

NORFOLK COUNTY COUNCIL

Town and Country Planning Act, 1990

Town and Country Planning (Development Management Procedure) Order 2015

**The Town and Country Planning (Environmental Impact Assessment)
Regulations 2017**

To: Ms Jenna Conway
Heatons
9 The Square
Keyworth
Nottinghamshire
NG12 5JT

Particulars of Proposed Development

Location: Land south of Rawhall Lane, Beetley, Dereham, Norfolk NR20

Applicant: Longwater Gravel Company Ltd - Mr Simon Smith

Agent: Ms Jenna Conway

Proposal: Planning Application for a new sand and gravel quarry on
agricultural land south of Rawhall Lane

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 14 July 2022, 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: N. Johnson Date: 6 February 2024

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
- 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.

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Conditions and Reasons for Conditions:

1. The development to which this permission relates shall cease and the site shall be restored by 31 December 2046 in accordance with Drawing No. LON-002-M.D.015E, Concept Restoration Plan, dated September 2023.

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

2. Within seven days of the commencement of operations, the operator shall notify the Mineral Planning Authority in writing of the start date and within seven days of the completion of the final restoration works in Phases 1 and 2 (shown on Drawing Refs LON-002-M.D.014E and Drawing Ref. LON-002-M.D.015E), the operator shall notify the Mineral Planning Authority in writing of the end date of the works.

Reason: To enable the Mineral Planning Authority to be able to effectively monitor the implementation of this permission and to plan for a steady and adequate supply of aggregates as required by Paragraphs 59 and 219 of the National Planning Policy Framework (December 2023).

3. The development must be carried out in strict accordance with the following document and drawings:

Written Details

- Application Forms Part A and Part B dated 14th July 2022;
- Planning Statement, Proposed Mineral Extraction on Land at Rawhall Lane, Beetley, Dereham, Norfolk, Heatons, dated July 2022; and
- Environmental Statement (including supporting Appendices A-H, Technical Appendices A & B), Proposed Mineral Extraction on Land at Rawhall Lane, Beetley, Dereham, Norfolk, Heatons, dated July 2022;

Drawings

- Drawing Ref. LON-002-M.D.001, Location Plan, dated August 2021;
- Drawing Ref. LON-002-M.D.004, Current situation, dated August 2021;
- Drawing Ref. LON-002-M.D.005C, Block Proposals Plan, dated October 2021;
- Drawing Ref. LON-002-M.D.011C, Initial Works, March 2023;
- Drawing Ref. LON-002-M.D.012E, Phases 1 to 3, dated March 2023;
- Drawing Ref. LON-002-M.D.013F, Phases 4 to 6, dated March 2023;
- Drawing Ref. LON-002-M.D.014E, Final Works, dated March 2023;

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- Drawing Ref. LON-002-M.D.015E, Concept Restoration, dated September 2023;
- Drawing Ref. LON-002-M.D.016, Sections, dated June 2022; Drawing Ref. BTLY-ACM-XX-XX-DR-CE-02000 P5, Beetley Quarry Proposed Access, dated 9th January 2024;

unless otherwise amended or updated in accordance with the other conditions of this permission.

Reason: For the avoidance of doubt, in the interests of proper planning and to ensure that the development is undertaken and completed in accordance with the approved documents and drawings.

4. From the date of this permission the operators shall maintain records of their monthly output and shall make them available to the County Planning Authority at any time upon request. All records shall be kept for at least 2 years.

Reason: To ensure orderly working in the interests of the protection of the amenities of residential properties and the surrounding area, in accordance with the Norfolk Minerals and Waste Development Framework Core Strategy DPD 2010-2026 Policy DM12.

5. No excavations shall be carried out at a depth greater than 47m AOD.

Reason: To ensure orderly working in the interests of the protection of the amenities of residential properties and the surrounding area, in accordance with the Norfolk Minerals and Waste Development Framework Core Strategy DPD 2010-2026 Policy DM12.

6. The development, including soil stripping, extraction and restoration, shall be undertaken strictly in accordance with the scheme of phasing set out in Chapter 5 of the Environmental Statement, Proposed Mineral Extraction on Land at Rawhall Lane, Beetley, Dereham, Norfolk, Heaton, dated July 2022 and approved drawings set out in Condition No.3.

