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## Appeal Decisions

Site visit made on 2 November 2021

**by Simon Warder BSc(Hons) MA (DipUD(Dist) MRTPI**

**an Inspector appointed by the Secretary of State**

**Decision date: 17 November 2021**

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### **Appeal A Ref: APP/V3500/W/20/3264295**

#### **Hadleigh Quarry, Aldham Mill Hill, Hadleigh IP7 6DL**

- The appeal is made under section 78 of the Town and Country Planning Act 1990 against a refusal to grant planning permission under section 73 of the Town and Country Planning Act 1990 for the development of land without complying with conditions subject to which a previous planning permission was granted.
  - The appeal is made by JT Few Plant Hire Ltd against the decision of Suffolk County Council.
  - The application Ref SCC/0091/19, dated 6 November 2019, was refused by notice dated 8 October 2020.
  - The application sought planning permission for the erection of a wash plant and associated Silt Lagoons without complying with conditions attached to planning permission Ref SCC/0157/17B, dated 23 January 2018.
  - The conditions in dispute are:
    - **No 7** which states that: '*On the 1<sup>st</sup> of January, April, July and October of each calendar year, the applicant shall provide the Mineral Planning Authority with the number of HGV movements (in and out of the site). In any calendar year the total number of HGV movements permitted from any activity within the blue line on drawing entitled Site Location Plan dated 4 September 2017 shall not exceed 1000 (500 movements in and 500 movements out).*' The reason given for the condition is: '*In the interests of residential amenity and in accordance with the NPPF.*';
    - **No 8** which states that: '*No floodlighting shall be erected on the plant.*' The reason given for the condition is: '*In order to ensure protected and priority species are safeguarded during site operations in accordance with the National Planning Policy Framework (NPPF) Section 11 and Development Plan Policy.*';
    - **No 12** which states that: '*Prior to the commencement of the installation of the wash plant and silt lagoons, a scheme of noise mitigation measures to ensure that noise levels do not exceed the permitted noise limited stated in condition 11, shall be submitted to the Minerals Planning Authority. The noise mitigation scheme shall be implemented and thereafter retained and maintained for the life of the quarry.*' The reason given for the condition is: '*To protect the amenity of neighbouring occupiers during the life of the site activities approved under this permission having regard to the National Planning Policy Framework.*'.
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### **Appeal B Ref: APP/V3500/W/20/3264296**

#### **Hadleigh Quarry, Aldham Mill Hill, Hadleigh IP7 6DL**

- The appeal is made under section 78 of the Town and Country Planning Act 1990 against a refusal to grant planning permission under section 73 of the Town and Country Planning Act 1990 for the development of land without complying with conditions subject to which a previous planning permission was granted.
  - The appeal is made by Buffalo Crow Ltd against the decision of Suffolk County Council.
  - The application Ref SCC/0090/19, dated 6 November 2019, was refused by notice dated 8 October 2020.
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- The application sought planning permission for extraction of sand and gravel without complying with conditions attached to planning permission Ref B/12/01244, dated 20 December 2012.
  - The conditions in dispute are:
    - **No 2** which states that: *'Except as may be modified or required by the other conditions to this permission by the Mineral Planning Authority, none of the uses, operations and activities associated with the development hereby approved shall be carried out other than in accordance with the details as set out in:*
      - *The letter from Tarmac dated 28th July 1997.*
      - *Supporting statement entitled "Application for Determination of Conditions under Section 96 and Paragraph 9 of Schedule 13 of the Environment Act 1995" dated July 1997.*
      - *Drawing Nos:*
        - *H39/31 entitled "Mineral Site" dated July 1997.*
        - *H39/32 entitled "Topographical Survey" dated July 1997.*
        - *H39/33 entitled "Proposed Extraction and Infilling Phases" dated July 1997.*
        - *H39/34 entitled "Final Restoration Concept" dated July 1997.*
    - *As amended by the e-mail from Simon Treacy to Terry Burns dated 19<sup>th</sup> October 2012.'* The reason given for the condition is: *'To clarify those details approved and in the interests of minimising the impact on the amenities of the local area in accordance with Policy DC8 of the Suffolk Minerals Core Strategy Adopted Version September 2008.'*
    - **No 28** which states that: *'The extraction of sand and gravel and landfilling shall follow the direction of operations as depicted on Drawing No: H39/33 entitled "Proposed Extraction and Infilling Phases" dated July 1997, except that in Phase 2 landfilling shall proceed in the reverse direction to that shown, (ie west to east from the site's western boundary).'* The reason given for the condition is: *'To clarify those details approved and to provide for the progressive restoration of the site in the interests of minimising the impact on the amenities of the local area in accordance with Policy DC8 of the Suffolk Minerals Core Strategy Adopted Version September 2008 and the National Planning Policy Framework Technical Guidance on Restoration and Aftercare of mineral sites.'*
    - **No 29** which states that: *'Soils shall not be stripped from Phase 3 until 75% of the area of Phase 2 has been completely restored.'* The reason given for the condition is: *'To clarify those details approved and to provide for the progressive restoration of the site in the interests of minimising the impact on the amenities of the local area in accordance with Policy DC8 of the Suffolk Minerals Core Strategy Adopted Version September 2008 and the National Planning Policy Framework Technical Guidance on Restoration and Aftercare of mineral sites.'*
    - **No 30** which states that: *'Extraction shall not commence within Phase 4 until 50% of the area of Phase 3 is reinstated to 2 metres below the original levels.'* The reason given for the condition is: *'To clarify those details approved and to provide for the progressive restoration of the site in the interests of minimising the impact on the amenities of the local area in accordance with Policy DC8 of the Suffolk Minerals Core Strategy Adopted Version September 2008 and the National Planning Policy Framework Technical Guidance on Restoration and Aftercare of mineral sites.'*
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## Decisions

