

Appendix B.

Land at Ling Hall Quarry Landfill Site, Coalpit Lane, Lawford Heath, Rugby, CV23 9HH

Application seeks permission for the variation of condition 53 of planning permission R16/890805 in order to extend the life of both the landfill and associated waste management facilities for a further 10 years until 14th May 2031.

RBC/20CM002

Planning Conditions.

1. The development hereby permitted shall be carried out in accordance with the application forms, Supporting Planning Statement (SLR Ref: 402.00156.00215 FINAL December 2019 Vol 1); Environmental Statement (SLR Ref: 402.00156.00215 FINAL December 2019 Vol 2); Reptile Survey (SLR Ref: 402.00156.00215 Version No: 1 November 2019); Breeding Bird Report 2019 (SLR Ref: 402.00156.00215 Version No: vf November 2019); Bat Survey (SLR Ref: 402.00156.00215 Version: FINAL November 2019); Landscape and Visual Assessment; Flood Risk Assessment (SLR Ref: 402.00156.00215 Version No: 1 November 2019); and drawings:
 - 320_30Presett_0506 – Pre-Settlement Contours dated 19.05.06;
 - 320FRC804.PDF – Final Post Settlement Restoration Contours dated August 2004;

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

Reason: In order to define the scope of the permission and in the interest of clarity.

2. The development to which this permission relates shall cease, all plant and machinery and structures associated with the landfill and the other waste management uses on the site shall be removed and the site shall be fully restored on or before 14 May 2031.

Reason: To ensure timely and expeditious restoration of the site.

Pre-Commencement

3. The works associated with the preparation, infilling and restoration of Landfill Cells numbered 13 and 14 shall not be commenced until a Construction and Environmental Management Plan (CEMP) has been submitted to and approved in writing by the County Planning Authority and any pre-commencement measures in the approved plan have been implemented. The Plan shall include working method statements for great crested newts, reptiles, badger and nesting birds including pre-commencement checks, and an eradication scheme for New Zealand Pygmyweed, and appropriate working practices and safeguards for wildlife that are to be employed whilst works are taking place on site. The approved Plan shall be implemented in full.

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

Access/roads/traffic/vehicles

4. The access road between the wheel wash and public highway shall be maintained in macadam or other suitable hard bound material for its whole length for the duration of the development.

Reason: In the interests of highway safety.

5. The existing wheel wash, or a replacement approved by the County Planning Authority, shall be retained on site in its current location and used by all vehicles exiting the landfill area throughout the duration of the development.

Reason: In the interests of highway safety.

6. Before any vehicle leaves the site, it shall be sufficiently clean to prevent it from depositing deleterious material on the public highway.

Reason: In the interests of highway safety.

7. Road sweepers shall be used to keep the hard-surfaced internal roads and access areas clean to ensure that no mud or other debris is deposited on the public highway.

Reason: In the interests of highway safety.

8. No loaded lorries shall enter or leave the site unless they are sheeted, netted or otherwise appropriately secured.

Reason: In the interests of highway safety.

Noise

9. The following measures in the SLR assessment of noise provided as 'Noise' chapter 9, of the Environmental Statement Ling Hall Landfill- Volume 2A shall be implemented and observed:
- the derived noise limits for the landfill operations identified in table 9-11 (with consideration given to the notes accompanying table 9-12)
 - the General Noise Management recommendations detailed in paragraphs 9.94 to 9.98.

Any monitoring undertaken should be in accordance with the relevant methodologies identified in the SLR assessment.

Reason: In order to ensure a satisfactory standard of development in the interests of protecting the amenity of local residents.

10. No vehicle or mobile plant used on site shall be operated unless they have been fitted with a broad band/white noise audible alarm or a non-audible reversing alarm system to ensure that, when reversing, they do not emit a warning noise that would have an adverse impact on residential amenity.

Reason: In order to ensure a satisfactory standard of development in the interests of protecting the amenity of local residents.

11. No vehicle, plant, equipment or machinery shall be operated at the site unless it has been fitted with and uses an effective silencer. All vehicles, plant, equipment or machinery shall be maintained in accordance with the manufacturer's specification at all times.

Reason: In order to ensure a satisfactory standard of development in the interests of protecting the amenity of local residents.

Dust

12. At no time during the development shall any operations take place which, despite the use of dust control measures, would give rise to airborne dust levels sufficient to cause nuisance to properties around the site. If measures to prevent dust nuisance prove ineffective to prevent such nuisance, then the operations which cause that nuisance shall temporarily cease until such time as the weather conditions change and dust suppression becomes effective.

Reason: To protect the amenity of the area and local residents from dust.

