

**NORFOLK COUNTY COUNCIL**

**Town and Country Planning Act, 1990**

**Town and Country Planning (Development Management Procedure) Order 2015**

To: David L Walker Limited  
Albion House  
89 Station Road  
Eckington  
Sheffield  
S21 4FW

Particulars of Proposed Development

Location: Mangreen Quarry, Ipswich Road, Norwich NR14 8DD

Applicant: Tarmac Trading Ltd

Agent: David L Walker Limited

Proposal: Revised application to vary Conditions 2, 18 and 23 of planning permission C/7/2014/7030 to vary the approved schemes of restoration, landscape and aftercare scheme, and vary the approved measures to prevent deposition of mud on the highway

The Norfolk County Council hereby gives notice of its decision to GRANT PLANNING PERMISSION for the development specified in the application received as valid on 31 July 2017, subject to compliance with the conditions set out on the attached sheet.

The reasons for the grant of permission and for the conditions are also set out on the attached sheets.

Signed: *A. Gramsen* Date: 26 OCTOBER 2017

For EXECUTIVE DIRECTOR OF COMMUNITY AND ENVIRONMENTAL SERVICES

Norfolk County Council  
County Hall  
Martineau Lane  
Norwich  
NR1 2SG

**SEE NOTES**

## 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.
- 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
- If an enforcement notice is served relating to the same or substantially the same land and development as in your application and if you want to appeal against your local planning authority's decision on your application, then you must do so within 28 days of the date of service of the enforcement notice, or within 6 months of the date of this notice, whichever period expires earlier
- Appeals must be made using a form which you can get from the Secretary of State at Temple Quay House, 2 The Square, Temple Quay, Bristol, BS1 6PN or online at [www.planningportal.gov.uk/pcs](http://www.planningportal.gov.uk/pcs)
- 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 the development order.
- In practice, the Secretary of State does not refuse to consider appeals solely because the local planning authority based their decision on a direction given by the Secretary of State.

### 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 the owner can neither put the land to a reasonably beneficial use in its existing state nor 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 District or Borough Council in whose area the land is situated. This notice will require the Council to purchase the owner's interest in the land in accordance with the provisions of Chapter I of Part VI of the Town and Country Planning Act 1990.

### Byelaws

- Any planning permission is subject to compliance with the byelaws (Local Acts, Orders Regulations) and any general statutory provisions in force.

Conditions and Reasons for Conditions:

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1. The development must be carried out in strict accordance with the application form, plans and documents detailed below:

**Permission C/7/2014/7030**

- a) Location Plan; S375/PL13/01; October 2014.
- b) Existing Features; S375/PL13/02; October 2014.
- c) Site Section - Proposed Profile; S375/PL13/05; October 2014.
- d) Environmental Statement; no reference; prepared by David L Walker; November 2014 except where amended by the Supplementary Statement Including Appendices; no reference; prepared by David L Walker Ltd; April 2015.
- j) Email received from David L Walker Ltd; dated 15 May 2015 (16:38)

**Permission C/7/2015/7016**

- a) Proposed Access Road Alignments; C1128-100 rev B; 28.10.2015.
- b) Proposed Access Road Construction; C1128-101 rev B; 28.10.2015.
- c) Proposed Access Road Lining and Signage; C1128-102 rev A; 28.10.2015.
- d) Submission to Discharge Conditions 13, 14, 18, 20, 22 & 23 of Planning Consent C/7/2014/7030; no reference; prepared by David L Walker Limited; September 2015.

**Permission C/7/2016/7013**

- a) Location Plan; S375/00007; 08/08/2016.
- b) Site Plan; S375/00007; 08/05/2016.
- c) Working Plan; S375/PL13/03 rev B; 05/06/2017
- d) Initial Works and Phase 6 Extraction; S375/PL13/0301 rev B; 05/06/2017
- e) Phase 7 Extraction; S375/PL13/0302 rev B; 05/06/2017
- f) Phase 8 Extraction; S375/PL13/0303 rev B; 05/06/2017
- g) Restoration Proposals; S375/PL13/04 rev C; 27.07.2016.