There shall be no working in Phases 5 and 6 until the restoration works in Phase 3 have been completed in accordance with Drawing Ref. LON-002-M.D.013F, Phases 4 to 6, dated March 2023, and no mineral shall be extracted from under the access track in Phases 1 and 2 until the restoration works in Phases 5 and 6 have been completed in accordance with Drawing Ref. LON-002-M.D.014E, Final Works, dated March 2023.

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Reason: To ensure orderly working in the interests of the protection of the amenities of residential properties and the surrounding area, in accordance with the Norfolk Minerals and Waste Development Framework Core Strategy DPD 2010-2026 Policy DM10.

7. Prior to the first use of the development hereby permitted the vehicular access/crossing over the verge shall be constructed in accordance with a detailed scheme to be agreed in writing with the Mineral Planning Authority in accordance with the highways specification (Industrial) and thereafter retained at the position shown on the approved plan. The scheme shall include details of any hedgerow removal and a specification for any replanted hedgerow to be replanted outside the approved visibility splay in accordance with the requirement of Condition No. 10.

Arrangement shall be made for surface water drainage to be intercepted and disposed of separately so that it does not discharge from or onto the highway.

Once the development has ceased operation the access shall be removed and landscaping reinstated.

Reason: To ensure construction of a satisfactory access and to avoid carriage of extraneous material or surface water from or onto the highway in the interests of highway safety, in accordance with the Norfolk Minerals and Waste Development Framework Core Strategy DPD 2010-2026 Policies CS15 and DM10, Breckland Local Plan (2023) Policies TR01, TR02 and ENV1, and the NPPF (December 2023) paragraphs 108, 114 and 115.

8. Any access gates/bollard/chain/other means of obstruction shall be hung to open inwards, set back, and thereafter retained a minimum distance of 8 metres from the near channel edge of the adjacent carriageway. Any sidewalls/fences/hedges adjacent to the access shall be splayed at an angle of 45 degrees from each of the outside gateposts to the front boundary of the site.

Reason: In the interests of highway safety enabling vehicles to safely draw off the highway before the gates/obstruction is opened, in accordance with the Norfolk Minerals and Waste Development Framework Core Strategy DPD 2010-2026 Policies CS15 and DM10, Breckland Local Plan (2023) Policies TR01, TR02 and ENV1, and the NPPF (December 2023) paragraphs 108, 114 and 115.

9. The means of access to and egress from the development hereby permitted shall be from and to Rawhall Lane only.

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Reason: In the interests of highway safety and traffic movement, in accordance with the Norfolk Minerals and Waste Development Framework Core Strategy DPD 2010-2026 Policies CS15 and DM10, Breckland Local Plan (2023) Policies TR01, TR02 and ENV1, and the NPPF (December 2023) paragraphs 108, 114 and 115.

10. Prior to the first use of the development hereby permitted:

- visibility splays shall be provided in full accordance with the details indicated on Drawing Ref. BTLY-ACM-XX-XX-DR-CE-02000 P5, Beetley Quarry Proposed Access, dated 9th January 2024 and the detailed scheme approved in accordance with Condition No. 7;
- The visibility splays shall be provided from Bilney Lane at its junction with Rawhall Lane to ensure intervisibility of road users from the quarry; and
- Hedges shall, if required, be removed within the visibility splays and replanted outside the splay, in accordance with detailed scheme approved in accordance with Condition No. 7;

The splay(s) shall thereafter be maintained at all times free from any obstruction exceeding 1.05 metres above the level of the adjacent highway carriageway.

Reason: In the interests of highway safety, in accordance with the Norfolk Minerals and Waste Development Framework Core Strategy DPD 2010-2026 Policies CS15 and DM10, Breckland Local Plan (2023) Policies TR01, TR02 and ENV1, and the NPPF (December 2023) paragraphs 108, 114 and 115.

11. Prior to the first use of the development hereby permitted space sufficient to the satisfaction of the Mineral Planning Authority shall be provided within the site to enable HGVs and cars to park, turn and re-enter the highway in forward gear. This area shall be laid out, demarcated, levelled, surfaced, drained and be retained thereafter available for that specific use.

Reason: To ensure the permanent availability of the parking/manoeuvring areas, in the interests of satisfactory development and highway safety, in accordance with the Norfolk Minerals and Waste Development Framework Core Strategy DPD 2010-2026 Policies CS15 and DM10, Breckland Local Plan (2023) Policies TR01, TR02 and ENV1, and the NPPF (December 2023) paragraphs 108, 114 and 115.

12. Prior to any operations commencing on the site the Applicant shall submit to the Mineral Planning Authority an HGV Management Plan for the routing of HGVs to and from the site.

