

**Planning Permission Number:** 2/2007

**Planning Application Number:** BC/CM/2006/35

**Date Application Registered:** 22/12/2006

**District Council Area:** Bedford Borough

**Location of Site:** Octagon Farm  
Willington Quarry  
Cople  
Bedford

**Grid Reference:** 510400250600

**Proposed Development:** Variation of Condition 48 of Planning Permission No. 4/1997 to prolong expiry to 31/12/2008 to allow continued use of haul road.

**Applicant:** Lafarge Aggregates Ltd  
The Horseshoe  
Mountsorrell Quarry  
Leicestershire  
LE12 7GZ

Richard Watts  
Assistant Director Growth  
Planning & Transport Policy

County Hall  
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Bedford MK42 9AP

Tel: 01234 363222  
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**NOTICE OF  
GRANT  
OF PLANNING  
PERMISSION**

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**Town & Country Planning  
Acts**

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**Town & Country Planning  
General Development  
Orders**

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.....  
*signed*

**Richard Watts  
Deputy Director of  
Environment**

.....  
*date*

In pursuance of its powers under the Town & Country Planning Acts and Orders the County Council of Bedfordshire being the Local Planning Authority for the Administrative County hereby **GRANTS** planning permission for the proposed development as set out above and otherwise in accordance with the application submitted subject to the following conditions contained on the attached sheet(s).

**YOUR ATTENTION IS DRAWN TO THE NOTES APPENDED**

**NOTES APPENDED TO DECISION NOTICE**

### **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 for Communities & Local Government under section 78 of the Town and Country Planning Act 1990.
- If you want to appeal, then you must do so within six months of the date of this notice, using a form which you can get from the Planning Inspectorate at 3/17 Eagle Wing, Temple Quay House, 2 The Square, Temple Quay, Bristol, BS1 6PN.
- The Secretary of State for Communities & Local Government can allow a longer period for giving notice of an appeal, but he will not normally be prepared to use this power unless there are special circumstances which excuse the delay in giving notice of appeal.
- The Secretary of State for Communities & Local Government need not consider an appeal if it seems to him that the local planning authority could not have granted planning permission for the proposed development or could not have granted it without the conditions they imposed, having regard to the statutory requirements, to the provisions of any development order and to any directions given under a development order.

### **Purchase Notices**

- If either the local planning authority or the Secretary of State for Communities & Local Government 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.

**Planning Permission No. 2/2007**

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**PLANNING CONDITIONS**

1. Planning permission shall extend to the area edged with a thick black line on the attached plan no. BC/CM/2006/35-1 and, unless otherwise approved in writing by the County Planning Authority, the development shall be carried out in accordance with the planning application dated 14/12/2006 and the following conditions.  
*(Reason: To define the permission.)*

**Time Limits**

2. The extraction of minerals, final restoration and landscaping shall be completed on or before 31 December 2008.  
*(Reason: To ensure that all operations are completed within an acceptable timescale and to prevent the prolonged disturbance from the development on the local environment.  
Bedfordshire & Luton Minerals & Waste Local Plan 2005 Policy GE 18)*

**Restoration and Aftercare**

3. The site shall be restored to blend with the adjacent restored areas in accordance with the restoration scheme shown on Drawing No. W10/53d approved by the County Planning Authority on 6 May 1998.  
*(Reason: To ensure the satisfactory restoration of the site.  
Bedfordshire & Luton Minerals & Waste Local Plan 2005 Policy GE 26)*
4. Aftercare and management of the restored area shall be carried out for a period of five years from the completion of restoration, the date of which shall be agreed with the County Planning Authority, and shall be in accordance with the scheme approved by the County Planning Authority on 9 May 1996 in connection with Planning Permission No. 4/1996.  
*(Reason: To ensure the satisfactory aftercare and management of the site.  
Bedfordshire & Luton Minerals & Waste Local Plan 2005 Policy GE 27)*

**Hours of Operation**

5. Unless otherwise approved in writing by the County Planning Authority, no operations, other than essential maintenance, shall be carried out except between the following hours:  
0700 – 1800 Mondays to Fridays  
0700 – 1300 Saturdays  
and no operations shall be carried out on Sundays, Bank or Public Holidays.  
*(Reason: To protect the amenities of the surrounding area.  
(Bedfordshire & Luton Minerals & Waste Local Plan 2005 Policy GE 18.)*

*continued*

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**Environmental Protection**