1. Appeal A is allowed and Appeal B is dismissed.

## Application for costs

2. An application for costs was made by JT Few Plant Hire Ltd and Buffalo Crow Ltd against Suffolk County Council. This application is the subject of a separate decision.

## **Preliminary Matter**

3. The National Planning Policy Framework (the Framework) has been updated since the parties submitted their statements. They were given the opportunity to comment on any consequences of the revised version for the appeals, but neither indicated that there were substantial implications. I agree and have referred to paragraph numbers from the revised version.

## **Background and Main Issues**

4. The quarry site has a lengthy planning history including Review of Old Mineral Permissions (Refs B/97/0955 and B/12/01244/CMA) which confirms that activities must cease by 2042. There are a number of instances where the conditions of different permissions cover the same matters. However, there is no dispute between the parties that the conditions proposed to be varied in these appeals are those necessary to facilitate the changes to the operation of the quarry sought by the appellants. Although the appellants for Appeals A and B are different, a single statement has been submitted for both. As such, it is appropriate to consider both appeals in a single decision.
5. The appellants' statement contends that conditions 28 and 30 of permission Ref B/12/01244 and condition 8 of permission, Ref SCC/0157/17B are not in dispute. The Council accepts that condition 8 is not in dispute but disagrees over conditions 28 and 30. Consequently, I have proceeded on the basis that all of the conditions detailed in the banner heading above are in dispute except condition 8 of permission Ref SCC/0157/17B and have framed the main issues accordingly.
6. The appeals seek to vary the number of HGV movements permitted (condition 7 of SCC/0157/17B and condition 2 of SCC/0090/19); details of the noise mitigation measures (condition 12 of SCC/0157/17B); the direction of extraction and infilling on phase 2 of the site (condition 28 of SCC/0090/19); and the relationship between the operations on phases 2 and 3 and phases 3 and 4 (conditions 29 and 30 of SCC/0090/19 respectively).
7. While there is disagreement over the interpretation of the correspondence leading to the formulation of clause d of condition 2 of permission Ref B/12/01244, the parties accept that the number of HGV movements at the site is controlled by condition 7 of the later permission, Ref SCC/0157/17B. The requirements of that condition, therefore, provide the basis for the consideration of the proposed change to the number of HGV movements permitted. The proposed wording of condition 7 of SCC/0157/17B and condition 2 of B/12/01244 was amended prior to the determination of the applications and now seeks permission for an average of 60 HGV movements per day (30 in and 30 out). Unless the context requires otherwise, I will refer only to the total number of movements per period, rather than movements in and out of the site.
8. The main issues are the effects of varying the conditions on:
  - noise impacts on nearby residential properties and the character of the landscape to the north of the site having regard to the mitigation proposed;
  - highway safety having regard to the mitigation proposed;
  - air quality impacts on nearby residential properties having regard to the mitigation proposed.

