



Appeal Decision

Hearing held on 8 January 2026

Site visit made on 8 January 2026

by Zoe Raygen DipURP MRTPI

an Inspector appointed by the Secretary of State

Decision date: 19 January 2026

Appeal Ref: APP/Y2003/W/25/3370238

Slate House Quarry, Redbourne Road, Hibaldstow, DN20 9NN

- The appeal is made under section 78 of the Town and Country Planning Act 1990 (as amended) against a refusal to grant planning permission.
 - The appeal is made by Welton Aggregates Ltd. against the decision of North Lincolnshire Council.
 - The application Ref is PA/2024/740.
 - The development proposed is to extend the existing site of the quarry onto land to the north and east of Slate House Quarry and retain all existing infrastructure.
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Decision

1. The appeal is allowed and planning permission is granted to extend the existing site of the quarry onto land to the north and east of Slate House Quarry and retain all existing infrastructure at Slate House Quarry, Hibaldstow, DN20 9NN in accordance with the terms of the application, Ref PA/2024/740, subject to the conditions in the attached schedule.

Applications for costs

2. An application for a full award of costs was made by Welton Aggregates Ltd against North Lincolnshire Council. This application is the subject of a separate Decision.

Preliminary Matters

3. During the course of the Council's consideration of the planning application the concrete batching plant was deleted from the proposal, and this is reflected in the decision above. The Council confirmed in its statement of case it would not be defending its reason for refusal regarding the effect of the proposal on water supplies which related entirely to that part of the development. I have therefore only considered those matters that relate to the extension of the quarry in my decision.

Main Issues

4. The main issues are:
 - The effect of the proposal on the living conditions of the nearby residents with particular regard to dust, noise and HGV movements; and
 - The effect of the proposal on the character and appearance of the area

Reasons

Living conditions

5. The main parties agree that the technical reports submitted by the appellant regarding noise and dust having been carried out in an appropriate manner and demonstrate that the proposed extension to the quarry would not be unacceptably harmful to the living conditions of neighbouring residents.
6. I heard evidence regarding the noise and dust impacts from residents, particularly those on Mill Road. I also have photographs showing the impact of the dust on those properties. However in the absence of any compelling evidence to dispute that in the technical reports I see no reason to disagree with their conclusions. Furthermore, conditions can be imposed should the proposal be acceptable which would provide control regarding dust and noise, such that the Council would be able to ensure that the quarry is operated in accordance with acceptable levels of noise and dust.
7. A key issue for the residents is the operation of the HGVs accessing and egressing the site routing through Hibaldstow, Redbourne and Mill Road.
8. When planning permission was granted for the re-opening and extension of the quarry in 2009¹, it was only approved because there was a simultaneous application for the construction of a road to service agricultural land and provide an alternative access to the quarry² known as the haul road. The Inspector considered that without the haul road, based on the accepted figures for HGV movements to service the quarry, then there would be a sound reason to dismiss the appeal regarding the quarry on the basis of traffic impact on the living conditions of the residents of Hibaldstow and Redbourne. However, they considered that the haul road would provide a natural and more convenient route to the A15 which would be used by HGV's and dilute traffic going through Hibaldstow and Redbourne.
9. I heard a lot of evidence at the Hearing, and it is evident that this is a very emotive issue for residents who spoke eloquently about their experience of HGVs passing though Redbourne, Hibaldstow and Mill Road on a regular basis. Equally I heard from the appellant regarding the tracking system which enables them to track the HGVs to ensure that they are not going through the villages unnecessarily. In addition, I am aware that other quarries operate in the area and the HGV's may belong to them. However, the Welton Aggregate HGV's are distinctive and relatively easily identifiable.
10. Crucially, I was not supplied with any substantive evidence from either the residents or the appellant to support their cases. However, I am mindful that the existing planning permission does not require HGVs to use the haul road. Consequently, there is no realistic control for either the appellant or the Council to ensure that it is used in a manner most conducive to preventing unnecessary harm to the living conditions of the residents of Hibaldstow and Redbourne as well as Mill Road as envisaged by the Inspector when determining the previous appeals.
11. I am also aware that the proposed extension to the quarry would not result in any increase to the HGV movements as the level of quarrying would remain the same

¹ APP/Y2003/A/08/2072544 (the existing planning permission)

² APP/Y2003/A/08/2074831

as currently exists on site. In addition, the proposal provides opportunity to provide control over the routing of HGV movements which has not previously existed through the imposition of relevant conditions.

