

## Appendix B.

### Regulatory Committee - 07 June 2022

#### Retrospective Application for Buildings, Plant and Equipment Hartshill Quarry, Nuneaton Road, Nuneaton

#### NWB/20CM015

#### Planning Conditions.

1. The development to which this permission relates shall cease and the site shall be fully restored on or before the 21<sup>st</sup> February 2042.

**Reason:** To ensure the proper and expeditious restoration of the site.

#### GENERAL OPERATIONS

1. The development hereby permitted shall be carried out in accordance with the details submitted with application ref. NWB/20CM015 and in accordance with drawing numbers:

- S2-14-20-21 Site Location Plan;
- S2-14-20-22 Site Plan;
- S2-14-20-23 Site Layout Plan;
- S2-14-20-24 Existing Survey;
- S2-14-20-25 Context Plan

and any other details or samples approved in accordance with the conditions attached to this planning permission, except to the extent that any modification is required or allowed by or pursuant to these conditions.

**Reason:** In order to define the exact details of the planning permission granted and to secure a satisfactory standard of development in the locality.

2. None of the operations or uses authorised by this permission (including the maintenance of vehicles and plant) shall be carried out other than during the following times:

- 0700 – 1800 hours Mondays to Fridays
- 0800 – 1300 hours Saturday

No operations or uses shall be carried out on Sundays or Bank or Public Holidays.

**Reason:** In order to protect the amenity of residents

4. No mud or debris shall be carried onto the public highway. To facilitate this the site access road shall be maintained in a clean condition at all times. In the event that material is inadvertently deposited it shall be removed immediately.

**Reason:** In order to protect the amenity of the area.

5. All loaded lorries entering and leaving the site shall be sheeted or netted as appropriate.

**Reason:** In order to protect the amenity of the area.

6. No further development shall take place until a detailed Landscape and Ecological Management Plan (LEMP) has been submitted to and approved in writing by the County Planning Authority and that LEMP shall be so submitted within three months of the date of this permission. The plan should include details of planting and maintenance of all new planting. Details of species used and sourcing of plants should be included. The plan shall also include details of habitat enhancement/creation measures and management, such as native species planting, wildflower grassland creation, woodland and hedgerow creation/enhancement for protected and notable species. It shall also include arrangements for the maintenance and management or provision of habitat for notable invertebrates including retention of some bare patches of ground, and maintenance of the new water bodies. The approved CEMP shall thereafter be implemented in full.

**Reason:** To ensure a net biodiversity gain in accordance with NPPF.

7. No further development shall take place until a Construction and Environmental Management Plan (CEMP) has been submitted to and approved in writing by the County Planning Authority and that CEMP shall be so submitted within three months of the date of this permission. The submitted CEMP shall include details concerning pre-commencement checks for badger, reptiles and breeding birds and appropriate working practices and safeguards for wildlife that are to be

employed whilst works are taking place on site. The approved CEMP shall thereafter be implemented in full.

**Reason:** To ensure that protected species are not harmed by the development.

8. Within three months of the date of this permission a detailed dust management plan shall be submitted to the County Planning Authority for approval in writing. The approved dust management plan shall be implemented in full for the duration of the development.

**Reason:** To minimise the impacts, relating to the generation of dust, on the amenities of the area.

9. In order to minimise the raising of dust, the following steps shall be taken:

- an operational bowser shall be available on site at all times;
- all haul roads within the site shall be laid out with hardcore or other similar suitable material and maintained and shall be damped down as necessary during dry conditions;
- stockpiles and the working area shall be damped down as necessary during dry conditions;
- atomisers shall be used on plant at all feed and discharge points; and
- drop heights from plant shall be kept to the minimum height.

**Reason:** To minimise the impacts, relating to the generation of dust, on the amenities of the area.

10. At no time during operations undertaken on site for the purpose of carrying out or using the development hereby approved shall any operations take place which, despite the use of the dust control measures, would give rise to airborne dust levels sufficient to cause nuisance to habitable properties located within the vicinity of the site.

