays, Bank Holidays or Public Holidays.
10. 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.
11. No permanent or temporary lighting shall be installed until details thereof have been submitted and approved in writing by the Waste Planning Authority.
12. Following the restoration of the site in accordance with the landform and levels as shown on Drawing No. 10086/450 (as defined Condition 4), the aftercare scheme shall be implemented in accordance with the details previously submitted and approved by the Mineral Planning Authority as set out in the decision notice/letter dated 12 March 2012 (originally approved pursuant to condition 11 of planning permission N30/1210/10).
13. The dust mitigation measures and practices set out in Section 5.3 of the "Supporting Statement" (as defined by condition 4) shall be carried out and implemented in full for the duration of the development.
14. No heavy goods and/or commercial vehicles associated with the waste transfer operations hereby permitted shall enter the public highway until their

wheels and chassis have been cleaned using the approved wheel wash on site and are of a suitable condition so as to prevent the deposition of material on the highway.

15. At all times the surface of the quarry access and internal haul route shall be maintained in a good state of repair and kept clean and free of mud and debris.

Reasons

1. To comply with Section 73A of The Town and Country Planning Act 1990 (as amended).
2. To secure the proper restoration of the site within a reasonable timescale and acceptable timescale, in the interest of local amenity.
- 3 & 4 To ensure that the development is undertaken in accordance with the submitted details, in the interest of local amenity.
5. To minimise the visual impact of the development.
6. In the interest of local amenity.
7. In the interest of local amenity.
8. To prevent mud and debris getting onto the public highway in the interests of highway safety.
9. In the interest of local amenity.
10. In the interest of local amenity.
11. In the interest of local amenity.
12. To ensure the effective restoration of the site.
13. To ensure that the development does not give rise to adverse impacts by virtue of dust, in the interests of the amenity of the area.
14. In the interests of highways safety.
15. In the interests of highways safety.

Informative

The applicant's attention is drawn to the contents of the letter from the Environment Agency reference AN/2004/011194-1/1 dated 22 July 2004.

Appendix E

Application D

N30/1361/16 - To vary conditions 1 and 3 of planning permission N30/1211/10 as amended by N30/1495/14 – an extension of time is required for a further five years until 15 September 2023 to continue recycling and infilling to enable the site to be fully restored to the approved restoration contours.

Conditions

1. This permission (being granted under Section 73A of the Town and Country Planning Act 1990, as amended) has effect from the date of this decision notice as the development subject of planning permission N30/1211/10 (as amended by N30/1495/14) has been implemented and therefore commenced.
2. The recycling of inert waste materials hereby permitted shall cease and all remaining processed and unprocessed waste and plant and machinery shall be removed from the site no later than 31 December 2022. Within three months of the expiry of the 31 December 2022 the surface levels/contours of the final restored landform shall conform to those shown on Drawing No. 10086/450 (as defined by condition 6).
3. No material other than clean, dry, non-putrescible inert waste materials (comprising top soil, subsoil, brickwork, concrete, stone, clay, plaster, sand and silica or mixtures of the above materials) shall be brought to, transferred, stored, treated or deposited at the site unless otherwise agreed in writing with the Waste Planning Authority.
4. The site shall be progressively restored in accordance with the phasing sequence as shown on Drawing No. 10086/403 (as defined by condition 6) and to the following timescales:
 - Phase 1 and Phase 2 by 30 April 2017;
 - Phase 3 by 30 June 2018; and
 - Phase 4 by 31 December 2021.

Should the Waste Planning Authority consider that insufficient progress is being made on the restoration of the quarry and that the requirements of this condition are not being met, it may serve notice on the Developer that all activities permitted by this planning permission should cease until the matter has been resolved. Accordingly, if notice is given, all such activities shall stop and shall not recommence until the Waste Planning Authority has provided written notification that the matter has been resolved.