12. To that end the appellant offered a condition which would restrict the use of the Redbourne Road access to HGVs delivering only to a local area which is defined on a plan. This would be a relatively small area. While I appreciate it is difficult to know the exact demand in the local area as it depends on a number of factors the appellant estimated that this would be about 10-15% of total movements. I accept that level of HGV movement could potentially be acceptable. However, I remain concerned that such a solution relies on the co-operation and knowledge of the HGV drivers not to use the Redbourne Road access or turn right out of the haul road along Mill Road. This would be difficult to enforce and would potentially rely on local residents to be watching and reporting HGV movements to the Council who would be unaware whether the HGV was delivering locally or not. Furthermore, the harm would have occurred by the time the Council would have the opportunity to take any action.
13. To my mind the only sure way to ensure that harm would not be caused would be to restrict the use of the Redbourne Road access for HGV movements and to restrict right hand turns from the haul road. Having visited the site I can see the attraction for drivers to use the Redbourne Road access. The haul road is long and in places not in good condition with potholes and an uneven surface, whereas the access to Redbourne Road is in better condition. Nevertheless, to ensure that any condition relating to a Traffic Management Plan is reasonably capable of being enforced the total restriction of the Redbourne Road access and turning right from the haul road is necessary. Furthermore, in that way it would ensure that HGV's associated with earlier phases of the quarry would also be restricted where currently they are not. Moreover, a physical barrier that has to be installed and retained at all times, as part of a condition, should not be removed in the future.
14. I appreciate that this solution would direct a certain amount of HGV through Redbourne to reach destinations in Hibaldstow. However, given that this would only be for local deliveries in and around Hibaldstow it should be a relatively small number of vehicles.
15. For the reason above, subject to the imposition of relevant conditions I am satisfied given that there would be no increase or expansion of production within the quarry then the proposal would not be harmful to the living conditions of nearby residents. Consequently, there would be no conflict with Policies RD2 and DS1 of the North Lincolnshire Local Plan 2003 (the Local Plan) which require that development would not be harmful to residential amenity.

Character and appearance

16. The appeal site is located in the open countryside in an area of very gently undulating open fields with hedgerow boundaries which contain trees in isolation and small copses. The undulation of the land means views are available over relatively wide areas. To the west of the site is the existing quarry which is partly being worked and partly being restored. On the remaining sides is open countryside with Redbourne Road to the east and on the other side of the road is commercial/industrial development.

17. The appeal site forms part of a large arable field with hedge boundaries and therefore contributes positively to the rural character and appearance of the area.
18. The proposal would see the extension of the quarry into an agricultural field which would inevitably alter its character and appearance. Nevertheless, the presence of existing hedges and groups of trees means that views of the extended quarry would be minimised. Furthermore the extent of the quarry would not increase, as parts no longer used would continue to be restored. A bund would be erected along the eastern edge of the area of extension. While this would not be a natural feature, again the surrounding vegetation would ensure that it would not be overly prominent in the landscape.
19. I appreciate that features and activity would be visible from Redbourne Road, indeed at my site visits I observed diggers moving soil within the site, and it was apparent that commercial activity was occurring rather than it being an agricultural field. Nevertheless, the activity and features would not be particularly obtrusive even though they would be coming closer towards Redbourne Road given the intervening vegetation, existing and proposed landscape features and the low lying nature of the majority of the activity. Furthermore, although I appreciate it will not be for 20 years but, when quarrying ceases, the land would be restored to Calcareous grassland and agricultural land. I was asked to visit other quarries to view their state following restoration. However, I do not have details of the specific restoration schemes for each quarry. In addition there has been no compelling evidence submitted to suggest that the proposed restoration scheme here would not be acceptable.
20. I was advised at the Hearing of issues regarding floodlighting, which means that currently the quarry is highly visible into the evening. This could be rectified by the imposition of a condition requiring the floodlights to be switched off when the quarry is not in use, for which there could also be a condition imposed to restrict working hours.
21. Consequently, in my view the proposal would reflect the character, appearance and setting of the immediate area, especially given the existing commercial activity in the area, as required by Policy DS1 of the Local Plan. Policy RD2 of the Local Plan requires that development would not be detrimental to the character and appearance of the open countryside or a nearby settlement for a number of reasons. At the Hearing, the Council confirmed that those relevant are the siting and scale of the proposal.
22. Given that the scale of the proposal would be little different to that existing and that the siting would not be significantly different to that existing with concurrent restoration occurring then I am satisfied that there would be no conflict with these policies, which are broadly in accordance with the requirements of the National Planning Policy Framework (the Framework). This seeks to recognise the intrinsic character and beauty of the countryside and development is sympathetic to local character and history including the landscape setting.
23. The Council also suggest that the proposed development would have a subtle, yet significant, adverse effect on the landscape and, as a consequence, how the local residents perceive and interact with their home environment. The encroachment of the industrial use into the landscape would therefore change the experience of, and impact quality of life for, those living nearby in this rural location. As a result, it