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The Plan shall thereafter be implemented as approved and make provision for:

- Monitoring of the approved arrangements during the life of the site;
- Ensuring that all drivers of vehicles under the control of the Applicant are made aware of the approved arrangements;
- The disciplinary steps that will be exercised in the event of a default;
- Appropriate signage, details to be approved by the Local Highway Authority and erected advising drivers of the vehicle routes agreed with the Local Highway Authority; and
- Wheel cleaning facilities and their use/retention.

Reason: In the interests of maintaining highway efficiency and safety, in accordance with the Norfolk Minerals and Waste Development Framework Core Strategy DPD 2010-2026 Policies CS15 and DM10, Breckland Local Plan (2023) Policies TR01, TR02 and ENV1, and the NPPF (December 2023) paragraphs 108, 114 and 115.

13. No operation authorised or required under this permission shall take place on Sundays or public holidays, or other than during the following periods:

07.00 - 18.00 Mondays to Fridays; and
07.00 - 13.00 Saturdays

except for the purposes of essential maintenance and in the event of an emergency.

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

14. Prior to the installation, details including dimensioned elevations/sections, material finishes and colours of the all the component parts of the following plant and plant area:

- (a) Site office;
- (b) Weighbridge;
- (c) Washing and screening plant;
- (d) Conveyors;
- (e) Wheelwash; and
- (f) Silt and Freshwater Lagoons.

shall be submitted and approved in writing by the Mineral Planning Authority. All the component parts of the plant and plant area shall thereafter be installed and maintained in accordance with the approved details.

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Reason: To maintain control over the development and to minimise the visual and amenity impacts in accordance with the Norfolk Minerals and Waste Development Framework Core Strategy DPD 2010-2026 Policies CS14 and DM8, and paragraph 217 of the National Planning Policy Framework (December 2023).

15. No plant or machinery shall be used on the site unless it is maintained in a condition whereby it is efficiently silenced in accordance with the manufacturer's specification.

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

16. With the exception of noise emitted from the site from temporary soil stripping operations, landscape operations and bund construction and removal operations, the noise emitted from the extraction site or the plant site shall not exceed shall not exceed 55 dB LAeq (1 hour) free field at the noise sensitive receptors NSR 1 and NSR 2 (referred to as MP1 and MP2 respectively in the Beetley Quarry Site, Noise Impact Assessment, Revision C, Report Ref. Reference: BD/CS/P20-2092/01 Rev C, Create Consulting Engineers Ltd, dated 9th June 2022.

Noise for temporary operations from temporary soil stripping operations, landscape operations and bund construction and removal operations, at each of the properties listed above shall not exceed 70 dB LAeq (1 hour) free field. Temporary operations shall not exceed a total of 8 weeks in any calendar year.

The noise limits apply during normal site operations between 0700 and 1800 Monday to Friday and 0700 to 1300 Saturdays. Measurements should be taken at 1.5 meters above local ground level, in free-field condition away from any buildings. LAeq,T sound level should be sampled for a period of one hour at each monitoring position. Measurements within the hour should be recorded at 10-minute intervals.

Reason: To protect the amenities of residential properties and the surrounding area, in accordance with the Norfolk Minerals and Waste Development Framework Core Strategy DPD 2010-2026 Policy DM12 and paragraphs 180 191 and 217 of the National Planning Policy Framework (December 2023).

17. All heavy goods vehicles and all mobile plant operating on the site will be fitted with broadband ('white-noise') reverse warning systems and maintained in accordance with the manufacturers recommendations for the lifetime of the development.

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Reason: To protect the amenities of residential properties and the surrounding area, in accordance with the Norfolk Minerals and Waste Development Framework Core Strategy DPD 2010-2026 Policy DM12. and paragraphs 180 191 and 217 of the National Planning Policy Framework (December 2023).

18. Vehicles leaving the site shall not be in a condition whereby they would deposit mud or other loose material on the public highway.

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

19. Measures shall be taken to prevent dust nuisance and sand blow caused by the operations, including spraying of road surfaces, plant area and stockpiles.

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

20. The development shall be undertaken strictly in accordance with the Environmental Statement Appendix F, Beetley Quarry Site Air Quality and Dust Risk Assessment, Revision B, Report Ref. Reference: NP/VL/P20-2092/02 Rev B, Create Consulting Engineers Ltd, dated 8th June 2022, Chapter 9, the Recommendation and Mitigation Measures.

