

**NORFOLK COUNTY COUNCIL**

**Town and Country Planning Act, 1990**

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

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

Particulars of Proposed Development

Location: Horstead Quarry, Buxton Road, Horstead NR12 7NX

Applicant: Longwater Gravel Company Ltd

Agent: Ms Jenna Conway

Proposal: Proposed eastern extension to Horstead Quarry

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 29 September 2020, 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 Lambert Date: 13 May 2021

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.

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Conditions and Reasons for Conditions:

1. The development hereby permitted shall commence not later than three years from the date of this permission. Within seven days of the commencement of operations, the operator shall notify the County Planning Authority in writing of the exact starting date.

Reason: Imposed in accordance with Section 91 of the Town and Country Planning Act 1990, as amended by Section 51 of the Planning and Compulsory Purchase Act 2004.

2. The extraction of sand and gravel to which this permission relates shall not commence before extraction is completed on the adjacent site (southern extension; reference FUL/2020/0063) and shall cease and the site shall be restored in accordance with condition number 25 below within 15 years of the date of commencement of development hereby approved.

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.

3. Except as modified by the provisions of:

(i) the contents of the email from Heaton Planning to Norfolk County Council, dated 17 December 2020 13:12 hours;

(ii) the contents of the email from Heaton Planning to Norfolk County Council, dated 26 January 2021 10:02 hours;

(iii) in so far as it relates to restoration of the haul road area between the extraction area and the reinstated hedgerow, the contents of the email from Heaton Planning to Norfolk County Council, dated 04 February 2021 18:31 hours;

(iv) the contents of the email from Heaton Planning to Norfolk County Council, dated 19 April 2021 11:55 hours; and

(v) another condition of this consent,

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

- Location Plan; Dwg No. LON-001-M.D.001; dated June 2020
- Site Plan: Dwg No. LON-0010-M.D.002; dated June 2020
- Extension Area Year 1-3; Dwg. No. 403.04095.00009.17.01; dated 21st February 2018

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- Extension Area Year 3-6; Dwg. No. 403.04095.00009.17.02; dated 21st February 2018
- Extension Area Years 6-9; Dwg. No. 403.04095.00009.17.03; dated 21st February 2018
- Extension Area Years 9-12; Dwg. No. 403.04095.00009.17.04; dated 21st February 2018
- Extension Area Years 12-15; Dwg. No. 403.04095.00009.17.05; dated 21st February 2018
- Extension Area Year 15; Dwg. No. 403.04095.00009.17.06; dated 21st February 2018
- Final Restoration; Dwg. No. 403.04095.00009.17.07; dated 21st February 2018; received 04 February 2021,
  
- Planning Statement; unreferenced; prepared by Heatons; dated July 2020
- Arboricultural Impact Assessment & Method Statement; reference OAS 20-173-AR01; prepared by Oakfield Arboricultural Services; undated

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

4. No development shall commence until an Archaeological Written Scheme of Investigation (WSI) has been submitted to and approved by the County Planning Authority in writing. 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/organisation 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.

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.

5. Prior to the commencement of operations, details of a sign(s) advising drivers of vehicle routes to be taken to and from the site, shall be submitted to the County Planning Authority for its approval in writing, in consultation with the Highway Authority. The development shall thereafter only be carried out in accordance with the approved details with the sign(s) being erected and thereafter maintained at the site exit for the duration of the development hereby permitted.

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Reason: In the interests of highway safety and safeguarding local amenity, in accordance with Policies CS15, DM10 and DM12 of the Norfolk Minerals and Waste Core Strategy DPD 2010-2026.

6. Prior to the commencement of development, a dust management scheme shall be submitted for the written approval of the County Planning Authority. The approved scheme shall be implemented for the duration of the works.

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

7. The scheme of landscaping, as detailed in the document entitled Woodland Planting Plan for Land off Buxton Road, Horstead, Longwater Gravel Ltd Rev A, prepared by Oakfield Arboricultural Services dated Sept 2020, shall be carried out in the first available planting season following the date of this permission. Any trees or plants which, within a period of 5 years from the date of initial planting die, are removed or become seriously damaged or diseased shall be replaced in the next planting season with others of a similar size and species.