## Reasons

### *Highway safety*

9. The proposal would result in the permitted number of HGV movements increasing from some 20 movements per week (based on condition 7 of SCC/0157/17B) to an average of 60 movements per day. The Council's proposed condition 11 (on permission Ref SCC/0090/19) removes the reference to an average number of movements. This change would provide certainty over the total number of daily movements permitted and has not been disputed by the appellants. I have, therefore, considered the proposal on this basis. Nevertheless, it approximates to a 15-fold increase.
10. The Council is concerned that this level of increase of slow-moving HGV movements using the A1071/Aldham Mill Hill junction would lead to a significant additional risk of accidents and collisions. Survey data indicates that the 85<sup>th</sup> percentile speed of vehicles approaching the junction on the A1071 is in the region of 60mph. The accident record shows that there have been six slight injury accidents in the vicinity of the junction in the five years to May 2019, four of which involved drivers failing to judge the speed of an approaching vehicle. Nevertheless, only one of the reported accidents involved an HGV and there were no reported accidents on Aldham Mill Hill between the junction and the site access.
11. I recognise that concern has been expressed locally that the accident record reported by the appellants and considered by the Council is incomplete. Specific references have been made to an accident on Whatfield Road north of the site and to an accident at the junction in August/September 2020 which appears to have involved a lorry. I deal with the Lorry Management Plan below, however, if implemented correctly, it would prevent HGVs visiting the quarry from using Whatfield Road. The cause of the August/September 2020 accident is not clear from the submissions. No firm evidence has been provided to indicate that the A1071/Aldham Mill Hill junction is less safe than others along the road.
12. The appellants' evidence indicates that, during the period of the accident report there were up to 82 movements per day from the quarry. Although this was an unusually high figure, the average over the 28 months to October 2019 was 12 movements per day, or just over one movement per hour during the site's 10 hour working day. This level of activity is broadly consistent with the appellants' Traffic Survey of February 2020 (as reported in the Addendum Transport Statement 15 April 2020). The appeal proposal would result in an average of six movements per hour. Although this would be a considerable increase over the currently permitted and actual recorded level of activity at the site, it would still be very small compared with overall flows on the A1071 and relatively small compared with overall flows on Aldham Mill Hill<sup>1</sup>.
13. Moreover, the accident record does not indicate a particular highway problem with the design or capacity of the A1071/Aldham Mill Hill junction, Aldham Mill Hill itself or with HGV movements in the area. Nor is there substantive evidence to suggest that the design of the junction or its visibility splays are deficient. In that regard, I note that, while the first reason for refusal alleges that insufficient highway safety mitigation has been proposed, the Council's

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<sup>1</sup> Based on the figure in Appendix C of the appellants' Addendum Transport Statement.

evidence does not suggest what mitigation at the junction it considers necessary, given that there appears to be no support for reducing the speed limit on the A1071. That said, the appellants have offered to re-do the white-lining and improve signage at the junction.

14. Concern has also been expressed that Aldham Mill Hill is too narrow in places to allow two HGVs to pass one another, bearing in mind that the road forms part of the National Cycle Network. I have already referred to the lack of evidence of a particular highway safety risk on this section of road and there is no firm evidence to suggest that HGVs using the site now, or at the proposed level of activity, would lead to undue delays or congestion. There is evidence that the highway verges have been degraded by HGV movements. While that is not strictly a highway safety matter, it is proposed to widen the road to 5.5m in two places where it is currently narrower. The Department for Transport's Manual for Streets advises that a carriageway width of 5.5m can accommodate two HGVs. Forward visibility along this section of Aldham Mill Hill is generally good and it does not contain any tight bends. As such, I consider that the proposed widening would provide adequate mitigation.
15. Visibility at the site access falls short of the required standard, even based on a vehicle speed along the road of 40mph which is slightly less than the recorded 85<sup>th</sup> percentile speed. Nevertheless, there is nothing to suggest that the access has led to highway safety problems in the past. The presence of the access is signposted from the south by commercial signage and from the north by road signs. Although a considerable increase in the number of vehicles using the access is proposed, there is nothing to indicate that the additional movements would, of themselves, adversely affect visibility at the access or reduce the ability of drivers to pull out onto the road in a safe manner.
16. The appellants have submitted a Lorry Management Plan which is intended to monitor and control HGV movements to and from the site. The routing plan would require all HGVs to approach and leave the site to the south, thereby avoiding movements through Whatfield and other villages to the north. It would also exclude movements towards the centre of Hadleigh along Aldham Mill Hill south except where customers are based in that area. The Council contends that the control measures would be inadequate and refers specifically to the log required by clause (c) of the Plan. However, clause (d) and the accompanying guidance would ensure that drivers are aware of the requirements of the Plan and makes provision for reasonable disciplinary action in the event of any breaches. I consider that these provisions would provide the necessary control and certainty over HGV movements.
17. The requirements of the Lorry Management Plan would be precise and enforceable and could be secured by condition which would, therefore, meet the tests at Framework paragraph 56. I recognise that concern has been expressed that the operators of the quarry have not adhered to planning requirements in the past. However, the Lorry Management Plan is clear and enforceable in its requirements and it would be for the Council to ensure compliance.
18. Overall therefore, I find that the proposal would not pose an unacceptable risk to highway safety and that adequate mitigation has been proposed. As such, the proposal would accord with Policy GP4 of the Suffolk Minerals and Waste Local Plan July 2020 (MLP), Policy CS15 of the Babergh Core Strategy February

