

SCHEDULE B

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SCHEDULE B: Applications Determined by Other Authorities

Item No: 12

Between 27/09/2019 and 07/11/2019

Appn Ref No:

19/9009

Applicant:

Thompsons Of Prudhoe

Parish:

Farlam

Date of Receipt:

13/08/2019

Agent:

Cumbria County Council -
Economy & Planning

Ward:

Brampton & Fellside

Location:

Silvertop Quarry, Hallbankgate, Brampton, CA8 2PE

Grid Reference:

358980 561042

Proposal: Change Of Use To Allow Imported Inert (Construction, Demolition And Excavation Waste) To Be Screened And Processed At Silvertop Quarry For The Life Of Silvertop Quarry

Amendment:

REPORT

Case Officer: Alanzon Chan

City Council Observations on the Proposal:

Decision: City Council Observation - Observations

Date: 27/08/2019

Decision of: Cumbria County Council

Decision Type: Grant Permission

Date: 06/11/2019

A copy of the Notice of the decision of the Determining Authority is printed following the report.



The Town and Country Planning Act 1990

NOTICE OF PLANNING PERMISSION

To: Thompsons of Prudhoe Ltd
Thompsons House
Princess Way
Prudhoe
Northumberland
NE42 6PL

In pursuance of the powers under the above Act and Order the Cumbria County Council as Local Planning Authority hereby **permit** the development described in your application and on the plans/drawings attached thereto received on 12 August 2019.

viz: Change of use to allow imported inert (construction, demolition and excavation waste) to be screened and processed at Silvertop Quarry for the life of Silvertop Quarry.

Silvertop Quarry, Hallbankgate, Brampton, Cumbria

Subject to due compliance with the following conditions:

Conditions

Time Limit for Implementation of Permission

1. This permission shall be for a limited period only expiring on 21 February 2042, by which date the operations hereby permitted shall have ceased, unless a further application has been submitted.

Reason To comply with Section 91 of the Town and Country Planning Act 1990.

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Approved Scheme

2. The development hereby permitted shall be carried out, except where modified by the conditions to this permission, in accordance with the following:
 - a. The submitted Application Form – dated 31 July 2019
 - b. Supporting letter – dated 26 July 2019
 - c. Plans numbered and named:
 - i) Location of recycled area – NT12629-017
 - ii) Recycling Area Detail – NT12629-018
 - d. The details or schemes approved in accordance with the conditions attached to this permission.

Reason To ensure the development is carried out to an approved appropriate standard and to avoid confusion as to what comprises the approved scheme.

Operating Hours

3. No operation hereby permitted by this permission, shall take place outside the following hours:

07:00 to 17:30 hours Monday to Fridays
07:00 to 12:30 hours on Saturday

And not at any time on Sundays, Bank or Public Holidays.

However this condition shall not operate so as to prevent carrying out outside of these hours of essential maintenance of plant and machinery used on the site for this development.

Reason : To protect the amenities of local residents in accordance with Policy DC2 of Cumbria Minerals and Waste Local Plan 2015-2030.

Traffic and Transport

4. The access road from the wheel wash to the public highway shall be maintained with a tarmacadam or concrete surface free of potholes and debris for the duration of the development hereby permitted.

Reason :- To ensure that broken road surface material or other detritus is not carried onto the public highway in accordance with policy DC1 of the Cumbria Minerals and Waste Local Plan 2015-2030.

5. No laden HGVs shall be permitted to enter or leave the site unsheeted.

Reason : To prevent any incident of dust emissions adversely affecting the amenities of nearby residential property in accordance with Policy DC1 and DC2 of the Cumbria Minerals and Waste Local Plan 2015-2030.

6. No vehicles plant and machinery operated on the site in connection with the development hereby permitted shall be used unless fitted with effective silencers and maintained in accordance with the manufacturers or suppliers specification.

Reason : To minimise any potential for disturbance to local residents in accordance with Policy DC2 of the Cumbria Minerals and Waste Local Plan 2015-2030.

7. The operator shall provide, implement and maintain such suppression measures as may be agreed by the Waste Planning Authority to minimise the emission of dust from the development hereby permitted.

Reason : To safeguard the amenity of local residents by ensuring that dust does not constitute a nuisance outside the site boundary, in accordance with Policy DC2 of the Cumbria Minerals and Waste Local Plan 2015-2030.

8. The total numbers of laden heavy goods vehicles leaving the site, including HGV's from Silvertop Quarry shall not exceed a combined total of 150 on any weekday and 75 on Saturdays. A record of all laden heavy goods vehicles leaving the site each day shall be maintained by the operator and access to this record shall be afforded to the local planning authority on request.

Reason : To keep acceptable levels of impact of lorry traffic on the amenity of local residents and other road users, in accordance with Policy DC1 of the

Cumbria Minerals and Waste Local Plan 2015-2030.

