



**West
Northamptonshire
Council**

Minerals and Waste Planning Service
for Northamptonshire
West Northamptonshire Council
One Angel Square
Angel Street
Northampton NN1 1ED
0300 126 7000
www.westnorthants.gov.uk

TOWN AND COUNTRY PLANNING ACT 1990 PLANNING PERMISSION

Agent:

Applicant:

Mick George Ltd
6 Lancaster Way
Ermine Business Park
Huntingdon
PE29 6XU

Part I Particulars of Application

Reference No: **WNC/23/00020/MINFUL**
Date Valid: **21 June 2023**
Date of Decision: **20 December 2023**

PROPOSAL: **Extraction of crushed rock with the deposition of suitable inert material for the use of beneficial restoration**
LOCATION: **Harlestone Quarry, Harlestone Road, Lower Harlestone, Northamptonshire NN7 4EJ**

Part II Particulars of decision:

The West Northamptonshire Council

Hereby give notice in pursuance of the provisions of the Town and Country Planning Act 1990 that **permission has been granted** for the carrying out of the development referred to in **Part I** above in accordance with the application and plans submitted subject to the following conditions:

Commencement and Compliance

1. The development hereby permitted shall be begun before the expiry of **THREE YEARS** from the date of this permission. Written notification of the date of commencement shall be sent to the Minerals Planning Authority within 7 days of such commencement.

Reason: To comply with Section 91 of the Town and Country Planning Act as amended by the Planning and Compulsory Purchase Act 2004.

Scope of the Permission

2. Except as otherwise required by conditions attached to this planning permission the development hereby permitted shall be carried out in accordance with the following approved documents:

WNC/23/00020/MINFUL

Planning Documents

- Application Forms dated 6 June 2023
- Planning Statement prepared by Mick George Ltd dated June 2023
- Environmental Statement prepared by Mick George Ltd dated June 2023

Drawings

- Drawing No. H40/2/22/01 Location Plan
- Drawing No. H40/2/22/02 Existing Features
- Drawing No. H40/2/22/03 Working Scheme
- Drawing No. H40/2/22/04 Restoration Plan
- Drawing No. H40/2/22/05 Diverted Footpath Cross Section
- Drawing No. H40/2/22/06 Cross Section
- Drawing No. H40/2/22/07 Weighbridge Office and Ancillary Facilities

Technical Reports

- Landscape and Visual Appraisal, ref. CW0210-RPT-001A, prepared by Collington Winter Environmental dated April 2023
- Dust Action Plan prepared by Mick George Ltd dated 17 May 2023
- Soils Resources & Agricultural Quality of Land Report, ref. 1510/2, prepared by Land Research Associates Ltd dated 18 April 2023
- Flood Risk Assessment, ref. 203/09/hq/fra/0423, prepared by S M Foster Associates Limited dated April 2023
- Hydrogeological Impact Assessment, ref. 203/09/hq/hia/0423, prepared by S M Foster Associates Limited dated April 2023
- Updated Preliminary Ecological Appraisal, ref. 80-238-R2-2, prepared by E3P Ltd dated February 2023
- Transport Statement, ref. SJT/JA/24488-01a, prepared by David Tucker Associates dated 15 May 2023
- Noise Assessment prepared by LF Acoustics Ltd dated May 2023
- Archaeological Desk Based Assessment, ref. 2289, prepared by PCAS Archaeology dated February 2020
- Archaeological Evaluation Final Report, ref. 2814, prepared by PCAS Archaeology Ltd dated December 2023
- Heritage Assessment, ref. P00183.01.02, prepared by Heritage Archaeology Ltd dated March 2022

Reason: To specify the approved documents in the interests of amenity.

3. From the date of the commencement to the completion of mineral extraction and restoration to approved levels, a copy of this planning permission including

all documents hereby approved and any other documents subsequently approved in accordance with this permission shall always be available at the site for inspection during normal working hours.

Reason: To ensure this planning permission and associated documents are available on site for reference and inspection.

Duration and Cessation

4. The development hereby permitted, including restoration in accordance with the conditions attached to this permission, shall be completed no later than 10 years from the date of commencement as notified under condition 1. The site shall be subject to aftercare for a period of 10 years.

Reason: To retain control over the development and in the interests of visual amenity and to ensure that the development does not prejudice the overall restoration of the site having regard to Policies 18 and 24 of the Northamptonshire Minerals and Waste Local Plan (2017).