2014 (CS), paragraphs 43 and 110 of the Framework and paragraph 7 and Appendix B of the National Planning Policy for Waste (NPPW). Together these policies require proposals to be supported by adequate information and to not have adverse impacts on the highway network.

#### *Air quality*

19. The proposed increase in the number of HGV movements to and from the site would enable a commensurate increase in the rate of extraction and fill at the quarry and consequential increases in materials movements and processing within the site, all of which have the potential to impact on air quality. In addition, the proposed changes to conditions 28, 29 and 30 of B/12/01244 have the potential to change the length of time bare soil is exposed during site operations and, therefore, the amount of dust generated.
20. Taking the last point first, the change to condition 28 would require the infilling at phase 2 to follow in the same direction as the extraction. As the Council's air quality consultee notes<sup>2</sup>, if anything, this would appear to allow a reduction in the length of time bare soil is exposed and, as such, a reduction in the potential for dust mobilisation.
21. The Council is concerned that the proposals are not supported by a dust assessment and both parties have drawn my attention to two sources of relevant guidance<sup>3</sup>. Both documents refer to the need for professional judgement, but also offer indicative thresholds, to establish the need for assessment. The 2016 guidance indicates that an assessment will be required where there are human receptors within 250m of the site. In this case there are a number of dwellings less than that distance from the site. The 2017 guidance refers to a site area of 0.5ha and a change in HGV flows of more than 100 Average Annual Daily Traffic, which would not apply in this case.
22. Application of the threshold in the two guidance documents therefore pulls in different directions. However, it is also relevant that the site is not within or close to an Air Quality Management Area or statutorily designated nature conservation site. I am also mindful that the Council took specialist advice on this matter during its consideration of the applications and that did not recommend the need for an assessment. The Council did not request an assessment prior to the determination of the applications. On balance therefore, I am satisfied that the proposals can be considered on the basis of the submitted information.
23. The Council's statement includes limited evidence to show that the proposals would have an adverse impact on air quality. Rather, it relies on the views of consultees including Hadleigh Town Council and Aldham Parish Council. While these submissions refer in general terms to dust deposits on dwellings around the site, their main concern is lack of compliance with existing dust control measures. I saw little evidence of dust deposition on nearby properties during my site visit.
24. The appellants have submitted a Dust Management Plan which identifies potential sources of dust and sets out control measures. These include controls over the operation and management of activities, physical measures such as

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<sup>2</sup> SRL letter dated 3 December 2019

<sup>3</sup> Institute of Air Quality Management: Guidance on the Assessment of Mineral Dust Impacts for Planning May 2016 and Land-Use Planning and Development Control: Planning for Air Quality January 2017

the use of planting and bunding and controls over the operation of vehicles. The submitted Plan was found to be acceptable by the Council's specialist air quality consultee<sup>4</sup>. Although it does not provide for monitoring, the condition suggested by the consultee<sup>5</sup> includes a procedure to monitor and address impacts in the event of a complaint. Taken together, I consider that these measures would provide sufficient mitigation to ensure that the proposals would not lead to a harmful level of dust deposition.