Reason: To protect the amenities of residential properties and the surrounding area, in accordance with the Norfolk Minerals and Waste Development Framework Core Strategy DPD 2010-2026 Policy DM12 and paragraphs 180 and 217 of the National Planning Policy Framework (December 2023).

21. Prior to the commencement of development, an Emissions Management Plan (EMP) shall be submitted to and approved in writing by the Mineral Planning Authority which assesses the practices of the quarry in detail and is used to confirm practices that will control the level of air quality and dust released into the nearby vicinity of the site. The approved Emissions Management Plan (EMP) shall be carried out in its entirety for the lifetime of the development.

Reason: To protect the amenities of residential properties and the surrounding area, in accordance with the Norfolk Minerals and Waste Development Framework Core Strategy DPD 2010-2026 Policy DM12 and paragraphs 180 and 217 of the National Planning Policy Framework (December 2023).

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22. The development shall be undertaken strictly in accordance with the Hydrogeological Impact Assessment and Flood Risk Assessment, Beetley Quarry, Report Reference: 3010/HIA_FRA, Final Version F2, Hafren Water Ltd, dated 15th June 2022, including the details of the system of Water Management set out in Section 3.2, and the measures for Flood Mitigation set out in Section 4.4 and will include but not be limited to:
- (a) The installation of a closed loop water management system that will contain water to the site, negating the need for off-site discharge to nearby water features;
 - (b) The provision of surface flood water risk mitigation which includes (but is not limited to) the installation of a pond, an extension of the existing drainage system to divert run-off to the pond, and the installation of an infiltration sump and the creation of silt lagoons.

Reason: To ensure the site is effectively drained in interests of pollution prevention and manage and mitigation against the risk of flooding in the surrounding area, in accordance with the Norfolk Minerals and Waste Development Framework Core Strategy DPD 2010-2026 Policies DM3 and DM4 and paragraphs 173, 180 and 217 of the National Planning Policy Framework (December 2023).

23. No development shall take place until an archaeological written scheme of investigation has been submitted to and approved in writing by the Mineral Planning Authority. The scheme shall include an assessment of significance and research questions; and
- (a) The programme and methodology of site investigation and recording;
 - (b) The programme for post investigation assessment;
 - (c) Provision to be made for analysis of the site investigation and recording;
 - (d) Provision to be made for publication and dissemination of the analysis and records of the site investigation;
 - (e) Provision to be made for archive deposition of the analysis and records of the site investigation;
 - (f) Nomination of a competent person or persons/organization to undertake the works set out within the written scheme of investigation; and
 - (g) Any further project designs as addenda to the approved WSI covering subsequent phases of mitigation as required.

No mineral extraction shall take place other than in accordance with the approved written scheme of investigation and any addenda to that WSI covering subsequent phases of mitigation.

The quarry shall not be fully operated or any part restored until the site investigation and post investigation assessment has been completed in accordance with the programme set out in the approved archaeological written

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scheme of investigation and the provision to be made for analysis, publication and dissemination of results and archive deposition has been secured.

Reason: To safeguard archaeological assets within the approved development boundary from impacts relating to any groundworks associated with the development scheme and to ensure the proper and timely investigation, recording, reporting and presentation of archaeological assets affected by this development, in accordance with the Norfolk Minerals and Waste Development Framework Core Strategy DPD 2010-2026 Policies CS14 and DM9 and paragraphs 205, 211 and 217 of the National Planning Policy Framework (December 2023).

24. Prior to any operations commencing on the site a Soil Resource and Management Plan, which shall be prepared in accordance with the Institute for Quarry's Good Practice Guide for Handling Soils in Mineral Workings (2021) shall be submitted to and approved in writing by the Mineral Planning Authority. The Plan shall identify clearly the origin, intermediate and final locations of soils for use in the restoration, as defined by soil units, together with details balancing the quantities, depths, and areas involved.

All soil handling operations shall be carried out in accordance with the Approved Soil Resource & Management Plan

Reason: To ensure the retention and reuse of the soil resource on the site in accordance with the Norfolk Minerals and Waste Development Framework Core Strategy DPD 2010-2026 Policies CS14, DM14 and DM16 and paragraphs 180 and 217 of the National Planning Policy Framework (December 2023).

25. All topsoil, subsoil, and soil-forming material shall be retained on the site in accordance with the approved drawings listed in Condition No. 3. Pockets of suitable soil-forming material shall be recovered during the stripping or excavation operations, wherever practicable, for use during the restoration phase.