Environmental Protection

13. Except as may be otherwise agreed in writing by the County Planning Authority, none of the operations or uses authorised or required by this permission:
- i) shall take place except during the following hours:
07:00 to 18:00 hours Monday to Friday;
07:00 to 13:00 hours on Saturdays;
 - ii) shall take place within 200 metres of any residential property except during the following hours:
08:00 to 18:00 hours Monday to Friday,
08:00 to 13:00 Saturdays.

No operations or uses shall take place on Sundays or public holidays.

Restoration and Aftercare

14. Within 6 months of the commencement of works associated with the preparation, infilling and restoration of Landfill Cells numbered 11, 12, 13 and 14 a detailed Landscape and Ecological Management Plan (LEMP) shall be submitted to and approved in writing by the County Planning Authority. The LEMP shall include an updated restoration plan for the whole application site together with an aftercare scheme which together include details of species to be planted, their sourcing and their subsequent maintenance. The LEMP shall also include details of habitat enhancement/creation measures and management, such as native species planting, wildflower grassland creation, woodland and hedgerow creation/enhancement, and provision of habitat for protected and notable species (including location, number and type of bat and bird boxes and the location of log piles). The aftercare scheme shall specify the steps to be taken and the five-year period in which they are to be taken. The approved LEMP shall be implemented in full.

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

Drainage

15. The development hereby permitted shall be carried out in accordance with the Ling Hall Landfill Site Environmental Statement Vol 2 – Chapter 10 - Water Environment by SLR dated December 2019, except to the extent that the County Planning Authority agrees in writing to any modification.

Reason: To ensure that the flood risk and surface water drainage is adequately managed throughout the lifetime of the development.

16. All reasonable steps shall be taken to ensure that drainage from areas adjoining the site is not impaired or rendered less effective by the permitted operations.

Reason: In the interest of water management.

17. All reasonable steps shall be taken, including the provision of any necessary works, to prevent damage by erosion, silting or flooding, and to make proper provision for the disposal of all water entering, arising on or leaving the site during the permitted operations.

Reason: In the interest of water management.

18. Within 18 months of the date of this decision notice the post-excavation analysis, reporting and archiving in respect of areas where archaeological fieldwork has already taken place at the date of this decision notice shall be completed in accordance with the written scheme of investigation approved under condition 3 of planning permission R16/890805.

Reason: To protect and record features of archaeological importance.

19. Within 3 months of the date of this decision notice (or such other date as the County Planning Authority may agree), an updated Written Scheme of Investigation including a programme of further archaeological fieldwork and post-excavation analysis, reporting and archiving shall be submitted to, and agreed in writing with, the County Planning Authority. That programme of archaeological work shall be completed in accordance with the approved Written Scheme of Investigation.

Reason: To protect and record features of archaeological importance.

Development Plan Policies Relevant to the Decision.

Warwickshire Waste Core Strategy, Adopted Local Plan (2013 – 2028)

Policy CS1 – Waste Management Capacity

Policy CS2 – Spatial Waste Planning Strategy for Warwickshire

Policy CS3 – Strategy for Locating Large Scale Waste Sites

Policy CS7 – Proposals for disposal facilities

Policy DM1 – Protection and enhancement of the natural and built environment

Policy DM2 – Managing Health and Amenity Impacts of Waste Development

Policy DM3 - Sustainable Transportation

Policy DM6 – Flood Risk and Water Quality

Policy DM7 – Aviation Safeguarding

Policy DM8 – Reinstatement, restoration and aftercare

Rugby Borough Council Local Plan 2011 – 2031 (Adopted June 2019)

Policy GP1 – Securing Sustainable Development
Policy NE1: Protecting Designated Biodiversity and Geodiversity Assets
Policy NE3: Landscape Protection and Enhancement
Policy SDC1: Sustainable Design
Policy SDC2: Landscaping
Policy SDC3: Protecting and Enhancing the Historic Environment:
Policy SDC5: Flood Risk Management
Policy SDC6: Sustainable Drainage
Policy SDC7: Protection of the Water Environment and Water Supply:
Policy D1: Transport

Compliance with the Town and Country Planning (Development Management Procedure) (England) (Amendment No.2) Order 2015.

In considering this application the County Council has complied with paragraph 38 contained within the National Planning Policy Framework 2019.

Notes

1. The applicant's attention is drawn to the need for the development to comply with Approved Document B, Volume 2, Section B5 – Access and Facilities for the Fire Service. Full details including the positioning of access roads relative to buildings, the arrangement of turning circles and hammer heads etc. regarding this can be found at;
www.warwickshire.gov.uk/fireguidance-commercialdomesticplanning
Where compliance cannot be met, please provide details of alternative measures you intend to put in place.
2. Please also note The Warwickshire County Council Guide 2001, Transport and Roads for Developments, Section 5.18; Access for Emergency Vehicles.