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- h) Proposed Landscape Mitigation and Restoration Works; no reference; prepared by David Jarvis Associates; 3 July 2017.
- i) Planning Application Under Section 73A of the town and Country Planning Act 1990 (as amended) to vary Details Approved under Conditions 2, 18, and 23 of Planning Consent C/7/2014/7030 rev A; no reference; July 2017.

Reason: For the avoidance of doubt and in the interests of proper planning

- 2. The development hereby permitted shall cease extraction operations by 6 years from the date of the issue of permission C/7/2014/7030 (02/10/2015) and all restoration shall be completed by 8 years from the date of commencement.

Reason: To protect the amenities of residential properties and the surrounding area, in accordance with Policy DM12 of the Norfolk Minerals and Waste Core Strategy DPD 2010-2026.

- 3. Notwithstanding the provisions of the Town and Country Planning (General Permitted Development) Order 2015 (or any Order revoking or re-enacting that order), no further buildings, plant or machinery, nor structures of the nature of plant or machinery other than that permitted under this planning permission, shall be erected on the site, except with permission granted on an application under Part III of the Town and Country Planning Act 1990.

Reason: For the avoidance of doubt and in the interests of proper planning.

- 4. The plant hereby permitted shall be used solely for processing mineral derived from the working operated by Lafarge Aggregates Limited and for no other purpose.

Reason: To protect the amenities of residential properties and the surrounding area, in accordance with Policy DM12 of the Norfolk Minerals and Waste Core Strategy DPD 2010-2026.

- 5. No development shall take place within the areas indicated in Figure 2 of the approved Archaeological Written Scheme of Investigation, other than in accordance with the approved Archaeological Written Scheme of Investigation.

Reason: To ensure adequate time is available to investigate any features of archaeological interest, in accordance with Policy DM9 of the Norfolk Minerals and Waste Core Strategy DPD 2010-2026.

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6. Vehicular movement within the site shall be restricted to such routes as agreed in writing with the County Planning Authority.

Reason: To protect the amenities of residential properties and the surrounding area, in accordance with Policy DM12 of the Norfolk Minerals and Waste Core Strategy DPD 2010-2026.

7. No operation authorised or required under this permission or under Part 17 of Schedule 2 of the Town and Country Planning (General Permitted Development) Order 2015, including the movement of vehicles and operation of any plant, shall take place on Sundays or public holidays, or other than during the following periods:-

0700 - 1800 Mondays to Fridays

0700 - 1300 Saturdays

Reason: To protect the amenities of residential properties and the surrounding area, in accordance with Policy DM12 of the Norfolk Minerals and Waste Core Strategy DPD 2010-2026.

8. With the exception of soil-stripping, the construction and removal of baffle mounds, soil storage mounds and spoil heaps, construction of new permanent landforms, the free field Equivalent Continuous Noise Level [LAeq, 1 hr] at any noise sensitive property adjoining the site shall not exceed 55 dB LAeq 1hr. Measurements shall be made no closer than 3.5 metres from the façade of properties or other reflective surface and shall be corrected for extraneous noise.

Reason: To protect the amenities of residential properties and the surrounding area, in accordance with Policy DM12 of the Norfolk Minerals and Waste Core Strategy DPD 2010-2026.

9. In the case of soil-stripping, the construction and removal of baffle mounds, soil storage mounds and spoil heaps, construction of new permanent landforms, the free field Equivalent Continuous Noise Level [LAeq, 1 hr] at any noise sensitive property adjoining the site shall not exceed 70 dB LAeq 1hr. Measurements shall be made no closer than 3.5 metres from the façade of properties or other reflective surface and shall be corrected for extraneous noise.

Reason: To protect the amenities of residential properties and the surrounding area, in accordance with Policy DM12 of the Norfolk Minerals and Waste Core Strategy DPD 2010-2026.