Reason: To ensure the retention and reuse of the soil resource on the site in accordance with the Norfolk Minerals and Waste Development Framework Core Strategy DPD 2010-2026 Policies CS14, DM14 and DM16 and paragraphs 180 and 217 of the National Planning Policy Framework (December 2023).

26. All available topsoil (and subsoil) shall be stripped before any part of the site is excavated, built upon or otherwise traversed by heavy machinery (except for the purpose of stripping or stacking soil on those parts).

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Soil stripping and soil tripping depths shall accord with the details to be set out in the Soil Resource and Management Plan to be submitted and approved in accordance with Condition No. 24.

Soils identified for use as a subsoil substitute shall be stripped separately and either re-spread over the replaced overburden or stored separately for subsequent replacement.

Written notification shall be giving to the Mineral Planning Authority seven clear working days' notice of the intention to start stripping soils, within each Phase.

Reason: To protect the soil resource and integrity of the soil structure in accordance with the Norfolk Minerals and Waste Development Framework Core Strategy DPD 2010-2026 Policies CS14, DM14 and DM16 and paragraphs 180 and 217 of the National Planning Policy Framework (December 2023).

27. Soil shall only be moved when in a dry and friable condition. For all soil types no soil handling shall proceed during and shortly after significant rainfall, and/or when there are any puddles on the soil surface.

Plant or vehicle movement shall be confined to clearly defined haul routes, or the overburden surface and shall not cross areas of topsoil and subsoil.

Reason: To protect the soil resource and integrity of the soil structure in accordance with the Norfolk Minerals and Waste Development Framework Core Strategy DPD 2010-2026 Policies CS14, DM14 and DM16 and paragraphs 180 and 217 of the National Planning Policy Framework (December 2023).

28. Bunds for the storage of agricultural soils shall conform to the following criteria:
- (a) Topsoils, subsoils and subsoil substitutes shall be stored separately;
 - (b) Where continuous bunds are used dissimilar soils shall be separated by a third material;
 - (c) Topsoil bunds shall not exceed 3 m in height and subsoil (or subsoil substitute) bunds shall not exceed 5 m in height; and
 - (d) Materials shall be stored like upon like so that topsoil shall be stripped from beneath subsoil bunds and subsoil from beneath overburden bunds.

Reason: To protect the soil resource and integrity of the soil structure in accordance with the Norfolk Minerals and Waste Development Framework Core Strategy DPD 2010-2026 Policies CS14, DM14 and DM16 and

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paragraphs 180 and 217 of the National Planning Policy Framework (December 2023).

29. All bunds intended to remain in situ for more than 6 months or over the winter period (December, January and February) are to be grassed over and weed control and other necessary maintenance to ensure the stability of the bunds are carried out to the satisfaction of the Mineral Planning Authority.

Reason: To protect the soil resource and integrity of the soil structure in accordance with the Norfolk Minerals and Waste Development Framework Core Strategy DPD 2010-2026 Policies CS14, DM14 and DM16 and paragraphs 180 and 217 of the National Planning Policy Framework (December 2023).

30. In any part of the site where differential settlement occurs during the restoration and aftercare period, the applicant, where required by the Mineral Planning Authority, shall fill the depression to the final settlement contours specified with suitable imported soils, to a specification to be agreed with the Mineral Planning Authority.

Reason: To ensure the satisfactory restoration of the site in accordance with the Norfolk Minerals and Waste Development Framework Core Strategy DPD 2010-2026 Policies CS14, DM14 and DM16 and paragraphs 180 and 217 of the National Planning Policy Framework (December 2023).

31. Prior to commencement of development, a revised Arboricultural Impact Assessment shall be submitted and agreed with the Mineral Planning Authority, which shall include a Tree Protection Plan and include methods to safeguard trees including details of construction works that affect trees on the site (including the construction of bunds). The approved version shall be implemented in full for the duration of the permission.

The Tree Protection Plan shall include tree buffers of 15-20m around the retained trees, and 20-25m buffers around the retained veteran trees.

Tree Protection must include fencing of sufficient height and other specifications to clearly define a protective perimeter to avoid accidental damage, parking or storage of equipment or materials.

All works shall be carried out in accordance with the approved Tree Protection Plan for the lifetime of the development.

