

Infrastructure and Development Select Committee

Date: **Wednesday 17 May 2023**

Time: **10am**

Venue: **Council Chamber, County Hall, Norwich**

Persons attending the meeting are requested to turn off mobile phones.

Membership:

Cllr James Bensly (Chair)

Cllr Vic Thomson (Vice Chair)

Cllr Steffan Aquarone (Spokes)

Cllr David Bills

Cllr Claire Bowes

Cllr Graham Carpenter

Cllr Chris Dawson

Cllr Jim Moriarty (Spokes)

Cllr William Richmond

Cllr Chrissie Rumsby (Spokes)

Cllr Robert Savage

Cllr Maxine Webb

Cllr Tony White

**For further details and general enquiries about this Agenda please contact the
Committee Services Officer, Nicola Ledain:
email committees@norfolk.gov.uk**

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We have amended the previous guidance relating to respiratory infections to reflect current practice but we still ask everyone attending to maintain good hand and respiratory hygiene and, at times of high prevalence and in busy areas, please consider wearing a face covering.

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A g e n d a

1 To receive apologies and details of any substitute members attending

2 Minutes

To confirm the minutes of the meeting held on 15 March 2023.

Page **5**

3 Members to Declare any Interests

If you have a **Disclosable Pecuniary Interest** in a matter to be considered at the meeting and that interest is on your Register of Interests you must not speak or vote on the matter.

If you have a **Disclosable Pecuniary Interest** in a matter to be considered at the meeting and that interest is not on your Register of Interests you must declare that interest at the meeting and not speak or vote on the matter

In either case you may remain in the room where the meeting is taking place. If you consider that it would be inappropriate in the circumstances to remain in the room, you may leave the room while the matter is dealt with.

If you do not have a Disclosable Pecuniary Interest you may nevertheless have an **Other Interest** in a matter to be discussed if it affects, to a greater extent than others in your division

- Your wellbeing or financial position, or
- that of your family or close friends
- Any body -
 - Exercising functions of a public nature.
 - Directed to charitable purposes; or
 - One of whose principal purposes includes the influence of public opinion or policy (including any political party or trade union);

Of which you are in a position of general control or management.

If that is the case then you must declare such an interest but can speak and vote on the matter.

4 To receive any items of business which the Chairman decides should be considered as a matter of urgency

5 Public Question Time

Fifteen minutes for questions from members of the public of which due notice has been given. Please note that all questions must be received by the Committee Team (committees@norfolk.gov.uk) by **5pm Thursday 11 May 2023**. For guidance on submitting a public question please visit <https://www.norfolk.gov.uk/what-we-do-and-how-we-work/councillors-meetings-decisions-and-elections/committees-agendas-and-recent-decisions/ask-a-question-to-a-committee>

6 Local Member Issues/Questions

Fifteen minutes for local member to raise issues of concern of which due notice has been given. Please note that all questions must be received by the Committee Team (committees@norfolk.gov.uk) by **5pm Thursday 11 May 2023**.

7 Trading Standards Service Plan

Report by the Executive Director of Community and Environmental Services

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8 Planning Obligation Standards 2023

Report by the Executive Director of Community and Environmental Services

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9 Norfolk County Council Local List for Validation of Planning Applications 2023

Report by the Executive Director of Community and Environmental Services

Page 125

10 Tree heath: ensuring resilience of tree stocks and public safety

Report by the Executive Director of Community and Environmental Services

Page 370

11 Tree Planting in Norfolk, including Country Parks

Report by the Executive Director of Community and Environmental Services

Page 395

12 Forward Work Programme

Report by the Executive Director of Community and Environmental Services

Page 427

Group Meetings:

| | |
|-------------------|--------|
| Conservative | 9:15am |
| Labour | 9:00am |
| Liberal Democrats | 9:00am |

Tom McCabe
Head of Paid Service
Norfolk County Council

County Hall
Martineau Lane
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NR1 2DH

Date Agenda Published: Tuesday 9 May 2023



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Infrastructure and Development Select Committee

Minutes of the Meeting Held on Wednesday 15 March 2023

10.00am, held at County Hall, Norwich

Present:

Cllr James Bensly – Chair

Cllr Claire Bowes
Cllr Graham Carpenter
Cllr Nick Daubney
Cllr Chris Dawson
Cllr Steve Morphew

Cllr Robert Savage
Cllr Barry Stone
Cllr Brian Watkins
Cllr Maxine Webb
Cllr Tony White

Also Present:

| | |
|-------------------|---|
| Cllr Graham Plant | Deputy Leader, Cabinet Member for Growing the Economy |
| Cllr Eric Vardy | Cabinet Member for Environment & Waste |

Also Present:

| | |
|-----------------|---|
| Grahame Bygrave | Director of Highways, Transport and Waste, Community and Environmental Services (CES) |
| Al Collier | Director of Procurement |
| Jon Franklin | Policy Officer, CES |
| John Jones | Head of Environment, CES |
| Nicola Ledain | Committee Officer, Democratic Services |
| Helen Marshall | Project Manager (Strategy and Delivery), CES |
| Tom McCabe | Executive Director, CES |
| Karl Rands | Assistant Director, Highway Services, CES |
| Sarah Rhoden | Director of Community Learning and Information CES |
| John Shaw | Developer Services Manager, CES |
| Jeremy Wiggin | Transforming Cities Manager, CES |

1. Apologies and substitutions

- 1.1 Apologies received from Steffan Aquerone (substituted by Brian Watkins), David Bills (substituted by Nick Daubney), Vic Thomson, William Richmond, Jim Moriarty and Chrissie Rumsby (substituted by Steve Morphew).

2. Minutes

- 2.1 The minutes of the meeting held on 19 January 2023 were agreed as a true record and signed by the Chair.

3. Declarations of Interest

- 3.1 There were no interests declared.

4. Items of Urgent Business

- 4.1 The Chair took this opportunity to thank Norfolk County Council and the emergency officer that visited as well as the response from Great Yarmouth Borough Council with regards to the coastal erosion that had taken place in his ward of East Flegg and specifically Hembsy. The thoughts of the committee were sent to those residents of Hembsy and the surrounding area that had lost their homes and who were affected by the events.

5. Public Question Time

- 5.1 There were no public questions received.

6. Local Member Issues / Questions

- 6.1 There were four local member questions received and these are appended at appendix A. Responses had been given and circulated.
- 6.2 The Chair informed the committee of an email from Cllr Paul Neale regarding his question about no idling signs. He informed the committee that a sign had been costed, supplied and fitted for £150 using Members Discretionary Funding and encouraged other members to use their funds too.

7. School Streets – interim report on School Streets Trial and proposal for the next phase of work.

- 7.1 The Committee received the report which provided the Committee with an update regarding the School Streets trial which has been up and running since May 2022. The report detailed the next phase of the trial, which would explore different approaches to enforcement of road closures and other complementary school travel related measures.
- 7.2 The following points were noted in response to questions from the Committee:
- 7.2.1 Members were keen for the work to continue. Although cameras were one of the options being considered they were not a default option as some schools were doing well with a volunteer led initiative, but various enforcement options would be reviewed over the next few months. Every school was different and had different ways of interacting with their community and their parents. It was known that a lot of partner agencies were working with schools but often this was in silo. It was hoped that this could be coordinated more effectively so schools were aware of the support available and when in the school year this support could happen.
- 7.2.2 There were several funding avenues such as the Active Travel Fund that could be appropriate for the initiative, and time spent over the next few months would be used to identify and assess these.
- 7.2.3 In terms of timescales, there would no physical measures before the end of this academic year, softer measures with supporting schools could be considered for a September start.
- 7.2.4 The report indicated that the scheme had been worthwhile and there was an important programme of work for the council to improve active travel in and around schools as well as improving air quality. Members hoped that it would continue and

rolled forward. It was disappointing that there hadn't been a greater take up of the initial six schools involved which could indicate that the scheme couldn't rely on volunteers only.

- 7.2.5 There had initially been a budget of £38k which had been used in full with no overspend.
- 7.2.6 There was some concern expressed regarding enforcement and further investment into this scheme considering the numbers of schools and parents who were engaged with the trial. Congestion affected every school and interventions such as zig zag lines were ineffective unless they were policed. The Executive Director of Community and Environmental Services assured the committee that the emphasis was always about engaging with the community about any measures that were implemented which then self-polices the measures. Government was emphasising active travel and by putting in measures that fitted that criteria there was funding that could be accessed.
- 7.2.7 It was apparent that no one measure would be effective for every school, as it was incredibly difficult to coordinate one system for all.
- 7.2.8 With reference to 1.12, members highlighted that the trial had come from parents and schools that were concerned about the safety of pupils outside the school. It was important to ensure that proper engagement with parents, schools, parishes and the media took place with a clear explanation of what was happening. It was suggested that a progress report came back to the committee later this year with an indicative timescale and more details regarding funding.
- 7.2.9 Officers would be keen to go back to the schools that didn't carry on with the trial, but a lot of data had been collected from. Members asked if local members could continue to be kept informed.
- 7.2.10 Although members were keen to see the trial continue, it would also be beneficial to see some 'softer' options explored with more signage asking for more consideration from the wider community. Hard enforcement options could penalise the ordinary people of the community and it was important to get the balance right. It was highlighted that businesses, residents and other members of the community all had access and were not penalised for living or working near to a school.
- 7.2.11 The following amendment to recommendation 1 was **MOVED** and **CARRIED**; Add 'subject to outside funding made available' to the end of the sentence as follows;

That the Select Committee

1. **NOTED** the interim outcomes of the School Streets trial and the proposal to explore different approaches to enforcement of road closures during the next phase of the trial, subject to outside funding being made available.

7.3 **RESOLVED**

That the Select Committee

2. **NOTED** the interim outcomes of the School Streets trial and the proposal to explore different approaches to enforcement of road closures during the next phase of the trial, subject to outside funding made available.

3. **COMMENTED** on the proposals for work to be undertaken during 2023 to identify a package of interventions aimed at encouraging more sustainable and more active travel to school.

8. Winter Service Policy Review

- 8.1 The Committee received the report which provided an updated version of the policy having been some significant changes, national developments and events in the delivery of the winter service.
- 8.2 It was clarified that the trunk road network such as A11 and A47 was treated by National Highways and not the County Council.
- 8.3 Members complimented the highways teams who looked after the roads in the winter period. It was also commendable that improvements to the gritting routines, salt and vehicles used were always being looked at. Digital technology and innovation put Norfolk County Council at the forefront of winter service delivery nationally.
 - 8.3.1 With regards to paragraph 7.3, and the mention of older and disabled people with mobility issues and the gritting of pathways. Officers reassured the committee that the current arrangements were sufficient and that in times of severe weather conditions, district colleagues could be called upon to assist in the clearing of pathways. There were also nearly 2,000 grit bins around the county which were strategically located for the public to use.
 - 8.3.2 Electric gritter fleet options were not available on the market yet, but there was work being carried out which was looking at alternative fuels and to reduce carbon impact.
 - 8.3.3 Due to limited resources and limited timescales of putting the salt down before the formation of ice, road networks were treated in priority order such as A, B and some C roads. There would be a significant resource required to treat cycleways in icy weather. Members asked if there could be a way of looking into treating more cycleways especially as there was encouragement for the public to use alternative methods of transport.
 - 8.3.4 Discussions were ongoing with district colleagues about the removal of rubbish on the verges of the highways. It was clarified that litter picking was a district / borough council function.
 - 8.3.5 Members asked if the change of grit bin purchasing to local members through their local member fund could be reviewed. Once it was purchased by the local member it meant that there was then an ongoing commitment to maintain the grit bin through the local member fund. Officers agreed to look into this suggestion.

8.4 RESOLVED

That The Committee **REVIEWED** and **COMMENTED** on the updated Winter Service Policy.

9. Providing Highways and Transport Development Management Advice to Local Planning Authority's in Norfolk

- 9.1 The Committee received the report which set out how planning consultations with Local Highways Authorities were dealt with, following a request at the Infrastructure and Development Select Committee on 15 November 2022.
- 9.2 The following points were noted in response to questions from the Committee:
- 9.2.1 Officers confirmed that the council do charge external organisations for any planning advice that they offered as part of the income stream of the service, as approved by Cabinet in July 2022. With regards to the national planning applications such as offshore windfarms etc, the cost charged reflected that the most experienced officers were involved and their posts needing backfilling
- 9.2.2 Members asked for the opportunity to look in more detail at the mechanism of the consultee responses and what ~~was~~ the national and local policies were.
- 9.2.3 A task and finish group was proposed to carry this out with a composition of 3-1-1. After a show of hands, this proposal was **CARRIED**.
- 9.3 **RESOLVED**
- That the Committee
1. **ACKNOWLEDGED** the high service levels consistently handled by the teams who provide technical advice to the LPA, which are predominantly responded to with 21 days of receipt.
 2. **ACKNOWLEDGED** that an enhanced training programme for elected members on the role of the LHA in the planning process would be beneficial
 3. **AGREED** that a task and finish group should be set up to look at the mechanisms of the consultee responses on planning application and that the composition on the task and finish group should consist of three conservatives, one labour and one liberal democrat member.

10. Norfolk County Council Climate Strategy

- 10.1 The Committee received the report which set out the formal strategy articulating in a single place the council's wide range of actions on tackling climate change. The strategy brings together NCC's strategic approach to address its own estate emissions and support Norfolk's transition to a low carbon and climate resilient future. It also highlights interlinking issues that need to be addressed in a holistic manner, particularly conserving and enhancing Norfolk's unique landscapes and wildlife.
- 10.2 The Chair highlighted that this was a good piece of work and thanked the officers for their hard work.
- 10.3 The Committee heard that some work was being carried out regarding the savings generated from the new hybrid way of working. In essence it had been revealed that the savings on the commute outweigh the savings from heating homes. The possibility of offering employees initiatives in solar power and insulation was being looked at through the Norfolk Rewards project.
- 10.4 Officers explained that the change of working practices as a result of the Covid pandemic had resulted in mileage being half of what it was pre-pandemic. Although

it was the pandemic that had pushed that change, the rebound of mileage returning to its pre-pandemic levels had been avoided.

- 10.5 The Committee were reminded that there was the Environmental Oversight Working Group, which although was felt was limited in its remit, was in place to provide that oversight for members. Engagement with public bodies and industries regarding the strategy would hopefully happen over the Spring and Summer. It was generally agreed that a climate policy was needed which was broader than the environmental policy that currently existed. Members were also reminded that there would be a quarterly update for members which should start soon.
- 10.6 Members welcomed the report and although some still wanted the council to declare a climate emergency, this was a positive sign that the council had started some initiatives that were due to start. The work that and effort that officers had put into the report was appreciated.
- 10.7 Officers explained that there were new planning obligations that were due to be introduced later in the year which required developers to provide biodiversity net gain, and this would become active law in November. Defra was engaging with NCC and NCC's team were engaging with planners to ensure they were prepared, and to ensure that it benefited the public and the wider communities as it would be vitally important. The government were also expecting Norfolk to provide local nature recovery across the whole county which was an ambitious and considerable piece of work. A map would be produced which identified which nature area was best to be recovered, some of which was owned privately and some publicly. Bearing this in mind, it was important that engagement was taken place and the community was involved. It was expected that this piece of work would return to the committee and taken to Cabinet with more detail. Guidance was expected from Defra soon, especially as with the expectation to be ready by November. As soon as the advice was known, elected members would be made aware.
- 10.8 Performance was difficult to compare against others as the benchmarking used was often different. In proposing to set emission targets, NCC had explicitly set a target of reducing gross emissions down by 90%. In comparison, districts were making substantial progress by, for example, moving into efficient buildings. All councils were trying to move together and good progress was being made across the county.
- 10.9 There had been further funding regarding electric vehicle charging points which had been a joint project with District Council due to the positioning of those charging points which were often in market towns.
- 10.10 The Facet project was hugely successful, and in the last week had submitted an UKBI bid, the outcome of which would be known in September. Positive findings from the Facet project would be repeated and expanded upon in the rest of the coastal areas. Strategically, NCC were actively engaging with the Visit East of England and NCC would investigate developing the notion of sustainable tourism such as low impact tourism which was good for economy and good for the tourism. Investment in the Norfolk trails was also a good offering for tourism in Norfolk as well as for the environment.
- 10.11 There were comments made regarding the lack of mention of the Norwich Western Link (NWL) in the report, especially with regards to nature recovery. The Executive Director of Community and Environmental services explained that the NWL would

drop the number of vehicle kilometres as it would provide a more direct route and therefore in turn reduce the carbon made by vehicles. The business case for the NWL which would be judged against the national planning rules which would be tested at public inquiry.

- 10.12 The market had now reached the point where electric vehicles were comparable to purchase due to the lower cost to run them and therefore discussions with District Colleagues were taking place in terms of carrying passengers to schools as licensing etc had to be taken into consideration. However the market hadn't quite achieved this with minibuses which was expected to be at least another 4-5 years. More significantly was the aim to reduce journey lengths and times, from a wellbeing point of view and a carbon point of view, and the expansion of the specialist provision for Children's services was important to achieve this.
- 10.13 With reference to paragraph 2.2.7, it was unsure what the expected cost to the estate would be to replace the fleet with electric vehicles. There had not been the commitment to replace all the fleet, but when vehicles came to the end of their life, there was now the position to replace them with electric types as the price was comparable due to the lower cost to run them.
- 10.14.1 It was proposed that Cabinet considered a request from the committee for council to include a climate policy
- 10.14.2 After a show of hands, the proposal was **CARRIED**, with 7 in favour
- 10.15 **RESOLVED**

That the Committee

A. REVIEWED and **COMMENTED** on the attached climate strategy (appendix A), which is to go to Cabinet;

B. ENDORSED the inclusion of our vehicle fleet carbon into our estate definition (and hence within our 2030 net zero estate target), and

C. REQUESTED Cabinet to consider producing a climate policy for council to include in the policy framework later this year.

11. Forward Work Programme

- 11.1 The Select Committee received the report by the Executive Director of Community and Environmental Services which set out the Forward Work Programme for the Committee to enable the Committee to review and shape.
- 11.2 Having reviewed the report, the Select Committee **AGREED** the Forward Work Programme set out in Appendix A.

The meeting closed at 12.40pm

Chair



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Infrastructure and Development Committee
15 March 2023
Public & Local Member Questions

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| Agenda item 5 | Public Question Time |
| 5.1 | No questions received. |
| Agenda item 6 | Local Member Issues/Questions |
| 6.1 | <p>Question from Cllr Steffan Aquarone What incentives or pressures are being put on bus operators to refresh and improve their current vehicle fleets, not only for the purpose of improving emissions, but to also see the addition of standard features such as luggage racks, seat comfort, and Wi-Fi? I am especially interested in the route that runs through Briston.</p> <p>Response from the Chair, Cllr James Bensly All operators are encouraged to invest in their fleet and they do have an ongoing fleet replacement programme. However, without any specific funding to offer them there is little pressure we can give as we do not control the operators and services that they provide. If we specified a higher specification vehicle as part of any tendering process for County Council supported services, this would lead to cost pressures on our revenue budget (which is the case with the Briston service). However, whilst none of the Bus Service Improvement Plan funding was given specifically for vehicle replacements, we are asking operators to provide their own improvements to vehicles where they either receive BSIP funding for improving one of their services or where we provide a specific bus priority measure on a route. The Council will also proactively look for external funding opportunities, like our recent ZEBRA (zero emission bus) award, which will see 70 new, high specification electric buses coming to Norfolk</p> |
| 6.2 | <p>Question from Cllr Ben Price It is good to see that the council is now considering ANPR cameras for school streets. Green councillors submitted a budget amendment to provide capital for purchase of ANPR cameras, but all other parties (Labour, Conservative and Liberal Democrat) failed to support that. Does the Committee now agree that there is a need for capital to be committed to ANPR cameras so that school streets programmes can go ahead?</p> <p>Response from the Chair, Cllr James Bensly At the current time, the provision of cameras is only an option to consider for the enforcement of temporary road closures outside schools and there are no firm plans to roll this out. The next phase of the School Streets trial will explore different approaches to enforcement and complementary school travel related measures, and will identify funding requirements, both capital and revenue, that would be required to take this forward.</p> <p>Second question from Cllr Ben Price Many residents and taxi drivers have reported that private cars are driving through the multi-million pound bus gates that have been installed recently, apparently with</p> |

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| | <p>no enforcement. Will the ANPR cameras be available to use to ensure that the bus gates are used effectively?</p> <p>Response from the Chair, Cllr James Bensly We will continue to monitor traffic using bus gates and implement measures, such as ANPR cameras, that are appropriate to ensuring bus gates are used effectively.</p> |
| 6.3 | <p>Question from Cllr Jamie Osborn It is good to see seven coherent themes in the Climate Change Strategy. These, and the sectoral focus, provide a decent foundation for a strategic approach to addressing carbon emissions areawide. What is needed now is a more detailed evidence base on which to base policy - eg: the retrofitting skills gap, or the nature, distance and concentration of car journeys, so that policy can be focused on addressing these. Does the Committee agree that a more detailed strategic evidence base is needed?</p> <p>Response from the Chair, Cllr James Bensly Thank you for your question. As you highlight, the climate strategy sets out a strategic framework of focus areas for organising the council's efforts to tackle climate change. The use of focus areas reflects a central principle of the council's strategic approach: targeting our efforts and resources where we feel we can have real impact, rather than trying to do anything and everything.</p> <p>In relation to county-wide emissions, it is important to recognise that local areas vary in relation to their building stocks, energy networks, travel patterns, transport infrastructure, industries, and land use patterns, among other things. There is no one-size-fits-all approach to local area decarbonisation and clean growth, nor to adaptation.</p> <p>As the upper-tier local authority for Norfolk, NCC can play a key role in helping shape the county's response to climate change in a way that reflects the local context and priorities. There is much merit in a strong, up-to-date evidence base, which where relevant is specific to the county, is needed for each focus area. This can guide our efforts to bring maximum benefits in line with the needs and priorities of Norfolk's residents and businesses.</p> <p>Second question from Cllr Jamie Osborn The Climate Change Committee recommends a roughly 12% reduction in total car mileage in order to meet climate change targets. Will the Committee discuss whether a target for reducing total car miles should be set for Norfolk?</p> <p>Response from the Chair, Cllr James Bensly The council is taking a wide range of actions that encourage a shift from private car usage towards public transport or active travel. We refer you to Focus Area 3 of the strategy for detail on these and forward-looking priorities. More specifically to your question, we note that the Climate Change Committee doesn't recommend that local authorities set county-wide sectoral carbon budgets given that there are a range of factors affecting these emissions which are out of councils' direct control. The metric you highlight of reducing Norfolk's car mileage is an equivalent type of target in that many of its determinants lie out of our control. Therefore, a hard target as you propose for the council to deliver on reducing car mileage is not considered appropriate. But it would be appropriate to consider what further interventions the council can make to mitigate the emissions from personal travel, and how the</p> |

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| | intervention designs and measurements of success can draw on the evidence base discussed in the answer to your first question. |
| 6.4 | <p>Question from Cllr Paul Neale When children are dropped off or picked up outside schools, far too many cars are left idling, producing enough toxic exhaust fumes to fill one pair of adult lungs 60 times a minute. In my ward I used discretionary funding to produce an initial design for idling signage from drawings produced by local school children, so the cost will be relatively small to roll this out to all schools. Will Norfolk County Council provide no idling signage outside every school in the County?</p> <p>Response from the Chair, Cllr James Bensly We will be happy to consider the impact that no idling signage could have outside schools as part of the complementary school travel related measures being looked at as part of the next phase of the School Streets trial.</p> <p>Second question from Cllr Paul Neale Item 2.27 of the Norfolk County Councils climate strategy says 'retrofitting buildings to improve insulation and replace fossil-fuel heating systems with electric or low carbon alternatives'. Was this ambition applied when County Hall had its recent major refurbishment?</p> <p>Response from the Chair, Cllr James Bensly Members may have seen the Scrutiny papers on the refurbishment – where this was discussed at length.</p> <p>As part of the County Hall refurb – principles around low energy use were implemented. In particular there was significant investment into the fabric of the building and the cladding, windows, and external façade of the building. There are powerful infra-red pictures that show the heat loss pre-and post-renovation works.</p> <p>Gas boilers were largely replaced and there was significant investment into low energy LED lights, as well as modern building management systems to intelligently control and minimise energy usage. This has resulted in a significant fall in the use of gas to power the building – there are however a number of small gas systems (mainly to help pre-heat air), which it is proposed to remove as part of the next phase of the decarbonisation works.</p> <p>County Hall was well ahead of the curve in terms of energy reduction, with this being one of the key project deliverables (for a project that completed in 2016).</p> |

Infrastructure and Development Select Committee

Item No: 7

Report Title: Trading Standards Service Plan 2023/24

Date of Meeting: 17 May 2023

Responsible Cabinet Member: Cllr Margaret Dewsbury (Cabinet Member for Communities & Partnerships)

Responsible Director: Tom McCabe (Executive Director – Community and Environmental Services)

Executive Summary

The Trading Standards service takes an evidence-driven approach to strategic and tactical planning and decision making. The service plan has been developed using analysis of information (intelligence), such as consumer complaints recorded by the Citizens Advice Consumer Helpline (CACH), information about threats and rogue traders recorded on the Trading Standards' national intelligence database, and intelligence disseminated by enforcement partners such as the Food Standards Agency (FSA), the Department of the Environment, Food and Rural Affairs (Defra) and the Office of Product Safety and Standards (OPSS). This robust approach ensures that the service plan reflects the issues and problems Norfolk people and businesses face, ensuring our service is focused on the needs of the county. This includes providing part of the 'national shield'; collaborating with National Trading Standards (NTS) to address both national issues that affect Norfolk and the impact of local businesses nationally and globally.

Our focus for the 2023/24 service year will be on:

- Responding to business and consumer vulnerabilities arising from the cost of living crisis
- Environmental protection: ensuring:
 - businesses are supported to comply with new green legislative requirements, and
 - the service operates in a manner to support the council's net-zero ambitions.
- Review and implementation of changes arising from the Retained EU Law Bill which, if enacted as proposed, will result in all retained EU law lapsing and disappearing from the statute book on 31 December 2023 unless secondary legislation is passed either to preserve it, extend the sunset deadline for it (to 2026 at the latest), or replace it.

- Investment in our workforce to develop a resilient service: recruitment and development of Trading Standards Officers and trainee Trading Standards Officers to ensure we have the staffing resources necessary now and in the future to fulfil our statutory duties and address the county council's priorities.
- Greater integration with the Norfolk Fire and Rescue Service to realise improved services for businesses and communities and inhouse efficiencies
- Development of our commercial services: increasing our income, primarily through our calibration and chargeable business advice functions to reduce our reliance on grant funding.

Action Required

The Select Committee is asked to:

Review and comment on the Trading Standards Service Plan 2023/24 (Appendix 1) including:

- **Annex I: Enforcement of Age Restricted Sales and Illegal Tobacco Products Plan 2023/24 (Appendix 2 to this report)**
- **Annex II: Food & Feed Law Enforcement Plan 2023/24 (Appendix 3 to this report), and**
- **Annex III: Delivery of Animal Health & Welfare Framework 2023/24 (Appendix 4 to this report)**

prior to consideration by Cabinet.

1. Background and Purpose

1.1 The Trading Standards service's ambition is for a safe, fair, and legal marketplace for Norfolk, that supports and benefits local businesses and communities. In alignment with Better Together, For Norfolk - Norfolk County Council's strategy for 2021-2025, our five priorities are:

- A vibrant and sustainable economy
- Better opportunities for children and young people
- Healthy, fulfilling, and independent lives
- Strong, engaged, and inclusive communities
- A greener, more resilient future

1.2 Trading Standards has a very broad remit:

- Protecting the integrity of the food chain, from farmed animal welfare and disease control (such as, in response to avian influenza), and animal feed hygiene and standards to food safety and standards
- Ensuring goods are safe and trading is fair
- Tackling underage and illegal sales of tobacco products (including vapes), alcohol, knives, and corrosive substances
- Environmental protection, ensuring businesses are supported to comply with new green legislative requirements, and
- Ensuring the safety of a number of sports grounds in the county.

The Local Government Association (LGA) published a [Councillor Handbook](#) on public protection services in September 2022 which provides an overview of council environmental health, trading standards and licensing services, which collectively fall under the broad theme of public protection services.

- 1.3 We are carefully monitoring the progress of the Retained European Union (EU) Law Bill through Parliament which, if enacted as proposed, will result in all retained EU law lapsing and disappearing from the statute book on 31 December 2023 unless secondary legislation is passed either to preserve it, extend the sunset deadline for it (to 2026 at the latest), or replace it.

Trading Standards enforces over 80 Acts of Parliament with over 1,000 pieces of secondary legislation underneath these. A significant proportion of these laws were originally derived from the EU and therefore any wholesale revision of EU legislation within the 2023 calendar year would have a major impact on:

- Legitimate businesses, attempting to understand and operate within the law, and
- Trading Standards Officers, seeking to keep abreast of changes in legislation and continuing to enforce the law in an equitable, practical and consistent manner in line with the [CES Compliance and Enforcement Policy](#).

- 1.4 The service supports businesses through the provision of:
- information and advice to ensure compliance with trading standards
 - calibration, verification, testing and hire of weighing and measuring equipment
 - a level playing field by ensuring fraudulent and unfair practices are not allowed to prosper.

The service investigates criminal offences and civil breaches and takes legal action where necessary to protect individuals, in particular the vulnerable, as well as wider legitimate public and economic interests. The service also seeks to protect Norfolk people from fraud, scams and rogue traders through awareness raising and our No Cold Calling Zones and Trusted Trader scheme.

Trading Standards therefore has an important social and economic role in the county, helping communities to strengthen, people and the environment to thrive, the economy of Norfolk to grow and both communities and businesses to survive the cost-of-living crisis.

- 1.5 The Trading Standards service takes an evidence-driven approach to strategic and tactical planning and decision making. The service plan has been developed using analysis of information (intelligence), such as consumer complaints recorded by the Citizens Advice Consumer Helpline (CACH), information about threats and rogue traders recorded on the Trading Standards' national intelligence database, and intelligence disseminated by enforcement partners such as the Food Standards Agency (FSA), the Department of the Environment, Food and Rural Affairs (Defra) and the Office of Product Safety and Standards (OPSS). This robust approach ensures that the service plan reflects the issues and problems Norfolk people and businesses face, ensuring

our service is focused on the needs of the county. This includes providing part of the 'national shield'; collaborating with National Trading Standards (NTS) to address both national issues that affect Norfolk and the impact of local businesses nationally and globally.

The service plan (Appendix 1) includes our 'plan on a page' (page 12) which summarises our strategic control strategy and focus on protecting the public and legitimate business.

- 1.6 There is a national shortage of qualified Trading Standards Officers and, as a consequence of being unable to fill a number of vacancies, the service recruited a cohort of 10 trainees last year. The cohort will be sitting their Stage 1 Chartered Trading Standards Institute's professional competency framework (CPCF) examinations in May 2023 and, if successful, will attain their Trading Standards Practitioner Certificate (TSPC), enabling them to operate as warranted fair trading officers. They will then commence further specialist training, including the two-year Level 6 Trading Standards Professional apprenticeship.

Unfortunately, whilst we have had recent success in recruiting 2 qualified officers, five qualified Trading Standards Officers left the service in the last service year, mainly through retirement. Excluding our new cohort of trainees, the average age of our qualified staff is 50, with 29% over the age of 55. A conservative estimate is that a further 5 officers will retire within the next 3 years and, as professional training takes three years, we need to recruit further officers/trainees to ensure we have the staffing resources necessary now and in the future to fulfil our statutory duties and address the county council's priorities.

- 1.7 As a result of the strategic review, the Trading Standards service will once again report to the Director of Norfolk Fire and Rescue Service with effect from 1 May 2023. Greater integration with the Norfolk Fire and Rescue Service Prevention and Protection services will enable both services to provide improved services for businesses and communities and inhouse efficiencies.

2. Proposal

- 2.1 The Trading Standards Service Plan 2023/24 (Appendix 1) includes, and attention is drawn to:
- Annex I: Enforcement of Age Restricted Sales and Illegal Tobacco Products Plan 2023/24 (Appendix 2 to this report)
 - Annex II: Food & Feed Law Enforcement Plan 2023/24 (Appendix 3 to this report), and
 - Annex III: Delivery of Animal Health & Welfare Framework 2023/24 (Appendix 4 to this report).
- 2.2 The Enforcement of Age Restricted Sales and Illegal Tobacco Products Plan enables the County Council to discharge its statutory duty to annually consider

and review its enforcement of the Children and Young Persons (Protection from Tobacco) Act 1991 and the Anti-Social Behaviour Act 2003.

- 2.3 The Food and Feed Law Enforcement Plan is a statutory plan required by the Food Standards Agency, which incorporates work that is intended to protect the food supply chain, covering both food production and control of animal feed used for animals intended for human consumption.

3. Impact of the Proposal

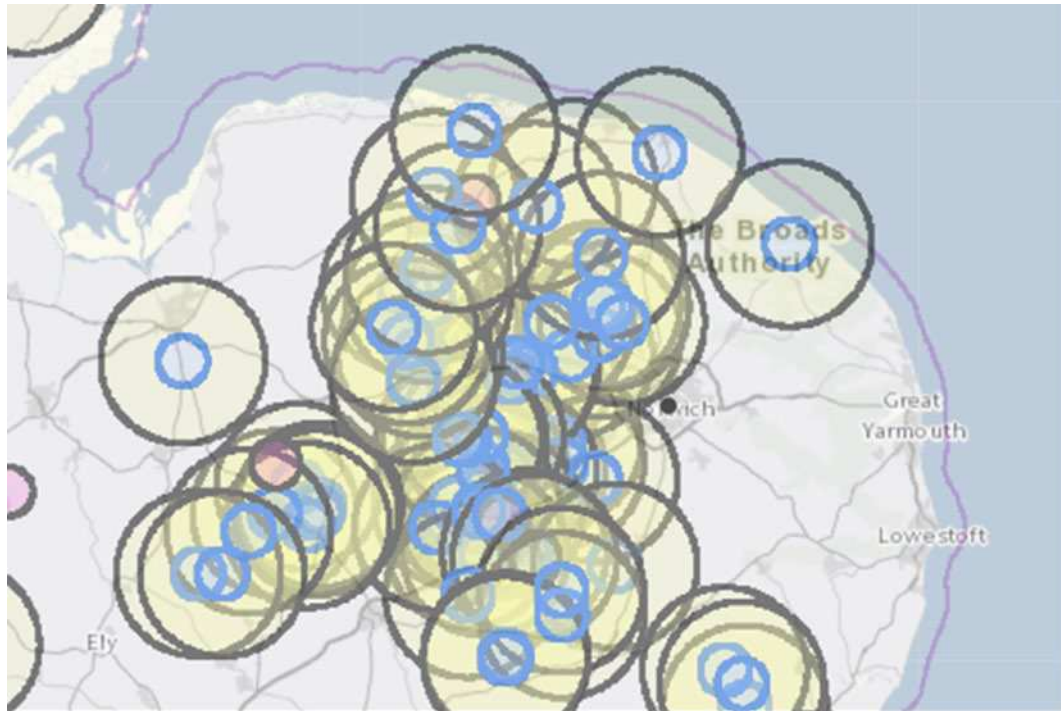
- 3.1 The Trading Standards service has a track-record of evidence-driven strategic and tactical planning and decision making. Our service plan ensures that we target our resources at those areas of trade that cause the most detriment to Norfolk consumers and businesses and anticipate emerging issues. It enables us to collaborate with partners to achieve complementary aims, such as our work with Public Health, the police and the Department of Health and Social Care to tackle the supply of illegal tobacco and vapes, including sales to people under the age of 18. It also enables us to empower communities to protect themselves from frauds and scams, such as through our work with the Norfolk Against Scams Partnership (NASP) and our No Cold Calling Zones. Our planned approach promotes an environment in which businesses and communities can thrive.

- 3.2 For example, during the last year the Trading Standards service:

- Responded to the unprecedented number of avian influenza outbreaks in Norfolk, presenting a serious threat to the commercial poultry industry in the county (and across Great Britain), Since 1 August 2022 there have been 306 outbreaks in England, 65 (21%) at Norfolk premises. In comparison we had just 3 over the winter of 2021/22. Norfolk became the epicentre of the disease in October 2022, when we responded to 46 cases in just that month.

Trading Standards expended 185 officer days on foot patrols, contacting residents within 3km radius protection zones around affected premises (see map overleaf), checking, and collecting information as to other captive birds that were being kept in the zones and providing keepers with advice on legal restrictions and biosecurity. During October, these were completed with support from colleagues from Breckland and Broadland Councils, Cambridgeshire and Lincolnshire Trading Standards, and volunteers from within Norfolk County Council, totalling 26 volunteer days. Over the course of the winter, we adopted a less labour-intensive approach, replacing foot patrols with mailshots. To date, we have sent 29,806 letters to residents in protection zones.

Mandatory housing of poultry in the county was in place from 12 October 2022 to 18 April 2023. In response to commercial poultry keepers' concerns about poor biosecurity of backyard flocks, Trading Standards followed up 118 reports of unhoused poultry, providing advice or taking enforcement action to ensure the keepers comply with legal requirements.



Map of Norfolk showing avian influenza protection and surveillance zones in January 2023

- Calibrated circa 20,400 items of equipment, supplied weights and other weighing equipment, provided hire weights, and verified weighing and measuring instruments for local, national, and international businesses and public organisations, generating an income of £581,150, £19.150 (£3.4%) over the target of £562,000, which was increased by £50,000 for the 2023/24 service year
- Supported the creation of 15 new No Cold Calling zones, taking the county total to 310 zones, meaning, at present, 14,511 Norfolk properties are protected from rogue and unscrupulous cold-calling doorstep traders.
- Continued to work with operational partners to tackle the problem of illegal tobacco and e-cigarettes (vapes) in Norfolk, seizing 59,400 illegal cigarettes, 9.35kg of illegal hand rolling tobacco and over 2,800 illegal vapes.
- Continued our focus on food allergens work, including food sampling and responding to 34 complaints in relation to undeclared allergens, to ensure retailers and caterers are providing the necessary information to keep their customers safe from harm.
- Responded to a further 196 complaints about food standards, liaising with Trading Standards colleagues across the country and Environmental Health colleagues locally to ensure suppliers bring their foods up to standard or remove them from the marketplace.

- Coordinated and participated in a regional project, which was supported by national funding, looking at second-hand car traders of most concern. Of the 109 vehicles examined by Trading Standards services in the eastern region, 80% of vehicles were found to be faulty with 24% presented in an unroadworthy condition. Of the 8 vehicles inspected in Norfolk, 2 were found to be in an unroadworthy and dangerous condition and the trader responsible has been formally investigated. The project demonstrated that the used car sector, which generates the highest number of consumer complaints each year, still requires considerable ongoing surveillance to improve trade practice, ultimately aiming to level the playing field, support small business growth and increase consumer confidence.
- Continued to work with seven venues across Norfolk to deliver our statutory functions under Safety of Sports Grounds legislation. These include stadia used for football, greyhounds, speedway, stock car racing and horse racing. The County Council issues and reviews safety certificates which set out the safe capacity of a sports ground (or a spectator stand), and the terms and conditions that the certificate holder must follow.
- Utilised our intelligence-led enforcement (InLEt) process to achieve compliance with traders at the earliest outset. Of the traders flagged by InLEt as being our most detrimental, and referred on to officers for further action, 97% are brought to compliance within 3 months. The remaining traders are subject to our continued intervention work and/or further action, with the ultimate sanction being prosecution, until compliance is achieved.
- Took five prosecutions during the year, where, in every case, the offenders either pleaded guilty or were found guilty at trial. The cases related to rogue builders/tradespeople, animal welfare and second-hand cars. In the majority of cases, we have successfully applied for criminal behaviour orders. These require those convicted to trade fairly and legally in the future, with sanctions if they do not. Thus, protecting those Norfolk consumers who contract with these traders. We have also sought to recover compensation for the witnesses in our cases, where appropriate to do so.

Full details of Trading Standards performance during 2022/23 is available on pages 3 to 7 of the Trading Standards Service Plan 2023/24 (Appendix 1 to this report)

4. Financial Implications

- 4.1 The activities within the proposed service plan and the proposed recruitment detailed in section 5.1 below can be delivered within the agreed budget, using current reserves, drawing down £20K grant funding for training from our regional East of England Trading Standards Association (EETSA) and utilising the apprenticeship levy to support our 10 trainees, who will be embarking on the two-year Level 6 Trading Standards Professional apprenticeship as outlined at 1.6 above.

- 4.2 The service actively pursues grant funding from central government departments, directly or via National Trading Standards (NTS) and/or our regional East of England Trading Standards Association (EETSA). The service attracts annual funding for animal feed law enforcement and coordination on behalf of EETSA. We are anticipating new grant funding in the 2023/24 and 2024/25 service years from the Department of Health and Social Care (DHSC) to tackle the illegal sale of e-cigarettes (vapes) to teenagers.
- 4.3 As highlighted in the service plan itself, current accommodation constraints for our Calibration, Verification and Testing Services (CVTS) laboratories are stifling growth, which could result in an inability to generate the required income via our commercial services. Capital investment may be required, as per section 5.2 below.

5. Resource Implications

- 5.1 Staff:** There is a long-standing national shortage of qualified Trading Standards Officers (TSOs) and although we have been successful in recently recruiting two qualified officers, we have seen 5 qualified officers leave the service in 2022/23, and we currently have trainees occupying 32% of the qualified officer positions within the service. We have an aging demographic within the service, with, excluding our cohort of 10 trainees, an average age of 50; with 29% over the age of 55 and 64% over the age of 50. A conservative estimate is that a further 5 officers will retire within the next 3 years and, as professional training takes three years, as highlighted in the service plan itself, the current age demography presents a significant risk to our ability to meet service demands. In addition, the potential failure to maintain a sufficiently large cohort of qualified staff would severely inhibit our ability to successfully recruit and retain trainees, who depend on the support of these staff to attain their professional qualification.

The staff survey results for Trading Standards have shown a consistently high score (negative impact) for job pressures and workplace tensions. This is, in part, a result of the regulatory work we undertake, but it is also as a result of the staffing reductions we have seen over a number of years and our inability to fill staffing vacancies with qualified Trading Standards Officers (TSOs).

Investment in our workforce to develop a resilient service has been a priority in our service plan since 2020/21 but was delayed by our focus on our coronavirus pandemic response. Subject to the approval of a business case, we would seek to recruit trainees to join our innovative graduate/job mover recruitment and training programme with a view to attracting people from diverse backgrounds, who have the capability to complete the on-the-job training and gain the experience necessary to attain their Trading Standards Practitioner Diploma.

- 5.2 Property:** We will be reviewing the operational accommodation needs of the service, in particular, our Calibration, Verification and Testing Services laboratories to ensure that they meet the size and configuration requirements to

enable the service to continue to grow and generate the required income via our commercial services.

- 5.3 IT:** The Trading Standards service has recently re-procured our case management system, which was implemented at the start of the 2022-23 service year. The Information Management Team (IMT) provided technical support, including advice on our data protection impact assessment (DPIA), during the re-procurement. They will continue to provide technical support for ongoing maintenance and bespoke development of the system.

It is anticipated that, once fully implemented, the system will generate efficiencies in workflows, enhanced mobile working for officers and a reduction in the need for administrative and IMT support.

6. Other Implications

- 6.1 Legal Implications:** Statutory duties are addressed in the Trading Standards service plan 2023-24 and associated plans (Appendices 1 to 4 to this report).

The Trading Standards service is principally concerned with preventing or reducing crime and disorder. Enforcement activities are determined via our intelligence-led approach and enforcement action is undertaken in accordance with the [CES Compliance and Enforcement Policy](#). This policy provides a clear framework within which the service can protect the public, legitimate businesses, and the environment in a consistent, fair, and transparent way, in line with both local and national priorities and the legal requirement arising from Section 17 of the Crime and Disorder Act 1998.

The service has regard to the Freedom of Information Act 2000, the Data Protection Act 2018, and corporate data protection policies and procedures as well as service-specific policies in relation to data protection where these differ in a criminal justice context.

- 6.2 Human Rights Implications:** Enforcement activities occasionally necessitate the use of covert surveillance or access to communications data, as regulated by the Regulation of Investigatory Powers Act 2000 (RIPA) and the Investigatory Powers Act 2016 (IPA). In carrying out its enforcement role, the service has regard to these acts and the County Council's RIPA and IPA policies, when considering the necessity and proportionality of such activities.

In addition, in undertaking its enforcement role, the service has regard to the Human Rights Act 1998, in terms of the right to a fair trial, the right to respect for private and family life, prohibition of discrimination and protection of property.

- 6.3 Equality Impact Assessment (EqIA):** With the support of the Equality and Diversity team, the Trading Standards Service undertook an equality impact assessment (EqIA) of the Trading Standards Service plan in November 2022, with a view to ensuring that we are meeting the Public Sector Equality Duty and

our stated aims and legal responsibilities, in the delivery of the Trading Standards service. Findings from this EqlA have informed our Service Plan 2023-24.

The EqlA determined that, based on the evidence available, this service plan is likely to have a significant positive impact on some people with protected characteristics and a negative impact on others, but there is a need to:

- widen the recording of the protected characteristics of Trading Standards service users, in order to carry out a more detailed analysis; and
- introduce an assessment of the impact on protected characteristics in the delivery method of identified priorities.

This is because the service planning process is based on intelligence to inform our priorities. A Strategic Assessment is carried out annually and revisited monthly at Tasking and Coordination meetings. These strategic and tactical assessments will help identify the latest threats and intelligence regarding what is happening in the marketplace, ensuring the focus is on the most important priorities for Norfolk – the what and the who. It is the activities to meet these priorities which we need to ensure are delivered in a way so as to not negatively impact or unintentionally exclude people with protected characteristics.

A number of positive actions/activities are already embedded as part of service planning/service delivery to ensure people with protected characteristics are not disadvantaged in accessing or receiving our services. Consideration of equality impact needs to be an ongoing consideration when planning the delivery of service priorities identified through intelligence.

As our assessment has identified gaps in our ability to identify service users with protected characteristics and therefore possible detrimental impacts, the two actions below will help to mitigate this:

- Reintroduction of a project planning process, using a project plan template, which sets out our delivery of identified service priorities to include the requirement to consider equality impact as part of the planning where relevant
- Widening and improving the recording of the protected characteristics of Trading Standards service users, in liaison with Citizens Advice Consumer Service

The first action has already been implemented as part of our service planning for 2023/24 and the second will be actioned during the 2023/24 service year.

6.4 Data Protection Impact Assessments (DPIA): The service routinely obtains, stores, and shares information to provide advice and guidance, conduct investigations and ensure compliance with relevant laws. Some of this information is personal data, and some of it is confidential or sensitive. The information is securely stored electronically, on the County Council's Network, and in other ways such as on secure databases and in secure paper files. The information is stored and processed in accordance with the law (including the

Data Protection Act 2018 and the Enterprise Act 2002) and with proper regard to the council's privacy notices.

Discussion has taken place with the Information Governance Team who advise that a general Data Protection Impact Assessment (DPIA) is not required, as there is no new processing and the relevant privacy notices relating to regulatory provision are in place and have been recently reviewed. However, as advised under section 5.3 above, a specific DPIA was conducted in March 2023 on re-procurement of the service's case management system.

6.5 Health and Safety implications: The service follows the County Council's Health & Safety – "Our Commitments policy" and associated corporate policies. The service has comprehensive risk assessments for service-specific activities such as weights and measures inspections, investigation of suspected illegally imported animals or attendance at legal hearings. These enable us to manage the health, safety, and wellbeing of our staff, whether they are working at business premises, in customers' homes, in the office, in our laboratories or in their own homes. Our comprehensive set of risk assessments are reviewed on an annual basis as part of our Health, Safety & Wellbeing Action Plan.

6.6 Sustainability implications: The service will have a focus on environmental protection, ensuring:

- businesses are supported to comply with new green legislative requirements, and
- the service operates in a manner to support the council's net-zero ambitions.

The latter includes:

- a commitment to engage with the development of the corporate Environmental Action plan, adopting best practice where applicable
- implementing the mobile working functionality of our replacement case management system and thus reducing our use of paper forms
- sign-posting businesses to online information and advice and providing bespoke advice via email and thus reducing our use of information leaflets and letters, and
- retaining the positive benefits of home-working and implementation of MS Teams to reduce business travel, especially for meetings.

6.7 Any Other Implications:

Officers have considered all the implications which members should be aware of. Apart from those listed in the report (above), there are no other implications to take into account.

7. Risk Implications

7.1 This service plan provides a clear framework and mitigates any risk of legal challenge regarding the delivery of the regulatory/statutory enforcement function of the Trading Standards service.

- 7.2 As demonstrated in the last service year, plans will need to be revised if:
- The county is impacted by further animal disease outbreaks, such as avian influenza or classical swine fever, or
 - The service is unable to recruit qualified Trading Standards Officers and/or trainees.

8. Recommendations

The Select Committee is asked to:

Review and comment on the Trading Standards Service Plan 2023/24 (Appendix 1) including:

- **Annex I: Enforcement of Age Restricted Sales and Illegal Tobacco Products Plan 2023/24 (Appendix 2 to this report)**
- **Annex II: Food & Feed Law Enforcement Plan 2023/24 (Appendix 3 to this report), and**
- **Annex III: Delivery of Animal Health & Welfare Framework 2023/24 (Appendix 4 to this report)**

prior to consideration by Cabinet.

9. Background Papers

- 9.1 The Local Government Association issued a Councillor Handbook in September 2022 focused on public protection services. It can be accessed here at:

<https://www.local.gov.uk/publications/public-protection-services-councillor-handbook>

- 9.2 The [CES Compliance and Enforcement Policy](#).

Officer Contact

If you have any questions about matters contained within this paper, please get in touch with:

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Email: sophie.leney@norfolk.gov.uk



If you need this report in large print, audio, braille, alternative format or in a different language please contact 0344 800 8020 or 0344 800 8011 (textphone) and we will do our best to help.

Trading Standards Service Plan 2023-24

Responsible Senior Officer Name: **Sophie Leney**

Period covered: **1 April 2023- 31 March 2024**

Latest update: **26 April 2023**

What our service aims to achieve

The Trading Standards service's ambition is for a safe, fair, and legal marketplace for Norfolk, that supports and benefits local businesses and communities. In alignment with Better Together, For Norfolk - Norfolk County Council's strategy for 2021-2025, our five priorities are:

- A vibrant and sustainable economy
- Better opportunities for children and young people
- Healthy, fulfilling and independent lives
- Strong, engaged and inclusive communities
- A greener, more resilient future

The things we do

We will undertake the following service activities:

1. Support the economy during the cost of living crisis, by providing businesses with access to information and compliance advice, including through chargeable, bespoke services
2. Support the economy by delivering services to the public and private sectors through Norfolk Calibration Services, our traded service
3. Safeguard vulnerable people and build community resilience with partners; by tackling the current most prevalent scams, fraud, and rogue traders; including through our Norfolk Against Scams Partnership (NASP), No Cold Calling Zones and Trusted Trader scheme
4. Protect consumers and support legitimate businesses by tackling non-compliance, focusing on the most detrimental trading

Through programmes of intelligence-led market surveillance, education and enforcement activities:

5. Protect the environment
6. Safeguard communities and public health by tackling the sale of illegal tobacco and vapes and the supply of age restricted products to young people

For further information see **Annex I: Enforcement of Age Restricted Sales and Illegal Tobacco Products Plan 2023-24**

7. Ensure the safety, standards and quality of the food chain, including food, animal feeds and agricultural fertilisers

For further information see **Annex II: Food & Feed Law Enforcement Plan 2023-24**

8. Safeguard the standards of animal health and welfare and respond to and reduce the risk of animal disease outbreaks and associated risks to the Norfolk economy and public health

For further information see **Annex III: Delivery of Animal Health & Welfare Framework 2023-24**

9. Ensure fair trading of products and services, and the safety and legal measurement of products
10. Ensure safety at sports grounds, working with partner agencies and other stakeholders via safety advisory groups

Our focus for the 2023/24 service year is on:

- Responding to business and consumer vulnerabilities arising from the cost of living crisis
- Environmental protection: ensuring:
 - businesses are supported to comply with new green legislative requirements, and
 - the service operates in a manner to support the council's net-zero ambitions.
- Review and implementation of changes arising from the Retained EU Law Bill which, if enacted as proposed, will result in all retained EU law lapsing and disappearing from the statute book on 31 December 2023 unless secondary legislation is passed either to preserve it, extend the sunset deadline for it (to 2026 at the latest), or replace it.
- Investment in our workforce to develop a resilient service: recruitment and development of Trading Standards Officers and trainee Trading Standards Officers to ensure we have the staffing resources necessary now and in the future to fulfil our statutory duties and address the county council's priorities.
- Greater integration with the Norfolk Fire and Rescue Service to realise improved services for businesses and communities and inhouse efficiencies
- Development of our commercial services: increasing our income, primarily through our calibration and chargeable business advice functions to reduce our reliance on grant funding.

In all that we do, we commit to being:

- Forward looking
- Innovative
- Empowering
- Collaborative
- Evidence driven
- Prudent, and
- Developmental

Our service structure

The Trading Standards Service consists of five teams:

- Business and Community Support
- Calibration, Verification & Testing Services
- Food and Farming
- Intelligence and Enforcement Support
- Safety and Fair Trading

The service has a full-time equivalent staffing complement of 43.66 FTE with a headcount of 45.

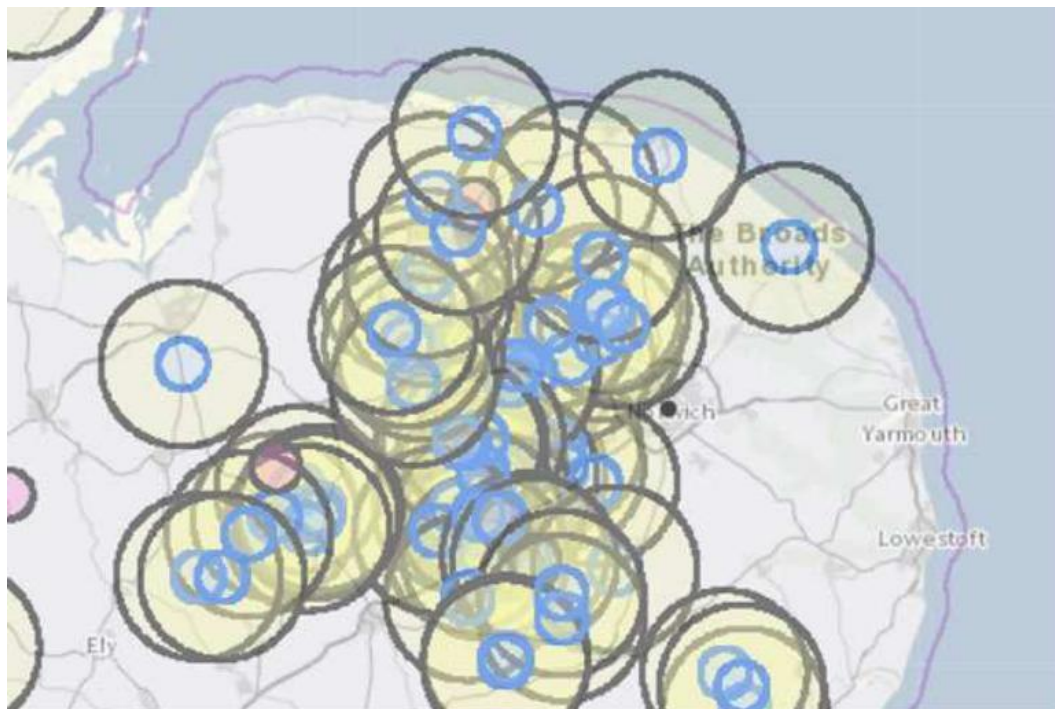
The service is delivered from three offices, County Hall in Norwich, Priory House in King's Lynn, and Hethel Engineering Centre (Calibration, Verification & Testing Services only).

Norfolk's population is 916,120¹ and there are 33,135² active enterprises in Norfolk. With a net budget of £1,875,360, the annual cost of the Trading Standards service is £2.05 per head or £56.60 per enterprise.

Monitoring our outcomes/performance

Avian Influenza

The 2023/24 service year was dominated by the unprecedented number of avian influenza outbreaks in Norfolk, presenting a serious threat to the commercial poultry industry in the county (and across Great Britain). Since 1 August 2022 there have been 306 outbreaks in England, 65 (21%) at Norfolk premises. In comparison we had just 3 over the winter of 2021/22. Norfolk became the epicentre of the disease in October 2022, when we responded to 46 cases in just that month.



¹ 2022 Office of National Statistics figure (estimated)

² 2022 Office of National Statistics figure from the Inter Departmental Business Register

Trading Standards expended 185 officer days on foot patrols, contacting residents within 3km radius protection zones around affected premises, checking, and collecting information as to other captive birds that were being kept in the zones and providing keepers with advice on legal restrictions and biosecurity. During October, these were completed with support from colleagues from Breckland and Broadland Councils, Cambridgeshire and Lincolnshire Trading Standards, and volunteers from within Norfolk County Council, totalling 26 volunteer days.

Over the course of the winter, we adopted a less labour-intensive approach, replacing foot patrols with mailshots. To date, we have sent 29,806 letters to residents in protection zones. The letters provide links to a survey on the Norfolk County Council website which captures the required information directly from residents or enables them to contact the customer service centre to pass on the information. In addition, we have worked with the Animal and Plant Health Agency (APHA), our corporate communications, customer service centre and web teams to develop and disseminate public information on how to reduce the risk of disease spread.

Mandatory housing of poultry in the county was in place from 12 October 2022 to 18 April 2023. In response to commercial poultry keepers' concerns about poor biosecurity of backyard flocks, Trading Standards followed up 118 reports of unhoused poultry, providing advice or taking enforcement action to ensure the keepers comply with legal requirements.

Norfolk Against Scams Partnership (NASP)

We have continued to work with the Norfolk Against Scams Partnership (NASP) to enable organisations to protect people and businesses from fraud, scams, and doorstep crime, and to help those who are defrauded. There are now 56 partners which include local organisations, businesses, voluntary organisations, clubs, councils, and other partners. This year the NASP has:

- been held up as an exemplar, by the National Trading Standards Scams Team, for partnership working and best practice
- produced a scams awareness postcard (including translations in Russian and Ukrainian to support Ukrainian refugees), which has been distributed to partners and warm spaces
- produced bookmarks with information on how to report scams, which are distributed by the Library Service
- delivered cybersecurity training to businesses via the Business & Intellectual Property Centre (BIPC) Norfolk
- installed call blockers in vulnerable people's homes using funding from the National Trading Standards Scams Teams.

No Cold Calling Zones

Throughout the year, Trading Standards has continued to support Norfolk communities to activate No Cold Calling Zones (NCCZs) in their locality, enabling residents to declare that they no longer wish to accept traders calling at their homes without an appointment and thus deterring rogue and unscrupulous traders cold calling them. This year saw the launch of the 300th No Cold Calling Zone in Norfolk. At year end there were 310 zones protecting 14,511 properties from unwanted cold callers and rogue traders.

Trusted Traders

There are currently 217 Trusted Traders on the Norfolk Trusted Trader Scheme, which enables local consumers to contract with local traders who have been vetted by Trading Standards. We have lost a number of members during and since the covid-19 pandemic

as a result of business closure, primarily through retirement. However, through the support of the Norfolk Strategic Fund, we have managed to maintain scheme membership numbers and achieved a number of key goals. We have:

- Received 94 applications from new prospective Trusted Traders, 43 in the service year
- Maintained member renewal rates at around 89%
- Increased the number of customer reviews by 65%.

In December 2022, we moved to a new provider of administrative services to support the Trusted Trader scheme. The benefits of this were immediately realised with January and February seeing the highest number of new membership applications since the scheme began. Trusted Trader members and their customers are also more engaged with the scheme, with direct contacts to traders having already grown by 68% and customer reviews of traders by 70% between December and March.

Calibration, Verification and Testing Services

[The Calibration, Verification and Testing Services \(CVTS\) team](#) generated £581,150 of income, £19,150 (3.4%) over the target of £562,000 (which was increased by £50,000 for the 2022/23 service year). Income is generated by calibrating circa 20,400 items of equipment, supplying weights and other weighing equipment, providing hire weights, and verifying weighing and measuring instruments. The team's excellent reputation and flexibility continues to attract new customers and they work closely with existing customers to ensure that their current and future needs are met. To ensure medical weighing equipment meets Care Quality Commission (CQC) requirements, the team works with a number of care providers, including Norse Care, helping to reduce the costs of compliance for those businesses and organisations. The CVTS team is also responsible for maintaining Norfolk Trading Standards' own weights and measures and, via Section 101 agreements, those of Cambridgeshire, Essex, and Suffolk. The team successfully maintained our accreditation from the United Kingdom Accreditation Service (UKAS), ISO9001 certification, and designation from the Secretary of State as a UK Approved Body and EU Notified Body for Northern Ireland. Their relationships with the public and private sector continue to support the local economic recovery and promote Norfolk County Council as a centre of excellence for mass calibration and related activities.

Market Surveillance

We continue to conduct inspections, sampling and test purchasing and other enforcement activity to ensure that the Norfolk marketplace is legal and fair and goods, including food, are safe and meet legal standards. Over the last service year, we have:

- Continued to work with operational partners to tackle the problem of illegal tobacco and e-cigarettes (vapes) in Norfolk, seizing 59,400 illegal cigarettes, 9.35kg of illegal hand rolling tobacco and over 2,800 illegal vapes.
- Worked with Police licensing teams to prevent suppliers of illegal tobacco and vapes from having alcohol licences at their premises. In one instance we were successful in having an alcohol licence reviewed and revoked (which is now subject to appeal) and in another two, we were successful in objecting to the application for an alcohol licence, one at a newly opened premises.
- Continued our focus on food allergens work, including food sampling and responding to 34 complaints in relation to undeclared allergens, to ensure retailers and caterers are providing the necessary information to keep their customers safe from harm.
- Responded to a further 196 complaints about food standards, liaising with Trading Standards colleagues across the country and Environmental Health

colleagues locally to ensure suppliers bring their foods up to standard or remove them from the marketplace. Of the food samples taken and reported on by our Public Analyst during the service year, often in response to a consumer complaint, 45% have been found to be non-compliant, resulting in follow-up action

- Carried out inspections and taken samples at high-risk businesses operating within the food supply chain. We have carried out targeted animal health and welfare inspections at farms and markets and feed hygiene inspections at farms, feed mills, wholesalers and retailers. We have also carried out authenticity checks of spirits, supported by a British multinational alcoholic beverage company, and conducted joint visits with the Food Standards Agency's National Food Crime Unit (FSA NFCU) to check the standards and labelling of imported foods.
- Tested weighbridges across Norfolk (one disqualified), followed up on complaints in relation to liquid fuel measuring instruments (petrol/diesel pumps) and non-automatic weighing instruments (weighing scales). We have also tested eleven weighbridge operators to allow them to operate as public weighbridge operators.
- Coordinated and participated in a regional project, which was supported by national funding, looking at second-hand car traders of most concern. Of the 109 vehicles examined by Trading Standards services in the eastern region, 80% of vehicles were found to be faulty with 24% presented in an unroadworthy condition. Of the 8 vehicles inspected in Norfolk, 2 were found to be in an unroadworthy and dangerous condition and the trader responsible has been formally investigated. The project demonstrated that the used car sector, which generates the highest number of consumer complaints each year, still requires considerable ongoing surveillance to improve trade practice, ultimately aiming to level the playing field, support small business growth and increase consumer confidence.

Safety of Sports Grounds

We continue to work with seven venues across Norfolk to deliver our statutory functions under Safety of Sports Grounds legislation. These include stadia used for football, greyhounds, speedway, stock car racing and horse racing. The County Council issues and reviews safety certificates which set out the safe capacity of a sports ground (or a spectator stand), and the terms and conditions that the certificate holder must follow.

Safety in a sports ground requires both good design and good management. Where there is a designated sports ground with a safety certificate a Safety Advisory Group (SAG) must be set up. This is a multi-agency group formed at local level and chaired by the County Council to ensure that the sports ground remains compliant with the conditions of the safety certificate and with other relevant standards; typically consisting of representatives of the local authority, ground management, building control, police, fire, ambulance services and the Sports Grounds Safety Authority (SGSA).

This year the SAG has worked closely with Norwich City Football Club as they look to introduce 'Safe Standing' to the Carrow Road stadium. This will involve the installation of rail seating to some areas of the stadium, which comprises fold-down seats within high metal frames that can be used as rails to allow spectators to stand safely during events. NCFC is currently consulting with supporters on their plans for rail seating. Subject to ongoing SAG review and approval, the current timetable should see the installation of rail seating at Carrow Road in June 2024 (during the close season).

Elton John and The Killers concerts were held at Carrow Road in June 2022. These were the first full capacity concerts held at the stadium since the covid-19 pandemic. A significant amount of planning took place for both events, again led by the County Council, working with a range of SAG colleagues to ensure a safe and enjoyable event for those that participated/attended. Further work has already started for the Artic Monkeys, concert planned for June 2023 at Carrow Road.

Business Compliance and Prosecutions

The operation of our intelligence-led enforcement (InLEt) process continues to be hugely successful in achieving compliance with traders at the earliest outset. Of the traders flagged by InLEt as being our most detrimental, and referred on to officers for further action, 97% are brought to compliance within 3 months. The remaining traders are subject to our continued intervention work and/or further action, with the ultimate sanction being prosecution, until compliance is achieved.