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

Reason: To protect the amenities of residential properties and the surrounding area, in accordance with Policy DM12 of the Norfolk Minerals and Waste Core Strategy DPD 2010-2026.

11. No vehicles and/or mobile plant used exclusively on site shall be operated unless they have been fitted with white noise / non-tonal reversing alarms to ensure that, when reversing, they do not emit a warning noise that would have an adverse impact on residential or rural amenity.

Reason: To protect the amenities of residential properties and the surrounding area, in accordance with Policy DM12 of the Norfolk Minerals and Waste Core Strategy DPD 2010-2026.

12. The development should be carried out in accordance with Dust Management Plan approved under planning permission C/7/2015/7016 which includes a scheme to minimise dust emissions from the approved development. The approved dust suppression measures shall be retained, implemented and maintained for the duration of the development hereby permitted.

Reason: To protect the amenities of residential properties and the surrounding area, in accordance with Policy DM12 of the Norfolk Minerals and Waste Core Strategy DPD 2010-2026.

13. The gradient of the vehicular access(es) onto Mangreen Lane shall not exceed 1:12 for the first 15 metres into the site as measured from the near channel edge of the adjacent carriageway.

Reason: In the interests of the safety of persons using the access and users of the highway, in accordance with Policy DM10 of the Norfolk Minerals and Waste Core Strategy DPD 2010-2026.

14. Any access gate(s), bollard, chain or other means of obstruction shall be retained for the duration of the development and be hung to open inwards, set back, and thereafter retained a minimum distance of 15 metres from the near channel edge of the adjacent carriageway.

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Reason: To enable vehicles to safely draw off the highway before the gate(s) or obstruction is opened. In the interests of highway safety, in accordance with Policy DM10 of the Norfolk Minerals and Waste Core Strategy DPD 2010-2026.

15. The visibility splay measuring 4.5 x 70 metres provided to each side of the access (es) (as shown on drawing no. 12223-06) where it meets the highway and such splays shall thereafter be maintained at all times free from any obstruction exceeding 0.225 metres above the level of the adjacent highway carriageway.

Reason: To ensure adequate visibility in advance of any vehicles using the crossing. In the interests of highway safety, in accordance with Policy DM10 of the Norfolk Minerals and Waste Core Strategy DPD 2010-2026.

16. The signage indicating drivers of the movement of heavy plant crossing the road shall be erected on the 78023 Mangreen Lane as shown on plan Proposed Access Road Lining and Signage; C1128-102 rev A. The signage shall be retained for the duration of this permission.

Reason: In the interests of highway safety, in accordance with Policy DM10 of the Norfolk Minerals and Waste Core Strategy DPD 2010-2026.

17. Any drums and small containers used for oil and other chemicals on the site shall be stored in bunded areas which do not drain to any watercourse, surface water sewer or soakaways and all oil or chemical storage tanks, ancillary handling facilities and equipment including pumps and valves shall be contained within an impervious bunded area of at least 110% of the total stored capacity.

Reason: To safeguard hydrological interests, in accordance with Policy DM3 of the Norfolk Minerals and Waste Core Strategy DPD 2010-2026.

18. Any oil storage tanks on the site shall be sited on impervious bases and surrounded by oil tight bund walls; the bunded areas shall be capable of containing 110% of the tank volume and shall enclose all fill and draw pipes.

Reason: To safeguard hydrological interests, in accordance with Policy DM3 of the Norfolk Minerals and Waste Core Strategy DPD 2010-2026.

19. Vehicles accessing and egressing the site via the main entrance and at the crossing point on Mangreen lane shall not be in a condition whereby they would deposit mud or other loose material on the public highway.

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Reason: In the interests of highway safety, in accordance with Policy DM10 of the Norfolk Minerals and Waste Core Strategy DPD 2010-2026.

20. No external lighting shall be installed on the site unless it is maintained such that it will not cause glare beyond the site boundaries.