6. Notwithstanding the provisions of parts 19 and 21 of schedule 2 of the Town and Country Planning (General Permitted Development) Order, 1995 (or any Order amending, replacing or re-enacting that Order), express planning permission must first be obtained before the erection, alteration or extension of any building, fixed plant or machinery, or of any structure or erection of the nature of plant or machinery.  
*(Reason: To enable the County Planning Authority to control any development not authorised by this permission.)*
7. No plant or machinery shall be used on site unless fitted and operated with a reversing warning system which will minimise, as far as is reasonably practicable and subject to maintaining safety, the generation and level of noise emissions from that reversing system.  
*(Reason: To protect the amenities of the surrounding area.  
(Bedfordshire & Luton Minerals & Waste Local Plan 2005 Policy GE 18.)*
8. During final restoration, the level of noise arising from these operations, when measured at a height of 1.2 metres above ground level and 3.6 metres from the face of any occupied residential property in the vicinity of the site, shall not exceed 70 dB Laeq (free field) during any 30 minute period during the hours specified for these operations in Condition 5.  
*(Reason: To protect the amenities of the surrounding area.  
(Bedfordshire & Luton Minerals & Waste Local Plan 2005 Policy GE 18.)*
9. Monitoring of noise levels shall take place to ensure the level set out in condition 8 is not being exceeded, in accordance with the monitoring proposals dated June 1999, and the results of monitoring shall be kept at the quarry and made available to the County Planning Authority within 7 days of a written request. In the event of complaints being received, the circumstances shall be investigated immediately and mitigation measures put in place, which may involve suspension of operations, as may be agreed with the County Planning Authority.  
*(Reason: To protect the amenities of the surrounding area.  
(Bedfordshire & Luton Minerals & Waste Local Plan 2005 Policy GE 18.)*
10. No operations shall take place on site, except in accordance with the proposals for dust prevention, control and monitoring contained in the Airborne Dust Assessment report dated August 1999. In the event of complaints about airborne dust outside the site boundaries, the matter shall be immediately investigated and if it is not possible to mitigate the effects of a particular operation, that operation shall cease until conditions improve or satisfactory mitigation measures are put in place.  
*(Reason: To protect the amenities of the surrounding area.  
(Bedfordshire & Luton Minerals & Waste Local Plan 2005 Policy GE 18.)*
11. No vehicles shall move around the site at a speed in excess of 15 mph.  
*(Reason: To protect the amenities of the surrounding area.  
(Bedfordshire & Luton Minerals & Waste Local Plan 2005 Policy GE 18.)*

*continued*

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12. All exhausts on plant and vehicles used for excavating, hauling or tipping shall be directed upward.  
*(Reason: To protect the amenities of the surrounding area.  
(Bedfordshire & Luton Minerals & Waste Local Plan 2005 Policy GE 18.)*
  
13. All measures that have been installed for the protection of users of the bridleway, and the surface of the bridleway where crossed by the haul route, shall be maintained throughout the period of use of the haul road.  
*(Reason: To protect the public.  
(Bedfordshire & Luton Minerals & Waste Local Plan 2005 Policy GE 19.)*

*NB. Where conditions include the phrase "Except as may be / unless otherwise approved in writing by the County Planning Authority...", this is to allow for exceptions to be approved for temporary periods for special circumstances or minor amendments to be made.*

*end*

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**Planning Policies and Reasons for Granting Planning Permission**

1. Section 38(6) of the Planning and Compulsory Purchase Act 2004 states that, if regard is to be had to the development plan for the purpose of any determination to be made under the planning acts, the determination must be made in accordance with the plan unless material considerations indicate otherwise. The relevant plans comprise the Bedfordshire Structure Plan 2011 (BSP), the Bedfordshire and Luton Minerals & Waste Local Plan, adopted January 2005 (MWLP), and the Bedford Borough Local Plan, adopted October 2002 (BBLP).
2. As this is an already permitted mineral site, development plan policies are relevant only so far as any impact from the continuation of the use of the haul road and extended time limit for restoration are concerned. No BSP policies are relevant in this case.
3. The BBLP Proposals Map indicates the area of the quarry as an Area of Special Restraint (Policies S3 and BE5), included within the Bedford River Valley Park (Policy NE23) and liable to flooding (U2). None of these policies are relevant to the proposal under consideration.
4. MWLP Policy GE 18 refers to disturbance from minerals and waste developments, which must be reduced as far as practicable and outweighed by other planning benefits of the proposal.
5. MWLP Policy GE 26 requires all proposals for non-permanent minerals and waste developments to include the high quality restoration of the site within a reasonable timescale.
6. The acceptability of mineral working in this location was considered at the time of determination of planning permission in 1997, when no substantive issues of noise, dust and disturbance were raised. No residential or other properties are located closer than 500 metres from the site boundary. Restoration has been carried out on the rest of the site in accordance with agreed schemes.
7. There are therefore no policy issues in connection with this proposal.

*continued*

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8. The proposal to extend the time for final restoration to a date that is within the overall timescale of the permissions on surrounding land, does not conflict with policy and allows for a sensible approach to the overlapping nature of the working of the various permissions within the quarry area. Clearly, so long as the haul road is needed to transport mineral to the plant site, final restoration will need to be deferred.
9. There is no planning reason why permission should not be granted for an extension to the time limit for final restoration of this site to tie in with the end date of the rest of the area south of the by-pass over which the haul route passes.

*end*