would harm their amenity as defined in Planning Aid England's definition as the "pleasantness or attractiveness of a place." I appreciate that the proposal would be visible from Redbourne Road and residents may use this road on a regular basis. However, for the reasons above I do not consider the proposal would cause significant visual disruption as alleged. Furthermore, as already discussed I am of the view the issues relating to resident's living conditions can be satisfactorily ameliorated through the imposition of conditions.

24. Hence, for the reasons above I conclude that the proposal would not be harmful to the character and appearance of the area. There would therefore be no conflict with policies DS1 and RD2 of the Local Plan.

Other Matters

25. Local residents continue to allege that the operation of the quarry is primarily the extraction of aggregate rather than building stone. This is based on the perceived high level of HGV movements which would be associated with aggregate production. I note that this issue was also considered by the Inspector in granting the existing planning permission in 2009. Based on the evidence available to them at that time, they concluded that the operation was rightly described as a building stone operation with the aggregate element being a byproduct. I received no substantive evidence for me to reach a different conclusion. In any case a condition is proposed to be imposed on any permission, agreed by both main parties, that the maximum amount of materials that shall leave the site in any calendar year shall not exceed 75,000 tonnes of limestone products and up to 25,000 tonnes of C, D and E waste imported and processed to produce recycled aggregate. Furthermore, an agreed condition requires records of all stone or aggregates leaving the site shall be kept and made available to the Council on request. Together these conditions should ensure that building stone is the primary product from the site. Importantly, these conditions were not imposed on previous permissions
26. I appreciate resident's concerns that as the quarry as a whole would be operating under a number of different planning permissions and hence conditions which may be difficult to regulate and enforce. However, crucially, given that the existing access to Redbourne Road, would be required to be permanently blocked to HGV by condition of this permission, then it would also restrict access to HGV serving the existing area of the quarry. Furthermore conditions relating to dust and noise would be similar to those existing. In my view therefore, allowing this appeal with appropriate conditions would provide better control to protect the living conditions for residents.

Conditions

27. The conditions imposed are those that were agreed by the appellant and the Council at the Hearing, as well as those agreed conditions submitted by the parties following discussion at the Hearing. In the interests of precision and clarity I have undertaken some minor editing and rationalisation where necessary.
28. Conditions relating to timeliness, accordance with the submitted plans and the restriction of the length of the permission are necessary to provide certainty (1, 2, 3).