25. Although the proposal would considerably increase the number of HGV movements at the site compared with the currently permitted limit, the number of proposed movements would be low compared with the overall volume of traffic flows in the area. Against this background, there is no firm evidence to show that vehicle emissions resulting from the proposals would have a detrimental effect on air quality.
26. Consequently, I conclude that the proposal would not have a harmful effect on air quality and that adequate mitigation has been proposed. The proposal, therefore, would comply with Policy GP4 of the MLP, Policy CS15 of the CS, paragraph 43 of the Framework and paragraph 7 and Appendix B of the NPPW. Among other things, these policies require proposals to be supported by adequate information and to not have adverse impacts on air quality having regard to ecological and human receptors and the extent to which emissions can be controlled. The second reason for refusal also refers to Framework paragraph 108 (now paragraph 110 of the 2021 version). This deals with transport and highways matters and is not directly relevant to this issue.

#### *Noise*

27. The proposed increase in the number of HGV movements to and from the site would enable a commensurate increase in the rate of extraction and fill at the quarry and consequential increases in materials movements and processing within the site, all of which have the potential to change the level of noise experienced at and around the site. The Council and objectors also suggest that the proposed changes to conditions 28, 29 and 30 of B/12/01244 have not been taken into account.
28. The proposals are supported by a Noise Assessment Report incorporating a noise survey. The Report assesses the effects of changes to HGV movements (condition 2 of B/12/01244 and condition 7 of SCC/0157/17B) and the reduction in length of the noise barrier along the northern boundary of the site (condition 12 of SCC/0157/17B). The Council does not allege that the latter change would have a harmful effect on the properties to the north of the site.
29. In terms of HGV movements, the Report identifies a single location adjacent to Aldham Mill and treats it as the most sensitive receptor. It compares measured and predicted noise levels at this location only. That approach does not take into account the baseline established by the currently permitted number of HGV movements. The appellants argue that is not necessary because noise levels at sensitive receptors are currently controlled by the existing permission. However, the control provided by condition 11 of SCC/0157/17B refers to properties to the north of the site rather than Aldham Mill and the noise limit it

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<sup>4</sup> SRL letter dated 3 December 2019

<sup>5</sup> SRL letter dated 6 May 2020

sets for normal site operations (48dB(A) Leq (1 hour)) is significantly less than the measured level adjacent to Aldham Mill (61dB(A) Leq).

30. Moreover, the background noise climate at Aldham Mill is influenced by its proximity to the A1071 and is different from the properties to the north of the site referred to in condition 11. At such, a different noise limit may be appropriate, but that information has not been provided. On the basis of the information available, I cannot be satisfied that the comparison of measured and predicted noise levels at the single location used in the assessment provides an appropriate basis for assessing the noise impact of the proposed changes to the number of HGV movements on residential properties or the rural character of the landscape to the north of the site, which falls within a Special Landscape Area.
31. Furthermore, the Report does not assess the changes to noise generation arising from the potential to increase the level of activity within the site as a result of the proposed number of HGV movements, the changes to operations allowed by the proposed variations of conditions 28, 29 and 30 or the cumulative effect of these changes. While noise levels at specific locations are controlled by condition 11, there is no assessment of whether the proposed changes would affect noise levels at other residential locations and the countryside to the north of the site. Nor has it been established that it would be possible to operate the site at the anticipated level of activity while staying within the limits set out in condition 11.
32. Consequently, I find that it has not been adequately demonstrated that the proposals would not lead to harmful noise impacts on nearby residential properties and the character of the landscape to the north of the site or that sufficient mitigation has been proposed. As such, the proposals would conflict with Policy GP4 of the MLP, Policy CS15 of the CS, paragraphs 43 and 210(c) of the Framework and paragraph 7 and Appendix B of the NPPW. Together these policies require proposals to be supported by adequate information, to not have adverse noise impacts and to protect landscape character. The third reason for refusal also refers to Framework paragraph 108 (paragraph 110 of the 2021 version). This deals with transport and highways matters and is not directly relevant to this issue.

#### *Other Considerations*

33. I have had regard to the other concerns expressed locally, but they have not led me to a different overall conclusion.

#### **Planning Balance and Conclusion**

34. The appeal proposals would allow the quarry to be operated more flexibly and, potentially, allow an increased rate of extraction which would have economic benefits. This is supported by Framework paragraph 209. Paragraph 211 requires great weight to be given to the benefits of mineral extraction. The appellants contend that the proposal would allow the quarry to operate more viably. I recognise that the existing conditions are considered to constrain the operation of the site. However, the quarry has been operating since 1951, albeit with interruptions, and there is no substantive evidence to demonstrate that it is not currently viable. Moreover, it has not been shown that the quarry could not be fully worked out under the current controls before the permissions expire in 2042. These factors limit the extent of the benefits of the proposals.