**Reason:** In order to protect the amenity of the area and nearby residents.

11. No external lighting shall be installed unless details have first been submitted to and approved in writing by the County Planning Authority. The development shall not be carried out otherwise than in full accordance with such approved details and no alterations or replacements shall be made without prior written approval from the County Planning Authority.

**Reason:** To ensure that protected species are not harmed by the development and in accordance with NPPF and PPS9 circular 2005/06

12. Plant and machinery shall not be used at the site unless it is silenced at all times in accordance with the manufacturer's specification and is fitted with effective silencers.

**Reason:** In order to safeguard the amenities of residents.

13. Reversing alarms shall not be used unless they are of a bell tone type or are of the directional type or are capable of adjusting their noise level automatically to 5dB(A) above the ambient noise level or are of a type otherwise approved in writing by the County Planning Authority.

**Reason:** In order to safeguard the amenities of residents.

14. Notwithstanding the provisions of Part 17 of Schedule 2 of the Town and Country Planning General Permitted Development Order 2015 (or any order revoking or re-enacting that Order), no plant, machinery, buildings or structures other than those authorised by this permission shall be placed or erected on the site.

**Reason:** To protect the amenity of the locality and avoid harm to the Green Belt.

15. The proposed attenuation pond at the northern end of the application site shall not be constructed until full details of the arrangements for directing overland flows into it, together with details of measures to minimise contaminants entering the pond and/or entering the Coventry Canal, have first been submitted to and agreed in writing by the County Planning Authority. The pond shall thereafter only be constructed and operated in accordance with the agreed details.

**Reason:** To minimise the risk of adverse impacts on water quality in the adjacent Coventry Canal that could occur from carrying contaminants into the Coventry Canal via the attenuation pond.

16. No works to construct the proposed attenuation pond at the northern end of the application site shall take place until a detailed design for the pond and a construction methodology have first been submitted to and agreed in writing by the County Planning Authority. The submitted details shall include full details of the design/specification of the pond liner and consideration of measures during construction operations to minimise any risk of adversely affecting the stability of the adjacent canal cutting slope. The pond shall thereafter only be constructed in accordance with the agreed details.

**Reason:** To minimise the risk of adverse impacts on the stability of the adjacent Coventry Canal cutting slope resulting from either water ingress from the pond or from damage during construction operations.

17. The proposed attenuation pond at the northern end of the application site shall not be brought into use until a detailed management and

maintenance plan for the pond has first been submitted to and agreed in writing by the County Planning Authority. The plan shall include details of arrangements for routine litter and debris removal, regular inlet and outlet clearing and maintenance, vegetation management, and routine sediment monitoring and removal. The pond shall thereafter only be operated in accordance with the agreed management plan.

**Reason:** To minimise the risk of adverse impacts on water quality in the adjacent Coventry Canal that could occur if the pond is not adequately managed and maintained.

18. No material shall be imported to the site to be processed through the aggregates washing plant and ancillary plant.

**Reason:** In the interests of highway safety and to protect the amenity of the area.

## **NOTES**

The applicant is advised to contact the Canal & River Trust to discuss discharges to the Coventry Canal and to ensure that any such discharges have the benefit of the appropriate licences/consents. Please contact Joanna Bryan, Senior Utilities Surveyor, at [joanna.bryan@canalrivertrust.org.uk](mailto:joanna.bryan@canalrivertrust.org.uk) or on 07825 975550 in the first instance.

### **Development Plan Policies Relevant to the Decision.**

#### **Warwickshire Mineral Plan 1995**

Policy M1  
Policy M6  
Policy M7  
Policy M9

#### **Adopted North Warwickshire Local Plan**

Policy oOo

#### **Emerging Plan – Warwickshire Minerals Plan 2018**

Policy MCS 1  
Policy MCS 2  
Policy DM1  
Policy DM2  
Policy DM4  
Policy DM5  
Policy DM6  
Policy DM7  
Policy DM8

Policy DM9  
Policy DM11  
Policy DM12

## **Reasons for the Grant of Planning Permission**

Compliance with the Town and Country Planning (Development Management Procedure) (England) Order 2015.

In considering this application the County Council has complied with paragraph 38 contained in the National Planning Policy Framework.