Despite the continuing constraints on the court service, Trading Standards concluded five prosecutions during the service year. Cases related to rogue builders/tradespeople, animal welfare and second-hand cars. Details are given below:

| Date | Prosecution Type | Outcome | Notes |
|---------------------------------|--|--|---|
| July 2022 | Unfair Trading - builder | Compensation Order of £49,439 awarded to victims | Criminal behaviour order also issued restricting future trading activities |
| August 2022 (Two defendants) | Unfair Trading - builder Fraudulent Trading - builder | 9 months custody suspended for 18 months, and 200 hours Community Work 33 months imprisonment | Criminal behaviour order also issued restricting future trading activities |
| September 2022 | Animal Welfare - farmer | 8 weeks custody suspended for 18 months | Disqualification Order issued preventing ownership and keeping of cattle and bovines for a period of 10 years |
| December 2022 | Unfair Trading – second hand cars | Fined £700 with a victim surcharge of £70. Costs of £5000 also awarded | Criminal behaviour order also issued restricting future trading activities |
| January 2023 | Unfair Trading - builder | 8 months custody suspended for 21 months and 200 hours Community Work | Open-ended criminal behaviour order also issued restricting future trading activities |

In the majority of cases, we have successfully applied for criminal behaviour orders. These require those convicted to trade fairly and legally in the future, with sanctions if they do not. Thus, protecting those Norfolk consumers who contract with these traders. We have also sought to recover compensation for the witnesses in our cases, where appropriate to do so.

| Performance Measure | How we did in 2017/18 | How we did in 2018/19 | How we did in 2019/20 | How we did in 2020/21 | How we did in 2021/22 | How we did in 2022/23 | Our target for this year |
|--|--|---------------------------------|---------------------------------------|---------------------------------------|---------------------------------------|---------------------------------------|-----------------------------|
| Percentage of businesses brought to broad compliance with trading standards | Target = 95% Actual = 94.69% | Target = 95% Actual = 95.66% | Target = 95% Actual = 94.87% | Target = 95% Actual = 97.80% | Target = 95% Actual = 98.42% | Target = 95% Actual = 98.75% | 95% |
| Percentage of rogue traders and most detrimental businesses brought to compliance | Target = 85% Actual = 78.10% | Target = 85% Actual = 86.16% | Target = 95% Actual = 98.81% | Target = 95% Actual = 95% | Target = 95% Actual = 100% | Target = 97% Actual = 98.15% | 97% |
| Number of (a) Norfolk people who are 'Friends Against Scams' (FAS) and (b) partners in the Norfolk Against Scams Partnership (NASP), protecting people from financial abuse | (a) FAS Target = 600 (a) FAS Actual = 626 | Discontinued | No targets set (a) 3,886 (b) 50 | No targets set (a) 4,192 (b) 55 | No targets set (a) 4,266 (b) 56 | No targets set (a) 4,361 (b) 56 | Discontinued |
| Number of members of our Norfolk Trusted Trader scheme | Not measured | Not measured | Not measured | 211 | 215 | 217 | No target set as baselining |
| Number of No Cold Calling Zones and households protected by them in Norfolk | Not measured | Not measured | Not measured | 277 | 295 | 310 14,511 | No target set |
| Amount of money that, as a result of Trading Standards intervention, is not lost to or is recovered from fraudsters and rogue traders | Not measured | Not measured | Not measured | £166,809 | £466,620 | Yet to be calculated | No target set |
| Percentage of products, including foods and feeds, sampled or test purchased, which are found to be non-compliant and are subsequently brought to compliance or removed from the marketplace | Target = 93% Actual = 95.45% | Target = 93% Actual = 98.27% | Target = 93% Actual = 97.34% | Target = 96% Actual = 100% | Target = 96% Actual = 100% | Target = 96% Actual = 95.65% | 96% |

Feedback from our customers

| Performance Measure | How we did in 2017/18 | How we did in 2018/19 | How we did in 2019/20 | How we did in 2020/21 | How we did in 2021/22 | How we did in 2022/23 | Our target for this year |
|---|-------------------------------|-------------------------------|---------------------------------|---|---|---|--------------------------|
| Business satisfaction with Trading Standards services | Target = 93 Actual = 92.90 | Target = 93 Actual = 93.50 | Target = 97% Actual = 94.40% | Target = 97% Suspended due to covid-19 | Target = 97% Suspended due to covid-19 | Target = 97% Relaunch of surveys delayed due to avian influenza response | 97% |

Our key risks

| Risk (Managed and monitored via the Trading Standards Risk Register) |
|---|
| A loss of staff due to the service's aging demographic and/or continued austerity measures could result in a loss of specialist trading standards knowledge and skills, resulting in an inability to (a) deliver statutory duties and (b) generate the required income through our commercial activities of Primary Authority Partnerships, bespoke advice, calibration, verification testing, and hire services. |
| Accommodation constraints on our Calibration, Verification and Testing Services (CVTS) laboratories are stifling growth, which could result in an inability to generate the required income via our commercial services. |

Measures (to monitor risks)

| Performance Measure | How we did in 2017/18 | How we did in 2018/19 | How we did in 2019/20 | How we did in 2020/21 | How we did in 2021/22 | How we did in 2022/23 | Our target for this year |
|--|--|-----------------------|-----------------------|---|----------------------------------|--|--------------------------|
| Proportion of Trading Standards Officers/Managers who hold necessary qualifications and current competencies to be authorised to deliver the Trading Standards Service priorities (as required by statute and as set out in the Control Strategy). | Target = 100% Actual: April = 97% Aug = 99% Dec = 98.94% Mar = 99.64% | Discontinued | Not measured | Target = 100% Not measured due to covid-19 | Target = 100% Actual = 73.17% | Target = 100% Actual: October = 81.10% | 100% |

| Performance Measure | How we did in 2017/18 | How we did in 2018/19 | How we did in 2019/20 | How we did in 2020/21 | How we did in 2021/22 | How we did in 2021/22 | Our target for this year |
|--|--|--|--|--|--|--|--------------------------|
| Income generated through our commercial activities of calibration, verification, testing and hire services | Target = £355,000 Actual = £410,533 | Target = £375,000 Actual = £420,407 | Target = £425,000 Actual = £512,976 | Target = £452,000 Actual = £534,584 | Target = £512,000 Actual = £542,027 | Target = £562,000 Actual = £581,150 | £562,000 |
| Income generated through our commercial activities of Primary Authority Partnerships and bespoke advice | Target = £20,580 Actual = £20,522 | Target = £21,030 Actual = £15,485 | Target = £21,280 Actual = £25,532 | Target = £41,280 Actual = £16,612 | Target = £41,280 Actual = £29,007 | Target = £41,280 Actual = £14,437 | £41,280 |

Supplementary information

In addition to the local ambition and priorities outlined on page 1 above and Norfolk Trading Standards' Strategic Assessment 2023/24 recommendations, the Trading Standards Service Plan has regard to:

- a) the Chartered Trading Standards Institute (CTSI)'s vision that the UK prospers economically through fair and safe trade and their mission to support and reinforce the protection of consumers and achieve a level playing field for business,
- b) the National Trading Standards (NTS) Strategic Assessment 2022 priorities and
- c) the East of England Trading Standards Authorities (EETSA) Strategic Assessment 2021 priorities, which are:

| Priority Area | NTS priority | EETSA priority |
|---|--------------|----------------|
| Doorstep crime and cold calling, including in relation to roofing | NTS | EETSA |
| Mass marketing scams | NTS | EETSA |
| Product Safety | | EETSA |
| Animal Health, including puppy importation | | EETSA |
| Food, including allergens | | EETSA |
| Lettings | NTS | |
| Fair trading: Energy-related fraud | NTS | EETSA |
| Intellectual property | NTS | |
| Fair Trading – used cars | NTS | EETSA |
| Fair Trading – other areas including home improvements | NTS | EETSA |
| Tobacco control including illicit tobacco | NTS | EETSA |
| Age restricted sales of e-cigarettes (vapes) | | EETSA |
| Estate agency | NTS | |
| Animal feed | NTS | |

This Service plan is supplemented by our 2023-24 control strategy and with the following functional specific plans which describe how we will address statutory responsibilities relating to underage sales; food and animal feed safety and standards; and farmed animal welfare and disease control:

- Annex I: Enforcement of Age Restricted Sales and Illegal Tobacco Products Plan 2023-24
- Annex II: Food & Feed Law Enforcement Plan 2023-24
- Annex III: Delivery of Animal Health & Welfare Framework 2023-24.

Please see the Trading Standards Service's plan on a page for 2023/24 overleaf.

PLAN ON A PAGE 2023/24

Service Area: Trading Standards

Objectives and priorities for the year:

A safe, fair, and legal marketplace for Norfolk, that supports and benefits local businesses and communities

- Responding to business and consumer vulnerabilities arising from the cost of living crisis
- Environmental protection
- Review and implementation of changes arising from the Retained EU Law Bill
- Investment in our workforce to develop a resilient service
- Greater integration with the Norfolk Fire and Rescue Service to realise improved services for businesses and communities and inhouse efficiencies
- Development of our commercial services

Key deliverables:

- Increase in number of qualified Trading Standards Officers
- £50K saving within NFRS/TS with effect from 2024/25 service year
- New calibration laboratory facilities, including online webshop

Key risks on Risk Register:

- Loss of specialist trading standards knowledge and skills, resulting in an inability to (a) deliver statutory duties and (b) generate the required income through our commercial activities
- Accommodation constraints on our Calibration, Verification and Testing Services (CVTS) laboratories which could result in an inability to generate the required income via our commercial services

Key activities :

- Support the economy during the cost of living crisis, by providing businesses with access to information and compliance advice, including through chargeable, bespoke services
 - Support the economy by delivering services to the public and private sectors through Norfolk Calibration Services, our traded service
 - Safeguard vulnerable people and build community resilience with partners; by tackling the current most prevalent scams, fraud, and rogue traders; including through our Norfolk Against Scams Partnership (NASP), No Cold Calling Zones and Trusted Trader scheme
 - Protect consumers and support legitimate businesses by tackling non-compliance, focusing on the most detrimental trading
 - Through programmes of intelligence-led market surveillance, education and enforcement activities:
 - Protect the environment
 - Safeguard communities and public health by tackling the sale of illegal tobacco and vapes and the supply of age restricted products to young people
 - Ensure the safety, standards and quality of the food chain, including food, animal feeds and agricultural fertilisers
 - Safeguard the standards of animal health and welfare and respond to and reduce the risk of animal disease outbreaks and associated risks to the Norfolk economy and public health
 - Ensure fair trading of products and services, and the safety and legal measurement of products
 - Ensure safety at sports grounds, working with partner agencies and other stakeholders via safety advisory groups
- Contributing to:
- A vibrant and sustainable economy
 - Better opportunities for children and young people
 - Healthy, fulfilling and independent lives
 - Strong, engaged and inclusive communities
 - A greener, more resilient future

Vital signs and targets:

- (a) **Percentage of businesses** and (b) **Percentage of rogue traders and most detrimental businesses brought to broad compliance with trading standards**
- (c) Amount of money that, as a result of Trading Standards intervention, is not lost to or is recovered from fraudsters and rogue traders
- (d) Number of members of our Norfolk Trusted Trader scheme and (e) Number of No Cold Calling Zones and households protected by them in Norfolk
- (f) Percentage of products, including foods and feeds, sampled or test purchased, which are found to be non-compliant and are subsequently brought to compliance or removed from the market place
- (g) Business satisfaction with Trading Standards services
- (h) Proportion of Trading Standards Officers/Managers who hold necessary qualifications and current competencies to be authorised to deliver the Trading Standards Service priorities
- Income generated through our commercial activities of (i) calibration, verification and testing services and (j) business advice and other chargeable activities

Key budget headings:

Trading Standards revenue budget = £1,875,360

Public Health grant = £47,280 (included in total above) for tobacco control



Norfolk County Council

Community & Environmental Services

Trading Standards Service Enforcement of Age Restricted Sales and Illegal Tobacco Products Plan



A review of our activities in 2022-23 and a strategy for 2023-24 to deter the sale of age restricted products to young people and the sale of illegal tobacco products in Norfolk, with the intention of improving community safety and public health



If you need this report in large print, audio, braille, alternative format or in a different language please contact 0344 800 8020 or 0344 800 8011 (textphone) and we will do our best to help.

Context

The Children and Young Persons' (Protection from Tobacco) Act 1991 requires a Local Authority to review its enforcement activity relating to the supply of cigarettes and tobacco to persons under the age of 18 on an annual basis. This legislation specifically requires an authority to consider "the extent to which it is appropriate for them to carry out, in their area, a programme of enforcement action". There are similar duties arising from Section 54A of the Anti-Social Behaviour Act 2003. The Trading Standards Service has a responsibility to enforce the compulsory health warning requirements on tobacco products and the age restrictions and composition legal requirements applicable to e-cigarette liquids which contain nicotine.

This Plan fulfils our obligation to review our programme of enforcement action on the above-mentioned specific matters. It also outlines the broader extent of our work in this area, to improve community safety and public health.

The supply of illegal tobacco products continues to be a problem in Norfolk. There is continued evidence of supply spreading to smaller market towns in addition to the larger urban areas of Norwich, King's Lynn, and Great Yarmouth. These products fail to carry the health warnings of legitimate tobacco products and are often counterfeits of established brands. Their unknown composition and unregulated production present an additional health hazard to smoking, already the major cause of death in the UK. Illegal cigarettes do not have the self-extinguishing qualities of legal cigarettes and pose a greater fire risk. The Service receives intelligence that sales of illegal cigarettes are being made to young people. The relative cheapness of these products makes them attractive to buyers; including those under 18 years old, and undermines smokers' attempts to quit. This plan integrates the Trading Standards Service actions to tackle these illegal products along with the obligations outlined above.

During 2022/23 the Service saw a vast increase in the number of non-compliant matters reported to us regarding Nicotine Inhalation Products, more commonly known as "vapes". Such matters related to both the compliance of the vape items themselves; in terms of the allowable liquid capacity in the vape, the allowable nicotine strength of such liquid and the required labelling of such products, and the illegal supply of vape products to those under the legal age for supply (18 years). Small disposable vapes with child appealing packaging and/or flavours are a particular issue. Non-compliance is a national issue as reflected in the Local Government Association (LGA)'s article of 11 February 2023. See ["Vapes need to be out-of-sight-and out-of-reach to tackle underage sales"](#)

Background

Trading Standards community safeguarding activities are intelligence-led and focus on both national and local priorities. Improving community safety and public health by tackling illegal and age restricted products is a key priority for the Service.

Trading Standards recognises that effective enforcement of legislation to prevent the sale of age restricted goods requires a multi-agency approach and seeks to work in partnership with a range of agencies and stakeholders to ensure accurate identification of priority and high-risk areas, share best practice and engage in collaborative work, such as joint operations and licence reviews.

Trading Standards aligns its service delivery, wherever possible, to support the priorities of

other Council services. In order to align its community safeguarding activities with Public Health priorities, the Service will focus activities on:

- Preventing the sale of alcohol to young people
- Taking action through alcohol licensing requirements
- Preventing the sale of cigarettes, e-cigarette liquids and tobacco to young people
- Disrupting the supply of illegal tobacco products
- Working with the Norfolk Tobacco Alliance, and
- Working with Community Alcohol Partnerships (CAPs)

Service delivery will take place across the whole of the county; based on the intelligence derived from information received about the sale of age restricted products and illegal tobacco products.

Review of 2022-23

Unlike the previous two years, the impact of Covid 19 on the delivery of work was negligible during the year.

The amount of intelligence received regarding premises selling age restricted products to underage persons continues to rise with the number of reports received once again increasing significantly from that of the previous (2021-22) year. This includes complaints made to the police and district council licensing departments in the County.

Alcohol

In the first three quarters of the 2022-23 service year, intelligence was received about 26 premises selling alcohol to underage persons (during the same period in 2021-22 it was 15). All premises were advised by either remote means, or by a visit, on their responsibilities in relation to underage sales. Some of these premises had secondary advice following the receipt of further intelligence about underage sales still taking place.

Where further intelligence was received about continuing underage sales at premises, following staged advice, such premises were identified to be subject to a test purchase exercise (see test purchasing below).

The Service continues to contribute to the Community Alcohol Partnerships (CAP) in Norfolk including the newly formed Sheringham CAP which was launched in January 2023.

Of the 26 premises that were subject to reports of underage alcohol sales, 3 were in an area covered by a CAP.

The Trading Standards Service is a Responsible Authority in licensing matters. Trading Standards continues to work closely with the other Responsible Authorities, in particular, Norfolk Constabulary Licensing Team, in order to ensure the licensing objectives are upheld in Norfolk. Where a business is found to be selling alcohol to underage persons, Trading Standards, in conjunction with Norfolk Constabulary, will apply for a review of the premises licence.

During the 2022-23 period we undertook the following activities in relation to alcohol licences:

- In conjunction with Norfolk Police, we objected to an alcohol licence application from a premises, where the new Company director had links to illegal tobacco. Our objections were successful with the licence being refused at a subsequent licence hearing at the district council.
- In conjunction with Norfolk Police, we objected to an alcohol licence application from a newly opened premises. Soon after opening we received reports against the premises about the sale of illegal tobacco, illegal vapes and underage sales. A joint visit with Norfolk Police was carried out at the premises with illegal cigarettes, illegal hand rolling tobacco and illegal vapes being seized. A short period after the first seizure further reports of sales of illegal tobacco products and underage sales of such products were received. A further joint visit with Norfolk Police was again carried out to the premises. Again, more illegal cigarettes and illegal hand rolling tobacco was seized. At a subsequent licencing hearing the district council refused the alcohol licence application from the premises.
- We asked for a review of an alcohol licence granted to a premises, following ongoing concerns about underage sales. We had received a number of complaints about underage sales and had conducted an advice visit at the premises in question. A further report of underage sales was received within a few hours of our visit. A follow-on test purchase exercise was carried out at the premises, utilising an underage volunteer, which resulted in a sale of alcohol. At a subsequent licence review hearing the alcohol licence belonging to the premises was revoked by the district council licencing committee. This decision is now subject to an appeal, by the premises, to the Magistrates Court. This Service will make further representations at that hearing.

Tobacco

In the first three quarters of the 2022-2023 service year, we received intelligence about 9 premises selling cigarettes to persons aged under 18 (during the same period in 2021-22 it was 5). The premises were given advice by remote means.

The Government's Tobacco Control Strategy is key to the Trading Standards Service's response in enforcing legislation in relation to both the supply of illegal tobacco products and underage sales, as well as ensuring that legal tobacco products are stored and labelled as required by law.

In line with our staged enforcement approach, we have undertaken a number of notable seizures of illegal cigarettes and hand rolling tobacco (HRT) from premises during the 2022/23 service year:

- Great Yarmouth 3,900 cigarettes, 1kg HRT
- Swaffham 2,000 cigarettes, 2.85kg HRT
- Watton 31,000 cigarettes
- Great Yarmouth (multiple premises) 22,500 cigarettes, 5.5kg HRT.

The Service has continued its work with the landlords of business premises where suppliers of illegal tobacco are tenants. In Norwich the landlord of a problem premises is now proposing to change its use, thus ceasing the supply of illegal tobacco by the tenants.

Nicotine inhalation products

Nicotine inhalation products are commonly known as vapes. Vape products are subject to the same age restrictions as cigarettes and tobacco, in that buyers must be at least 18 years old. Vape products are also subject to strict controls regarding the amount of nicotine liquid they contain and the strength of that liquid.

Vapes were originally introduced as a smoking cessation device and remain an effective tool in achieving such a goal. The Khan Review “Making Smoking Obsolete” (published in June 2022) recognises the effectiveness of vapes and recommends their use in smoking cessation programmes.

The use of such products also forms part of Norfolk County Council Public Health’s Tobacco Control and Stop Smoking plan. During the 2022-23 year, as part of its wider collaborative work with the Council’s Public Health service in this area, the Service has been developing vetting procedures, for those businesses Public Health engage with to supply vaping products as a cessation tool. In doing so we can ensure that any vapes provided for smoking cessation purposes are compliant with the legislation.

Whilst vapes remain an effective smoking cessation device, during the 2022/23 period, the Service has seen an exponential growth in the receipt of reports of both underage sales of vapes and sales of illegal vapes. Very often the two issues go together, with those business who are unconcerned with the illegality of the vape products they supply also unconcerned with any age restriction that should be applied (as is also the case with illegal tobacco). At the end of the third quarter of 2022/23 53 premises involved in the supply of vapes have been the subject of such reports (in 2021/22 there were 8 premises). Norfolk has not been alone in experiencing such issues. Both the Local Government Association (LGA) and the Chartered Trading Standards institute (CTSI) have issued press releases in the last quarter of 2023 highlighting issues surrounding vapes, including the supply of vapes to those underage and the supply of illegal vapes.

This Service has continued its staged enforcement approach to tackling such matters with the provision of early intervention advice in the first instance. As part of that staged approach the Service has undertaken a number of notable seizures of illegal vapes during the 2022/23 year:

- Great Yarmouth 188 vapes
- Great Yarmouth 133 vapes
- Norwich 308 vapes
- Norwich 387 vapes
- Norwich 177 vapes
- Kings Lynn 1,267 vapes
- Kings Lynn 1,136 vapes
- Kings Lynn 449 vapes
- Swaffham 98 vapes

During the above seizures, a number of the premises were also found to have illegal tobacco products.

Knives

Trading Standards received no complaints about premises in Norfolk selling knives to persons under 18 during the service year. We worked with Norfolk Constabulary as part of the national campaign, Operation Sceptre, in May 2022, conducting 14 joint visits to ensure retailers are fully aware of their legal responsibilities on preventing sales to underage youngsters. We were unable to participate in a second tranche of Op Sceptre visits planned for November 2022 due to the unprecedented demand on the Service caused by Avian Influenza outbreak response work.

Fireworks

Norfolk Constabulary takes the lead on sales of fireworks to under-18s, and we will support. No intelligence has been received about underage sales of fireworks this service year.

Other Products

Intelligence regarding the underage sales of other products is rare and during the 2022/23 service year no reports regarding other products were received.

Looking ahead to 2023-2024

Enforcement Activities (including test purchasing programmes)

Trading Standards will continue to focus its resources on alcohol, tobacco, and nicotine inhalation products (NIPs). We will also respond to intelligence relating to other products, where there is an identified need.

A staged approach is adopted with due regard to the Community and Environmental Services (CES) Compliance and Enforcement Policy. In respect of age restricted sales this includes:

- The provision and publicity of advice and support materials
- The delivery of advice and help to new retailers of age restricted products
- The investigation of complaints together with the delivery of advice and assistance to prevent the recurrence of underage sales
- Targeted test purchasing utilising young people and where appropriate, underage volunteers
- Recommendation to adopt a "Challenge 25" type policy
- Working with and supporting national or regional initiatives
- Multiagency/community group/industry partnership working including Community Alcohol Partnerships (CAPs), and
- Encouraging reporting of sales of illegal tobacco and vapes and sales of age restricted products to underage people and improving the flow of intelligence in this regard.

Enforcement Approach

Where intelligence is received about the sale of age restricted goods to underage buyers, the Service will provide advice to the business in question, which may be provided by remote means. However, if the intelligence also indicates the supply of illegal goods, such as illegal tobacco or vapes, then the Service will undertake an intervention visit at the outset to address any product issues and, if necessary, seize any non-compliant stock.

This direct early intervention approach to addressing product issues was brought in by the Service during 2022/23 in response to the increasing prevalence of non-compliant vapes.

Following the provision of advice and support, the Service will test the business' underage sales policies. Where information continues to indicate that underage sales are taking place, test purchasing by underage volunteers will be undertaken with support from Norfolk Police.

We will also continue to provide officers and utilise Trading Standards' young volunteers to support Norfolk Police, in relation to their lead role for underage sales of alcohol at 'on licence' premises.

The recruitment, selection, and utilisation of young persons for test purchasing will be in accordance with the protocols, systematic procedures and risk assessments adopted and developed in line with the Home Office and other guidelines. These protocols and procedures are maintained in the Service's Policies and Guidance system and are thus subject to rigorous internal audit. All officers involved in the test purchase programme have been subject to police vetting procedures.

Where Trading Standards carry out test purchasing utilising underage volunteers, this is carried out in accordance with the Regulation of Investigatory Powers Act 2000 (RIPA). Generally, test purchasing using underage volunteers is only used where other methods of preventing a business from selling age restricted products to underage persons have failed.

Enforcement activity will also be carried out at premises where intelligence is received regarding the sale of illegal tobacco products and/or illegal vapes. This activity will include visits with specialist tobacco detection dogs to find concealed illegal tobacco. Formal action will be taken against businesses where it is found, and where it is appropriate to do so in accordance with the Community and Environmental Services (CES) Compliance and Enforcement Policy.

The Service, working with our police partners, will take a robust stand in response to anyone found to be purchasing alcohol or tobacco products on behalf of a young person.

We will, in conjunction with Norfolk County Council Public Health and with other agencies, as appropriate, promote ways of reporting sales of illegal tobacco and sales of age restricted products to young persons.

Whilst the Service will continue to undertake enforcement action against those businesses who perpetrate underage sales of illegal tobacco and/or illegal vapes, by seizing such products and pursuing the criminal prosecution of those involved, it is becoming ever more apparent that such action is effective only in temporarily disrupting rather than stopping such criminal behaviour, where those associated with the premises in question are determined to continue. It is now not uncommon for the service to undertake successive seizures at certain business premises, particularly those suspected of being associated with organised criminal gangs. It is often the case that the Service, having undertaken a seizure, will shortly afterwards receive intelligence that the premises has restocked with illegal product soon after. As a result, during the end of the 2022/23 service year, the Service began actively engaging with Norfolk Police and certain local district councils to develop an enforcement approach to tackle such premises by obtaining a closure order

from the Courts under the Anti-social Behaviour, Crime and Policing Act 2014. Under the 2014 Act the Police and district councils can apply for such orders, which can mandate the closure of premises for 3 months. The continued development and implementation of this enforcement approach will be a key priority for the Service during 2023-24 and will be pivotal to the success of tackling those premises that persist in the supply of illegal tobacco and vapes.

Tobacco and Vapes

During 2023-2024 it will remain a priority to gather and then act upon any intelligence received, including that received from our partners. Trading Standards is an active member of the Norfolk Tobacco Alliance and will be striving to help achieve CLear (Challenge, Leadership and Results) status in tobacco control for Local Government for Norfolk County Council.

In line with our Compliance and Enforcement Policy we will continue to provide an effective response to secure compliance of and/or disrupt Norfolk businesses engaged in supplying illegal tobacco products and vapes, including:

- Seizure and destruction of illegal tobacco and vape products
- Seizure of criminal assets (including vehicles & cash)
- In conjunction with Norfolk Police and respective district councils, effective use of closure orders on problem tobacco and vape premises
- Institution of proceedings with a view to prosecution and the issue of simple cautions
- Preventing the issue of and securing the revocation of Premises Licences
- Carrying out safety testing, where appropriate, on illegal cigarettes, and
- Working with the landlords of properties used for the supply or storage of illegal tobacco and vapes with a view to securing the eviction of tenants who continue to break the law. Where appropriate legal proceedings will be instituted where landlords fail to co-operate.

Trading Standards, with partners, will carry out the highlighted activities at retail level. In parts of Norfolk, currently Great Yarmouth and Kings Lynn, criminal organisations are thought to control the illegal tobacco supply. It will be necessary to work with enforcement partners to effectively tackle these groups.

Operation CeCe is a joint His Majesty's Revenue and Customs (HMRC) and National Trading Standards (NTS) operation. Funding is provided by HMRC to NTS to carry out visits at a retail level to disrupt the supply of illegal tobacco. During the 2023/24 service year the Service will participate in Operation CeCe and undertake a number of visits in Norfolk, as part of the funded bid coordinated by our regional Trading Standards Association, East of England Trading Standards Authorities (EETSA).

Knives

Norfolk Constabulary take the enforcement lead on the underage sale of such items. Trading Standards will assist Norfolk Constabulary with Operation Sceptre, the national initiative to reduce knife crime; by carrying out joint advice visits to knife retailers.

During the 2022/23 service year the enactment of the Offensive Weapons Act 2019 gave Trading Standards a strengthened enforcement role with regard to online sales of bladed items and the prohibition of their delivery to persons under 18 years of age. The Service did not receive any reports of non-compliance during the 2022/23 year. The Service will adopt a staged enforcement approach to addressing any matters during 2023-24.

Cosmetic Fillers (including Botox)

The Botulinum Toxin and Cosmetic Fillers (Children) Act 2021 prohibits specific cosmetic treatments on children and the offer of such treatments. Trading Standards and the police are responsible for enforcing the legal requirements with businesses and practitioners operating in their locality.

During the year we will undertake a focused programme of engagement and advice, to gauge and highlight the requirements of the 2021 Act, with those business premises subject to the legislation.

Corrosive Products

The Offensive Weapons Act 2019 creates offences of supplying a corrosive product to a person under 18 years of age whether in person or by remote means and of delivering a corrosive product to an underage youngster. The Service did not receive any reports of non-compliance during the 2022/23 year. The Service will adopt a staged enforcement approach to addressing any matters during 2023-24.

Alcohol & anti-social behaviour

The link between anti-social behaviour and the consumption of alcohol and substance abuse is established. The strategy of preventing the upstream supply of a number of restricted products to underage persons and thus reducing the level of anti-social behaviour associated with the use of these products will continue to be supported.

This plan will contribute to community objectives and those arising from Government strategy for community safety and public health. Alcohol and associated anti-social behaviour will continue to be a particular focus. We will continue to support the Community Alcohol Partnerships (CAPs) in Norfolk.

Proof of Age Schemes

The Trading Standards Service does not promote any specific proof of age scheme but supports those schemes that conform to the National Proof of Age Standards Scheme (PASS) criteria. Many retailers have adopted the "Challenge 25" policies in relation to all age restricted products.

Trading Standards will continue to encourage all businesses involved in the sale of any age restricted products to adopt a policy which achieves the aims of "Challenge 25".

Our 'Minor Sales Major Consequences' pack includes a section on adopting a "Challenge 25" type policy. The Trading Standards Service will also encourage and promote the use of a 'Refusals Log' by traders to provide evidence that proof of age is being sought and sales refused in appropriate circumstances.



Norfolk County Council

Community & Environmental Services

Trading Standards Service

**Food and Feed Law Enforcement Plan
2023-24**



**Produced in accordance with the requirements of the
Food Standards Agency Framework Agreement**



If you need this report in large print, audio, braille, alternative format or in a different language please contact 0344 800 8020 or 0344 800 8011 (textphone) and we will do our best to help.

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Food and Feed Sampling Policy

The Food Standards Agency (FSA) Framework Agreement and Section 2.4 of the Food Law Practice Guidance (England) document require Food & Feed Law Enforcement Plans to be laid out in a common format but recognises that, as local authorities may have corporate service plan templates, they may use the corporate format as long as the information requirements laid out in the Agreement guidance are included and are separately identifiable. Therefore, wherever possible this Annex makes reference to the applicable sections of the Trading Standards Service Plan 2023-24 rather than replicating the information it contains.

Section One: Trading Standards Service Aims and Objectives

Aims and Objectives

- 1.1 The Trading Standards service's ambition is for a safe, fair, and legal marketplace for Norfolk, that supports and benefits local businesses and communities. In alignment with Better Together, For Norfolk - Norfolk County Council's strategy for 2021-2025, our five priorities are:
- A vibrant and sustainable economy
 - Better opportunities for children and young people
 - Healthy, fulfilling and independent lives
 - Strong, engaged and inclusive communities
 - A greener, more resilient future

Links to Corporate Strategic Ambitions

- 1.2 Our ambition and priorities accord with the County Council's 2021-2025 Strategic Plan for the County, Better Together, for Norfolk, and its vision, priorities, guiding principles and commitments:

Vision

In Norfolk, we cherish our heritage, we embrace opportunity, and offer an extraordinary place in which to spend a lifetime.

- We want Norfolk to be the place where everyone can start life well, and age well, and where no one is left behind
- We want our economy to be vibrant, entrepreneurial and sustainable, supported by the right jobs, skills training and infrastructure
- We want our communities to feel safe, healthy, empowered and connected, their individual distinctiveness respected and preserved

Priorities

- A vibrant and sustainable economy
- Better opportunities for children and young people
- Healthy, fulfilling and independent lives
- Strong, engaged and inclusive communities
- A greener, more resilient future

Guiding Principles

- No one left behind
- Prevention over cure
- A local approach

Commitments

- Forward looking
- Innovative
- Empowering
- Collaborative
- Evidence driven
- Prudent
- Developmental

- 1.3 How Trading Standards helps to deliver the County Council's vision and strategy is captured in our plan on a page on page 12 of the Trading Standards Service Plan 2023–24.

Section Two: Background

Profile of the Local Authority

- 2.1 The population of Norfolk in 2021 was estimated to be 916,120¹. The age profile of Norfolk's population is much older than England as a whole with 24.4% of people being aged 65 and over, compared to 18.4% for England.

Norfolk is the sixth² largest of the 25 two tier (or shire) counties in England, with a geographical area of 549,751 hectares. The population density is one of the lowest for any of these counties, giving Norfolk a predominantly rural character.

There are 33,135¹ active enterprises in Norfolk. Norfolk has a large rural economy with 74.9% of Norfolk's SMEs being in rural areas³.

Agriculture remains a large employment sector with 9%⁴ of enterprises in this sector. The total farm labour force is large with nearly 11,838⁴ people employed on commercial holdings. In comparison with other local authority areas the county has one of the largest livestock populations of commercial poultry (16,945,780⁴) and pigs (787,583⁴).

The health and life sciences sector is also an important part of the economy in Norfolk. The Greater Norwich area in particular is home to a cluster of internationally renowned research organisations, such as the Quadram Institute. These organisations employ some 3,000 scientists, which is the largest concentration of health, food, plant and bio scientists in Europe. The Greater Norwich area has also been awarded Food Enterprise Zone Status.

Organisational Structure

- 2.2 The structure of the Trading Standards service is set out on page 3 of the Trading Standards Service Plan 2023-24.

The Trading Standards service currently reports, via the Director of Community, Information & Learning, Sarah Rhoden, to the Executive Director of Community and Environmental Services. Further to staff consultation, with effect from 1 May 2023, the service will report via the Director of Norfolk Fire and Rescue, Ceri Sumner.

¹ 2022 Office of National Statistics figure – [census 2021\(estimated\)](#)

² UK Population data 2021/22 - [English Counties by Population and Area 2021/2022](#)

³ [Norfolk Rural Economic Strategy 2021-24](#)

⁴ 2022 Office of National Statistics figure from [Structure of the agricultural industry in England and the UK at June](#)

The Executive Director of Community and Environmental Services, Tom McCabe, reports to the Council's Cabinet. The cabinet member for Communities and Partnerships is Councillor Mrs Margaret Dewsbury, margaret.dewsbury@norfolk.gov.uk.

The Council has 84 elected Members. The current political make-up of the Council is: 56 Conservative council seats, 12 Labour, 10 Liberal Democrat, 3 Green, 2 Independent, 1 Independent (non-aligned).

Feed and food law enforcement is the responsibility of the Food and Farming Section of the Trading Standards service. The section's functions are:

- Providing support for Norfolk based businesses in the food and farming sectors, to further economic growth:
 - delivering targeted business information to achieve compliance, promoting self-help
 - providing business advice and support on request, including chargeable advice
 - acting as 'primary authority' for food and farming sector businesses.
- Ensuring the standards of animal health and welfare; the quality, safety and hygiene of the food chain and metrology standards through delivery of intelligence-led compliance programmes, including sampling, inspections, verifications and market surveillance enforcement activities in the following areas:
 - Animal health and welfare, including disease control and licensing
 - Primary food production including fertilizers, animal feeding stuffs and food hygiene
 - Food standards
 - Legal metrology.
- Intelligence-led criminal and civil interventions and investigations, tackling issues emerging from the tasking and coordination process and focusing on the most detrimental offending within the food and farming sectors.

2.2.1 The manager responsible for the delivery of official feed and food controls is:

Duncan Carter
Food and Farming Manager
Email: duncan.carter@norfolk.gov.uk
Tel: (01603) 222613

The Lead Feed Officer is Colin Maxwell and the Lead Food Officer is Paula Crowson, both of whom are based in the Food and Farming Team. The Food Law Code of Practice lays down the responsibilities and competencies of the Lead Food and Feed role (which may be more than one person) which are shared in the Service between Duncan Carter, Colin Maxwell (feed) and Paula Crowson (food).

- 2.2.2 The Authority has contracted with Public Analyst Scientific Services Ltd (PASS) to provide the public analyst and agriculture analyst functions for the county.

Scope of the Animal Feed and Food Service

- 2.3 The Trading Standards service delivers a range of animal feed and food enforcement services. Specific functions are detailed below:

- Programmed inspections at animal feed and high-risk food premises
- Targeted enforcement activities
- Inspections and other enforcement activities arising from complaints and referrals
- Sampling of food and animal feed for analysis and/or examination as part of national, regional and local programmes
- Primary Authority responsibilities
- Responding to food and feed safety incidents
- Provision of information, advice and support for businesses
- Publicity including public awareness campaigns
- Working in partnership with other agencies involved in the protection of the food chain including the Food Standards Agency (FSA); the Department of the Environment, Food and Rural Affairs (Defra); the Department of Health (DH); Public Health (PH); the other ten local Trading Standards authorities who together make up the East of England Trading Standards Authorities (EETSA) and the seven District Council Environmental Health Departments in Norfolk.

The animal feed and food law enforcement service is delivered exclusively by officers employed by the County Council, alongside other similar services, for example, the inspection of weighing and measuring equipment.

Demands on the Animal Feed and Food Service

- 2.4 Using the appropriate risk scoring profile food businesses are scored on a high, medium or low risk basis. There are 45 high-risk, 6,983 medium-risk and 4,799 low-risk food businesses recorded on the Trading Standards service's database, totalling **11,827** food businesses. There has been an overall decrease in the number of recorded food business premises from the previous year. This can be attributed in part to a Food Standards Authority funded data cleansing exercise, which removed a number of duplicate and closed premises from our database.

There are **6,864** agriculture businesses recorded on the Trading Standards service's database. The appropriate risk scoring profile for feed businesses scores them on a frequency of inspection basis from 1 to 5 years with a score of 1 being the highest risk and 5 being the lowest. The inspection programme, based on risk, is agreed with the FSA as part of the national grant funded audit and inspection programme.

A number of businesses are designated both food and feed businesses. The Trading Standards service conducts food standards, feed standards, feed hygiene

and food hygiene at primary production inspections or a combination of these interventions at these businesses.

There are 587 food manufacturers in Norfolk, 4% of the sector, ranging from major multinational companies to cottage industries. The majority of food businesses are caterers 7,427 (62.8%) such as public houses, restaurants and hotels, or retailers 3,172 (26.8%) including general stores and bakers.

The county has 46 animal feed, including pet food, manufacturers as well as a very large number of on-farm mixers.

It should be noted that this plan has been written on the premise that the impact of Covid-19 on any activities proposed for the 2023-24 year will be minimal as we adjust to living with Covid-19. However, if Covid-19 continues to impact upon planned activities to the extent and manner in which they can be delivered, the service will prioritise and adapt its delivery in line with prevailing guidance, as it has done since the beginning of the pandemic.

The Trading Standards Service has office locations at County Hall, Norwich and Priory House, Kings Lynn. These locations are open to the public 9.00 – 17:00 Monday to Friday.

Enforcement Policy

- 2.5 The Community and Environmental Services (CES) directorate is responsible for a range of regulatory functions, including Trading Standards, Planning enforcement (mineral and waste sites), Flood and Water (land drainage), Norfolk Fire and Rescue (fire safety), Highways (networks, maintenance and blue badge enforcement) and Safety of Sports Grounds, and the CES Compliance & Enforcement Policy has been implemented, having regard to the established legal framework for decision-making, the Code for Crown Prosecutors (CPS) and the “Regulators’ Code” published by the Office of Product Safety and Standards (OPSS).

Section Three: Service Delivery

Animal Feed and Food Premises Inspections (Interventions)

- 3.1 The Trading Standards service reviews its policy in relation to inspections (interventions) at business premises on an annual basis in accordance with the principles of better regulation, the Food Law Code of Practice (England) and the Feed Law Code of Practice (England). In relation to farm premises the service also considers the Animal Health and Welfare Framework Agreement and the Farm Regulators’ Charter.
- 3.1.1 In relation to feed businesses, this service leads the regional approach to feed enforcement with its East of England Trading Standards Authority (EETSA) partners and liaises with National Trading Standards (NTS) and the Food Standards Agency (FSA).

At the time of compiling this plan the number of feed visits required by the NTS/FSA programme for the forthcoming year, based on a full risk-based inspection programme, is not confirmed but is expected to be similar to that required for the 2022-23 service year, with an estimate of 80 inspections at Norfolk based premises, out of a total of 270 inspections required across the EETSA region. This programme is entirely financed by grant funding provided by the FSA and administered by NTS. This proposed programme now takes full account of earned recognition for businesses that are members of an assurance scheme and covers equally the full range of feed businesses. Livestock and arable farms are the main types of premises to be visited; reflecting the importance of having feed controls in place at primary production.

The NTS/FSA programme of interventions and activity is produced using agreed risk models and desktop modelling of our premises database. The programme is agreed by the FSA prior to commencement and funding. As such it is accepted that this programme satisfies the requirements for interventions laid down in the Feed Law Code of Practice (England).

- 3.1.2 In relation to food businesses, the service will inspect all food businesses in Norfolk that are deemed to be high-risk by virtue of the previous trading history or the appropriate risk scheme, on at least an annual basis. In addition, intelligence-led inspections or other interventions will be conducted at those business sectors presenting the highest risk to the food chain and consumers/other legitimate businesses. It will also be appropriate, on occasion, to respond with inspections or other interventions where intelligence is received via consumer/trader complaints or referrals from other enforcement agencies about the non-compliance with trading standards of individual businesses. In line with Hampton principles⁴ and the resources available the service will not therefore, as a matter of routine, carry out inspections at medium or low risk food businesses unless they are visited as a result of the aforementioned factors.

The above measures are intended to focus our available resources on the areas of greatest risk, using available intelligence, and as such the service will not be able to fulfil a food inspection programme in accordance with the requirements of the Food Law Code of Practice (England). This discrepancy is covered in greater detail under section 4: Resources.

Whilst the Food Law Code of Practice (England) requirements remained in place in relation to inspection programmes over the last two years, the FSA produced a “Covid-19 Local Authority Recovery Plan” that recognised the pressure that local authority resources had been under in responding to Covid-19. The FSA is currently in the process of moving from the Recovery Plan towards a new inspection regime based on an ‘intelligence led’ model.

⁴ Reducing administrative burdens: effective inspection and enforcement: Philip Hampton – March 2005

3.1.3 The service has assessed the value of carrying out unannounced inspections as opposed to announced inspections. It applies the following policy on animal feed and food inspections and audits:

- (a) Where official controls take the form of an audit or there is a need to have the feed or food business operator present e.g. so that records can be examined, then such visits will be announced. In these cases, prior notification will be kept to a minimum.
- (b) In all other cases and in particular where previous visits or intelligence suggests that serious non-compliances have occurred, visits will be unannounced. All establishments will be subject to ad hoc visits which will be unannounced.

The service will keep this policy under review and, if the policy leads to a disproportionate negative impact on the use of resources of both the service and Feed and Food Business Operators, it will be revised.

The policy will also be kept under review in light of the enhanced requirements of the Official Control Regulations (EU) 2017/625 (as amended) and the requirement for competent authorities to perform regular and unannounced risk-based controls to identify fraudulent activities. The service believes that the above policy is still valid, as the requirements of the legislation are met by activities covered in part (b) of the policy.

3.1.4 The inspection programmes for food and animal feed are shown below:

| Project Name | Project Description/Outcomes | Staffing/ Other Resources* 2022/23 | Staffing/ Other Resources* 2023/24 |
|---|--|---|---|
| Feed Hygiene & Standards Inspection Programme | To inspect 80 agriculture businesses, e.g. selected feed mills, importers, retailers and farms. To ensure compliance in relation to feed labelling/packaging, stock rotation/storage, feed hygiene, record keeping/traceability and sale or use of prohibited materials. | 0.15 FTE | 0.15 FTE |
| Inspection of High-Risk Food Businesses | To carry out inspections at 45 businesses identified as high risk for food. | 0.80 FTE | 0.60 FTE |
| *Excluding managerial, administrative and legal support but including revisits and follow up action | | | |

Animal feed and food inspections are carried out by suitably qualified, competent and experienced Trading Standards Officers. Some targeted enforcement activities are carried out by Trainee Trading Standards Officers, studying for qualifications under the Chartered Trading Standards Institute (CTSI)'s Professional Competency Framework (CPCF) and/or the Level 6 Trading Standards Professional Apprenticeship, adequately supervised by qualified staff.

Feed/Food Standards Inspections are carried out in accordance with the Feed Law Code of Practice (England) and the Food Law Code of Practice (England).

Other intelligence-led inspections or other interventions will be conducted during the year. The majority of such inspections also involve targeted sampling and an outline of the sectors to be inspected, and the resources required, is included in 3.5 below. We will also continue to undertake focused allergens compliance project work, including the additional requirements for prepacked for direct sale products (Natasha's Law) which came into force in October 2021. The resources for this project work, which also includes inspections and sampling, is also included in 3.5 below.

Animal Feed and Food Complaints

- 3.2 Anticipated resource requirements for handling animal feed and food complaints are based on the complaint/contact numbers received in previous service years, the nature of those complaints/contacts and the level of enforcement response required. The number of food complaints/contacts is anticipated to be 230 (based on 2019-20) and the number of agriculture complaints/contacts is anticipated to be 20.

The staffing resources required are given below:

| Project Name | Project Description/Outcomes | Staffing/ Other Resources* 2022/23 | Staffing/ Other Resources* 2023/24 |
|---|---|---|--|
| Complaints and Referrals | To undertake reactive enforcement in response to complaints from other enforcement agencies, businesses and the general public in relation to animal health, agriculture and food matters to ensure legal compliance. Analysis will be undertaken to identify further proactive work, identify trends and report on significant outcomes and impacts. | 0.05 FTE (feed) 0.80 FTE (food) | 0.05 FTE** (feed) 0.80 FTE** (food) |
| *Excluding managerial, administrative and legal support | | | |
| ** Forecast based on 2019/20 | | | |

In addition to reactive complaints/referrals work, information and advice is made available to consumers. This is achieved through signposting to the Citizens Advice 'Advice guide' website via our website www.norfolk.gov.uk/business/trading-standards and through our social media posts on twitter and Facebook.

Home Authority Principle and Primary Authority Scheme

- 3.3 Following a change to our Business Services Policy in 2017, this service no longer offers the full range of functions under the Home Authority Principle. In particular, the service no longer offers free bespoke advice to businesses. Bespoke advice tailored to the individual needs of a business is now provided on a chargeable

basis. The service supports Primary Authority Partnerships administered by the Office of Product Safety and Standards (OPSS).

The service will provide the following levels of service to Primary Authority businesses:

- Actively promote the benefits of the Primary Authority scheme to businesses within Norfolk and outside of Norfolk
- Designate Primary Authority Officer(s) to each partnered business, with the relevant competencies or access to the necessary expertise to be able to offer advice
- Respond to requests for advice and guidance
- Issue assured advice, where it is appropriate to do so
- Facilitate a response to enquiries raised by other authorities
- Maintain records of relevant incidents, business policies and diligence procedures, where known
- Maintain confidentiality in relevant circumstances
- Ensure businesses are aware of our procedure for dealing with complaints or disagreements
- Have in place arrangements to notify other authorities of indulgences relevant to “subsequently corrected” errors
- Participate in relevant sector groupings with enforcement partners where our Primary Authority Partners businesses operate in the applicable market sector
- Support national advice and conciliation procedures, where appropriate.

Primary Authority businesses will be inspected/visited or otherwise contacted:

- As part of the inspection programme for high-risk businesses, or
- As part of the planned series of targeted enforcement activities, or
- As a result of a complaint/referral received, or
- To maintain the Primary Authority Partnership relationship.

Currently, the service has Primary Authority Partnerships with one food business and one feed business. The resources required to handle complaints and service requests relating to these Primary Authority businesses are included in Sections 3.2 and 3.4.

Advice to Business

3.4 The Trading Standards service works with businesses to help them to comply with trading standards and to encourage the use of good practice. On receipt of business requests for advice we will respond in a number of ways including:

- directing the business to our website or that of a partner organisation, such as the Chartered Trading Standards Institute (CTSI)’s Business Companion and/or the New Anglia Growth Hub
- referring the business to another agency
- providing leaflets produced by partner organisations, our business briefings or standard letters
- providing comprehensive bespoke information or advice via the telephone, email or a letter, on a cost recovery basis and/or

- visiting the business to provide comprehensive advice, on a cost recovery basis.

In each case, our response will be proportionate to:

- the potential risk to consumers caused by a failure on behalf of the business to understand the information/advice provided,
- the experience of the business in question, and
- the impact upon the economic prosperity of the business or its competitors in not achieving compliance in the respective area(s) of the law.

In line with our Business Services Policy, if a business requires more detailed or interpretative advice on trading standards law then we will provide the advice on a cost recovery basis at a pro-rata hourly fee. In dealing with any requests for advice we will prioritise requests for advice from new businesses, Primary Authority businesses and members of our Norfolk Trusted Trader Scheme.

The Service reviews all information and advice it provides to consumers and businesses on an annual basis. This is with a view to signposting customers to the most appropriate source of online information available to enable self-service and assisted service.

Animal feed and food service requests will be handled by virtue of the projects detailed on page 14 below and further projects developed during the 2023-24 service year. Anticipated resource requirements are based on the service request numbers received in previous service years, the nature of those service requests and the level of enforcement response required.

The number of food service requests is anticipated to be 80 (based on January – November 2022). The number of agriculture service requests is anticipated to be 187.

As outlined in Section 3.3 above the service currently has Primary Authority Partnerships with one feed business and one food business. An estimate of billable hours of advice under Primary Authority Partnerships is included in these figures.

| Project Name | Project Description/Outcomes | Staffing/ Other Resources* 2022/23 | Staffing/ Other Resources* 2023/24 |
|---|--|---|--|
| Business Advice | To provide enforcement and compliance information and advice in relation to agriculture (animal feed, feed hygiene, pet food, fertilisers) and food in response to requests from businesses. Analysis will be undertaken to identify further proactive work, identify trends and report on significant outcomes and impacts. | 0.15 FTE (feed) 1.00 FTE (food) | 0.15 FTE** (feed) 0.75 FTE** (food) |
| *Excluding managerial, administrative and legal support ** Includes estimated hours of advice to be delivered under Primary Authority Partnerships | | | |

Animal Feed and Food Sampling

- 3.5 The Trading Standards service's Food and Feed Sampling Policy is annexed to this Plan.

The Trading Standards service targets its proactive sampling at locally produced animal feed and foods, those products/ingredients from companies that manufacture in, are based in, or import into Norfolk. In line with a letter from the FSA (ENF/E/08/061) the service is committed to ensuring that at least 10% of all food samples are of foods imported into the United Kingdom. In addition, animal feed/foods are targeted which are causing current concerns. These are identified through communication with the Food Standards Agency (FSA) and the Department of the Environment, Food and Rural Affairs (Defra); through local, regional and national intelligence held by local authorities; and through consultation with the Public Analyst. The service's sampling programmes therefore include projects run in conjunction with the Food Standards Agency (FSA) and the East of England Trading Standards Authorities group of local authorities (EETSA).

Listed overleaf are sampling surveys that will be carried out in 2023-24. This list will be added to as, for example, intelligence identifies other animal feed/food that should be targeted. At the time of writing this plan the service planning cycle for food and feed sampling has not been concluded and further surveys will be added as a result of this process.

Through the examination of available intelligence and data the service is already aware that compliance with allergen requirements, including the additional requirements for prepacked for direct sale products (Natasha's Law), will again be an area of high priority for 2023-24. The Service will continue to develop activities under its long-term comprehensive programme of allergen compliance work, including sampling, business and consumer engagement and enforcement, if need be.

All sampling by officers is, wherever possible, undertaken in accordance with relevant legislation and all formal animal feed and food samples are taken in accordance with the Feed Law Code of Practice (England) or the Food Law Code of Practice (England) as applicable.

Samples are analysed and/or examined by the service's nominated Public/Agriculture Analyst in accordance with the procedures laid down in the Food Safety (Sampling and Qualifications) Regulations 2013, the Food Law Code of Practice (England) and the Feed Law Code of Practice (England). Alternatively, some samples are examined/tested in house, if it is appropriate to do so. The Public/Agriculture Analysts appointed by the Authority are employed by Public Analyst Scientific Services Ltd (PASS).

| Project Name | Project Description/ Outcomes | Staffing/ Other Resources* 2022/23 | Staffing/ Other Resources* 2023/24 |
|--|--|--|--|
| Agricultural Sampling | To undertake animal feed and fertilizer sampling to ensure compliance in relation to composition, safety, hygiene and labelling. | 0.80 FTE £4,000 Purchase and analysis costs | 0.80 FTE £2,500 Purchase and analysis costs |
| <p>Surveys under the sampling project will include:</p> <ul style="list-style-type: none"> • Feed materials which are the subject of a complaint to the service • Imported feeds/ingredients that have been the subject of feed hazard notifications • Lysine and methionine in pig and poultry feed • Mineral feed for trace elements • Livestock feed samples to check for statutory statement compliance | | | |
| * Excluding managerial, administrative and legal support | | | |

| Project Name | Project Description/ Outcomes | Staffing/ Other Resources* 2022/23 | Staffing/ Other Resources* 2023/24 |
|--|---|---|---|
| Allergens project | Allergen compliance work, including pre-packed for direct sale products; including sampling, business and consumer engagement and enforcement | 0.45 FTE | 0.45 FTE |
| Food Sampling Programme (excluding Allergens Project) | Targeting food sampling at areas identified as causing the most harm to consumers in terms of food safety, quality or nutritional standards | 1.20 FTE £31,500 Purchase and analysis costs | 1.20 FTE £25,000 Purchase and analysis costs |
| <p>Surveys under the sampling projects will include:</p> <ul style="list-style-type: none"> • Undeclared allergens in non-prepacked foods • Undeclared allergens in foods pre-packed for direct sale • Sampling during the investigation of complaints • Sampling during the investigation of food fraud • Illicit alcohol • Foods produced in Norfolk or imported by Norfolk based businesses • Foods imported from outside the United Kingdom • Foods identified by Food Standards Agency priorities | | | |
| * Excluding managerial, administrative and legal support | | | |

- 3.6 **Control and Investigation of Outbreaks and Food Related Infectious Disease**
- Food poisoning notifications do not usually fall within the remit of the Trading Standards Service. If, however, the service becomes aware of any incident of food poisoning or infectious disease, the facts will be reported to the appropriate authority.

Animal Feed/Food Safety Incidents

- 3.7 On receipt of any animal feed or food alert, the Trading Standards service will respond as directed and as appropriate and in accordance with the Feed Law Code of Practice (England) or the Food Law Code of Practice (England).

The Food Standards Agency (FSA) issues Food Alerts and Allergy Alerts to let local authorities and consumers know about problems associated with food. In some cases, a “Food Alert for Action” is issued which requires intervention action by enforcement authorities. 69 food alerts were issued by the FSA in 2022 (January to November). The FSA also issued 69 (January to November 2022) allergy alerts.

During 2022, as a result of sampling and enforcement activity, the service raised 5 food incidents with the FSA regarding undeclared allergens in prepacked foods as well as handling 8 complaints in-relation to undeclared allergens in non-prepacked foods which caused illness/injury.

Feed alerts are far less frequent than food alerts. During 2022 the service was involved in 15 feed incidents raised by the FSA. These were predominantly as a result of the businesses notifying us of their sample failures, before then notifying the FSA themselves.

It is estimated that, for the coming service year, 0.10 FTE will be required for feed/food safety incident work.

In cases where the service receives reports of chemical contamination of food and there is a subsequent threat to human health, it will liaise with the appropriate district council environmental health department, with a view to taking over responsibility for the case, or for undertaking a joint investigation, as the situation demands.

Liaison with Other Organisations

- 3.8 The Trading Standards service works with a wide range of organisations, to varying degrees of formality, in carrying out its animal feed and food law enforcement function. These include the Food Standards Agency (FSA), the Department of Health and Social Care (DHSC), the Department of Environment, Farming and Rural Affairs (Defra), the Animal Medicines Inspectorate (AMI), National Trading Standards (NTS), the other ten local authority Trading Standards Services in the East of England (EETSA) and District Council Environmental Health Departments.

The service maintains a strong commitment to the regional work of EETSA and officers from Norfolk contribute to the EETSA Food Group and the EETSA Agriculture Group. Via quarterly meetings and regional Knowledge Hub groups, the service aims to ensure that local food and feed enforcement activity is consistent with neighbouring authorities. The service participates in the National Agriculture Panel, with that panel being chaired by an officer of this service. A recently retired officer of this service was also a long-time member and chair of the National Food Standards & Information Focus Group.

The service also ensures co-ordination with Norfolk's Environmental Health Departments through the Norfolk Food Liaison Group (NFLG), set up to co-ordinate activities in line with the requirements of the Food Law Code of Practice (England).

The service is fully committed to working with the Food Standards Agency on the development of the Achieving Business Compliance strategic redesign of food standards, to determine a future delivery model for official food controls.

The estimated staffing resource for liaison work during the year is 0.25 FTE.

Animal Feed and Food Safety and Standards Promotional Work, other non-official Controls and Interventions

- 3.9 Animal feed and food safety and standards promotional work for the year is linked to the results of our sampling and other enforcement projects, to any relevant prosecutions, and to information provided by our enforcement partners, primarily the Food Standards Agency (FSA). Promotional work consists of postings on our website www.norfolk.gov.uk/business/trading-standards; including scam alerts, postings via our twitter feeds and Facebook pages and regular press releases, locally, regionally and nationally. In addition, we occasionally develop our own promotional material to assist with consumer and/or business education work, the most recent example being material we developed for our allergens project (resources in relation to allergens promotional work have been accounted for in 3.5).

Information and intelligence gathering work is carried out by feed and food officers as part of their ongoing duties. Information and intelligence are also gathered and analysed by our intelligence lead and technical support staff in the Intelligence and Enforcement Support Section. Such work informs our control strategy, tasking and coordination function, our service planning cycle and operational work.

Resourcing details are provided in the table below:

| Project Name | Project Description/Outcomes | Staffing/ Other Resources* 2022/23 | Staffing/ Other Resources* 2023/24 |
|--|---|---|---|
| Promotional Work, Intelligence Gathering | Promotional work including results of market surveillance, enforcement projects, prosecutions and information dissemination. Promotion will include use of our website, social media pages and feeds, local, regional and national press releases and liaison with media organisations. Intelligence gathering work will include complaints and information monitoring, review of local, regional, national and international data to inform market surveillance and enforcement activity. | 0.05 FTE** (feed) 0.05 FTE** (food) | 0.05 FTE** (feed) 0.05 FTE** (food) |
| *Excluding managerial, administrative and legal support **Intelligence gathering work also undertaken by Intelligence and Enforcement Support Section | | | |

Section Four: Resources

Financial Allocation

- 4.1 The net budget for the Trading Standards service for 2023-24 is £1,875,360. A breakdown of the Trading Standards budget for feed and food enforcement is shown below:

| Budget description | 2022/23 Outturn* | 2023/24 Estimate |
|--|---|---|
| Staffing | Total F&F: £486,115 Food & Feed: £284,377 (based on 5.85 FTE) | Total F&F: £535,210 Food & Feed: £294,611 (based on 5.40 FTE) |
| Sampling (food & agriculture purchase and analysis) | £18,144 | £27,500 |
| Subsistence/travel | Total F&F: £9,025 Food & Feed: £5,280 (based on 5.85 FTE) | Total TS: £6,000 Food & Feed: £653 (based on 5.40 FTE) |
| <p>*A significant proportion of 2022/23 food and feed resourcing was diverted to avian influenza outbreak response.</p> <p>At the time of writing this plan the Service is applying for grant funding for feed/hygiene audits and feed sampling to supplement the 2023/24 sampling budget. The results of any grant bid will affect surveys proposed in Section 3.5 above. Whilst the overall grant funding is likely to be slightly reduced in comparison to 2022/23 funding, changes to the timing and allocation of these resources means we are unable to confirm the exact amount at this time.</p> | | |

The relative amounts allocated to food and feed law enforcement are based on the staff allocation breakdown given in Section 4.2.

- 4.1.1 The Food Law Code of Practice currently requires the service to inspect its food businesses over a prescribed cycle. In addition to the inspection of all high-risk businesses and other interventions detailed in this plan, the expectation is that all medium risk businesses will be inspected every 2 years and that an inspection or alternative enforcement strategy be undertaken at low risk premises once every 5 year. As outlined in 3.1.2 above, the FSA has produced a “Covid-19 Local Authority Recovery Plan” that currently allows local authorities to diverge from the required schedule of programmed interventions, during the recovery period outlined in that plan.

The service has determined that, if it were to conduct the routine food inspection programme detailed above, the following resource would have to be redeployed from other enforcement activities, such as fair trading, animal health & welfare or product safety work:

| | | |
|--|---------------|---------|
| Food Business Inspections: | • Medium risk | 7.8 FTE |
| Food Business Alternative Enforcement Strategies | • Low risk | 0.2 FTE |

However, mindful of the recommendations of the Hampton⁴ and Macdonald⁵ Reviews which state the service should only carry out inspections of businesses where there is a clearly identified risk presented by that business, the service will, as in previous years, conduct intelligence-led inspections or other interventions within those business sectors or at those food business operators presenting the highest risk to the food chain and consumers/other legitimate businesses. A flexible approach to resourcing enables us to respond appropriately to incidents and our local approach to risk assessment and effective targeting of resources, rather than the execution of a routine inspection programme, will provide the necessary protection to the county's food chain. A more intelligence-led approach to inspection is currently being explored by the FSA's Achieving Better Compliance programme.

- 4.1.2 The service continues to invest in modern ICT systems. Access to the Internet, to the Civica Cx database and to other information systems is seen as a vital resource for operational staff. The service currently uses the UK FSS iNet database for recording, managing and submitting food and feed sampling data. As a result of withdrawal of funding by the FSA the service is aware that UK FSS iNet, whilst still in operation, no longer benefits from external ICT support. At the time of writing this plan the service is awaiting further instruction from the FSA as to how the replacement system for data transfer will operate.

The service has signed up to the "Register a Food Business" national online portal operated by the FSA to enable it to receive real-time food business registration data.

All food and feed law enforcement officers have been issued with hybrid laptops that incorporate detachable tablets, smart mobile telephones and digital cameras. The current devices, along with the mobile working functionality of the Cx platform, will, in time, allow officers to directly record and update database information whilst off site at business premises.

The service has issued all of its operational officers, including all food and feed officers, with purchasing cards. This has greatly enhanced our ability to undertake online market surveillance sampling activities.

The service does not have an individual budget for ICT as such matters have previously been transferred to corporate budgeting.

- 4.1.3 No fixed amount is set aside for legal costs with specific regard to food and feed law. However, a general legal cost subjective is allocated to the budget, the budgeted amount for 2023-24 being £26,000, which may be supplemented from contingency, if necessary.

⁴ Reducing administrative burdens: effective inspection and enforcement: Philip Hampton – March 2005

⁵Review of Regulation in Farming: MacDonald – May 2011

Staffing Allocation

- 4.2 The current staffing allocation to food and feed enforcement has been calculated on the basis of the projects/activities described in Section 3 above as summarised and unless otherwise stated FTE figures quoted relate to competent staff:

| Plan Section | Project/Activity | FTE 2022/23 Feed | FTE 2022/23 Food | FTE 2023/24 Feed | FTE 2023/24 Food |
|-------------------------------------|--|------------------|------------------|------------------|------------------|
| 3.1 | Feed Hygiene & Standards Inspection Programme | 0.15 | n/a | 0.15 | n/a |
| 3.1 | Inspection of high-risk food businesses | n/a | 0.80 | n/a | 0.60 |
| 3.2 | Complaints and Referrals | 0.05 | 0.80 | 0.05 | 0.80 |
| 3.4 | Business advice | 0.15 | 1.00 | 0.15 | 0.75 |
| 3.5 | Agricultural sampling | 0.80 | n/a | 0.80 | n/a |
| 3.5 | Food Sampling Including Allergens Project | n/a | 1.65 | n/a | 1.65 |
| 3.7 | Food/feed alerts | n/a | 0.10 | n/a | 0.10 |
| 3.8 | Liaison | 0.15 | 0.10 | 0.15 | 0.10 |
| 3.9 | Promotional Work, Intelligence Gathering (including non-qualified staff) | 0.05 | 0.05 | 0.05 | 0.05 |
| Subtotal: | | 1.35 | 4.50 | 1.35 | 4.05 |
| Total FTE for 2022/23 = 5.85 | | | | | |
| Total FTE for 2023/24 = 5.40 | | | | | |
| n/a means non-applicable | | | | | |

Staff Development Plan

- 4.3 The service focuses on the needs of both specialist feed and food law enforcement officers and other staff in terms of their training and continuous professional development (CPD).

The current training arrangements are reflected in the Learning and Development Framework and the Learning and Development Plan. Over recent years the number of qualified food and feed officers within the service has reduced, as officers have left the service. The service has invested in supporting trainees to study for the Trading Standards Practitioner Diploma (TSPD) and/or Level 6 Trading Standards Professional Apprenticeship in order to attain the qualifications necessary to be able to undertake food and feed standards work. At present the Service has eleven trainees.

Skills and competency are assessed at annual staff personal development plan discussions, midyear reviews and 1-2-1 meetings and a programme of continuous professional development is implemented to ensure the maintenance of essential knowledge and skills.

The Food Law Code of Practice England (2021) lays down competency demonstration requirements for food officers (20 hours CPD per annum) The service ensures that sufficient time and resources are provided to allow food officers to attain the required 20 hours of CPD per annum. The service has developed its competency assessment process in line with the requirements of the Competency Framework and the Food Law Code of Practice (2021).

Similarly, the Feed Code of Practice (England) (2018) requires that competent officers are able to evidence 10 hours CPD per annum. Again, the service ensures that sufficient time and resources are provided to allow feed officers to attain this CPD.

Section Five: Quality Assessment

Quality Assessment and Internal Monitoring

- 5.1 The following arrangements will be used to assess the quality of the Authority's service:
- All procedures and work instructions relating to feed and food law enforcement are subject to established in-house quality improvements and auditing procedures which apply to the whole of the Trading Standards service
 - Evaluation surveys sent out to a sample of businesses following an inspection or request for advice
 - Review of a random number of inspections, service requests and complaints by section/line managers
 - Feedback at 1-2-1 meetings, midyear review and personal development plan discussions on individual performance
 - Feedback at team meetings.

Section Six: Review

Review Against the Service Plan

- 6.1 The Service uses a performance measurement toolkit, "PMR", to collate, report and review performance on a monthly basis.

At monthly intervals the Trading Standards Management Team undertakes a performance review. The meeting includes recognition of any variance from target, the reasons for variance and any appropriate measures to be put in place to address such variance.

The Trading Standards Management Team also reviews progress against our Control Strategy Priority Actions of:

- Through programmes of intelligence-led market surveillance, education and enforcement activities ensure the safety, standards and quality of the food chain, including food, animal feeds and agricultural fertilisers, and
- Support the economy during the cost of living crisis, by providing businesses with access to information and compliance advice, including through chargeable, bespoke services

at a monthly Tasking and Coordination meeting.

These priority actions include the provision of business advice, liaison with regulatory and business partners, intelligence-led market surveillance and enforcement activities, including risk-based inspection and sampling.

The allocation of suitable resources to tackle any emerging food or feed issues or trends can also be raised for consideration by the Trading Standards Management Team at the monthly Tasking and Coordination meeting.

Information on performance measures and targets is set out on pages 8, 9 and 10 of the Trading Standards Service Plan 2023-24.

Identification of any Variation from the Service Plan

- 6.2 As outlined in Section 6.1 above the Service, on an ongoing basis, monitors its performance using the above means and takes action to address variance from target throughout the year.

Areas of Improvement

- 6.3 The service is committed to addressing areas of improvement highlighted by the ongoing quality assessment and internal monitoring as outlined in Section 5.1 above and the monthly reporting as outlined in Section 6.1 above.

Food and Feed Sampling Policy

Background

Our five priorities are:

- A vibrant and sustainable economy
- Better opportunities for children and young people
- Healthy, fulfilling and independent lives
- Strong, engaged and inclusive communities
- A greener, more resilient future

Introduction

This policy outlines our general approach to the sampling of food and animal feed. This policy is produced in accordance with the service's obligations under the Framework Agreement on Official Food and Feed Controls and the respective Food and Feed Codes of Practice.

Policy

This service recognises that sampling and analysis is an essential part of food and feed standards enforcement, which enables authorised officers to assess compliance with food and feed standards, composition, safety and labelling requirements. This includes using sampling and analysis as part of proactive market surveillance and reactive responses to complaints.

The service is committed to maintaining a contract with a suitably qualified Public/Agriculture Analyst for the analysis of formal food and feed samples.

On an annual basis we will formulate and commit resources to a sampling programme for food and animal feed products. This programme will be developed taking into account factors including the nature of the food and feed businesses in the county, our intervention plan, Primary Authority functions, the Food Standards Agency (FSA) food and feed priorities and other available local, regional and national intelligence pointing to areas of most concern. We will also develop our sampling programme in consultation with the service's appointed Public/Agriculture Analyst.