Reason: To protect the amenities of residential properties and the surrounding area, in accordance with Policy DM12 of the Norfolk Minerals and Waste Core Strategy DPD 2010-2026.

21. Handling, movement and re-spreading of topsoil and subsoil shall not take place except when the soils are in a suitably dry and friable condition and in such a way and with such equipment as to ensure minimum compaction. (No handling of topsoil and subsoil shall take place except between 1st April and 31st October unless otherwise agreed in writing by the County Planning Authority.)

Reason: To ensure the proper and expeditious restoration of the site, in accordance with Policy DM14 of the Norfolk Minerals and Waste Core Strategy DPD 2010-2026.

22. Before the topsoil is replaced a layer of at least 600mm of subsoil substitute shall be created through the use of soils, sand, overburden and/or excavation spoil derived from the site. This layer shall be cross-ripped to a depth of at least 500mm to relieve compaction.

Reason: To ensure the proper and expeditious restoration of the site, in accordance with Policy DM14 of the Norfolk Minerals and Waste Core Strategy DPD 2010-2026.

23. An even layer of topsoil shall be re-spread on the subsoil layer to an even depth of at least 300mm.

Reason: To ensure the proper and expeditious restoration of the site, in accordance with Policy DM14 of the Norfolk Minerals and Waste Core Strategy DPD 2010-2026.

24. Measures including ripping and/or subsoiling shall be carried out after soil replacement so that the compacted layers and pans are broken up to assist free drainage.



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Reason: To ensure the proper and expeditious restoration of the site, in accordance with Policy DM14 of the Norfolk Minerals and Waste Core Strategy DPD 2010-2026.

25. All stones and deleterious materials in excess of 15cm which arise from the ripping of the subsoil and topsoil shall be removed from the site.

Reason: To ensure the proper and expeditious restoration of the site, in accordance with Policy DM14 of the Norfolk Minerals and Waste Core Strategy DPD 2010-2026.

26. No dewatering of excavations shall be carried out.

Reason: To safeguard hydrological interests, in accordance with Policy DM3 of the Norfolk Minerals and Waste Core Strategy DPD 2010-2026

27. No material other than inert wastes shall be brought onto the site.

Reason: To ensure the proper and expeditious restoration of the site, in accordance with Policy DM14 of the Norfolk Minerals and Waste Core Strategy DPD 2010-2026.

28. Prior to commencement of Phase 8 workings, as identified on plan S375/PL13/03 Rev A Oct 2014, details of visual mitigation measures to be implemented for the duration of Phase 8 works shall be submitted and agreed in writing with the County Planning Authority.

Reason: To protect the landscape and amenities of the surrounding area, in accordance with Policies DM8 and DM12 of the Norfolk Minerals and Waste Core Strategy DPD 2010-2026

29. The highway works for Mangreen Lane referred to in condition 1 shall be removed and the land reinstated to its previous condition by 8 years from the date of commencement.

Reason: In the interests of highway safety in accordance with policy DM10 of the Norfolk Minerals and Waste Core Strategy DPD 2010-2026, and to ensure the proper and expeditious restoration of the site in accordance with Policy DM14 of the Norfolk Minerals and Waste Core Strategy DPD 2010-2026).

#### Positive and Proactive Statement

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In accordance with the Town and Country Planning (Development Management Procedure) (England) (Amendment No. 2) Order 2015 the local planning authority has engaged in pre-application discussions with the applicant to ensure that the application contains all required information to enable this to be processed efficiently. The local planning authority has entered into discussions with the applicant during the application processing period to ensure that sufficient information has been submitted to demonstrate that the proposal is acceptable. The local planning authority has entered into discussions with the applicant during the application processing period to amend the proposal and thereby ensure that it could be recommended for approval.

Informative

1. This permission is subject to a legal agreement under Section 106 of the Town and Country Planning Act 1990, concerning traffic routeing, removal of highway works and long term wildlife management.