Method of Working

5. The site shall be worked and restored sequentially in accordance with the submitted Working Scheme drawing, ref. H40/2/22/03, unless otherwise agreed in writing by the Mineral Planning Authority.

Reason: To specify working methods to protect amenity, natural assets, and landscaping character in accordance with this planning permission having regard to Policy 18 of the Minerals and Waste Local Plan (2017).

6. No material shall be imported into the site other than inert material for the purposes of backfilling, recycling and/or restoration purposes.

Reason: To prevent uncontrolled inert material importation to the site having regard to amenity and proposed restoration in accordance with Policies 18 and 24 of the Northamptonshire Minerals and Waste Local Plan (2017).

Hours of Working

7. Except in emergencies to maintain safe quarry working (which shall be notified to the Mineral Planning Authority as soon as practicable), no operations, other than water pumping, plant servicing, HGV movements as outlined in Condition 8, and environmental monitoring of plant shall be carried at the site except between the following times:
 - 07:00 to 18:00 hours Monday to Fridays

- 08:00 to 13:00 hours Saturdays
- and at no other times or on Sundays, Bank or Public Holidays.

Reason: In the interests of limiting the effects on local amenity, to control the impacts of the development and having regard to Policy 18 of the Northamptonshire Minerals and Waste Local Plan (2017).

8. HGV movements shall be confined to 06.00 to 18.00 Mondays to Fridays and 08.00 to 13.00 on Saturdays with no works on Sundays, Public or Bank Holidays.

Reason: In the interests of limiting the effects on local amenity, to control the impacts of the development and having regard to Policy 18 of the Northamptonshire Minerals and Waste Local Plan (2017).

Access and Highway Safety

9. The sole vehicular access for the development hereby permitted shall be by way of the existing access to Harlestone Road. The site entrance and internal haul road shall be maintained in a condition free from potholes.

Reason: In the interests of highway safety and local amenity having regard to Policies 18 and 19 of the Minerals and Waste Local Plan (2017).

10. A wheel washing facility shall be provided and maintained on site and the wheels and chassis of all vehicles leaving the site shall be cleansed of mud and other debris, and no such materials shall be deposited on the public highway.

Reason: In the interests of highway safety and local amenity having regard to Policies 18 and 19 of the Minerals and Waste Local Plan (2017).

11. All laden vehicles arriving at and leaving the site shall be sheeted to prevent material spillage, wind blow and dust nuisance.

Reason: In the interests of highway safety and safeguarding local amenity having regard to Policy 18 of the Northamptonshire Minerals and Waste Local Plan (2017).

Noise

12. Except as otherwise may be agreed in writing by the Minerals Planning Authority:
 - i. All plant, equipment and machinery used on site; including vehicular traffic, shall be designed, and maintained to reduce noise levels to a

minimum and be operated in accordance with manufacturer's instructions.

- ii. All plant, equipment, and machinery, including vehicles shall, where capable, be fitted with silencers, baffles, cladding or rubber linings, and be maintained so as to reduce noise to a minimum and operated in accordance with manufacturer's instructions.
- iii. All mobile plant/vehicles operating on the site shall be fitted with white noise audible reversing alarms or other non-tonal reversing alarms, and the operator shall issue instructions to all haulage companies and hauliers using the site that non-tonal reversing alarms shall be fitted and utilised on the site.
- iv. The site shall be worked in accordance with the measures set out in Part 1 (Noise), Section 8 of British Standard 5228: 2009 "Noise and Vibration Control on Construction and Open Sites or subsequent edition thereof.
- v. The equivalent sound level (LAeq), measured over any 1-hour time period, attributable to the normal operations on site, as measured free field shall not exceed 54 dBA (1hrLAeq) at the noise sensitive premises identified in the submitted Environmental Statement. For soil stripping and bund formation and removal the equivalent sound level (LAeq), measured over any 1-hour time period as measured free field shall not exceed 70 dBA (1hrLAeq) at any residential property.
- vi. During the hours 06.00 to 07.00 Mondays to Fridays the site attributable measured noise levels shall not exceed 42 dBA (1hrLAeq) at the nearest sensitive receptor.

Reason: To safeguard local amenity having regard to Policy 18 of the Northamptonshire Minerals and Waste Local Plan (2017).

Dust

13. The proposed development shall be undertaken in strict accordance with Sections D.3 and D.4 of the submitted Dust Action Plan prepared by Mick George Ltd dated May 2023.

Reason: In the interests of amenity protection having regard to Policy 18 of the Northamptonshire Minerals and Waste Local Plan (2017).