This service is committed to participation in national and regional sampling surveys where proposed sampling/analysis fits in with the above-mentioned factors.

Although developed as an annual programme, this service will continue to monitor intelligence for emerging issues and will change or amend the sampling programme as necessary.

This service will target its proactive sampling at locally produced animal feed and foods, those products/ingredients from companies that manufacture in, are based in or import into Norfolk. In line with guidance issued by the FSA this service is also committed to ensuring at least 10% of all food samples are foods imported into the United Kingdom.

All formal food and feed sampling will be undertaken in accordance with the Food Law Code of Practice (England) or the Feed Law Code of Practice (England), as applicable. All formal samples are analysed and/or examined by the service's nominated Public/Agriculture Analyst in accordance with the applicable legislation. Officers who take formal samples are suitably qualified and competent to do so in accordance with the respective Food and Feed Codes of Practice.

Where it is the case that informal samples are taken by officers, wherever it is possible, these samples shall be taken in accordance with relevant legislation.

All food/feed samples and the result of examination/analysis will be recorded. Food and Feed Business Operators will be notified of both the samples taken and the results of analysis. Where sample results are considered to be unsatisfactory, the service will take appropriate action to ensure compliance is achieved. Any action will be carried out in accordance with the CES Compliance & Enforcement Policy.



Norfolk County Council

Community & Environmental Services

Trading Standards Service

Delivery of Animal Health & Welfare Framework
2023-24



If you need this report in large print, audio, braille, alternative format or in a different language please contact 0344 800 8020 or 0344 800 8011 (textphone) and we will do our best to help.

Delivery of Animal Health & Welfare Framework 2023-24

County councils, metropolitan boroughs and unitary authorities in England have a statutory duty to help local communities comply with laws to prevent the spread of animal disease and protect the welfare of animals. It is compliance with these laws that gives our farming industry the freedom to trade freely and thrive, ensuring that the food we eat is safe and as described, shaping our countryside and making a major contribution to local economies.

The agriculture sector is a major industry in Norfolk and is synonymous with the character of the county. 9%¹ of active enterprises in Norfolk are in the agriculture, forestry and fishing sector. The total farm labour force is large with 11,838¹ people employed on commercial holdings. In comparison with other local authority areas, the county has one of the largest livestock populations of commercial poultry (16,945,780¹) and pigs (787,583¹) in the United Kingdom.

Central and local government partners have produced an updated [Animal Health and Welfare Framework](#)² that offers local authorities a set of practical principles to help deliver duties under animal health and welfare legislation in a way that:

- Is responsive and accountable to local communities;
- Is focused on high risk activities to make best use of limited resources;
- Recognises why national consistency is important for businesses, the public and to protect against animal disease;
- Delivers controls in a way that supports European and international trade agreements;
- Promotes collaborative working.

The Framework is a partnership agreement that aims to increase mutual understanding and collaboration between the Department for Environment, Food and Rural Affairs (Defra), the Animal and Plant Health Agency (APHA) and local authorities in relation to animal health and welfare work. It includes responsibilities for all partners to achieve this. The table on the following pages outlines the responsibilities for Norfolk County Council Trading Standards and how these are achieved.

¹2022 Office of National Statistics figure from [Structure of the agricultural industry in England and the UK at June](#)

²Produced in partnership between [Defra](#), [the Animal Plant Health Agency \(APHA\)](#), the [Association of Chief Trading Standards Officers \(ACTSO\)](#) and the National Animal Health and Welfare Panel (NAHWP). It is supported by the [Local Government Association \(LGA\)](#).

Responsibilities of Local Authorities

| No. | Action Required | Planned Service Delivery |
|-----|--|--|
| 1 | Undertake annual service planning based on the principles in the Animal Health and Welfare Framework. | <p>This document, outlining the responsibilities of local authorities under the Animal Health and Welfare Framework, is included as an annex to the Trading Standards Service Plan.</p> <p>Safeguarding the standards of animal health and welfare and responding to and reducing the risk of animal disease outbreaks and associated risks to the Norfolk economy and public health is a defined priority action in the Service Plan and the Trading Standards service's control strategy.</p> |
| 2 | Develop a risk based, consistent and accessible process for responding to complaints relating to animal health matters on farms. | <p>The actions of the Service are informed by the Community & Environmental Services (CES) Compliance & Enforcement Policy. The policy includes reference to the Farm Regulators' Charter and the Regulators' Code.</p> <p>The service has adopted the Intelligence Operating Model (IOM) to direct its activities and prioritise its resources. Safeguarding the standards of animal health and welfare and responding to and reducing the risk of animal disease outbreaks and associated risks to the Norfolk economy and public health is a defined priority action of the service's control strategy and activities take account of local, regional, and national priorities.</p> <p>The service operates a duty system where all matters that have the potential to require further action, including complaints relating to animal health matters on farms, are reviewed by a Lead Trading Standards Officer. If further action is required, the Lead Trading Standards Officer allocates matters to qualified/competent staff, providing handling instructions to ensure a consistent approach. Within the general process, the service has a number of guidance documents, which have been developed to aid the duty team to respond consistently to animal health and welfare complaints, including:</p> <ul style="list-style-type: none"> • a flow diagram for allocating animal health matters • a step-by-step guide to dealing with illegally imported animals • a guide for dealing with alleged breaches of the requirements of avian influenza controls • a guide for dealing with multiple animal welfare issues/complaints relating to the same keeper • guidance on how to deal with abattoir and welfare in transport notifications • a TB work instruction, and • instructions for dealing with missing ear tag referrals. |

| No. | Action Required | Planned Service Delivery |
|-----|---|---|
| 3 | Provide transparency about how the local authority responds to animal welfare complaints, including collaborative arrangements with other partners and charities. | <p>As outlined in 2 above, the service's standard policy and protocols for handling referrals and complaints include our response to animal welfare complaints.</p> <p>The CES Compliance & Enforcement Policy and the Trading Standards Service Plan, including this framework annex are published.</p> <p>The service has an information exchange protocol with Norfolk Constabulary and has information sharing agreements with Citizens Advice and World Horse Welfare. In addition, the Service has memoranda of understanding with:</p> <ul style="list-style-type: none"> • the East of England Trading Standards Association (EETSA), to enable the use of a shared intelligence database • Suffolk Trading Standards, to share resources in the event of an animal disease outbreak or major animal welfare event • the Animal and Plant Health Agency (APHA) (facilitated for the service by the Association of Chief Trading Standards Officers (ACTSO)), outlining roles and responsibilities to deal with the safe disposal of anthrax carcasses. <p>Referral handling instructions, covering matters including animal welfare complaints, are maintained for Citizens Advice and Norfolk Police.</p> <p>Where appropriate, the Service will arrange joint visits with Veterinary Officers (VO) from the Animal and Plant Health Agency (APHA) to investigate welfare complaints.</p> <p>Where a complaint raises serious welfare concerns the service will seek to investigate the matter within 24 hours of receipt.</p> <p>Liaison is also maintained with other appropriate agencies to try and establish if the subject of the complaint is the subject of any other complaints/investigations, so a consensus on how to move forward can be agreed.</p> |
| 4 | Identify high risk businesses and activities on an annual basis. | <p>The service uses a business risk assessment scheme based on that promoted by the Food Standards Agency (FSA) and has adopted the National Trading Standards Intelligence Operating Model (IOM) to inform its activities and prioritise its resources. The service uses available intelligence sources to risk-assess businesses and identify high risk businesses and activities on an ongoing basis. This informs our priority activities outlined in our control strategy and informs tasking and coordination decisions.</p> |

| No. | Action Required | Planned Service Delivery |
|-----|--|--|
| 5 | Produce an annual programme of interventions for all high-risk businesses and activities based on the risk presented by the activities carried out, intelligence, history of compliance and available resources. | <p>The service produces an annual programme of interventions for all identified high risk businesses. In producing the programme, the service considers factors including risk, compliance history, local, regional and national priorities and any other available intelligence. Progress against targets (for interventions carried out) is monitored monthly by the Trading Standards Management Team via reports provided by Lead Trading Standards Officers.</p> |
| 6 | Undertake an annual audit of each livestock market and collection centre in partnership with APHA to review documentation and procedures. Produce an annual programme of interventions based on the outcomes of the audit, which remains flexible to changing risk through the year. | <p>There are one livestock market and two poultry sales operating in Norfolk (although poultry sales have not been operating due to prevailing Avian Influenza outbreaks and controls) and the service regularly liaises with the market operators.</p> <p>The service works with officers from APHA to undertake the annual audit of the livestock market, reviewing the market premises and their systems, processes and documented arrangements. This audit informs our agreed programme of interventions with the market, which is fed into our annual intervention programme, as outlined in 5 above.</p> |

| No. | Action Required | Planned Service Delivery |
|-----|--|--|
| 7 | Actively engage in regional animal health and welfare groups, attending meetings where possible and contributing to regional discussions about the implementation of the Framework. Ensure membership of the KHub. | <p>The Service contributes significantly to regional and national groups. A Lead Trading Standards Officer with a Service Lead role in animal health and welfare was, for a considerable time, the chair of the East of England Trading Standards Authorities (EETSA) Animal Health and Welfare Regional Group and remains an active member of that group. This lead officer was also a member of the National Animal Health and Welfare Panel and sits on the National Equine Liaison Group. At the time of writing, the officer also sits on the National Outbreak Enforcement Group that has been set up during the prevailing Avian Influenza outbreak affecting large parts of the region (and country), including Norfolk, Suffolk, and Essex.</p> <p>The EETSA regional group is active, and members support each other with the mutual provision of information and advice to ensure a consistent approach to the application/ interpretation of legislation.</p> <p>The EETSA regional group also maintains a close working relationship with the National Animal Health and Welfare Panel. Officers of the service are members of the Animal Health and Welfare group on Knowledge Hub (KHub) (a public service digital platform).</p> |
| 8 | Work closely with other local authorities to share knowledge and expertise, including opportunities for shared training, joint inspections, opportunities for contracting and peer to peer reviews. | <p>In addition to that outlined in 7 above, the service has an ongoing commitment to work closely with Suffolk Trading Standards. The service has agreed a Memorandum of Understanding with Suffolk Trading Standards to enable sharing of resources (including cross border authorisation arrangements) to respond to animal disease outbreaks and animal health and welfare issues. Other collaborative working areas with Suffolk Trading Standards include collaborative intelligence functions, shared best practice, a common compliance & enforcement policy and shared learning and development activities.</p> <p>The EETSA Animal Health and Welfare Group has provided and maintains a regional store of equipment to facilitate responses to breaches of the legislation controlling rabies.</p> |

| No. | Action Required | Planned Service Delivery |
|-----|--|--|
| 9 | Proactively exchange and use information and intelligence to inform the delivery of animal health and welfare controls, using national intelligence databases where appropriate. | <p>As outlined in 3 and 4 above the service has adopted a number of information sharing agreements/protocols and memoranda of understanding, and the National Trading Standards Intelligence Operating Model (IOM).</p> <p>All operational officers have access to the national intelligence database, IDB, and are encouraged to make submissions and review IDB intelligence in relation to their activities.</p> <p>The service employs an Intelligence Lead and an Intelligence Technical Support Officer to support and facilitate our intelligence led approach. The Intelligence Lead scrutinises all incoming complaints, received via the Citizens Advice portal, and partner referrals, such as those from APHA, all of which are received via trading.standards@norfolk.gov.uk.</p> <p>On a day-to-day basis, if the Intelligence Lead receives any intelligence that raises a concern relating to a matter that has the potential to be a cross border issue this matter is sent to the EETSA Regional Intelligence Analyst (RIA) for further dissemination.</p> <p>Each month the Intelligence Lead produces a tactical assessment for the Tasking and Coordination meeting. This assessment includes analysis (from IDB and Civica Cx) by subject area including “Animal Disease Control Measures”, the level of IDB submissions and horizon scanning for areas of concern. The report also highlights the level of use of IDB by individual officers via their last timed login.</p> <p>The Intelligence Lead and Animal Health Officers of the service have given training to Norfolk Constabulary Control Room staff on Trading Standards matters, including those relating to animal health. The Intelligence Lead and an Animal Health Officer from the Service attend the Norfolk CRAG (Crime Rural Advisory Group) meetings. These measures have and will improve the channels of communication and sharing of intelligence relating to matters concerning animal health and welfare.</p> <p>As outlined in the Service’s 2023/24 Strategic Assessment document, Norfolk Trading Standards has recorded more animal health intelligence on IDB than any other authority in the EETSA region and is eleventh highest for all UK authorities in the category.</p> |

| No. | Action Required | Planned Service Delivery |
|-----|---|---|
| 10 | Regional groups to discuss and agree how each local authority will be involved in the recording, accessing and analysis of intelligence relating to animal health and welfare with the aim of making a staged improvement in the level and quality of intelligence recorded and the influence this has on service planning across the region. | <p>The Regional Intelligence Analyst (RIA) for the EETSA region has previously attended a meeting of the EETSA Animal Health and Welfare regional group and given advice on how to improve the quality and frequency of intelligence recording on the national intelligence database, IDB, relating to animal health and welfare matters. The EETSA regional group maintains communication with the EETSA RIA.</p> <p>As mentioned in 9 above the service currently records more animal health intelligence on IDB than any other authority in the region.</p> |
| 11 | Each regional group to review the level of intelligence being recorded and use the intelligence to identify any potential threats on at least an annual basis. Steps should be taken to resolve any concerns about the level or type of intelligence being recorded and a response be formulated to any criminal activity that has been identified. | <p>As per 10 above the EETSA Regional Intelligence Analyst (RIA) has previously attended the EETSA Animal Health and Welfare regional group and given advice on how to improve the quality and frequency of intelligence recording on IDB relating to animal health and welfare matters.</p> <p>The RIA will also highlight any concerns about the level or type of intelligence being recorded within the region. Such concerns are disseminated through senior management meetings within EETSA.</p> <p>The EETSA RIA produces an annual strategic assessment document that includes reference to the regional and national priorities.</p> <p>As mentioned in 9 above the service currently records more animal health intelligence on IDB than any other authority in the region.</p> |

| No. | Action Required | Planned Service Delivery |
|-----|---|---|
| 12 | All local authorities should actively engage in the sharing of environmental, political, legislative or organisational changes at regional meetings that may influence service planning and activities. | <p>Such information is shared at the EETSA Animal Health and Welfare regional group. It is also shared at the EETSA Senior Management Group meetings, where progress of the agreed EETSA regional animal health and welfare workstream is reviewed on a quarterly basis. Issues of particular strategic importance are also discussed at EETSA Heads of Service meetings.</p> <p>In addition, as outlined in 8 above, such information is shared with Suffolk Trading Standards through a programme of collaborative working including collaborative intelligence functions, shared best practice, a common compliance & enforcement policy and shared learning and development activities.</p> |
| 13 | Ensure that services consider the requirements laid down in the On Farm Charter and Regulators' Code where appropriate. | The Community and Environmental Services (CES) Compliance & Enforcement Policy has been devised with due regard to the Regulators' Code and the Farm Regulators' Charter and both documents are referenced in that policy. |

| No. | Action Required | Planned Service Delivery |
|-----|---|--|
| 14 | All services should consider how they meet EU standards for the delivery of Official Controls and any future standards that support trade agreements. | <p>The service is aware of the requirements of Article 6 of 2017/625 (as amended) and the requirement to have transparent and accountable audit processes in place.</p> <p>The service has an annual programme of internal audits that can deal with all aspects of service delivery. If the need arises this programme would include an audit of official controls.</p> <p>Officers who undertake animal health and welfare activities must maintain a level of competency. The service has devised a definition of competency (including required qualifications) for this area of delivery. Officers must complete a learning and development log form where they evidence competency. This evidence can include reference to work completed (including the handling of reactive complaints). This log form is reviewed by line managers at least twice a year. Demonstration of competency is linked to the service's warrant issue process. Our modular approach to warrants means that we can add or revoke service delivery areas in officers' warrants in line with their individual competency review.</p> <p>Individual officers are also subject to the Council's performance management framework with annual goal setting and performance monitoring against those goals occurring at regular intervals during the year. In addition, line managers routinely quality monitor work undertaken by officers and give feedback as part of their 1-2-1 meetings.</p> <p>As outlined in 15 below, the service provides national returns as per the government's single data list, including mandatory returns relating to official control delivery.</p> <p>The service has a number of performance measures that are reported to Councillors and senior managers of the council. These performance measures, which can include aspects of official control delivery, are reviewed against target on a monthly basis by the Trading Standards Management Team.</p> <p>As stated in 4 above, the service has adopted the National Trading Standards Intelligence Operating Model (IOM). This helps to manage prioritised threats and identified risks through enforcement and other activities, as well as reviewing the effectiveness of measures taken.</p> <p>Norfolk County Council also carries out audits of services within its organisation to ensure compliance with, for example, financial controls.</p> <p>The service is monitoring and horizon scanning to keep up to date with any potential issues as a result of EU exit, the Trade and Cooperation Agreement signed with the EU and other international trade agreements.</p> |

| No. | Action Required | Planned Service Delivery |
|-----|--|--|
| 15 | Complete statutory data returns in a timely manner. | The service has a programme, outlining all the required national and regional statutory returns, which is monitored for progress. This programme includes the statutory animal health returns such as the annual return relating to inspections carried out under the Welfare of Animals (Transport) (England) Order and the bi-annual return relating to the number of animal health prosecutions. |
| 16 | Each local authority must have an up to date animal disease contingency plan in place, which is shared internally and with partners. Contact details are to be revised as changes happen. The plan should be updated within two years of any changes to the national template. | This Service has an Exotic Notifiable Animal Disease Contingency Plan based on the current national template (which is produced by the National Animal Health and Welfare Panel and the Association of Chief Trading Standards Officers). The Service's plan was updated to reflect improvements made to operational practice during the response to the five outbreaks of avian influenza that occurred in Norfolk in December 2020. A similar "lessons learnt" exercise will be undertaken following the Service's response to the 65 Avian Influenza outbreaks that have occurred during this service year. A separate Exotic Notifiable Animal Disease Contingency Plan for Norfolk Resilience Forum (NRF) Partners is also in place. |
| 17 | Local authorities should ensure that contact details on the Local Authority Master Contact List are updated in a timely fashion. This information is used by APHA to communicate details of possible animal disease outbreaks, make referrals and share intelligence. | The list of Norfolk contacts is currently up to date. The Senior Manager within the Service with responsibility for animal health and welfare is responsible for ensuring the currency of the information provided to the Master Contact List. |

| No. | Action Required | Planned Service Delivery |
|-----|---|---|
| 18 | <p>Officers involved in the delivery of animal health and welfare controls should be trained and qualified in line with local standards and authorisation processes. Local processes should ensure officers are competent in the delivery of effective animal health and welfare controls. As with all responsible employers, local authorities should support staff with personal development processes and training. These principles are reflected in Article 5(4) of Retained EU Regulation 2017/625.</p> | <p>The service's approach to ensuring officers are qualified, maintain their competency and are suitably authorised is outlined in 14 above.</p> <p>In addition, as part of the annual service planning process, a learning and development plan is produced. This includes input from Lead Trading Standards Officers, including those who have a specialist lead in animal health and welfare matters, to ensure that required courses and briefings for the forthcoming service year are provided to line managers for discussion at proposed attendees' personal development plan discussions. Lead Trading Standards Officers are also responsible for ensuring that learning and development requirements are identified on an ongoing basis and are delivered.</p> |
| 19 | <p>Use the Framework to promote the delivery of animal health and welfare controls to managers and local politicians.</p> | <p>The annual Trading Standards Service Plan includes as an annex this document relating to the Animal Health and Welfare Framework Agreement. This plan is reviewed and agreed by the Trading Standards Management Team and then put forward for approval by members of the Council's Cabinet.</p> |

Infrastructure and Development Select Committee

Item No: 8

Report Title: Planning Obligation Standards 2023

Date of Meeting: 17 May 2023

Responsible Cabinet Member: Cllr Plant (Cabinet Member for Highways, Infrastructure & Transport)

Responsible Director: Tom McCabe (Executive Director, Community & Environmental Services)

Executive Summary

Norfolk County Council is a statutory consultee on housing and other commercial planning applications, which are determined by District Councils. The County Council as a consultee can seek to secure necessary infrastructure and services needed to mitigate the impact of any proposed new development, through planning obligations.

Planning obligations provide a clear and effective mechanism for securing developer funding towards infrastructure needed to support and mitigate the impact of new residential development. The Planning Obligation Standards focus on developer funding towards County Council infrastructure such as education, library, green infrastructure, and fire service provision (fire hydrants secured through planning condition) required as a consequence of new residential development. These obligations are only sought for housing development of 20 dwellings or over.

The Planning Obligation Standards have supported the County Council in securing over £185 million in developer contributions to fund the delivery of necessary infrastructure, which includes new primary schools, school extensions and improvements, new libraries, new stock and equipment for libraries, new footpaths, and improved connectivity to existing green infrastructure.

The Planning Obligation Standards are updated annually, and the 2023 amendments include:

1. To seek cost per place for Special Education Needs and Disabilities (SEND) places, as set out in national guidance
2. Evidence based increase to education cost multipliers
3. To refine the land size requirements for new school sites, including a minimum and maximum site size requirement (assessed on a site-by-site basis)
4. The addition of text detailing school capacity. Detailing that a range of factors are considered, including total number of places, permitted development

within the area and numbers on roll to ensure sufficient capacity within schools

5. Evidence based increase to library costs.

Recommendations

The Select Committee is asked to:

- 1. To review and comment on the amended 2023 Planning Obligations Standards prior to consideration by Cabinet.**

1. Background and Purpose

- 1.1. Norfolk County Council is a statutory consultee on housing and other commercial planning applications determined by District Councils. The County Council as a consultee can seek to secure necessary infrastructure and services needed to mitigate the impact of any proposed new development.
- 1.2. Planning obligations provide a clear and effective mechanism for securing funding from housing developers to fund infrastructure needed to support and mitigate the impact of new residential development. Planning obligations are agreed under section 106 (S106) of the Town and Country Planning Act 1990, S106 agreements are legally binding and run with the land.
- 1.3. The purpose of this report is to consider proposed amendments to the County Council's Planning Obligations Standards (the Standards), which were first introduced in 2000 and have been subsequently updated on an annual basis thereafter. The Standards primarily focus on developer funding towards County Council infrastructure such as education, library, green infrastructure, and fire service provision (fire hydrants secured through planning condition) required as a consequence of new residential development. Highway and transport infrastructure while referred to in the Standards are not directly covered by any standard costs as they are negotiated on a site-by-site basis, by the Highway Authority, and generally use different legislation to secure developer funding towards transport infrastructure (Section 278 of Highways Act 1980).
- 1.4. The obligations sought must meet the three tests as set out in the National Planning Policy Framework (NPPF) (2021) paragraph 57 these tests are:
 - a) necessary to make the development acceptable in planning terms
 - b) directly related to the development and
 - c) fairly and reasonably related in scale and kind to the development.
- 1.5. The County Council has two methods to secure mitigation towards County Council infrastructure, these are S106 agreements and the Community

Infrastructure Levy (CIL). The Standards set out the obligations that the County Council can seek to be secured through S106 agreements, CIL is applied separately through either the Greater Norwich Growth Board or the Borough Council of King's Lynn and West Norfolk. But land for primary schools can be secured in CIL areas through S106 agreements.

S106 Local Planning Authorities include:

- Breckland District Council
- Great Yarmouth Borough Council
- North Norfolk District Council

- 1.6. The Strategic Planning Team has secured over £185 million in planning obligations since 2000, see table 1, below, from 460 housing developments.

Table 1 Total Value of Obligations Secured Since 2000

| Education | Library | Green Infrastructure | Monitoring Fees | Total Secured |
|------------------|----------------|-----------------------------|------------------------|----------------------|
| £179,414,248.28 | £4,818,861.00 | £1,196,515.62 | £122,450.00 | £185,552,074.90 |

- 1.7. Fire hydrants are secured through planning condition, some 1,094 fire hydrants have been delivered since 2000.
- 1.8. Monitoring Fees were sought between 2010 and 2014, and again from 2022. These fees are secured to fund the monitoring of sites ensuring payments are received on time.
- 1.9. The County Council has received planning obligation contributions totalling over £82 million since 2000, see table 2 below. The majority of the payments received are for education.

Table 2 Total Contributions Paid Since 2000

| Education | Library | Green Infrastructure | Monitoring Fees | Total Paid |
|------------------|----------------|-----------------------------|------------------------|-------------------|
| £80,332,180.06 | £1,649,456.43 | £298,922.67 | £31,200.00 | £82,311,759.16 |

- 1.10. The County Council has also secured land for new schools and new libraries through S106 agreements, since 2001 23 new primary school sites have been secured through S106 agreements and to date 5 new primary schools have been built.
- 1.11. Housing developers are aware of these obligations, the S106 agreements are often signed prior to the house builder purchasing the development site. The contributions sought are necessary as they enable the County Council to provide access to school places, libraries, and green infrastructure provision to

current and new residents of Norfolk. Obligations are only sought on developments of over 20 dwellings or more.

- 1.12. Select Committee need to be aware of ongoing discussions regarding the potential to seek S106 contributions for school bus transport, which may be presented to this Committee in the next iteration of the Planning Obligation Standards, in 2024.

2. Proposal

- 2.1 Officers have been reviewing government guidance, the cost for delivery of infrastructure and obligations sought by County Councils across the region, and found that the costs sought in Norfolk fall below the amount sought elsewhere.
- 2.2 The following changes are proposed to be made to the Standards 2023:
 - To seek planning obligations for Special Educational Needs and Disabilities (SEND) places
 - Increase the cost per place for education places by up to 35.5%, this is in alignment with government multipliers and County Councils in the region
 - The inclusion of minimum and maximum land requirement for new school sites
 - The addition of text detailing school capacity. Detailing that a range of factors are considered, including total number of places, permitted development within the area and numbers on roll to ensure sufficient capacity within schools
 - Increase the cost associated with libraries infrastructure by up to 33%, this is in alignment with government guidance and County Councils in the region
- 2.3 No changes are proposed to be made to the fire hydrant requirements or the green infrastructure costs sought.

Education

Special Education Needs and Disabilities Places

- 2.4 The County Council has not previously sought obligations for SEND places. The County Council has a statutory duty to provide suitable education placement for children and young people with SEND to all aged 0-25.
- 2.5 National Planning Policy Guidance (NPPG) confirms the expectation that as well as securing developer contributions towards mainstream and early years education, local authorities should also ensure they secure contributions towards additional cost of providing facilities for children and young people with SEND.

- 2.6 It is proposed that SEND places are sought at a cost of £74,920 per place, as set out by the National School Delivery Cost Benchmarking (2022). As well as the SEND costs being set out in national guidance, they also align with neighbouring authorities.
- 2.7 The Standards set out that SEND would be sought using the multiplier of 0.01 SEND places per dwelling meaning a SEND place would only be sought on housing developments of over 100 dwellings. The SEND multiplier has been based on the proportion of pupils with an Education Health and Care Plan (EHCP) against that of the number of children in a mainstream school from January 2022. Spare school capacity will be factored into any requirement sought.

Increased Cost Per Place

- 2.8 Following an evidenced based review using the latest Department for Education guidance, and costs sought by County Councils in the region it is proposed the cost per place is increased. Education costs have not increased for a number of years, they were last reviewed in 2016. Following an assessment completed in 2023 the cost per place is proposed to be increased as set out in table 3.

Table 3 Increased Education Costs

| School Sector (age range) | Current Costs | Proposed Costs | Increase |
|---|------------------|----------------|----------------|
| Early Education (2-4) | £14,022 | £16,332 | £2,310 (16.4%) |
| Primary School (4-11) <ul style="list-style-type: none"> • Infant (4-7) • Junior (7-11) | £14,022 | £16,332 | £2,310 (16.4%) |
| High School (11-16) | £15,664 | £21,231 | £5,567 (35.5%) |
| Sixth Form (16-18) | £15,664 | £21,231 | £5,567 (35.5%) |

- 2.9 Norfolk County Council is a member of the regional planning obligations group, other members include 15 County Councils from the East of England and further afield.
- 2.10 The average costs sought from the 15 County Council in the regional group are set out in table 4, below. The proposed increased cost per place sought by Norfolk County Council is broadly in line with the average cost per place sought by other County Councils in the area.

Table 4 Regional County Council Comparison

| School Sector (age range) | NCC Current Costs | NCC Proposed Costs | Regional County Council Average (15 County Councils) |
|------------------------------|----------------------|-----------------------|--|
| Early Education (2-4) | £14,022 | £16,332 | £17,304.22 |

| | | | |
|----------------------------|---------|---------|----------------|
| Primary Sector (4-11) | £14,022 | £16,332 | £18,717.57 |
| High School Sector (11-16) | £15,664 | £21,231 | £23,952.64 |
| Sixth Form (16-18) | £15,664 | £21,231 | £24,921.69 |
| SEND (0-25) | £0 | £74,920 | Not comparable |

New School Land Requirement

- 2.11 It is proposed that the following minimum and maximum land requirements set out in Table 5 are included in the 2023 Standards to set out the potential size of new school sites that may be required. These indicative site sizes are based off of government guidance and requirements will be considered on a site-by-site basis.

Table 5 Indicative Size of New School Sites

| Provision | Minimum (Hectare) | Maximum (Hectare) |
|--|--------------------------|--------------------------|
| 2 FE (420) Primary with Nursery (52 place) and Special Resource Base (SRB) | 2.3 | 2.6 |
| 3 FE (630) Primary with Nursery (52 place) and SRB | 3.3 | 3.7 |
| 8 FE (1200) Secondary with SRB | 9.6 | 10.8 |
| 10 FE (1500) Secondary with SRB | 11.7 | 13.2 |

Capacity Buffer for Schools

- 2.12 It is proposed that school capacity is included in the 2023 Standards and is assessed on a site-by-site basis. This will consider a range of factors such as the total number of pupil places, permitted development within the area and numbers on roll.
- 2.13 This will mean the County Council can allow for year movement and provide addition flexibility when calculating school capacity.
- 2.14 This approach to school capacity is in line with government guidance and neighbouring County Council policies.

Library

- 2.15 The costs have increased for book stock, extensions, and new library construction. Therefore, the library costs sought need to be increased to cover these additional costs of increasing provision in Norfolk's libraries.
- 2.16 Following an evidenced based review using the latest construction cost information the cost per dwelling for library infrastructure projects is proposed to be increased, as set out in table 6 below.

Table 6 Proposed Increase in Library Obligations Sought

| Library Project | NCC Current Costs (costs per dwelling) | NCC Proposed Costs (costs per dwelling) | Increase (Percentage increase) |
|--|---|--|---------------------------------------|
| A new library building | Cost negotiated on a site-by-site basis | Cost negotiated on a site-by-site basis | n/a |
| A library extension | £244 | £320 | £76 (31%) |
| Major Capital Project | £244 | £320 | £76 (31%) |
| Upgrading of existing library facilities | £100 | £100 - £130 | £0-30 (0%-30%) |
| IT Equipment, Furniture and Stock | £75 | £100 | £25 (33%) |

3. Impact of the Proposal

- 3.2 The proposed amendments will ensure that S106 contributions continue to be sought effectively to address the impacts on County Council services arising from new development. The increased costs for education and library infrastructure will enable the County Council to continue to deliver the required infrastructure needed for existing and new residents.

The amendments provide greater certainty and clarification surrounding what obligations the County Council could seek from new development of 20 dwellings or more.

4. Evidence and Reasons for Decision

- 4.1 The increased costs are being sought to cover the delivery of education and library infrastructure, are deemed to be fair and reasonable, and align with

government guidance and costs sought by County Councils from across the region.

5. Alternative Options

- 5.1 The alternative option would be to continue with the County Council's existing Planning Obligations Standards (2022) however if the evidence-based costs for education and libraries are not increased there is a risk that the required infrastructure in Norfolk may not be able to be delivered.

6. Financial Implications

- 6.1 The proposed amendments will ensure that S106 contributions continue to be sought effectively in order to address the impacts on County Council services arising from new housing developments.

7. Resource Implications

- 7.1 **Staff:** None

- 7.2 **Property:** None

- 7.3 **IT:** None

8. Other Implications

- 8.1 **Legal Implications:** Contributions sought in S106 agreements must be compliant with the legal tests set in Reg 122 of the CIL Regulations (2010). The Standards are considered to be compliant with these tests and specific reference to them is made in the Standards.

- 8.2 **Human Rights Implications:** None

- 8.3 **Equality Impact Assessment (EqIA) (this must be included):** No EqIA issues have been identified.

- 8.4 **Data Protection Impact Assessments (DPIA):** N/A

8.5 Health and Safety implications (where appropriate): N/A

8.6 Sustainability implications (where appropriate): N/A

8.7 Any Other Implications: N/A

9. Risk Implications / Assessment

9.1 The proposed amendments to the County Council's Planning Obligations Standards are required to ensure that S106 contributions continue to be sought effectively to address the impacts on County Council services arising from new development.

10. Recommendations

The Select Committee is asked to:

- 2. To review and comment on the amended 2023 Planning Obligations Standards prior to consideration by Cabinet.**

11. Background Papers

- Appendix A Draft Planning Obligations Standards 2023
- [Community Infrastructure Levy Regulations \(2010\)](#)
- [Town and Country Planning Act \(1990\)](#)
- [Highways Act 1980](#)
- [Norfolk County Council Planning Obligations Standards 2022](#)
- [National Planning Policy Framework 2021](#)
- [National School Delivery Cost Benchmarking \(2022\)](#)

Officer Contact

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Norfolk County Council

Planning Obligation Standards

June 2023

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1.0 Introduction

- 1.1. The purpose of this document is to set out the planning obligations requirements the County Council may seek in association with new housing developments.
- 1.2. These standards apply to the following County Council services and fees:
 - Children's Services
 - Library Service
 - Norfolk Fire and Rescue Service
 - Community Services – Adult Care
 - Green Infrastructure and Public Rights of Way
 - Monitoring Fees
- 1.3. The highway and transport infrastructure and services directly required from new development will continue to be negotiated on a site-by-site basis, by the Highways Authority (see section 9).
- 1.4. Other infrastructure and service requirements will be sought by District Councils for affordable housing, play space, and open space etc. In addition, other service providers, such as the Police and the various Health Bodies may also seek developer contributions towards improvements to their services directly.

2.0 National Guidance

- 2.1. All infrastructure requirements must be compliant with the legal tests set out in Regulation 122 of the Community Infrastructure Levy (CIL) Regulations 2010 (as amended) and be:
 - Necessary to make the development acceptable in planning terms
 - Directly related to the development
 - Fairly and reasonably related in scale and kind to the development.
- 2.2. The Community Infrastructure Levy (Amendment) (England) (No. 2) Regulations 2019, came into force on 1 September 2019. The key amendments were:
 - Lifting of the pooling restrictions on Section 106
 - The introduction of monitoring fees
 - Allowing the use of both S106 agreements and the CIL to fund the same infrastructure
 - Introducing the requirement to produce an Infrastructure Funding Statement.
- 2.3. These reforms have been included within the CIL Regulations 2010 (as amended). The County Council's Planning Obligations Standards reflect the lifting of the pooling restrictions and the clarification regarding monitoring charges. The County Council is also working closely with all District Councils on other aspects of the CIL reforms.
- 2.4. The County Council will continue to provide a detailed justification/explanation of any contributions it seeks. The Standard Charges detailed in this document illustrate the range of contributions, which may be expected from developers as a consequence of new housing development. Developers will be expected to enter into a Section 106 legal agreement (S106 agreement) with the County Council regarding the contributions sought or will be obliged through a planning condition to deliver the on-site infrastructure requirements.
- 2.5. The Planning Obligations Standards are revised annually considering:
 - Changes in national guidance/standards
 - Inflation – where cost have changed
 - Any other material considerations.
- 2.6. The following national guidance has been considered:
 - National Planning Policy Framework
 - The Planning Act (2008) – this provides ministers with the power to make the CIL Regulations.
- 2.7. The Government is running a consultation on a proposed [Infrastructure Levy](#) from 17 March to 9 June 2023. This is proposing reforms to the existing system of developer contributions, including S106 agreements and CIL. The reforms would take a number of years to come into force, so the planning obligation standards remain valid until any new regulations/legislation is formally adopted.

Community Infrastructure Levy

- 2.8. The County Council will provide comments on the Local Planning Authority (LPAs) CIL Charging Schedules and rates as required. In the meantime, the County Council will continue to use the Standards until the respective CIL Charging Schedules are implemented. Even when CIL is implemented there may still be a need for the County Council to use S106 agreements:
- To secure infrastructure which is not identified as being funded through CIL and/or
 - To deal with the transfer of land (e.g., where there is a need for a new school).
- 2.9. In addition, the CIL Regulations 2010 (as amended) allow authorities to use funds from both CIL and S106 agreements to fund the same piece of infrastructure.
- 2.10. Therefore, in those LPAs areas where CIL has been introduced which includes Norwich City Council, South Norfolk District Council, Broadland District Council, and King's Lynn, and West Norfolk Borough Council, the Standards below would not normally be applied except where:
- There is agreement with the LPA to use both CIL and an S106 agreement for the same piece of infrastructure;
 - The site is in a zero-rated CIL location, and is reliant on S106 to deliver necessary infrastructure; or
 - The contribution relates to the transfer of land.
- 2.11. The County Council will expect to be consulted at the application stage on planning applications likely to have an impact on County Council infrastructure and services by those LPAs who have adopted CIL Charging Schedules.
- 2.12. The County Council is working closely with those LPAs who have adopted CIL, as well as those intending to develop CIL, to ensure that necessary County Council infrastructure is secured and delivered through CIL.

3.0 County Advice

Dealing with Major Urban Regeneration Sites

- 3.1. The County Council recognises that there will be occasions when not all the infrastructure and services required by the development will be able to be provided by the developer. This is likely to be the case on major urban regeneration sites where there may be exceptional costs associated with site clearance and possibly decontamination.
- 3.2. In such circumstances it may be appropriate for the local authority and other public sector agencies to assist and facilitate in the development coming forward. This may involve a reduction in the level of contributions normally sought. This would in practice mean the County Council or other service providers being required to fund in part the infrastructure and services needed.
- 3.3. However, in such circumstances the County Council would need clear evidence that:
 - The economics of the site do not allow for all contributions to be met. The County Council would want to see the viability assessment (VA) produced and would need to be satisfied with the VA before waiving any contribution sought; and
 - The development is in the wider public interest i.e., will provide a wide range of community benefits such as the removal of derelict land and will provide local services (e.g., schools and healthcare provision) accessible to the community as a whole.

Use of Bonds

- 3.4. The County Council may seek from developers, where appropriate, the use of bonds to act as a guarantee where large contributions have been negotiated through the S106 process towards for example, schools, travel planning and transport schemes.

Phasing of payments

- 3.5. Agreed planning obligations contributions will typically be paid to the County Council in a series of phased payments to be agreed with the applicant and determining authority.

Potential Claw-back of Payments

- 3.6. Where contributions have been made, the County Council will normally be expected to use the sum of monies received for the purposes agreed within 5 years of final occupation. However, for some large-scale developments the period may be extended. If the County Council has not spent the money in this time, then some or all of the contributions will be returned to the developer as agreed in the S106 agreement.

Legal Charges

- 3.7. The developer will be required to pay the County Council's legal fees for drafting and negotiating the S106 agreement and a solicitor's undertaking must be supplied to the County Council's legal team before any legal work is carried out.

Monitoring Charges

- 3.8. The County Council will seek a charge towards the administration of S106 agreements (i.e., covering monitoring of S106 agreements, invoicing, preparation of an Infrastructure Funding Statement; and chasing up any outstanding payments).
- 3.9. The charge will generally be levied at a rate of £500 per obligation covering each infrastructure item sought, for example, pre-school, primary school, and high school would each be counted as a separate piece of infrastructure and a monitoring fee sought for each.
- 3.10. On more complex sites the charge will be levied at a rate of 1% of the County Council's total obligations up to a maximum of £10,000 per agreement.
- 3.11. On major strategic housing sites (typically over 1,000 dwellings), the monitoring fee will be negotiated on a site-by-site basis reflecting any potential complexities associated with the S106 agreement and the additional work involved in monitoring the agreement over a lengthy time period.
- 3.12. The monitoring charge will normally be payable on commencement of the development.
- 3.13. The County Council will closely monitor the contributions collected and ensure that any monies collected and spent are in accordance with the respective S106 agreement.
- 3.14. In relation to S106 Travel Plan monitoring fees (see section 9.0) these will be based on separate cost figures, details of which are provided in the [County Council's Travel Plan Guidance](#).

4.0 Education

- 4.1. The County Council has a statutory responsibility to ensure there are sufficient school places in the county for children between the ages of 4 and 16 years old. The County Council works with partners to ensure a sufficient supply of 16 – 19-year-old places many of which are integrated in 11 – 19-year schools. In addition, the County Council has a statutory duty to ensure a sufficient supply of Early Education and Childcare places, for children aged three and four. There is also a duty to ensure there are sufficient funded childcare places for eligible two-year olds. Contributions for pre-school provision may be required either for existing pre-school provision or purpose-built new facilities on a separate site, possibly shared with a school. To enable this, primary phase schools are now able to extend their age range to encompass two and three-year-olds.
- 4.2. The Education Act 2006 gives the County Council the duty to secure sufficient places in its area. Subsequent legislation has created a platform for the development of a more diverse and more locally accountable school system, supported by a wider range of providers than in the past, particularly through multi-academy trusts.
- 4.3. In addition to the County Council's statutory obligation to provide sufficient school places to meet the needs of the population, it also has a statutory duty to provide suitable education placement for children and young people with Special Education Needs and Disabilities (SEND) to all aged 0-25.
- 4.4. National Planning Policy Guidance (NPPG) confirms the expectation that as well as securing developer contributions towards mainstream and early years education, local authorities should also ensure they secure contributions towards additional cost of providing facilities for children and young people with SEND.
- 4.5. The County Council maintains (funds) community schools, voluntary controlled schools, and community special schools. Statutory regulation ensures that governing bodies have delegated authority to run schools. The County Council and the Department for Education (DfE) have the right and duty to intervene where a school is at risk of failing. The County Council acts as admissions authority for community and voluntary controlled mainstream schools and co-ordinates "applications and offers" for all mainstream schools, including free schools and academies. This co-ordination ensures a fair process for parents and their children, offers an accessible school place to all applicants, and seeks to meet parental preference as far as possible.
- 4.6. The County Council acts as a champion for all Norfolk residents, in respect of all children and young people and their parents/carers. In a diverse educational context, it will broker partnerships to support governors, school leaders, and providers in securing the best for the community they serve. Its partnership, school improvement and school intervention activity is exercised in pursuit of the highest quality school provision in all schools in Norfolk.
- 4.7. The County Council receives a capital grant from government to support the supply of places in all schools. It also seeks contributions from housing developments towards the cost of new school places. Where it secures such contributions, it may add to them an element of basic need funding to enhance the facilities but will not reduce the level of obligations set out in this document.
- 4.8. The County Council is also, under the Education Act 2006, as amended by the Academies Act 2010, a commissioner rather than a provider of new schools. It has the power to set out the characteristics of a school needed for a new community in order that

providers may identify their capacity to provide that school. All new schools commissioned in this way will be established as Free schools (in law academies). The County Council must provide the site and funds for such a school, although these will usually be expected to come from the developer(s) contributions. The County Council will procure the school building through the Major Construction Works (2015) compliant contractor framework and will provide the new building for the successful free school sponsor (multi-academy trust) to occupy.

- 4.9. New Free schools can also be approved by the Secretary of State. These can add to the supply of places but also can increase the diversity of provision in an area. Where they meet a shortfall of places, they would be supported by the County Council.
- 4.10. To assess the number of new children likely to arise from a new development the County Council undertook an analysis of development in the county in 2022 this data was cross checked with Health Authority and School Census data. This analysis produced the following pupil generation figures (based on expected children per 100 dwellings). This data is checked annually and remains valid.

Table 1 Pupil Generation Figures

| Age range | No. years cohorts | Type of school | Multiplier (no. of Children) <i>based on a 100-dwelling development</i> | No. Children Generated Per Dwelling |
|------------------|--------------------------|-----------------------|--|--|
| 2 - 4 | 2 | Early Education | 8.0 | 0.08 |
| 4 – 7 | 3 | Infant | 12.9 | 0.129 |
| 7 - 11 | 4 | Junior | 15.2 | 0.152 |
| 4 - 11 | 7 | Primary | 28.1 | 0.281 |
| 11 - 16 | 5 | High | 14.5 | 0.145 |
| 16 - 18 | 2 | Sixth Form | 1.5 | 0.015 |
| 0-25 | 14 | SEND | 1.0 | 0.01 |
| Total | | | 53.1 | 0.531 |

- 4.11. For the avoidance of doubt the above multipliers have been generated as an average child yield across the whole of Norfolk and will be used to calculate developer contributions for all residential developments. Norfolk County Council reserves the right to use more “local multipliers” if the evidence is available to show that the multipliers are more likely to provide an accurate prediction of pupil numbers in the school system.

The following allowances are:

- No children are assumed on developments comprising of 1-bed accommodation, student accommodation, sheltered housing, or care homes where there is an age-related occupancy condition e.g., restricted to the over 50s. In these circumstances no education contributions will be sought.
- For flats, apartments, and maisonettes the above multipliers are discounted by a factor of 50% reflecting the fact that fewer children are likely to arise from these types of dwellings.
- The SEND multiplier has been based on the proportion of pupils with an Education Health and Care Plan (EHCP) against that of the number of children in mainstream school from January 2022.

Catchment Schools

- 4.12. The County Council will plan on the basis that pupils generated from any new development would attend the catchment school as set out in its statutory admissions documentation. However, if the catchment school is at full capacity, the County Council may, at its full and sole discretion, consider the next nearest school with places providing:
1. The school lies within the statutory maximum distance a child would be expected to travel (i.e., 2 miles for pupils aged 5 – 8 and 3 miles for pupils aged 8 – 16)
 2. The school, if primary phase, is within the same high school designated area as set out in the statutory admissions documentation
 3. There will be no adverse impact on the pupils affected in terms of splitting peer groups or siblings
 4. Existing and planned investment in local schools is not compromised
 5. The route to the school is adequate and safe. Where there is inadequate access the County Council may seek developer contributions towards safe routes to school
 6. The developer addresses the impact of those children having to commute further to school e.g., through the provision of cycle storage and/or contributions towards safe routes to school (see 5 above).

Types of Infrastructure Projects

- 4.13. New housing development will typically put additional pressure on existing schools, which may require the developer to provide funding towards one of the following school projects listed below. It should be noted that the list of projects below is not exhaustive.
- 4.14. These projects will need to demonstrate that they satisfy and are compliant with Regulation 122 (legal tests) of the CIL Regulations 2010 (as amended). Developer funding will be sought for the following types of infrastructure project at a named catchment school/s, or the school/s serving the development:
- New self-contained class block
 - Extension to provide additional classroom(s)
 - Internal remodelling to provide additional class places
 - Additional toilet provision
 - Additional group room provision
 - Additional curriculum support space
 - Additional staff accommodation
 - New/extended hall space
 - New/extended sports hall
 - Multi use games area (MUGA)
 - Improvement/extension to outdoor learning space/classroom
 - Playground extension
 - Provision or extension of changing rooms and/or cloakroom
 - New/extended dining capacity
 - Kitchen facilities
 - Extension or adaptation of science laboratory
 - Extension or adaptation of technology rooms
 - Additional car parking; and/or cycle storage facilities

- Extension or refurbishment of early years provision
- Specialist accommodation for children with additional needs by extension or adaptation.

4.15. The County Council will not typically identify the precise project at the named catchment school/s, or school/s serving the development. It is expected that the S106 agreement will indicate that contributions will be spent at a specific school in order to increase pupil capacity.

Costs of Infrastructure Projects

- 4.16. The charges for both extension and new build works (e.g., new classrooms) are derived from a “basic need multiplier” produced by the DfE. The DfE multipliers are based on building cost information received from local authorities across the country. The figures consider regional variations in prices.
- 4.17. The DfE provide a range of “basic need multipliers” which take into account the different school age ranges. These multipliers have been translated into a charge per dwelling (see table 2 below), future pupil forecasts will also be considered.
- 4.18. The secondary school basic need allocation is uplifted by the DfE by 30% to reflect the higher costs associated with creating secondary school places, this will be evidenced in the overall cost to deliver a larger school having a higher number of cohorts. The DfE also uplifts funding rates by 10% to support costs associated with achieving improved sustainability standards. These sustainability standards are essential to meet the councils target of carbon zero by 2030, biodiversity net gain and the need to manage a more efficient and well-equipped school estate for the future.
- 4.19. The cost of providing a SEND place is greater than that of a mainstream schooling place, but this will depend on the type of need to be met. The average cost for SEND places is taken from the National School Delivery Cost Benchmarking (2019). The NCC SEND Sufficiency Strategy highlighted in 2021 the significant increase in pupils eligible and in receipt of EHCP’s. A direct result is the SEND provision across the County must improve and increase to accommodate what is expected to be a continuous need at a higher rate, which the County Council must try to manage.
- 4.20. The cost to deliver school infrastructure across the county increased by 20% and as result we have had to increase charges to reduce the overall impact.
- 4.21. The cost per place as set out in table 2 indicates a total of the standard charge per dwelling. When responding to applications the County Council assesses the capacity at each school sector and will only seek contributions for those sectors that are deemed to be at full capacity. The cost per place is comparable to neighbouring County Councils.

Table 2 Cost Per Place

| School Sector (age range) | Basic Need Multiplier Cost Per Pupil (2023) | Standard Charge per dwelling (providing there is no unfilled capacity at the local school) (2023) |
|----------------------------------|--|--|
| Early Education (2-4) | £16,332 | £1,584 |
| Primary School (4-11) | £16,332 | £4,589 |
| Infant (4-7) | £16,332 | £2,107 |
| Junior (7-11) | £16,332 | £2,482 |
| High School (11-16) | £21,231 | £3,078 |
| Sixth Form (16-18) | £21,231 | £318 |
| SEND (0-25) | £65,739 | £657 |

Indexation

- 4.22 To ensure financial contributions continue to cover the actual cost of delivering infrastructure, these will be subject to indexation. NCC applies Building Cost Information Service (BCIS) All-in Tender Price Index.

New School Requirements

- 4.23. The building of a new school or pre-school facility will be sought where there is a significant number of new houses proposed.
- 4.24. Any contributions received for the provision of SEND places will be pooled to improve or enhance facilities at the most appropriate provision. This may not be the provision closest to the development as pupils with SEND are often transported to the facility best able to provide for their needs, as confirmed in their EHCP.
- 4.25. When building a new school, the County Council will consider the wider community use of both the school buildings and playing fields, but the use of these facilities will be for the Governing Body or Academy Trust to determine.
- 4.26. Developer contributions towards a new school will be sought when:
- The existing catchment area school cannot be expanded any further (e.g., insufficient usable land area); and/or
 - The proposed residential development is of a scale that a new school can be justified. For the purposes of a new primary school the typical threshold needed to sustain a new 1FE (and pro rata) school is around 800 new dwellings. For a high school the level is considerably higher 5,000 – 6,000 new dwellings.

If the scale of proposed development falls below the critical threshold to deliver a 100% developer funded school the County Council will seek a pro-rata contribution towards the new build costs where appropriate. However, the County Council would, in such circumstances, need to carefully examine the proposed development in the context of the Local Plan to ensure that the wider objectives of delivering a sustainable community are met.

- 4.27. In the case of a new Primary School, the County Council's preference is for a 420-place school (2 forms of entry) with Early Years provision. With the significant

increase in SEND places required across the county a school site may be needed to provide for an element of Special Resource Base (SRB) as part of the development. The County Council will review each project as part of the specific need in the local community. The County Council would expect the free transfer of a suitable site but will make provision for return of some of this land if the school does not need to accommodate the number of places identified.

- 4.28. New Primary School sites are designed in accordance with the [DfE Building Bulletin 103: Area Guidelines for Mainstream Schools](#). The County Council would also seek the full cost of construction, including early education and SEND provision (where required). The site sizes below are indicative, and each new school site size is to be negotiated on a site-by-site basis in conjunction with the overall need, table 3 sets out the indicative site sizes which may be required these are based on DfE BB103 guidelines and include allowances for biodiversity net gain.

Table 3 Indicative Size of New School Sites

| Provision | Minimum (Hectare) | Maximum (Hectare) |
|--|--------------------------|--------------------------|
| 2 FE (420) Primary with Nursery (52 place) and SRB | 2.3 | 2.6 |
| 3 FE (630) Primary with Nursery (52 place) and SRB | 3.3 | 3.7 |
| 8 FE (1200) Secondary with SRB | 9.6 | 10.8 |
| 10 FE (1500) Secondary with SRB | 11.7 | 13.2 |

- 4.29. The same principle above will apply to a new High School and the land requirement will be in accordance with DfE Building Bulletin 103: Area Guidelines for Mainstream Schools.
- 4.30. The costs of a new school will need to be negotiated on a site-by-site basis and will reflect type of school, either primary or secondary, the size of school, whether 2 Form Entry or more is required, and the site constraints.
- 4.31. A new school site must be free of contamination, compaction and cleared of any previous land use, especially if the site was largely industrial land. The cost of all archaeological surveys and remedial work will be met by the developer. Design aims for a new school site will include rectangular in shape, on level ground and located on a gyratory road (i.e., not a cul-de-sac) near to the centre of the development and close to the other community facilities.

School Capacity

- 4.32. It should be noted that existing unfilled capacity in the school system will not automatically be credited to developers, except where there is a significant existing unfilled capacity at the recipient school. The County Council in assessing unfilled capacity in the catchment area will also consider:
- Schools that have been expanded but are filling from their lower year groups
 - Other permitted development in the area
 - Those sites allocated in the Local Plan or any emerging Local Plan but not subject to a planning application.

- Capacity at local schools is taken from the County Council's records at the time of the formal application and is based on the most recent pupil count at the school.
- 4.33. School capacity will be assessed on a site by site basis and will consider a range of factors such as the total number of pupil places, permitted development within the area, numbers on roll and aligns with the DfE expectations allowing for surplus places in case of in year pressure not counted as part of any census date submission, as set out in [*the 2013 National Audit Office report \(on behalf of DfE\) Capital Funding for New School Places*](#). A buffer of 5% may be applied to the capacity of the school on a site-by-site basis (i.e., some schools will be deemed as being full at 95% capacity being filled).
- 4.34. It should be noted that relocatable classrooms (temporary mobiles) will not be counted towards the net capacity of the school. Therefore, those schools where there are relocatable classrooms present will normally be considered as being at, or over capacity, and as such developer contributions will be sought.

Education/Children's Services Contributions arising from Affordable Housing

- 4.35. The approach set out below applies to both housing schemes where affordable housing forms a component part of a larger market housing development and to those schemes which are 100% affordable housing.
- 4.36. The County Council's approach is that it will seek, for the most part, education contributions on the whole housing site including any component of the proposal which may be developed for affordable housing. The reasons for seeking such contributions are:
- Affordable housing may involve a variety of tenure types, for example rented, shared equity or discounted market housing, and these tenures are as likely, if not more so, to be occupied by families containing children than market housing; and
 - Those families moving into new affordable developments will almost certainly have vacated a home elsewhere, which could in turn be occupied by another family containing children. This means the new development could lead in net terms to more families in the area and more children attending local schools.
- 4.37. However, the County Council does accept that there may be some instances where new affordable housing will not lead to additional children in the area, for example:
1. Where the families being housed are from a shared household (i.e., sharing with a family member). Therefore, once they move to the new affordable home the original home reverts back to a single household; or
 2. The family being housed live in a nearby bed and breakfast, hostel or other such accommodation provided by the LPA thereby not freeing-up any housing stock; or
 3. Where there is an occupancy condition precluding children (i.e., accommodation for the elderly).
- 4.38. Even in these circumstances (points 1 and 2 above) there may still be some justification for the County Council to seek education contributions if the family containing children move between school catchment areas (i.e., leading to children transferring schools and placing greater pressure on the recipient school). Therefore, it will only be in very exceptional cases that no education contribution, or reduced contributions, are sought in connection with affordable

housing proposals. In such cases it will be up to the applicant together with the LPA to clearly demonstrate to the County Council that the affordable housing proposed will not lead to a net increase in the number of children in the respective school catchment area.

Affordable Housing – Claw Back provision

- 4.39. The County Council recognises that there is an issue surrounding the payment of education contributions for the affordable housing element of a new development.

The practical solution would be for a legal agreement to allow for an element of claw-back by the applicant where it can be demonstrated that the provisos set out above are satisfied. The detailed wording of such a claw-back clause will be a matter for respective solicitors to agree, although the principle should be acceptable, as this is consistent with the current Government guidance. The County Council will continue to monitor the implementation of this approach and review the situation when the standards are updated.

5.0 Library

- 5.1. The County Council under the Public Libraries and Museums Act (1964) has a statutory responsibility to provide a comprehensive and efficient library service. New housing development will put a strain on existing library provision, which may require developer funding towards one of the following library projects listed below. It should be noted that the list of projects is not exhaustive.
- 5.2. These projects will need to demonstrate that they satisfy and are compliant with Regulation 122 of the CIL Regulations 2010 (as amended). These projects are:
- **A new library building**, including new fixtures and stock - The provision of a new library is only likely to be sought on major new housing sites/allocations of 3,000 dwellings or more. However, each case will depend on an assessment of the particular requirements in that area and the likely impact of the new development on current provision. The cost of a new library will need to be negotiated on a site-by-site basis.
 - **A library extension** - The cost associated with these works is based on information published by the Museums, Libraries and Archives (MLA) in their “Public Libraries, Archives and New Development – A Standard Charging Approach (May 2010)”. The MLA recommends 30 sqm per 1,000 population. Based on recent costs Norfolk County Council Property Team advised £2,400 to £200 per square meter and rising to extend, based on an average household size of 2.4 occupants this gives a figure of £187 per dwelling. In addition, there would be a requirement for the extension to be fitted out at £133 per dwelling. This brings the total requirement to **£320 per dwelling**.
 - **Major Capital Project** to an existing library facility - this might include provision of new toilets etc. The cost associated with this work is **£320 per dwelling**.
 - **Upgrading of existing library facilities** - This may include one or more of the following projects:
 - Refurbish library – including improved decoration and new flooring
 - Reconfigure internal space (new layout) to increase lending capacity
 - Refurbish toilet facilities
 - Improved visitor access to library facility i.e., allowing easier access for those with young children or with mobility issues
 - External works – such as improved parking; cycle racks etc.
 - The costs associated with this work is **£130 per dwelling**.
 - **IT Equipment, Furniture and Stock** - This may include one or more of the following projects:
 - Provision of books at the named library or mobile service
 - Provision of audio books, DVDs, and other leisure materials
 - Provision of self-service facilities and other potential IT equipment to increase the opening times and capacity of the library.
 - Provision of furniture e.g., bookshelves, tables, and chairs to increase visitor numbers
 - Provision of computers and computing equipment - including tables
 - Provision of learning equipment / play equipment for younger children
 - The costs associated with the above items is **£100 per dwelling**.

- 5.3. The County Council will not typically identify the precise project at the named library until it has sufficient pooled contributions to put together a deliverable / viable project. It is expected that the legal agreement (S106) will indicate that contributions will be spent at a specific library or libraries in order to increase lending capacity.

Table 3 Summary of Library Provisions

| Type of Library Provision | Standard Charge per dwelling |
|---|-------------------------------------|
| A new library and stock | To be negotiated |
| Library extension and fitting out | £320 |
| Major Capital Project to existing library | £320 |
| Upgrading of existing library facilities and/or fitting out extension | £130 |
| Equipment and/or stock | £100 |

- 5.4. The above costs relate to any dwelling (e.g., houses, bungalows, and flats). However, contributions will not be sought in relation to elderly accommodation, including residential care homes and housing with care, library contributions will also not be sought for student accommodation.

6.0 Adult Social Care and Public Health

Affordable Housing

- 6.1. The County Council aims to support people who have or may develop care and support needs to be supported in their own home for as long as possible. This means that housing needs to be “future proofed” in terms of being suitable or readily adaptable to that end as a general principle. In addition, affordable housing is a key issue for people of all ages and disabilities who use Norfolk County Council services, and this must be accessible and integrated, taking account of access to public transport in terms of location within a site.
- 6.2. A proportion of affordable and market housing should be built to Accessible and Adaptable Standards as set out in the Building Regulations Standards (M4(2)) and Wheelchair User Dwelling Standards as set out in the above Standards (M4(3)). Which would assist in meeting the populations changing needs.

Accessible Housing

- 6.3. An increasing proportion (25%) of the population is over 65 or disabled. This places pressure on supported accommodation such as sheltered housing, extra care housing, residential care homes, and supported living and means there is increased demand for more older peoples housing options in the future.
- 6.4. The County Council is committed to reducing residential care home and nursing home dependency for the elderly where they can be supported to remain more independent in their own homes or a housing based supported accommodation setting. It aims to provide care in:
 - Peoples own homes
 - Rented accommodation in ordinary housing
 - Housing with care / extra care housing (i.e., with residents living in own accommodation as tenants)
 - Sheltered accommodation with warden provision in those where absolutely necessary.
- 6.5. The County Council also recognises that there will be a need for enhancing care homes and nursing homes, in line with population growth. The overall site size and minimum units are likely to be similar to extra care provision.
- 6.6. With regard to working age adults with special needs, the County Council is moving away from over reliance on residential care homes and instead is moving towards supported living i.e., housing with care (with residents living in their own accommodation as tenants) and single unit accommodation with floating support.
- 6.7. Therefore, on larger housing proposals, and on smaller sites where the cumulative effect on services is similar to a larger site, the County Council may seek developer contributions to develop care services, for example:
 - To upgrade, expand or convert care homes to supported living accommodation
 - To provide new build extra care housing for the elderly to support housing moves for older people into appropriate housing as care needs increase and their homes become unsuitable

- To provide new or supported living to meet the needs of new residents to be near their extended family
- To provide single unit accommodation in general housing with floating support.

6.8. This will not be a fixed charge but will be negotiated on a site-by-site basis, and in the case of care homes or extra care may be based on a land contribution. Any contributions sought will need to meet the policy tests set out in CIL Regulations 2010 (as amended).

6.9. In addition, the County Council would support the LPA in seeking contributions towards:

- Housing with Care / Extra Care Housing Provision for elderly
- Sheltered Accommodation for the elderly
- Supported Living (housing with care) for working age adults with special needs.

Public Health

6.10. The County Council in its Public Health role will consider whether proposed new development requires any contributions towards the general improvement of health. In general, it is unlikely that public health will require any contribution, although it may seek to influence the design and make-up of the development in order to encourage healthier living through for example encouraging walking, cycling and the use of public transport.

6.11. It should be noted that under the agreed Norfolk Strategic Planning Framework sit a series of agreements including a County-wide Health Protocol (Agreement 20), which commits LPAs, as determining authorities, to engage with all the relevant health care and social care partners; commissioning bodies; as well as the County Council on relevant planning applications.

6.12. It will ultimately be up to the respective LPA to decide upon seeking any developer funding to specific health care projects such as contributions towards new doctor's surgery / medical facility.

6.13. Such contributions towards capital schemes will not resolve workforce shortages within the NHS or other services. It may however enable surgeries and other services to expand their physical capacity, thereby making recruitment and retention easier in the longer run.

7.0 Fire

- 7.1. Developers will be required to provide fire hydrants to the relevant potable water supply infrastructure. At least one hydrant is required for every 50 dwellings to provide adequate firefighting water supply, depending on site layout and existing provision in the locality. The cost of provision of a fire hydrant fitted on no less than 90 mm mains would be the current cost levied by the water authority or other supplier dependent on who the developer engages. The minimum cost of provision of a fire hydrant fitted on no less than 90 mm mains is £822.
- 7.2. Fire hydrants may also be sought in respect of commercial development and the cost would be the current cost levied by the water authority or other supplier dependent on who the developer engages. The number of hydrants required will need to be assessed on a site-by-site basis, in line with the Building Regulations Approved Document B Volume 2 Sections 15 & 16, British Standards 9990 and the 'National guidance document on the provision of water for firefighting'.
- 7.3. Given that the provision of a fire hydrant will in most cases be on site, the County Council would expect that they are delivered through a planning condition. The fire hydrants ought to be installed at the same time as the rest of the water infrastructure, ahead of any dwellings being occupied, in order to avoid any excessive costs to the developer. The location of the hydrant must be agreed with the Norfolk Fire and Rescue Service prior to installation. The developer will be expected to initiate the installation of the hydrant through contact with the Water Company and will incur all costs associated with the hydrant and its installation. The following conditions will be sought:
- **Condition 1 Residential Development:**
 - No development shall commence on site until a full or phased scheme has been submitted to and agreed by the Council, in consultation with Norfolk Fire and Rescue Service. The condition requires the provision of at least one fire hydrant, connected to the potable water supply, for every 50 dwellings forming part of the development (or part thereof to provide adequate firefighting water supply, dependent on-site layout). No dwelling shall be occupied until the hydrant(s) serving the property or group of properties has been provided to the satisfaction of the Council in consultation with Norfolk Fire and Rescue Service; and/or
 - No development shall commence on site until a full or phased scheme has been submitted to, and agreed by the Council in consultation with Norfolk Fire and Rescue Service, for the provision of at least one fire hydrant (served by mains water supply) for every 50 dwellings forming part of the development and no dwelling shall be occupied until the hydrant(s) serving the property or group of properties has been provided to the satisfaction of the Council in consultation with Norfolk Fire and Rescue Service; and/or
 - **Condition 2 Commercial Development:**
 - No development shall commence on site until a scheme has been submitted for the provision of a minimum of 0.75 fire hydrants per hectare dependent on layout (served by a 150 - 180mm main water supply depending on the mix and type of commercial uses) for the benefit of the commercial development in a location agreed with the Council in consultation with Norfolk Fire and Rescue Service and

should meet the requirements of Building Regulations Approved Document B Volume 2 Sections 15 &16 (Fire Hydrants/Water Supplies and Vehicle Access), British Standard 9990 and the 'National guidance document on the provision of water for firefighting'. The commercial development buildings shall not be occupied until the hydrants have been provided to the satisfaction of the Council in consultation with the Norfolk Fire and Rescue Service.

The commercial development buildings shall not be occupied until the hydrants have been provided to the satisfaction of the Council in consultation with the Norfolk Fire and Rescue Service.

Informative

- 7.4. With reference to Conditions 1 and 2, the developer will be expected to meet the costs of supplying and installing the fire hydrants.

Reason for Condition

- 7.5. Condition is needed to ensure adequate water infrastructure provision is made on site for the local fire service to tackle any property fire.
- 7.6. Developers may also be asked to contribute towards additional off-site facilities made necessary by the proposed development. For any off-site requirements the County Council would expect these to be dealt with through a S106 agreement.
- 7.7. The delivery of on-site fire hydrants should therefore be dealt through the use of planning condition rather than within a S106 agreement.
- 7.8. Fire hydrant condition/s will be sought for any application in line with advice set out in Paragraph 55 of the National Planning Policy Framework. The County Council will normally seek such a condition/s in respect of an outline application, rather than relying on separate conditions imposed at the reserved matters stage, in order to:
- Ensure that the hydrants are properly planned across the development as a whole
 - Avoid any potential "gaps" in provision
 - Reduce any cost burden on the development industry through avoiding unnecessary duplication.