35. Moreover, Framework paragraph 210(c) is also clear that the noise effect of the development should be taken into consideration, including the establishment of appropriate noise levels in close proximity to sensitive receptors. Therefore, although I have found that the proposals would not have harmful effects on highway safety and air quality, neither this, nor the claimed benefits of the proposals, outweigh my concerns regarding noise impacts. For these reasons, Appeal B should be dismissed.
36. With regard to Appeal A, there is no dispute regarding the change to condition 8. On that basis, the Appeal should be allowed. The condition suggested by the appellants refer to 'attached details' for the floodlighting. Since I have no substantive evidence on those details, I shall amend the condition to require details of the floodlighting to be submitted and approved. I have found that the proposal would not have an unacceptable impact on air quality with regard to dust. Therefore, I will amend condition 2 of the original permission as suggested by the Council to refer to the Dust Management Plan submitted with the appeal.
37. However, for the avoidance of doubt, I have found that the changes to conditions 7 and 12 would be unacceptable. Therefore, I will reimpose conditions 7 and 12 as originally worded. The guidance in the Planning Practice Guidance makes clear that decision notices for the grant of planning permission under section 73 should also restate the conditions imposed on earlier permissions that continue to have effect. As I have insufficient information before me about the status of the other conditions imposed on the original planning permission and not considered in this appeal, I shall impose all those that I consider remain relevant. In the event that some have in fact been discharged, that is a matter which can be addressed by the parties.

*Simon Warder*

INSPECTOR

**Schedule of conditions attached to  
Appeal A Ref: APP/V3500/W/20/3264295  
Hadleigh Quarry, Aldham Mill Hill, Hadleigh IP7 6LE**

- 1) All operations authorised or required by this permission shall cease, and all plant, machinery equipment, structures, buildings, stockpiles and access tracks shall be removed and the site restored in accordance with the conditions of this permission not later than 21 February 2042 or within two years of the permanent cessation of mineral extraction whichever is the earlier.

- 2) None of the uses, operations and activities associated with the development hereby approved shall be carried out other than in accordance with the details as set out in:

- a) Application form dated 6 November 2019;

- b) Dust Management Plan prepared by Wardell Armstrong dated November 2019;

- c) Drawing number ST17264-003 entitled Site Location Plan Plant Area dated 25 June 2019;

- d) The application form dated 8 August 2017 and accompanying planning supporting statement dated August 2017;

The approved plan Nos:

- e) Hadleigh Quarry - Revised Location Plan dated 4 September 2017;

- f) Drawing number 574 – 000 – 102.DRW entitled Sandstorm 516 2D 2S, Aggstorm dated 6 April 2017;

- g) Drawing number HADQ – 01 – 17 – C entitled SECTIONS dated 4 July 2017;

- h) Drawing number WS – 1168 entitled Sales – Sandstorm 516 3D 2S, Aggstorm dated 16 March 2017;

- i) Drawing number: HADQ – 01 – 17- B entitled Proposed Plant and Lagoon dated 4 July 2017;

- j) Drawing number HADQ – 01 – 17 – A entitled Topographical Survey dated 4 July 2017;

Amendments and clarifications:

- k) Email from Alasdair Sherry(Agent) providing further information specifically in respect of water, noise, and opening hours dated 29 September 2017;

- l) Email from Alasdair Sherry (Agent) providing further information regarding wash plant lighting dated 3 October 2017;

- m) Drawing number HADQ-01-17-D entitled Typical Section Through Proposed Lagoon dated 2 October 2017.

- 3) A copy of this permission, including all documents hereby approved and any other documents subsequently approved in accordance with any conditions of this permission, shall be kept available for inspection on the site for the life of the development.

- 4) Sole vehicular access to the site shall be from the existing track junction with Aldham Mill Hill within the site.