Lighting

14. Any external lighting shall be downward facing to minimise the risk of light

spillage beyond the operational areas and into the sky. The lighting shall be switched off when not required and shall not be operated outside the permitted working hours at the site.

Reason: In the interests of the visual and rural amenities of the area having regard to Policy 18 of the Northamptonshire Minerals and Waste Local Plan (2017).

Removal of Permitted Development Rights

15. Notwithstanding the provisions of Parts 7 and 17 of Schedule 2 of the Town and Country Planning (General Permitted Development) Order 2015 (or any Order amending, replacing, or re-enacting that Order), except for those detailed in the application, no fixed plant or machinery, buildings, structures (including security fencing) and private ways shall be erected, extended, installed, rearranged, or altered at the site without prior planning permission from the Mineral Planning Authority.

Reason: In the interest of the amenity of the local area having regard to Policy 18 of the Northamptonshire Minerals and Waste Local Plan (2017).

Flood Risk/Surface Water Management

16. The proposed development shall be undertaken be in strict accordance with the recommendations as detailed in Sections 6.0 and 8.0 of the submitted Flood Risk Assessment, ref. 203/09/hq/fra/0423, prepared by S M Foster Associates Limited dated April 2023.

Reason: In the interests of flood risk mitigation having regard to Policy 18 of the Northamptonshire Minerals and Waste Local Plan (2017) and Policy S10 of the West Northamptonshire Joint Core Strategy 2014.

Water Resources

17. The proposed development shall be undertaken be in strict accordance with the recommendations as detailed in Sections 4.0 and 5.0 of the submitted Hydrogeological Impact Assessment, ref. 203/09/hq/hia/0423, prepared by S M Foster Associates Limited dated April 2023.

Reason: To protect groundwater from pollution having regard to Policy 18 of the Minerals and Waste Local Plan (2017).

Archaeology

18. No development shall take place within the area of archaeological interest until the applicant, or their agents or successors in title, has secured the implementation of a programme of archaeological work in accordance with a written scheme of investigation which has been submitted by the applicant and approved in writing by the Minerals Planning Authority. This written scheme will include the following components, completion of each of which will trigger the phased discharging of the condition:

- i. Approval of a Written Scheme of Investigation;
- ii. Fieldwork in accordance with the agreed Written Scheme of Investigation;
- iii. Completion of a Post-Excavation Assessment report and approval of an approved Updated Project Design: to be submitted within six months of the completion of fieldwork, unless otherwise agreed in advance with the Mineral Planning Authority;
- iv. Completion of analysis, preparation of site archive ready for deposition at a store (Northamptonshire ARC) approved by the Minerals Planning Authority, production of an archive report, and submission of a publication report: to be completed within two years of the completion of fieldwork, unless otherwise agreed in advance with the Minerals Planning Authority.

Reason: To ensure that features of archaeological interest are properly examined and recorded, and the results made available having regard to Policy 22 of the Northamptonshire Minerals and Waste Local Plan (2017) and Paragraph 205 of the NPPF

Ecology/Biodiversity

19. No development shall take place (including demolition, ground works, vegetation clearance) until a construction environmental management plan (CEMP: Biodiversity) has been submitted to and approved in writing by the Minerals Planning Authority. The CEMP (Biodiversity) shall include the following:

- a) Risk assessment of potentially damaging construction activities.
- b) Identification of "biodiversity protection zones".
- c) Practical measures (both physical measures and sensitive working practices) to avoid or reduce impacts during construction (may be provided as a set of method statements).
- d) The location and timing of sensitive works to avoid harm to biodiversity features.
- e) The times during construction when specialist ecologists need to be present on site to oversee works.
- f) Responsible persons and lines of communication.

- g) The role and responsibilities on site of an ecological clerk of works (ECoW) or similarly competent person.
- h) Use of protective fences, exclusion barriers and warning signs.

The approved CEMP shall be adhered to and implemented throughout the construction period strictly in accordance with the approved details, unless otherwise agreed in writing by the Minerals Planning Authority

Reason: In the interests of biodiversity and ecology having regard to Policies 18 and 20 of the Minerals and Waste Local Plan (2017).

- 20. Except as may otherwise be agreed in writing by the Mineral Planning Authority, the proposed development hereby permitted shall be restored strictly in accordance with the submitted restoration plan, ref. H40/2/22/04 including the proposed habitat measures to increase on-site biodiversity as set out in Section 6.0 of the submitted Updated Preliminary Ecological Appraisal, ref. 80-238-R2-2, prepared by E3P Ltd dated February 2023.

