PLANNING PERMISSION

Name and address of applicant
Barton Plant Ltd
Cranford Road
Burton Latimer
Kettering
Northamptonshire
NN15 5TB

Name and address of agent (if any)
Mr Nathan Maddox
GP Planning Ltd
The Stables
Long Lane
East Haddon
Northamptonshire
NN6 8DU

Part I - Particulars of application

Date of Application
7 January 2016

Application No.
NCC Ref: 15/00095/MINVOC

DDC Ref: DA/2016/0027

Particulars and location of development

Variation of conditions 2 (approved documents), 5 (location of crushing plant), 23 and 24 (restoration and landscaping scheme) and 25 (end date) of planning permission ref. no. 15/00014/MINVOC to extend the end date of the permission to 31 December 2021, relocate the crusher and provide restoration and landscaping information – Harlestone Quarry, Harlestone Road, Lower Harlestone, Northamptonshire NN7 4EJ

Part II - Particulars of decision:

The Northamptonshire County 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 hereof in accordance with the application and plans submitted subject to the following conditions:-

Commencement

1. The development herby permitted has commenced.

Reason: In the interests of clarity and to conform with the requirements of Section 91 of the Town and Country Planning Act 1990 as amended by the Planning and Compulsory Purchase Act 2004.

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Scope of Planning Permission

2. Upon commencement this planning permission consolidates, supersedes and replaces Northamptonshire County Council planning permission ref. nos. DA/05/876C, 08/00037/MIN, 13/00109/MINNMA and 15/00014/MINVOC.

Reason: In the interests of clarity and for the avoidance of doubt.

3. Except where modified by this schedule of conditions the development hereby permitted shall be carried out in accordance with the following approved documents:

- Application Form dated 8 December 2015;
- Planning Statement version 2, received on 7 January 2016;
- Noise Assessment by LF Acoustics dated February 2015, as updated by the Supplementary Noise Assessment by LF Acoustics dated May 2015 for application ref. no. 15/00014/MINVOC, as amended by the Noise Assessments by LF Acoustics dated 12 October 2015;
- Drawing GPP/BP/HA/15/04 Rev 2. Site Phasing Plan Revised Phase 4 (dated 12 February 2015);
- Drawing GPP/BP/HA/15/05 Rev 2. Site Phasing Plan Revised Phase 5 (dated 12 February 2015);
- Drawing GPP/BP/HA/15/06 Rev 2. Site Phasing Plan Revised Phase 6 (dated 12 February 2015);
- Drawing GPP/BP/HA/15/07 Rev 2. Temporary Bund Arrangements (dated 25 November 2015);
- Drawing GPP/BP/HA/15/08 Rev 1 (dated 5 January 2016);

Reason: To specify the approved documents and secure the mitigation measures set out in the application in the interests of amenity and the local environment (Policy 22 of the Northamptonshire Minerals & Waste Local Plan (October 2014)).

4. Minerals to be extracted from the site shall be restricted to sandstone to a depth not greater than 15.0 metres below original ground levels, and the site and the infilling and restoration of the site shall only be undertaken with non-hazardous inert waste, previously stripped soils and mineral waste, in accordance with the restoration levels plan and scheme referred to in condition 27 of this permission.

5. Recycling shall only take place within the area shown for such purposes on Plan/Drawing GPP/BP/HA/15/07 Rev 2 titled Temporary Bund Arrangements (dated 25 November 2015);

Reasons for conditions 4 and 5: To specify the scope of approved operations in the interests of amenity and the environment (Policy 22 of the Minerals and Waste Local Plan (October 2014)).

6. Sufficient building stone for hand working shall be made available during the life of the quarry to supply the reasonable demands for such stone in the area.

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**Reason:** To ensure that the production of building stone is the principal activity and made available to builders (Policy 6 of the Northamptonshire Minerals and Waste Local Plan (October 2014)).

**Plant Location**

7. The minerals processing plant and crusher shall be set down on the sandstone deposits below original ground levels.

**Reason:** To safeguard the amenities of local residents (Policy 22 of the Northamptonshire Minerals and Waste Local Plan (October 2014)).