Reason: To ensure that trees and vegetation to be retained for the benefit of landscape and visual amenity are protected from construction and mineral extraction enabling works, in accordance with the Norfolk Minerals and Waste

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Development Framework Core Strategy 2010-2026 Policies CS14 and DM8 and the National Planning Policy Framework (December 2023), Chapter 15, paragraph 180 and Chapter 17, Paragraph 217.

32. Within 3 months of the commencement date of operations notified in accordance with Condition No. 2, a scheme of soft landscaping that is in accordance with Drawing Ref. LON-002-M.D.015E, Concept Restoration, dated September 2023 shall be submitted to the Mineral Planning Authority for written approval. This detailed scheme shall be drawn to a scale of not less than 1:200 and shall include planting plans and written specifications including:
- (a) Soil preparation, cultivation and other operations associated with plant and grass establishment;
 - (b) Measures for the protection of planting, including specifications for combined rabbit and deer proof fencing for woodland planting;
 - (c) Schedules of plants noting species, provenance, plant sizes and proposed numbers/densities;
 - (d) Detailed setting out of planting patterns for woodland planting;
 - (e) Details of the management and maintenance of the planting, including weed control and watering; and
 - (f) An Implementation Plan setting out the timescale for commencement, implementation of the soft landscaping works in each phase;

The soft landscaping shall thereafter be undertaken in accordance with the approved details.

Reason: To ensure the restoration and enhancement of the landscape in accordance with the approved details and the Norfolk Minerals and Waste Development Framework Core Strategy DPD 2010-2026 Policies CS14, DM8 and DM14 and the National Planning Policy Framework (December 2023), Chapter 15, paragraphs 180 and Chapter 17, paragraph 217.

33. Within 3 months of the commencement date of operations notified in accordance with Condition No. 2, a revised Outline Restoration Strategy that is in accordance with Drawing Ref. LON-002-M.D.015E, Concept Restoration, dated September 2023, and that provides details of the management and aftercare of the site shall be submitted to the Mineral Planning Authority for written approval.

The development shall thereafter be undertaken strictly in accordance with the approved Outline Restoration Strategy.

An annual Monitoring Report to be prepared a competent ecologist shall be submitted to the Mineral Planning Authority by 31st December each year confirming that the specified the management and aftercare have been

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implemented in accordance with the approved Outline Restoration Strategy, following the completion of extraction, following the commencement of soil stripping and extraction works in Phase 2.

Reason: To ensure Biodiversity Net Gain is achieved and to ensure the restoration and enhancement of the landscape in accordance with the approved details and the Norfolk Minerals and Waste Development Framework Core Strategy DPD 2010-2026 Policies CS14, DM1, DM8 and DM14 and the National Planning Policy Framework (December 2023), Chapter 15, paragraphs 180 and Chapter 17, paragraph 217.

34. Prior to the installation of any fixed external lighting, a Lighting Design Strategy for areas to be lit shall be prepared by a suitably qualified lighting consultant and submitted to the Mineral Planning Authority for written approval. The strategy shall:
- (a) Identify those areas/features on site that are particularly sensitive for bats, and those areas where lights are likely to cause disturbance in or around their breeding sites and resting places or along important routes used to access key areas of their territory, for example, for foraging;
 - (b) Show how and where external lighting will be installed (through technical specifications and the provision of appropriate lighting contour plans which shall include lux levels of the lighting to be provided) so that it can be clearly demonstrated that areas to be lit will not cause light pollution and disturb or prevent bats using their territory or having access to their breeding sites and resting places; and
 - (c) Include the hours of operation for the approved lighting.

The lighting shall be installed in accordance with the specifications and locations set out in the approved strategy and shall be maintained thereafter in accordance with the strategy for the lifetime of the development.

Reason: To prevent light pollution in the interests of the protection of amenity, biodiversity and the dark skies of the Norfolk countryside in accordance with the Norfolk Minerals and Waste Development Framework Core Strategy DPD 2010-2026 Policy DM14 and paragraphs 191 and 217 of the National Planning Policy Framework (December 2023).

35. No development shall take place until a Construction Environmental Management Plan (CEMP: Biodiversity) has been submitted to and approved in writing by the County Planning Authority. The CEMP shall include the following:
- (a) Risk assessment of potentially damaging construction activities;
 - (b) Identification of 'biodiversity protection zones';

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- (c) Practical measures (both physical measures and sensitive working practices) to avoid or reduce impacts during construction;
- (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; and
- (h) The use of protective fences, exclusion barriers and warning signs. If several years have passed since surveys were undertaken, then update surveys may be required at the reserved matters stage and any additional mitigation measures that need incorporating into the site's design agreed with the Mineral Planning Authority.