Reason: In the interests of biodiversity and ecology having regard to Policies 18 and 20 of the Minerals and Waste Local Plan (2017).

Soil Handling

- 21. All topsoil shall be stripped from any areas prior to excavation, use for the stationing of plant and buildings, the storage of subsoil and overburden, use for haul roads or prior to being traversed by heavy machinery. No plant or vehicles shall cross any areas of unstripped topsoil except for the purpose of stripping operations.

Reason: To prevent damage to soils and in the interests of the visual and rural amenities of the area having regard to Policies 18 and 20 of the Minerals and Waste Local Plan (2017).

- 22. All storage topsoil and subsoil bunds remaining in situ for 6 months or over the winter period shall be seeded with a mix to be submitted to the Minerals Planning Authority for agreement prior to bund construction and managed to prevent weed accumulation.

Reason: To prevent damage to soils and in the interests of the visual and rural amenities of the area having regard to Policies 18 and 20 of the Minerals and Waste Local Plan (2017).

- 23. All topsoil, subsoil and soil making material shall only be handled when in a dry and friable condition. The criteria for determining dry and friable shall be based on a field assessment of the soil's wetness in relation to its lower plastic limit.

An assessment shall be made by attempting to roll a ball of soil into a thread on the surface of a clean plain glazed tile (or plate glass square) using light pressure from the flat of the hand. If a long thread of less than 3 millimetres diameter can be formed, the soil is wetter than the lower plastic limit, and soil movement should not take place until the soils have dried out. If the soil crumbles before a long thread of 3 millimetres diameter can be formed, then the soil is dry enough to move. This assessment shall be carried out on representative samples of each major soil type.

Reason: To prevent damage to soils and in the interests of the visual and rural amenities of the area having regard to Policies 18 and 20 of the Minerals and Waste Local Plan (2017).

24. The movement and handling of all soils shall be in accordance with The Institute of Quarrying - Good Practice Guide for Handling Soils in Mineral Workings July 2021 or subsequent edition thereof.

Reason: To prevent damage to soils and in the interests of the visual and rural amenities of the area having regard to Policies 18 and 20 of the Minerals and Waste Local Plan (2017).

Removal of Plant, Machinery and Buildings

25. All mineral processing plant and associated apparatus including pipework, machinery and buildings, temporary offices, weighbridges, wheel cleaning facilities, all hardstandings and foundations and mineral stockpiles and temporary soil bunds shall be removed from the site by the end of the period specified in condition 4 of this permission.

Reason: To ensure that the Mineral Planning Authority retains control of the location, erection, appearance and removal of fixed and mobile plant, machinery, buildings, and foundations in the interests of amenity in accordance with Policy 18 of the Northamptonshire Minerals and Waste Local Plan (2017)

Removal of Haul Roads

26. Upon completion of the restoration operations or the date referred to in Condition 4 of this permission, whichever is the sooner, the haul routes shall be reinstated in accordance with a scheme to be submitted to and agreed in writing by the Mineral Planning Authority.

Reason: To ensure that the site is satisfactorily restored and in the interests of highway safety and safeguarding local amenity and having regard to Policy 18 of the Northamptonshire Minerals and Waste Local Plan (2017).

Monitoring

27. The operating company shall submit an annual report in writing to the Mineral Planning Authority within three months of the first anniversary of operations commencing at the site and at 12 monthly intervals thereafter. The report shall include the quantities and types of all mineral extracted from the site and all waste imported to the site and whether this has been recycled or utilised for restoration purposes. The information required by this condition shall also be supplied at any other time and by any other date upon the written request by the Mineral Planning Authority. All such information will be treated on a confidential basis.

Reason: To enable the Mineral Planning Authority to monitor progress towards achieving the principles in Policies 4 and 18 of the Northamptonshire Minerals and Waste Local Plan (2017).

Complaints

28. In the event that complaints regarding noise or dust nuisance are received by the Mineral Planning Authority and thereafter notified to the operator, an assessment of the complaint shall be undertaken by the operator. A report on the findings, with proposals for removing, reducing, or mitigating identified adverse effects resulting from the operation, and a programme for the implementation of remedial measures (if necessary) to be undertaken shall be submitted to the Mineral Planning Authority no later than five working days from notification of the complaint to the operator, unless a later date is otherwise agreed in writing by the Mineral Planning Authority. These measures shall thereafter be maintained.