8.0 Green Infrastructure

- 8.1. The County Council, in partnership with LPAs, expects developers to contribute towards the provision of green infrastructure in line with requirements in the National Planning Policy Framework (NPPF) and local plan policies. Contributions towards green infrastructure should not be confined to monetary obligations but should be considered within the overall design of development and its context.
- 8.2. The principle of green infrastructure is to provide landscape connectivity for people and wildlife as well as, where appropriate, assisting in the protection of designated sites. The County Council therefore expects that green infrastructure provision is considered and secured through on-site open space provision with appropriate connections to the wider off-site green infrastructure network. This can be achieved, for example, through strategic highway planting, enhancements to the Public Rights of Way (PROW) network and effective use of sustainable urban drainage systems as multifunctional assets.
- 8.3. The County Council's green infrastructure responsibilities include PROW, Norfolk Trails, Habitat Regulation Assessment, and ecological networks.

Public Rights of Way

- 8.4. Norfolk County Council has a duty to sign and maintain 3,750 km PROW. New developments may directly affect routes by:
 - Requiring existing PROW be moved or adopted
 - Creating the need for new PROW
 - Requiring existing PROW to be improved.
- 8.5. Where detached routes are proposed it is in the public benefit that they be dedicated as PROW. Increased use will be made of off-site routes requiring enhanced maintenance incurring cost to the County Council.

Norfolk Trails

- 8.6. Where development is near to one of the Norfolk Trails, a contribution may be sought to help bring social and economic benefits to the local community with regards to connectivity with the trail infrastructure.

Therefore, where proposed development is likely to have an impact on PROW, the County Council will seek to negotiate a contribution which is consistent with Regulation 122 of the CIL Regulations 2010 (as amended).

Habitat Regulation Assessment and ecological networks

- 8.7. In terms of the Conservation of Species and Habitat Regulations 2010 (as amended), new and enhanced Green Infrastructure can be used as mitigation for impacts from recreational disturbance on internationally designated wildlife sites as a result of new development. Therefore, the County Council, in partnership with LPAs, expects developers to contribute towards the provision of a coherent and connected green infrastructure network.

- 8.8. In addition, LPAs have a general duty to protect biodiversity. The County Council, in partnership with the respective LPA, may seek contributions towards improving areas of green space and/or the creation of new habitats to maintain, enhance, restore, or add to biodiversity interests, where they relate to new housing development as required by the NPPF. Such contributions towards biodiversity interests will assist local authorities to discharge their responsibilities under the Section 40 of the Natural Environment and Rural Communities Act (2006). Contributions will only be sought where they can be justified in terms of the tests set out in Regulation 122 of the CIL Regulations 2010 (as amended) for example where residents from an individual proposed development site are reasonably likely to adversely impact a County Wildlife Site through increased footfall and where mitigation measures are necessary to address this.

9.0 Highways & Transport and other Potential Contributions

Highway and Transport

- 9.1. The County Council, through its role as Highways & Transport consultee supports development where it can be clearly demonstrated that it meets the requirements of the NPPF in being safe and sustainable. With this in mind, developers may be required to provide transport related mitigation to address transport impacts of development. The mitigation measures secured by obligation can take the form of travel planning, public transport provision including infrastructure, measures to improve road safety/capacity, or facilities to enable non-motorised users of the highway.
- 9.2. This can be delivered through financial contributions or physical works within the highway and will be dealt with by both the Planning (S106) and Highways (S278 of the 1980 Highways act) legislation. Highways and Transport contributions/works are assessed on a site-specific basis.
- 9.3. Early engagement with [Highway Developer Services](#) officers is actively encouraged prior to submission of any planning application.

Travel Planning

- 9.4. Where it has been identified that a travel plan is required, [Norfolk County Council's Travel Plan Guidance](#) sets out the requirements including the travel plan surety bonds/contributions and monitoring fees.
- 9.5. The following two options are available to all developers.
 - A travel plan can be delivered by the developer or their 3rd party contractor with the surety bond payable to the County Council
 - The County Council can deliver the travel plan for an agreed fee through the S106. This travel plan would be delivered by the AtoBetter project.
- 9.6. Both options will require to pay the travel plan monitoring fee to the County Council in respect of monitoring and evaluation of their travel plans.

Household Waste Recycling Facilities (HWRF)

- 9.7. Norfolk County Council, as a Waste Disposal Authority, has a statutory duty under the Environmental Protection Act (1990) to provide facilities at which residents may deposit their household waste. Each facility must be situated either within the area of the authority or so as to be reasonably accessible to persons resident in this area.

- 9.8. Planned housing growth in Norfolk will place further pressures on existing facilities and will require a combination of new or improved facilities in order to meet future demand. Contributions may be sought to deal with the cumulative impact of a series of both small and large developments. The removal of Reg123 pooling restrictions provides for greater opportunities for seeking developer funding towards HWRF providing this is in line with the statutory legal tests set out in Regulation 122 of the CIL Regulations 2010 (as amended). This will not be a fixed charge but will be negotiated on a site-by-site basis.

Historic Environment

- 9.9. Developers will be required to meet the costs of protecting or examining and recording the historic environment generally including archaeological remains, historic buildings and other landscape feature through planning conditions or legal agreement.

Climate Change

- 9.10. Government is encouraging the use of the planning system to reduce the impacts linked with increasing the levels of carbon emission that exacerbate climate change. In due course this may involve contributions to abate these impacts; however, at this stage the precise figure has not been calculated and would not be implemented until consultation has occurred with the LPAs as part of any CIL preparation.

10.0 Summary of Developer Requirements

10.1 The table below summarises the maximum costs per dwelling for education and library provision:

Table 4 Summary of Developer Requirements

| Infrastructure/Service Area | Cost per Dwelling |
|---|-------------------|
| Education | £7,806* |
| Libraries | £75 (Minimum) |
| Adult Care Services | To be negotiated |
| Fire Service (Hydrants) | £822 (Minimum) |
| Household Waste Recycling Facilities | To be negotiated |
| Highways and Transport | To be negotiated |
| Green Infrastructure | To be negotiated |
| Other Items (relating to Historic Environment and Climate Change) | To be negotiated |
| Monitoring Fee | Variable |

*The education figure assumes extension and new build associated with an existing school and does not reflect the construction costs of a new school.

11. Contacts

- 11.1. For general enquiries regarding the County Council's planning obligations standards please email planobs@norfolk.gov.uk.
- 11.2. If you have any queries regarding specific sites, please refer to your LPA for further information.

Appendix 1

Planning Obligations - Best Practice Note

Issues on Major Housing Sites – Outline Scheme

A significant issue facing the County Council relates to an increase in housing arising from new housing developments. While S106 agreements will allow for an increase in housing by ensuring that each additional dwelling over and above a given level contributes on a pro-rata basis (i.e., an uplift clause), they do not typically allow for additional land needed for a school (except on key strategic sites). With a modest increase in housing of between 10% - 15%, it is considered possible that a pro-rata increase in contributions would cover any additional build costs associated with the recipient school. However, the level of increase which could come forward (40% plus) on some sites (i.e., reflecting Government aspirations for higher housing densities) may require a larger school site i.e., requiring additional land to that agreed in the S106.

S106 agreements are negotiated on the basis of demographic multipliers produced by the County Council, which are from time to time updated. Therefore, it is possible on those S106s agreed prior to the updated pupil multipliers are adopted that more children arise from the development than previously thought.

Estimates of build costs may rise over and above those allowed for through index -linking. The S106 relies on the RICS Building Cost index.

General S106 Issues and Way Forward on Outline Schemes

The following “best practice” actions are considered appropriate:

- **Capping the Level of Development** - All S106 agreements relating to outline schemes should have an upper limit / cap placed on them through condition. This cap will need to be agreed between the District the County and the developer and be soundly based on the effective delivery of infrastructure and service (e.g., for education and highway provision).
- **Uplift charge** – where an uplift charge (overage) is considered appropriate as an alternative to a “cap”, the uplift will be limited to an additional 10% dwellings. Any additional dwellings arising through more intensive development will require a new S106 agreement. The uplift will only relate to reserve matters applications.
- **Demographic Multipliers** – these multipliers will be reviewed on a regular basis and where necessary updated in the County Council’s Planning Obligations Standards. The County Council will ensure that the most up to date multipliers are used.

Additional Land for a School – in responding to District Council Local Plan consultations on site specific proposals the County Council will seek where appropriate additional school land to that required (i.e., contingency site) in order to serve the development in the event that housing numbers increase substantially. The site could potentially be reverted back to the developer if higher densities do not emerge. However, consideration would need to be made to the potential impact of any further housing on local infrastructure and services. In some instances, it may be prudent to earmark any “contingency” site for other uses such as open space rather than simply handing the site back to the developer.

Build Costs for Schools - where a new school is needed the valuation will need to be robust and time limited to say three years after the S106 agreement is signed. Thereafter the S106 agreement should allow the costs to be re-negotiated.

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Published: June 2023



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Infrastructure and Development Select Committee

Item No: 9

Report Title: Norfolk County Council Local List for Validation of Planning Applications 2023

Date of Meeting: 17 May 2023

Responsible Cabinet Member: Cllr Eric Vardy (Cabinet Member for Environment & Waste)

Responsible Director: Tom McCabe (Executive Director, Community and Environmental Services)

Executive Summary

Norfolk County Council is the County Planning Authority (CPA) for Minerals and Waste development and the County Council's own development. Since April 2008 when the national standard planning application forms were introduced, it has been recommended that Planning Authorities to prepare and publish a Local List of information required for validation of planning applications to supplement the National Information Requirements.

A valid application for planning permission requires: a completed application form; compliance with national information requirements (set by Central Government); the correct application fee; and where adopted, provision of local information requirements. The local information requirements should be specified on a formally adopted 'Local List', which is prepared by the Local Planning Authority, which in the case of the County Council, is the CPA.

The current adopted Local List was published in 2016. Since this date there has been to changes to statutory requirements, policies in the National Planning Policy Framework 2021 (NPPF), National Planning Policy Guidance (NPPG), the Development Plan and published guidance, that warrant a review and update of the current Local List.

The draft Local List was subject to a 10-week consultation. The results of the consultation are set out in a feedback table and available at Appendix A. Following the comments received, the draft Local List has been further reviewed and updated (Appendix B, Minerals & Waste and Appendix C, Regulation 3).

This report is to advise the Select Committee of the consultation of the draft Local List and seek comments for consideration by Cabinet. Once the Local List is

formally adopted, it will be published on the Council's website and form part of the planning validation process.

Recommendations

The Select Committee is asked to:

1. Consider the draft Local List consultation feedback, the draft Local Lists and make any comments for consideration by the Cabinet.

1. Background and Purpose

- 1.1 The purpose of this report is to advise the Select Committee of the consultation to the draft Local List for the validation of planning applications. Any comments received will be considered by the Cabinet, where a revised Local List will be presented for adopted.
- 1.2 The Town and Country Planning Act 1990 and the Town and Country Planning (Development Management Procedure) (England) Order 2015 (DMPO), as amended gives the CPA the power to require that an application for planning permission must include such particulars as they think necessary, and such evidence in support of anything in or relating to the application they think is necessary.
- 1.3 The NPPF sets out the Governments Policy on local information requirements. Paragraph 44 states that *"Local planning authorities should publish a list of their information requirements for applications for planning permission. These requirements should be kept to the minimum needed to make decisions, and should be reviewed at least every 2 years. Local planning authorities should only request supporting information that is relevant, necessary and material to the application in question."*
- 1.4 Paragraph 040 of the NPPG advises that the information that forms part of the Local List must meet the statutory tests. The tests are set out in Section 62a of the Town and Country Planning Act 1990, as amended and Article 11 (3)(c) of the DMPO, which state that the information must be *'reasonable having regard, in particular, to the nature and scale of the proposed development; and about a matter which it is reasonable to think will be a material consideration in the determination of the application'*.

2. Proposal

- 2.1 The current adopted Local List was published in 2016. Since this date there has been to changes to statutory requirements, policies in the National Planning Policy Framework 2021 (NPPF), National Planning Policy Guidance

(NPPG), the Development Plan and published guidance, that warrant a review and update of the current Local List.

- 2.2 The draft Local List was subject to a 10-week consultation, which commenced on the 16 May 2022 and ended on the 22 August 2022. In producing the draft Local List, it was published on the Council's website, internal consultees (to the County Council), external consultees including parish Councils and applicants / agents who had submitted a planning application to the CPA in the last 4 years were directly consulted on the draft Local List, and comments were invited.
- 2.3 The main changes are to the structure and format of the Local List. Other changes include updates to the existing validation requirements, the removal of guidance that is no longer in place and the addition of further guidance which has been introduced or where it is anticipated to be introduced. As a result of the consultation, 64 individual representations were received. These include 2 comments in support of the draft Local List, 29 standard comments from individuals regarding climate change and 6 letters of representation on behalf of Minerals and Waste operators. Comments received are included in a feedback table in Appendix A, together with comments in response.

3. Impact of the Proposal

- 3.1 Once adopted a Local List forms part of the statutory procedure to make / process a planning application. Reviewing and updating the Local List will ensure it is up to date with national and local policy.
- 3.2 Applicants of Minerals and Waste development and service areas of the County Council (where it proposes to carry out development itself or jointly), will need to ensure the requirements of the Local List are met when preparing their planning application. The information sought by the CPA through the requirements of the Local List should be proportionate to the nature and scale of development being proposed, and the information is required to ensure a planning application is processed in an efficient and timely manner.
- 3.3 Failure to meet the Local List requirements will result in the application being declared as invalid. Where an applicant does not agree with the County Council's requirement/s for a particular application, they are encouraged to discuss the matter with the CPA. In 2013 a validation dispute process was introduced together with the ability to appeal against non-validated applications after the statutory determination period has ended. To date, no applicant / agent has exercised the validation dispute process. The content of the local list does not alter what is or is not a material consideration when determining a planning application.

4. Evidence and Reasons for Decision

- 4.1 The national validation requirements are set out in The Town and County Planning (Development Management Procedure) (England) Order 2015. The National List is set by Central Government and the Local List is produced by the CPA. Where adopted, a Local List should be reviewed at least every 2 years.
- 4.2 The inclusion of the right information in a planning application at the outset can play a significant role in achieving timely planning decisions. The objective of Validation Checklist alongside the National Validation Requirements is to secure the appropriate level of information without placing unreasonable or unnecessary burdens on those preparing applications. Ultimately the key considerations, and so the information required, will vary significantly between applications. If a matter is relevant to a given application, it can be asked for irrespective of whether it is or is not included in the Validation Checklist. However, the use of an up-to-date list should help minimise requests for additional information later in the planning process.
- 4.3 The current adopted list of local validation requirements is now more than two years old, and some of the information contained within it is out of date. Providing a new Local List will ensure it is compliant and in line with current guidance and national and local policy; will provide clarity and consistency for applicants / agents on submission requirements; ensure that applicants / agents have access to clear up to date guidance; and that submitted planning applications include the relevant information required to validate and process them to determination.

5. Alternative Options

- 5.1 An alternative option is for the CPA to require only the information in the National List to be submitted at the validation stage. In the absence of an up to date adopted Local List this is likely to result in a reduction in the quality of the submitted planning applications, applications being submitted with insufficient information to enable them to be validated and processed, ambiguity for the applicant / agent regarding what information is required in support of their application, which ultimately will result in delays in the determination of planning applications. Alternatively the authority could adopt a local list solely its own development or just for minerals and waste developments. These approaches would have similar implications to those highlighted above, for the relative topic areas. Given the pressure for speedy planning decisions none of these options are a recommended course of action.

6. Financial Implications

- 6.1 The Adopted Local List is required to be published on a Planning Authority's website. To minimise the financial costs, the consultation of the draft Local List

was published on-line. Those consulted were contacted via email where an email address was available, otherwise a letter was sent.

- 6.2 Although not a legal requirement in itself, preparing and reviewing a Local List is part of the County Council's statutory function as a County Planning Authority. Therefore, this cost falls within the Planning Services budget.

7. Resource Implications

7.1 Staff:

The amendment of the Local List can be delivered with existing resources.

7.2 Property:

No implications arising from this report.

7.3 IT:

No implications arising from this report.

8. Other Implications

8.1 Legal Implications:

The review of the Local List has been prepared and consulted on in accordance with national guidance. There are no legal implications arising from the proposed amendments to the Local List.

8.2 Human Rights Implications:

It is not considered that the human rights of applicant / agents or local residents would be infringed by the adoption of this Local List.

8.3 Equality Impact Assessment (EqIA) (this must be included):

There is a legal requirement under the Public Sector Bodies (Websites and Mobile Applications) (No.2) Accessibility Regulations 2018, for website content to meet the accessibility standards. In order to meet the legislative requirements, the format of the Local List has been amended.

8.4 Data Protection Impact Assessments (DPIA):

No implications arising from the review and update to the draft Local List. The data protection implications from the personal information provided by applicants / agents in applications submissions are covered by the Planning Services privacy notice.

8.5 Health and Safety implications (where appropriate):

No implications arising from this report.

8.6 Sustainability implications (where appropriate):

The prepared draft Local List updates the sustainability implications for the Local List / validation process.

8.7 Any Other Implications:

No implications arising from this report.

9. Risk Implications / Assessment

- 9.1 The older the adopted Local List becomes, the greater the likelihood of a reduction in the quality of the submitted planning applications. This can mean applications being submitted with insufficient information to determine them or to enable them to be validated and processed. Ambiguity for the applicant / agent regarding what information is required in support of their application, which ultimately will result in delays in the determination of the planning applications.
- 9.2 By updating the Local List it is considered that the validation process will become clearer, and more streamlined for applicants / agents, which will assist the CPA in determining planning applications in an efficient and timely manner.

10. Recommendations

The Select Committee is asked to:

1. Consider the draft Local List consultation feedback, the draft Local Lists and make any comments for consideration by the Cabinet.

2. Background Papers

- 11.1 The Town and Country Planning (Development Management Procedure) (England) Order 2015
[The Town and Country Planning \(Development Management Procedure\) \(England\) Order 2015 \(legislation.gov.uk\)](#)
- 11.2 National Planning Practice Guidance (NPPG) – Making an application
[Making an application - GOV.UK \(www.gov.uk\)](#)
- 11.3 National Planning Policy Framework 2021 (NPPF)
[National Planning Policy Framework \(publishing.service.gov.uk\)](#)
- 11.4 Norfolk County Council Local List for Validation of Planning Applications, May 2016
[Local List - Norfolk County Council](#)

Officer Contact

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| Consultee / Representation received | Response by the County Planning Authority (CPA) | Suggested Amendments to the Draft Local List |
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| Availability of track changed versions of documents | | |
| <p>Councillors Are tracked changes available please?</p> <p>'Can you specify what changes you are proposing to the Local List.</p> | <p>Comments noted. Due to the extent of the changes to the overall structure and format of the Local List document, the County Planning Authority (CPA) is unable to provide a track changed comparison version. However, two tables which set out generally how the current sections of the local list have been amended have been prepared and are available on the Planning Services website page during the consultation period.</p> | <p>No changes to be made.</p> |
| No comment to make on consultation of the Draft Local List | | |
| <p>Parish Councils The members of the Parish Council have no comments to make on this document.</p> <p>The Parish Council approved of this at their meeting.</p> <p>The Parish Council is fully supportive of the draft plans that you have submitted for consultation.</p> | <p>Comments noted.</p> | <p>No changes to be made.</p> |
| <p>Given the recent Natural England ruling with effect on waterways and nutrient pollution it seems particularly important to</p> | <p>Comments noted. Information relating to Nutrient Neutrality can be found on the Natural England and Local Planning Authority</p> | <p>No changes to be made.</p> |

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| <p>follow the proposals. Is a summary of points available for Parish Councils to review?</p> <p>While agreeing that it is important to have a full copy of the documents in order to comment, it is welcome, given that Parish and Town Councils are composed of voluntary members, to have a summary and or Guide to key points. I fully understand and agree that we need to see the originals but it would be helpful to have key areas identified so we might then check with the original.</p> <p>Changes to be commented on, were not highlighted thus obscuring the purpose of consultation. Our first point then is to facilitate better communication if consultation is to be an effective and not a nominal tool.</p> <p>However, the following is noted:</p> <ul style="list-style-type: none"> - P23 - potential loss of community assets - P32 - missed opportunity to address the climate change emergency - no requirement of energy saving devices on roofs - P50 - Flood Risk Assessment - identified concern over the omission of rainfall from | <p>websites. The draft Local List sets out the minimum information required to be submitted by an applicant / agent regarding Nutrient Neutrality in relation to their proposal, which in this case only relates to the minerals, waste and the County Council's own development. It is for the applicant / agent to demonstrate that their proposal will not have an adverse effect on protected sites. Planning Authorities across the Norfolk are liaising with the relevant organisations to explore appropriate mitigation measures that can be delivered.</p> <p>See above regarding tracked change versions of documents.</p> <p>The assessment of loss of community assets is considered during the determination of a planning application and not a matter for the validation process.</p> <p>National and local planning policies require applicants to incorporate sustainable measures into their proposals, which could include, and is not limited to energy saving devices on roofs. The draft Local List requires applicants / agents to demonstrate how climate change has been addressed in their proposal.</p> | |
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| flood risks and including sewerage and surface water overflow from new builds (Nutrient Neutrality) | A Flood Risk Assessment (FRA) is required for all sources of flooding. The draft Local List documents cover flooding from rivers and sea, rainwater and sewerage. | |
| Asked for clarification on the term 'significant' in terms of the appearance of buildings and landscapes. Can this be quantified or explained a little further to help clarify the statement? | The term 'significant' is considered to mean of great value or importance | No changes to be made. |
| <p>The Parish Council is trying to respond to your consultation, but the link does not appear to work.</p> <p>It is not clear exactly what councillors are expected to do. The link doesn't seem to go anywhere.</p> | Comments noted. An email response was forwarded to the Parish Councils explaining the purpose of the consultation on the draft Local List, how to make representation, including a link to the consultation on the Council's website. | No changes to be made. |
| Both documents are essentially comprehensive manuals as to the completion and submission of major planning applications relative to those which require Norfolk County Council approval (as opposed to Borough/District Councils) together with the necessary documentation and evidence of compliance with the requirements. There is also the offer of, and the opportunity to receive, pre-application advice which undoubtedly will be of assistance to | Comments noted. Whilst planning related the comments received do not relate specifically to the consultation of the draft Local List and cannot be taken into consideration when updating the draft Local List. The comments received have been passed to the relevant Service within the County Council. The County Council has recently published on its website its updated Statement of Community Involvement (SCI). | No changes to be made. |

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| <p>applicants and should ease the planning process. This is to be commended.</p> <p>As far as the Parish Council is concerned the vital part of these proposals is the Community Involvement which, over the past few years, has sadly been virtually non-existent.</p> <p>For the avoidance of doubt, South Wootton is a village to the North of King's Lynn of about 1,825 residential properties but 5 major developments have recently been approved – 4 residential and a new medical centre – all of which are to be connected to the Grimston Road/Low Road/Edward Benefer Way route, which is the main commuter route into and out of the town of King's Lynn. As a result of weight limits within the town, this is the ONLY authorised route for heavy goods vehicles from all over the Country and abroad to and from King's Lynn Docks and Port.</p> <p>The new developments are for a further 1,200 residential properties which will have an enormous impact on the already overcrowded route through the Village, The smaller development of 55 properties has a 'T' junction with a wide splay and will not have the same impact as the other 4</p> | | |
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| <p>developments. The mitigation for the problems from the other 4 developments is limited to 2 off-set roundabouts, an uncontrolled 'T' junction for the medical centre and new traffic lights at the Asda junction, all of which will do little or nothing to improve the traffic flow along this major route.</p> <p>The main problems will come from the 600 property Knights Hill development with only one access/egress road onto Grimston Road and no planned bus services onto the site. This is the subject of separate ongoing correspondence, but the crux of the matter is the lack of consultation and liaison between the County Council and the Parish Council – the formally elected representatives of the residents of the Village and who know the problems and the suggested solutions thereto but are consistently ignored.</p> <p>This was exemplified at the Planning Appeal hearing for the Knights Hill development which had been refused by the Borough Council, by the appalling withdrawal, without any notice, of the County Council representation, with the consequence that the appeal was allowed by the Inspector and the Secretary of State. Now we have to live with the</p> | | |
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| problems and issues which will seriously impact on the Village and its infrastructure. | | |
| Other representation received but not relevant to the consultation of the Draft Local List | | |
| <p>We object strongly to the proposed route for the Western Link to the NDR, mainly on environmental grounds. When the initial plans were drawn up with the four route options, This (route 2) and Route 1 seemed the most damaging, although closer to the city and NDR roundabout. The outermost (and cheapest) option seemed the least bad as regards a river crossing. I realise it means a longer journey for any traffic heading for the A11, but I'm hoping future carbon zero moves may limit the amount anyway.</p> <p>Trying to amend the present planned route to avoid bats and some of the woodland, will not really work, and the long viaduct over the river valley is an appalling eyesore and will detract visually, audibly and aesthetically from the beauty of one of the few remaining special locations in this part of Norfolk (which is why it is an SSST). Please save the county budget for less environmentally damaging developments.</p> | <p>Comments noted. Whilst planning related, the comments received do not relate specifically to the consultation of the draft Local List and cannot be taken into consideration when updating the draft Local List. The comments received relate to the Norwich Western Link (NWL) and have been passed to Norfolk County Council Highways Infrastructure Team.</p> | <p>No changes to be made.</p> |

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| <p>We cannot keep covering the earths surface with more concrete, we are already seeing the consequences of this.</p> <p>It would just be a quick fix, we must look more long term and invest funds in public transport, provide more safe cycle routes.</p> <p>We must also consider the natural world and be their guardians.</p> | | |
| <p>We see more and more development and yet no improvement in the infrastructure. When questioned on the subject with regards to large developments, Breckland, our local planning authority reply that it is not in their remit. So either NCC or the Local Planning Authority need to take responsibility and not sit on the fence. We have seen many new houses being built in and around Watton, yet no improvement to the roads, doctors surgery, or even sewage, at last with Flooding Issues being taken seriously by a positive approach</p> <p>So in your charter we need some long term planning for large developments, possibly even a new town, you just can not keep adding on random developments without some sort of plan just to keep up with the governments housing targets!</p> <p>My comments were in response to the Local List Consultation. As mentioned,</p> | <p>Comments noted. Whilst planning related the comments received do not relate specifically to the consultation of the draft Local List and cannot be taken into consideration when updating the draft Local List. The comments received have been passed to relevant Service within the County Council.</p> | <p>No changes to be made.</p> |

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| there does not seem any department responsible for long term planning. As a result houses are being built without any improvement to the infrastructure. | | |
| Comments relating to assessing carbon in developments | | |
| <p>LLCON is out of date with respect to assessment of carbon in developments as per the UK Net Zero strategy. This is important for correct considerations of local impacts including air quality standard, noise levels and impacts on the local and regional environment.</p> <p>"I object to the LLCN because it is out-of-date on assessing carbon in developments. Under both the "Climate Change, Energy Statement, Renewable Energy, Sustainability Statement" and "Net-zero Carbon" sections, references should be included to the Transport Decarbonisation Plan (TDP), the Net Zero Strategy (NZS), and the Council's Local Transport Plan 4.</p> <p>I object to the LLCN because it is out-of-date on assessing carbon in developments. Under both the "Climate Change, Energy Statement, Renewable Energy, Sustainability Statement" and "Net-zero Carbon" sections, references</p> | <p>The purpose of this consultation is on the Local List, relates to the minimum level of information required to validate an application. Key drivers to that are statutory requirements, policies in the National Planning Policy Framework (NPPF), Development Plan and/or published guidance. The assessment of carbon in developments is made during the planning application process and against the relevant national and local planning policies and guidance.</p> | <p>Update references to the Climate Change and Carbon net zero sections of the draft Local List.</p> |

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| <p>should be included to the Transport Decarbonisation Plan (TDP), the Net Zero Strategy (NZS), and the Council's Local Transport Plan 4.</p> <p>Both sections should include a requirement for a statement on a) how the proposed development aligns with national and local policies for achieving net-zero, and b) how the environmental statement (EIA) complies with the EIA Regulations and the NPPF (noting NPPF footnote 53) which says planning should be in line with the objectives and provisions of the Climate Change Act 2008.</p> <p>"I object to the LLCON because it is out-of-date on assessing carbon in developments. Under both the "Climate Change, Energy Statement, Renewable Energy, Sustainability Statement" and "Net-zero Carbon" sections, references should be included to the Transport Decarbonisation Plan (TDP), the Net Zero Strategy (NZS), and the Council's Local Transport Plan 4. Compliance must be demonstrated at application validation stage against these national and Council policy framework policies.</p> <p>Both sections should include a requirement for a statement on a) how the proposed</p> | | |
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| <p>development aligns with these national and local policies for achieving net-zero, and b) how the environmental statement (EIA) complies with the EIA Regulations and the NPPF (noting NPPF footnote 53) which says planning should be 'in line with the objectives and provisions of the Climate Change Act 200'8, therefore the NZS, and policies derived from it like TDP and LTP4."</p> | | |
| <p>I object to the draft <i>NATIONAL AND LOCAL VALIDATION REQUIREMENTS FOR COUNTY COUNCIL (REGULATION 3) PLANNING APPLICATIONS</i> as it does not align with recent policy from both central Government and from the County Council itself. To align, it must refer to, and be fully congruent with the implications of, the Government's Transport Decarbonisation Plan (TDP), its Net Zero Strategy (NZS) and the adopted policies in the Local Transport Plan (LTP4) which form part of the Norfolk County Council (the Council) Policy Framework.</p> <p>The validation of its own planning applications, via the Reg. 3 Local List, is a critical mechanism to ensure that the Council abides by its adopted Policy Framework and Government legislation</p> | <p>It is for the applicant / agent to demonstrate their submitted application is compliant with the relevant national and local planning policies, not the CPA to dictate how policy requirements should be met.</p> <p>The Regulation 3 Local List is used for the validation of planning applications received by the County Council – Minerals, Waste and the County Council own development including highway schemes). The Local List is not used for the determination of applications which are assessed against the relevant national and local planning policies and guidance.</p> <p>In accordance with the Council's Constitution, the draft Local List is to be presented to the Infrastructure & Development Select Committee and Cabinet prior to adoption.</p> | <p>No changes to be made</p> |

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| <p>before consideration by the planning committee.</p> <p>The Executive Summary of the Council Constitution notes under 'How Decisions Are Made' that; <i>"The Cabinet has to make decisions which are in line with the Council's overall budget and the policy framework. If it wishes to make a decision which is outside the budget or policy framework, this must be referred to the Council as a whole to decide."</i> It is therefore left to the validation of applications before it reaches the Planning Committee to give assurances of compliance with the Council's Policy Framework as required by the Constitution.</p> <p>Any potential conflict between the dictates of the Constitution and planning decisions in regard to LTP4 is removed as compliance with LTP4 should be part of the validation process for applications by incorporating the policies and implementation actions into the Local List. If any aspects of the Policy Framework, including the current Local Transport Plan, are not followed in the application, validation should be refused avoiding a possible dilemma for the Planning Committee.</p> | | |
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| <p>Inexplicably the draft Reg 3 Local List does not list the TDP, NZS or the LTP4, and it is silent on how compliance for these policies is to be achieved. I consider this to be an unacceptable serious omission.</p> <p>The document does not set out any process for validation of highway, or land-based, infrastructure projects falling within the planning remit of the Council as the Transport Authority for the county effectively removing these schemes from consideration under LTP4. This is a contradiction to their listing in LTP4 as priority projects. Validation of these projects must abide by the constraints of the Council's Policy Framework, as must the Council's planning disciplines, and this requires validation against the policies and implementation actions of LTP4.</p> <p>As well as major highway infrastructure projects by the County Council, all highway schemes may affect changes in transport patterns and accordingly should have to prove that each complies with the intervention programme of LTP4.</p> <p>Under the duty to implement LTP4 as a Council Policy Framework document, the Head of Planning must determine what is necessary for the validation of each</p> | | |
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| <p>highway infrastructure planning application to determine whether it fits within TDP, NZS, LTP4 and the Council's own ambition of carbon neutrality for the county by 2030. These requirements should then be included in the Local List. The Reg 3 draft consultation currently simply ignores the Constitution in this respect.</p> <p>As part of this determination it is necessary to consider whether the lack Quantifiable Carbon Reduction (QCR) calculations in LTP4 is an impediment to its inclusion in the Reg 3 Local List.</p> <p>Outline QCR guidance has now been issued in Government Local Transport Plan Guidance – Bulletin 2 dated 12 August 2022 (attached). Although the bulletin notes that further guidance will be issued, this Outline should be sufficient to enable the Council to determine an intervention programme as the future guidance will be mainly for a tiered methodology to match the different analytical capability of different authorities. The recent premature adoption of LTP4, claimed by the Council to be compliant with TDP, indicates that the Authority considers it currently has the requisite analytical capabilities.</p> | | |
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| <p>Therefore, requirements based on the likely outcome of the completed QCR process as set out in the outline guidance should be possible for a competent Authority to establish. As a minimum basic requisite, a simple statement of confirmation that all planning applications with transport implications have been assessed against, and are included within, both the baseline position and the LTP4 intervention programme to achieve Net Zero emissions from transport should be set as a criterion.</p> <p>LTP4 as a whole setting out a series of interventions, including new road infrastructure projects, represents an intervention programme but unfortunately the listed policies and actions are not currently backed up with QCR calculations to demonstrate that they will collectively close the emissions gap between the baseline and the decarbonisation pathway which is included in LTP4 as annual emission targets to 2036.</p> <p>Compliance with decarbonisation under TDP is the over-riding consideration for transport schemes under Government legislation and we are asked to accept statements from the Council's legal team</p> | | |
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| <p>that LTP4 is drafted to fully reflect this national policy and provides the mechanism for this compliance.</p> <p>It either does or does not and so what are the options?</p> <p>If it does the mechanism in LTP4 should be set out in the Reg 3 Local List for validation of highway schemes. If it does not but defers this as a future requirement, I would suggest that this would also defer all planning applications with transport implications unless and until the mechanism is in place for assessment against the baseline and an intervention programme.</p> <p>The adoption of LTP4 dictates this binary choice.</p> <p>I and others have previously reported to the Council that whilst LTP4 has been adopted, the conditionality of the issue of Government guidance on QCR calculations as TDP for specific actions applicable to road infrastructure projects means that the Plan is effectively “on hold”. The implication for compliance with a future undetermined obligation (under QCR calculations yet to be done by the Council in a promised reworked LTP4)</p> | | |
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| <p>is that there should be a moratorium on all projects with even the slightest impact on traffic numbers.</p> <p>Adoption of LTP4 in July 2022 by the Full Council now shapes planning procedures going forward and all actions are now governed by any inherent inconsistencies for which solutions will have to be found, including how compliance can be covered in the validation process.</p> <p>It is clear that highway projects cannot be brought forward unless and until they can be assessed against the intervention programme required by the QCR process within the TDP requirements of LTP4.</p> <p>Finally, I comment on the inclusion of working towards carbon neutrality by 2030 as the Council Environment Policy which is included in LTP4. Although this is mentioned in the draft Reg 3 Local List as a reference document, there is no indication of requirements for assessing how road infrastructure schemes, individually or collectively, should include proposals for carbon neutrality by 2030.</p> <p>The transport decarbonisation pathway in LTP4 acknowledges that there will still be considerable domestic transport emissions</p> | | |
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| <p>in 2030. Therefore, it is necessary to show how maximum carbon neutrality for the Council will be achieved to balance the emissions from transport at the target date. This will require the Council to identify which other parts of the Norfolk economy can make deeper cuts than those laid out in the trajectories in the Net Zero Strategy (NZS) so that the Norfolk transport sector can continue to over emit, as it does now on an industrial scale. Under LTP4 all applications with transport implications must show how it is intended to fine deeper emission cuts elsewhere in Norfolk. This is another serious omission from the Local List contrary to the requirements of LTP4.</p> <p>The draft needs substantial rewriting for these omissions, and it should then be sent out for re-consultation. In the meantime, the adopted LTP4 prevents and planning applications with transport implications being considered by the planning committee.</p> | | |
| Agent/applicant comments | | |
| <p>One general observation is whether it would be more appropriate to prepare two Local Lists, one for your Councils own development and the other for minerals/waste development. Whilst all</p> | <p>Two separate Local List documents have been produced – one for Minerals and Waste development and one for Regulation 3 development.</p> | <p>‘Layout’ is added after Site to ‘Existing/Proposed Site/Block Plan’ section.</p> |

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| <p>types of development have some common requirements, there is a significant difference between the requirements for these two categories and in attempting to combine them into a single document can make it difficult to distinguish between the two.</p> <p><i>[Page 15: Design and Access Statement]</i> <i>[Required for applications for major development]</i> Buildings only? <i>[DAS not required for waste development]</i> Minerals & Waste development?</p> <p><i>[Page 20: Site/Block Plan]</i> Site Layout/Block Plan <i>[Recommended scale of 1:500 or 1:200]</i> To restrictive for large sites, e.g. include 1:1,000, 1:1,250 or 1:2,000 scales.</p> <p><i>[Page 21: Existing and Proposed Elevations]</i> Existing and Proposed Building Elevations <i>[The drawings should clearly show the proposed works in relation to what is already on site]</i> This duplicates the final bullet. <i>[Where a proposed elevation adjoins another building or is in close proximity, the drawings should clearly show the relationship and detail the positions of the</i></p> | <p>The DAS is taken from the National Planning Guidance (NPPG), para 030 and makes clear that a DAS is not required for Minerals and Waste development.</p> <p>Whilst the draft Local Lists sets out the recommended scale for submitted plans. The scale of plans should be to a recognised scale.</p> <p>Net Carbon Zero is covered in a separate section.</p> <p>If Net Zero Carbon cannot be achieved in development then reason justification should be provided.</p> | <p>For clarity insert 'ordnance' after fixed in the 6th bullet point and 'and orientations' after locations in the 3rd bullet point within the existing and proposed site sections including finished floor and site levels</p> <p>Insert 'proposed afteruses' in the final bullet point in the Airport Safeguarding Statement section</p> <p>Insert 'the District/Borough Environmental Health Officer (EHO)' after NCC in the Air Quality Impact Assessment section</p> |
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| <p><i>openings of each property.] It also suggests a plan is required rather than an elevation</i></p> <p><i>[Page 22: Existing and Proposed Floor Plans]</i> Existing and Building Floor Plans <i>[- Show details of existing buildings as well as those for the proposed development</i> <i>- Show new buildings in context with adjacent buildings]</i> These bullets duplicate requirements</p> <p><i>[Page 23: Existing and Proposed Site Sections including finished floor and site levels]</i> Existing and Proposed Site Sections / Building Finished Floor and Site Levels <i>[- Recommended scale of 1:50 or 1:100]</i> Too restrictive <i>[- Existing topographical survey]</i> Unnecessary given subsequent requirements <i>[- Cross sections through proposed building/development at various intervals/locations]</i> ... and orientations <i>[- Plans to show existing site levels and restoration levels (with levels related to a fixed datum point off site) and shown how the proposals relate to surrounding</i></p> | | <p>Insert '(advice can be sought from the County Archaeologist)' to the second paragraph of the Archaeological Assessment section</p> <p>Insert 'and the generation of renewable energy' to the first bullet point in the Climate Change, Energy Statement, Renewable Energy, Sustainability Statement section</p> <p>Insert 'designated' to the fifth bullet point in the Hydrology/Hydrogeology Assessment section</p> <p>Insert 'long term' to the aftercare paragraph of the Restoration and Aftercare section</p> |
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| <p><i>levels/landscape (at least 250 from proposed changes)]</i></p> <p>Use term 'drawings' rather than 'plans</p> <p>Ordnance datum</p> <p><i>[- Plans showing phased working and restoration and locations for storage of topsoil, subsoil and overburden over time.]</i></p> <p>Unnecessarily onerous</p> <p><i>[Page 24: Roof Plans]</i></p> <p>Building Roof Plans</p> <p><i>[Page 25: Photographs and photomontages]</i></p> <p><i>[- Photographs to show the external appearance of a building(s) or area(s) in its current state and photomontages to show the proposed change.]</i></p> <p>These should not be a requirement as changes in a building or landscape can be illustrated in other ways.</p> <p><i>[- Computer generated images may also be helpful]</i></p> <p>Montages are prepared this way</p> <p><i>[Page 26: Planning Statement]</i></p> <p><i>[- A description of the site setting out the physical features of the site and its surroundings]</i></p> <p>Not for a Planning Statement. Include in Landscape Appraisal/Assessment</p> | | |
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| <p><i>[- A description of the site's existing use, planning designations and physical constraints]</i></p> <p>This aspect is better included within a landscape appraisal/assessment</p> <p><i>[- Details of existing and/or proposed boundary treatment]</i></p> <p>again for inclusion in a landscape appraisal / assessment</p> <p><i>[- Details of any pre-application consultation (including community engagement) carried out prior to the submission of the application]</i></p> <p>This duplicates a SoCI</p> <p><i>[- Nature of the minerals to be extracted, total tonnage/volume of mineral</i></p> <ul style="list-style-type: none"> - <i>Overburden to mineral ratio across the site</i> - <i>If to be washed, anticipated silt percentage and proposals for management of silt (if any)</i> - <i>Information on the geology and topography of the site (relevant land stability, water table levels, ground conditions etc.)</i> - <i>Proposed restoration afteruses and aftercare management</i> - <i>Summary of supporting and technical information submitted as part of the application]</i> | | |
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| <p>Not for inclusion in Planning Statement. These points should be in a Borehole / Trial Pit Analysis</p> <p><i>[- Details of the nature of the waste materials to be imported to the site (including a list of Environment Agency waste codes), the nature of end products to be generated and how any residual materials would be disposed of.]</i></p> <p>Not for a Planning Statement. These matters are more appropriate for a Waste Management Assessment</p> <p><i>[Page 27: Planning Statement]</i></p> <p><i>[- Details of the topography and geology of the site]</i></p> <p>for inclusion in a landscape assessment / hydrogeological risk assessment</p> <p><i>[Economic Statement (include in planning statement)]</i></p> <p><i>[creation of new employment uses]</i></p> <p>Unclear as to what this refers to</p> <p><i>[- the relative floorspace totals for each proposed use (where known),]</i></p> <p>Not appropriate for mineral development</p> <p><i>[- any community benefits referenced back to the Community Strategy or any relevant parish/community plan or study and reference to any regeneration strategies that might lie behind or be supported by the proposed development.]</i></p> <p>Community Strategy? Not appropriate for minerals development. Section 6 of the</p> | | |
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| <p>NPPF sets policy requirements not matters for inclusion in a Local List</p> <p><i>[Page 30: Airport Safeguarding Statement]</i> <i>[- An accurate site plan of the proposed development with the site clearly outlined and six figure (Ordnance Survey) 'eastings' and 'northings' grid references]</i> This duplicates plans requirements elsewhere <i>[- The ground level of the site to an accuracy of 0.25m Above Ordnance Datum (AOD)]</i> This level of accuracy is only appropriate for built development <i>[- Details of major tree planting or proposed nature reserves which may attract birds]</i> ... or proposed afteruses which may attract birds</p> <p><i>[Page 31: Air Quality Impact Assessment]</i> <i>[- Significantly affect traffic in the immediate vicinity of the proposed development site or further afield (e.g. generating or increasing traffic congestion; significantly changing traffic volumes, vehicle speed or both; significantly altering the traffic composition on local roads)]</i> Is this intended to say 'significantly affect traffic pollution in the immediate vicinity of the proposed development'? Otherwise</p> | | |
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| <p>these points are more appropriate for inclusion in a Transport Assessment / Statement</p> <p><i>[- Expose people to existing sources of air pollutants]</i></p> <p>This scenario is unclear/unlikely</p> <p><i>[The scope and content of supporting information is best discussed between NCC and the applicant before it is commissioned.]</i></p> <p>Prior discussion is best with the local EHO</p> <p><i>[Page 32: Archaeological Assessment]</i></p> <p>Can this not be combined with a Heritage Statement?</p> <p><i>[Required for all applications for development, within an Area of Archaeological Potential, that involves a new building or disturbance of the ground.]</i></p> <p>How is this defined? Better to advise prior consultation with NHES</p> <p><i>[Page 34: Biodiversity Surveys and Assessments]</i></p> <p><i>[Preliminary Ecological Appraisal (PEA)]</i></p> <p><i>[Consists of a desk-based study collating data on statutory designated sites and priority habitats, locally designated sites and existing records of protected and priority species within the vicinity of the site.]</i></p> <p>...and walkover survey</p> | | |
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| <p><i>[Extended Phase 1 Habitat Survey]</i> <i>[- Where it identifies the need for further surveys (badger surveys etc), these would form part of the Ecological Impact Assessment and without which we will not be able to validate the application.]</i> determine</p> <p><i>[Page 36: Biodiversity Net Gain (BNG)]</i> This aspect should be included in a Biodiversity Survey and Assessment <i>[Once the Environment Act is enacted through secondary legislation (anticipated in Autumn 2023, exact date to be confirmed) or if there is a development plan policy requirement, the required information will need to be submitted to demonstrate the mandatory 10% net gain.]</i> Is not the inclusion of BNG as a requirement premature?</p> <p><i>[- A Management, maintenance and monitoring schedule for a 30 year period]</i> Is this for all proposals or just those which are required to be on the register?</p> <p><i>[Environment Act 2021]</i> Chapter 30, Part 6</p> <p><i>[Page 37: Borehole or trial pit analysis]</i> <i>[- Mineral content]</i> including sample/grading analysis results with overburden to mineral ratio, etc (see Planning Statement)</p> | | |
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| <p><i>[Page 38: Climate Change, Energy Statement, Renewable Energy, Sustainability Statement]</i> This should include Net Zero Carbon document <i>[The Statement should include:]</i> Need to mention generation of renewable energy, e.g. solar panels.</p> <p><i>[Page 41: Dust Impact Assessment]</i> This duplicates the Air Quality Impact Assessment. There should be a single document. <i>[Required for all development for mineral extraction and waste management facilities]</i> Only where the development is within 250m of a receptor</p> <p><i>[Page 42: Flood Risk Assessment]</i> <i>[Required for all applications which propose developments: - Of less than 1 hectare in Flood Zone 1, including a change of use in a development type to a more vulnerable class (e.g. from commercial to residential), which could be affected by sources of flooding other than rivers and the sea (e.g. surface water drains, reservoirs)]</i> It should be noted these scenarios appear to only relate to built development</p> | | |
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| <p><i>[A Flood Risk Assessment is not required for development less than 1 hectare in Flood Zone 1 unless it could be affected by sources of flooding other than rivers and the sea (e.g. surface water drains)]</i></p> <p>This paragraph appears to duplicate the previous two bullets <i>[see above and: - In an area within Flood Zone 1 which has critical drainage problems as notified by the Environment Agency]</i></p> <p><i>[Page 47: Health Impact Assessment (HIA)]</i></p> <p>This document duplicates others, e.g. air quality, bio-aerosol, noise impact, odour, etc and is therefore unnecessary</p> <p><i>[Page 48: Heritage Statement]</i></p> <p>Combine with Archaeological Assessment?</p> <p><i>[Required for any application that could affect/impact a heritage asset¹⁹]</i></p> <p>How is this to be determined? Recommend prior consultation with NHES.</p> <p><i>[The Statement should include: - Statement of justification for the proposed works]</i></p> <p>This point and the next are more appropriate for inclusion in a Planning Statement <i>[- Details of mitigation measures and if harm is caused to the setting of the significance of the asset, the public benefits that outweigh this harm.]</i></p> | | |
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| <p><i>[Page 49: Hydrology/Hydrogeology Assessment]</i> <i>[Required for any development which involves disturbance to the ground that could affect the water table and the movement of water (under and around the site) or involves the use of materials and processes that could result in the pollution of the water environment. Sites above groundwater protection zones.]</i> ... which involves disturbance below the water table. Too broad a definition. For example all activity involves the use of fuel. Such use can be controlled by condition and does not need this type of assessment. <i>[The assessment should include: - Details of potential impact on any SSSI wetland site]</i> ... any Designated wetland site</p> <p><i>[Page 52: Landscape Visual Impact Assessment]</i> <i>[Required for any proposal that due to its size, scale or location may have a significant visual impact upon the surrounding landscape.]</i> How is this to be determined? Following pre-app advice?</p> <p><i>[Page 53: Landscape Scheme]</i></p> | | |
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| <p><i>[The scheme should include: - Details of any existing trees and hedgerows on the site, - Details of any trees and hedgerows to be retained and measures for their protection during the period of works/construction]</i></p> <p>These points duplicate those to be covered in a Tree Survey/AIA</p> <p><i>[Page 54: Lighting Scheme]</i></p> <p><i>[The scheme should include:</i></p> <ul style="list-style-type: none"> <i>- Lighting drawing showing lux levels on the ground, angles of tilt and average lux (minimum and uniformity) for all proposed lighting</i> <i>- Contour plan detailing likely spill light from proposed lighting, in context of adjacent site levels</i> <i>- Identify area/features on site particularly sensitive for bats and those 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 (e.g. foraging)</i> <i>- Details of how and where external lighting would be installed through provision of appropriate lighting contour plans and technical specification to demonstrate that areas to be lit will not disturb or prevent bats using their territory or having access to breeding sites and resting places]</i> <p>Too onerous, detailed and unnecessary</p> | | |
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| <p><i>[- Details of the impact of the lighting on:</i></p> <p><i>a) The amenity of neighbouring properties, specifically if light has the potential to extend beyond the boundary of the site.</i></p> <p><i>b) Roads/ highway safety</i></p> <p><i>c) The character of the area and the wider landscape, specifically Conservation Areas, Listed Buildings, Designated Areas (SSSI, AONB) or rural areas with little background light</i></p> <p><i>d) Ecology, specifically European protected species.]</i></p> <p>ditto (Too onerous, detailed and unnecessary)</p> <p><i>[Page 56: Net Zero Carbon]</i></p> <p><i>[- An energy statement demonstrating how the proposed development incorporate measures to achieve carbon new zero]</i></p> <p>This will not be possible with most proposals and this fact should be recognised</p> <p><i>[Page 57: Noise Impact Assessment]</i></p> <p><i>[Required for all applications which may have a potential noise impact and for development considered to be noise sensitive or development within a noise sensitive area.]</i></p> <p>How is this to be determined, e.g. development within 250m of a receptor?</p> | | |
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| <p><i>[Page 59: Odour Impact Assessment]</i> <i>[Required for composting proposals within 250m of sensitive receptors and for applications where the proposal is likely to impact upon sensitive receptors by way of odour]</i> Clarify this distance will apply to all relevant applications not just composting</p> <p><i>[Page 61: Parking Provision Assessment]</i> <i>[Required for all applications providing new and additional parking facilities or proposals which would result in a loss of existing parking provision]</i> Not relevant or appropriate for many mineral and waste proposals <i>[- Need for visibility splays]</i> For inclusion in a Transport Assessment/Statement</p> <p><i>[Page 62: Phasing plans/Proposed Scheme of Working]</i> <i>[Required for all applications where operations are proposed in a phased manner]</i> Those bullets highlighted are points which should be included in other documents as they will unnecessarily complicate these plans <i>[- Identification of trees to be retained or removed]</i></p> | | |
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| <p>- Location of site drainage and discharge arrangements</p> <p>- Location of landfill gas control infrastructure where relevant</p> <p>- Location of any landfill leachate control where relevant]</p> <p>- Identification and management of soil types where the site includes land of the 'best and most versatile' agricultural category including the arrangements for removing and replacing soils stripped from the site and the phasing of soil movement.]</p> <p>[Page 64: Restoration and Aftercare] [Restoration] [For each working phase, site layout plans should show the location of enabling infrastructure (e.g. site access, offices, welfare facilities, car parking, haul roads, plant etc.), temporary and permanent mitigation measures (e.g. advanced planting, retained planting, protection measures, bunds and boundary treatments etc.) and the location of voids, stockpiles and waste materials.]</p> <p>Unnecessarily onerous. A single phasing plan will normally suffice</p> <p>[Details of drainage to the restored area (including grading, surface water catchment, proposed field drains, ditches, culverts, sumps and watercourses,</p> | | |
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| <p><i>direction of flow and site and site drainage plan and erosion control measures).]</i></p> <p>These points will be included within a FRA <i>[Page 65: Restoration and Aftercare]</i> <i>[A landscape scheme should be provided showing the proposed land use (e.g. agriculture, geodiversity, biodiversity, native woodland, historic environment, recreation). This should show site access and vehicular/pedestrian routes and public rights of way, retained and proposed landscape features (including water/drainage features).]</i></p> <p>A unnecessary duplication on a restoration scheme which will illustrate/describe these point as appropriate <i>[Details of proposed cultivation techniques, cropping and grazing.]</i> <i>[If the proposal affects agricultural land a statement of the existing and proposed Agricultural Land Classification is required demonstrating that the site can restored satisfactorily.]</i></p> <p>These points can be addressed in a Soil Assessment <i>[Aftercare]</i> <i>[Details of a Management Plan (if the aftercare period is beyond 5 years) should be submitted.]</i></p> <p>Insert 'long-term' <i>[Management/Enhancement:</i></p> | | |
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| <p>- Details of the enhancement measures and the positive contribution the site makes to biodiversity, can be provided on other land within the applicant's control</p> <p>- Details of interim measures that can be undertaken whilst awaiting final restoration]</p> <p>Unnecessary duplication on other documents</p> <p><i>[Page 66: Soil Assessment]</i> Combine with Soils Management and Handling Strategy. Need to define 'significant', e.g. 20ha.</p> <p><i>[Page 67: Soils Management and Handling Strategy]</i> See Soil Assessment <i>[Required for applications where significant development of agricultural land is involved]</i> Greater than 20ha (Grades 1, 2 and 3a only)?</p> <p><i>[Page 68: Sustainable Drainage Systems (SuDs)]</i> <i>[Required for major development²⁰]</i> Built development only</p> <p><i>[Page 70: Transport Assessment/Statement]</i></p> | | |
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| <p><i>[The scope and level of detail in a TA/TS will vary from site to site but the following should be included:]</i></p> <p>The highlighted points are unnecessarily onerous and not appropriate for minerals/waste developments</p> <p><i>[- Details of existing public transport provision (including frequency of services, distance to proposed development and any proposed public transport changes)</i></p> <p><i>- An assessment of trips from all directly relevant committed development in the area (e.g. development where there is a reasonable degree of certainty that it will proceed within the next 3 years)</i></p> <p><i>- Details of current traffic flows on links and at junctions (including by different modes of transport and the volume and type of vehicles) within the study area and identification of critical links and junctions on the highway network</i></p> <p><i>- An assessment of the likely associated environmental impacts of the transport related to the proposed development (particularly in relation to proximity to environmentally sensitive areas such as air quality management areas or noise sensitive areas)</i></p> <p><i>- A description of parking facilities in the vicinity of the site and the parking strategy of the proposed development</i></p> | | |
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| <p><i>- Details of measures to mitigate the residual impacts of development (such as improvements to the public transport network, introducing walking and cycling facilities, physical improvements to existing roads)]</i></p> <p><i>[Page 73: Tree Survey, Arboricultural Impact Assessment (AIA) and Arboricultural Method Statement (AMS)]</i></p> <p><i>[For each tree the following should be recorded:]</i></p> <p><i>[- Height in metres]</i> approximate</p> <p><i>[- Stem diameter in centimetres, measured 1.5m above ground level]</i></p> <hr/> <p>only for trees above a certain diameter</p> | | |
| <p>The review of the draft list is welcomed to ensure it accurately reflects recent changes in legislation and regulations. It is welcomed that the draft confirms that documents which are greater than 10MB can be submitted using USB's, given the Planning Portal continuing size limit of 10MB.</p> <p>It is noted that the draft validation checklist layers on more detail required in relation to some existing local list items and introduces a range of new / specific requirement, which include</p> | <p>Page numbers will be addressed in the final versions of the local list documents</p> <p>Page 23 (Planning Statement) – The requirement of a Planning Statement is clearly set out. A DAS is not required for all types of applications therefore there maybe duplication in order to capture the information required across the two documents. The Planning Statement sets the context and justification for a proposal, therefore considered the most appropriate document to set out why pre-application advice has not been followed if that is the case.</p> | <p>'Layout' is added after Site to 'Existing/Proposed Site/Block Plan' section.</p> <p>For clarity insert 'ordnance' after fixed in the 6th bullet point and 'and orientations' after locations in the 3rd bullet point within the existing and</p> |

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| <ul style="list-style-type: none"> • Archaeological Assessment (separated from other heritage) • BNG • Construction Management Plan / Construction Consideration Statement • Sunlight / Daylight Assessment • External Materials Board • Health Impact Assessment • Net Carbon Zero • Nutrient Neutrality • PROW • Structural surveys <p>In relation to a number of mainly new requirements, it is not clear whether an Assessment, Statement or Scheme is required to meet each, notably</p> <ul style="list-style-type: none"> • Biodiversity Net Gain (should this be a BNG Statement / Assessment?) • Net Zero Carbon (should this be a NZC Statement?) • Nutrient Neutrality (should this be a NN Statement / Report?) • Public Rights of Way (should this be a PROW Statement?) <p>AND</p> <ul style="list-style-type: none"> • Sustainable Drainage Statement (should this be a SuDs Statement / Scheme?) | <p>Page 23 (Planning Statement) – The Planning Statement sets the context and justification for a proposal and is considered the appropriate section to include the Educational Needs Statement.</p> <p>Page 36 (External Materials Sample Board) - A DAS is not required for all applications, therefore it is considered appropriate to have a separate External Materials Sample Board detailing external materials.</p> <p>Page 37-39 (FRA) – The level of details clearly sets out the requirements and is considered appropriate, given the nature of the topic.</p> <p>Page 55 (Structural Survey) – The requirements for a Structural Survey are considered appropriate.</p> <p>Page 56-57 (SuDs) - The requirements for a Structural Survey are considered appropriate.</p> <p>Page 60-62 (Tree Surveys, etc) - The requirements for a Structural Survey are considered appropriate.</p> <p>Pages 64-64 (s73 / S73a applications) - The requirements for a Structural Survey are considered appropriate.</p> | <p>proposed site sections including finished floor and site levels</p> <p>Insert 'proposed afteruses' in the final bullet point in the Airport Safeguarding Statement section</p> <p>Insert 'the District/Borough Environmental Health Officer (EHO)' after NCC in the Air Quality Impact Assessment section</p> <p>Insert '(advice can be sought from the County Archaeologist)' to the second paragraph of the Archaeological Assessment section</p> |
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| <p>With regard to more detailed observations, it is recommended that the following points be addressed (page numbers referenced in draft list).</p> <p>Page 3 (The Purpose of the Document) – This appears to, in part, reproduce NPPF para 44, but changes its emphasis by use of bullet points. It is recommended that this should be reproduced as in NPPF.</p> <p>Page 3 (The Purpose of the Document) – Applications should only be required to meet the ‘reasonable’ requirements of the Local Validation List.</p> <p>Page 14 (DAS) – For avoidance of doubt, the definition of major development should be added.</p> <p>Page 15 / 16 (Local Requirements) – The layout and description of Local Requirements should be improved to separate Plan / Illustrative Material from Technical Reports / Supporting Statements elements.</p> <p>Page 17 (Site / Block Plan) – An Existing Site Plan as well as a Proposed Site Plan?</p> <p>Page 21 (Roof Plan) – An Existing Roof Plan as well as a Proposed Roof Plans?</p> <p>Page 23 (Planning Statement) – Planning Statement and DAS requirements appear to duplicate each other in parts. There is no need for duplication, and it should be made clear in these requirements. Also query the need to explicitly explain where /</p> | | <p>Insert ‘and the generation of renewable energy’ to the first bullet point in the Climate Change, Energy Statement, Renewable Energy, Sustainability Statement section</p> <p>Insert ‘designated’ to the fifth bullet point in the Hydrology/Hydrogeology Assessment section</p> <p>Insert ‘long term’ to the aftercare paragraph of the Restoration and Aftercare section</p> |
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| <p>why pre-app advice is not followed in a Planning Statement.</p> <p>Page 23 (Planning Statement) – The draft list introduces an Educational Needs Statement requirement. If justified, <u>this should be a stand-alone / separate requirement</u>, not an add on to the Planning Statement (although in some circumstances, this requirement may be best addressed in the DAS or Planning Statement).</p> <p>Page 36 (External Materials Sample Board) – A separate External Materials Sample Board is not required, and should be deleted, as this would be better as part of the DAS.</p> <p>Page 37-39 (FRA) – Level of detail (three pages of text) indicated appears disproportionate compared with other requirement (where level of detail is cross referenced to other regulation / advice).</p> <p>Page 41 (Health Impact Assessment)– Query the low trigger point requirement for HIA’s and the details that are required to be supplied (i.e. air quality on sites where there would otherwise be no requirement for an Air Quality Assessment)? These should be reconsidered.</p> <p>Page 42 (Heritage Statement) – This appears to be limited to above ground heritage only (and this should be detailed –</p> | | |
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| <p>as below ground heritage appears to be address on page 28).</p> <p>Page 48 (Net Carbon Zero) – Rename as an Energy / NCZ Statement?</p> <p>Page 54 (School Travel Plan) – School Travel Plans cannot be provided in the specified manner suggested for new schools and wording needs to be revised to reflect this.</p> <p>Page 55 (Structural Survey) – The required submission details are excessive as not generally required for demolition or conversion by Districts (unless in the countryside).</p> <p>Page 56-57 (SuDs) – As Page 37-39 re FRA's as level of detail indicated appears disproportionate compared with other requirements.</p> <p>Page 58 (Transport Statements) – The requirement for a Transport Statement appears excessively onerous for small scale / temporary additions.</p> <p>Page 60-62 (Tree Surveys, etc) – As above re level of detail on pages 37-39 and 56-57.</p> <p>Pages 64-64 (s73 / S73a applications) – There is duplication regarding the requirement for a covering letter and Planning Statement.</p> <p>As a concluding comment, there is a need for Planning Officers to take a common sense, proportionate approach to the</p> | | |
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| <p>validation requirements. Many of the requirements suggested in the details of specific requirements are likely not to be necessary or justified for many applications so they should not be used as a prescription checklist against which every requirement is met explicitly for every application (thus addressing the real purpose of NPPF para 44 which indicates 'requirements should be kept to a minimum needed to make a decision.....').</p> <p>I trust that the above comments are helpful and should you feel it appropriate, we would be happy to discuss further at the forthcoming NCC Children's Services Planning Update Meeting.</p> | | |
| <p>A restrictive, expensive and inefficient planning system is harming the potential of the economy in rural areas. The planning system is seen as one of the most significant barriers to economic growth in rural areas. The wide-ranging interests of CLA members brings most of them into contact with the planning system, and they find it inefficient, ineffective and opaque. Respondents to a 2018 CLA member survey, described the planning application and decision-making process for business and diversification-related projects as</p> | <p>Comments noted. The Local List requirements should be proportionate to the nature and scale of development. The proposed revisions are intended to provide clarity and consistency for applicants / agents on submission requirements, to allow planning applications to be processed in an efficient and timely manner.</p> | <p>No changes to be made.</p> |

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| <p>plagued by delays, additional costs and unrealistic demands; harmed by out-dated perceptions of the economy in rural areas; with decision-making that seemed to fly in the face of rural interests. It is hardly surprising, therefore, that rural communities believe that their needs for jobs, homes and services are ignored by government at all levels.</p> <p>In early 2020, the CLA collected evidence from members on how long it took an applicant to navigate the various stages of the planning process in respect of housing development. This revealed that, while there were significant differences between projects, it took, on average, 10.9 years between a landowner first undertaking to secure planning permission and the project commencing. Within this, it took members on average 8.1 years to secure planning permission. There is a slight trend for larger developments to take longer to navigate the planning permission, but this is far from a clear universal pattern, with many smaller developments requiring over a decade.</p> <p>The plan-led system puts the burden of supporting a planning application with evidence on to the applicant. In the course</p> | | |
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| <p>of providing advice to members over the past 20 years, and in the CLA's 2018 Planning Application survey, a very noticeable trend for increasing demands for more and more reports and surveys has emerged before a planning application will be validated by the planning authority.</p> <p>The validation of planning applications is largely determined by the requirement to comply with the planning authority's standard validation checklist. It is becoming increasingly rare where more than a handful of the types of information set out planning authority standard validation checklists is actually required. The fact that an item appears on the planning authority validation checklist often leads to endless discussion between applicant and planning authority about whether a specific item of information is really necessary in a particular case. It is particularly exasperating to be faced with a refusal to validate some two weeks or more after the planning application was first submitted to the planning authority. It has become so contentious the Government introduced a disputes mechanism aimed at resolving arguments about information demands.</p> | | |
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| <p>The complexity of the planning system is placing considerable demands on planning authorities in terms of both plan formation and development management. Yet planning authorities' resources decreased by some 55% between 2010-2016. The capacity issue is exacerbated by constant changes to the system, consultations and new initiatives, and subsequent training and updating of planning authority staff. Some national targets have seen a speeding up of decision-making to within the statutory time limits, but this is not consistent across all planning authorities. We are often told by CLA members of their real difficulties in obtaining pre-application advice, or that even after obtaining pre-application advice (which they have had to pay for) there are more and more demands for reports and surveys to support a planning application. There is no consistency of approach to pre-application advice.</p> <p>This inconsistency extends to the requirement of planning staff to work constructively and pro-actively with applicants, especially in their approach to negotiation. The CLA's 2018 Planning Application survey suggests that applications are refused as the line of least resistance, or planning authorities delay</p> | | |
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| <p>decisions in order to get the applicant to withdraw – because of complexities in the proposal being at odds with timetables for determination or because planning policies are out of date or indeterminate. The consequences include delays, higher costs and inconsistent decision-making. The conclusion of CLA’s survey is that the planning system is capricious and unfair and prevents desirable and innovative change.</p> <p>The Norfolk County Council Local List for Validation of Planning Applications Consultation Draft, 2022 includes several new requirements e.g biodiversity net gain, construction management plan, environmental impact assessment, net carbon zero, nutrient neutrality etc.</p> <p>As above, the planning system already places considerable demands on planning authorities and not all of the documents listed in the draft Local List for Validation will be required for every planning application. Whilst the revision of the Local Validation requirements is necessary to reflect new legislation e.g. Environment Act 2021 etc, it must be remembered that the planning system is already restrictive and overburdened and presents a significant barrier to applicants. These new</p> | | |
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| requirements must therefore not provide an additional burden to applicants and any way in which the planning system can be simplified and streamlined e.g. by limiting the documents required to validate a planning application, must therefore be taken. | | |
| Consultees | | |
| <p>Sport England</p> <p>I attach a copy of the consultation guidance checklist prepared by Sport England.</p> <p>Further information can also be found on our website at:</p> <p>http://www.sportengland.org/playingfieldspolicy</p> <p>Checklist of Recommended Information Requirements</p> <p>In addition to the national validation requirements set out within the Government's Planning Practice Guidance, Sport England recommends that planning applications affecting playing field land should provide sport specific information in line with the below checklist. This</p> | Comments noted. | Sport England checklist to be included in the Appendix of the draft Local Lists. |