The approved CEMP shall be strictly adhered to and implemented through the construction phases of the development. A 'statement of good practice' shall be signed upon completion by the competent ecologist, and be submitted to the LPA, confirming that the specified enhancement measures have been implemented in accordance with good practice upon which the planning consent was granted.

Reason: To protect ecology that may be present on site in accordance with the Norfolk Minerals and Waste Development Framework Core Strategy DPD 2010-2026 Policies CS14 and DM1 and the National Planning Policy Framework (December 2023), Chapter 15, paragraphs 180 and Chapter 17, paragraph 217.

36. The development shall be undertaken strictly in accordance with the Proposed Quarry Development, Beetley, Norfolk, Ecology Addendum (BNG Calculations), Wild Frontier Ecology Ltd, dated December 2022, including the implementation of the Proposed Habitats set out in Section 2.3 and the Appropriate Management of Proposed Habitats set out in Section 2.4 to deliver the Change in Biodiversity Unit calculations for the site - Area Based Habitats set out in Table 5 Proposed Hedgerow Unit calculations for the site – Linear Based Habitats set out in Table 6.

Prior to any operations commencing on the site details of scheme of the monitoring shall be submitted to the Mineral Planning Authority for written approval, setting out proposals for monitoring progress with implementation of the Proposed Habitats and the Appropriate Management of Proposed Habitats, following the commencement of soil stripping and extraction works in Phase 2 and until five years after the end date of the final restoration works notified in accordance with Condition No. 2.

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Reason: To ensure Biodiversity Net Gain is achieved and to ensure the restoration and enhancement of the landscape in accordance with the approved details and the Norfolk Minerals and Waste Development Framework Core Strategy DPD 2010-2026 Policies CS14, DM1, DM8 and DM14 and the National Planning Policy Framework (December 2023), Chapter 15, paragraphs 180 and Chapter 17, paragraph 217.

37. No development shall take place until a breeding bird management plan which sets out the following details:

- (a) The exact number of skylark plots to be created annually;
- (b) The exact area/proportion of spring crops to be sown;
- (c) Precise locations of hedgerows to be gapped up; and
- (d) Further details of the reduction in the use of herbicides.

in accordance with the Environmental Statement Addendum, Mitigation and Management for Breeding Birds in Respect of a Proposed Quarry on Land at Rawhall Lane Beetley, Dereham, Norfolk, Heatons, dated May 2023, has been submitted to and approved in writing by the Mineral Planning Authority.

The approved Breeding Bird Management Plan shall thereafter be implemented for the lifetime of the development.

Reason: To ensure the implementation of the mitigation and management for breeding birds in accordance with the approved details and the Norfolk Minerals and Waste Development Framework Core Strategy DPD 2010-2026 Policies CS14, DM1, DM8 and DM14 and the National Planning Policy Framework (December 2023), Chapter 15, paragraphs 180 and Chapter 17, paragraph 217.

38. Further bats activity surveys shall be undertaken in accordance with the Letter headed RE: Beetley, Proposed Quarry Development: Details of 2023 Updated Aerial Tree Inspection for Bat Roosts, Wild Frontier Ecology, dated 3rd October 2023, in accordance with the Section headed Further Actions and Conclusions, Table 2 Further Survey Requirements. A report of the surveys shall be submitted to the Mineral Planning Authority within two months of each survey, with the first report submitted no later than 31st July 2024, for written approval.

No works to any of trees listed in Table 2 shall be undertaken prior to completion of the survey and the approval of written reports submitted to the Mineral Planning Authority.

Reason: To identify if the presence of bats which are European Protected Species requires the provision of mitigation measures in accordance with the approved details and the Norfolk Minerals and Waste Development Framework

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Core Strategy DPD 2010-2026 Policies CS14, DM1, DM8 and DM14 and the National Planning Policy Framework (December 2023), Chapter 15, paragraphs 180 and Chapter 17, paragraph 217.

39. No development shall take place until a bat mitigation strategy which sets out details of all avoidance, mitigation and compensation measures required in relation to summer roosting and winter hibernating bats following completion of the bat activity surveys required in accordance with Condition No. 39 based on the with the Letter headed RE: Beetley, Proposed Quarry Development: Details of 2023 Updated Aerial Tree Inspection for Bat Roosts, Wild Frontier Ecology, dated 3rd October 2023, in accordance with the Section headed Proposed Mitigation, has been submitted to and approved in writing by the Mineral Planning Authority.