**Soil Handling and Stockpiling**

8. 
   
a) Before mineral extraction operations are commenced in each phase of the development, all available topsoil shall be stripped and stored separately for reinstatement.

b) Before mineral extraction operations are commenced in each phase of the development, all available subsoil shall be stripped and stored separately for ultimate replacement.

c) All operations referred to in (a) and (b) of this Condition shall be undertaken during suitable dry weather conditions. During periods of unsettled weather conditions the operations shall be undertaken in stages with breaks during wet spells.

d) The stored materials shall be sown with grass seed or sprayed with herbicides to prevent weed accumulation.

e) In any event no soil stripping operations should be undertaken during the months October to March inclusive unless otherwise agreed in writing by the Mineral Planning Authority.

**Reason:** To safeguard the restoration of the site by defining the storage and handling of available topsoil and subsoil (Policies 22 and 28 of the Northamptonshire Minerals & Waste Local Plan (October 2014)).

9. The materials stripped in accordance with condition 8 shall be used for the construction of the earth bunds pending their ultimate replacement in the final restoration of the site, and shall not be removed from the site.

**Reason:** To safeguard the restoration of the site by defining the storage and handling of available topsoil and subsoil (Policy 28 of the Northamptonshire Minerals and Waste Local Plan (October 2014)).

**Hours of Working**

10. Except as may be otherwise be approved in writing by the Mineral Planning Authority:

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a) site preparation, working and processing of minerals and the importation of inert waste material and all tipping operations at the site shall be restricted to between the hours of 7.30 am and 6.00 pm on Mondays to Fridays and 7.30 am to 1.00 pm on Saturdays with no such operations being carried out on the site on Sundays or Public Holidays; and,

b) the transportation of processed minerals from the site shall be restricted to between the hours of 7.00 am and 6.00 pm on Mondays to Fridays and 7.00 am and 1.00 pm on Saturdays, with no such operations on the site on Sundays or Public Holidays;

c) No crushing operations shall take place on Saturdays.

**Reason:** To ensure that operations are carried out within reasonable hours so as to minimise amenity disturbance (Policy 22 of the Northamptonshire Minerals and Waste Local Plan (October 2014)).

**Access and Highway Safety**

11. The sole vehicular access for the development hereby permitted shall be by way of the existing access with the A428 Northampton to Rugby Road. This access shall be maintained to the specification outlined in planning permission DA/81/373C for the duration of the life of this planning permission.

b) Upon completion of the restoration operations or the date referred to in Condition 29 of this permission, whichever is the sooner, the vehicular access, haul route and adjacent recycling area shall be reinstated in accordance with a restoration scheme and timescales under this condition, to be submitted to and agreed in writing by the Mineral Planning Authority.

**Reason:** In the interests of highway safety and to ensure a satisfactory restoration of the site (Policy 22 of the Northamptonshire Minerals and Waste Local Plan (October 2014)).

12. Modern wheel cleaning facilities shall be installed and maintained, in full effective working order for use at all times. The wheels and chassis of all vehicles leaving the site shall be cleansed of mud and other debris by the use of such facilities. A road sweeping vehicle shall be employed to clean the access, internal road and public highway between points A and B on plan/drawing no. GPP/BP/HA16/09 dated 6 January 2016 (submitted with the Unilateral Undertaking dated 8 August 2016), to prevent mud, debris and dust from the site being deposited onto the public highway.

13. The internal access road shall be maintained hardened to ensure a smooth running surface that is free of pot holes, and shall be kept free of mud and other debris at all times until completion of site restoration and aftercare.

14. No loaded vehicles shall enter or leave the site un-sheeted except those only carrying limestone in excess of 500 mm in diameter.

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Reason for conditions 12 – 14: In the interests of highway safety (Policy 22 of the Minerals and Waste Local Plan (October 2014)).

Noise

15. All vehicles, permanent plant and machinery controlled by the applicant and operated within the site shall be maintained in accordance with the manufacturer’s specification at all times, and shall be fitted with and use effective silencers, and “White noise” or “broadband” audible warning signals shall be used by all mobile plant including lorries.

Reason: In the interests of the amenity of nearby residential properties (Policy 22 of the Northamptonshire Minerals and Waste Local Plan (October 2014)).