Reason: To safeguard amenity having regard to Policy 18 of the Northamptonshire Minerals and Waste Local Plan (2017).

Local Liaison Group

29. A Local Liaison Group will be established in accordance with the letter dated 29 November 2023 from Mick George Ltd "Local Harlestone Quarry Liaison Group." The first meeting shall be arranged prior to the date of commencement as notified under condition 1. Subsequent meetings shall be arranged by the operating company at intervals as agreed by members of the Local Liaison Group, for the life of the operations.

Reason: To discuss and review the operator's current working practices and their future intentions and to monitor compliance with the Planning Permission with the local community and regulators having regard to Policy 25 of the Northamptonshire Minerals and Waste Local Plan (2017).

Informative(s)

1. The applicant's attention is drawn to the advice relating to environmental permitting given in the Environment Agency's letter dated.
2. With respect to construction works to be carried out in close proximity to and using Public Rights of Way as access, please note the following standard requirements:

- The routes must be kept clear, unobstructed, safe for users, and no structures or material placed on the right of way at all times, it is an offence to obstruct the highway under Section 137 Highways Act 1980. There must be no interference or damage to the surface of the right of way as a result of the construction. Any damage to the surface of the path must be made good by the applicant, specifications for any repair or surfacing work must be approved by the Area Rights of Way Officer, (as per Section 131 Highways Act 1980).
- If as a result of the development, i.e. the safety of the public cannot be guaranteed, the Right of Way needs to be closed, and a Temporary Traffic Regulation Order would become necessary. An application form for such an Order is available from West Northamptonshire Council's website, a fee is payable for this service and a period of six weeks' notice period is required. Please contact the highway authority at:

defmap.ncc@westnorthants.gov.uk

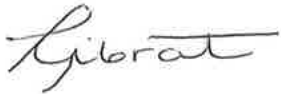
<https://www.westnorthants.gov.uk/rights-way-and-searches/temporary-traffic-regulation-orders>

- Any new path furniture such as a gate can only be authorised if needed for the ingress or egress of livestock (Section 147 Highways Act 1980) and needs to be approved in advance with the Area Rights of Way Officer, standard examples can be provided.
- Please do not rely on the position of features on site for an accurate position of the public right of way. This must be taken only from the Current Definitive Map and Statement.

POSITIVE AND PROACTIVE STATEMENT

In determining this application, the Minerals and Waste Planning Authority has worked positively and proactively with the applicant. The proposals and the content of the application have been assessed against relevant Development Plan policies, the National Planning Policy Framework, the National Planning Policy for Waste, and the

National Planning Policy Guidance. The applicant has been given advance sight of the draft planning conditions. This approach to this application has been taken in accordance with the requirement in the National Planning Policy Framework, as set out in the Town and Country Planning (Development Management Procedure) (England) Order 2015.



Stephanie Gibrat
Assistant Director of Planning

IMPORTANT NOTES:

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.

Appeals can be made online at: www.gov.uk/planning-inspectorate. If you are unable to access the online appeal form, please contact the Planning Inspectorate to obtain a paper copy of the appeal form on tel: 0303 444 5000.

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.

If you intend to submit an appeal that you would like examined by inquiry, then you must notify the Local Planning Authority and Planning Inspectorate (inquiryappeals@planninginspectorate.gov.uk) at least 10 days before submitting the appeal. Further details are on GOV.UK.

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. *

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 can he 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. This notice will require the Council to purchase his interest in the land in accordance with the provisions of part IV of the Town and Country Planning Act, 1990.

Compensation

In certain circumstances compensation may be claimed from the local planning authority if permission is refused or granted subject to conditions by The Inspectorate on appeal or on reference of the application to him.

These circumstances are set out in sections 114 and related provisions of the Town and Country Planning Act, 1990.

NOTES: This decision notice relates solely to planning control. If the development includes the erection or alteration of a building or a change of use the work must not be carried out nor the change of use take place until the Building Regulations have been complied with.

WHERE by any act of Parliament, statutory instrument or other authority, other CONSENTS, LICENCES, PERMISSIONS OR APPROVALS IN ADDITION TO THOSE SPECIFIED IN THIS PERMISSION ARE REQUIRED in respect of the development or notice thereof is required to be given to any person, (including a local authority), THE APPLICANT MUST COMPLY with such requirements BY SEPARATE APPLICATION OR NOTICE. This includes applications for ADVERTISEMENT CONSENT and LISTED BUILDING CONSENT.