Reason: To ensure the provision of mitigation measures for bats which are a Protected Species, in accordance with the approved details and the Norfolk Minerals and Waste Development Framework Core Strategy DPD 2010-2026, Policies CS14, DM1, DM8 and DM14 and the National Planning Policy Framework (December 2023), Chapter 15, paragraphs 180 and Chapter 17, paragraph 217.

40. The development shall be undertaken strictly in accordance with the Avoidance, Mitigation and Compensation Strategy in respect of a Proposed Quarry on Land at Rawhall Lane Beetley, Dereham, Norfolk, Heatons, dated March 2023.

Reason: To ensure the provision of mitigation measures for badgers which are a European Protected Species, in accordance with the approved details and the Norfolk Minerals and Waste Development Framework Core Strategy DPD 2010-2026, Policies CS14, DM1, DM8 and DM14 and the National Planning Policy Framework (December 2023), Chapter 15, paragraphs 180 and Chapter 17, paragraph 217.

41. No development shall take place until a Scheme for Geological Recording and Sampling shall be submitted to the County Planning Authority for its approval in writing. The Scheme will include details of:

- (a) The opportunities during working for geological features exposed during excavation or other operations to be recorded, sampled, studied and retained as an open face as part of the restoration of the site; and
- (b) Access to the site to allow geological study and research by educational and research groups, as requested.

Reason: To ensure access to and the recording of geological features exposed during excavation or other operations in the interests of geodiversity in

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accordance with the Norfolk Minerals and Waste Development Framework Core Strategy DPD Policy DM14 and the Norfolk Minerals and Waste Development Framework Minerals Site Specific Allocations Development Plan Document (2013) (with amendments adopted December 2017) Policy MIN 51.

Positive and Proactive Statement

In accordance with the Town and Country Planning (Development Management Procedure) (England) (Amendment No. 2) Order 2015, the Mineral 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.

Reason for pre-commencement conditions

Article 35 of the Town and Country Planning (Development Management Procedure) (England) Order 2015 requires planning authorities to provide written reasons for imposing planning conditions that require particular matters to be approved before development can start. In this instance Condition Nos. 12, 21, 23, 24, 31, 35, 37, 39 and 41 require the submission of further details before development can start. This information is being requested by condition to ensure the application is determined within its statutory period and without delay.

Environmental Information

In accordance with Article 35(4) of the Town and Country Planning (Development Management Procedure) Order 2015, Norfolk County Council confirms that all relevant environmental information has been taken into consideration in reaching this decision.

Informatives

Highways

This development involves works within the public highway that can only be carried out by Norfolk County Council as Highway Authority unless otherwise agreed in writing.

It is an OFFENCE to carry out any works within the Public Highway, which includes a Public Right of Way, without the permission of the Highway Authority. Please note that it is the Applicants' responsibility to ensure that, in addition to planning permission, any necessary consents or approvals under the Highways Act 1980 and the New Roads and Street Works Act 1991 are also obtained from the County Council. Advice on this matter can be obtained from the County Council's Highway Development Management Group.

Please contact developer.services@norfolk.gov.uk

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If required, street furniture will need to be repositioned at the Applicants own expense.

Public Utility apparatus may be affected by this proposal. Contact the appropriate utility service to reach agreement on any necessary alterations, which have to be carried out at the expense of the developer.

Archaeology

A brief for the archaeological work can be obtained from Norfolk County Council Historic Environment Service. Please note that the Historic Environment Service charges for its services.

Gas Pipeline

Cadent Gas Ltd (Cadent) has advised that it has a 114 mm High Pressure gas pipeline in the vicinity of the application site.

Cadent may have a Deed of Easement on the pipeline, which provides it with a right of access for a number of functions and prevents change to existing ground levels and storage of materials. It also prevents the erection of permanent/temporary buildings, or structures. Cadent has advised that it will, if necessary, take action to legally enforce the terms of the easement.

This permission does not constitute any formal agreement or consent for any proposed development work either generally or related to any Cadent easements or other rights, or any planning or building regulations applications.

Cadent has advised that it or its agents, servants or contractors do not accept any liability for any losses arising under or in connection with this information. This limit on liability applies to all and any claims in contract, tort (including negligence), misrepresentation (excluding fraudulent misrepresentation), breach of statutory duty or otherwise. This limit on liability does not exclude or restrict liability where prohibited by the law nor does it supersede the express terms of any related agreements.