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| <p>information will enable Sport England to provide a substantive response to applications on which it is consulted. It will also aid the LPA to assess an application in light of P.99 of the NPPF and relevant Local Plan policies.</p> <p>The checklist presents the recommended requirements for all applications. It also indicates the information that Sport England recommends should be submitted where an applicant feels their development may meet with one of the exceptions to Sport England's Playing Fields Policy.</p> | | |
| <p>Highway Authority</p> <p>Reg 3: Page 52 - Parking Provision</p> <p>Assessment – needs to also reference that these are also required if ‘<i>The development would affect the parking requirements needed, i.e. by adding or reducing facilities, floor space, or staff/visitors</i>’. Something along these lines are required to show that people need to think about parking requirements for any development not just if they are intending to increase or decrease parking.</p> <p>The current local list outlines the type of information that is required : <i>Layout plans of the existing and proposed parking</i></p> | <p>With regards to a TA/TS required for HWRC, this will be covered within the M&W local list</p> <p>A Construction Management Plan (CMP) is covered under the Construction Management Plan / Construction Consideration Statement section of the Local List, for Regulation 3 development.</p> <p>It is an omission regarding the impacts on parking and justification</p> | <p>Link to updated parking standards inserted</p> <p>Insert suggested text as bullet points Insert reference to reduction/increase in floorspace and/or visitors insert the following text.</p> <ul style="list-style-type: none"> - Layout plans of the existing and proposed parking arrangements. - A statement justifying the increase or |

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| <p><i>arrangements. A statement justifying the increase or decrease of the parking provisions, i.e. the promotion of sustainable transport modes, type of development or site location.</i> Has this been intentionally removed?</p> <p>Our parking standards are currently in the process of being updated and as I understand it are due to be considered at cabinet in September</p> <p>Page 58 & 59 - TA/TS – This seems to focus on solely school applications – what about other Reg 3 applications? HWRC and P&R sites for example?</p> <p>Is it also worth including a CMP section for reg 3?</p> <p>M&W: Page 61 - Parking Provision Assessment – same comment as for reg 3</p> <p>Is it also worth including a section on HGV MP for when sites are operational?</p> | | <p>decrease of the parking provisions, i.e. the promotion of sustainable transport modes, type of development or site location.</p> <p>TA/TS – the reference has been amended to major development need to insert some triggers from the current Local List 2016.</p> |
| <p>Norfolk Geodiversity Partnership</p> <p>1) 20220513 M&W Local List Final Draft Page 6</p> | Comments noted | Typing error corrected |

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| <p>Spelling mistake – ‘winning’ not ‘wining’.</p> <p>Page 34 Geodiversity needs to be explicitly mentioned here, as per NPPF section 170a and 174. At present the draft text does not explain how geodiversity assets outside statutory nature conservation sites will be dealt with. There are 162 SSSIs in Norfolk of which 39 (24%) are geological, and beyond this set there are seven County Geodiversity Sites in Norfolk and about 350 candidate CGS. Applicants need to show that they have scoped geoconservation as well as bioconservation interests. Circular 06/2005 (see note 56) explains about Local Sites (section 95). We argue that the Local List for Validation of Planning Applications needs to clarify the duty of applicants to scope Local Sites of geodiversity interest, as per NPPF 174a. The heading 'Biodiversity Surveys and Assessments' does not capture this aspect of the application process. If they followed these draft procedures applicants could not demonstrate that they had</p> | | |
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| <p>met the Local Requirements regarding geodiversity.</p> <p>2) 20220513 Reg 3 Local List Final Draft Page 29 Geodiversity needs to be explicitly mentioned here, as per NPPF section 170a and 174. At present the draft text does not explain how geodiversity assets outside statutory nature conservation sites will be dealt with. There are 162 SSSIs in Norfolk of which 39 (24%) are geological, and beyond this set there are seven County Geodiversity Sites in Norfolk and about 350 candidate CGS. Applicants need to show that they have scoped geoconservation as well as bioconservation interests. Circular 06/2005 (see note 56) explains about Local Sites (section 95). We argue that the Local List for Validation of Planning Applications needs to clarify the duty of applicants to scope Local Sites of geodiversity interest, as per NPPF 174a. The heading 'Biodiversity Surveys and Assessments' does not capture this aspect of the application process. If they followed these draft procedures applicants</p> | | |
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| could not demonstrate that they had met the Local Requirements regarding geodiversity. | | |
| <p>Historic Environment Strategy and Advice Team</p> <p>We have comments regarding the final paragraph of pages 28 and 32 of the two documents which is currently as follows;</p> <p><i>‘An archaeological investigation is a physical investigation of a place carried out by an appropriately qualified person for the purpose of investigating, recording or conserving the archaeological artefacts or underwater cultural heritage artefacts of a place’</i></p> <p>We suggest an additional paragraph is added above the paragraph quoted above, something like;</p> <p>‘ In addition to desk-based assessment archaeological evaluation by geophysical survey or geophysical survey and trial trenching may be required in order to enhance the level of baseline information.’</p> <p>We also suggest that the final paragraph is edited something like;</p> | Comments notes. | The wording in the Archaeological Assessment sections of the Local Lists is amended to include the suggested text. |

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| <p>'Archaeological investigations, such as trial trenching, are physical investigation of a place carried out by an appropriately qualified persons for the purpose of investigating, recording or conserving the archaeological, structures, deposits, artefacts and ecofacts of a place'</p> | | |
| <p>Historic England We welcome the production of this Local list for Validation of Planning Applications, and overall support its contents. However, with regards Heritage Statements (page 42), we would recommend that the first sentence is amended to read:</p> <p><i>Required for any application that could affect/impact a heritage asset, <u>including through changes in their setting</u>.</i></p> <p>The NPPF is very clear on the importance of setting of all assets - further advice about settings is given in our advice note and also in the PPG. However, settings are not protected in and of themselves. It is the harm to significance that may be caused by development within the setting of an asset which is key. The proposed revision (above) will ensure that potential harm to or loss of significance of heritage assets resulting from setting change is considered early in the development process. In</p> | <p>Comments noted</p> | <p>The wording in the Heritage Statement Assessment sections of the draft Local Lists is amended to include the suggested text.</p> |

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| <p>addition to this, we would further recommend that bullets three and four are amended to read:</p> <p>- <i>An assessment of the archaeological, historical or other significance of the asset, <u>including consideration of any contribution made by its setting.</u></i></p> <p>- <i>An assessment of the impact of the proposed works on the significance of the asset, <u>including by changes in setting,</u> and whether harm would be caused</i></p> <p>Finally, bullet six should be amended to make it clear that harm to heritage assets should be avoided in the first instance, and only when this is not possible, mitigated.</p> <p><u><i>Details of how harm will be avoided, and only where this is not possible, the mitigation measures which will be employed. In describing avoidance and mitigation measures, the statement should articulate the extent to which the proposed measures would reduce harm. If following avoidance and mitigation development will still result in harm to the asset/s – either through physical harm or through a change in setting - a description of the public benefits which are considered to outweigh</i></u></p> | | |
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| <u><i>this harm, and why the proposed harm is necessary to achieve these.</i></u> | | |
| <p>Lead Local Flood Authority (LLFA)</p> <p>In the draft National and Local Validation Requirements for Mineral and Waste Planning Applications (May 2022) and the draft National and Local Validation Requirements for County Council (Regulation 3) Planning Applications (May 2022), the LLFA notes the LLFA developer guidance has not been mentioned within the section concerning Flood Risk Assessment. The LLFA would suggest that further sign-posting information is included in the plan to direct developers towards the LLFA's Developer Guidance which can be found at https://www.norfolk.gov.uk/rubbish-recycling-and-planning/flood-and-water-management/information-for-developers.</p> | Comments noted. | <p>A link to the LLFA developers' guidance is inserted into the FRA sections (page 39 – Reg 3 and Page 45 M&W) of the draft Local Lists as suggested.</p> <p>Update links to the NPPG within the FRA and SuDS sections.</p> |
| <p>Borough Council of King's Lynn & West Norfolk Environmental Quality Officer</p> <p>Further to the consultation regarding the NCC planning validation criteria I would like to make the following observations in terms of air quality:</p> | Comments noted. Applications for residential development are not determined by the County Council, therefore a requirement for travel plans from residential developments has not been included in the Local Lists. | For further clarity when making reference to 'significance' the reference to 24-hr Annual Average Daily Traffic (AADT) is included in the Air Quality Impact |

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| <p>- Travel Plans; the validation criteria seemed to be focussed too heavily on school travel plans. Those related to the workplace and from residential developments are also of importance when considering air quality impacts. Reference could be made to the recent NCC's guidance on development control (<u>2022</u>) on travel plans. Given their importance in potentially mitigating / offsetting transport emissions, it would be hoped that more could be recognised as meeting the relevant Modeshift award.</p> <p>- Air quality impacts – the validation list explains that an air quality assessment is generally required where development is proposed that would significantly affect traffic either in the immediate vicinity of the proposed development site or further afield. Significance in terms of air quality impacts from traffic is generally based on 24-hr Annual Average Daily Traffic (AADT). Therefore, it would help when deciding on significance of air quality, that the associated traffic assessments/statements refer to the 24-hr AADT in addition to any peak values. Understanding the 24-hr AADT from development proposals also helps when assessing wider cumulative impacts.</p> | | <p>Assessment sections of the draft Local Lists.</p> |
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| <p>Natural England Our comments on the following relevant sections of the Validation List are set out below:</p> <p>Air Quality and Dust Impact Assessments The inclusion of air quality and dust impact assessments are welcomed. Natural England advises that assessments should also consider the potential effects on ecological receptors. In particular, dust as well as nutrient inputs through ammonia and nitrogen deposition can affect sensitive species. We suggest that the Air Pollution Information Service (APIS) is referenced. APIS provides specific air pollution advice based on habitats, ecosystems and species, and provides critical loads for acidity and nitrogen for designated features within every Special Area of Conservation (SAC), Special Protection Area (SPA) or Site of Special Scientific Interest (SSSI) in the UK.</p> <p>On your list of when Air Quality Assessments are needed, Natural England advises that you include instances where air quality Impact Risk Zones (IRZs) are triggered. IRZs can be accessed via Defra's MAGIC mapping website. This tool can be used to help consider whether a</p> | <p>Comment noted.</p> | <p>Reference to the effects on ecological receptors is added to the air quality and dust impact assessments sections.</p> <p>A link to the Air Pollution Information Service (APIS) is inserted into the Air Quality and Dust Impact Assessments sections.</p> <p>An additional bullet point is inserted in the Air Quality Assessment section of the Local List requiring an assessment in instances where air quality Impact Risk Zones (IRZs) are triggered.</p> <p>A link to the Defra MAGIC mapping website is inserted</p> |
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| <p>proposed development is likely to affect a SSSI and to inform where an Air Quality Assessment may be required for a SSSI.</p> <p>Biodiversity Surveys and Assessments This section sets out the types of assessment that may be required if an application has the potential to affect Protected Sites, European Protected Species, National Protected Species and Priority Habitats and Species. As referred to above in relation to air quality, Natural England's SSSI IRZs (SSSI IRZ User Guidance MAGIC.pdf (defra.gov.uk)) should also be used more broadly to guide which issues should be screened in/out for further assessment and whether or not Natural England needs to be consulted on an individual plan or project. For guidance on avoiding harm to protected areas and wildlife, it is recommended to reference Natural England's standing advice on construction near protected areas and wildlife and how to prepare a planning application when there are protected species on or near a proposed development site.</p> <p>Climate Change, Energy Statement, Renewable Energy, Sustainability Statement</p> | | <p>in the Air Quality Assessment section.</p> <p>Additional text regarding the level of information requirement to be included in the application submission is inserted in the Nutrient Neutrality section.</p> |
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| <p>Natural England welcomes as part of the Climate Change, Energy Statement, Renewable Energy, Sustainability Statement, the requirement for details of how incorporation of green infrastructure have been addressed. Natural England is working with Defra and other partners and stakeholders to deliver the Governments 25 Year Environment Plan commitment to develop a National Framework of Green Infrastructure Standards for launch later this year.</p> <p>The Standard is not yet available for inclusion in this Local List but this may be an opportunity to encourage developers to consider what quality, well-designed green infrastructure looks like and to future-proof the list by referencing the emerging framework, and by providing links to existing reputable green infrastructure standards. Evidence and advice on GI can be found on the Natural England Green Infrastructure web pages. We also recommend the Green Infrastructure Partnership as a useful source of information when creating and enhancing GI.</p> <p>Nutrient Neutrality We welcome the inclusion of Nutrient Neutrality in the Local Lists for Validation of Planning Applications. Whilst the letter</p> | | |
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| <p>issued by Natural England to Local Planning Authorities (LPAs) on 16 March 2022 has been referenced, additional introductory text providing greater context of the strategic approach of Nutrient Neutrality would be beneficial.</p> <p>Further details of what evidence/information LPAs will accept as confirmation that the development itself, or wastewater discharge resulting from the development, are not within the Catchment of the River Wensum SAC and/or The Broads SAC/Ramsar site should also be provided. Reference should also be made to relevant nutrient calculators along with examples of acceptable mitigation measures (Natural England provided additional information and tools to LPAs to inform Appropriate Assessment with the letter issued on 16 March 2022).</p> | | |
| <p>Ecologist (NCC)</p> <p>Biodiversity Surveys & Assessments: The text regarding PEA and Phase 1 Survey are both outdated and require replacing. The following text is suggested:</p> <p><u>Preliminary Ecological Appraisal (PEA):</u> The key objectives of a PEA are to</p> | <p>Comments noted.</p> <p>It is anticipated that Biodiversity Net Gain (BNG) requirements will be enacted through secondary legislation during 2023. As a result, further amendments maybe required to Local List to take account of this. One of the recommendations of the main report is for the Cabinet Member to delegate powers to the Head of Planning to make amendments to the</p> | <p>The references to a Preliminary Ecological Appraisal (PEA) and Phase 1 habitat survey are amended to reflect that an Ecological Impact Assessment Report (EcIA) is</p> |

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| <ul style="list-style-type: none"> - identify the likely ecological constraints associated with a project; - identify any mitigation measures likely to be required, following the 'Mitigation Hierarchy', - identify any additional surveys that may be required to inform an Ecological Impact Assessment (EclA); - and identify the opportunities offered by a project to deliver ecological enhancement. <p><u>Ecological Impact Assessment Report:</u> Where an ecological report is required to accompany a planning application, the appropriate report is an EclA Report (or an Ecology/Biodiversity Chapter of an Environmental Impact Assessment Report for an EIA project).</p> <p>Please note: Under normal circumstances it is not appropriate to submit a PEA Report as part of a planning application, because the scope of a PEAR is unlikely to fully meet planning authority requirements in respect of biodiversity policy and implications for protected species. This is because a PEAR is normally written to advise a client of ecological constraints and opportunities to inform their design options, likely mitigation requirements, and the need for further surveys. It therefore lacks a detailed assessment of ecological</p> | <p>Local List before the next review, to make allowances for changes to the legislation, regulations and guidance.</p> | <p>required for applications. The reference to the BS standards is inserted into the Biodiversity Surveys & Assessments sections of the draft Local Lists.</p> <p>A reference to the Defra Metric (or Small Sites Metric) and link is inserted as suggested.</p> <p>Text requiring a management and maintenance plan is inserted into the BNG section.</p> |
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| <p>effects, and commitment to mitigation; the planning authority is therefore unlikely to have adequate information to enable the decision maker to determine the application lawfully. A PEAR may, however, be submitted as an appendix to an EclA Report.</p> <p>Additionally, government guidance states that planning authorities should only condition further ecological surveys in exceptional circumstances. Therefore, all necessary survey information should be submitted with the planning application so that it can be taken into account prior to the granting of planning permission.</p> <p>All submitted reports should adhere to BS42020: 2013 Biodiversity: Code of Practice for Planning and Development.</p> <p><u>Biodiversity Net Gain:</u> It may be helpful to clarify that the use of the Defra Metric (or Small Sites Metric) is advised in support of all applications.</p> <p>Subject to timescales and review periods for the Local List, it is worth noting that consideration is currently being given to the possibility of applications requiring to demonstrate an above 10% BNG figure (e.g. 20%), as is the case with some other</p> | | |
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| <p>LPA's. Therefore, there may be the need to update the Local List accordingly in due course.</p> | | |
| <p>Landscape Architect (NCC)</p> <p>Landscape Visual Impact Assessment LVIA should be undertaken in line with industry guidance, namely the Landscape Institute Guidance for Landscape Visual Impact Assessments V3 (GLVIA3). I have a copy of this and would be happy to talk it through with the planning team and provide specific details. It is important that this is the baseline we expect applications to adhere to as it is the industry standard. Whilst there can be departure from the guidelines, and often is, we would expect an applicant to explain why, such as detailing why imagery is taken in summer rather than winter etc.</p> <p>It should also be completed by a suitably qualified person as per guidance. Following a number of LVIAs submitted which have either been undertaken by the applicant or the agents, and not followed any guidance, I feel this is a necessary addition. It is not a requirement that they are undertaken by a Landscape professional, but it should be someone who has an understanding of, and</p> | <p>The items referenced in the suggested landscape condition are covered in the requirements of the draft Local List.</p> <p>The treatment of external elevations is covered under a separate local list requirements – the External Materials Sample Board for Regulation 3 development and the Planning Statement for Minerals and Waste development.</p> <p>Existing and/or proposed planting and ground levels is covered in the Existing and Proposed Site Sections including finished floor and site levels and Restoration and Aftercare sections of the Minerals and Waste Local List document.</p> | <p>The reference to the LVIA needing to be undertaken in line with industry standard is inserted the LVIA sections of the draft Local Lists.</p> <p>Text stating that Landscape and Visual Impact Assessments should be undertaken in line with industry standard and by a suitably qualified person is inserted into the Landscape and Visual Impact Assessment section as suggested. Reference to a minimum of 5-year period for maintenance and management is inserted into the</p> |

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| <p>technical knowledge relating to Landscape and Visual pressures.</p> <p>The guidance mentioned above also covers exactly how the assessment should be undertaken, what should be included and what should be presented. Currently the list of requirements for the assessment for the Local List fall short of what the guidelines require. There are additional technical notes produced by the Landscape Institute on photomontages and viewpoints, and what is acceptable for those in terms of scale, quality and content.</p> <p><i>Required for any proposal that due to its size, scale or location may have a significant visual impact upon the surrounding landscape.</i></p> <p>The above statement should be amended to include that the nature/design of the scheme may warrant an LVIA, even if it is small in size or in a non-sensitive area, a design which may be more visually intrusive may require an assessment. It should also be amended to note that it is not just visual impact we are considering, but also impact on Landscape character – this does not have to be seen to be an issue for the landscape.</p> | | <p>Landscape sections as suggested.</p> <p>Text relating to the impact of lighting on dark sky sites is inserted in the Lighting Scheme section as suggested.</p> |
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| <p>Landscape Scheme <i>- Details of maintenance and management of the scheme</i> It would be beneficial if this could require a maintenance plan for a minimum of 5 years.</p> <p>In terms of the content, below is a condition we often use as a base (amended as suitable for the site). It would be beneficial to ensure that this requirement as covered from the start to prevent the need for asking for additional information and/or the use of conditions.</p> <p><i>Landscape Design Proposals</i> <i>No development shall take place until full details of both hard and soft landscape works have been submitted to and approved in writing by the local planning authority.</i> Hard works: <i>i. proposed finished levels of external areas (including ramp gradients);</i> <i>ii. means of enclosure;</i> <i>iii. hard surfacing materials;</i> <i>iv. all other external materials including finish/colours;</i> <i>v. minor artefacts and structures (specifically planters);</i> <i>vi. proposed drainage features;</i></p> | | |
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| <p><i>vii. proposed and existing functional services above and below ground including drainage, power, communications cables, pipelines etc. indicating lines, manholes).</i></p> <p>Softworks:</p> <p><i>i. planting plan (including existing and proposed planting);</i></p> <p><i>ii. written specification (including planting, cultivation and establishment);</i></p> <p><i>iii. schedule of plants (including species, size, densities/spacing);</i></p> <p><i>iv. five years aftercare.</i></p> <p>Lighting Scheme</p> <p><i>c) The character of the area and the wider landscape, specifically Conservation Areas, Listed Buildings, Designated Areas (SSSI, AONB) or rural areas with little background light</i></p> <p>Designated or proposed Dark Sky Sites should also be included</p> <p>Existing and Proposed Elevations</p> <p>Materials – External materials are important for assessing the visual impact of proposals. Finish/colour etc of any external materials should be submitted as manufacturer codes/product details, palette of photos or similar.</p> <p>Restoration</p> | | |
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| Sections should demonstrate any existing and/or proposed planting as well as ground levels. | | |
| Arboriculture and Woodland Officer (NCC) I have attached a document with an excerpt of the section on Arboriculture on which I have suggested changes and amendments. I am happy to discuss my | | The title of the Tree Survey, Arboricultural Impact Assessment (AIA) and Arboricultural Method Statement (AMS) is amended to include Tree Protection Plan (TPP) as suggested. Text inserted as suggested in the Tree Survey, Arboricultural Impact Assessment (AIA), Arboricultural Method Statement (AMS) and Tree Protection Plan (TPP) section. |

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| comments if required. | | |
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Tree Survey, Arboricultural Impact Assessment (AIA), ~~and~~ Arboricultural Method Statement (AMS) and Tree Protection Plan (TPP)

Required for all applications where there are any trees within the application site, on land adjacent to the application site or which could influence or be affected by the development (including street trees). Affected trees are defined as trees that overhang the site or are located beyond the site boundaries within a distance of up to 12 times their estimated stem diameter.

The Tree Survey, Arboricultural Impact Assessment, ~~and~~ Arboricultural Method Statement and Tree protection Plan should be undertaken by a suitably qualified person in accordance with the provisions of BS5837: 2012 - Trees in relation to design, demolition and construction.

Tree Survey

The Tree Survey should include:

- All trees with a stem diameter of 75mm or more
- Trees growing as individuals, groups and woodland
- Tree survey plan showing the location of all trees, groups and woodlands referred to
- Schedule accompanying the plan, identifying the trees by way of a unique reference number marked on the plan and on the tree

For each tree the following should be recorded:

- Reference of the tree
- Species by common name and/or scientific name
- Presence of Tree Protection Order (TPO) or Conservation Area protection
- Height in metres
- Stem diameter in centimetres, measured 1.5m above ground level
- The branch spread in metres
- Age class: young, semi-mature, mature, over-mature or veteran
- Physiological condition and structural condition of the tree (health and any physical defects)
- Preliminary management recommendations
- Estimation of the tree's remaining useful life in years
- Categorisation of trees for removal and those suitable for retention, based on consideration of the above, in accordance with Table 1 of BS5837

A Tree Constraints Plan showing

- Accurate position and existing crown spread
- Tree Quality Assessment category (A, B, C or U)
- Root Protection Area (RPA) calculated from table 2 of the British Standards
- Future growth potential (ultimate crown spread and height) ~~74~~
- Shade footprint through the main part of the day based on ultimate tree size

The Tree Constraints Plan should be prepared at an early stage and inform site layout design.

Arboricultural Impact Assessment

~~Type of tree survey that~~ An AIA is required where proposed development could potentially affect trees. ~~This report should demonstrate considers~~ how the proposed development and associated trees will co-exist and interact in the present and future.

An AIA should take account of:-

- Location of trees in relation to proposed development ----- *
- Proposed changes to site levels
- Proposed changes to surfacing
- The space needed for foundation excavations and construction works ----- *
- Working space for cranes, plant, scaffolding and access during works ----- *
- Locations for the layout of services-all temporary and permanent apparatus and service runs, including foul and surface water drains, land drains, soakaways, gas, oil, water, electricity, lighting, telephone, television or other communication cables
- Details of demolition of existing buildings and removal of existing hardstanding
- Exposure due to tree and structure removal
- Sunlight and shading
- Site access and site layout during construction
- Contractor's compound and parking ----- *
- Allocation of a suitable area for plant and material storage
- The type and extent of landscape works which will be needed within the protected areas, and the effects these will have on the root system ----- *

An AIA should include:

- The Tree survey (see above) ----- *
- Details of any tree loss required to implement the design ----- *
- Impacts of proposed activities in the vicinity of retained trees ----- *
- Details of tree root protection areas (RPAs) and ground protection which should be clearly marked on a scaled Tree Protection Plan ----- *
- Proposed mitigation planting incorporating Biodiversity Net Gain ----- *

Arboricultural Method Statement

Information as to how the proposed development will be undertaken without causing damage to trees on site.

Information as to how the proposed development/works would be managed and how

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| <p>trees would be adequately protected during the development/works.</p> <p>Should contain a timetable indicating when and how specific works adjacent to trees would be undertaken. The works include (but are not limited to) installation of protective fencing, hand excavation within tree protection zones and use of boarding to avoid compaction.</p> <p>Specification sheets should be included for protective fencing, special surfaces, methods of trenching etc.</p> <p>Site supervision by an arboricultural consultant or County's Arboricultural Officer may be stipulated for some or all of the development/works identified as requiring an AMS.</p> <p>The AMS should include:</p> <ul style="list-style-type: none"> • Schedule of tree surgery works (prior to and upon completion of the construction works) • <u>Tree Protection zones (clearly indicated on a site plan, including details of fencing and signage)</u> <u>Specific reference to the TTP</u> • Details of surface changes and methods of construction • Details of level changes and methods of construction • <u>Excavation, trenching methods, special construction techniques</u> • Locations of bonfires, chemical storage etc • Contingency plan (chemical spillage, collision, emergency access to <u>root protection</u> zones) • Post construction landscaping close to existing trees (methods, locations, scale plans) • Tree planting (storage of trees, site preparation) • Contact listing (Planning Authority, Arboricultural Consultant, Architect, Site Manager) • <u>Copies of all relevant site plans and tree survey schedule</u> <p><u>Tree Protection Plan</u> <u>The tree protection plan should be superimposed on a layout plan, based on the topographical survey, showing all hard surfacing and other existing structures within the RPA.</u></p> <p><u>The plan should clearly indicate the precise location of protective barriers to be erected to form construction exclusion zones around the retained trees. It should also show the extent and type of ground protection, if required, and any additional physical measures, that will need to be installed to safeguard vulnerable sections of trees and their RPAs where construction activity cannot be fully or permanently excluded.</u></p> | | |
| <p>Officer comments</p> | | |

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| <p><u>Minerals and Waste Local List</u></p> <p>P.18 Landscape and Visual Impact Assessment</p> <p>P.23 Plans to show existing site levels and restoration levels (with levels related to a fixed datum point off site) and show how the proposals relate to surrounding levels/landscape (at least 250m from proposed changes)</p> <p>P.35 Please can we insert, Information relating to badgers should be provided separately, to avoid sett locations being identified below the text for Extended Phase 1 Habitat Survey, as per P.30 of the Regulation 3 Local List?</p> <p>P.52 Landscape and Visual Impact Assessment</p> <p>P.65 If the proposal affects agricultural land a statement of the existing and proposed Agricultural Land Classification is required demonstrating that the site can be restored satisfactorily.</p> | <p>Comments noted. The requirement for Planning Obligation details has been removed from the draft Local List. It is not considered necessary to include planning obligations in the Local List. Paragraph 042 of the NPPG advises that whilst it is good practice, it should not normally be required for the validation of a planning application.</p> <p>A section regarding Odour details was omitted in error.</p> | <p>Correction of typing errors.</p> <p>Text relating to badger information is inserted as suggested in the Biodiversity Surveys and Assessments section.</p> <p>An additional bullet point regarding the clarification of the depth of proposed soakaways has been added to the Sustainable Drainage Systems (SuDS) section as suggested.</p> <p>Additional text has been added to the SuDS sections regarding the requirements for minor development.</p> <p>A section relating to the validation requirements for</p> |
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| <p>P.68 In the event that the proposed surface water runoff discharge is via infiltration, to assist in identifying the appropriate consultees in relation to groundwater quality, could we ask for clarification of the depth of proposed soakaways? (i.e. for proposed soakaways which exceed the 2.0m below ground level shallow infiltration limit, the Environment Agency should be consulted)</p> <p>P.77/78 Sections 96a....</p> <ul style="list-style-type: none"> • Completed application form (bullet point) • Planning Statement - setting out a rationale for the proposed changes <p>Please note, from comparison with the existing Local List it would appear that <i>Planning Obligations Details</i> have not been included as a requirement</p> <p><u>Regulation 3 Local List</u></p> <p>P.16 Landscape and Visual Impact Assessment</p> | | <p>Odour details has been inserted.</p> |
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| <p>P.44 Landscape and Visual Impact Assessment</p> <p>P.56/57 In the event that the proposed surface water runoff discharge is via infiltration, to assist in identifying the appropriate consultees in relation to groundwater quality, could we ask for clarification of the depth of proposed soakaways? (i.e. for proposed soakaways which exceed the 2.0m below ground level shallow infiltration limit, the Environment Agency should be consulted)</p> <p>P.65 Sections 96a....</p> <ul style="list-style-type: none"> • Completed application form (bullet point) • Planning Statement - setting out a rationale for the proposed changes <p>Please note, the existing Local List requires submission of a <i>Surface Water Drainage Assessment</i> for all applications for operational development where an FRA is not required. Given that SuDS is only required for applications for major</p> | | |
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| <p>development, it would appear that surface water arrangements for minor development would not be captured.</p> <p>Please note, from comparison with the existing Local List it would appear that <i>Odour Assessment</i> has not been included as a requirement, i.e. where this relates to Proposed extraction / ventilation systems for a school etc.</p> | | |
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Norfolk County Council

National and Local Validation Requirements for Minerals and Waste Planning Applications

June 2023

Introduction

Norfolk County Council is the determining planning authority for the following types of applications:

- Mineral extraction and associated development – such as quarries, mineral wharves, rail heads and sand and gravel processing plants
- Waste proposals including landfill sites, waste transfer/recycling sites and scrap yards
- County Council's own development (Reg. 3) including new schools, school extensions, road development (where the council is the Highway Authority), as well as development for other council responsibilities – such as libraries and Norfolk Fire and Rescue Services

Planning applications for residential and commercial development are dealt with by the relevant District/Borough/City Council

- [Breckland](#)
- [Broadland](#)
- [Great Yarmouth](#)
- [King's Lynn & West Norfolk](#)
- [North Norfolk](#)
- [Norwich](#)
- [South Norfolk](#)
- [Broads Authority](#)

The purpose of the document

The purpose of this document is to provide applicants and agents with guidance on the information required by Norfolk County Council to support mineral and waste planning applications. Please see other guidance note for Regulation 3 applications.

Paragraph 44 of the National Planning Policy Framework (NPPF) (July 2021) requires local planning authorities to publish a 'local list' setting out their information requirements for planning applications.

Local lists should be reviewed every 2 years and accord with national planning guidance. The requirements should be kept to the minimum needed to make decisions. Local Planning Authorities should only request supporting information that is:

- Relevant
- Necessary
- Material to the application

The local list is not exhaustive and simply aims to cover the most common requirements for planning applications. During the course of an application, it may be necessary for Norfolk County Council to request additional information where it is considered necessary to determine the application.

If an application is submitted without the relevant supporting documents detailed in this document, it may lead to delays in processing and determining the application.

If an application is not accompanied by the relevant information outlined in the appropriate checklist, then the applicant/agent should provide a written statement setting out why it is considered the information is not appropriate.

The relevant planning application form should be completed and submitted in support of all planning applications made to Norfolk County Council.

Provision of all the National List requirements is compulsory.

It may not be necessary to provide information for all the Local List requirements for every application. Guidance on when and what information is required is included within this document.

An application for planning permission from Norfolk County Council will only be considered valid where it meets both the [National Requirements](#) for validation and the requirements of the [Local Validation List](#). Failure to provide all the National List requirements and the relevant Local List requirements will result in the application being invalid and the possibility that it may be returned to you.

Pre-application

Norfolk County Council recommends that applicants/agents discuss their proposals with a planning officer before submitting an application. Various levels of [pre-application advice](#) are provided by the County Council to help inform the preparation of planning applications.

As part of pre-application discussions, the planning officer can advise which supporting documents would be required and whether an Environmental Impact Assessment (EIA) would be required as part of the application.

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Submission of Planning Applications

Applicants/agents are encouraged to submit planning applications electronically via the Planning Portal (where possible).

If applications are submitted electronically (this includes on a USB storage device) no paper copies of the application are required, unless accompanied by an EIA/Environmental Statement.

If applications are not submitted electronically one paper copy of the application should be submitted. Confirmation on the final number of paper copies should be discussed with the case officer as part of pre-application.

Planning application fees can be paid via the Planning Portal, BACS transfer, cheque, or via internal journal transfer for NCC planning applications.

Online submissions

The following standards for on-line submissions are recommended to help towards timely planning decisions:

- Firewall restrictions limit the maximum size of individual attachments to 10MB. Documents exceeding this limit can be submitted on portable media such as USB. The Planning Portal reference number should be clearly marked on the device.
- Supporting documents and attachments should be in PDF format. (This avoids the need to convert documents into PDF, which is the format used to publish application details on the website. It also avoids the loss of document quality caused by printing, scanning and the format of non-PDF files prior to publication.)
- The original paper size should be marked on all drawings. This ensures the scale and dimensions used will remain accurate if printed. (The scale becomes inaccurate when a margin is added to a drawing (shrink to fit distortion)).
- Avoid multiple images on a single drawing. Site and/or location plans should be submitted on separate A4 or A3 drawings rather than incorporating with other plans and elevations. This avoids the need to scan in colour to accommodate red and blue lines and makes drawings easier to locate on the County's on-line system.
- Only single PDF plans should be sent as attachments without layers. This avoids the need for multiple drawings to be converted into individual plan attachments. (There is a specific checkbox to save the PDF without the layers on which should be selected before the drawings are saved and submitted).
- All drawings should include a scale bar, north point (where appropriate) and at least one key dimension in addition to the original paper size. (Where possible the original paper size should be limited to A3 as it is more convenient and

quicker to deal with). Drawings should be to scale, unless there are special circumstances, in which case they should be annotated with 'DO NOT SCALE'.

- CAD drawings converted to PDF should be created in landscape to ensure the correct orientation for on-screen display.
- File names should reflect the content. Best practice recommendations include:
 - Providing a clear description of the plan or document in the file name
 - The title of the plan or document not just using a drawing number or reference
 - Avoiding the use of special characters in file names

Each application should be submitted with a plan index detailing all submitted documents to allow easy access. This will need to be updated and resubmitted as the application progresses and revised plans are submitted.

Personal Data and planning applications

Please note that the information provided on the application form and in any accompanying documents may be published on Norfolk County Council's website.

To avoid the publication of personal details, do not include them, or any other information which falls within the definition of personal data under the [Data Protection Act 2018](#), in documents supporting the application.

County Matter Applications – Minerals

[Schedule 1 of the Town and Country Planning Act 1990](#) defines 'mineral' related county matters as:

- a) The winning and working of minerals
- b) The erection of any building, plant or machinery used in connection with the winning and working of minerals or for the treatment or disposal of minerals on land adjoining mineral workings
- c) The erection of any building, plant or machinery used in connection with the grading, washing, grinding or crushing of minerals
- d) The erection of any building, plant or machinery (or use of land) for any process of preparing or adapting for sale of any mineral or the manufacture of any article from a mineral where:
 - i. The development is on or adjoining the mineral working
 - ii. The mineral is brought from the mineral working by a pipeline, conveyor belt, aerial ropeway or similar plant or machinery, or by private road, private waterway or private railway
- e) The use of land for any purpose required in connection with rail or water transport for aggregates (including manufactured aggregates, slags, fuel ash or mineral waste) and the erection of associated buildings, plant and machinery

- f) The erection of buildings, plant and machinery for the coating or roadstone, producing concrete, concrete products or artificial aggregates, where
- g) The development in, on land forming part of or adjoining land used in connection with the rail or water transportation of aggregates
- h) Searches and tests for mineral deposits (and the erection of associated buildings, plant and machinery)
- i) Depositing of mineral waste
- j) Cement works
- k) Any development on a current or disused mineral site or current or disused landfill site which would conflict with or prejudice compliance with a restoration condition imposed in respect of the mineral working

County Matter Applications - Waste

[The Town and Country Planning \(Prescription of County Matters\) \(England\) Regulations 2003](#) defines 'waste' related county matters as:

- a) the use of land;
- b) the carrying out of building, engineering or other operations; or
- c) the erection of plant or machinery used or proposed to be used,

wholly or mainly for the purposes of recovering, treating, storing, processing, sorting, transferring or depositing of waste;

the use of land or the carrying out of operations for any purposes ancillary to any use or operations specified in the paragraph above, including the formation, laying out, construction or alteration of a vehicular access to any public highway.

Environmental Permit/Exemptions

The [Environmental Permit](#) regime is administered by the Environment Agency. Many waste development schemes require either an Environmental Permit or an Exemption from the Environment Agency.

The County Council advises making contact with the Environment Agency at an early stage and we advise twin tracking submission to ensure smooth progression of both applications.

Where contact with the Environment Agency has been made a statement explaining what stage discussions have reached with the Environment Agency would be beneficial. Where an application for an Environmental Permit has already been made the reference of the application should be provided.

National Requirements

This section identifies the minimum statutory information required in support of a planning application; the policy drivers for each requirement and where further information can be found.

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Planning Application Forms

- Required for all applications by [Article 7 of the Town and Country Planning \(Development Management Procedure\) \(England\) Order 2015](#) as amended (DMPO)
- Application forms should be fully completed (including the relevant ownership certificate and agricultural land declaration, signed and dated
- Where development is to be carried out by Norfolk County Council solely or jointly with one or more partners Norfolk County Council (including the developing department) must be named as the applicant. For example, On behalf of Norfolk County Council, Executive Director of Children's Services / On behalf of Norfolk County Council, Director of Highways & Waste / On behalf of Norfolk County Council, Director of Community, Information and Learning / Norfolk Fire and Rescue Services
- Application forms can be downloaded from the [Planning Portal](#)

Planning application fee

Required by [Article 11 of the Town and Country Planning \(Development Management Procedure\) \(England\) Order 2015](#)

Applications which are subject to a planning application fee include (but are not limited to):

- Applications for planning permission, including retrospective applications where development has already taken place
- Applications for the approval of reserved matters following the grant of outline planning permission
- Applications under S73 of the Town and Country Planning Act 1990 to vary a condition following the grant of planning permission
- Applications made by local planning authorities for the development of any of their own land within their area, or for development by themselves (whether alone or jointly) of other land in their area
- Deemed applications
- Applications for lawful development certificates
- Requests for written confirmation of compliance with a planning condition

A planning application fee is **not** required for the following types of applications:

- Applications for consents (other than 'reserved matter' approvals) required by a condition imposed on an outline permission
- Applications for listed building or scheduled monument consent
- Applications under section 19 of the Planning (Listed Buildings and Conservation Areas) Act 1990 for discharge of conditions imposed on a listed building consent
- Applications to demolish an unlisted building in a Conservation Area (exempt under Regulation 5a of the 2012 Fees Regulations)
- Applications for review of mineral permissions under Schedules 13 and 14 of the Environment Act 1995

The full list is available to view within the Government's [Fees for planning applications Planning Practice Guidance](#).

Payment of fees

- Via credit card on the Planning Portal
- Via BACS transfer
- Via internal journal transfer for Regulation 3 applications
- Via cheque made payable to Norfolk County Council

References

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Site Location Plan

Required by [Article 7 of the Town and Country Planning \(Development Management Procedure\) \(England\) Order 2015](#) for all applications except approval of details reserved by condition and non-material amendment applications.

The site location plan should:

- Be based on an up-to-date map
- Be at an identified scale of 1:1250 or 1:2500 (where possible)
- Be scaled to fit onto A4 or A3 size paper (where possible)
- Identify sufficient roads and/or buildings on land adjoining the application site to ensure that the exact location of the site is clear
- Be edged clearly with a red line around all land necessary to carry out the proposed development (e.g. land required for access to the site from a public highway, visibility splays, landscaping, car parking & open spaces around buildings)
- Have a blue line around any other land owned by the applicant close to or adjoining the application site
- Indicate a north point
- Include a linear scale

Certificates

Required by [Article 13](#) and [Schedule 2 of the Town and Country Planning \(Development Management Procedure\) \(England\) Order 2015](#) for all applications except:

- Approval of Reserved Matters
- Renewal of temporary permission
- Discharge or variation of conditions
- Lawful development certificate
- Non-material amendments

Certificate A – if the applicant is the sole owner of the land to which the application relates and there are no agricultural tenants

Certificate B – if the applicant is not the sole owner of the land to which the application relates, or if there are agricultural tenants and the applicant knows the names and addresses of all the other owners and/or agricultural tenants

Certificate C – if the applicant does not own all of the land to which the application relates and does not know the names and addresses of all of the owners and/or agricultural tenants

Certificate D – if the applicant does not own all of the land to which the application relates and does not know the names and addresses of any of the owners and/or agricultural tenants

- A typed signature of the applicant's name is acceptable for an electronically submitted certificate
- Any paper copy certificate submitted with the application form must be signed by hand
- Ownership certificate must be completed for applications for Listed Building consent but no agricultural declaration is required

Notice of Ownership

Required by [Article 13 of the Town and Country Planning \(Development Management Procedure\) \(England\) Order 2015](#) for all applications where there are owners of the application site other than the applicant

A signed certificate confirming the ownership of the land to which the application relates and that the relevant notices have been served in accordance with [Article 13 of the DMPO](#).

Agricultural Land Declaration

Required by [Article 14 of the Town and Country Planning \(Development Management Procedure\) \(England\) Order 2015](#) for all applications except:

- Approval of Reserved Matters
- Renewal of temporary permission
- Discharge or variation of conditions
- Listed Building Consent
- Lawful development certificates
- Non-material amendments

Required whether or not the application site includes an agricultural holding.

All agricultural tenants must be notified prior to the submission of the application as required by [Article 13 of DMPO](#)

An 'owner' is anyone with a freehold interest, or leasehold interest the unexpired term of which is not less than 7 years. In the case of development consisting of the winning and working of minerals, a person entitled to an interest in a mineral in the land is also an owner.

An 'agricultural tenant' is a tenant of an agricultural holding, any part of which is comprised in the land to which the application relates.

Design and Access Statement (DAS)

Required by [Article 9 of the Town and Country Planning \(Development Management Procedure\) \(England\) Order 2015](#) for the following:

- Applications for major development
- Applications for development in a designated area, where the proposed development consists of a building or buildings where the floor space created by the development is 100m² or more
- Applications for Listed Building Consent

Major development is development as defined in [Article 2 of the Town and Country Planning \(Development Management Procedure\) \(England\) Order 2015](#).

A designated area is a Conservation Area or a property appearing on the World Heritage List kept under article 11(2) of the 1972 UNESCO Convention Concerning the Protection of the World Cultural and National Heritage (a World Heritage Site).

A DAS is not required for the following applications:

- Waste development
- A material change of use
- Engineering or mining operations
- Section 73 (variation or removal of conditions)

A DAS should:

- a) Explain the design principles and concepts that have been applied to the development
- b) Demonstrate the steps taken to appraise the context of the proposed development and how the design of the development takes that context into account
- c) Explain the applicant's approach to access and how relevant Local Plan policies have been taken into account
- d) Detail any consultation undertaken in relation to access issues and how the outcome of this consultation has informed the proposed development.
- e) Explain how any specific issues which might affect access to the development have been addressed.

For Listed Building Consent the following is also required:

- a) The special architectural or historical importance of the building
- b) The particular physical features of the building that justify its designation as a listed building
- c) The setting of the building
- d) Explain how issues relating to access to the building have been dealt with
- e) Explain the applicant's approach to access, including alternative means of access that have been considered and how relevant Local Plan policies have been taken into account

- f) Statements must also explain how the applicant's approach to access takes account of matters (a)-(c) above
- g) Explain how any specific issues which might affect access to the building have been addressed.

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Existing / Proposed Site/Block Plan

Required by [Article 7 of the Town and Country Planning \(Development Management Procedure\) \(England\) Order 2015](#) for all applications except Outline applications

- Recommended scale of 1:500 or 1:200
- Accurately show the direction of north
- Show the proposed development in relation to the site boundaries and other existing buildings on the site, with written dimensions including those to the boundary
- Include all the buildings, roads and footpaths on land adjoining the site including access arrangements
- Show all public rights of way (footpath, bridleway, restricted byway or byway open to all traffic) crossing or adjoining the site
- Show the position of all trees on the site, and those on adjacent land that could influence or be affected by the development
- Show the extent and type of any hardstanding
- Show boundary treatment including walls or fencing where this is proposed

Existing and Proposed Elevations

Required by [Article 7 of the Town and Country Planning \(Development Management Procedure\) \(England\) Order 2015](#) for all applications where new built development is proposed

- Recommended scale of 1:50 or 1:100
- The drawings should clearly show the elevations of the proposed works in relation to what is already on site
- Show all sides of the proposal and indicate, where possible, the proposed building materials and the style, materials and finish of windows and doors
- Blank elevations should also be included, if only to show this is the case
- Where a proposed elevation adjoins another building or is in close proximity, the drawings should clearly show the relationship and detail the positions of the openings of each property.

Existing and Proposed Floor Plans

Required by [Article 7 of the Town and Country Planning \(Development Management Procedure\) \(England\) Order 2015](#) for applications for new development and for existing buildings altered by the proposed development

- Recommended scale of 1:50 or 1:100
- Should show the proposal in detail
- Clearly show where existing buildings or walls are to be demolished
- Show details of existing buildings as well as those for the proposed development
- Show new buildings in context with adjacent buildings

Existing and Proposed Site Sections including finished floor and site levels

Required by [Article 7 of the Town and Country Planning \(Development Management Procedure\) \(England\) Order 2015](#) for all applications where the existing or proposed site levels would impact on built development or be permanently changed by proposed restoration

- Recommended scale of 1:50 or 1:100
- Existing topographical survey
- Cross sections through proposed building/development at various intervals/locations and orientations
- Where a change in ground levels is proposed, illustrative drawings should be submitted to show both existing and finished levels to include details of foundations and eaves and how encroachment onto adjoining land is to be avoided
- Details to demonstrate how the proposed buildings relate to existing site levels and neighbouring development
- Plans to show existing site levels and restoration levels (with levels related to a fixed ordnance datum point off site) and show how the proposals relate to surrounding levels/landscape (at least 250m from proposed changes)
- Plans showing phased working and restoration and locations for storage of topsoil, subsoil and overburden over time.
- In the case of landfill proposals:
 - a) existing, pre-settlement and post settlement levels should be shown (with levels related to a fixed datum point off site) and show how the proposals relate to surrounding levels/landscape (at least 250m from proposed changes)
 - b) plans showing phases of working and restoration are required

Existing / Proposed Roof Plans

Required by [Article 7 of the Town and Country Planning \(Development Management Procedure\) \(England\) Order 2015](#) for any application where a new roof would be created by the proposed development or an existing roof would be altered

- Recommended scale 1:50 or 1:100
- Show the shape of the roof and include details of the roofing material, vents, solar panels etc and their location

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Photographs and photomontages

Required for applications where the development would result in a significant change in the appearance of a building and/or landscape (including the demolition of an existing building). This includes development affecting Listed Buildings and Conservation Areas.

- Photographs to show the external appearance of a building(s) or area(s) in its current state and photomontages to show the proposed change.
- Computer generated images may also be helpful

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Planning Statement

Required by [Article 7 of the Town and Country Planning \(Development Management Procedure\) \(England\) Order 2015](#) for all applications

The Statement should be commensurate with the scale of proposed development

The Statement should include:

- An explanation of the principles behind and the justification for the proposed development.
- A description of the site setting out the physical features of the site and its surroundings
- A description of the site's existing use, planning designations and physical constraints
- Details of existing and/or proposed boundary treatment
- Details of any pre-application consultation (including community engagement) carried out prior to the submission of the application
- Reasoned justification where pre-app advice has not been followed
- An explanation of how the proposed development accords with national and local plan policy

Mineral Development:

- Fully describe the scope of the proposed development (existing demand, projected future demand, expected annual tonnage, how the proposed development would contribute towards the landbank)
- Nature of the minerals to be extracted, total tonnage/volume of mineral
- Overburden to mineral ratio across the site
- If to be washed, anticipated silt percentage and proposals for management of silt (if any)
- Information on the geology and topography of the site (relevant land stability, water table levels, ground conditions etc.)
- Proposed restoration afteruses and aftercare management
- Summary of supporting and technical information submitted as part of the application

Waste Development:

- A full description of the scope of the proposed development including:
 - processes to be undertaken on site
 - plant to be used
- Details of the nature of the waste materials to be imported to the site (including a list of Environment Agency waste codes), the nature of end products to be generated and how any residual materials would be disposed of.

- Details of existing and proposed employee numbers
- Details of site layout, buildings and details of existing and proposed external building materials
- Details of the topography and geology of the site
- Details of restoration afteruses and aftercare management for landfill proposals
- Where a proposal is a departure from the development plan, the applicant will need to also demonstrate need for the facility in accordance with the National Planning Policy for Waste (2014). This would be expected to include a site selection appraisal.

Economic Statement (include in planning statement)

Required by [NPPF](#) - Section 6 (Building a strong competitive economy)

Mineral Development:

Required for all applications which propose regeneration, creation of new employment uses or result in the loss of existing employment uses or change the use of a site or building which is allocated for employment in the Local Development Plan.

The Statement should include:

- the regeneration benefits of the proposed development, including details of new jobs to be created or supported,
- the relative floorspace totals for each proposed use (where known),
- any community benefits referenced back to the Community Strategy or any relevant parish/community plan or study and reference to any regeneration strategies that might lie behind or be supported by the proposed development.

Waste Development:

- Required for applications where significant economic growth or regeneration benefits apply or might be enabled by a major waste management proposal
- The Statement should include details of any economic benefits from the proposed development, including new jobs created or supported and community benefits (providing evidence where relevant).

References

[NPPF](#) – Section 17 (Facilitating the sustainable use of minerals)

Statement of Community Involvement (SCI)

It is good practice to engage with the community at an early stage of any proposed development, especially 'major development' as defined in the Development Management Procedure Order.

Major development includes the winning and working of minerals or the use of land for minerals-working deposits, waste development, the provision of a building or buildings where the floor space to be created by the development is 1,000m² or development is carried out on a site having an area of 1 hectare or more.

Exceptions would include small scale proposals where the potential impact would be limited in scale and area.

The statement should demonstrate how the applicant has complied with the requirements set out in the County Council's Statement of Community Involvement (SCI) and demonstrate how the views of interested parties were sought and taken into account prior to the submission of the planning application.

SCIs are required for all major Regulation 3 applications and any new or extended minerals and waste facilities. They are also required for all EIA applications.

References

[Norfolk County Council's Statement of Community Involvement, \(as amended\)](#)

Agricultural Justification Statement

Required by Policy DM14 (Progressive working, restoration and after-use) and Policy DM5 (Borrow pits and agricultural or potable water reservoirs) of the [Core Strategy and Minerals and Waste Development Management Policies Development Plan](#)

Required for applications for agricultural reservoirs where mineral is proposed to be extracted and exported to create the reservoir landform.

The statement should include:

- Justification for the proposed development
- Scale plan which clearly shows all the land that would benefit from the proposed reservoir
- Relevant agricultural information (ALC, crop rotation etc.) for all land which would be supported by the reservoir

References

[NPPF](#) – Section 17 (Facilitating the sustainable use of minerals)

Airport Safeguarding Statement

Required by the [Town and Country Planning \(Safeguarded Aerodromes, Technical Sites and Military Explosives Storage Areas\) Direction 2002](#) updated December 2016 and Policy DM7 (Safeguarding aerodromes) of the [Core Strategy and Minerals and Waste Development Management Policies Development Plan](#)

Required for all applications within the consultation area of civil and military aerodromes and airstrips (Norwich International Airport, RAF Marham, RAF Swanton Morley, RAF Honington, RAF Lakenheath and RAF Mildenhall and for other MoD sites at Neatishead, Old Buckenham, Trimingham and Weybourne) involving:

- Mineral extraction including landfilling
- Waste management involving landfilling, composting, recycling, treatment
- Any development over 90m in height
- Gas flaring or venting
- Any building or structure, which because of its size, shape, location or construction materials has the potential to act as a reflector or diffractor of the radio signals on which navigational aids, radio aids and telecommunication systems depend
- Lighting which has the potential to distract or confuse pilots
- Development which has the potential to increase the number of birds or the bird risk hazard

The Statement should include:

- An accurate site plan of the proposed development with the site clearly outlined and six figure (Ordnance Survey) 'eastings' and 'northings' grid references
- The ground level of the site to an accuracy of 0.25m Above Ordnance Datum (AOD)
- The layout, dimensions, materials and particularly heights, of the proposed development above ground level
- Any landscaping and/or Sustainable Drainage Systems (SuDs) proposals
- Any associated construction or development lighting details
- Any other information that may be deemed necessary to assess the application (e.g. installation of solar panels on buildings)
- Details of major tree planting, proposed nature reserves or proposed afteruses which may attract birds

References

[NPPF](#) – Section 17 (Facilitating the sustainable use of minerals)

Air Quality Impact Assessment

Required by the [Environment Act 1995 Part IV Air Quality](#) and Policy CS14 (Environmental Protection), Policy DM1 (Nature conservation), Policy DM12 (Amenity), Policy DM13 (Air Quality), Policy CS15 (Transport) of the [Core Strategy and Minerals and Waste Development Management Policies Development Plan](#)

Required where development is:

- Within or adjacent to an Air Quality Management Area (AQMA)
- Where the development could in itself, result in the designation of an AQMA
- Where the granting of planning permission would conflict with, or render unworkable, elements of a local authority's air quality action plan (AQAP)
- Significantly affect traffic in the immediate vicinity of the proposed development site or further afield (e.g. generating or increasing traffic congestion; significantly changing traffic volumes, vehicle speed or both; significantly altering the traffic composition on local roads)
- Introduce new point sources of air pollution
- Expose people to existing sources of air pollutants
- Where air quality Impact Risk Zones (IRZs) are triggered

Assessments should be proportionate to the nature and scale of proposed development and the level of concern about air quality. The scope and content of supporting information is best discussed between NCC, the District/Borough Environmental Health (EHO) and the applicant before it is commissioned.

The following information could be included in the assessment and agreed at the outset:

- A description of baseline conditions and how these could change
- Relevant air quality concerns including the effects on ecological receptors
- The assessment methods to be adopted and any requirements around verification of modelling air quality
- Sensitive locations
- The basis for assessing impact and determining the significance of the impact
- Construction phase impact; and/or
- Acceptable mitigation measures

If there is an AQAP in place the proposed development should be in accordance with that Plan.

References

[Planning Practice Guidance – Air Quality](#)

[NPPE](#) - Section 15 (Conserving and Enhancing the natural environment) and Section 17 (Facilitating the sustainable use of minerals)

District/Borough/City Local Plan policies

[Air Pollution Information Service \(APIS\)](#)

[Defra MAGIC map website](#)

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Archaeological Assessment (below ground heritage)

Required by the [NPPE](#) (Section 16 - Conserving and enhancing the historic environment) and [The Ancient Monuments and Archaeological Areas Act 1979](#) and Policy CS14 (Environmental protection), Policy DM8 (Design, local landscape and townscape character) and Policy DM9 (Archaeological sites) of the [Core Strategy and Minerals and Waste Development Management Policies Development Plan](#)

Required for all applications for development, within an Area of Archaeological Potential (advice can be sought from the County Archaeologist), that involves a new building or disturbance of the ground.

The Assessment should include the following:

- Description of the significance of the heritage assets affected by the proposed development and their contribution to the site
- A desk-based assessment of the impact of the proposal. It should show the sources that have been considered and the expertise that has been consulted
- Any relevant supporting documentation, such as plans showing historic features that may exist on or adjacent to the development site. This includes listed buildings and structures, historic parks and gardens and historic battlefields.

A desk-based assessment is designed to provide baseline data on the potential archaeological and heritage assets that may be affected by a proposed development.

In addition to desk-based assessment archaeological evaluation by geophysical survey or geophysical survey and trial trenching may be required in order to enhance the level of baseline information.

Archaeological investigations, such as trial trenching, are physical investigation of a place carried out by an appropriately qualified persons for the purpose of investigating, recording or conserving the archaeological, structures, deposits, artefacts and ecofacts of a place.

References

[Norfolk Historic Environment Record](#) (HER)

[Planning Practice Guidance](#) – Historic Environment

[Historic England](#) website

Bio-aerosol Assessment

Required by Policy CS7 (Recycling, composting, anaerobic digestion and waste transfer stations) of the [Core Strategy and Minerals and Waste Development Management Policies Development Plan](#)

Required for applications for new waste composting facilities or changes to existing facilities within 250m of the boundary of a sensitive receptor (a place where people live or work for more than 6 hours at a time)

The Assessment should include:

- The quantity of waste to be handled
- The method of waste treatment (open, enclosed etc)
- Information to demonstrate that bio-aerosols could and would be maintained no higher than acceptable levels at the sensitive receptors (300, 1000 and 500 cfu m³ for gram-negative bacteria, total bacteria and *Aspergillus fumigatus* respectively, as measured by the standard monitoring protocol)

References

Appendix B of the [National Planning Policy for Waste](#)

[Environment Agency website](#)

[Health & Safety Executive website](#)

Biodiversity Surveys and Assessments

Required by Policy CS2 (General locations for mineral extraction and associated facilities), Policy CS5 (General location of waste management facilities), Policy CS14 (Environmental protection) and Policy DM1 Nature conservation) of the [Core Strategy and Minerals and Waste Development Management Policies Development Plan](#) and by Borough/District/City Councils local plan policies

Required for all applications which have the potential to affect Protected Sites, European Protected Species, National Protected Species, Priority Habitats and Species. Protected Sites include Special Areas of Conservation (SACs), Special Protection Areas (SPAs), Ramsar Sites, Sites of Special Scientific Interest (SSSI), Local Wildlife Sites and Special Roadside Verges. European Protected Species are species protected under the Conservation of Habitats and Species Regulations 2017. National Protected Species are species protected under the Wildlife & Countryside Act 1981 (as amended) and badgers (The Protection of Badgers Act 1992). Priority Habitats and Species are Habitats of Principal Importance in England (Priority Habitats) and Species of Principal Importance in England (Priority Species).

Surveys and assessments may not be required if pre-application advice has been received from Natural England and/or Norfolk County Council's ecologist confirming they do not consider the proposed development would have an impact on any designated sites or protected species.

All submitted reports should adhere to BS42020: 2013 Biodiversity: Code of Practice for Planning and Development.

If it is clear that no protected or priority species are present, the applicant should provide evidence with the planning application to demonstrate that such species are absent (e.g. report from a suitably qualified and experienced person).

Note:

Preliminary Ecological Appraisal (PEA)

Consists of a desk-based study and walk over survey collating data on statutory designated sites and priority habitats, locally designated sites and existing records of protected and priority species within the vicinity of the site.

The key objectives of a PEA are to:

- Identify the likely ecological constraints associated with a project;
- Identify any mitigation measures likely to be required, following the 'Mitigation Hierarchy',
- Identify any additional surveys that may be required to inform an Ecological Impact Assessment (EclA); and
- Identify the opportunities offered by a project to deliver ecological enhancement

Extended Phase 1 Habitat Survey

- Contains details of the habitats present on the development site and surrounding area
- Information on the plant species present and their abundance
- Potential of the site for protected and priority species is assessed and recorded
- Guidance on measures that could be incorporated into the proposed development design to avoid and mitigate ecological impact
- Where it identifies the need for further surveys (badger surveys etc), these would form part of the Ecological Impact Assessment and without which we will not be able to validate the application.
- Identifies the need for a Biodiversity Statement and Mitigation Plan if there are potential impacts from the development (either direct or indirect) or likely harm to protected species and/or habitats

Under normal circumstances it is not appropriate to submit a Preliminary Ecological Appraisal Report (PEAR) as part of a planning application, because the scope of a PEAR is unlikely to fully meet planning authority requirements in respect of biodiversity policy and implications for protected species. This is because a PEAR is normally written to advise a client of ecological constraints and opportunities to inform their design options, likely mitigation requirements, and the need for further surveys. It therefore lacks a detailed assessment of ecological effects, and commitment to mitigation; the planning authority is therefore unlikely to have adequate information to enable the decision maker to determine the application.

A PEA / Phase 1 Habitat Survey are normally used to inform an Ecological Impact Assessment (EclA), which may, however, be submitted as an appendix to an EclA Report.

Information relating to badgers should be provided separately, to avoid sett locations being identified.

References

[Environment Act November 2021](#)

[Conservation of Habitats and Species Regulations 2017.](#)

[NPPF](#) – Section 15 (Conserving and enhancing the natural environment) and Section 17 (Facilitating the sustainable use of minerals)

[Natural Environment & Rural Communities Act 2006](#) (NERC)

[Planning Practice Guidance](#) – Natural Environment

[Planning Practice Guidance](#) – Appropriate Assessment

Defra [MAGIC Map website](#)

District/Borough/City Local Plan policies

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Biodiversity Net Gain (BNG) Statement / Assessment

Required by the Environment Act 2021

Required for all applications.

Once the Environment Act is enacted through secondary legislation (anticipated in Autumn 2023, exact date to be confirmed) or if there is a development plan policy requirement, the required information will need to be submitted to demonstrate the mandatory 10% net gain. The Biodiversity Metric (or subsequent updated version) is required to demonstrate a net gain.

Proposals should include:

- The pre-development biodiversity value;
- Steps taken to avoid or minimize adverse biodiversity impacts/loss;
- Proposed approach to enhancing biodiversity onsite including a management and maintenance plan
- The proposed off-site biodiversity if it cannot be secured on site, including a management and maintenance plan.
- A Management, maintenance and monitoring schedule for a 30 year period

Note:

Schedule 14 of the Environment Act states that a general condition will be applied to every planning permission (except those exempt from BNG requirements) that a biodiversity gain plan should be submitted and approved by the planning authority before commencement of development.

References

[Environment Act 2021](#)

[Natural England](#) – The Biodiversity Metric 4.0

[Norfolk County Council Environment Policy](#)

[DEFRA – Biodiversity net gain](#)

District/Borough/City Local Plan policies

Borehole or trial pit analysis

Required by Policy CS14 (Environmental protection) and Policy DM3 (Groundwater and surface water) of the [Core Strategy and Minerals and Waste Development Management Policies Development Plan](#)

For applications involving mineral extraction and restoration

- Results of soil surveys and investigations including depth of soils
- Mineral content
- Position of winter water table (details of which should be included on sectional drawings)

References

[NPPF](#) – Section 17 (Facilitating the sustainable use of minerals)

Climate Change, Energy Statement, Renewable Energy and Sustainability Statement

Required by the [Climate Change Act 2008](#) and Policy CS13 (Climate change and renewable energy generation) and Policy DM11 (Sustainable construction and operations) of the [Core Strategy and Minerals and Waste Development Management Policies Development Plan](#).

Required for all applications for major development.

Major development includes the winning and working of minerals or the use of land for minerals-working deposits, waste development, the provision of a building or buildings where the floor space to be created by the development is 1,000m² or development is carried out on a site having an area of 1 hectare or more.

The Statement should include:

- A sustainability appraisal outlining the elements of the proposed development which addresses sustainable development issues (e.g. choice of building design, facilities aimed at reducing energy needs, water consumption and overall carbon footprint and the generation of renewable energy)
- Details of how sustainable design and construction have been addressed (e.g. reducing energy consumption and carbon emissions, minimising waste and increasing recycling, conserving water resources, incorporation of green infrastructure, sustainable drainage systems (SuDs), minimising pollution, maximising use of sustainable materials and adaptation to climate change)

References

[NPPF](#) – Section 14 (Meeting the challenge of climate change, flooding and coastal change)

[Norfolk County Council Environment Policy](#)

[Government 25 Year Environment Plan](#)

Construction Management Plan

Required by Policy CS15 (Transport), [Policy DM10 \(Transport\)](#) and Policy DM12 (Amenity) of the [Core Strategy and Minerals and Waste Development Management Policies Development Plan](#)

Mineral Development:

- Required for all applications which propose to bring large plant onto the site or where access to the site is considered sensitive

Waste Development:

- Required for applications which proposed the provision of new built development

The Plan should include (but not be limited to) details of:

- Parking of vehicles of site personnel, operatives and visitors
- Loading and unloading of plant and materials
- Storage of plant and materials
- Programme of works including measures for traffic management, vehicle routing, hours of operation, numbers of HGVs and design of delivery areas
- Provision of boundary hoarding behind any visibility zones
- Specifications for vehicle turning within the site to enable vehicles to leave the site in forward gear
- Measures for the suppression and control of dust during construction
- Wheel washing facilities

References

[NPPE](#) – Section 9 (Promoting Sustainable Transport)

Daylight/Sunlight Assessment

Required by the [NPPE](#) - Section 12 (Achieving well-designed places) and Policy DM12 (Amenity) of the [Core Strategy and Minerals and Waste Development Management Policies Development Plan](#)

Required for any application where there is potential adverse impact upon current levels of daylight/sunlight enjoyed by adjoining properties or buildings including associated gardens or amenity space.

The assessment should include:

- Details of existing and expected levels of daylight, sunlight and overshadowing on neighbouring properties
- Details of the measures to be taken to mitigate against the expected impact of the proposed development

References

[Site layout planning for daylight and sunlight: a guide to good practice](#) – Building Research Establishment – September 2011

[British Standard Code of Practice for daylighting](#) (BS EN 17037:2018 Daylight in buildings (Incorporating corrigendum October 2021))

Dust Impact Assessment

Policy CS14 (Environmental protection) and Policy DM12 (Amenity) of the [Core Strategy and Minerals and Waste Development Management Policies Development Plan](#)

Required for all development for mineral extraction and waste management facilities.

The dust assessment should:

- Establish the baseline conditions of the existing dust climate around the proposed site
- Identify site operations that could lead to dust emissions without mitigation
- Identify site parameters which may increase potential impacts from dust
- Recommend mitigation measures
- Provide details relating to the monitoring and reporting of dust emissions to ensure compliance with appropriate environmental standards and to enable an effective response to complaints

The assessment should be undertaken by a competent person/organisation

References

[NPPF](#) – Section 17 (Facilitating the sustainable use of minerals)

Appendix B of the [National Planning Policy for Waste October 2014](#)

Environmental Impact Assessment

Required by the [Town and Country Planning \(Environmental Impact Assessment\) Regulations 2017](#)

Required for all applications proposing development included in [Schedule 1](#) or [Schedule 2](#) of the EIA Regulations which may have significant effects on the environment

[Schedule 4](#) of the EIA Regulations sets out the information which should be included within the Environmental Statement and Non-Technical Summary.

References

[Planning Practice Guidance](#) – Environmental Impact Assessment

Flood Risk Assessment

Required by the [Flood and Water Management Act 2010](#) and [NPPE](#) - Section 14 (Meeting the challenge of climate change, flooding and coastal change) and Policy CS13 (Climate change and renewable energy generation) and Policy DM4 (Flood Risk) of the [Core Strategy and Minerals and Waste Development Management Policies Development Plan](#)

Required for all applications which propose development:

- In Flood Zone 2 or 3 including minor development and change of use
- Of more than 1 hectare in Flood Zone 1
- Of less than 1 hectare in Flood Zone 1, including a change of use in a development type to a more vulnerable class (e.g. from commercial to residential), which could be affected by sources of flooding other than rivers and the sea (e.g. surface water drains, reservoirs)
- In an area within Flood Zone 1 which has critical drainage problems as notified by the Environment Agency

A Flood Risk Assessment is not required for development less than 1 hectare in Flood Zone 1 unless it could be affected by sources of flooding other than rivers and the sea (e.g. surface water drains).

The [Environment Agency's standing advice](#) should be followed if a Flood Risk Assessment is being undertaken for development classed as:

- A minor extension (household extensions or non-domestic extensions less than 250 square metres) in Flood Zone 2 or 3
- 'more vulnerable' in Flood Zone 2 (except for landfill or waste facility sites, caravan or camping sites)
- 'less vulnerable' in Flood Zone 2 (except for agriculture and forestry, waste treatment, mineral processing and water and sewerage treatment)
- 'water compatible' in Flood Zone 2

The Standing Advice should also be followed for development involving a change of use into one of the vulnerable categories or into the water compatible category

Sequential Test

A Sequential Test is required if both of the following apply:

- The proposed development is in Flood Zone 2 or 3
- A Sequential Test hasn't already been done for the type of development proposed for the site.