16. The equivalent sound level (L_{Aeq}) measured over any 1 hour time period, attributable to the ‘normal operations’ on the site, as measured free field, shall not exceed 45 dB(A) at ‘The Quarrries’, and 55 dB(A) at ‘The Lodge’ and 51 Rugby Road, during working hours.

17. For ‘temporary operations’ which shall be limited to: soil stripping and replacement; bund construction works; and, temporary surcharging with up to 1m of materials above the approved restoration levels for restoration purposes; for up to 8 weeks in any 12 month period the equivalent sound level (L_{Aeq}), measured over any 1 hour time period as measured free field, shall not exceed 70 dB (L_{Aeq, thr}) at any inhabited property.

18. The scheme for the monitoring of noise levels at the noise sensitive properties (The Quarrries, The Lodge, 51 Rugby Road) adjacent to the site submitted to the Mineral Planning Authority on 6 June 2006, shall be fully implemented on commencement of the development. Except as may otherwise be agreed in writing by the Mineral Planning Authority, all noise monitoring undertaken in accordance with this scheme shall inter alia provide for the following:-

i) The proposed location points for the monitoring to be undertaken;
ii) The monitoring of noise levels at intervals and by equipment which must be agreed in writing by the Mineral Planning Authority;
iii) The results of the noise monitoring to be submitted to the Mineral Planning Authority in accordance with details to be agreed in writing by the Mineral Planning Authority, within 14 days of monitoring taking place.

19. Should the agreed maximum specified level referred to in conditions 16 and 17 above be exceeded the operator shall immediately implement remedial measures to rectify the situation and the Mineral Planning Authority shall be notified in writing of the remedial measures undertaken. If the levels continue to exceed the maximum specified noise level and subsequent written notice is given by the Mineral Planning Authority then all operations on site shall cease within 2 days of such a written notice. No operations shall re-commence on site until a scheme of remedial action has been submitted to and agreed in writing by the Mineral Planning Authority.

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Reason for conditions 16 – 19: In the interests of the amenity of nearby residential properties (Policy 22 of the Northamptonshire Minerals and Waste Local Plan (October 2014)).

20. Unless otherwise agreed in writing by the Mineral Planning Authority under the provisions of this planning condition, the bunds currently constructed along the western, northern and eastern boundaries of each phase of the development shall be maintained in the locations and at the heights as shown on the submitted application phasing plans GPP/BP/HA/15/04, 05, 06 and 07 as appropriate to the phase of operations. The bunds shall be modelled and shaped; and grass seeded and maintained as grassed mounds.

Reason: In the interests of the amenity of nearby residential properties (Policy 22 of the Northamptonshire Minerals and Waste Local Plan (October 2014)).

21. The scheme of management for the prevention of unauthorised use of the site by motorcyclists submitted on the 6 June 2006 to the Mineral Planning Authority shall be implemented by the applicant.

Reason: In the interests of the amenity of the locality and nearby residential properties (Policy 22 of the Northamptonshire Minerals and Waste Local Plan (October 2014)).

Dust

22. The scheme and programme of measures for the suppression of dust and the monitoring of such operations submitted on the 6 June 2006 and approved by the Mineral Planning Authority shall be implemented and complied with at all times and included inter alia:

i) The suppression of dust caused by the moving and storage of soil and overburden, stone and other materials within the site; and,

ii) Dust suppression on the haul roads.

Reason: To minimise the potential for dust arisings from the site to protect the amenities of the locality (Policy 22 of the Northamptonshire Minerals and Waste Local Plan (October 2014)).

Tree and Hedgerow Protection

23. The belts of trees between the eastern side of the site and the A428 road, between the northern part of the site and Upper Harlestone Lane, and the hedges along the western and southern sides of the site shall be retained and maintained for the duration of the operations under this planning permission.

Reason: In the interests of visual amenity and wildlife conservation (Policy 24 of the Northamptonshire Minerals and Waste Local Plan (October 2014)).