29. Conditions requiring an extraction phase environmental management plan and a habitat management and monitoring plan and their implementation are required to protect biodiversity and ecology (4, 5, 6). The submission of the plans are required prior to work commencing on site as the potential for harm exists from the earliest stage.
30. Conditions 7 - 16 regarding working hours, lighting, noise, work levels, bund implementation, contaminated material and dust are necessary to protect residents' living conditions. Information regarding dust and the bund are required to be submitted prior to work commencing on site to ensure both are in place before activity on the appeal site.
31. Conditions are required to define the permission and the extent of aggregate and building stone to be produced (17, 18, 19, 20). A condition is necessary to ensure that no structure on site is greater than 25 metres in height in the interests of parachutists and aviation safety (21).
32. The submission of a wheel cleaning scheme is necessary prior to the commencement of development in the interests of highway safety (22).
33. A condition requiring details of the status of the quarry, details of the remaining reserve and annual sales information to be submitted to the Council is required to enable the Council to properly plan for an adequate supply of minerals (23).
34. A condition controlling the height of stockpiles of materials on the site, together with those relating to restoration and the retention of topsoil, subsoil and overburden on site are necessary in the interests of the character and appearance of the area (24-26).
35. Conditions are required regarding the routing and number of HGV movements, the keeping of records regarding those movements and the sheeting of lorries in the interest of residents' living conditions and highway safety (27-30).
36. I note the considerable concerns that residents' have with ongoing relations with the appellant and whether the imposed conditions would be complied with both immediately and in the long term. At the Hearing, the appellant suggested that a condition requiring the establishment of a liaison group be imposed so that an ongoing relationship could be established regarding the operation of the quarry. Given the current concerns and level of apparent miscommunication between the parties it may be helpful to establish a meaningful dialogue between the parties and therefore I have imposed such a condition (31).

Conclusion

37. For the reasons above the appeal is allowed.

Zoe Raygen

INSPECTOR

APPEARANCES

FOR THE LOCAL PLANNING AUTHORITY

Mr Paul Skelton

Planning Consultant
representing North Lincolnshire
Council

Ms Emily Sturdy

Senior Planning Officer, North
Lincolnshire Council

FOR THE APPELLANT

Mr Hugh Richards, Counsel

Instructed by:

Mr Jan Smith

Managing Director, Welton
Aggregates Ltd.

Mr Oliver Craven

Director, Hughes Craven Ltd.

Mr Zach Waite

Business Development Manager,
Welton Aggregates Ltd.

INTERESTED PERSONS

Councillor Trevor Foster

Ward Councillor, Ridge Ward

Ms Mary Kendall

Local Resident

Ms Penny Stevenson

Local Resident

Mr Stephen Walker

Local Resident

Ms Lynn Wainwright

Local Resident

Mr Russell Wainwright

Local Resident

Ms Rachel Stubbins

Local Resident

Ms Ward

Local Resident

Mr T Carr

Local Resident

DOCUMENTS SUBMITTED AFTER THE HEARING

A Agreed conditions regarding floodlighting, liaison group and HGV movements

SCHEDULE OF CONDITIONS

- 1) The development must be begun before the expiration of three years from the date of this permission.
- 2) The development hereby permitted shall be carried out in accordance with the following approved plans:
 - i) Location Plan 753 D 01
 - ii) Operations Plan 753 D 02 Rev A
 - iii) Restoration Plan 753 D 03 Rev A
 - iv) Office and Welfare Portakabin 753 D 04
- 3) The winning and working of minerals and the importation of materials to the site, shall cease no later than 20 years from the date of this permission. Following cessation of the use, all plant and machinery associated with the development shall be removed from the site and the site shall be restored in accordance with the approved Restoration Plan 753 D 03 Rev A within 2 years.
- 4) No development shall take place (including ground works and vegetation clearance) until an extraction phase environmental management plan (EPEMP: Biodiversity) has been submitted to and approved in writing by the local planning authority. The EPEMP (Biodiversity) shall include:
 - i) a risk assessment of potentially damaging construction activities, including the spread of invasive non-native species and harm to protected and priority species and habitats, including nesting birds that may become established;
 - ii) the identification of 'biodiversity protection zones';
 - iii) practical measures (both physical measures and sensitive working practices) to avoid or reduce impacts during extraction;
 - iv) the location and timing of sensitive works to avoid harm to biodiversity features;
 - v) the times during construction when specialist ecologists need to be present on site to oversee works;
 - vi) responsible persons and lines of communication;
 - vii) the role and responsibilities on site of an ecological clerk of works (ECoW) or similarly competent person;
 - viii) the use of protective fences, exclusion barriers and warning signs.
- 5) The approved extraction phase environmental management plan (EPEMP: Biodiversity) shall be adhered to and implemented throughout the extraction period strictly in accordance with the approved details.
- 6) Prior to development commencing, a Habitat Management and Monitoring Plan (HMMP) shall be submitted to and approved in writing by the local planning authority. The HMMP shall be prepared in accordance with the approved Biodiversity Gain Plan and shall include:
 - i) the roles and responsibilities of the people or organisation(s) delivering the HMMP;