The sequential test compares the proposed site with other available sites to determine which has the lowest flood risk

If the sequential test shows that there are not any suitable alternative sites an exception test may be required.

A Sequential Test is not required if either of the following apply:

- The proposed development is minor development
- The proposed development involves a change of use (e.g. from commercial to residential) unless the development is a caravan, camping chalet, mobile home or park home site

A Sequential Test is also not required for development in Flood Zone 1 unless there are flooding issues within the area of proposed development.

Exception Test

An Exception Test is required if the proposed development is:

- Highly vulnerable and in Flood Zone 2
- Essential infrastructure in Flood Zone 3a or 3b
- More vulnerable in Flood Zone 3a

The Exception Test shows how flood risk will be managed on and off site

The Flood Risk Assessment should include:

- A location plan showing street names, any rivers, streams, ponds, wetlands or other bodies of water and other geographical features (e.g. railway lines, schools, churches etc.)
- Site plan showing the existing site; the development proposal and structures which could affect water flow (e.g. bridges, embankments etc.)
- Survey showing the existing site levels and the levels of the proposed development
- A cross section of the site showing finished floor or road levels and any other levels that inform the flood risk (e.g. existing raised banks and flood defence walls).
- An assessment of the risk to the proposed development if there was a flood
- Consideration of flooding from other sources (e.g. surface water drains, canals etc.) as well as from rivers and the sea and the inclusion of an allowance for climate change
- The estimated level for the proposed site (i.e. the 1 in 100 year river flood level or the 1 in 200 year tidal flood level)
- Estimation of the duration of a flood
- Estimation of the rate of surface water runoff
- Estimation of the order in which areas of the site would be flooded
- Estimation of the consequences for people living on or using the site

- Details of past flooding incidents on the site (where available)
- An assessment of surface water runoff from the site
- An estimation of how much surface water runoff (excess water that flows over surfaces) the proposed development would generate – both the volume and rate of the runoff
- Details of the existing methods for managing surface water runoff (e.g. drainage to a sewer)
- Details for managing surface water ensuring no increase in level of surface water runoff
- Details of existing flood resistance and resilience measures on the proposed site
- Capacity of drains or sewers (existing and proposed) on the proposed site
- Details of how the proposed development would reduce flood risk
- Details of how people will leave buildings during a flood
- Explanation of how raised flood embankments or changes to ground levels could affect water flow
- Explanation of how the proposed development could affect rivers and their floodplain or coastal areas
- Explanation of residual risks to the proposed site after any necessary flood defences have been built and how these risks would be managed
- Details of the extra flood resistance and resilience measures that need to be undertaken to reduce flood risk
- If an environmental permit is required and whether it has been applied for
- If the proposed development falls within the functional flood plain (only 'water compatible' development or 'essential infrastructure' that has met the requirements of the exception test are allowed in the functional floodplain)
- Details showing that any water compatible or essential infrastructure developments have been designed to stay safe and operational during a flood, the blocking of water flows or increased flood risk elsewhere has been avoided and the loss of floodplain storage (i.e. loss of land where flood waters used to collect) has been avoided
- Details of the extra flood and resilience measures included in the design of the proposed development

Site levels should be stated in relation to the Ordnance Datum (the height above average sea level).

Surface water runoff describes flooding from sewers, drains, groundwater and runoff from land, small water courses and ditches that occurs as a result of heavy rainfall.

The functional flood plain is land where water has to flow or be stored in times of flood.

References

[Planning Practice Guidance](#) – Flood Risk and Coastal Change

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Foul Sewage and Utilities Assessment

Required by the [NPPE](#) - Section 14 (Meeting the challenge of climate change, flooding and coastal change), the [National Policy Statement for Waste Water](#) and by Policy CS11 (Waste water/sewage infrastructure and treatment facilities) of the [Core Strategy and Minerals and Waste Development Management Policies Development Plan](#)

Required for all applications:

- For new built development which require separate connections to foul and storm water sewers
- Which propose to connect a development to the existing system
- Where development involves the disposal of trade waste or the disposal of foul sewage effluent other than to the public sewer
- Where the proposed development results in any changes/replacements to the existing system or the creation of a new system

The assessment should include:

- Details of the existing system
- A full assessment of the site, its location and suitability for storing, transporting and treating sewage
- Details of connection to the mains sewer. If this is not practical it should be demonstrated why this is not possible and show alternative means of disposal are satisfactory
- Scale plans of any new foul drainage arrangements
- Details of how the proposed development connects to existing utility infrastructure systems
- Details of the availability of utility services that have been examined and confirmation that the proposed development would not result in undue stress on the delivery of the services to the wider community
- Details of any utility company requirements for substations, telecommunications equipment or similar structures
- Confirmation that service routes have been planned to avoid the potential for damage to trees and archaeological remains
- Details of agreements with the service provider for the relocation and/or protection of existing infrastructure

References

[EU Water Framework Directive](#)

[Planning Practice Guidance](#) – Water supply, wastewater and water quality

[Building Regulations Approved Document Part H](#)

Health Impact Assessment (HIA)

Required by District/Borough/City Council local plan policies and Policy CS14 (Environmental protection), Policy DM8 (Design, local landscape and townscape character), Policy DM11 (Sustainable construction and operations) and Policy DM12 (Amenity) of the [Core Strategy and Minerals and Waste Development Management Policies Development Plan](#)

Required for applications for major/strategic development

Major development includes the winning and working of minerals or the use of land for minerals-working deposits, waste development, the provision of a building or buildings where the floor space to be created by the development is 1,000m² or development is carried out on a site having an area of 1 hectare or more.

Strategic development includes all new mineral workings covering more than 15 hectares or involve the extraction of more than 30,000 tonnes of mineral per year or installations (including landfill sites) for the deposit, recovery and/or disposal of household, industrial and/or commercial wastes where new capacity is created to hold more than 50,000 tonnes per year, or to hold waste on a site of 10 hectares or more or have the potential for a significant adverse environmental impact (i.e. likely to require Environmental Impact Assessment).

An HIA considers the health impacts of proposed development. It also assesses the impact of a development on health, existing services and facilities.

An HIA should include recommendations to help enhance the positive consequences for health and avoid or minimise negative consequences.

An HIA should include (but not be restricted to):

- Details on building design and quality
- Access to community facilities and other social infrastructure
- Access to open spaces and the natural environment
- Air quality and noise impact
- Accessibility and travel options
- Crime reduction and community safety
- Social cohesion
- Minimising the use of resources

References

[NPPE](#) – Section 8 (Promoting healthy and safe communities)

[Health Impact Assessment Tools – Department of Health](#)

Heritage Statement (above ground heritage)

Required by [Planning \(Listed Buildings and Conservation Areas\) Act 1990](#) and [NPPF](#) - Section 16 (Conserving and enhancing the historic environment), Policy CS14 (Environmental protection), Policy DM8 (Design, local landscape and townscape character) and Policy DM9 (Archaeological sites) of the [Core Strategy and Minerals and Waste Development Management Policies Development Plan](#)

Required for any application that could affect/impact a heritage asset including through changes in their setting.

A heritage asset is a building, monument, site, place, area or landscape identified as having a degree of significance meriting consideration in planning decisions, because of its heritage interest. It includes designated heritage assets and assets identified by the local planning authority (including local listings).

Any works to a Listed Building or any proposals for the demolition of a building within a Conservation Area may also require Listed Building Consent or/and Planning Permission.

The Statement should include:

- Details of the history and development of the asset using photographic, map, archival and fabric evidence
- Be accompanied by photographic records showing the site context and features which may be affected by the proposal, preferably cross-referenced to survey drawings
- An assessment of the archaeological, historical or other significance of the asset, including consideration of any contribution made by its setting
- An assessment of the impact of the proposed works on the significance of the asset, including by changes in setting, and whether harm would be caused
- Statement of justification for the proposed works
- Details of how harm will be avoided, and only where this is not possible, the mitigation measures which will be employed. In describing avoidance and mitigation measures, the statement should articulate the extent to which the proposed measures would reduce harm. If following avoidance and mitigation development will still result in harm to the asset/s – either through physical harm or through a change in setting - a description of the public benefits which are considered to outweigh this harm, and why the proposed harm is necessary to achieve these.

References

[Planning Practice Guidance](#) – Conserving and enhancing the historic environment

[Historic England](#) website

Hydrology/Hydrogeology Assessment

Required by [NPPE](#) - Section 15 (Conserving and enhancing the natural environment), Policy DM1 (Nature conservation) and Policy DM3 (Groundwater and surface water) of the [Core Strategy and Minerals and Waste Development Management Policies Development Plan](#)

Required for any development which involves disturbance to the ground that could affect the water table and the movement of water (under and around the site) or involves the use of materials and processes that could result in the pollution of the water environment. Sites above groundwater protection zones.

The assessment should include:

- Calculation of the extent and volumes of dewatering
- Details of topography and surface drainage, artificial ground, superficial deposits, landslip deposits, rockhead depth, bedrock geology
- Details of any borehole reports including any information with regard to both licenced and unlicensed abstractions
- Details of natural water table, including depth, source catchment areas and characteristics
- Details of potential impact on any SSSI designated wetland site
- Details of potential impact on third parties
- Details of investigations which show that dewatering is likely to have an impact on private and public water supplies or water bodies or watercourses
- Details of mitigating measures (e.g. recharging reservoirs)
- Details of proposed methods of dewatering and proposed methods of water disposal
- Details of proposed measures to control potential pollution to protect ground and surface water
- Details of any necessary drainage and flood control measures and proposed monitoring measures, including any requirements for the provision of settlement lagoons
- Details of how surface water is to be disposed of, the avoidance of impairing drainage from adjoining areas and the prevention of material entering open watercourses

References

[Planning Practice Guidance – Water supply, wastewater and water quality](#)

Appendix B of the [National Planning Policy for Waste](#)

[British Geological Survey website](#)

Land Contamination Assessment

Required by Policy CS6 (General waste management considerations) of the [Core Strategy and Minerals and Waste Development Management Policies Development Plan](#)

Required for all applications for development where contaminated land or buildings/structures are known or suspected to exist

The Assessment should include:

- A Preliminary Risk Assessment which includes information about the site and contamination and a conceptual model identifying pollutant sources, pathways and receptors and options for remediation.
- A Generic Quantitative Risk Assessment which includes a site investigation and desk study, refinement of the conceptual model and conclusions and next steps

References

[NPPF](#) – Section 15 (Conserving and enhancing the natural environment)

[Planning Practice Guidance](#) – Land affected by contamination

Register of contaminated land held by District/Borough/City Councils in Norfolk

Landfill Statement

Required by the [Landfill \(England and Wales\) \(Amendment\) Regulations 2005](#), Policy CS9 (Inert waste landfill) and Policy CS10 (Non-hazardous and hazardous waste landfill) of the [Core Strategy and Minerals and Waste Development Management Policies Development Plan](#)

Required for any application which proposes landfilling (including re-working or reclamation of former mineral sites)

The Statement should include:

- The capacity of the proposed site
- The amount of material required
- Rates of fill, type and source of material (including EU waste codes)
- Expected levels of settlement (including justification)
- Proposed methods of compaction (pre and post settlement levels)
- Evidence that the amount of fill proposed is the minimum requisite required
- Biodiversity or landscape enhancements proposed once the site is filled/restored

References

[Environmental Permitting Guidance – The Landfill Directive – DEFRA](#)

[National Planning Policy for Waste](#)

[Landfill operators: environmental permits](#)

Landscape and Visual Impact Assessment

Required by Policy CS14 (Environmental protection), Policy DM2 (Core River Valleys) and Policy DM8 (Design, local landscape and townscape character) of the [Core Strategy and Minerals and Waste Development Management Policies Development Plan](#)

Required for any proposal that due to its size, scale or location may have a significant visual impact upon the surrounding landscape.

The Assessment should include:

- An assessment and evaluation of the landscape character (including AONBs and the Broads) and the potential impact the proposed development may have upon it.
- Details of visual receptors (e.g. PRowS, public open spaces, residential properties, other sensitive locations) should be included together with other important features and views
- Details of relevant Landscape Character Assessment undertaken
- Proposed mitigation measures (e.g. screening, landscaping, design etc)
- Details of how the proposal would enhance the core river valley, where appropriate.

References

The relevant district or borough council landscape character assessment.

[Guidelines for Landscape and Visual Impact Assessment \(3rd edition\) 2013](#)

[Planning Practice Guidance](#) – Natural Environment

[NPPF](#) - Section 15 (Conserving and enhancing the natural environment)

Landscape Scheme

Required by Policy CS14 (Environmental protection) and Policy DM14 (Progressive working, restoration and after-use) of the [Core Strategy and Minerals and Waste Development Management Policies Development Plan](#)

Required for all applications where new or replacement landscaping is proposed.

The Scheme should include:

- Details of any existing trees and hedgerows on the site
- Details of any trees and hedgerows to be retained and measures for their protection during the period of works/construction
- Details of areas to be planted with species, sizes, spacing, protection and programme for implementation
- Details of maintenance and management of the scheme
- Details of hard landscaping (e.g. paving, fencing, retaining walls etc) including materials, colours etc

References

[NPPF](#) – Section 15 (Conserving and enhancing the natural environment) and Section 17 (Facilitating the sustainable use of minerals)

[Planning Practice Guidance](#) – Natural environment

District/Borough/City Council Landscape Character Assessment

Lighting Scheme

Required by Policy CS14 (Environmental Protection), DM8 (Design, local landscape and townscape character) and Policy DM12 (Amenity) of the [Core Strategy and Minerals and Waste Development Management Policies Development Plan](#)

Required for all proposals where new external lighting is proposed e.g. floodlighting, exterior lighting for sports pitches, car parks, illumination of buildings, work areas, and security lighting.

The scheme should include:

- Details of the location, height, design, luminance and operation
- Overview of lighting design including maintenance factor and lighting standard applied
- Justification for the proposed lighting design
- Lighting drawing showing lux levels on the ground, angles of tilt and average lux (minimum and uniformity) for all proposed lighting
- Contour plan detailing likely spill light from proposed lighting, in context of adjacent site levels
- Identify area/features on site particularly sensitive for bats and those 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 (e.g. foraging)
- Details of how and where external lighting would be installed through provision of appropriate lighting contour plans and technical specification to demonstrate that areas to be lit will not disturb or prevent bats using their territory or having access to breeding sites and resting places
- Details of proposed hours of operation
- Details of the impact of the lighting on:
 - a) The amenity of neighbouring properties, specifically if light has the potential to extend beyond the boundary of the site.
 - b) Roads/ highway safety
 - c) The character of the area and the wider landscape, specifically Conservation Areas, Listed Buildings, Designated Areas (SSSI, AONB) or rural areas with little background light
 - d) Ecology, specifically European protected species.
- Proposed mitigation measures

References

[NPPF](#) – Section 12 (Achieving well-designed places) and Section 15 (Conserving and enhancing the natural environment)

[Planning Practice Guidance](#) – Light Pollution

[CPRE Norfolk – Light Pollution Planning Guidance](#)

Mineral Resource Assessment

Required for all applications for major (non-mineral) development within a Minerals Safeguarding Area.

The Assessment should determine whether development would sterilise mineral resources of local and/or national importance and should include:

- A written methodology for an intrusive site investigation, including Particle Size Distribution testing to determine if the site contains a viable mineral resource for prior extraction
- Information regarding the extent to which on-site materials which could be extracted during the proposed development would meet specifications for use on-site through intrusive site investigations, testing and assessment
- An outline of the amount of material which could be reused on site; and for material extracted which cannot be used on-site its movement, as far as possible by return run, to an aggregate processing plant

References

[Core Strategy and Minerals and Waste Development Management Policies Development Plan](#)

Norfolk County Council – [Interactive maps of Mineral Safeguarding Areas](#)

Norfolk County Council Guidance Note on the Mineral Safeguarding Process for aggregates - Sand & Gravel and Carstone

[NPPF](#) – Section 17 Facilitating the sustainable use of minerals

[Planning Practice Guidance](#) – Minerals

Net Zero Carbon Statement

Required by the Climate Change Act 2008

Required for all applications.

- An energy statement demonstrating how the proposed development incorporate measures to achieve carbon new zero
- A statement setting out how any shortfall in the net zero carbon target are going to be met

References

[Climate Change Act 2008](#)

HM Government – [A Green Future: Our 25 year Plan to Improve the Environment](#)

[Norfolk County Council Environment Policy](#)

District/Borough/City Local Plan policies

Noise Impact Assessment

Required by Policy CS14 (Environmental protection), Policy DM8 (Design, local landscape and townscape character) and Policy DM12 (Amenity) of the [Core Strategy and Minerals and Waste Development Management Policies Development Plan](#)

Required for all applications which may have a potential noise impact and for development considered to be noise sensitive or development within a noise sensitive area.

The Assessment should include:

- Relevant existing background noise levels
- Indicative noise levels of the proposed developments including likely sources of noise (e.g. machinery)
- Potential impact on neighbouring properties (particularly noise sensitive properties), including noise from the proposed development
- Details of traffic movements associated with the proposed development
- Details of proposed mitigation measures

References

[NPPF](#) – Section 15 (Conserving and enhancing the natural environment) and Section 17 (Facilitating the sustainable use of minerals)

[Planning Practice Guidance](#) – Noise

[Noise Policy Statement for England](#)

Nutrient Neutrality Statement / Assessment

Required by Natural England – Natural England letter of 16 March 2022

Required for all proposals that will result in additional wastewater discharge / nutrient load to the catchment of the River Wensum Special Area of Conservation (SAC) or The Broads SAC/ RAMSAR, which are habitat sites.

Application submissions should include:

- Confirmation whether the development or wastewater discharge resulting from the development falls within the Catchment of the River Wensum SAC and/or The Broads SAC/RAMSAR and whether the development would add to the nutrient loading
- Mitigation measures to demonstrate the proposal will not adversely affect the habitat site it lies within/ to address this additional loading (Note: whether onsite or offsite, mitigation will be required to be secured in perpetuity)
- Completed Natural England nutrient neutrality budget calculator for the relevant catchment

References

Natural England

[Department for Environment, Food & Affairs](#) – Policy Paper – Nutrient pollution: reducing the impact on protected sites – updated March 2023

[The Conservation of Habitats and Species Regulations 2017 \(as amended\)](#)

Odour Impact Assessment

Required by Policy CS7 (Recycling, composting, anaerobic digestion and waste transfer stations), Policy CS11 (Waste water/sewage infrastructure and treatment facilities), Policy CS14 (Environmental protection) and Policy DM12 (Amenity) of the [Core Strategy and Minerals and Waste Development Management Policies Development Plan](#)

Required for composting proposals within 250m of sensitive receptors and for applications where the proposal is likely to impact upon sensitive receptors by way of odour

The assessment should include:

- Details to establish the baseline conditions of the existing climate around the site
- Details of the operations that could lead to the generation of the emissions
- Details to indicate the change to baseline conditions resulting from the proposed development
- Identification of the receptors that could be affected by the emissions arising from the proposed operation
- Details of mitigation measures
- Details of the reporting and monitoring mechanism to enable effective response to any complaints

References

[NPPF](#) – Section 15 (Conserving and enhancing the natural environment)

Appendix B of the [National Planning Policy for Waste October 2014](#)

[Best Available Techniques for assessment and control of odour – Environment Agency – June 2005](#)

[Control and monitor emissions for your environmental permit – DEFRA & Environment Agency – February 2016](#) – Updated November 2022

Open Space Assessment

Required by District/Borough/City Council local plan policies, Policy DM8 (Design, local landscape and townscape character), Policy DM12 (Amenity) and Policy DM14 (Progressive working, restoration and after-use) of the [Core Strategy and Minerals and Waste Development Management Policies Development Plan](#)

Required for all applications involving the loss of or which prejudice the use of open spaces or a playing field

The assessment should include:

- A justification for the proposed development
- An assessment demonstrating that the land is surplus to requirements
- Evidence that open space would be replaced by equivalent or better provision, in terms of quantity and quality in a suitable location
- Evidence that the development is for alternative sports and/or recreational provision, the needs of which outweigh the loss
- Demonstrate how the loss of land is outweighed by the proposed development

References

[NPPF](#) – Section 8 (Promoting healthy and safe communities)

[Planning Practice Guidance](#) – Open space, sports and recreation facilities, public rights of way and local green spaces

Phasing plans/Proposed Scheme of Working

Required by Policy DM14 (Progressive working, restoration and after-use) of the [Core Strategy and Minerals and Waste Development Management Policies Development Plan](#)

Required for all applications where operations are proposed in a phased manner

- Limits of extraction and/or landfilling
- Identification of trees to be retained or removed
- Positions for storage for topsoil, subsoil, overburden
- Proposals for site screening e.g. soil bunds, advance planting
- Location of plant/buildings and ancillary structures/plant e.g. weighbridge, wheel cleaning, sheeting bays
- Direction of working, phasing of extraction and restoration
- Location of internal haul routes
- Location of site drainage and discharge arrangements
- Location of landfill gas control infrastructure where relevant
- Location of any landfill leachate control where relevant
- The proposed diverted position of overhead or underground infrastructure affected by the development
- Identification and management of soil types where the site includes land of the 'best and most versatile' agricultural category including the arrangements for removing and replacing soils stripped from the site and the phasing of soil movement.

References

[NPPF](#) – Section 17 (Facilitating the sustainable use of minerals)

Public Rights of Way (PRoW) Statement

Required by [Circular 01/09 – Rights of Way Circular \(2009\)](#), Policy DM8 (Design, local landscape and townscape character) and Policy DM14 (Progressive working, restoration and after-use) of the [Core Strategy and Minerals and Waste Development Management Policies Development Plan](#).

Required for all proposals requiring any diversions/extinguishments of existing PRoWs and the creation of new PRoWs.

Required for any development which requires the temporary closure of a PRoW for health and safety reasons during the development.

- A drawing showing all PRoWs crossing or adjoining the site should be submitted
- Details of how the proposed development could impact the PRoW together with details of any mitigation measures.

References

[Planning Practice Guidance](#) – Open space, sports and recreation facilities, public rights of way and local green space

[NPPF](#) - Section 8 (Promoting healthy and safe communities)

[Norfolk Access Improvement Plan](#)

Restoration and Aftercare

Required by Policy CS14 (Environmental protection) and Policy DM14 (Progressive working, restoration and after-use) of the [Core Strategy and Minerals and Waste Development Management Policies Development Plan](#)

Required for all proposals which involve the disturbance of the ground for the extraction of mineral or waste disposal except for applications seeking to vary/remove a condition which has no impact on the final restoration/aftercare of the site.

A restoration strategy is required to ensure that minerals and waste disposal operations do not have unacceptable impacts upon the natural and/or historic environment, and that restoration is carried out at the earliest opportunity to a suitable after use that conserves and enhances local landscape character and visual amenity and is of a high environmental standard.

Restoration

The restoration strategy should demonstrate the approach to restoration and include details regarding the phasing and direction of working and progressive restoration.

Details of the total volume and type of fill material (if required) to restore the site alongside filling rates.

Details of the importation of soils (including the volume of sub and topsoil depths) and the methods of importing additional soils and cultivation

For each working phase, site layout plans should show the location of enabling infrastructure (e.g. site access, offices, welfare facilities, car parking, haul roads, plant etc.), temporary and permanent mitigation measures (e.g. advanced planting, retained planting, protection measures, bunds and boundary treatments etc.) and the location of voids, stockpiles and waste materials.

Cross sections should be provided to show the relative height of the above aspects within the wider site context.

The strategy should include details of the proposed restoration materials and soils (overburden and/or importation of infill material) and the final landform.

Plans showing existing and proposed ground levels and gradients (where high settlement rates are expected, pre and post settlement contours may be required) relating to an offsite datum point or AOD.

Details of drainage to the restored area (including grading, surface water catchment, proposed field drains, ditches, culverts, sumps and watercourses, direction of flow and site and site drainage plan and erosion control measures).

Timetable for the removal of buildings, plant, equipment, roads and hardstanding.

A landscape scheme should be provided showing the proposed land use (e.g. agriculture, geodiversity, biodiversity, native woodland, historic environment, recreation). This should show site access and vehicular/pedestrian routes and public rights of way, retained and proposed landscape features (including water/drainage features).

Details of proposed cultivation techniques, cropping and grazing.

If the proposal affects agricultural land a statement of the existing and proposed Agricultural Land Classification is required demonstrating that the site can be restored satisfactorily.

Aftercare

The aftercare end use of the site can be agriculture, nature conservation, forestry, amenity (informal recreation or sport) or other purposes. If the proposed after-use is 'other purposes' the intended use must be stated. If a combined after-use is proposed a plan should be provided showing each proposed after-use and the area in hectares.

Details of a long term Management Plan (if the aftercare period is beyond 5 years) should be submitted.

Management/Enhancement

- Details of the enhancement measures and the positive contribution the site makes to biodiversity, can be provided on other land within the applicant's control
- Details of interim measures that can be undertaken whilst awaiting final restoration

References

[NPPF](#) - Section 15 (Conserving and enhancing the natural environment) and Section 17 (Facilitating the sustainable use of minerals)

[Planning Practice Guidance – Minerals](#)

Soil Assessment

Required by Policy DM16 (Soils) of the [Core Strategy and Minerals and Waste Development Management Policies Development Plan](#)

Required for applications which involve major development on agricultural land, where significant quantities of soil are required to be removed and/or a significant area of agricultural land would be lost as a result of the proposed development

The assessment should include:

- Details of the degree to which soils would be disturbed/harmed as part of the proposed development and whether 'best and most versatile' agricultural land is involved
- Soil surveys on 'best and most versatile agricultural land of Grades 1, 2, or 3a. Surveys will be required to establish the quality of the soil resource which would be affected by the proposed development where the land grade is unknown.
- The agricultural land classification and soil survey should be at a detailed level supported by borehole data
- Details of how potential adverse impacts on the soils could be mitigated

References

[NPPF](#) - Section 15 (Conserving and enhancing the natural environment) and Section 17 (Facilitating the sustainable use of minerals)

Soils Management and Handling Strategy

Required by Policy DM16 (Soils) of the [Core Strategy and Minerals and Waste Development Management Policies Development Plan](#).

Required for applications where significant development of agricultural land is involved

The Strategy should include:

- Comprehensive assessment of existing soils including a detailed soil survey to identify soil types, profiles and depths
- Details to demonstrate how the proposal will undertake any soil operations including stripping, storage and replacement

References

[Good Practice Guide for Handling Soils in Mineral Workings](#) – Institute of Quarrying

[NPPF](#) – Section 17 (Facilitating the sustainable use of minerals)

Sustainable Drainage Systems (SuDs)

Required under [Schedule 3 of the Flood and Water Management Act 2010](#) and [NPPF](#) - Section 14 (Meeting the challenge of climate change, flooding and coastal change) and Policy CS13 (Climate change and renewable energy generation) and Policy DM11 (Sustainable construction and operations) of the [Core Strategy and Minerals and Waste Development Management Policies Development Plan](#).

Required for major development. This includes development with additional floorspace of 1,000m² or more or a site of 1 hectare or more, or as otherwise provided in the Town and Country Planning (Development Management Procedure) (England) Order 2015.

Information required includes:

- Flood Risk Assessment / Statement
 - a) An assessment of the flood risk from all sources of flooding for your development, plus an allowance for climate change
 - b) The estimated flood level for your development, taking into account the impacts of climate change over its lifetime
 - c) Details of the finished floor levels
 - d) Details of your flood resistance and resilience plans
 - e) Any supporting plans and drawings
- Drainage Strategy / Statement

Evidence to support the discharge method following the drainage hierarchy that includes:

 - a) Ground investigation report (for infiltration) and infiltration testing if only relying on infiltration, or
 - b) Evidence of 'in principle' agreement of a third party for SuDS discharge to their system (e.g. Anglian Water, Highways Authority or third-party owner). Identification of the maintenance responsibility of any ordinary watercourse (including structures) within or adjacent the development.
 - c) Detailed development layouts showing SuDS locations.
 - d) Detailed drainage design hydrology / hydraulic calculations and drawings. Showing all locations, dimensions and freeboard of every element of the proposed mitigation and drainage system (e.g. rainwater harvesting, swales, interception and attenuation storage areas, ponds, permeable paving, filter strips (including sewer details if proposed (pipe numbers, gradients, sizes, locations, manhole details etc.))).
 - e) Full hydraulic and ground investigations (Geotechnical factual and interpretive reports, including infiltration results).
 - f) Infrastructure and Construction Phasing Plan (Inc. temporary works) if required.
 - g) SuDS Water Quality Assessment.
 - h) Detailed landscaping details linking to SuDS amenity and biodiversity elements.

- i) Detailed Maintenance program and on-going maintenance responsibilities. Consideration for Health and Safety requirements.
- j) Exceedance flow plan.

Note:

Surface water drainage systems developed in line with the ideals of sustainable development are collectively referred to as SuDS. Approaches to manage surface water that takes into account water quantity (flooding), water quality (pollution), amenity and biodiversity issues are collectively referred to as sustainable drainage. These are the four pillars of SuDS design. The philosophy of SuDS is to replicate, as closely as possible, the natural drainage from a site before development and to use shallow surface structures to mimic the pre-development scenario and manage water close to where it falls (interception). SuDS can be designed to slow water down (attenuate and / or reuse it) before it enters streams, rivers and other watercourses, they provide areas to store water in natural contours and can be used to allow water to soak (infiltrate) into the ground, evaporate from surface water or be transpired from vegetation (known as evapotranspiration).

Additionally, the Lead Local Flood Authority (LLFA) is the drainage authority under the Land Drainage Act 1991 for regulating works on ordinary watercourses for the 80% of Norfolk outside of Internal Drainage Board (IDB) areas. If there are any works proposed that are likely to affect flows in an ordinary watercourse, then approval of Norfolk County Council or the relevant IDB is required. This approval is separate from the planning process and the LLFA / IDB will issue a consent where appropriate. In line with good practice, the LLFA seek to avoid culverting, and its consent for such works will not normally be granted except as a means of access and other alternatives are unfeasible. This is supported by LLFA Policy (OW4: Culverting) within Norfolk Local Flood Risk Management Strategy. The Environment Agency (EA) must be consulted for any proposed work that may affect a Main River. For further help and advice visit [Consent for work on ordinary watercourses - Norfolk County Council](#).

For minor development, the information required should be proportionate to the nature and scale of the development, and include:

- Details of the risk of flooding on the site
- Details of the method through which the site currently drains
- A drainage plan indicating the proposed method of surface water disposal in accordance with the SuDS hierarchy
- Details of the SuDS pillars incorporated into the proposed development
- Management and maintenance plan

If SuDS are not possible within a proposed development, a statement should be included explaining why.

References

[CIRIA SuDs Manual](#)

[LLFA Information for Developers](#)

DRAFT

Transport Assessment/Statement

Required by Policy CS15 (Transport) and Policy DM10 (Transport) of the [Core Strategy and Minerals and Waste Development Management Policies Development Plan](#).

A Transport Assessment (TA) is required for major development where the traffic or person trip is significant in both volume and area of impact.

A Transport Statement (TS) is required for smaller scale developments that would not have a major impact on the transport network but are still likely to have an impact at local level on the immediate transport network.

The scope and level of detail in a TA/TS will vary from site to site but the following should be included:

- Description of the proposed development, site layout (including existing and proposed access and layout for all modes of transport)
- Details of neighbouring uses, amenity and character, existing functional classification of nearby road network
- Details of existing public transport provision (including frequency of services, distance to proposed development and any proposed public transport changes)
- A qualitative and quantitative description of the travel characteristics of the proposed development including movements across all modes of transport that would result from the development and in the vicinity of the site
- An assessment of trips from all directly relevant committed development in the area (e.g. development where there is a reasonable degree of certainty that it will proceed within the next 3 years)
- Details of current traffic flows on links and at junctions (including by different modes of transport and the volume and type of vehicles) within the study area and identification of critical links and junctions on the highway network
- An analysis of the injury accident records on the public highway in the vicinity of the site for the most recent 3 year period (or 5 year period if the proposed site has been identified as being within a high accident area)
- An assessment of the likely associated environmental impacts of the transport related to the proposed development (particularly in relation to proximity to environmentally sensitive areas such as air quality management areas or noise sensitive areas)
- Details of measures to improve the accessibility of the location (such as provision/enhancement of nearby footpath and cycle path linkages) where these are necessary to make the development acceptable in planning terms
- A description of parking facilities in the vicinity of the site and the parking strategy of the proposed development
- Ways of encouraging environmental sustainability by reducing the need to travel

- Details of measures to mitigate the residual impacts of development (such as improvements to the public transport network, introducing walking and cycling facilities, physical improvements to existing roads)

Assessments should be based on normal traffic flow and usage conditions (e.g. non-school holiday periods, typical weather conditions) but it may be necessary to consider the implications for any regular peak traffic and usage periods (such as rush hours). Projections should use local traffic forecasts such as TEMPRO drawing where necessary on National Road Traffic Forecasts for traffic data.

References

[NPPF](#) – Section 9 (Promoting sustainable transport)

[Planning Practice Guidance](#) – Travel Plans, transport assessments and statements in decision making

Travel Plan

Required by Policy DM10 (Transport) of the [Core Strategy and Minerals and Waste Development Management Policies Development Plan](#).

Required for all non-residential development proposals with 50 or more employees or where there will be a significant impact on the local road network, due to the development; or where existing transport infrastructure, congestion or pollution problems occur.

A Travel Plan should identify the specified required outcomes, targets and measures and set out clear monitoring and management arrangement all of which should be proportionate.

It should also consider what additional measures may be required to offset unacceptable impacts if the targets should not be met.

A Travel Plan should set explicit outcomes rather than just identify processes to be followed. It should address all journeys resulting from a proposed development by anyone who may need to visit or stay and it should seek to fit in with wider strategies for transport in the area.

It should evaluate and consider:

- Benchmark travel data including trip generation databases
- Information concerning the nature of the proposed development and the forecast level of trips by all modes of transport likely to be associated with the development
- Relevant information about existing travel habits in the surrounding area
- Proposals to reduce the need for travel to and from the site via all modes of transport; and
- Provision of improved public transport services
- Parking strategy options (if appropriate) and the need to avoid unfairly penalising motorists.
- Proposals to enhance the use of existing, new and improved public transport services and facilities or cycling and walking both by users of the development and by the wider community.

References

[NPPF](#) – Section 9 (Promoting Sustainable Transport)

[Planning Practice Guidance](#) – Travel plans, transport assessments and statements in decision making

Tree Survey, Arboricultural Impact Assessment (AIA), Arboricultural Method Statement (AMS) and Tree Protection Plan (TPP)

Required by Policy CS14 (Environmental protection) and Policy DM1 (Nature conservation) of the [Core Strategy and Minerals and Waste Development Management Policies Development Plan](#)

Required for all applications where there are any trees within the application site, on land adjacent to the application site or which could influence or be affected by the development (including street trees). Affected trees are defined as trees that overhang the site or are located beyond the site boundaries within a distance of up to 12 times their estimated stem diameter.

The Tree Survey, Arboricultural Impact Assessment, Arboricultural Method Statement and Tree Protection Plan should be undertaken by a suitably qualified person in accordance with the provisions of BS5837:2012 - Trees in relation to design, demolition and construction.

Tree Survey

The Tree Survey should include:

- All trees with a stem diameter of 75mm or more
- Trees growing as individuals, groups and woodland
- Tree survey plan showing the location of all trees, groups and woodlands referred to
- Schedule accompanying the plan, identifying the trees by way of a unique reference number marked on the plan and on the tree

For each tree the following should be recorded:

- Reference of the tree
- Species by common name and/or scientific name
- Presence of Tree Protection Order (TPO) or Conservation Area protection
- Height in metres
- Stem diameter in millimetres, measured 1.5m above ground level
- The branch spread in metres
- Age class: young, semi-mature, mature, over-mature or veteran
- Physiological condition and structural condition of the tree (health and any physical defects)
- Preliminary management recommendations
- Estimation of the tree's remaining useful life in years
- Categorisation of trees for removal and those suitable for retention, based on consideration of the above, in accordance with Table 1 of BS5837

A Tree Constraints Plan showing:

- Accurate position and existing crown spread
- Tree Quality Assessment category (A, B, C or U)
- Root Protection Area (RPA) calculated from table 2 of the British Standards
- Future growth potential (ultimate crown spread and height)
- Shade footprint through the main part of the day based on ultimate tree size

The Tree Constraints Plan should be prepared at an early stage and inform site layout design.

Arboricultural Impact Assessment

An AIA is required where proposed development could potentially affect trees. This report should demonstrate how the proposed development and associated trees will co-exist and interact in the present and future.

An AIA should take account of:-

- Location of trees in relation to proposed development
- Proposed changes to site levels
- Proposed changes to surfacing
- The space needed for foundation excavations and construction works
- Working space for cranes, plant, scaffolding and access during works
- Locations for the layout of all temporary and permanent apparatus and service runs, including foul and surface water drains, land drains, soakaways, gas, oil, water, electricity, lighting, telephone, television or other communication cables
- Details of demolition of existing buildings and removal of existing hardstanding
- Exposure due to tree and structure removal
- Sunlight and shading
- Site access and site layout during construction
- Contractor's compound and parking
- Allocation of a suitable area for plant and material storage
- The type and extent of landscape works which will be needed within the protected areas, and the effects these will have on the root system

An AIA should include:

- The Tree survey (see above)
- Details of any tree loss required to implement the design
- Impacts of proposed activities in the vicinity of retained trees
- Details of tree root protection areas (RPAs) and ground protection which should be clearly marked on a scaled Tree Protection Plan
- Proposed mitigation planting incorporating Biodiversity Net Gain

Arboricultural Method Statement

Information as to how the proposed development will be undertaken without causing damage to trees on site.

Information as to how the proposed development/works would be managed and how trees would be adequately protected during the development/works.

Should contain a timetable indicating when and how specific works adjacent to trees would be undertaken. The works include (but are not limited to) installation of protective fencing, hand excavation within tree protection zones and use of boarding to avoid compaction.

Specification sheets should be included for protective fencing, special surfaces, methods of trenching etc.

Site supervision by an arboricultural consultant or County's Arboricultural Officer may be stipulated for some or all of the development/works identified as requiring an AMS.

The AMS should include:

- Schedule of tree surgery works (prior to and upon completion of the construction works)
- Specific reference to the TPP
- Details of surface changes and methods of construction
- Details of level changes and methods of construction
- Excavation, trenching methods, special construction techniques
- Locations of bonfires, chemical storage etc
- Contingency plan (chemical spillage, collision, emergency access to root protection zones)
- Post construction landscaping close to existing trees (methods, locations, scale plans)
- Tree planting (storage of trees, site preparation)
- Contact listing (Planning Authority, Arboricultural Consultant, Architect, Site Manager)
- Copies of all relevant site plans and tree survey schedule

Tree Protection Plan

The tree protection plan should be superimposed on a layout plan, based on the topographical survey, showing all hard surfacing and other existing structures within the RPA.

The plan should clearly indicate the precise location of protective barriers to be erected to form construction exclusion zones around the retained trees. It

should also show the extent and type of ground protection, if required, and any additional physical measures, that will need to be installed to safeguard vulnerable sections of trees and their RPAs where construction activity cannot be fully or permanently excluded.

References

[NPPF](#) – Section 15 (Conserving and enhancing the natural environment)

[Planning Practice Guidance](#) – Natural Environment

BS5837:2012 Trees in relation to design, demolition and construction

[Planning Practice Guidance](#) – Tree Preservation Orders and tree in conservation areas

Section 73 applications (Minor Material Amendment / Removal or Variation of a Condition)

Under section 73 of the Planning Act 1990, applicants can apply to carry out a development without complying with condition(s) previously imposed on a planning permission. This includes applications to vary the approved drawings condition if the applicant proposes to materially revise the development for which they have planning permission.

Depending on the nature of the application, further drawings will be required relating to the changes being sought to the original scheme i.e. amended site layout, elevation(s), landscaping scheme etc. The information required from the Local List will be influenced by both the nature and scale of the application, as well as the length of time that has elapsed since the original grant of permission. The longer the time period since planning permission was first granted, the greater the level of information that is likely to be needed. This is because the characteristics of the surrounding environment and infrastructure may have changed since the original grant of permission

As a minimum requirement, the County Council requires the following:

- Completed application form
- Correct fee
- Location Plan showing where the site is by outlining in red (scale 1:1250 or 1:2500). The red line should be exactly the same as that which was approved under the original grant of permission. If the plans are not consistent the planning application will be returned as invalid.
- A covering letter setting out the proposed amendments
- Site Plan
- Existing / Proposed Floor Plans (where appropriate)
- Existing / Proposed Elevations (where appropriate)
- Existing / Proposed Roof Plan (where appropriate)
- Planning Statement - setting out a rationale for the proposed changes
- Supporting documents – this will depend on the nature of the amendment, but relevant supporting documents should be updated accordingly in the form of additional or addendum reports.

Submitted plans should clearly annotate areas to be amended

Section 73a applications

Section 73A of the Town and Country Planning Act 1990 provides, among other things, for retrospective planning applications to be made in respect of development which has been carried out without permission, and for applications for planning permission to authorise development which has been carried out without complying with planning condition(s) to which it was subject.

Depending on the nature of the application, further drawings will be required relating to the changes being sought to the original scheme i.e. amended site layout, elevation(s), landscaping scheme etc. The information required from the Local List will be influenced by both the nature and scale of the application, as well as the length of time that has elapsed since the original grant of permission. The longer the time period since planning permission was first granted, the greater the level of information that is likely to be needed. This is because the characteristics of the surrounding environment and infrastructure may have changed since the original grant of permission

As a minimum requirement, the County Council requires the following:

- Completed application form
- Correct fee
- Location Plan showing where the site is by outlining in red (scale 1:1250 or 1:2500). The red line should be exactly the same as that which was approved under the original grant of permission. If the plans are not consistent the planning application will be returned as invalid.
- A covering letter setting out the proposed amendments
- Site Plan
- Existing / Proposed Floor Plans (where appropriate)
- Existing / Proposed Elevations (where appropriate)
- Existing / Proposed Roof Plan (where appropriate)
- Planning Statement - setting out a rationale for the proposed changes
- Supporting documents – this will depend on the nature of the amendment, but relevant supporting documents should be updated accordingly in the form of additional or addendum reports.

Submitted plans should clearly annotate areas to be amended

Section 96a (Application for Non-Material Amendments)

Section 96A allows a non-material amendment to be made to an existing planning permission.

As a minimum requirement, the County Council requires the following:

- Completed application form
- Correct fee
- Location Plan showing where the site is by outlining in red (scale 1:1250 or 1:2500)
- A covering letter setting out the proposed amendments
- Site Plan
- Existing / Proposed Floor Plans
- Existing / Proposed Elevations
- Existing / Proposed Roof Plan
- Planning Statement - setting out a rationale for the proposed changes

Submitted plans should clearly annotate areas to be amended

Significant Changes

If following a grant of planning permission an applicant proposes significant changes to a proposal then a full planning application will be required. In such a case the full requirements of the Local List for Validation of Planning Applications will apply.

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Minerals & Waste Local List Checklist

| Required Documents | Submitted Y/N | Justification for omission |
|--|------------------|----------------------------|
| Existing / Proposed Site/Block Plan | | |
| Existing and Proposed Elevations | | |
| Existing and Proposed Floor Plans | | |
| Existing and Proposed Site Sections including finished floor and site levels | | |
| Existing / Proposed Roof Plans | | |
| Photographs and photomontages | | |
| Planning Statement | | |
| Statement of Community Involvement (SCI) | | |
| Agricultural Justification Statement | | |
| Airport Safeguarding Statement | | |
| Air Quality Impact Assessment | | |
| Archaeological Assessment | | |
| Bio-aerosol Assessment | | |
| Biodiversity Surveys and Assessments | | |
| Biodiversity Net Gain (BNG) Statement / Assessment | | |
| Borehole or trial pit analysis | | |
| Climate Change, Energy Statement, Renewable Energy, Sustainability Statement | | |
| Construction Management Plan | | |
| Daylight/Sunlight Assessment | | |
| Dust Impact Assessment | | |
| Environmental Impact Assessment | | |
| Flood Risk Assessment | | |
| Foul Sewage and Utilities Assessment | | |

| Required Documents | Submitted Y/N | Justification for omission |
|--|------------------|----------------------------|
| Health Impact Assessment (HIA) | | |
| Heritage Statement | | |
| Hydrology/Hydrogeology Assessment | | |
| Land Contamination Assessment | | |
| Landfill Statement | | |
| Landscape and Visual Impact Assessment | | |
| Landscape Scheme | | |
| Lighting Scheme | | |
| Mineral Resource Assessment | | |
| Net Zero Carbon Statement | | |
| Noise Impact Assessment | | |
| Nutrient Neutrality Statement / Assessment | | |
| Odour Impact Assessment | | |
| Open Space Assessment | | |
| Phasing plans/Proposed Scheme of Working | | |
| Public Rights of Way (PRoW) Statement | | |
| Restoration and Aftercare | | |
| Soil Assessment | | |
| Soils Management and Handling Strategy | | |
| Sustainable Drainage Systems (SuDs) | | |
| Transport Assessment/Statement | | |
| Travel Plan | | |
| Tree Survey, Arboricultural Impact Assessment (AIA), Arboricultural Method Statement (AMS), and Tree Protection Plan (TPP) | | |

Biodiversity Survey and Mitigation Timetable

| Species | When to survey (dependent on weather conditions) | Mitigation |
|---------|---|--|
| Badgers | Any time of year February to April or October to November for bait marking surveys to establish territories | July to November – Working to existing setts; disturbance, blocking or destruction. Other months – Work should cause no disturbance to known setts, building of artificial setts is possible. |
| Bats | Preliminary roost assessment - Any time of year (trees are best surveyed without foliage) Hibernation roosts – November to mid-March Summer roosts – May to August Foraging or commuting - April to October for spring, summer and autumn behaviour Swarming – August to October | November to February – Works on maternity roosts June to August – Works on hibernation roosts only Where site may be maternity and hibernation site, work should be undertaken mid-March to mid-May, or mid- September to mid- November. |
| Birds | Breeding - March to August (species dependent) Winter Behaviour - October to March Migration - March to May, August to November (dependent on species) | September to February – Clearance works may be conducted but must stop immediately if any nesting birds are found. |

| Species | When to survey (dependent on weather conditions) | Mitigation |
|---------------------|---|---|
| Dormice | April to November | September to October - Clearance, release, and translocation. May – Clearance works No works in other months. |
| Great crested newts | Mid-March to mid-June (Mid-April to end of June for eDNA) | March to June – Newt trapping programme in ponds and on land. July to October – Newt trapping programme on land only. In other months pond management only (no trapping). |
| Invertebrates | April to September | January to December |
| Natterjack toads | April to May (aquatic survey) July to September (terrestrial survey) | October to March – Pond management work April to July – Trapping of adults in ponds May to September – Trapping of adults on land, trapping of tadpoles |
| Otters | Any time of year | No seasonal constraints but likely to be restricted where otters are breeding. |
| Reptiles | April to mid-October | Scrub clearance November to February. Capture and translocation programme March to June, and September to October. July to August Limited due to high temperatures. |
| Water voles | Mid-April to September | April, August and September (avoid other months). |

| Species | When to survey (dependent on weather conditions) | Mitigation |
|-----------------------|--|--|
| White-clawed crayfish | July to September | April, and July to October – Exclusion of crayfish from construction areas. Other months – Avoid capture programmes. |
| Fish | For coastal, river and stream-dwelling species, the timing of surveys will depend on the migration pattern of the species concerned. Where surveys require information on breeding, the timing of surveys will need to coincide with the breeding, which may be summer or winter months depending on the species. | Mitigation for the protection of watercourses is required at all times of the year. Mitigation for particular fish species will need to be timed so as to avoid the breeding season. This varies from species to species. |
| Habitats/vegetation | April to September (Detailed habitats assessments surveys, surveys for higher plants/ferns. Mosses/lichens in April/May and Sept only) | October to February (Planting and Translocation) No mitigation possible in the majority of situations/species from March to September. |



Norfolk County Council

National and Local Validation Requirements for County Council (Regulation 3) Planning Applications

June 2023

Introduction

Norfolk County Council is the determining planning authority for the following types of applications:

- County Council's own development (Reg. 3) including new schools, school extensions, road development (where the council is the Highway Authority), as well as development for other council responsibilities – such as libraries and Norfolk Fire and Rescue Services
- Mineral extraction and associated development – such as quarries, mineral wharves, rail heads and sand and gravel processing plants
- Waste proposals including landfill sites, waste transfer/recycling sites and scrap yards

Planning applications for residential and commercial development are dealt with by the relevant District/Borough/City Council

- [Breckland](#)
- [Broadland](#)
- [Great Yarmouth](#)
- [King's Lynn & West Norfolk](#)
- [North Norfolk](#)
- [Norwich](#)
- [South Norfolk](#)
- [Broads Authority](#)

The purpose of the document

The purpose of this document is to provide applicants and agents with guidance on the information required by Norfolk County Council to support planning applications submitted under Regulation 3. Please see other guidance note for minerals and waste applications.

Paragraph 44 of the National Planning Policy Framework (NPPF) (July 2021) requires local planning authorities to publish a 'local list' setting out their information requirements for planning applications.

Local lists should be reviewed every 2 years and accord with national planning guidance. The requirements should be kept to the minimum needed to make decisions. Local Planning Authorities should only request supporting information that is:

- Relevant
- Necessary
- Material to the application

The local list is not exhaustive and simply aims to cover the most common requirements for planning applications. During the course of an application, it may be necessary for Norfolk County Council to request additional information where it is considered necessary to determine the application.

If an application is submitted without the relevant supporting documents detailed in this document, it may lead to delays in processing and determining the application.

If an application is not accompanied by the relevant information outlined in the appropriate checklist, then the applicant/agent should provide a written statement setting out why it is considered the information is not appropriate.

The relevant planning application form should be completed and submitted in support of all planning applications made to Norfolk County Council.

Provision of all the National List requirements is compulsory.

It may not be necessary to provide information for all the Local List requirements for every application. Guidance on when and what information is required is included within this document.

An application for planning permission from Norfolk County Council will only be considered valid where it meets both the [National Requirements](#) for validation and the requirements of the [Local Validation List](#). Failure to provide all the National List requirements and the relevant Local List requirements will result in the application being invalid and the possibility that it may be returned to you.

Pre-application

Norfolk County Council recommends that applicants/agents discuss their proposals with a planning officer before submitting an application. Various levels of [pre-application advice](#) are provided by the County Council to help inform the preparation of planning applications.

As part of pre-application discussions, the planning officer can advise which supporting documents would be required and whether an Environmental Impact Assessment (EIA) would be required as part of the application.

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Submission of Planning Applications

Applicants/agents are encouraged to submit planning applications electronically via the Planning Portal (where possible).

If applications are submitted electronically (this includes on a USB storage device) no paper copies of the application are required, unless accompanied by an EIA/Environmental Statement. However, for major applications, it would assist the case officer if one paper copy of the application (particularly large-scale drawings) was provided.

If applications are not submitted electronically one paper copy of the application should be submitted. Confirmation on the final number of paper copies should be discussed with the case officer as part of pre-application.

Planning application fees can be paid via the Planning Portal, BACS transfer, cheque, or via internal journal transfer for NCC planning applications.

Online submissions

The following standards for on-line submissions are recommended to help towards timely planning decisions:

- Firewall restrictions limit the maximum size of individual attachments to 10MB. Documents exceeding this limit can be submitted on portable media such as USB. The Planning Portal reference number should be clearly marked on the device.
- Supporting documents and attachments should be in PDF format. (This avoids the need to convert documents into PDF, which is the format used to publish application details on the website. It also avoids the loss of document quality caused by printing, scanning and the format of non-PDF files prior to publication.)
- The original paper size should be marked on all drawings. This ensures the scale and dimensions used will remain accurate if printed. (The scale becomes inaccurate when a margin is added to a drawing (shrink to fit distortion)).
- Avoid multiple images on a single drawing. Site and/or location plans should be submitted on separate A4 or A3 drawings rather than incorporating with other plans and elevations. This avoids the need to scan in colour to accommodate red and blue lines and makes drawings easier to locate on the County's on-line system.
- Only single PDF plans should be sent as attachments without layers. This avoids the need for multiple drawings to be converted into individual plan attachments. (There is a specific checkbox to save the PDF without the layers on which should be selected before the drawings are saved and submitted).
- All drawings should include a scale bar, north point (where appropriate) and at least one key dimension in addition to the original paper size. (Where possible

the original paper size should be limited to A3 as it is more convenient and quicker to deal with). Drawings should be to scale, unless there are special circumstances, in which case they should be annotated with 'DO NOT SCALE'.

- CAD drawings converted to PDF should be created in landscape to ensure the correct orientation for on-screen display.
- File names should reflect the content. Best practice recommendations include:
 - Providing a clear description of the plan or document in the file name
 - The title of the plan or document not just using a drawing number or reference
 - Avoiding the use of special characters in file names

Each application should be submitted with an index detailing all submitted documents to allow easy access. This will need to be updated and resubmitted as the application progresses and revised plans are submitted.

Personal Data and planning applications

Please note that the information provided on the application form and in any accompanying documents may be published on Norfolk County Council's website.

To avoid the publication of personal details, do not include them, or any other information which falls within the definition of personal data under the [Data Protection Act 2018](#), in documents supporting the application.

Regulation 3 Development

[The Town and Country Planning General \(Amendment\) \(England\) Regulations 2018](#) have amended [The Town and Country Planning General Regulations 1992](#) by omitting Regulation 9. As such, any planning permission granted pursuant to Regulation 3 would now run with the land rather than the applicant. Any obligations would be required through the submission of a Unilateral Undertaking at application stage, and those obligations would be enforceable by the relevant Local Planning Authority.

National Requirements

This section identifies the minimum statutory information required in support of a planning application; the policy drivers for each requirement and where further information can be found.

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Planning Application Forms

- Required for all applications by [Article 7 of the Town and Country Planning \(Development Management Procedure\) \(England\) Order 2015](#) as amended (DMPO)
- Application forms should be fully completed (including the relevant ownership certificate and agricultural land declaration), signed and dated
- Where development is to be carried out by Norfolk County Council solely or jointly with one or more partners Norfolk County Council (including the developing department) must be named as the applicant. For example, On behalf of Norfolk County Council, Executive Director of Children's Services / On behalf of Norfolk County Council, Director of Highways & Waste / On behalf of Norfolk County Council, Director of Community, Information and Learning / Norfolk Fire and Rescue Services
- Application forms can be downloaded from the [Planning Portal](#)

Planning application fee

Required by [Article 11 of the Town and Country Planning \(Development Management Procedure\) \(England\) Order 2015](#)

Applications which are subject to a planning application fee include (but are not limited to):

- Applications for planning permission, including retrospective applications where development has already taken place
- Applications for the approval of reserved matters following the grant of outline planning permission
- Applications under S73 of the Town and Country Planning Act 1990 to vary a condition following the grant of planning permission
- Applications made by local planning authorities for the development of any of their own land within their area, or for development by themselves (whether alone or jointly) of other land in their area
- Deemed applications
- Applications for lawful development certificates
- Requests for written confirmation of compliance with a planning condition

A planning application fee is **not** required for the following types of applications:

- Applications for consents (other than 'reserved matter' approvals) required by a condition imposed on an outline permission
- Applications for listed building or scheduled monument consent
- Applications under section 19 of the Planning (Listed Buildings and Conservation Areas) Act 1990 for discharge of conditions imposed on a listed building consent
- Applications to demolish an unlisted building in a Conservation Area (exempt under Regulation 5a of the 2012 Fees Regulations)

The full list is available to view within the Government's [Fees for planning applications Planning Practice Guidance](#).

Payment of fees

- Via credit card on the Planning Portal
- Via BACS transfer
- Via internal journal transfer for Regulation 3 applications
- Via cheque made payable to Norfolk County Council

References

[A Guide to the Fees for Planning Applications in England](#)

Site Location Plan

Required by [Article 7 of the Town and Country Planning \(Development Management Procedure\) \(England\) Order 2015](#) for all applications except approval of details reserved by condition and non-material amendment applications.

The site location plan should:

- Be based on an up-to-date map
- Be at an identified scale of 1:1250 or 1:2500 (where possible)
- Be scaled to fit onto A4 or A3 size paper (where possible)
- Identify sufficient roads and/or buildings on land adjoining the application site to ensure that the exact location of the site is clear
- Be edged clearly with a red line around all land necessary to carry out the proposed development (e.g. land required for access to the site from a public highway, visibility splays, landscaping, car parking & open spaces around buildings)
- Have a blue line around any other land owned by the applicant close to or adjoining the application site
- Indicate a north point
- Include a linear scale

Certificates

Required by [Article 13](#) and [Schedule 2 of the Town and Country Planning \(Development Management Procedure\) \(England\) Order 2015](#) for all applications except:

- Approval of Reserved Matters
- Renewal of temporary permission
- Discharge or variation of conditions
- Lawful development certificate
- Non-material amendments

Certificate A – if the applicant is the sole owner of the land to which the application relates and there are no agricultural tenants

Certificate B – if the applicant is not the sole owner of the land to which the application relates, or if there are agricultural tenants and the applicant knows the names and addresses of all the other owners and/or agricultural tenants

Certificate C – if the applicant does not own all of the land to which the application relates and does not know the names and addresses of all of the owners and/or agricultural tenants

Certificate D – if the applicant does not own all of the land to which the application relates and does not know the names and addresses of any of the owners and/or agricultural tenants

- A typed signature of the applicant's name is acceptable for an electronically submitted certificate
- Any paper copy certificate submitted with the application form must be signed by hand
- Ownership certificate must be completed for applications for Listed Building consent but no agricultural declaration is required

Notice of Ownership

Required by [Article 13 of the Town and Country Planning \(Development Management Procedure\) \(England\) Order 2015](#) for all applications where there are owners of the application site other than the applicant

A signed certificate confirming the ownership of the land to which the application relates and that the relevant notices have been served in accordance with [Article 13 of the DMPO](#).

Agricultural Land Declaration

Required by [Article 14 of the Town and Country Planning \(Development Management Procedure\) \(England\) Order 2015](#) for all applications except:

- Approval of Reserved Matters
- Renewal of temporary permission
- Discharge or variation of conditions
- Listed Building Consent
- Non-material amendments

Required whether or not the application site includes an agricultural holding.

All agricultural tenants must be notified prior to the submission of the application as required by [Article 13 of DMPO](#)

An 'owner' is anyone with a freehold interest, or leasehold interest the unexpired term of which is not less than 7 years. In the case of development consisting of the winning and working of minerals, a person entitled to an interest in a mineral in the land is also an owner.

An 'agricultural tenant' is a tenant of an agricultural holding, any part of which is comprised in the land to which the application relates.

Design and Access Statement (DAS)

Required by [Article 9 of the Town and Country Planning \(Development Management Procedure\) \(England\) Order 2015](#) for the following:

- Applications for major development (as defined in [Article 2 of the Town and Country Planning \(Development Management Procedure\) \(England\) Order 2015](#))
- Applications for development in a designated area, where the proposed development consists of a building or buildings where the floor space created by the development is 100m² or more
- Applications for Listed Building Consent

A designated area is a Conservation Area or a property appearing on the World Heritage List kept under article 11(2) of the 1972 UNESCO Convention Concerning the Protection of the World Cultural and National Heritage (a World Heritage Site).

A DAS is not required for the following applications:

- A material change of use
- Section 73 (variation or removal of conditions)

A DAS should:

- a) Explain the design principles and concepts that have been applied to the development
- b) Demonstrate the steps taken to appraise the context of the proposed development and how the design of the development takes that context into account
- c) Explain the applicant's approach to access and how relevant Local Plan policies have been taken into account
- d) Detail any consultation undertaken in relation to access issues and how the outcome of this consultation has informed the proposed development.
- e) Explain how any specific issues which might affect access to the development have been addressed.

For Listed Building Consent the following is also required:

- a) The special architectural or historical importance of the building
- b) The particular physical features of the building that justify its designation as a listed building
- c) The setting of the building
- d) Explain how issues relating to access to the building have been dealt with
- e) Explain the applicant's approach to access, including alternative means of access that have been considered and how relevant Local Plan policies have been taken into account
- f) Statements must also explain how the applicant's approach to access takes account of matters (a)-(c) above
- g) Explain how any specific issues which might affect access to the building have been addressed.

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Existing and Proposed Site/Block Plan

Required by [Article 7 of the Town and Country Planning \(Development Management Procedure\) \(England\) Order 2015](#) for all applications except Outline applications

- Recommended scale of 1:500 or 1:200
- Accurately show the direction of north
- Show the proposed development in relation to the site boundaries and other existing buildings on the site, with written dimensions including those to the boundary
- Include all the buildings, roads and footpaths on land adjoining the site including access arrangements
- Show all public rights of way (footpath, bridleway, restricted byway or byway open to all traffic) crossing or adjoining the site
- Show the position of all trees on the site, and those on adjacent land that could influence or be affected by the development
- Show the extent and type of any hardstanding
- Show boundary treatment including walls or fencing where this is proposed

Existing and Proposed Elevations

Required by [Article 7 of the Town and Country Planning \(Development Management Procedure\) \(England\) Order 2015](#) for all applications where new built development is proposed

- Recommended scale of 1:50 or 1:100
- The drawings should clearly show the elevations of the proposed works in relation to what is already on site
- Show all sides of the proposal and indicate, where possible, the proposed building materials and the style, materials and finish of windows and doors
- Blank elevations should also be included, if only to show this is the case
- Where a proposed elevation adjoins another building or is in close proximity, the drawings should clearly show the relationship and detail the positions of the openings of each property.

Existing and Proposed Floor Plans

Required by [Article 7 of the Town and Country Planning \(Development Management Procedure\) \(England\) Order 2015](#) for applications for new development and for existing buildings altered by the proposed development

- Recommended scale of 1:50 or 1:100
- Should show the proposal in detail
- Clearly show where existing buildings or walls are to be demolished
- Show details of existing buildings as well as those for the proposed development
- Show new buildings in context with adjacent buildings

Existing and Proposed Site Sections including finished floor and site levels

Required by [Article 7 of the Town and Country Planning \(Development Management Procedure\) \(England\) Order 2015](#) for all applications where the existing or proposed site levels would impact on built development

- Recommended scale of 1:50 or 1:100
- Show cross section through the proposed building(s)
- Where a change in ground levels is proposed, illustrative drawings should be submitted to show both existing and finished levels to include details of foundations and eaves and how encroachment onto adjoining land is to be avoided
- Details to demonstrate how the proposed buildings relate to existing site levels and neighbouring development
- Plans should show existing site levels and finished floor levels (with levels related to a fixed ordnance datum point off site) and show the proposals in relation to adjoining buildings

Existing and Proposed Roof Plans

Required by [Article 7 of the Town and Country Planning \(Development Management Procedure\) \(England\) Order 2015](#) for any application where a new roof would be created by the proposed development or an existing roof would be altered

- Recommended scale 1:50 or 1:100
- Show the shape of the roof and include details of the roofing material, vents, solar panels etc and their location

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Photographs and photomontages

Required for applications where the development would result in a significant change in the appearance of a building and/or landscape (including the demolition of an existing building). This includes development affecting Listed Buildings and Conservation Areas.

- Photographs to show the external appearance of a building(s) or area(s) in its current state and photomontages to show the proposed change.
- Computer generated images may also be helpful

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Planning Statement

Required by [Article 7 of the Town and Country Planning \(Development Management Procedure\) \(England\) Order 2015](#) for all applications

The Statement should be commensurate with the scale of proposed development

The Statement should include:

- An explanation of the principles behind and the justification for the proposed development.
- A description of the site setting out the physical features of the site and its surroundings
- A description of the site's existing use, planning designations and physical constraints
- Fully describe the scope of the proposed development
- Details of site layout, buildings and details of existing and proposed external building materials
- Details of boundary treatment
- Details of the topography and geology of the site
- An explanation of how the proposed development accords with national and local plan policy
- Details of any pre-application consultation (including community engagement) carried out prior to the submission of the application and any amendments made to the scheme as a result of comments received
- Reasoned justification where pre-application advice has not been followed

In addition, to the criteria above, where educational development is proposed an educational need statement should be provided (if relevant).

The Educational need statement should include:

- An explanation of the benefits the development will deliver to the school and local community, and what improvements it will deliver for teaching and learning
- An explanation about how the proposal helps to deliver Norfolk County Council's statutory responsibilities in relation to education and the Council's Local Growth Investment Plan (LGIP)
- Alternative options that were considered and, where relevant, local demographic pressures on school places should be explained
- Details of existing and proposed/forecast pupil and staff numbers
- Details of class sizes and year groups, where it is of relevance to the application

References

[NPPF Chapter 8: Promoting healthy and safe communities – paragraph 95](#)

[DCLG Ministerial Policy statement: planning for schools development \(2011\)](#)

[Norfolk County Councils Local Growth Investment Plan \(LGIP\):](#)

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Statement of Community Involvement (SCI)

It is good practice to engage with the community at an early stage of any proposed development, especially 'major development' as defined in the Development Management Procedure Order.

Major development includes the winning and working of minerals or the use of land for minerals-working deposits, waste development, the provision of a building or buildings where the floor space to be created by the development is 1,000m² or development is carried out on a site having an area of 1 hectare or more.

Exceptions would include small scale proposals where the potential impact would be limited in scale and area.

The statement should demonstrate how the applicant has complied with the requirements set out in the County Council's Statement of Community Involvement (SCI) and demonstrate how the views of interested parties were sought and taken into account prior to the submission of the planning application.

SCIs are required for all major Regulation 3 applications and any new or extended minerals and waste facilities. They are also required for all EIA applications.

References

[Norfolk County Council's Statement of Community Involvement, \(as amended\)](#)

Airport Safeguarding Statement

Required by the [Town and Country Planning \(Safeguarded Aerodromes, Technical Sites and Military Explosives Storage Areas\) Direction 2002](#) updated December 2016

Required for all applications within the consultation area of civil and military aerodromes and airstrips (Norwich International Airport, RAF Marham, RAF Swanton Morley, RAF Honington, RAF Lakenheath and RAF Mildenhall and for other MoD sites at Neatishead, Old Buckenham, Trimingham and Weybourne) involving:

- Any development over 90m in height
- Any building or structure, which because of its size, shape, location or construction materials has the potential to act as a reflector or diffractor of the radio signals on which navigational aids, radio aids and telecommunication systems depend
- Lighting which has the potential to distract or confuse pilots
- Development which has the potential to increase the number of birds or the bird risk hazard

The Statement should include:

- An accurate site plan of the proposed development with the site clearly outlined and six figure (Ordnance Survey) 'eastings' and 'northings' grid references
- The ground level of the site to an accuracy of 0.25m Above Ordnance Datum (AOD)
- The layout, dimensions, materials and particularly heights, of the proposed development above ground level
- Any landscaping and/or Sustainable Drainage Systems (SuDs) proposals
- Any associated construction or development lighting details
- Any other information that may be deemed necessary to assess the application (e.g. installation of solar panels on buildings)

References

Relevant District/Borough/City Local Plan policies

Air Quality Impact Assessment

Required by the [Environment Act 1995 Part IV Air Quality](#) & District/Borough/City Council Local Plan policies

Required for applications where development is proposed:

- Within or adjacent to an Air Quality Management Area (AQMA)
- Where the development could in itself, result in the designation of an AQMA
- Where the granting of planning permission would conflict with, or render unworkable, elements of a local authority's air quality action plan (AQAP)
- Significantly affect traffic in the immediate vicinity of the proposed development site or further afield (e.g. generating or increasing traffic congestion; significantly changing traffic volumes, vehicle speed or both, significantly altering the traffic composition on local roads)
- Introduce new point sources of air pollution
- Expose people to existing sources of air pollutants
- Where air quality Impact Risk Zones (IRZs) are triggered

Assessments should be proportionate to the nature and scale of proposed development and the level of concern about air quality. The scope and content of supporting information is best discussed between NCC and the applicant before it is commissioned.