- 5) Except as provided at a) to c) below, no operations authorised or required by this permission shall be carried out on the site except between the following times: 0730 – 1700 hours Mondays to Fridays:
  - a) No servicing, maintenance and testing of plant shall be carried out except between the following times: 0700 – 1700 hours Mondays to Fridays and 0730 – 1300 hours Saturdays;
  - b) The above time restrictions shall not apply to environmental monitoring;
  - c) There shall be no working and/or servicing, maintenance and testing of plant on Sundays, or on Bank/Public Holidays;
  - d) This condition shall not apply in cases of emergency when life, limb or property are in danger. The Minerals Planning Authority shall be notified, in writing, as soon as possible after the occurrence of any such emergency.
- 6) No vehicles shall be permitted to enter the site or park on the access track other than between the approved operating hours.
- 7) On the 1<sup>st</sup> day of January, April, July and October of each calendar year, the applicant shall provide the Mineral and Waste Planning Authority with the number of HGV movements (in and out of the site). In any calendar year the total number of HGV movements permitted from any activity within the blue line on drawing entitled Site Location Plan dated 4 September 2017 shall not exceed 1000 (500 movements in and 500 movements out).
- 8) Prior to the operation of any floodlighting at the site a plan showing the location of the lights on the processing plant and a lighting specification sheet shall be submitted to and approved by the Mineral and Waste Planning Authority. The floodlighting shall be erected and operated in accordance with the approved details.
- 9) The wash plant hereby permitted shall only be used for the processing of sand and gravel won from Hadleigh Quarry and for no other purposes.
- 10) Control limits as listed below have been set at monitoring points shown on attached plan no: B/12/01244/A entitled "Noise Monitoring Locations" from Planning Permission No. B/12/01244/CMA, for the purpose of routine monitoring, and at the façades of the noise sensitive properties, which are related to the monitoring points as stated below. In the case of complaint(s), noise may be required to be measured at the façade(s) and in this event these measurements will take precedence. Noise limits are set at 1.2 metres above ground level at monitoring points, and façades at a point 1 metre from the façade. The façade limits include a +3dB(A) correction. For the sake of clarity these limits will include noise emanating from activities associated with this permission.

Normal operations include mineral extraction, processing, and landfilling and temporary operations include noise bund formation, soil stripping, restoration works etc. Temporary operations shall be limited to a maximum of 8 weeks in any 52-week period and shall only be carried out when subject to at least seven days prior written notification to the Mineral Planning Authority and the residents of noise sensitive premises identified below.

Monitoring Point 1 relates to Ivytree Farm

Monitoring Point 2 relates to The Haven

Monitoring Point 3 relates to Nos. 1 and 2 Whatfield Road

## Limits at Monitoring Points:

| Monitoring Point | Normal Site Operations                                  | Noise Limit dB(A) |
|------------------|---------------------------------------------------------|-------------------|
| 1, 2 and 3       | Mon - Fri 07.30 to 17.30<br>and Saturday 07:30 to 13:00 | 45 Leq (1 Hour)   |
|                  | Temporary Operations                                    |                   |
| 1, 2 and 3       | Mon - Fri 0800 to 1700<br>and Saturday 0800 to 1300     | 70 Leq (1 Hour)   |

## Limits at Façades:

| Facade                                                  | Normal Site Operations                                   | Noise Limit dB(A) |
|---------------------------------------------------------|----------------------------------------------------------|-------------------|
| Ivytree Farm, The Haven and Nos. 1 and 2 Whatfield Road | Mon - Fri 07.30 to 17.30<br>and Saturday - 07.30 to 1300 | 48 Leq (1 Hour)   |
|                                                         | Temporary Operations                                     |                   |
| Ivytree Farm, The Haven and Nos. 1 and 2 Whatfield Road | Mon - Fri 0800 to 1700<br>and Saturday 0800 to 1300      | 73 Leq (1 Hour)   |

- 11) Prior to the commencement of the installation of the wash plant and silt lagoons, a scheme of noise mitigation measures to ensure that noise levels do not exceed the permitted noise limits stated in condition 10 shall be submitted to the Minerals Planning Authority. The noise mitigation scheme shall be implemented and thereafter retained and maintained for the life of the quarry.
- 12) Only broadband sound reversing alarms shall be employed on plant, including dump trucks, on the site.
- 13) No plant, machinery or vehicles shall be used on the site unless fitted with effective silencers.
- 14) All aggregate stockpiles held on the site shall be maintained below the level of the land adjacent to the northern boundary of the phase within which they are situated.
- 15) Notwithstanding the provisions of Part 17 Class A and B of the Town and Country Planning (General Permitted Development) Order 2015 (as amended), or in any provision equivalent to that Class in any statutory instrument revoking and re-enacting that Order with or without modification), no replacement plant, machinery or buildings shall be erected on the site.
- 16) On the 1st day of January, April, July and October of each calendar year the applicant shall provide the Minerals Planning Authority with the weight of all materials exported and imported to the site by type.

End of conditions