- ii) the planned habitat creation and enhancement works to create or improve habitat to achieve the biodiversity net gain in accordance with the approved Biodiversity Gain Plan;
- iii) the timescales for implementation of the HMMP
- iv) the timescales for completion of the habitat creation and enhancement works
- v) the management measures to maintain habitat in accordance with the approved Biodiversity Gain Plan for a period of 30 years from the completion of development; and
- vi) the monitoring methodology and frequency in respect of the created or enhanced habitat to be submitted to the local planning authority.

Development shall then be carried out in strict accordance with the approved Habitat Management and Monitoring Plan.

- 7) No primary extraction or processing of stone, aggregates or other materials within the quarry shall be carried out at the site, except between the following times:
 - 7am and 7pm Monday to Friday
 - 7am and 1pm on Saturdaysand no operations shall take place on Sundays, or public or bank holidays.
- 8) No heavy goods or other commercial vehicles used for the purpose of carrying stone products shall enter or leave the site, or be loaded or unloaded at the site, except between the following times:
 - 7am and 7pm Monday to Friday
 - 7am and 1pm on Saturdaysand not at all on Sundays, or public or bank holidays.
- 9) Unless required for emergency maintenance operations, no fixed lighting shall be illuminated at the site, except between the following times:
 - 6:30am and 7:30pm Monday to Friday
 - 6:30am and 1:30pm on Saturdaysand no such lighting shall be illuminated on Sundays, or public or bank holidays.
- 10) Except during periods of soil stripping and reinstatement works, the level of noise arising from operations on the site shall not exceed 55 dB LAeq 1 hour (free field). During such periods of soil stripping and reinstatement works, noise levels arising from such operations shall not exceed 70 dB LAeq 1 hour (free field) and such operations shall not exceed a total of 8 weeks in any 12-month period. (Free field means any point 3.5 metres away from the façade of the nearest noise sensitive receptor).

- 11) All machinery and vehicles employed on site shall be fitted with effective silencers of a type appropriate to their specification and at all times best practicable means shall be used to prevent or counteract the effects of noise emitted by vehicles, plant and machinery or otherwise arising from the development.
- 12) No blasting shall be carried out on site at any time.
- 13) Prior to the commencement of the use hereby permitted, soil bunds shall be constructed in accordance with details to be submitted to and approved in writing by the local planning authority. The soil bunds shall be seeded with grass, and retained and maintained thereafter, until such time as restoration works are undertaken.
- 14) Vehicles and machinery shall not traverse the soil mounds except where essential for the purposes of mound construction or removal for restoration purposes.
- 15) The development hereby permitted shall not commence until a dust management plan (DMP) has been submitted to and approved in writing by the local planning authority.

The DMP shall include:

 - i) site dust monitoring, recording and complaint investigation procedures;
 - ii) provision of water to the site;
 - iii) dust mitigation techniques at all stages of development;
 - iv) prevention of dust trackout;
 - v) communication with residents and other receptors;
 - vi) a commitment to cease the relevant operation if dust emissions are identified either by regular site monitoring or by the local authority;
 - vii) a 'no burning of waste' policy.

The development shall be carried out and the use carried on in strict accordance with the approved DMP for the lifetime of operations on the site.
- 16) If, during development, any odorous, discoloured or otherwise visually contaminated material is found to be present at the site then no further development shall be carried out until a written method statement detailing how this contamination shall be dealt with has been submitted to and approved by the local planning authority. The approved method statement shall be implemented in full prior to any further development commencing on the site.
- 17) The maximum amount of materials that shall leave the site in any calendar year shall not exceed 75,000 tonnes of limestone products and up to 25,000 tonnes of C, D and E waste imported and processed to produce recycled aggregates.