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Buildings Plant and Machinery

24. With the exception of mobile plant and machinery located on the floor of the quarry and out of sight from the surrounding land and notwithstanding the provisions of Parts 7 and 17 of Schedule 2 of the Town and Country Planning General Development Order 2015, (or any Order amending, replacing or re-enacting that Order), except for those detailed in the application, no building, plant or machinery shall be erected, extended, installed, rearranged, or altered at the site without the prior written approval of the Mineral & Waste Planning Authority.

Reason: To ensure that the Mineral & Waste Planning Authority retains control of the location, erection and appearance of fixed and mobile plant, machinery, buildings and foundations in the interest of the amenity of the locality (Policy 22 of the Northamptonshire Minerals and Waste Local Plan (October 2014)).

25. All fixed and mobile buildings, plant, machinery and foundations shall be removed at such time or times as the Mineral Planning Authority shall determine that they are no longer required either for the purpose for which they were installed or for the rehabilitation of the worked out site.

Reason: To ensure the proper restoration of the site (Policy 28 of the Northamptonshire Minerals and Waste Local Plan (October 2014)).

Archaeology

26. The development shall be undertaken in accordance with the programme of archaeological investigation and recording submitted by the applicant on 6 June 2006.

Reason: To enable sites of archaeological interest to be adequately investigated and recorded (Policy 26 of the Northamptonshire Minerals and Waste Local Plan (October 2014)).

Restoration

27. Except for any amendments that may be previously agreed in writing by the Mineral & Waste Planning Authority, or required under condition 11b) above with respect to the vehicular access and recycling area, the quarry complex and vehicular access shall be restored in accordance with the phasing plans referred to in condition 2 of this planning permission, to the levels shown on plan/drawing nos. GPP/HQ/EIA/10 dated 21/06/2005 (submitted with application ref. no. DA/05/876C) and GPP/BP/HA/16/08 dated 5 January 2016 (submitted with this application).

28. The permission site shall be planted for forestry purposes in accordance with a scheme to be submitted and approved in writing by the Mineral & Waste Planning Authority within 12 months of the date of this planning permission.

Reason for conditions 28 and 29: To ensure that the site is reclaimed in an orderly manner to a condition capable of beneficial afteruse and in the interests of the amenity of local residents having regard to policy 22 and 28 of the Minerals

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End Date

29. The development hereby permitted shall cease not later than 31 December 2021 by which time the site shall be reinstated in accordance with conditions of this permission, provided that if within this period operations cease for a period in excess of twelve months or the use is otherwise discontinued for a like period, the conditions of this permission relating to restoration and rehabilitation shall be carried out forthwith.

Reason: To specify the date when the conditions of this permission shall have been fully implemented and to enable the Mineral Planning Authority to reconsider the development position in the light of the circumstances prevailing at the end of the consent period (Policy 22 of the Northamptonshire Minerals and Waste Local Plan (October 2014)).

Aftercare

30. Except as may otherwise be agreed in writing by the Mineral Planning Authority, not later than the completion of the mineral extraction and backfilling operations or by the date referred to in Condition 29 of this permission, whichever date is the sooner, a five year outline strategy of aftercare shall be submitted to the Mineral Planning Authority for approval to bring the land to the required standard for forestry use. The five year outline strategy of aftercare, as may be approved by the Mineral Planning Authority, shall be implemented to the Authority’s satisfaction during the five year period following its approval. The outline strategy and the detailed programme of aftercare shall, unless otherwise agreed in writing by the Mineral Planning Authority, be subject to review at an annual site meeting.

Reason: To comply with the requirements of Schedule 5 of the Town and Country Planning Act 1990 and to ensure the reclaimed land is correctly husbanded and to bring the land to the standard required for forestry use (Policy 28 of the Northamptonshire Minerals and Waste Local Plan (October 2014)).

INFORMATIVE

1. The high pressure gas main and the water main which cross the site shall continue to be safeguarded as required under Planning Permission DA/94/389C.

POSITIVE AND PROACTIVE STATEMENT

In determining this application the Minerals Planning Authority has worked positively and proactively with the applicant by assessing the proposals against relevant Development Plan policies, all material considerations, consultation responses and any valid representations that may have been received. The applicant has been sent a draft copy of the 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.

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Date: 16-8-2016
Signed: M.B. Chent

For Assistant Director of Environment,
Planning and Transport

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