The surface levels/contours of the final restored landform shall conform to those shown on Drawing No. 10086/450 (as defined by condition 6).

5. No processed or unprocessed waste material or plant or machinery associated with the operation shall be stored or located above the level of the immediate adjoining land except with the written agreement of the Waste Planning Authority.
6. The development shall be undertaken in strict accordance with the details of the application, supporting information and drawings (originally approved by permission N30/0716/02), except as may be modified by the additional documents or drawings listed below or conditions attached to this planning permission or details subsequently approved pursuant to those conditions. The additional approved documents and plans are as follows:
 - Section 5.3 of the Supporting Statement dated August 2010, amended November 2010 which originally supported application N30/1210/10 (date stamped received 10 November 2010);
 - Planning application form and Supporting Statement dated September 2016 (date stamped received 14 October 2016);
 - Dwg No. 10086/405 – Site Plan (received 19 August 2010);
 - Dwg No.10086/403 – Restoration Phasing Plan (received 19 August 2010);
 - Dwg No. 10086/450 – Final Restoration Contours as per Site Closure Plan (received 10 November 2010).
7. The access shall be retained in accordance with the details shown on Drawing 1.A received by the Waste Planning Authority on the 30 May 2002.
8. All existing hedgerows along the boundary of the site shall be retained and shall not be removed without the written approval of the Waste Planning Authority. Any such vegetation removed without consent, dying, or becoming seriously diseased as a result of permitted operations shall be replaced as may be specified by the Waste Planning Authority in the planting season immediately following such occurrences. All such replacement planting shall thereafter be adequately maintained.
9. Wheel cleaning measures to prevent the deposition of material on the public highway shall continue to be implemented and carried out for the duration of the development in accordance with the details as set out in letter reference MCJ/H0180 dated 26 May 2004 and letter dated 16 July 2007 and Heavy Duty Wheel Washer identified in Drawing No: 0190/2-1 and approved in letter reference ENF/072/2005 dated 6 August 2007 (originally approved pursuant planning permission N30/0716/02). No commercial vehicles shall leave the site until their wheels and chassis have been cleaned to prevent the deposition of material on the highway.

10. At all times the surface of the quarry access and internal haul route shall be maintained in a good state of repair and kept clean and free of mud and debris.
11. Any oil, fuel, lubricant and other potential pollutants shall be handled on the site in such a manner as to prevent pollution of any watercourse or aquifer. For any liquid other than water, this shall include storage in suitable tanks and containers which shall be housed in an area surrounded by bund walls of sufficient height and construction so as to contain 110% of the total contents of all containers and associated pipework. The floor and walls of the bunded areas shall be impervious of water and oil. The pipes should vent downwards into the bund.
12. No activities or operations associated with the development hereby permitted shall take place outside the hours of:

07:30-18:00 Monday to Friday: and
07:30-13:00 Saturdays

No activities or operations associated with the hereby permitted development shall take place on Sundays, Bank Holidays or Public Holidays.
13. 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.
14. No permanent or temporary lighting shall be installed until details thereof have been submitted and approved in writing by the Waste Planning Authority.
15. Following the restoration of the site in accordance with the landform and levels as shown on Drawing No. 10086/450 (as defined Condition 6), the aftercare scheme shall be implemented in accordance with the details previously submitted and approved by the Mineral Planning Authority as set out in the decision notice/letter dated 12 March 2012 (originally approved pursuant to condition 15 of planning permission N30/1211/10).
16. The dust mitigation measures and practices set out in Section 5.3 of the "Supporting Statement" (as defined by condition 6) shall be carried out and implemented in full for the duration of the development.
17. A topographical survey of the site shall be carried out and submitted to the Waste Planning Authority by 31 May each year following the date of this permission. The survey shall identify:
 - the area of the site which remains to be worked for limestone;
 - the area that has been restored; and
 - the area undergoing landfilling/restoration.