The following information could be included in the assessment and agreed at the outset:

- A description of baseline conditions and how these could change
- Relevant air quality concerns including the effects on ecological receptors
- The assessment methods to be adopted and any requirements around verification of modelling air quality
- Sensitive locations
- The basis for assessing impact and determining the significance of the impact
- Construction phase impact; and/or
- Acceptable mitigation measures

If there is an AQAP in place the proposed development should be in accordance with that Plan.

References

[Planning Practice Guidance – Air Quality](#)

[NPPF](#) - Section 15 (Conserving and Enhancing the natural environment)

District/Borough/City Local Plan policies

[Air Pollution Information Service \(APIS\)](#)

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Archaeological Assessment (below ground heritage)

Required by the [NPPE](#) (Section 16 - Conserving and enhancing the historic environment) and The [Ancient Monuments and Archaeological Areas Act](#) 1979 (as amended).

Required for all applications for development, within an Area of Archaeological Potential (advice can be sought from the County Archaeologist), that involves a new building or disturbance of the ground.

The Assessment should include the following:

- Description of the significance of the heritage assets affected by the proposed development and their contribution to the site
- A desk-based assessment of the impact of the proposal. It should show the sources that have been considered and the expertise that has been consulted
- Any relevant supporting documentation, such as plans showing historic features that may exist on or adjacent to the development site. This includes listed buildings and structures, historic parks and gardens and historic battlefields.

A desk-based assessment is designed to provide baseline data on the potential archaeological and heritage assets that may be affected by a proposed development.

In addition to desk-based assessment archaeological evaluation by geophysical survey or geophysical survey and trial trenching may be required in order to enhance the level of baseline information.

Archaeological investigations, such as trial trenching, are physical investigation of a place carried out by an appropriately qualified persons for the purpose of investigating, recording or conserving the archaeological, structures, deposits, artefacts and ecofacts of a place.

References

[Norfolk Historic Environment Record](#) (HER)

[Planning Practice Guidance](#) – Historic Environment

[Historic England](#) website

District/Borough/City Local Plan policies

Biodiversity Surveys and Assessments

Required by Borough/District/City Council local plan policies

Required for all applications which have the potential to affect Protected Sites, European Protected Species, National Protected Species, Priority Habitats and Species. Protected Sites are Special Areas of Conservation (SACs), Special Protection Areas (SPAs), Ramsar Sites, Sites of Special Scientific Interest (SSSI), Local Wildlife Sites and Special Roadside Verges. European Protected Species are species protected under the Conservation of Habitats and Species Regulations 2017. National Protected Species are species protected under the Wildlife & Countryside Act 1981 (as amended) and badgers (The Protection of Badgers Act 1992). Priority Habitats and Species are Habitats of Principal Importance in England (Priority Habitats) and Species of Principal Importance in England (Priority Species).

Surveys and assessments may not be required if pre-application advice has been received from Natural England and/or Norfolk County Council's ecologist confirming they do not consider the proposed development would have an impact on any designated sites or protected species.

All submitted reports should adhere to BS42020: 2013 Biodiversity: Code of Practice for Planning and Development.

If it is clear that no protected or priority species are present, the applicant should provide evidence with the planning application to demonstrate that such species are absent (e.g. report from a suitably qualified and experienced person).

Note:

Preliminary Ecological Appraisal (PEA)

Consists of a desk-based study and walk over survey collating data on statutory designated sites and priority habitats, locally designated sites and existing records of protected and priority species within the vicinity of the site.

The key objectives of a PEA are to:

- Identify the likely ecological constraints associated with a project;
- Identify any mitigation measures likely to be required, following the 'Mitigation Hierarchy',
- Identify any additional surveys that may be required to inform an Ecological Impact Assessment (EclA); and
- Identify the opportunities offered by a project to deliver ecological enhancement

Extended Phase 1 Habitat Survey

- Contains details of the habitats present on the development site and surrounding area

- Information on the plant species present and their abundance
- Potential of the site for protected and priority species is assessed and recorded
- Guidance on measures that could be incorporated into the proposed development design to avoid and mitigate ecological impact
- Where it identifies the need for further surveys required (badger surveys etc), these would form part of the Ecological Impact Assessment and without which we will not be able to validate the application.
- Identifies the need for a Biodiversity Statement and Mitigation Plan if there are potential impacts from the development (either direct or indirect) or likely harm to protected species and/or habitats

Under normal circumstances it is not appropriate to submit a Preliminary Ecological Appraisal Report (PEAR) as part of a planning application, because the scope of a PEAR is unlikely to fully meet planning authority requirements in respect of biodiversity policy and implications for protected species. This is because a PEAR is normally written to advise a client of ecological constraints and opportunities to inform their design options, likely mitigation requirements, and the need for further surveys. It therefore lacks a detailed assessment of ecological effects, and commitment to mitigation; the planning authority is therefore unlikely to have adequate information to enable the decision maker to determine the application.

A PEA / Phase 1 Habitat Survey are normally used to inform an Ecological Impact Assessment (EclA), which may, however, be submitted as an appendix to an EclA Report.

Information relating to badgers should be provided separately, to avoid sett locations being identified.

References

[Environment Act November 2021](#)

[Conservation of Habitats and Species Regulations 2017.](#)

[NPPF](#) – Section 15 (Conserving and enhancing the natural environment)

[Natural Environment & Rural Communities Act 2006](#) (NERC)

[Planning Practice Guidance](#) – Natural Environment

[Planning Practice Guidance](#) – Appropriate Assessment

Defra [MAGIC Map website](#)

District/Borough/City Local Plan policies

Biodiversity Net Gain (BNG) Statement / Assessment

Required by the Environment Act 2021

Required for all applications.

Once the Environment Act is enacted through secondary legislation (anticipated in Autumn 2023, exact date to be confirmed) or if there is a development plan policy requirement, the required information will need to be submitted to demonstrate the mandatory 10% net gain. The Biodiversity Metric (or subsequent updated version) is required to demonstrate a net gain.

Proposals should include:

- The pre-development biodiversity value;
- Steps taken to avoid or minimize adverse biodiversity impacts/loss;
- Proposed approach to enhancing biodiversity onsite including a management and maintenance plan;
- The proposed off site biodiversity if it cannot be secured on site, including a management and maintenance plan.
- A Management, maintenance and monitoring schedule for a 30 year period

Note:

Schedule 14 of the Environment Act states that a general condition will be applied to every planning permission (except those exempt from BNG requirements) that a biodiversity gain plan should be submitted and approved by the planning authority before commencement of development.

References

[Environment Act 2021](#)

[Natural England](#) – The Biodiversity Metric 4.0

[Norfolk County Council Environment Policy](#)

[DEFRA – Biodiversity net gain](#)

District/Borough/City Local Plan policies

Climate Change, Energy Statement, Renewable Energy and Sustainability Statement

Required by the [Climate Change Act 2008](#) and Borough/District/City Council local plan policies

Required for all applications for major development.

Major development includes the winning and working of minerals or the use of land for minerals-working deposits, waste development, the provision of a building or buildings where the floor space to be created by the development is 1,000m² or development is carried out on a site having an area of 1 hectare or more.

The Statement should include:

- A sustainability appraisal outlining the elements of the proposed development which addresses sustainable development issues (e.g. choice of building design, facilities aimed at reducing energy needs, water consumption and overall carbon footprint and the generation of renewable energy)
- Details of how sustainable design and construction have been addressed (e.g. reducing energy consumption and carbon emissions, minimising waste and increasing recycling, conserving water resources, incorporation of green infrastructure, sustainable drainage systems (SuDs), minimising pollution, maximising use of sustainable materials and adaptation to climate change)
- Demonstrate how the proposed development accords with the NCC Environment Policy

References

[NPPF](#) – Section 14 (Meeting the challenge of climate change, flooding and coastal change)

[Building Research Establishment - Environmental Assessment Method](#) (BREEAM)

[Norfolk County Council Environment Policy](#)

District/Borough/City Local Plan policies

[Government 25 Year Environment Plan](#)

Construction Management Plan / Construction Consideration Statement

Required for all applications which involve the provision of new built development

The Plan / Statement should include (but not be limited to) details of:

- The general construction considerations / overview
- The site entrance
- Construction traffic - specifications for vehicle turning within the site to enable vehicles to leave the site in forward gear. Programme of works including measures for traffic management, vehicle routing, hours of operation, numbers of HGVs and design of delivery areas
- Construction Personnel Parking - parking of vehicles of site personnel, operatives and visitors
- Fencing - provision of boundary hoarding / fencing
- Storage of plant and materials and the loading and unloading of plant and materials
- Noise – hours of operation and noisy operations
- Vibration
- Dust - measures for the suppression and control of dust during construction
- Wheel washing facilities
- General Contractor's Site Conduct
- Response to Complaints (in the event of a complaint been received)

References

[NPPF](#) – Section 9 (Promoting Sustainable Transport)

District/Borough/City Local Plan policies

Daylight/Sunlight Assessment

Required by the [NPPE](#) - Section 12 (Achieving well-designed places)

Required for any application where there is potential adverse impact upon current levels of daylight/sunlight enjoyed by adjoining properties or buildings including associated gardens or amenity space.

The assessment should include:

- Details of existing and expected levels of daylight, sunlight and overshadowing on neighbouring properties
- Details of the measures to be taken to mitigate against the expected impact of the proposed development

References

[Site layout planning for daylight and sunlight: a guide to good practice](#) – Building Research Establishment – September 2011

[British Standard Code of Practice for daylighting](#) (BS EN 17037:2018 Daylight in buildings (Incorporating corrigendum October 2021))

[Education Funding Agency Guidance: Acoustics, lighting and ventilation in schools](#) updated December 2014

District/Borough/City Local Plan policies

Environmental Impact Assessment

Required by the [Town and Country Planning \(Environmental Impact Assessment\) Regulations 2017](#)

Required for all applications proposing development included in [Schedule 1](#) or [Schedule 2](#) of the EIA Regulations which may have significant effects on the environment

[Schedule 4](#) of the EIA Regulations sets out the information which should be included within the Environmental Statement and Non-Technical Summary.

References

[Planning Practice Guidance](#) – Environmental Impact Assessment

External Materials Sample Board

Required for all applications where new built development is proposed

Details and samples/photos of proposed external materials for new buildings (e.g. Make and manufacturer, RAL / BS numbers, or other standard), hard landscaping and boundary treatments.

References

[NPPF](#) – Section 12 (Achieving well-designed places)

[Ministry of housing, Communities & Local Government National Design Guide](#)

District/Borough/City Local Plan policies

Flood Risk Assessment

Required by The [Flood and Water Management Act 2010](#) and [NPPF](#) - Section 14 (Meeting the challenge of climate change, flooding and coastal change)

Required for all applications which propose development:

- In Flood Zone 2 or 3 including minor development and change of use
- Of more than 1 hectare in Flood Zone 1
- Of less than 1 hectare in Flood Zone 1, including a change of use in a development type to a more vulnerable class (e.g. from commercial to residential), which could be affected by sources of flooding other than rivers and the sea (e.g. surface water drains, reservoirs)
- In an area within Flood Zone 1 which has critical drainage problems as notified by the Environment Agency

A Flood Risk Assessment is not required for development less than 1 hectare in Flood Zone 1 unless it could be affected by sources of flooding other than rivers and the sea (e.g. surface water drains).

The [Environment Agency's standing advice](#) should be followed if a Flood Risk Assessment is being undertaken for development classed as:

- A minor extension (household extensions or non-domestic extensions less than 250 square metres) in Flood Zone 2 or 3
- 'more vulnerable' in Flood Zone 2 (except for landfill or waste facility sites, caravan or camping sites)
- 'less vulnerable' in Flood Zone 2 (except for agriculture and forestry, waste treatment, mineral processing and water and sewerage treatment)
- 'water compatible' in Flood Zone 2

The Standing Advice should also be followed for development involving a change of use into one of the vulnerable categories or into the water compatible category

Sequential Test

A Sequential Test is required if both of the following apply:

- The proposed development is in Flood Zone 2 or 3
- A Sequential Test hasn't already been done for the type of development proposed for the site.

The sequential test compares the proposed site with other available sites to determine which has the lowest flood risk

If the sequential test shows that there are not any suitable alternative sites an exception test may be required.

A Sequential Test is not required if either of the following apply:

- The proposed development is minor development
- The proposed development involves a change of use (e.g. from commercial to residential) unless the development is a caravan, camping chalet, mobile home or park home site

A Sequential Test is also not required for development in Flood Zone 1 unless there are flooding issues within the area of proposed development.

Exception Test

An Exception Test is required if the proposed development is:

- Highly vulnerable and in Flood Zone 2
- Essential infrastructure in Flood Zone 3a or 3b
- More vulnerable in Flood Zone 3a

The Exception Test shows how flood risk will be managed on and off site

The Flood Risk Assessment should include:

- A location plan showing street names, any rivers, streams, ponds, wetlands or other bodies of water and other geographical features (e.g. railway lines, schools, churches etc.)
- Site plan showing the existing site; the development proposal and structures which could affect water flow (e.g. bridges, embankments etc.)
- Survey showing the existing site levels and the levels of the proposed development
- A cross section of the site showing finished floor or road levels and any other levels that inform the flood risk (e.g. existing raised banks and flood defence walls).
- An assessment of the risk to the proposed development if there was a flood
- Consideration of flooding from other sources (e.g. surface water drains, canals etc.) as well as from rivers and the sea and the inclusion of an allowance for climate change
- The estimated level for the proposed site (i.e. the 1 in 100 year river flood level or the 1 in 200 year tidal flood level)
- Estimation of the duration of a flood
- Estimation of the rate of surface water runoff
- Estimation of the order in which areas of the site would be flooded
- Estimation of the consequences for people living on or using the site
- Details of past flooding incidents on the site (where available)
- An assessment of surface water runoff from the site

- An estimation of how much surface water runoff (excess water that flows over surfaces) the proposed development would generate – both the volume and rate of the runoff
- Details of the existing methods for managing surface water runoff (e.g. drainage to a sewer)
- Details for managing surface water ensuring no increase in level of surface water runoff
- Details of existing flood resistance and resilience measures on the proposed site
- Capacity of drains or sewers (existing and proposed) on the proposed site
- Details of how the proposed development would reduce flood risk
- Details of how people will leave buildings during a flood
- Explanation of how raised flood embankments or changes to ground levels could affect water flow
- Explanation of how the proposed development could affect rivers and their floodplain or coastal areas
- Explanation of residual risks to the proposed site after any necessary flood defences have been built and how these risks would be managed
- Details of the extra flood resistance and resilience measures that need to be undertaken to reduce flood risk
- If an environmental permit is required and whether it has been applied for
- If the proposed development falls within the functional flood plain (only 'water compatible' development or 'essential infrastructure' that has met the requirements of the exception test are allowed in the functional floodplain)
- Details showing that any water compatible or essential infrastructure developments have been designed to stay safe and operational during a flood, the blocking of water flows or increased flood risk elsewhere has been avoided and the loss of floodplain storage (i.e. loss of land where flood waters used to collect) has been avoided
- Details of the extra flood and resilience measures included in the design of the proposed development

Site levels should be stated in relation to the Ordnance Datum (the height above average sea level).

Surface water runoff describes flooding from sewers, drains, groundwater and runoff from land, small water courses and ditches that occurs as a result of heavy rainfall.

The functional flood plain is land where water has to flow or be stored in times of flood.

References

[Planning Practice Guidance](#) – Flood Risk and Coastal Change

[Environment Agency Standing Advice](#)

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Foul Sewage and Utilities Assessment

Required by the [NPPE](#) - Section 14 (Meeting the challenge of climate change, flooding and coastal change) and [National Policy Statement for Waste Water](#).

Required for all applications:

- For new built development which require separate connections to foul and storm water sewers
- Which propose to connect a development to the existing system
- Where development involves the disposal of trade waste or the disposal of foul sewage effluent other than to the public sewer
- Where the proposed development results in any changes/replacements to the existing system or the creation of a new system

The assessment should include:

- Details of the existing system
- A full assessment of the site, its location and suitability for storing, transporting and treating sewage
- Details of connection to the mains sewer. If this is not practical it should be demonstrated why this is not possible and show alternative means of disposal are satisfactory
- Scale plans of any new foul drainage arrangements
- Details of how the proposed development connects to existing utility infrastructure systems
- Details of the availability of utility services that have been examined and confirmation that the proposed development would not result in undue stress on the delivery of the services to the wider community
- Details of any utility company requirements for substations, telecommunications equipment or similar structures
- Confirmation that service routes have been planned to avoid the potential for damage to trees and archaeological remains
- Details of agreements with the service provider for the relocation and/or protection of existing infrastructure

References

[Planning Practice Guidance](#) – Water supply, wastewater and water quality

[Building Regulations Approved Document Part H](#)

Health Impact Assessment (HIA)

Required by District/Borough/City Local Plan policies

Required for applications for major/strategic development.

Major development includes the winning and working of minerals or the use of land for minerals-working deposits, waste development, the provision of a building or buildings where the floor space to be created by the development is 1,000m² or development is carried out on a site having an area of 1 hectare or more.

Strategic development includes all new mineral workings covering more than 15 hectares or involve the extraction of more than 30,000 tonnes of mineral per year or installations (including landfill sites) for the deposit, recovery and/or disposal of household, industrial and/or commercial wastes where new capacity is created to hold more than 50,000 tonnes per year, or to hold waste on a site of 10 hectares or more or have the potential for a significant adverse environmental impact (i.e. likely to require Environmental Impact Assessment).

An HIA considers the health impacts of proposed development. It also assesses the impact of a development on health, existing services and facilities.

An HIA should include recommendations to help enhance the positive consequences for health and avoid or minimise negative consequences.

An HIA should include (but not be restricted to):

- Details on building design and quality
- Access to community facilities and other social infrastructure
- Access to open spaces and the natural environment
- Air quality and noise impact
- Accessibility and travel options
- Crime reduction and community safety
- Social cohesion
- Minimising the use of resources

References

[NPPF](#) – Section 8 (Promoting healthy and safe communities)

[Health Impact Assessment Tools – Department of Health](#)

District/Borough/City Local Plan policies

Heritage Statement (above ground heritage)

Required by [Planning \(Listed Buildings and Conservation Areas\) Act](#) 1990 and [NPPF](#) - Section 16 (Conserving and enhancing the historic environment)

Required for any application that could affect/impact a heritage asset, including through changes in their setting.

A heritage asset is a building, monument, site, place, area or landscape identified as having a degree of significance meriting consideration in planning decisions, because of its heritage interest. It includes designated heritage assets and assets identified by the local planning authority (including local listings).

Any works to a Listed Building or demolition of buildings within a Conservation Area may also require Listed Building Consent and Planning Permission.

The Statement should include:

- Details of the history and development of the asset using photographic, map, archival and fabric evidence
- Be accompanied by photographic records showing the site context and features which may be affected by the proposal, preferably cross-referenced to survey drawings
- An assessment of the archaeological, historical or other significance of the asset, including consideration of any contribution made by its setting.
- An assessment of the impact of the proposed works on the significance of the asset, including by changes in setting, and whether harm would be caused
- Statement of justification for the proposed works
- Details of how harm will be avoided, and only where this is not possible, the mitigation measures which will be employed. In describing avoidance and mitigation measures, the statement should articulate the extent to which the proposed measures would reduce harm. If following avoidance and mitigation development will still result in harm to the asset/s – either through physical harm or through a change in setting - a description of the public benefits which are considered to outweigh this harm, and why the proposed harm is necessary to achieve these.

References

[Planning Practice Guidance](#) – Conserving and enhancing the historic environment

[Historic England](#) website

District/Borough/City Local Plan policies

Land Contamination Assessment

Required by Borough/District/City Council local plan policies

Required for all applications for development where contaminated land or buildings/structures are known or suspected to exist

The Assessment should include:

- A Preliminary Risk Assessment which includes information about the site and contamination and a conceptual model identifying pollutant sources, pathways and receptors and options for remediation.
- A Generic Quantitative Risk Assessment which includes a site investigation and desk study, refinement of the conceptual model and conclusions and next steps

References

[NPPF](#) – Section 15 (Conserving and enhancing the natural environment)

[Planning Practice Guidance](#) – Land affected by contamination

Register of contaminated land held by District/Borough/City Councils in Norfolk

Landscape and Visual Impact Assessment

Required by [NPPF](#) - Section 15 (Conserving and enhancing the natural environment)

Required by District/Borough/City Council local plan policies

Required for any proposal that due to its size, scale or location may have a significant visual impact upon the surrounding landscape.

The Assessment should include:

- An assessment and evaluation of the landscape character (including AONBs and the Broads) and the potential impact the proposed development may have upon it.
- Details of visual receptors (e.g. PRowWs, public open spaces, residential properties, other sensitive locations) should be included together with other important features and views
- Details of relevant Landscape Character Assessment undertaken
- Proposed mitigation measures (e.g. screening, landscaping, design etc)
- Details of how the proposal would enhance the core river valley, where appropriate.

References

[Guidelines for Landscape and Visual Impact Assessment \(3rd edition\) 2013](#)

[Planning Practice Guidance](#) – Natural Environment

District/Borough/City Local Plan policies

The relevant District/Borough/City Council Landscape Character Assessment

Landscape Scheme

Required by District/Borough/City Council local plan policies

Required for all applications where new or replacement landscaping is proposed.

The Scheme should include:

- Details of any existing trees and hedgerows on the site
- Details of any trees and hedgerows to be retained and measures for their protection during the period of works/construction
- Details of areas to be planted with species, sizes, spacing, protection and programme for implementation
- Details of maintenance and management of the scheme
- Details of hard landscaping (e.g. paving, fencing, retaining walls etc) including materials, colours etc

References

[NPPF](#) – Section 15 (Conserving and enhancing the natural environment)

[Planning Practice Guidance](#) – Natural environment

District/Borough/City Local Plan policies

District/Borough/City Council Landscape Character Assessment

Lighting Scheme

Required for all proposals where new external lighting is proposed e.g. floodlighting, exterior lighting for sports pitches, car parks, illumination of buildings, work areas, and security lighting.

The scheme should include:

- Details of the location, height, design, luminance and operation
- Overview of lighting design including maintenance factor and lighting standard applied
- Justification for the proposed lighting design
- Lighting drawing showing lux levels on the ground, angles of tilt and average lux (minimum and uniformity) for all proposed lighting
- Contour plan detailing likely spill light from proposed lighting, in context of adjacent site levels
- Identify area/features on site particularly sensitive for bats and those 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 (e.g. foraging)
- Details of how and where external lighting would be installed through provision of appropriate lighting contour plans and technical specification to demonstrate that areas to be lit will not disturb or prevent bats using their territory or having access to breeding sites and resting places
- Details of proposed hours of operation
- Details of the impact of the lighting on:
 - a) The amenity of neighbouring properties, specifically if light has the potential to extend beyond the boundary of the site.
 - b) Roads/ highway safety
 - c) The character of the area and the wider landscape, specifically Conservation Areas, Listed Buildings, Designated Areas (SSSI, AONB) or rural areas with little background light
 - d) Ecology, specifically European protected species.
- Proposed mitigation measures

References

[NPPF](#) – Section 12 (Achieving well-designed places) and Section 15 (Conserving and enhancing the natural environment)

[Planning Practice Guidance](#) – Light Pollution

District/Borough/City Local Plan policies

[CPRE Norfolk – Light Pollution Planning Guidance](#)

Mineral Resource Assessment

Required for all applications for major (non-mineral) development within a Minerals Safeguarding Area.

The Assessment should determine whether development would sterilise mineral resources of local and/or national importance and should include:

- A written methodology for an intrusive site investigation, including Particle Size Distribution testing to determine if the site contains a viable mineral resource for prior extraction
- Information regarding the extent to which on-site materials which could be extracted during the proposed development would meet specifications for use on-site through intrusive site investigations, testing and assessment
- An outline of the amount of material which could be reused on site; and for material extracted which cannot be used on-site its movement, as far as possible by return run, to an aggregate processing plant

References

[Core Strategy and Minerals and Waste Development Management Policies Development Plan](#)

Norfolk County Council – [Interactive maps of Mineral Safeguarding Areas](#)

Norfolk County Council Guidance Note on the Mineral Safeguarding Process for aggregates - Sand & Gravel and Carstone

[NPPF](#) – Section 17 Facilitating the sustainable use of minerals

[Planning Practice Guidance](#) – Minerals

Net Zero Carbon Statement

Required by the Climate Change Act 2008

Required for all applications.

- An energy statement demonstrating how the proposed development incorporate measures to achieve carbon new zero
- A statement setting out how any shortfall in the net zero carbon target are going to be met

References

[Climate Change Act 2008](#)

[HM Government – A Green Future: Our 25 year Plan to Improve the Environment](#)

[Norfolk County Council Environment Policy](#)

District/Borough/City Local Plan policies

Noise Impact Assessment

Required by District/Borough/City Council local plan policies

Required for all applications which may have a potential noise impact and for development considered to be noise sensitive or development within a noise sensitive area.

The Assessment should include:

- Relevant existing background noise levels
- Indicative noise levels of the proposed developments including likely sources of noise (e.g. machinery)
- Potential impact on neighbouring properties (particularly noise sensitive properties), including noise from the proposed development
- Details of traffic movements associated with the proposed development
- Proposed mitigation measures

References

[NPPF](#) – Section 15 (Conserving and enhancing the natural environment)

[Planning Practice Guidance](#) – Noise

[Noise Policy Statement for England](#)

District/Borough/City Local Plan policies

Nutrient Neutrality Statement / Assessment

Required by Natural England – Natural England letter of 16 March 2022

Required for all applications where overnight accommodation is proposed, including new homes, student accommodation and care homes, or proposals that will result in additional wastewater discharge / nutrient load to the catchment of the River Wensum Special Area of Conservation (SAC) or The Broads SAC/ RAMSAR, which are habitat sites.

Application submissions should include:

- Confirmation whether the development or wastewater discharge resulting from the development falls within the Catchment of the River Wensum SAC and/or The Broads SAC/RAMSAR
- Mitigation measures to demonstrate the proposal will not adversely affect the habitat site it lies within (Note: whether onsite or offsite, mitigation will be required to be secured in perpetuity)
- Completed Natural England nutrient neutrality budget calculator for the relevant catchment

References

Natural England

[Department for Environment, Food & Affairs](#) – Policy Paper – Nutrient pollution: reducing the impact on protected sites

[The Conservation of Habitats and Species Regulations 2017 \(as amended\)](#)

Odour Details / Assessment

Required by District/Borough/City Council local plan policies.

Required for all applications where extraction / ventilation is proposed to be installed.

Details should include:

- Design and position of the extraction and ventilation equipment
- Elevation drawing showing location, size and external appearance of the extraction and ventilation equipment
- Technical specification
- Predicted noise and odour levels
- Noise and odour mitigation measures

References

[NPPF](#) – Section 15 (Conserving and enhancing the natural environment)

District/Borough/City Local Plan policies

[Department for Environment, Food & Rural Affairs](#) – Nuisance smells: how councils deal with complaints

Open Spaces and Playing Field Assessment

Required by District/Borough/City Council local plan policies

Required for all applications involving the loss of or which prejudice the use of open spaces or a playing field including:

- Playing fields as designated within [Schedule 4 of the Town and Country Planning \(Development Management Procedure\) \(England\) Order 2015](#)
- Development on school playing fields
- Replacement of grass surface with a hard or artificial surface

The statement should include:

- A justification for the proposed development
- An assessment demonstrating that the land is surplus to requirements
- Evidence that the playing field/open space would be replaced by equivalent or better provision, in terms of quantity and quality in a suitable location
- Evidence that the development is for alternative sports and/or recreational provision, the needs of which outweigh the loss
- Evidence that the loss of land is outweighed by the proposed development

For development directly affecting school playing fields

- Plan showing existing pitch layouts (summer and winter)
- Plan showing proposed pitch layouts (summer and winter)

References

[NPPF](#) – Section 8 (Promoting healthy and safe communities)

[Planning Practice Guidance](#) – Open space, sports and recreation facilities, public rights of way and local green spaces

[Planning for Sport Guidance](#) – Sport England

[Policy Statement on Planning Applications affecting Playing Field Land](#) – Sport England

District/Borough/City Local Plan policies

Parking Provision Assessment

Required by District/Borough/City Council local plan policies

Required for all applications providing new and additional parking facilities, proposals which would result in a loss of existing parking provision, or for proposals that would affect the parking requirement needed, i.e., by adding or reducing facilities, floor space, or staff/visitors.

- Layout plan of existing and proposed parking provision. This includes car parking spaces (including disabled), powered two wheeler, cycle and/or scooter parking and parking for electric vehicles with charging points
- A statement justifying the increase or decrease of parking provision
- Permanent access arrangements for vehicles and pedestrians
- Temporary arrangements for vehicles and pedestrians during construction
- Need for visibility splays

References

[NPPF](#) – Section 9 (Promoting sustainable transport)

District/Borough/City Council Local Plan policies

[Norfolk County Council – Parking Standards for Norfolk 2007](#) (revised 2022)

Public Rights of Way (PRoW) Statement

Required by [Circular 01/09 – Rights of Way Circular \(2009\)](#) and [NPPF](#) - Section 8 (Promoting healthy and safe communities).

Required for all proposals requiring any diversions/extinguishments of existing PRoWs and the creation of new PRoWs.

Required for any development which requires the temporary closure of a PRoW for health and safety reasons during the development.

- A drawing showing all PRoWs crossing or adjoining the site should be submitted
- Details of how the proposed development could impact the PRoW together with details of any mitigation measures.

References

[Planning Practice Guidance](#) – Open space, sports and recreation facilities, public rights of way and local green space

[Norfolk Access Improvement Plan](#)

Travel Plan

Required by District/Borough/City Council local plan policies

Required for any development which increases the number of pupils/and or staff at an education facility or other County Council building, non-residential development proposals with 50 or more employees or where there will be a significant impact on the local road network, due to the development; or where existing transport infrastructure, congestion or pollution problems occur.

A Travel Plan should identify the specified required outcomes, targets and measures and set out clear monitoring and management arrangement all of which should be proportionate.

It should also consider what additional measures may be required to offset unacceptable impacts if the targets should not be met.

The School Travel Plan should be in accordance with the Department for Transport (DfT) Modeshift STARS (the centre of excellence for the delivery of effective Travel Plans in Education), or other Travel Plan format agreed with the Highway Authority, and include:

- Profile of the school including size, location, pupil and staff numbers and existing parking provision (car (including disabled), powered two wheeler, electric cars, cycle, scooter) and facilities (e.g. showers, lockers for staff, electric vehicle charging points etc)
- Simple surveys on travel habits and preferences of staff and pupils
- Analysis of travel and transport issues affecting the school
- Action plan outlining potential solutions for identified issues with named person responsible for action and date
- Benchmark travel data including trip generation databases
- Information concerning the nature of the proposed development and the forecast level of trips by all modes of transport likely to be associated with the development
- Relevant information about existing travel habits in the surrounding area
- Proposals to reduce the need for travel to and from the site via all modes of transport; and
- Provision of improved public transport services
- Parking strategy options (if appropriate) and the need to avoid unfairly penalising motorists.
- Proposals to enhance the use of existing, new and improved public transport services and facilities or cycling and walking both by users of the development and by the wider community.

References

[NPPE](#) – Section 9 (Promoting Sustainable Transport)

[Planning Practice Guidance](#) – Travel plans, transport assessments and statements in decision making

[Department for Transport \(DfT\) Modeshift STARS](#)

DRAFT

Structural Survey

Required by District/Borough/City Council local plan policies

Required for all applications that:

- Involve substantial demolition of a building
- Involve conversion of a building
- Require listed building consent and proposed works could significantly affect the historic fabric of the building
- Involve a building/s with existing structural problems

A structural survey should be carried out by a suitably qualified person

A method statement is required which sets out how the works would be carried out

If alteration/demolition is proposed it must be clearly shown on floor plans and elevational drawings and cross referenced to the survey.

References

[NPPF](#) – Section 16 (Conserving and enhancing the historic environment)

Sustainable Drainage Systems (SuDs)

Required under [Schedule 3 of the Flood and Water Management Act 2010](#) and [NPPF](#) - Section 14 (Meeting the challenge of climate change, flooding and coastal change)

Required for applications for major development.

Major development includes additional floorspace of 1,000m² or more or a site of 1 hectare or more, or as otherwise provided in the Town and Country Planning (Development Management Procedure) (England) Order 2015.

Information required includes:

- Flood Risk Assessment / Statement
 - a) An assessment of the flood risk from all sources of flooding for your development, plus an allowance for climate change
 - b) The estimated flood level for your development, taking into account the impacts of climate change over its lifetime
 - c) Details of the finished floor levels
 - d) Details of your flood resistance and resilience plans
 - e) Any supporting plans and drawings
- Drainage Strategy / Statement

Evidence to support the discharge method following the drainage hierarchy that includes:

 - a) Ground investigation report (for infiltration) and infiltration testing if only relying on infiltration, or
 - b) Evidence of 'in principle' agreement of a third party for SuDS discharge to their system (e.g. Anglian Water, Highways Authority or third-party owner). Identification of the maintenance responsibility of any ordinary watercourse (including structures) within or adjacent the development.
 - c) Detailed development layouts showing SuDS locations.
 - d) Detailed drainage design hydrology / hydraulic calculations and drawings. Showing all locations, dimensions and freeboard of every element of the proposed mitigation and drainage system (e.g. rainwater harvesting, swales, interception and attenuation storage areas, ponds, permeable paving, filter strips (including sewer details if proposed (pipe numbers, gradients, sizes, locations, manhole details etc.))).
 - e) Full hydraulic and ground investigations (Geotechnical factual and interpretive reports, including infiltration results).
 - f) Infrastructure and Construction Phasing Plan (Inc. temporary works) if required.
 - g) SuDS Water Quality Assessment.
 - h) Detailed landscaping details linking to SuDS amenity and biodiversity elements.

- i) Detailed Maintenance program and on-going maintenance responsibilities. Consideration for Health and Safety requirements.
- j) Exceedance flow plan.

Note:

Surface water drainage systems developed in line with the ideals of sustainable development are collectively referred to as SuDS. Approaches to manage surface water that takes into account water quantity (flooding), water quality (pollution), amenity and biodiversity issues are collectively referred to as sustainable drainage. These are the four pillars of SuDS design. The philosophy of SuDS is to replicate, as closely as possible, the natural drainage from a site before development and to use shallow surface structures to mimic the pre-development scenario and manage water close to where it falls (interception). SuDS can be designed to slow water down (attenuate and / or reuse it) before it enters streams, rivers and other watercourses, they provide areas to store water in natural contours and can be used to allow water to soak (infiltrate) into the ground, evaporate from surface water or be transpired from vegetation (known as evapotranspiration).

Additionally, the Lead Local Flood Authority (LLFA) is the drainage authority under the Land Drainage Act 1991 for regulating works on ordinary watercourses for the 80% of Norfolk outside of Internal Drainage Board (IDB) areas. If there are any works proposed that are likely to affect flows in an ordinary watercourse, then approval of Norfolk County Council or the relevant IDB is required. This approval is separate from the planning process and the LLFA / IDB will issue a consent where appropriate. In line with good practice, the LLFA seek to avoid culverting, and its consent for such works will not normally be granted except as a means of access and other alternatives are unfeasible. This is supported by LLFA Policy (OW4: Culverting) within Norfolk Local Flood Risk Management Strategy. The Environment Agency (EA) must be consulted for any proposed work that may affect a Main River. For further help and advice visit [Consent for work on ordinary watercourses - Norfolk County Council](#).

For minor development, the information required should be proportionate to the nature and scale of the development, and include:

- Details of the risk of flooding on the site
- Details of the method through which the site currently drains
- A drainage plan indicating the proposed method of surface water disposal in accordance with the SuDS hierarchy
- Details of the SuDS pillars incorporated into the proposed development
- Management and maintenance plan

If SuDS are not possible within a proposed development, a statement should be included explaining why.

References

[LLFA Information for Developers](#)

[CIRIA SuDs Manual](#)

District/Borough/City Council local plan policies

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Transport Assessment/Statement

Required by District/Borough/City Council local plan policies.

A Transport Assessment (TA) would be required for development.

- Not in conformity with adopted development plan
- Generating 30 or more two-way vehicle movements in any hour
- Generating 100 or more two-way movements per day;
- Proposing 100 or more parking spaces;
- Likely to increase accidents or conflicts among motorised users;
- Generating significant freight of HGV movements per day;
- Generating significant abnormal loads per year;
- In a location where transport infrastructure is inadequate;
- Within or adjacent to an Air Quality Management Area;
- For Class D1 use over 1000sqm;
- For residential schools/training centres over 150 students;
- For residential institutions providing care over 50 beds;
- For other residential institutions over 400 residents
- For any other type of development as set out in Norfolk County Council – Safe and Sustainable Development Aims and Guidance notes for Local Highway Authority requirements in Development Management

A Transport Statement (TS) would be required for:

- Class D1 use over 500sqm but under 1000sqm
- Residential schools/training centres over 50 students but under 150 students
- Residential institutions providing care over 30 beds but under 50 beds
- Other residential institutions over 250 residents but under 400 residents
- Any other type of development as set out in Norfolk County Council – Safe and Sustainable Development Aims and Guidance notes for Local Highway Authority requirements in Development Management

The scope and level of detail should be commensurate with the scale of proposed development but should include:

- Description of the proposed development, site layout (including existing and proposed access and layout for all modes of transport)
- Details of neighbouring uses, amenity and character, existing functional classification of nearby road network
- Details of existing public transport provision (including frequency of services, distance to proposed development and any proposed public transport changes)
- A qualitative and quantitative description of the travel characteristics of the proposed development (including all modes of transport that would result from the proposed development and within the vicinity of the site)

- An assessment of trips from all directly relevant committed development in the area (e.g. development where there is a reasonable degree of certainty that it will proceed within the next 3 years)
- Details of the current traffic flows on links and at junctions within the study area and identification of critical links and junctions on the highway network (including different modes of transport and the volume and types of traffic)
- An analysis of the injury accident records on the public highway in the vicinity of the site for the most recent 3 year period (or 5 year period if the proposed site has been identified as being within a high accident area)
- An assessment of the likely associated environmental impacts of the transport related to the proposed development (particularly in relation to proximity to environmentally sensitive areas such as air quality management areas or noise sensitive areas)
- Measures to improve the accessibility of the location (e.g. provision/enhancement of existing/new footpaths and cyclepaths) where these are necessary to make the proposed development acceptable in planning terms
- A description of parking facilities in the vicinity of the site and the parking strategy of the proposed development
- Ways of encouraging environmental sustainability by reducing the need to travel
- Measures to mitigate the residual impacts of the proposed development (such as improvements to the public transport network, the introduction of walking/cycling facilities and physical improvements to existing roads).

Assessments should be based on normal traffic flow and usage conditions (e.g. school term). Implications for any regular peak traffic and usage periods should be considered.

Projections should use local traffic forecast such as TEMPRO drawing where necessary on national Road Traffic Forecasts for traffic data.

References

[NPPF](#) – Section 9 (Promoting sustainable transport)

[Planning Practice Guidance](#) – Travel Plans, transport assessments and statements in decision making

Tree Survey, Arboricultural Impact Assessment (AIA), Arboricultural Method Statement (AMS) and Tree Protection Plan (TPP)

Required for all applications where there are any trees within the application site, on land adjacent to the application site or which could influence or be affected by the development (including street trees). Affected trees are defined as trees that overhang the site or are located beyond the site boundaries within a distance of up to 12 times their estimated stem diameter.

The Tree Survey, Arboricultural Impact Assessment, Arboricultural Method Statement and Tree Protection Plan should be undertaken by a suitably qualified person in accordance with the provisions of BS5837:2012 - Trees in relation to design, demolition and construction.

Tree Survey

The Tree Survey should include:

- All trees with a stem diameter of 75mm or more
- Trees growing as individuals, groups and woodland
- Tree survey plan showing the location of all trees, groups and woodlands referred to
- Schedule accompanying the plan, identifying the trees by way of a unique reference number marked on the plan and on the tree

For each tree the following should be recorded:

- Reference of the tree
- Species by common name and/or scientific name
- Presence of Tree Protection Order (TPO) or Conservation Area protection
- Height in metres
- Stem diameter in millimetres, measured 1.5m above ground level
- The branch spread in metres
- Age class: young, semi-mature, mature, over-mature or veteran
- Physiological condition and structural condition of the tree (health and any physical defects)
- Preliminary management recommendations
- Estimation of the tree's remaining useful life in years
- Categorisation of trees for removal and those suitable for retention, based on consideration of the above, in accordance with Table 1 of BS5837

A Tree Constraints Plan showing:

- Accurate position and existing crown spread
- Tree Quality Assessment category (A, B, C or U)
- Root Protection Area (RPA) calculated from table 2 of the British Standards

- Future growth potential (ultimate crown spread and height)
- Shade footprint through the main part of the day based on ultimate tree size

The Tree Constraints Plan should be prepared at an early stage and inform site layout design.

Arboricultural Impact Assessment

An AIA is required where proposed development could potentially affect trees. This report should demonstrate how the proposed development and associated trees will co-exist and interact in the present and future.

An AIA should take account of:-

- Location of trees in relation to proposed development
- Proposed changes to site levels
- Proposed changes to surfacing
- The space needed for foundation excavations and construction works
- Working space for cranes, plant, scaffolding and access during works
- Locations for the layout of all temporary and permanent apparatus and service runs, including foul and surface water drains, land drains, soakaways, gas, oil, water, electricity, lighting, telephone, television or other communication cables
- Details of demolition of existing buildings and removal of existing hardstanding
- Exposure due to tree and structure removal
- Sunlight and shading
- Site access and site layout during construction
- Contractor's compound and parking
- Allocation of a suitable area for plant and material storage
- The type and extent of landscape works which will be needed within the protected areas, and the effects these will have on the root system

An AIA should include:

- The Tree survey (see above)
- Details of any tree loss required to implement the design
- Impacts of proposed activities in the vicinity of retained trees
- Details of tree root protection areas (RPAs) and ground protection which should be clearly marked on a scaled Tree Protection Plan
- Proposed mitigation planting incorporating Biodiversity Net Gain

Arboricultural Method Statement

Information as to how the proposed development will be undertaken without causing damage to trees on site.

Information as to how the proposed development/works would be managed and how trees would be adequately protected during the development/works.

Should contain a timetable indicating when and how specific works adjacent to trees would be undertaken. The works include (but are not limited to) installation of protective fencing, hand excavation within tree protection zones and use of boarding to avoid compaction.

Specification sheets should be included for protective fencing, special surfaces, methods of trenching etc.

Site supervision by an arboricultural consultant or County's Arboricultural Officer may be stipulated for some or all of the development/works identified as requiring an AMS.

The AMS should include:

- Schedule of tree surgery works (prior to and upon completion of the construction works)
- Specific reference to the
- Details of surface changes and methods of construction
- Details of level changes and methods of construction
- Excavation, trenching methods, special construction techniques
- Locations of bonfires, chemical storage etc
- Contingency plan (chemical spillage, collision, emergency access to root protection zones)
- Post construction landscaping close to existing trees (methods, locations, scale plans)
- Tree planting (storage of trees, site preparation)
- Contact listing (Planning Authority, Arboricultural Consultant, Architect, Site Manager)
- Copies of all relevant site plans and tree survey schedule

Tree Protection Plan

The tree protection plan should be superimposed on a layout plan, based on the topographical survey, showing all hard surfacing and other existing structures within the RPA.

The plan should clearly indicate the precise location of protective barriers to be erected to form construction exclusion zones around the retained trees. It

should also show the extent and type of ground protection, if required, and any additional physical measures, that will need to be installed to safeguard vulnerable sections of trees and their RPAs where construction activity cannot be fully or permanently excluded.

References

[NPPF](#) – Section 15 (Conserving and enhancing the natural environment)

[Planning Practice Guidance](#) – Natural Environment

BS5837:2012 Trees in relation to design, demolition and construction

[Planning Practice Guidance](#) – Tree Preservation Orders and tree in conservation areas

District/Borough/City Council Local Plan policies

Section 73 applications (Minor Material Amendment / Removal or Variation of a Condition)

Under section 73 of the Planning Act 1990, applicants can apply to carry out a development without complying with condition(s) previously imposed on a planning permission. This includes applications to vary the approved drawings condition if the applicant proposes to materially revise the development for which they have planning permission.

Depending on the nature of the application, further drawings will be required relating to the changes being sought to the original scheme i.e. amended site layout, elevation(s), landscaping scheme etc. The information required from the Local List will be influenced by both the nature and scale of the application, as well as the length of time that has elapsed since the original grant of permission. The longer the time period since planning permission was first granted, the greater the level of information that is likely to be needed. This is because the characteristics of the surrounding environment and infrastructure may have changed since the original grant of permission

As a minimum requirement, the County Council requires the following:

- Completed application form
- Correct fee
- Location Plan showing where the site is by outlining in red (scale 1:1250 or 1:2500). The red line should be exactly the same as that which was approved under the original grant of permission. If the plans are not consistent the planning application will be returned as invalid.
- A covering letter setting out the proposed amendments
- Site Plan
- Existing / Proposed Floor Plans (where appropriate)
- Existing / Proposed Elevations (where appropriate)
- Existing / Proposed Roof Plan (where appropriate)
- Planning Statement - setting out a rationale for the proposed changes
- Supporting documents – this will depend on the nature of the amendment, but relevant supporting documents should be updated accordingly in the form of additional or addendum reports.

Submitted plans should clearly annotate areas to be amended

Section 73a applications

Section 73A of the Town and Country Planning Act 1990 provides, among other things, for retrospective planning applications to be made in respect of development which has been carried out without permission, and for applications for planning permission to authorise development which has been carried out without complying with planning condition(s) to which it was subject.

Depending on the nature of the application, further drawings will be required relating to the changes being sought to the original scheme i.e. amended site layout, elevation(s), landscaping scheme etc. The information required from the Local List will be influenced by both the nature and scale of the application, as well as the length of time that has elapsed since the original grant of permission. The longer the time period since planning permission was first granted, the greater the level of information that is likely to be needed. This is because the characteristics of the surrounding environment and infrastructure may have changed since the original grant of permission

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- A covering letter setting out the proposed amendments
- Site Plan
- Existing / Proposed Floor Plans (where appropriate)
- Existing / Proposed Elevations (where appropriate)
- Existing / Proposed Roof Plan (where appropriate)
- Planning Statement - setting out a rationale for the proposed changes
- Supporting documents – this will depend on the nature of the amendment, but relevant supporting documents should be updated accordingly in the form of additional or addendum reports.

Submitted plans should clearly annotate areas to be amended

Section 96a (Application for Non-Material Amendments)

Section 96A allows a non-material amendment to be made to an existing planning permission.

As a minimum requirement, the County Council requires the following:

- Completed application form
- Correct fee
- Location Plan showing where the site is by outlining in red (scale 1:1250 or 1:2500)
- A covering letter setting out the proposed amendments
- Site Plan
- Existing / Proposed Floor Plans
- Existing / Proposed Elevations
- Existing / Proposed Roof Plan
- Planning Statement - setting out a rationale for the proposed changes

Submitted plans should clearly annotate areas to be amended

Significant Changes

If following a grant of planning permission an applicant proposes significant changes to a proposal then a full planning application will be required. In such a case the full requirements of the Local List for Validation of Planning Applications will apply.

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Regulation 3 Local List Checklist

| Required documents | Submitted Y/N | Justification for omission |
|--|------------------|----------------------------|
| Existing and Proposed Site/Block Plan | | |
| Existing and Proposed Elevations | | |
| Existing and Proposed Floor Plans | | |
| Existing and Proposed Site Sections including finished floor and site levels | | |
| Existing and Proposed Roof Plans | | |
| Photographs and photomontages | | |
| Planning Statement | | |
| Statement of Community Involvement (SCI) | | |
| Airport Safeguarding Statement | | |
| Air Quality Impact Assessment | | |
| Archaeological Assessment | | |
| Biodiversity Surveys and Assessments | | |
| Biodiversity Net Gain (BNG) Statement / Assessment | | |
| Climate Change, Energy Statement, Renewable Energy, Sustainability Statement | | |
| Construction Management Plan / Construction Consideration Statement | | |
| Daylight/Sunlight Assessment | | |
| Environmental Impact Assessment | | |
| External Materials Sample Board | | |
| Flood Risk Assessment | | |
| Foul Sewage and Utilities Assessment | | |
| Health Impact Assessment (HIA) | | |
| Heritage Statement | | |
| Land Contamination Assessment | | |
| Landscape and Visual Impact Assessment | | |
| Landscape Scheme | | |
| Lighting Scheme | | |
| Mineral Resource Assessment | | |
| Net Zero Carbon Statement | | |
| Noise Impact Assessment | | |

| Required documents | Submitted Y/N | Justification for omission |
|---|------------------|----------------------------|
| Nutrient Neutrality Statement / Assessment | | |
| Odour Details / Assessment | | |
| Open Spaces and Playing Field Assessment | | |
| Parking Provision Assessment | | |
| Public Rights of Way (PRoW) Statement | | |
| Travel Plan | | |
| Structural Survey | | |
| Sustainable Drainage Systems (SuDs) | | |
| Transport Assessment/Statement | | |
| Tree Survey, Arboricultural Impact Assessment (AIA), Arboricultural Method Statement (AMS) and Tree Protection Plan (TPP) | | |

Biodiversity Survey and Mitigation Timetable

| Species | When to survey (dependent on weather conditions) | Mitigation |
|---------|---|--|
| Badgers | Any time of year February to April or October to November for bait marking surveys to establish territories | July to November – Working to existing setts; disturbance, blocking or destruction. Other months – Work should cause no disturbance to known setts, building of artificial setts is possible. |
| Bats | Preliminary roost assessment - Any time of year (trees are best surveyed without foliage) Hibernation roosts – November to mid-March Summer roosts – May to August Foraging or commuting - April to October for spring, summer and autumn behaviour Swarming – August to October | November to February – Works on maternity roosts June to August – Works on hibernation roosts only Where site may be maternity and hibernation site, work should be undertaken mid-March to mid-May, or mid- September to mid- November. |
| Birds | Breeding - March to August (species dependent) Winter Behaviour - October to March Migration - March to May, August to November (dependent on species) | September to February – Clearance works may be conducted but must stop immediately if any nesting birds are found. |

| Species | When to survey (dependent on weather conditions) | Mitigation |
|---------------------|---|---|
| Dormice | April to November | September to October - Clearance, release, and translocation. May – Clearance works No works in other months. |
| Great crested newts | Mid-March to mid-June (Mid-April to end of June for eDNA) | March to June – Newt trapping programme in ponds and on land. July to October – Newt trapping programme on land only. In other months pond management only (no trapping). |
| Invertebrates | April to September | January to December |
| Natterjack toads | April to May (aquatic survey) July to September (terrestrial survey) | October to March – Pond management work April to July – Trapping of adults in ponds May to September – Trapping of adults on land, trapping of tadpoles |
| Otters | Any time of year | No seasonal constraints but likely to be restricted where otters are breeding. |
| Reptiles | April to mid-October | Scrub clearance November to February. Capture and translocation programme March to June, and September to October. July to August Limited due to high temperatures. |
| Water voles | Mid-April to September | April, August and September (avoid other months). |

| Species | When to survey (dependent on weather conditions) | Mitigation |
|-----------------------|--|--|
| White-clawed crayfish | July to September | April, and July to October – Exclusion of crayfish from construction areas. Other months – Avoid capture programmes. |
| Fish | For coastal, river and stream-dwelling species, the timing of surveys will depend on the migration pattern of the species concerned. Where surveys require information on breeding, the timing of surveys will need to coincide with the breeding, which may be summer or winter months depending on the species. | Mitigation for the protection of watercourses is required at all times of the year. Mitigation for particular fish species will need to be timed so as to avoid the breeding season. This varies from species to species. |
| Habitats/vegetation | April to September (Detailed habitats assessments surveys, surveys for higher plants/ferns. Mosses/lichens in April/May and Sept only) | October to February (Planting and Translocation) No mitigation possible in the majority of situations/species from March to September. |

Infrastructure and Development Select Committee

Item No: 10

Report Title: Tree health: ensuring resilience of tree stocks and public safety

Date of Meeting: 17th May 2023

Responsible Cabinet Member: Cllr Eric Vardy (Cabinet Member for Environment & Waste)

Responsible Director: Tom McCabe (Executive Director – Community and Environmental Services)

Executive Summary

Currently a joint project delivered by a partnership between NCC Environment Service and NCC Highways delivers tree surveys, monitors change, and addresses safety issues relating to trees caused by pests and diseases. In previous years this has focussed on the increasing risk to public safety from ash dieback. From 2023 the project will deliver this work for all species of tree that present a potential risk to NCC assets.

This recognises that alongside ash dieback there are many more potential pests and diseases that may arrive in Norfolk in the future and with other issues is also likely to affect the health of many tree species. Survey work over the last few years has identified that alongside ash many other tree species are showing signs of decline with resulting risks to public safety, ecological resilience, and landscape connectivity.

The work will build on the evidence of reduction in risk produced by the comprehensive data led survey programme that has been undertaken in recent years.

The project will deliver work on NCC assets and will support landowners where action is needed on adjacent properties. Many of the trees identified as a risk are not owned by NCC and working effectively with their owners is an important aspect of the project.

This report is an end of year analysis of this ongoing work and provides evidence of the ongoing need for the project and resources to facilitate this.

Recommendations / Action Required

The Select Committee is asked to:

- 1. Support the continuation of the current targeted survey programme to identify and undertake remedial work or removal of trees that pose a potential risk to the public**
- 2. To support the expansion the survey beyond ash trees to recognise the potential threats to other species and to acknowledge the reduced risk to the public that a comprehensive survey and action approach is providing**

1. Background and Purpose

1.1 Since 2020 NCC Environment Service and NCC Highways have been working in partnership to deliver survey of Highways, Trails, Schools and other NCC assets. This summary end of year report analyses the survey results of Norfolk County Council's 2022 Tree Safety Inspections along Norfolk's most important routes of the highway network. Only trees which represented a possible risk of harm, or an immediate, imminent or possible risk of serious harm are included for analysis here. Although ash dieback disease represents the main risk of danger along the highway, there is evidence that roadside tree safety has improved since 2021.

Since 2020 more NCC resource has been provided allowing a much more comprehensive targeted approach to survey. This is based on the usage levels of each road, tree cover and height, and the likely proportion of diseased ash trees. Whilst the survey is targeted at identifying diseased ash trees any trees that pose a potential risk to the public are recorded and any required work is actioned. It should be noted that not all trees that are identified as dangerous will be diseased and whilst the survey work is needed because of a specific issue there is an overall beneficial result for the safety of the highway network.

As part of Norfolk County Council's Tree Safety Inspections between July and September 2022, officers identified 3158 trees along Norfolk's most important routes of the highway network that posed a risk of danger (either a possible risk of harm, or an immediate, imminent or possible risk of serious harm) to the highway. 1,612 (51%) of those identified were ash trees. Ash dieback disease was the primary cause of the trees' dangerous condition in 1,466 (46%) of those identified as requiring action (1,195 of those required either felling or other work intended to increase road safety but not expected to promote tree health). 692 (22%) of those identified as dangerous were elm trees. Of these, Dutch elm disease was the primary cause of the trees' dangerous condition (all of these required felling). These observations are very similar to previous years.

The key findings from analysis of the results of the 2022 summer survey season are as follows.

More dangerous trees identified and actioned in 2021 and 2022 than had been during the previous 5 years of surveying.

Due to increase in the distance of highway being surveyed and a more targeted survey methodology, in 2021 and 2022 more dangerous trees have been identified and actioned than were during the five years prior.

Half of all dangerous roadside trees was attributed to ash and ash dieback disease.

Ash dieback disease continues to disproportionately affect the safety of Norfolk's highway network. 46% of the trees identified as posing a risk of danger was attributed to ash dieback disease. A high proportion of ash trees making up the species composition of roadside trees in Norfolk may explain the prevalence of ash dieback symptoms requiring remedial action.

Higher than average proportion of ash trees among Norfolk County Council owned dangerous roadside trees.

Norfolk County Council-owned trees identified as posing a risk of danger to the highway in 2022 comprised 391 (69%) ash. Previous years ash comprises between 20% and 40% of the Norfolk County Council-owned trees posing a risk of danger to the highway. Trees of all owners posing a risk of danger to the highway in 2022 comprised 51% ash.

Dangerous roadside trees attributed to ash dieback disease *mortality* has decreased since 2021

Ash dieback disease mortality accounted for 15% of all dangerous roadside trees identified in 2021; a figure which had been steadily increasing since 2018. In 2022 ash dieback disease mortality accounted for 13.5% of all dangerous roadside trees identified, suggesting proactive management is helping to remove the most dangerous ash.

Fewer trees posing high or severe risk of danger in 2022 than in 2021.

In 2021, 72.2% of the dangerous roadside trees identified, posed a high or severe risk of danger to the highway, whereas 34.2% of the dangerous roadside trees identified in 2022 posed a high or severe risk of danger to the highway with most of the trees posing a moderate risk of danger to the highway.

These figures show that whilst a targeted approach to survey has had success in significantly reducing the number of high-risk roadside trees the number of dangerous trees in need of work is still increasing. It also demonstrates that whilst a focus on ash trees is necessary the work needs to consider all species trees and current and future pests and diseases.

Full end of year reports for the two years of additional capital funding are provided to accompany this summary.

2. Proposal

2.1 Continue with the increased frequency of inspection of all trees adjacent to the highway and increase essential tree work.

Continue the increased proactive inspection of all tree species and management of declining trees adjacent to sections of the highway that have the highest density of trees and are the most important or heavily used to the highway network. This will involve using mapping developed and updated by NCC's Natural Norfolk Team within the Environment Service to prioritise these inspections with the aim to inspect these areas once every 3 years.

2.2. Increase inspection and support across NCC departments

In parallel to improving highway safety, work to manage dangerous trees across the estate will increase, particularly areas with high public access.

2.3. Improve landowner communication

In addition to meeting NCC's duty of care by inspecting and carrying out tree work, NCC will progress a programme of landowner engagement to encourage the appropriate and timely management of roadside trees that are privately owned. This will be achieved with a targeted communications plan which focuses awareness raising efforts in the parishes that we have identified as most in need of management. Success with this campaign will improve road safety and reduce the resource spent informing landowners of the need to make safe the trees identified during inspections. NCC will ensure that ash tree owners are aware of the challenges of tree management and that their trees are their responsibility.

2.4. Promote Biodiversity Net Gain

NCC will seek funding particularly where these trees are linear features, isolated trees outside of woodlands or near to communities, to improve tree diversity, cover and resilience through proactive management and planting in line with the NCC Environmental Policy.

2.5. Review

Each year we will review processes, particularly the management and coordination of tree work, to ensure the most efficient and joined-up approach.

3. Impact of the Proposal

3.1 An increased number of trees that represent an unacceptable risk to the public will be managed. These proposals will demonstrate that NCC is meeting its duty as a landowner and as a Highway Authority in the management of declining ash trees. Greater awareness will be raised in the need to manage the disease across NCC departments and with private landowners.

4. Evidence and Reasons for Decision

4.1 This report details the use of existing, interpreted and new data in a risk-based approach to target the management of ash trees.

Evidence on the increasing decline of ash trees supports the need to provide continuing resource to manage ash populations across NCC departments and particularly on the highway network in a responsible and defensible way.

The data shows that the approach taken has significantly reduced the number high risk trees present on the highway network.

5. Alternative Options

5.1 No alternative options are being considered. Without continued effort and resource to manage the risk of tree failure due to ash dieback, NCC would not be acting responsibly. The approach outlined within the report is felt to be the most appropriate at this time.

6. Financial Implications

6.1 The cost for carrying out tree safety work, awareness raising, inspecting and reporting, is £1m over two years. It should be noted, however, that the overall programme is likely to run for many years beyond this period. Currently there is £650k in the capital plan associated to Ash Dieback over the next two years and there will be a further capital bid in 2023 to bring it in line with the expected cost.

7. Resource Implications

7.1. Staff: Additional staff will be required to deliver this work with a particular requirement for seasonal staff over the summer months to carry out inspections, create reports for tree work and manage tree work on the highway and NCC estate.

7.2. Property: These measures will support NCC property managers in meeting their legal duties of care by maintaining declining ash trees in reasonably safe condition.

7.3. IT: Continued access to high quality OS, LIDAR and highway usage data are and computers capable of running the analysis are required. This is currently available within the Environment Service. Any changes to this will have an effect on the work and would need to be resourced by alternative methods.

8. Other Implications

8.1 Legal Implications:

These measures will help NCC demonstrate that it is meeting its duties as a landowner and Highway Authority in managing tree safety.

8.2 Human Rights Implications:

None

8.3 Equality Impact Assessment (EqIA) (this must be included):

There are no relevant potential equality impacts associated with the work identified to date.

8.4 Data Protection Impact Assessments (DPIA):

N/A

8.5 Health and Safety implications (where appropriate):

The work is aimed at reducing risk to the public

8.6 Sustainability implications (where appropriate):

8.7 Any Other Implications:

9. Risk Implications / Assessment

9.1 The decline of ash increases the likelihood of harm to users of the highway and NCC property. Without the increase in effort and resource outlined in this report NCC may be open to claims of negligence.

10. Recommendations

The Select Committee is asked to:

- 1. Support the continuation of the current targeted survey programme to identify and undertake remedial work or removal of trees that pose a potential risk to the public**
- 2. To support the expansion the survey beyond ash trees to recognise the potential threats to other species and to acknowledge the reduced risk**

to the public that a comprehensive survey and action approach is providing

11. Background Papers

11.1 Ash dieback end of year report 2021

11.2 End of year report 2022

Officer Contact

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NCC Ash Dieback End of Year Report: Roadside Tree Inspections 2021

Summary

Increased resource to manage ash dieback disease across NCC departments in 2021 has provided additional support and skills with a new risk-based approach to targeting a wider area of Norfolk to be surveyed. In combination with joined-up working across NCC departments, this has facilitated the actioning of twice the number of dangerous roadside ash trees than were actioned in previous years.

The early stages of any new project will encounter difficulties. However, assessing the new approach cannot be considered in isolation of the coronavirus pandemic. Being able to quickly adjust our initial plan for surveying NCC highway network and prioritise the highest risk areas in a meaningful and defensible manner illustrates the flexibility of the project and its resilience to changing environments.

148% more dangerous ash trees identified and actioned in 2021 than in 2020.

Ash dieback disease continues to disproportionately affect the safety of Norfolk's highway network. The number of European ash trees endangering the highway has remained relatively high when compared with all other roadside tree species (fig. 2), but ash dieback mortality appears to represent an increasingly large proportion of the dangerous trees. Influence of meteorological variability on the disease cycle or ash morbidity doesn't appear to explain this increase.

The number of dead ash trees, as a percentage of all dangerous roadside trees identified, has increased from 3% in 2018 to 13% in 2021 (fig. 3).

In addition to increased safety along Norfolk's highway network, early identification of dead and dangerous trees reduces unnecessary risk placed on the tree contractor. It is well recognised, by both the Forest Industry Safety Accord and the Health and Safety Executive, that felling of dead or dying ash trees can significantly increase the risk of injury to the operator working on the tree, and that as the tree's condition worsens so too does the risk to the operator.

Overwhelmingly, 92.6% of the roadside trees identified during the 2021 survey were privately-owned or unregistered.

457 private landowners were found to be responsible for the 1706 private trees identified as dangerous and requiring action. Ascertaining tree ownership via Land Registry searches, highway boundary research, liaising with parish councils, and online research takes a significant amount of officer time which has led to some delays getting reports sent to landowners and highways department (see HW report).

We will be looking to try new ways of working by approaching local historians, and will apportion additional time from Highway Boundaries department during the survey period to assist with matters of highway rights and land ownership in 2022.

Survey Results

European ash (*Fraxinus excelsior*) represented the most common tree species identified as posing a risk to the highway, almost entirely as the result of ash dieback disease (*Hymenoscyphus fraxineus*) whereby the crown had greater than 75% dieback (fig. 1). Similarly, English elm (*Ulmus procera*) which are consistently the second most common tree species identified as posing a risk to the highway, primarily due to Dutch elm disease (*Ophiostroma nova-ulmi*).

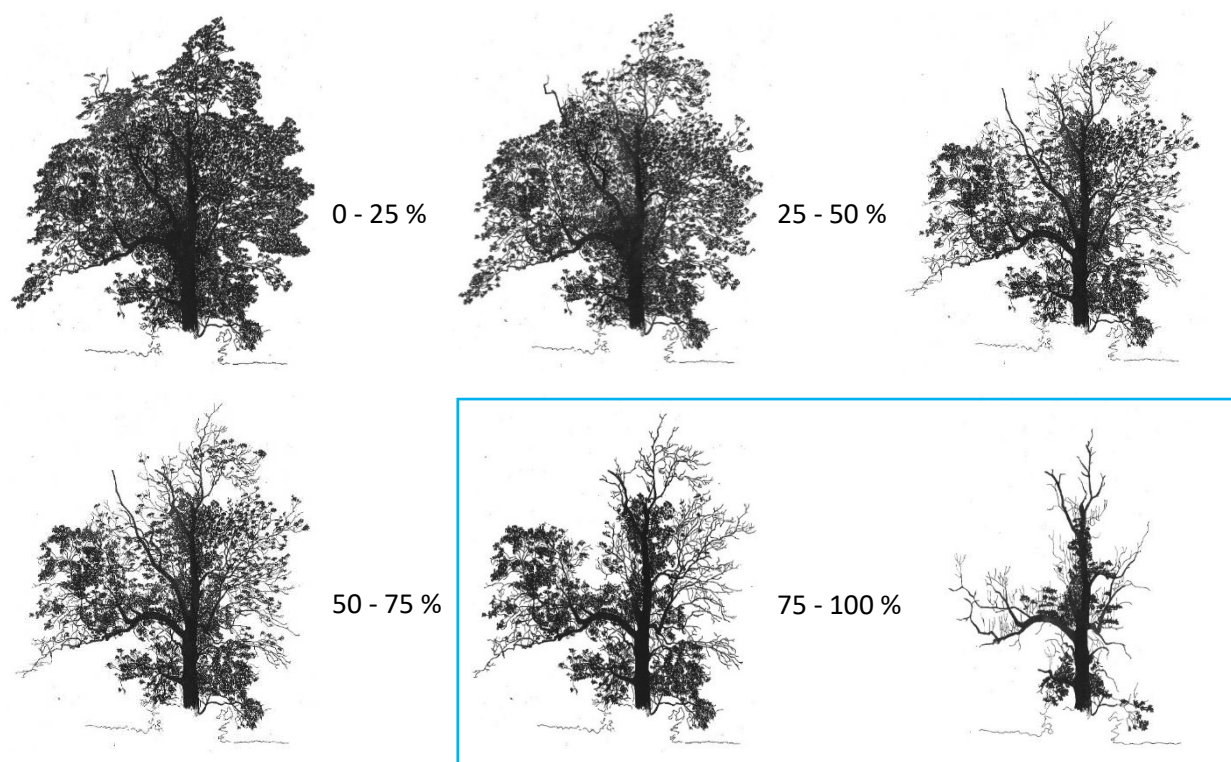


Figure 1. Illustration of percentage dieback categories. 75 – 100% dieback highlighted.