Mobile Lighting

9. Temporary lighting shall not be used (with the exception of extraordinary activities and emergency works or similar activities) on the site outside the hours of:

18:00 to 06:45 Monday to Fridays (Except Public Holidays)

13:00 to 06:45 Saturday (Except Public Holidays)

No temporary construction lighting shall be used (with the exception of extraordinary activities and emergency works or similar activities) on Sundays or Public Holidays.

Reason: To ensure the residential amenities of local residents are protected from light pollution, in accordance with Policy DC2 of the Cumbria Minerals and Waste Local Plan 2015-2030.

Control of Noise

10. All plant, machinery and vehicles used on site shall be effectively silenced at all times and maintained in accordance with the manufacturers recommendations.

Reason: To safeguard the amenity of local residents by ensuring that the noise generated in their operation is minimised and so does not constitute a nuisance outside the boundaries of the site and to conform with Policy DC3 of the Cumbria Minerals and Waste Local Plan 2015-2030.

11. The rating levels for cumulative noise from all plant and machinery during the operational life of the site shall not exceed 5dB above the existing LA90 background levels and 10 dB above the existing LAeq at any noise sensitive premises as assessed in accordance with British Standard 4142 (2014).

Reason: To protect the amenities of local residents from noise pollution and to conform with Policy DC3 of the Cumbria Minerals and Waste Local Plan 2015-2030.

Control of Dust

12. All equipment shall be fitted with effective dust suppression measures and maintained in accordance with the manufacturers instructions.

Reason: To safeguard the amenities of local residents by ensuring that dust does not constitute a nuisance outside the boundary of the site, to confirm with Policy DC5 of the Cumbria Minerals and Waste Local Plan 2015-2030.

Dated 6 November 2019

Signed: Angela Jones
Acting Executive Director - Economy and Infrastructure
on behalf of Cumbria County Council.

NOTES

- The local planning authority has worked with the applicant/agent in a positive and proactive manner to seek solutions to any problems that arose in dealing with this application and has implemented the requirements of the [National Planning Policy Framework](#).
 - The policies and reasons for the approval of this planning application are set out within the planning officers' report which can be viewed at: <https://planning.cumbria.gov.uk/Planning/Display/1/19/9009>
 - The conditions attached to this permission may override details shown on the application form, accompanying statements and plans.
 - Submissions to discharge planning conditions require a fee and any approval given in relation to these shall be issued in writing.
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APPENDIX TO NOTIFICATION OF PLANNING DECISION

This Appendix does not form part of any consent, however, you should take careful notice of the advice given below as it may affect your proposal.

1. This grant of planning permission does not exempt you from regulation under Building Control and Environmental Protection regimes. The County Council regularly shares information with other authorities. Failure to comply with other regulatory regimes may result in prosecution.
2. Any grant of planning permission does not entitle developers to obstruct a public right of way. Development, insofar as it affects a right of way, should not be started, and the right of way should be kept open for public use, until the necessary order under Section 247 or 257 of [The Town and Country Planning Act 1990](#), or other appropriate legislation, for the diversion or extinguishment of right of way has been made and confirmed.
3. The attention of the person to whom any permission has been granted is drawn to Sections 7 and 8A of the Chronically Sick and Disabled Persons Act 1970 and to the Code of Practice for Access of the Disabled to Buildings or any prescribed document replacing that code.
4. Any application made to the Local Planning Authority for any consent, agreement or approval required by a condition or limitation attached to a grant of planning permission will be treated as an application under [Article 27 of The Town and Country Planning \(Development Management Procedure\) \(England\) Order 2015](#) and must be made in writing. A fee is payable for each submission. A single submission may relate to more than one condition.

5. There is a right of appeal against the failure to determine applications within the specified period and against the refusal of any consent, agreement or approval for which application is made (see enclosed "Notes in respect of Appeals to The Secretary of State").

NOTES IN RESPECT OF APPEALS TO THE SECRETARY OF STATE

- 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. Please note, only the applicant possesses the right of appeal.
- If you want to appeal against your local planning authority's decision then you must do so within 6 months of the date of this notice.
- 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 (Tel: 0303 444 5000) or online at: [Planningportal.gov.uk/pes](https://www.planningportal.gov.uk/pes)
- 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.

Purchase Notices

- If either the local planning authority or the Secretary of State refuses permission to develop land or grants it subject to conditions, the owner may claim that he can neither put the land to a reasonably beneficial use in its existing state nor render the land capable of a reasonably beneficial use by the carrying out of any development which has been or would be permitted.
- In these circumstances, the owner may serve a purchase notice on the Council (District Council, London Borough Council or Common Council of the City of London) in whose area the land is situated. This notice will require the Council to purchase his interest in the land in accordance with the provisions of part VI of the Town and Country Planning Act 1990.