- 18) The maximum amount of materials that shall be imported to the site in any calendar year shall not exceed 25,000 tonnes.
- 19) No waste, other than inert construction or demolition waste, shall be deposited at the site.
- 20) There shall be no working below 0 metres AOD.
- 21) No structure, equipment or other obstacle greater than 25 metres in height shall be allowed on the site at any time.
- 22) Prior to the commencement of development, details of a wheel cleaning scheme, making provision for cleaning consistent with the degree of contamination of existing vehicles, shall be submitted to and approved in writing by the local planning authority. The agreed scheme shall be brought into operation when extraction commences and thereafter no commercial vehicle shall enter the public highway without wheel and chassis cleaning in accordance with the provisions of the scheme.
- 23) Between 1 February and 31 December in each calendar year following the commencement of the development hereby permitted, the site operators shall supply the minerals planning authority with the following information when requested to do so:
 - i) remaining permitted reserve;
 - ii) annual sales information (tonnes extracted and sold); and
 - iii) the status of the quarry e.g. Active (in production for some time during the previous year), Inactive (worked in the past and contains permitted reserves) or Closed (containing no workable reserves).
- 24) No stockpiles of soils, overburden, or processed or unprocessed stone shall exceed 5 metres in height anywhere on the site.
- 25) Following the restoration of any part of the site in accordance with the Restoration Plan 753 D 03 Rev A, the restored land shall be treated and managed over a period of 30 years in accordance with an aftercare scheme which shall be submitted to and approved in writing by the local planning authority within 1 month of the cessation of the use. The submitted scheme shall provide and outline a strategy for the 30-year aftercare period and specify the steps to be taken over the period to bring the newly restored land to the required standard for its subsequent use, and the subsequent management of the restored land. The scheme shall provide for an annual meeting between the applicants, the local planning authority and other appropriate interested parties. Aftercare shall be carried out in accordance with the approved scheme.

- 26) All topsoil; subsoil and overburden shall be retained within the quarry site.
- 27) A permanent record of all stone or aggregates leaving the site shall be kept and shall be made available to the local planning authority upon request. Additionally, a separate record of all lorry movements to and from the site shall be maintained and made available to the local planning authority upon request.
- 28) All HGVs shall access and egress the site via the haul road leading onto Mill Road and then the A15. Unless making 'Local Deliveries,' HGVs associated with the development hereby permitted shall not traverse the villages of Redbourne or Hibaldstow.
- 'Local Deliveries' are defined as those deliveries made within the area shown by the bold dashed line on drawing 0151-36-3 contained with the submitted Transport Management Plan. A written record of all such deliveries is to be maintained and shall be made available to the local planning authority upon request.
- 29) The development hereby permitted shall not be brought into use until a Transport Management Plan, based on that previously submitted, has been submitted to and approved in writing by the local planning authority. The Plan shall include:
- i) measures to ensure that all drivers, including subcontracted hauliers, adhere to the routeing specified in Condition 28, including details of the proposed on site measures to prevent the use of the Redbourne Road access by HGV; and
 - ii) Details of on-site signage that may be required to support the routeing specified in condition 28.
- Once approved, the Plan shall be implemented, reviewed and updated, as necessary.
- 30) All lorries leaving the site shall be sheeted if carrying any stone or aggregates.
- 31) Prior to the commencement of the development hereby permitted a scheme shall be submitted to and approved in writing by the Local Planning Authority detailing the establishment of a Community Liaison Group to include representation from the site operator, North Lincolnshire Council and local residents. The scheme shall include provision for:
- i) The appointment of a liaison representative from the facility operator and contact number;
 - ii) A community complaints procedure;
 - iii) The production, approval and publication of minutes of community Liaison Group meetings; and
 - iv) Details of how the group will operate, including the intended frequency of meetings.

Thereafter, the scheme shall be implemented and adhered to in accordance with the approved details throughout the lifetime of the development, unless agreed otherwise by the Community Liaison Group.