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

8. With exception of the new native woodland and reinstatement of the section of removed hedgerow to facilitate crossing of the haul road, all planting comprised in the approved documents entitled Landscape Scheme, Management & Aftercare (5-year); prepared by Heatons; dated September 2020 and Landscape Scheme; Dwg No. LON-001-M.D.007; dated Sept 2020 shall be carried out in the first available planting season following the date of this permission. Any trees or plants which within a period of 5 years from the date of initial planting die, are removed or become seriously damaged or diseased shall be replaced in the next planting season with others of similar size and species.

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

9. Notwithstanding the approved documents, within three months of the date of this permission a Scheme for Geological Recording and Sampling shall be submitted to the County Planning Authority for its approval in writing. The Scheme shall include details of:

i) the opportunities during working for geological features exposed during excavation or other operations to be recorded, sampled and studied;

ii) access to the site to allow geological study and research by educational and research groups, to include representatives of Norfolk Geodiversity Partnership.

The development shall thereafter only be carried out in accordance with the approved scheme.

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Reason: In the interests of protecting the geological interest of the site, in accordance with Policy CS14 of the Norfolk Minerals and Waste Core Strategy DPD 2010-2026

10. An aftercare scheme specifying such steps as may be necessary to bring the land to the required standard for use for agriculture shall be submitted for the written approval of the County Planning Authority in writing not later than six months from the date of this permission. The aftercare scheme as may be so approved, shall be implemented over a period of five years following the completion of restoration, or in the case of phased restoration, in stages of five years duration dating from each completed restoration phase.

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.

11. No development shall take place other than in accordance with the Written Scheme of Investigation (WSI) approved under condition 4 and any addenda to that WSI covering subsequent phases of mitigation.

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.

12. No development or individual phase of development shall commence within the site until the site investigation and post investigation assessment has been completed for that area in accordance with the programme set out in the archaeological written scheme of investigation approved under condition 4, and the provision to be made for analysis, publication and dissemination of results and archive deposition has been secured.

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 2010-2026.

13. Noise emitted from the site shall not exceed 10dB(A) above existing background noise levels between:

07.00 – 18.00 Monday to Friday; and,  
07.00 – 13.00 Saturdays

at any of the points identified on Drawing entitled Noise Monitoring Locations; prepared by Heatons; undated; received 17 December 2020, except during short term construction works not exceeding 8 weeks in any one year when noise levels will not exceed 70dBA.

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

14. 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 Policy DM12 of the Norfolk Minerals and Waste Core Strategy DPD 2010-2026.

15. The development shall only be carried out in accordance with the mitigation measures detailed in section 7.4 of the approved Ecological Assessment Report; unreferenced; prepared by Wild Frontier Ecology; dated June 2020 and paragraphs 10.3.4 to 10.3.8 inclusive of the Planning Statement; unreferenced; prepared by Heatons; dated July 2020.

Reason

In the interests of protecting biodiversity, in accordance with Policy CS14 of the Norfolk Minerals and Waste Core Strategy DPD 2010-2026 and Section 15 of the National Planning Policy Framework (2019).

16. 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 Policy DM12 of the Norfolk Minerals and Waste Core Strategy DPD 2010-2026.

17. No operation authorised or required under this permission or under Part 17 of Schedule 2 of the Town and Country Planning (General Permitted Development) (England) 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:  
07.00 - 18.00 Mondays to Fridays  
07.00 - 13.00 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.

18. Soil bunds which are in situ for one or more growing season shall be seeded with grass and maintained in accordance with a scheme to be submitted by the applicants and agreed in writing beforehand with the County Planning Authority.

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

19. With exception of 'Trees to be removed', existing trees, hedges and groups shown on submitted Dwg No. OAS 20-173-TS01 Tree Constraints Plan; dated Sept 2020 and within such land as outlined in red and blue on submitted Location Plan; Drg. No. LON-001-M.D.001; dated June 2020 shall be retained. Any such plants which at any time during the development period, die, are removed without consent, or become seriously damaged or diseased shall be replaced in the planting season (November to March) immediately following any such occurrences with others of a similar species.