Reasons

1. To comply with Section 73A of The Town and Country Planning Act 1990 (as amended).
2. To secure the proper restoration of the site within a reasonable and acceptable timescale, in the interest of local amenity.
3. To ensure the effective restoration of the site to the proposed after-use.
4. To secure the proper restoration of the site within a reasonable and acceptable timescale, in the interest of local amenity.
5. To protect the local amenity and in the interest of visual amenity.
6. To ensure that the development is undertaken in accordance with the submitted details, in the interest of local amenity.
7. In the interest of highway safety and the amenities of the area.
8. To protect the local amenity and in the interest of visual amenity.
9. In the interest of highway safety and the amenities of the area.
10. In the interest of highway safety and the amenities of the area.
11. To prevent pollution of the water environment.
12. In the interest of local amenity.
13. To protect the local amenity and in the interest of visual amenity.
14. In the interest of the amenities of the area.
15. To ensure the effective restoration of the site to the proposed after-use.
16. To ensure that the development does not give rise to adverse impacts by virtue of dust, in the interests of the amenity of the area.
17. To enable the Waste Planning Authority to monitor the progress of the restoration of the site and to ensure that the development is completed within the timescales cited in the application.

Appendix F

Application E

N30/1364/16 - To vary condition 3 of planning permission N30/0056/12 as amended by N30/1497/14 – an extension of time is required for a further five years until 15 March 2022 to continue recycling and infilling of the quarry void to enable the site to be fully restored to the approved restoration contours.

Conditions

1. This permission (being granted under Section 73A of the Town and Country Planning Act 1990, as amended) has effect from the date of this decision notice as the development subject of planning permission N30/0056/12 have been implemented and therefore commenced.
2. The development hereby permitted shall be carried out in strict accordance with the details contained in the submitted application, supporting statement and appendices, and plans referenced below, except as may be modified by other conditions of this planning permission:
 - Drawing 11106/450 'Site Location Plan' – received 27 October 2011;
 - Drawing 11106/451 'Application Boundary Plan' – received 27 October 2011; and
 - Drawing 11106/452 'Cross Sections' – received 27 October 2011.
3. The development hereby permitted shall cease not later than 30 November 2018. Thereafter all associated structures, plant and machinery shall be removed from the site within 28 days of such cessation.
4. No activities or operations associated with the development hereby permitted shall take place outside the hours of:
 - 07:30-18:00 Monday to Friday: and
 - 07:30-13:00 Saturdays

No activities or operations associated with the hereby permitted development shall take place on Sundays, Bank Holidays or Public Holidays.
5. All vehicles, plant and machinery operated in association with the hereby permitted development shall be fitted with and use effective silencers and be maintained strictly in accordance with the manufacturer's recommendations.
6. 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 any bunded compound shall be at least equivalent to the capacity of the tank plus 10%.

7. No permanent or temporary lighting shall be installed in association with the hereby permitted development until details thereof have been submitted to and approved in writing by the Waste Planning Authority.
8. No heavy goods and/or commercial vehicles associated with the development hereby permitted shall enter the public highway until their wheels and chassis have been cleaned using the approved wheel wash on site and are of a suitable condition so as to prevent the deposition of material on the highway.

Reasons

1. To comply with Section 73A of The Town and Country Planning Act 1990 (as amended).
2. To ensure the development is carried out in accordance with approved details.
3. To enable the Waste Planning Authority to control the development, and to enable the extraction of any remaining limestone and ensure the site is restored in accordance with the approved phasing scheme as set out in the existing planning permissions for inert waste recycling activities at Harmston Quarry.
4. In the interests of local amenity.
5. In the interests of the general amenity of the area.
6. In the interests of pollution prevention and groundwater protection.
7. In the interests of the general amenity of the area.
8. In the interests of highway safety.

Informative

The applicant's attention is drawn to the comments made by the Environment Agency in their letter dated 6 February 2012 (ref: AN/2012/113855/01-L01).