Reason: To ensure the provision of amenity afforded by existing landscape features, in accordance with Policy CS14 of the Norfolk Minerals and Waste Core Strategy DPD 2010-2026.

20. No more than 50,000 tonnes of mineral shall be removed from the site in one year. 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 12 months.

Reason: To protect the amenities of residential properties, in accordance with Policy DM12 of the Norfolk Minerals and Waste Core Strategy DPD 2010-2026, and in the interests of highway safety, in accordance with policy DM10 of the Norfolk Minerals and Waste Core Strategy DPD 2010-2026.

21. No excavation shall take place below the level of the maximum winter water-table on the site.

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

22. 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.

23. 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 Policy DM10 of the Norfolk Minerals and Waste Core Strategy DPD 2010-2026.



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24. No external lighting shall be installed on the site unless it is maintained such that it will not cause glare beyond the site boundaries. The lighting shall not be used at night when the quarry is not operational.

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

25. The restoration of the site shall be completed within 15 years of the date of commencement of development hereby approved, in accordance with the submitted scheme shown on Dwg. No. 403.04095.00009.17.07; Final Restoration; dated 21st February 2018; received 04 February 2021 and, in so far as it relates to reinstatement of the section of hedgerow removed to facilitate crossing of the haul road, approved documents entitled Landscape Scheme, Management & Aftercare (5-year); prepared by Heatons; dated September 2020 and Landscape Scheme; Dwg No. LON-001-M.D.007; dated Sept 2020.

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. 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 beforehand 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.

27. Until the topsoil and subsoil have been stripped from the site, the land shall not be traversed by any plant or machinery, save that which is engaged in stripping operations, and all such machinery shall be used in such a way as to minimise soil 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.

28. The topsoil layer of each phase shall be separately stripped, to its full depth and, so far as is possible, shall be immediately re-spread on the refilled and subsoiled area of the preceding phase as specified in the agreed progressive restoration scheme.

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.

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29. The subsoil layer of each phase shall be separately stripped to its full depth and, so far as possible, shall be immediately re-spread on the re-filled area of the preceding phase, as specified in the agreed progressive restoration scheme.

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.

30. An even layer of subsoil shall be re-spread on the site to a depth of 600mm.

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.

31. The subsoil shall be crossripped and any pans and compaction shall be broken up to the satisfaction of the County Planning Authority before replacement of the topsoil.

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.

32. 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.

33. All vehicles, plant, machinery, site roads, hardstandings and fencing shall be removed from the site within 12 months of completion of extraction operations and in any event by the permission expiry date.

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.

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

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.

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

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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.

36. The measures outlined within Lorry Management Plan at Horstead Quarry; prepared by Heatons; dated December 2020; received 17 December 2020 for the control and routeing of HGVs to / from the site shall be implemented as approved for the duration of the permission hereby approved.

Reason: In the interests of maintaining highway efficiency and safety, in accordance with Policies DM10 and CS15 of the Norfolk Minerals and Waste Core Strategy DPD 2010-2026.

#### Informatives:

Attention is drawn to the requirements of the Environment Agency as contained in their letter dated 22 October 2020, a copy of which is attached to this notice

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

Please be aware it is the applicant's responsibility to clarify the boundary with the public highway. Private structures such as fences or walls will not be permitted on highway land. The highway boundary may not match the applicant's title plan, Please contact the highway research team at [highway.boundaries@norfolk.gov.uk](mailto:highway.boundaries@norfolk.gov.uk) for further details.

#### Positive and Proactive Statement

In accordance with the Town and Country Planning (Development Management Procedure) (England) (Amendment No. 2) Order 2015: The local planning authority has passed on to the applicant specific issues raised by third parties during the application processing period to enable the applicant to be aware of these issues and to address these if necessary.

#### 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, conditions 4, 5, 6 and 12 require matters to be addressed before development can commence and relate to archaeological investigation, vehicle routeing signage and dust management information, which was not provided with the planning application documentation. The information is required to ensure adequate time is available to investigate any features of archaeological interest, in the interests of highway safety and to protect the amenities of residential properties.

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This information is being requested by condition to ensure the application is determined within its statutory period and without delay.