Between July and October 2021, we identified 1961 dangerous roadside trees along Norfolk's road network; 961 (49%) were European ash. Ash dieback disease was the primary defect in 906 of those identified as requiring action. This has resulted in 816 recommended fells. Of those proposed felled, 777 had crown dieback $\geq 75\%$ or had died and the trees were considered by the Tree Officer to require action within either 6 months or 2 months (suggesting possible risk of harm or of serious harm, respectively). Other reasons for felling included significant root loss due to excavation or basal decay by the basidiomycetes *Armillaria* (honey fungus) and *Perenniporia fraxinea*, pathogenic fungi which decay the wood at roots or near the base.

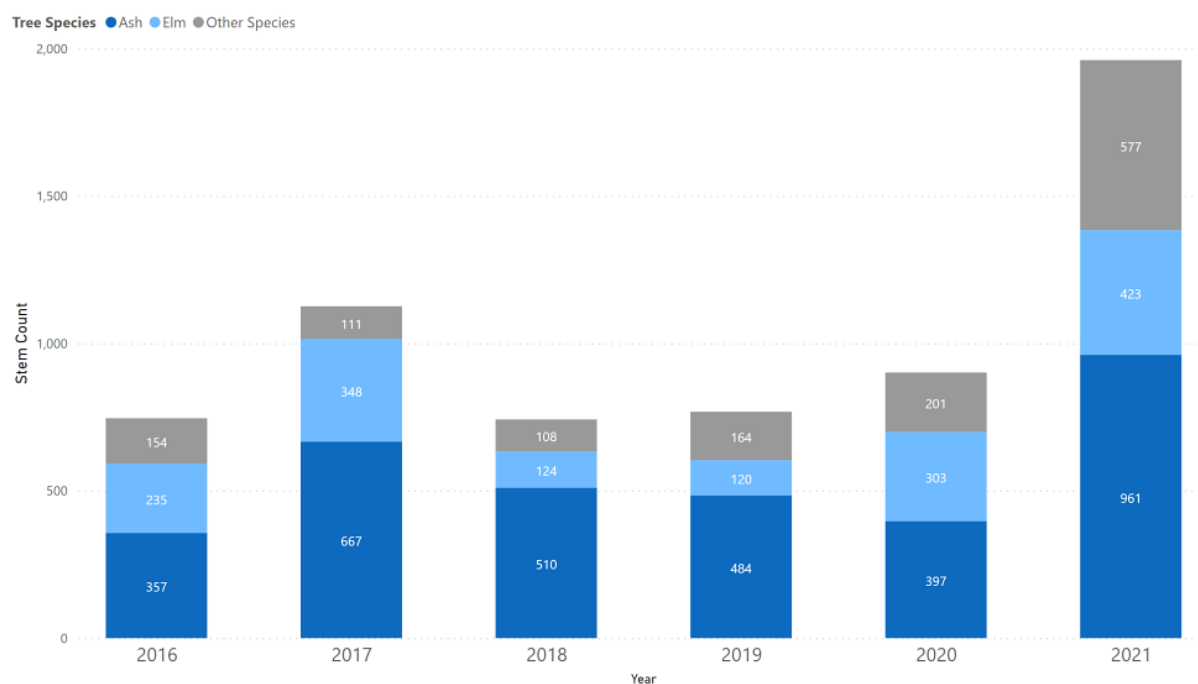


Figure 2. Chart showing proportion of dangerous ash, elm and other species identified between 2016 and 2021.

1706 trees identified as requiring action were accounted for by 457 landowners. 864 European ash trees were accounted for by 235 of these landowners. Only 124 of the trees identified as posing a risk of danger to the highway were on the highway itself; 42 of those were European ash. 49 of the trees owned by the Secretary of State were managed by the Forestry Commission; of those, 20 were European ash.

| Owner | All species | European ash |
|-----------------------------------|-------------|--------------|
| Private landowner | 1706 | 864 |
| Norfolk County Council (highways) | 124 | 42 |
| Secretary of State | 58 | 24 |
| Unknown | 44 | 23 |
| Norfolk County Council (other) | 21 | 5 |
| Other highway authority | 5 | 3 |
| Parish Council | 3 | 0 |
| Total | 1961 | 961 |

Table 1. Numbers of all dangerous trees and, of those, numbers of European ash identified under various types of ownership.

For 711 (85%) of the European ash which the Tree Officer had recommended to fell, it was explicitly stated that replanting would not be required. This was either to encourage other wildlife habitat features recognised by the Tree Officer, and which the retaining or replanting of trees would not enhance the physical and biotic requirements of the specific wildlife species in mind; or to promote the healthy development of neighbouring trees as part of commonplace woodland management practice of thinning; or because the position of the tree was inappropriate.

For 53 (6%) of the European ash which the Tree Officer had recommended to fell, it was explicitly stated that replanting would be required. This was either to replace the trees being felled (commonly in the same area as the trees being felled) or to restore a hedgerow.

For 6 (<1%) of the European ash which the Tree Officer had recommended to fell, it was stated that natural regeneration would be required. Either explicitly stated or implied (i.e., protect existing sapling)

| Improvements | Stem Count |
|--|------------|
| No replanting required - encourage other habitat | 347 |
| No replanting required - woodland thinning | 200 |
| No replanting required - inappropriate location | 154 |
| No wildlife conservation improvements suggested | 67 |
| Replant replacements in same area | 31 |
| Restore or plant hedge | 18 |
| No replanting required - woodland thinning. Retain felled stems as deadwood habitat | 9 |
| Protect Existing Saplings | 4 |
| Replant in local area - Trees in Hedgerow | 4 |
| Natural regeneration | 2 |
| No replanting required - encourage other habitat and retain felled stems as deadwood habitat | 1 |
| Total | 837 |

Table 2. Types of improvements suggested following felling recommendations.

Data collected between 2018 and 2021 shows that the percentage of dangerous roadside trees attributed to ash dieback disease mortality has increased. In 2018, 3.37% of all dangerous roadside trees had died as the result of ash dieback disease. By 2021 this figure has risen to 12.75% (fig. 3).

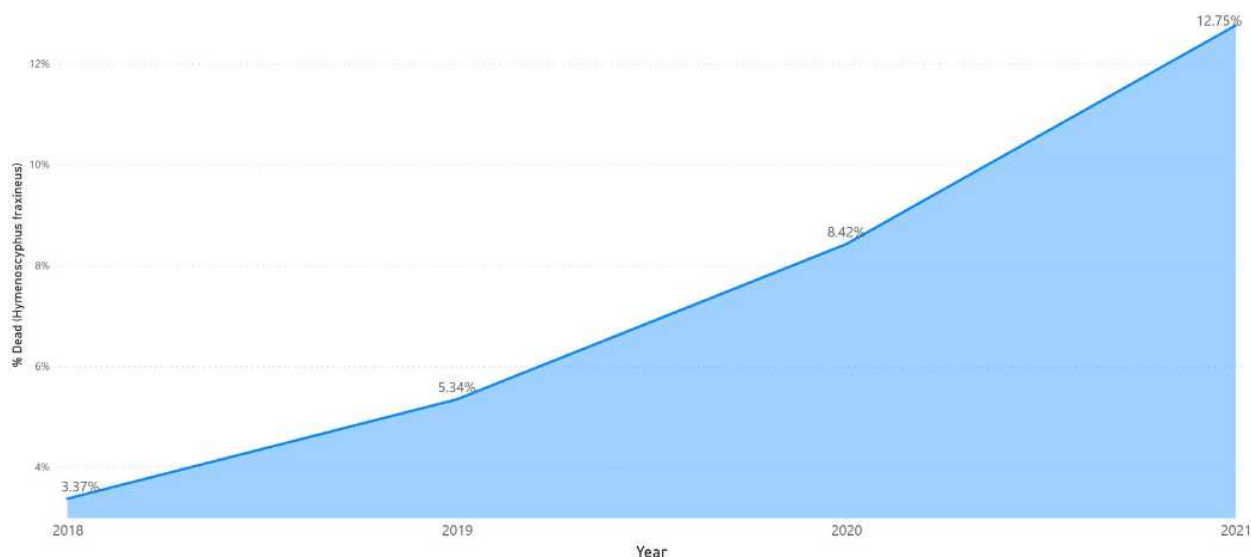


Figure 3. Percentage of dangerous roadside trees identified which had died as the result of ash dieback disease.

Other NCC sites

In addition to Norfolk County Council's work to remove risks associated with ash dieback disease along link roads, main and secondary distributor routes, and strategic routes, NCC is directly responsible for managing many ash trees along Norfolk's Trails network and other sites including schools, corporate property and County Farms. The promoting of outdoor meetings and exercise has inevitably resulted in increased levels of recreational walking which we encourage. This has, however, increased the need for improved tree management along some of those otherwise low risk sites.

Ash trees are found in high density along some of the most popular trails routes such as the Marriotts and Weavers Way as well as Burlingham Woodland walks with numerous sections requiring work to remove diseased trees (table 3).

| Year | Number of trees felled | Cost (ex.VAT) | Year | Number of trees felled | Cost (ex.VAT) |
|-------------------------|------------------------|----------------|----------------------|------------------------|----------------|
| 2019 | 641 | £41,887 | 2019 | 641 | £41,887 |
| Blackwater Lane | 54 | £8,500 | 2020 | 452 | £20,918 |
| Bure Valley Path | 257 | £11,450 | Burlingham woods | 22 | £3,200 |
| Burlingham woods | 15 | £2,540 | Costessey to Drayton | 130 | £8,310 |
| Cawston to Aylsham | 47 | £1,167 | Drabblegate | 5 | £860 |
| Costessey | 111 | £9,100 | Honing | 95 | £963 |
| Lock Road | 6 | £880 | Reepham | 200 | £7,585 |
| Themelthorpe to Reepham | 61 | £2,750 | 2021 | 561 | £36,022 |
| Whitwell | 90 | £5,500 | Blackwater Bridge | 100 | £6,000 |
| 2020 | 452 | £20,918 | Burlingham woods | 17 | £5,340 |
| Burlingham woods | 22 | £3,200 | Costessey | 100 | £6,037 |
| Costessey to Drayton | 130 | £8,310 | Honing Bridge | 192 | £10,825 |
| Drabblegate | 5 | £860 | Witwell Station | 152 | £7,820 |
| Honing | 95 | £963 | Total | 1654 | £98,827 |
| Reepham | 200 | £7,585 | Total | 1654 | £98,827 |
| 2021 | 561 | £36,022 | | | |
| Blackwater Bridge | 100 | £6,000 | | | |
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| Honing Bridge | 192 | £10,825 | | | |
| Witwell Station | 152 | £7,820 | | | |
| Total | 1654 | £98,827 | | | |

Table 3. Trails and County Farms ash dieback associated tree work costs 2019-2021. *Could remove 1?*

With a growing awareness of the importance of trees in the environment and a requirement for the recreational space provided by these sites, felling operations along Norfolk's Trails network has the potential to lead to disapproval or objection from a concerned public.

Gaining public support and approval of NCC's tree safety policy through improved communications is expected to reduce the amount of officer time spent responding to public disquiet and freedom of information requests. In 2021, improved communication methods to stakeholders via social media, engaging with Parish Councils and clearly displaying information notices (fig. 4) on sites in advance of proposed tree felling operations has notably reduced public concerns.

Marriott's Way Tree Felling - Ash Dieback Management

What are we telling you about?

Essential tree felling is taking place here on the Marriott's Way.

The path will not need to be closed while work is underway but please be aware of warning signs and do not approach the contractors whilst machinery is in operation.

When is this happening?

Tree felling work will **start on 22nd February**. The work is only expected to take a day or two to complete.

Where is this happening?

Trees will be felled between Cavston and Aylsham.

What will we be doing?

Following annual tree health and safety surveys focussing on ash dieback disease, dead and dangerous trees which are now posing a risk to path users and/or neighbouring property require urgent removal. Trees that are showing low infection rates will be retained for as long as possible.

Why are we doing this work?

Ash dieback is a devastating disease for trees. Sadly, it is estimated that it may eventually kill up to 95% of ash trees across the UK. The felling is necessary to ensure the safety of path users as well as reducing damage to adjacent land and fencing.

How will this benefit you?

The work will create a safer route for trail users. Along the Marriott's Way, a rich variety of other tree and shrub species are present and rapid natural regeneration will occur. This is seen as the most effective approach for regeneration on this site due to soil conditions.

The result will be long term biodiversity gains by opening up the canopy, encouraging wildflowers to grow and healthy trees to establish naturally.

How can you get in touch?

If you have any comments or queries regarding the scheme please contact us at;
ashdieback@norfolk.gov.uk

If you have any issues to report on any of Norfolk's public right of way network or highways, please visit
www.norfolk.gov.uk/roads-and-transport/roads/report-a-problem

Who is funding this?

The works will be carried out by Norfolk County Council's Community and Environmental Services Department and their contractors. This work is funded by Norfolk County Council's wider ash dieback mitigation budget.

ashdieback@norfolk.gov.uk
www.norfolk.gov.uk

Norfolk
County Council

Marriott's Way Diversion
8 - 22 December 2021
 To allow essential felling of trees affected by ash dieback.

Norfolk County Council
 County Hall
 Marketplace Lane
 Norwich
 NR1 3DH
 Tel 0344 800 8020
www.norfolk.gov.uk

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Figure 4. Information noticealong Marriot's Way?

Natural regeneration has proved to be an effective and simple method to recover lost landscape features and vegetation following clear felling along the trails network (fig. 5). In addition, at the initial stage of regeneration there is anecdotal evidence supporting an increase of species diversity in the area from that observed prior to clear felling ...could we elaborate on this with a few plant or animal names? I use the anecdotal evidence so it doesn't have to be scientific just observations. What was there before and what is new to the area?



Figure 5. section of Marriot's Way, Drayton in 2019 shortly after being clear felled, and subsequent regeneration of the section photographed in 2021.

Discussion

The predicted overall trend of increasing severity of ash dieback disease across Norfolk's highway network is supported by our observations of European ash trees identified as posing a serious risk of harm to the highway. In particular, the proportion of all dangerous roadside trees whose dangerous condition was the result of ash dieback disease mortality has been increasing since 2018. Airborne ascospores are thought to be the principle infectious propagules and onsets of new infections. A growing body of evidence suggests that air humidity is important for the apothecium development, and leaf moisture enhances ascospore release (Dvorak et al, 2015; Burns et al, 2021). Thomsen (2022) also notes that infection rates amongst ash tend to be highest following 'wet-years'. In addition, ash is sensitive to severe winter and late spring frosts when it is vulnerable to frost cracks of the xylem and the loss of terminal shoots (Dobrowolska et al, 2011) which might hasten the death of trees infected by ash dieback disease. Although the influence of meteorological variability on the production of air-inoculum and/or adverse growing conditions of ash during the years of interest shouldn't be ruled out, it doesn't appear to explain the observed increase in ash dieback disease associated mortality beyond that expected due to the natural disease cycle.

<https://www.metoffice.gov.uk/pub/data/weather/uk/climate/stationdata/lowestoftdata.txt>

Conclusion

Analogous to Dutch elm disease in the past, ash dieback disease is leaving a lasting impression on Norfolk's landscape. However, unlike Dutch elm disease, thanks to the ongoing support with the ash dieback project, road safety standards are being maintained and there is also real optimism that Norfolk's landscape can quickly recover as already demonstrated along the trails network.

The initial stages of any new project will encounter unanticipated complications. However, assessing the new approach cannot be considered in isolation of the coronavirus pandemic. It was important that our 2021 surveys did not expose workers and others to increased risks of contracting or spreading coronavirus. The capacity to quickly adapt the methodology to allow for lone-working practices while nevertheless continuing meaningful and defensible surveys, illustrates the flexibility of our survey method and its resilience to changing environments.

Going forward, utilising skills within the Highway Boundaries department, whose research is integral to ascertaining tree owners will be necessary. The most notable shortfall encountered during 2021, resulted from delays ascertaining tree owners, thus delays contacting landowners about their trees. Our projected budget enables employment of more dedicated administrative staff for 2022. In addition, we will be testing the suitability of enlisting the help of local historians with matters of land ownership on a piecemeal basis.

We have been able to continue our support of ongoing research into the disease, working collaboratively at national and local levels in both Government and NGO sectors, including work with the John Innes Centre and Forest Research. We have provided NCC land and plant material for ash tolerance trials, aiming to develop an ash population that is tolerant to the disease.

We continue to represent NCC as a stakeholder at the National ADB Health and Safety Task Force meetings, where our experience of the disease is helping to inform national policy. Our work is published in the Tree Council's Ash Dieback Action Plan Toolkit and presented at the National Tree Officers Conferences. We are jointly working with a PhD student, based at Newcastle University, researching land-based sensing techniques for assessing the health of roadside trees using vehicle-mounted multispectral cameras (similar to Google Street view). This work aims to record tree species and condition adjacent to the highway, improving management of trees along the network and enabling us to respond more efficiently to future pest and disease outbreaks.

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- Thomsen, I. M. (2022) 'ATO Ash Dieback Seminar' [Lecture] *Managing urban and landscape ash trees - in the context of ash dieback*. Association of Tree Officers, delivered 18 January 2022.

Tree Safety Inspections 2022: End of Year Report

Summary

This end of year report analyses the survey results of Norfolk County Council's 2022 Tree Safety Inspections along Norfolk's most important routes of the highway network. Only trees which represented a possible risk of harm, or an immediate, imminent or possible risk of serious harm are included for analysis here. Although ash dieback disease represents the main risk of danger along the highway, there is evidence that roadside tree safety has improved since 2021.

More dangerous trees identified and actioned in 2021 and 2022 than had been during the previous 5 years of surveying.

Due to increase in the distance of highway being surveyed and a more targeted survey methodology, in 2021 and 2022 more dangerous trees have been identified and actioned than were during the five years prior.

Half of all dangerous roadside trees was attributed to ash and ash dieback disease.

Ash dieback disease continues to disproportionately affect the safety of Norfolk's highway network. 46% of the trees identified as posing a risk of danger was attributed to ash dieback disease. A high proportion of ash trees making up the species composition of roadside trees in Norfolk may explain the prevalence of ash dieback symptoms requiring remedial action.

Higher than average proportion of ash trees among Norfolk County Council's dangerous roadside trees.

Norfolk County Council-owned trees identified as posing a risk of danger to the highway in 2022 comprised 391 (69%) ash. Previous years ash comprises between 20% and 40% of the Norfolk County Council-owned trees posing a risk of danger to the highway. Trees of all owners posing a risk of danger to the highway in 2022 comprised 51% ash.

Dangerous roadside trees attributed to ash dieback disease *mortality* has decreased since 2021

Ash dieback disease mortality accounted for 15% of all dangerous roadside trees identified in 2021; a figure which had been steadily increasing since 2018. In 2022 ash dieback disease mortality accounted for 13.5% of all dangerous roadside trees identified, suggesting proactive management is helping to remove the most dangerous ash.

Fewer trees posing high or severe risk of danger in 2022 than in 2021.

In 2021, 72.2% of the dangerous roadside trees identified, posed a high or severe risk of danger to the highway, whereas 34.2% of the dangerous roadside trees identified in 2022 posed a high or severe risk of danger to the highway with most of the trees posing a moderate risk of danger to the highway.

Survey Results

Ash dieback disease of European ash whereby greater than 75% of the crown had died (fig. 1) represented the most common risk to the highway identified in 2022. Dutch elm disease of English elm represented the second most common risk to the highway identified.



Figure 1. Illustration of 75 – 100% percentage dieback category.

As part of Norfolk County Council's Tree Safety Inspections between July and September 2022, officers identified 3158 trees along Norfolk's most important routes of the highway network that posed a risk of danger (either a possible risk of harm, or an immediate, imminent or possible risk of serious harm) to the highway. 1612 (51%) of those identified were ash trees (fig. 2). Ash dieback disease was the primary cause of the trees' dangerous condition in 1466 (46%) of those identified as requiring action (1195 of those required either felling or other work intended to increase road safety but not expected to promote tree health). 692 (22%) of those identified as dangerous were elm trees. Of these, Dutch elm disease was the primary cause of the trees' dangerous condition (all of these required felling). These observations are very similar to previous years (fig. 3).

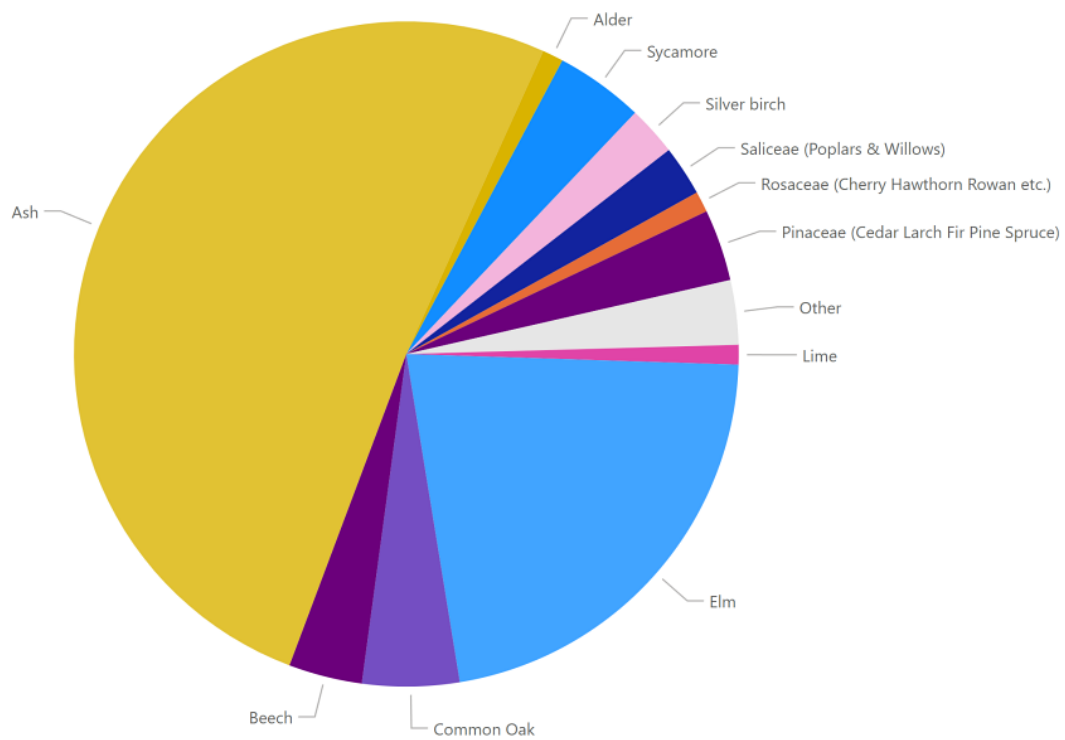


Figure 2. Chart comparing the number of species identified as posing a risk of danger to the highway in 2022.

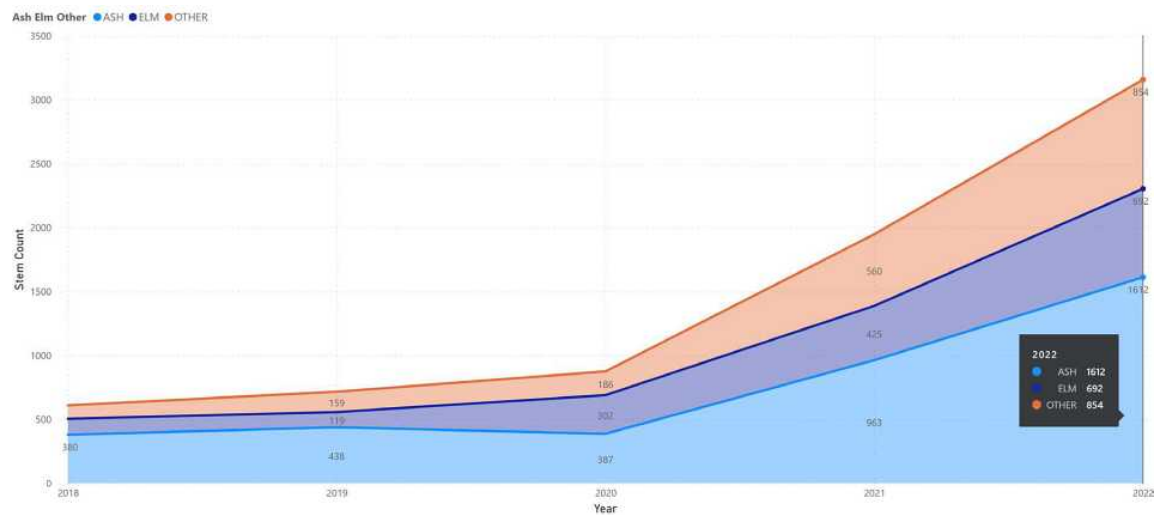


Figure 3. Stacked area chart comparing the proportion of ash, elm and other species identified as posing a risk of danger to the highway each year between 2018 and 2022.

Like previous years, most dangerous roadside trees identified were privately owned. However, 567 (18%) of the trees identified as a posing a risk of danger to the highway were Norfolk County Council's trees (425 Highways and 142 county farms or other NCC property) (table 1 and fig.4). In 2021 only 8% were Norfolk County Council's trees. 391 (69%) of the dangerous Norfolk County Council-owned trees in 2022 were ash. This is a significantly larger proportion than the overall 51%.

| Owner | ASH | ELM | OTHER | Total |
|------------------------------------|-------------|------------|------------|--------------|
| PRIVATE (RESIDENTIAL) | 1017 | 525 | 586 | 2128 |
| NORFOLK COUNTY COUNCIL. | 391 | 96 | 80 | 567 |
| NORFOLK COUNTY COUNCIL (HIGHWAYS) | 263 | 91 | 71 | 425 |
| NORFOLK COUNTY COUNCIL | 128 | 5 | 9 | 142 |
| PRIVATE (BUSINESS PROPERTY) | 106 | 12 | 71 | 189 |
| PRIVATE (LARGER ESTATES) | 53 | 47 | 64 | 164 |
| OTHER COUNCILS | 19 | 7 | 25 | 51 |
| PRIVATE (ORGANISATION) | 13 | 5 | 27 | 45 |
| UNKNOWN | 13 | | 1 | 14 |
| Total | 1612 | 692 | 854 | 3158 |

Table 1. Numbers of all dangerous trees grouped by species (ash, elm or other species) identified under various types of ownership.

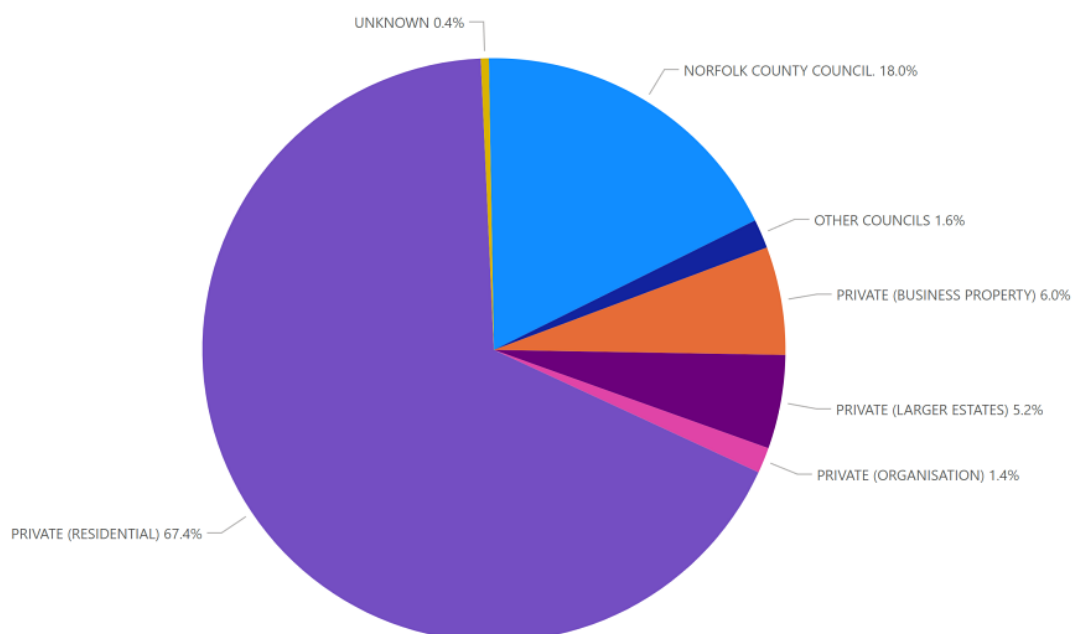


Figure 4. Chart comparing the ownership of trees identified in 2022 as posing a risk of danger to the highway.

There is no significant difference between the types of the roads affected by trees in 2021 compared with 2022. most dangerous roadside trees identified were growing alongside Link roads (45%). 17% were identified alongside Secondary Distributor roads, 22% alongside Main Distributor roads and 16% alongside Strategic routes (table 2 and fig. 5).

| Road Type | 2021 | 2022 | Total |
|------------------------------|-------------|-------------|-------------|
| Link Road | 977 | 1421 | 2398 |
| 4A2 | 977 | 1417 | 2394 |
| 4A1 | | 4 | 4 |
| Main Distributor | 334 | 681 | 1015 |
| 3A2 | 205 | 434 | 639 |
| 2C | 127 | 246 | 373 |
| 3A1 | 2 | 1 | 3 |
| Secondary Distributor | 425 | 545 | 970 |
| 3B2 | 313 | 393 | 706 |
| 3B1 | 96 | 85 | 181 |
| 3B3 | 3 | 55 | 58 |
| 3B4 | 13 | 12 | 25 |
| Strategic Route | 200 | 509 | 709 |
| 2B | 199 | 509 | 708 |
| 2A | 1 | | 1 |
| Local Access Road | 11 | 2 | 13 |
| 4B | 11 | 2 | 13 |
| Total | 1947 | 3158 | 5105 |

Table 2. Comparison of the number of dangerous trees identified in 2021 and 2022 affecting each road type.

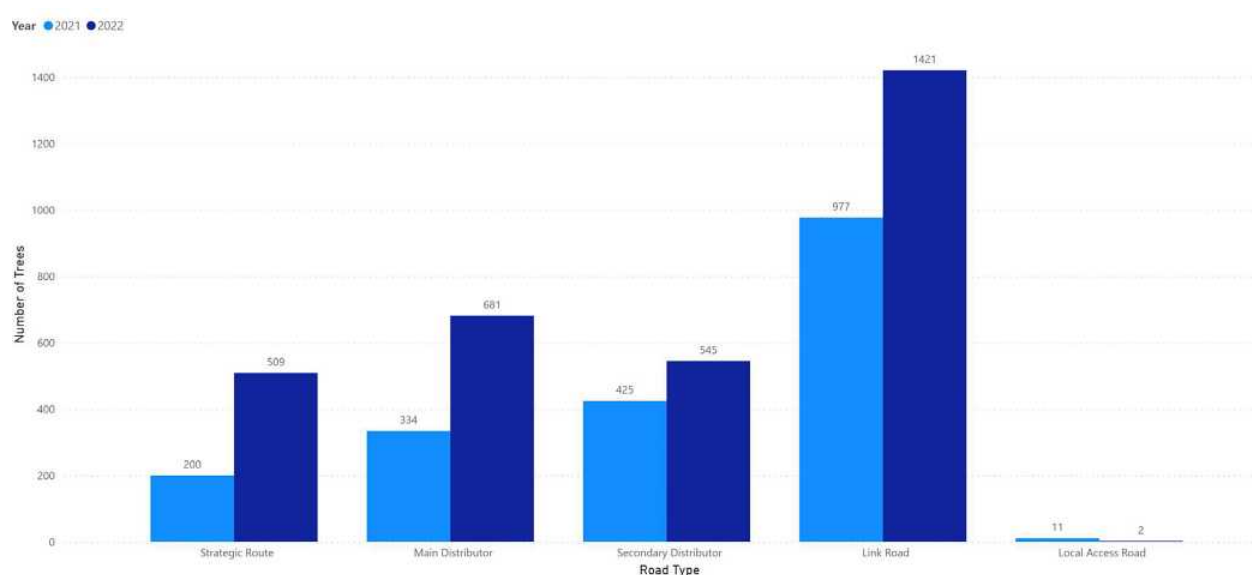


Figure 5. Chart comparing number dangerous trees identified in 2021 and 2022 affecting each road type.

Since 2018, dangerous roadside trees attributed to ash dieback disease *mortality* has accounted for an increasing proportion of trees requiring remedial action. However, results from 2022 shows that ash dieback disease *mortality* amongst dangerous roadside trees is lower than that seen 2021 (fig.6).

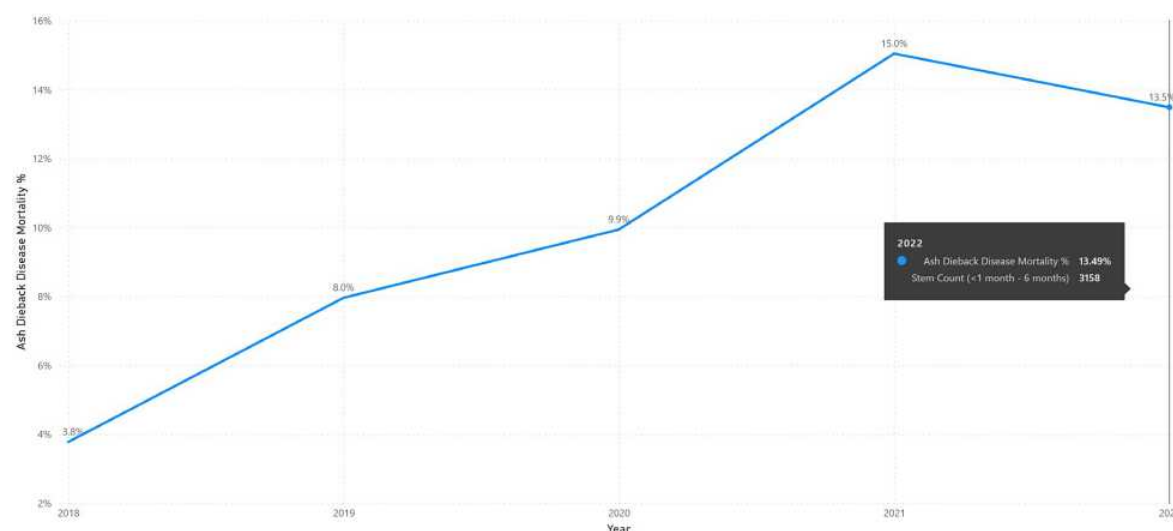


Figure 6. Line chart showing percentages of dangerous roadside trees attributed to ash dieback disease mortality between 2018 and 2022.

Furthermore, fewer high risk roadside trees were identified during 2022 surveys than were identified during 2021 surveys. Timeframes given by officers for completing the proposed tree works act as measures of risk that trees represent to the highway. Timeframes of 6 months, 2-3 months, and ≤ 1 months were grouped as either moderate, high or severe risks, respectively. In 2021, 72.2% of the dangerous roadside trees identified posed a high or severe risk of danger to the highway, whereas 27.8% posed a moderate risk of danger. In 2022, 34.2% of the dangerous roadside trees identified posed a high or severe risk of danger to the highway, whereas 65.8% posed a moderate risk of danger (fig.7).

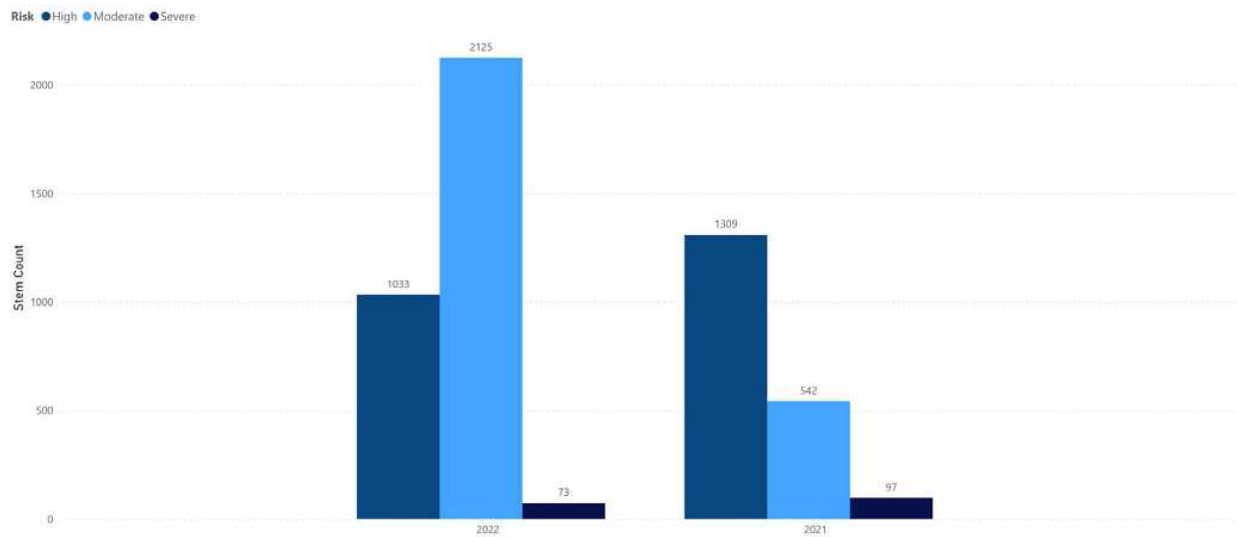
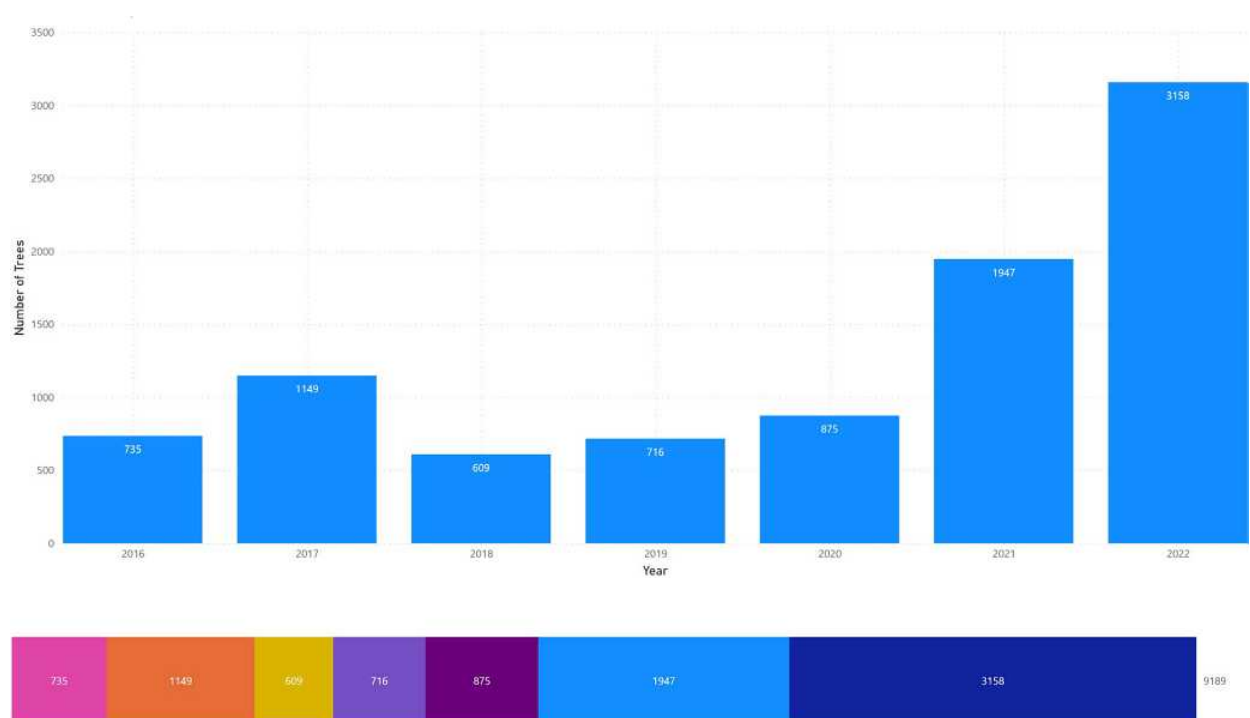


Figure 7. Chart comparing number of dangerous roadside trees identified in 2021 and 2022 posing moderate, high, or severe risk of danger to the highway.



Year ● 2016 ● 2017 ● 2018 ● 2019 ● 2020 ● 2021 ● 2022

Figure 8. Chart showing number of dangerous trees identified and actioned each year.

Discussion

3158 dangerous roadside trees were identified along Norfolk's most important routes between July and September. The dangerous condition of 1466 (46.4%) of the trees was attributed to ash dieback disease, and 689 (21.8%) was attributed to Dutch elm disease. This is consistent with previous years.

However, dangerous roadside trees attributed to ash dieback disease *mortality* has decreased slightly compared with the 2021 survey. Ash dieback disease mortality accounted for 15% of all dangerous roadside trees identified in 2021; a figure which had been steadily increasing since 2018. In 2022 ash dieback disease mortality accounted for 13.5% of all dangerous roadside trees identified. Congruous with this observation, fewer high-risk roadside trees were identified during 2022 surveys than were identified during 2021 surveys. In 2021, 72.2% of the dangerous roadside trees identified posed a high or severe risk of danger to the highway, whereas 34.2% of the dangerous roadside trees identified in 2022 posed a high or severe risk of danger to the highway with most of the trees posing a moderate risk of danger to the highway.

Analogous to the findings of 2021, most of the dangerous roadside trees identified in 2022 were growing alongside Link roads (45%). 17% were identified alongside Secondary Distributor roads, 22% alongside Main Distributor roads and 16% alongside Strategic routes.

Although only 567 (18%) of the trees identified as posing a risk of danger to the highway were Norfolk County Council-owned trees, 391 (69%) of these were comprised of European ash (fig. 9), significantly higher than the 51% European ash observed across for all owners.

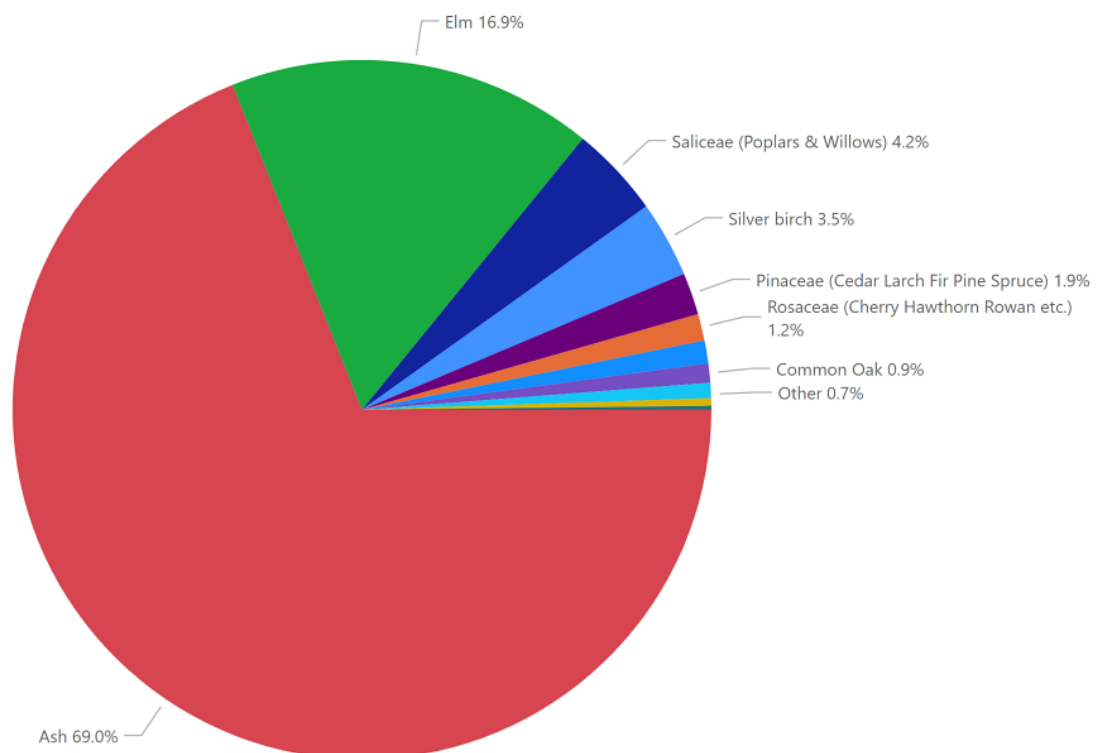


Figure 9. Chart showing species composition of dangerous Norfolk County Council-owned trees.

Conclusion

In 2022, more dangerous roadside trees than any in earlier survey year were identified along Norfolk's most important routes. Furthermore, in 2021 and 2022 more dangerous trees have been identified and actioned than were during the five years prior, from 2016 to 2020 (fig. 8). This increase reflects an increase in the distance of highway being surveyed and a more targeted survey methodology.

Ash dieback disease continues to disproportionately affect the safety of Norfolk's highway network. 46% of the trees identified as posing a risk of danger was attributed to ash dieback disease. However, the recent survey results suggest improvements in roadside tree safety since 2021. The increasing proportion of dangerous roadside trees attributed to ash dieback disease *mortality* observed between 2018 and 2021 has reduced in 2022. Moreover, most trees identified in 2022 posed a moderate risk of danger to the highway. In 2021, 72% of the dangerous roadside trees identified, posed a high or severe risk of danger to the highway, whereas in 2022, 34% of the dangerous roadside trees identified, posed a high or severe risk of danger to the highway.

Early identification of dead and dangerous roadside trees is essential to reducing the risk of danger along the highway. In addition, it is recognised, by the Forest Industry Safety Accord and the Health and Safety Executive, that felling of dead or dying ash trees can also significantly increase the risk of injury to the operator working on the tree, and that the risk to the operator increases as the tree's condition worsens.

The high proportion of roadside ash trees in Norfolk may explain the prevalence of ash dieback symptoms requiring measures. ash and ash dieback disease accounts for about half of all dangerous roadside trees identified each year. However, Norfolk County Council-owned trees identified as a posing a risk of danger to the highway in 2022 comprised 391 (69%) ash.

References

Infrastructure and Development Select Committee

Item No: 11

Report Title: Tree planting in Norfolk, including Country Parks

Date of Meeting: 17 May 2023

Responsible Cabinet Member: Cllr Eric Vardy (Cabinet Member for Environment & Waste)

Responsible Director: Tom McCabe (Executive Director, Community & Environmental Services)

Executive Summary

In November 2019, Norfolk County Council agreed to plant one million trees over five annual planting seasons. This was unanimously agreed at Full Council. Since then, NCC has undertaken a number of initiatives to work towards this goal. These have included running free tree giveaways, selling subsidised trees to the public and communities, planting trees and hedgerow on County Farms, and working with strategic partners to increase tree planting across the county. Our overall guiding principle has always been 'the right tree in the right place'.

Much progress has been made in recent months, but there are now only two full planting seasons left for NCC to reach its planting target of one million trees in five years. The current total number of trees planted is over 249,000, leaving us with just under 751,000 left to plant over two seasons.

The Tree Projects Team has explored several options of how best to achieve this goal within the required timeframe, including increasing partnership working and planting more on the County Farms estate. However, neither of these approaches will provide us with the number of trees required to meet our commitment on time.

This paper proposes that NCC purchases sufficient land to plant 500,000 trees over the next two planting seasons. Creating woodland with public access would fulfil the existing commitment to create a country park in Norfolk.

Country Park creation aligns with the NCC Greenways to Greenspaces programme of work aimed at enabling residents and visitors to Norfolk to easily access nature.

Evidence from Natural England¹ shows that the NHS could save over £2 billion in treatment costs if everyone in England had equal access to good quality green space. 63% of the population visit woodlands each year², and a record 218 million visits made to the Public Forest Estate in 2020³ – showing the importance of natural spaces to so many throughout England.

Officer estimates are that 500k trees will need at least 333 hectares (ha) to achieve the required numbers. Discussions are currently under way with Corporate Property colleagues about the optimum approach to achieve this and the overall cost would be confirmed ahead of a final commitment.

The following are some of the key benefits to this approach:

- a) The importance of NCC having a credible plan of how it will deliver 1 million trees in 5 years with an associated financial commitment
- b) The value of NCC meeting its 1 Million Trees and Country Park commitment on time
- c) Flood alleviation in critical areas
- d) The economic value of carbon emissions captured (see Section 3 (c))
- e) The economic value of creating additional green infrastructure for residents and visitors
- f) The opportunity to create a local and verified source of carbon credits for local buyers.
- g) The future income stream from carbon and other credits.

This proposal aligns with NCC's Environmental Policy, our new Climate Strategy and Better Together, for Norfolk.

Recommendations

The Select Committee is asked to:

- 1. Comment on and recommend this proposal to Cabinet**

1. Background and Purpose

- 1.1 In November 2019, Norfolk County Council (NCC) resolved to agree that the County Council's Environmental Policy should form part of the Policy Framework set out in Article 4 of the Council's Constitution. As part of this commitment, Norfolk County Council agreed to work together with partners,

¹ <https://publications.naturalengland.org.uk/publication/35009>

² <https://www.forestresearch.gov.uk/tools-and-resources/statistics/forestry-statistics/forestry-statistics-2019/social-2/visits-to-woodland-household-surveys-4/public-opinion-of-forestry-survey-woodland-visitors-2/>

³ https://assets.publishing.service.gov.uk/government/uploads/system/uploads/attachment_data/file/987432/england-trees-action-plan.pdf

landowners and communities to plant 1 million trees across the county in 5 years.

Since then, and despite the significant impact of Covid, the project has been progressing positively and as of writing (April 2023), NCC has planted over 249,000 trees in Norfolk.

- 1.2 Planting to date can be split broadly into three categories: planting on County Farms land, NCC free or subsidised tree schemes (available to the public), and partnership planting.

Planting on County Farms has consisted mainly of the addition of hedgerow on field boundaries. Numbers of hedgerow planted each year have increased since 2020 with the most recent planting season (November 2022 – March 2023) having delivered over 55,000 stems planted across the County Farm estate through the County Farm Hedge Restoration Scheme. This was a new scheme developed by the Green Spaces Tree Projects Team where satellite imagery was used to construct maps detailing where gaps in the County Farm hedgerows existed. These maps were sent to County Farm tenants, and they were able to electronically mark on the maps where they wanted either new hedgerows planted or gaps filled in existing hedgerow. This scheme was successful and will be built on in further planting seasons. Where possible trees have been planted within hedgerows at suitable distances to maximise growth.

- 1.3 NCC free or subsidised schemes are schemes whereby the 1 Million Trees team have given-away or sold trees to communities and members of the public for planting. The schemes have included the Defra-funded 'Free Tree Scheme' which gave away circa 15,000 trees in 2022 and the Councillor Tree Scheme which funded circa 6,000 trees to community groups from councillor's discretionary funds. The 2022/23 planting season saw the 'Jubilee Trees for Norfolk' subsidised tree scheme, where we sold packs of trees to the public with a discount of up to 50%. This resulted in 32,855 trees sold and planted across Norfolk. In total, NCC tree schemes have, therefore, resulted in 50,625 trees planted in Norfolk and have provided us with an excellent opportunity to offer trees and engagement county-wide.
- 1.4 We have also worked with other organisations and individuals to plant trees where a partnership approach would result in a more beneficial outcome than working alone. An example of this is Norfolk Wildlife Trust's (NWT) *The Claylands Living Landscape* project which aimed to enhance the management of the area's wildlife habitats and expand its area of grassland and woodland – thereby creating a more joined-up ecological network – as well as to encourage the more sensitive management of farmland. To achieve this aim, NWT worked closely with community groups and landowners in South Norfolk to raise wildlife awareness, as well as encouraging their active participation in conserving and enjoying the area's historic natural environment, partially through tree and

hedgerow planting and NCC was pleased to be able to support this via the 1 Million Tree initiative.

Overall, much progress has been made in the past year. However, with two planting seasons remaining there is much to do to reach the target of 1 million trees planted by the required timeframe.

2. Proposal

2.1 To maximise the likelihood of reaching the target on time we propose to create woodland by purchasing land specifically to plant 500,000 trees and create space for public recreation. This will also address the Administration's manifesto commitment to create a Country Park. Aligning with NCC's Environmental Policy, Country Park creation through woodland creation would be planned specifically to maximise impact and create opportunities where possible for the following:

- Recreational opportunities for local people
- Biodiversity increase
- Improved water quality
- Reduced flooding
- Carbon capture and storage

Regarding carbon capture and storage, the woodland would be registered as a source of carbon credits thus providing a local and verified source of carbon which could be used for offsets in the future. It is also possible that biodiversity credits could be stacked on top of the carbon credits to provide an additional source of income.

2.2 Location of the woodland(s) will be a key decision. As part of the 1 Million Trees ongoing work, NCC engaged UEA School of Environmental Science to scope locations in Norfolk which could be suitable for tree planting. This was a two-stage process which firstly considered land available by excluding 14 categories of unsuitable areas such as urban areas, those already designated for wildlife and agricultural land classes 1 and 2. The results were mapped (please see Appendix 1 for more details). The next stage considered 4 key priorities including potential to sequester carbon, regulate flooding, increase biodiversity, and need for woodland for recreational use. The resulting analyses were overlaid on the first map to produce a heatmap of opportunity. The results clearly showed that the biggest impact from woodland creation would be obtained by planting in South Norfolk.

This information will be used to identify initial areas of focus for land search. However, it is recognised that some flexibility may be required as local

conditions may differ and availability of land for sale will also be a factor. Estimates suggest that to plant 500,000 trees, at least 333ha of land will be required. However, it is recognised that such large plots may not be available in one contiguous area so more than one site may be needed to meet the need. In addition, it is possible that to secure the sites the purchase may include extra elements to be disposed of later.

Due to the importance of location, a robust methodology will be used to evaluate potential sites against the criteria outlined above. As such no purchase will take place until the impact of planting and the resulting green infrastructure is understood.

- 2.3 The remaining 250,848 trees required to reach the target will be achieved through current initiatives already planned and funded, including planting on the County Farms Estate and tree schemes to the public. This proposal has been shared with and supported by our internal Net Zero Board. Following this, we have consulted with key Cabinet members who have given their in-principle support to this proposal and agreed that this proposal should be discussed fully at Infrastructure & Development Select Committee ahead of any formal discussion by Cabinet.

Appropriate levels of consultation will take place when the sites are secured, and initial designs are being developed. This will be in line with Forestry Commission guidelines for new woodland creation.

3. Impact of the Proposal

- 3.1 This proposal gives NCC the best chance of planting a million trees within the five-year timeframe which Full Council set in November 2019. Combined with the pledge to create a Country Park, this will deliver much needed and valued green infrastructure for Norfolk residents and visitors alike and demonstrates NCC's commitment to plant a million trees outside of any planning needs required by other projects.
- 3.2 In researching this proposal we have also looked at additional impacts as follows:
- a) The creation of 333ha of new woodland with space for recreation will have a demonstrable benefit for the people of Norfolk. Good design for visitors to the site(s) will maximise this and ensure that access is inclusive.
 - b) Planting 500,000 trees could capture up to 224,000 tonnes of CO₂ by 2050.
 - c) Considerable benefits of carbon capture, using the value of carbon emissions captured (UK Government central value of carbon, discounted benefits).

- d) Grant income from the Forestry Commission to plant and maintain the woodland.
- e) Income from the sale of carbon credits from 2050, potentially before then if required. In addition, it is likely that additional income can be added to that from carbon mitigation as natural capital markets for biodiversity and water quality (from nutrient neutrality) develop.

3.3 This proposal supports current national and local policies. The UK Government's England Trees Action Plan recommends planting new trees to benefit nature and tree planting forms a key recommendation in its 25 Year Environment Plan. More locally this proposal aligns with NCC's Better Together for Norfolk strategy under the strategic priority of a greener more resilient future. This strategic priority places importance of protecting and enhancing our environment, providing access to quality spaces that can improve mental health of emotional well-being, and improving community resilience. It also supports NCC's Environmental Policy by using and managing land sustainably, recovering nature and enhancing the beauty of landscapes, and connecting people with the environment to improve health and wellbeing. It aligns with the Greenways to Greenspaces Programme of work already underway at NCC, delivering access to nature for Norfolk residents and visitor alike.

3.4 The proposal is in line with Focus Area 6, *Ensure nature has space to recover and grow*, of the Council's Climate Strategy, which was in draft at the time of writing this report.

4. Evidence and Reasons for Decision

4.1 The evidence and reasons for decision are the lack of suitable alternatives to meet our commitments within the required timeframe, and the value of the scheme to Norfolk County Council over the long-term, as described in Section 3.

5. Alternative Options

5.1 The Green Spaces Tree Projects Team has explored other options before suggesting this as the preferred route.

Firstly, we considered increasing our partnership working to develop large-scale planting schemes with other organisations / landowners. Over the past year we have started this process and have approached several different charities and NGO's working in this sector. Whilst initially this looked like a possible way forward, it has become clear that this carries some risk. Firstly, other parties have their own objectives and timeframes which may not match with ours. For example, initial discussions were held with a national charity who purchased a site on which to plant circa 120k trees in Norfolk. However, the

planting timeframe was not in our control. Also, working with other organisations does not necessarily mean that NCC is making a net gain of trees that would not have been funded anyway by some other means. The aforementioned scheme is going ahead as the organisation already had much of the funds required. To get the required numbers of trees planted in the time we have available without having substantial means available is a higher-risk approach than that proposed.

- 5.2 Secondly, we also explored using the County Farms estate on which to plant trees. The woodland opportunity mapping (see appendix 1) was overlaid over the estate to understand the extend of planting opportunity. Excluding land unsuitable for planting left over 500ha of land that is Grade 3 or below. However, after analysis from the County Farms Team, it was clear that most of this land is tenanted with contracts which extend beyond 2025. Moreover, committing much County Farm estate land to woodland creation would have implications for land use on the estate.
- 5.3 The Green Spaces Tree Projects Team anticipates continuing with hedgerow planting on the County Farms estate for the next two planting seasons. However, whilst planting hedgerow trees carries many benefits, we are mindful that the overall balance of 1m Trees needs to be made up of different planting types including trees which will, in time, develop into mature woodland for future generations. In addition, we are also planning another two years of tree schemes for the public and communities however even given recent success, these schemes will not provide the required planting figures.

Given the above, the proposal to purchase land to create woodland for country parks is the preferred option.

6. Financial Implications

- 6.1 There are two main initial costs to this proposal which have not been considered in the annual budget.

Firstly, the one-off capital costs of land acquisition. Discussions are currently underway with Corporate Property colleagues about the optimum approach we could take to achieve best value and the overall cost will be confirmed ahead of a final commitment. This proposal has significant financial implications which will need to be carefully considered

In addition, funding will be required for officers to manage the development of the Country Park(s) with fees for expert design and consultants where necessary. The exact figure will depend on the number of plots purchased and will be presented to Cabinet as part of the total ask in due course.

Balanced against this are the following important considerations:

- h) The value of NCC making a public plan of how it will deliver 1 million trees in 5 years with an associated financial commitment.
- i) The value of NCC meeting the 1 million trees and Country Park commitments on time.
- j) The economic value of carbon emissions captured
- k) The economic value of creating additional green infrastructure for residents and visitors
- l) The opportunity to create a local and verified source of carbon credits for local buyers.
- m) The future income stream from carbon and other credits.

6.2 The Forestry Commission has high targets for tree planting to 2025 and we are working with them to secure any additional funding available to progress this plan. Where possible, other external funders will be sought to add value to the overall scheme. NCC's Environment Service has an excellent track record of attracting external funding for projects and over the past 5 years has secured over £15million.

6.3 Lastly, there will be a cost to manage the site(s) over the long-term. The Forestry Commission will fund woodland maintenance for the first 10 years, however, it is expected that this will not cover all maintenance costs for the site. Different models are currently being explored to understand how the site can be developed and managed cost-effectively over the medium-term. Long term it is expected that income from carbon and other credits will contribute towards management costs.

7. Resource Implications

7.1 Staff: We anticipate that at least 2 additional full-time officers will be required to implement this proposal. The officers will be working within the Green Spaces Team. This plan sits firmly within the Greenways to Greenspaces programme of work and as such existing internal expertise on green infrastructure planning, active travel, inclusive access, ecology and arboriculture will be required and funded from the ask in Section 6.

7.2 Property: We are working with the Director of Property to secure the required land.

7.3 IT: Aside from the additional IT required for new staff members, no additional IT requirement are expected.

8. Other Implications

8.1 Legal Implications:

Legal advice will be sought prior to any purchase.

8.2 Human Rights Implications:

No human rights implications are foreseen in relation to this proposal.

8.3 Equality Impact Assessment (EqIA) (this must be included):

An EqIA is not required at this stage but will be undertaken as part of the project planning process when the funds are agreed. The most relevant aspect of the EqIA will be to understand equality of access to the Country Parks.

8.4 Data Protection Impact Assessments (DPIA):

At present a DPIA is not required. However, as the project progresses and it becomes clear how stakeholders including the general public will be involved, a DPIA will be completed and the team will work with Information Management to ensure all requirements are met.

8.5 Health and Safety implications (where appropriate):

There are no immediate health and safety needs although all staff making site visits will follow risk assessments signed off by the relevant manager. Advice will be sought from the relevant team should further needs be identified.

8.6 Sustainability implications (where appropriate):

All key decisions must be considered and a statement made for their environmental impact and for their alignment to Intergovernmental Panel on Climate Change guidance.

This proposal complies with NCC's Environmental Policy and the emerging NCC Climate Strategy by making tree planting and natural capital creation the main rationale for this proposal.

A full sustainability assessment will be carried out for the Cabinet paper.

8.7 Any Other Implications:

Officers have considered all the implications which members should be aware of. Apart from those listed in the report (above), there are no other implications to consider.

9. Risk Implications / Assessment

9.1 A full Risk Assessment will be carried out for the Cabinet paper in June.

10. Recommendations

The Select Committee is asked to:

1. Comment on and recommend this proposal to Cabinet

11. Background Papers

11.1 Appendix 1: Woodland Creation Opportunity Mapping

11.2 Appendix 2: Strategic Woodland PowerPoint

Officer Contact

If you have any questions about matters contained within this paper, please get in touch with:

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If you need this report in large print, audio, braille, alternative format or in a different language please contact 0344 800 8020 or 0344 800 8011 (textphone) and we will do our best to help.

Woodland Creation Opportunity Mapping

Amii Harwood, Gilla Sunnenberg, Andrew Lovett

School of Environmental Sciences, University of East Anglia, f31 August 2021

Objective (d) map areas suitable and unsuitable for planting under different criteria.

EXCLUSION

The first step in determining the extent and scale of opportunities for woodland planting is to identify locations where the creation of new woodland is not possible or very undesirable due to current land use.

Based on 100 m cells, about 59% of Norfolk is excluded by at least one constraint, the most important factors being ALC 1 & 2 (25% excluded), Protected or Designated Areas (17% excluded) and Peat Soils (14% excluded). Summarised at a 1 km resolution (Figure a1), higher availability runs in a NW to SE band across Norfolk. Figure a2 shows the locations of main settlements for comparison.

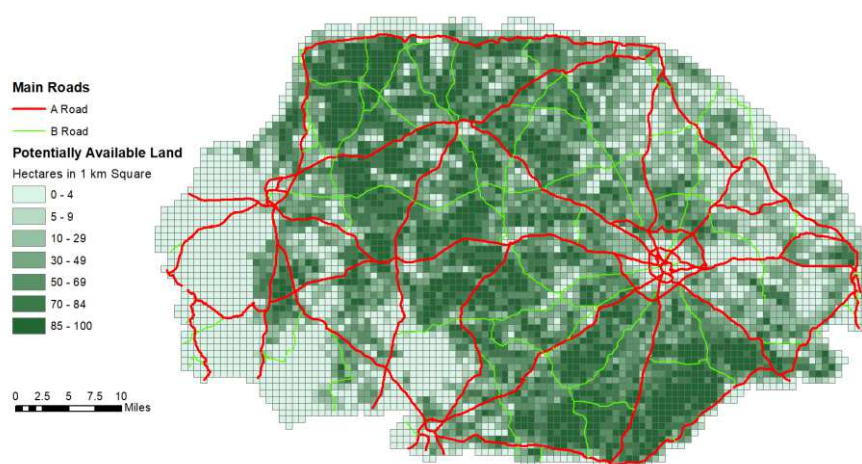


Figure a1. Available land for new woodland creation. Contains public sector information licensed under the Open Government Licence v3.0. Contains OS data © Crown copyright 2021

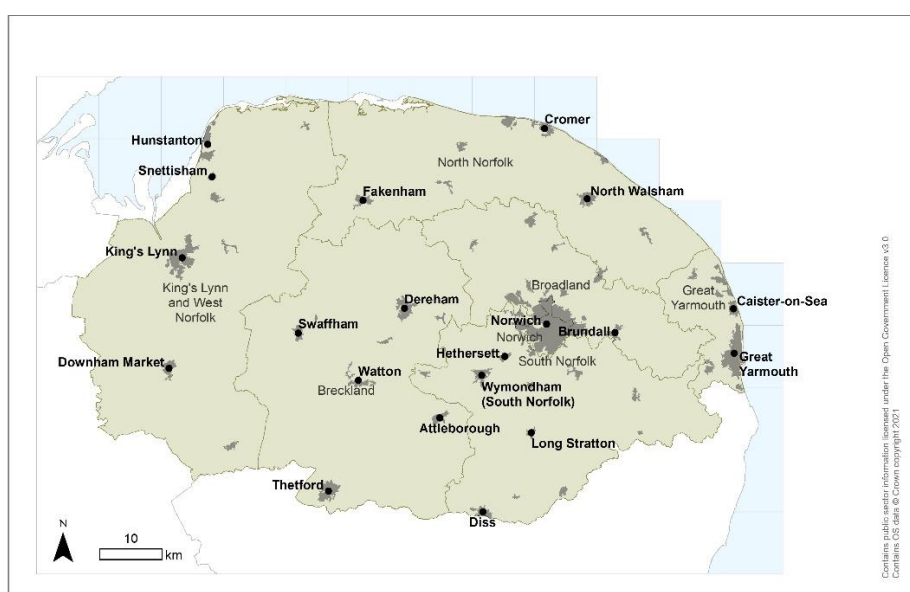


Figure a2. Locations of boroughs and footprints of NCC Top 50 Settlements.

CRITERIA (AND INDICATOR DATA) FOR ENHANCEMENT

Four criteria for enhancement are considered: flood regulation; carbon capture; recreation; and biodiversity. The locations where the environmental goods or services were most likely to be enhanced through new woodland creation were identified using indicators, such as the location of existing woodland and proximity to people. Often several input layers were used to generate the indicators.

The locations where the greatest potential enhancement could be achieved – across all criteria - are shown in Figure b1. Flood regulation potential is greatest in the flat areas of West Norfolk and in the east around the Norfolk Broads. The potential to sequester carbon is greatest in South Norfolk and south-west Breckland – here the current soil carbon is low and could be improved through planting. Locations for potential enhancement to recreation are more variable across Norfolk as they are found close to population centres. Nevertheless, there is a large area of greater potential in the south of the South Norfolk district where current woodland provision is low. Locations for enhancement to biodiversity are also variable across Norfolk. Indicators here consider connectivity and enhancement to existing habitats; therefore, there is an absence of locations in the south of South Norfolk and a cluster around the Norfolk Broads, for example.

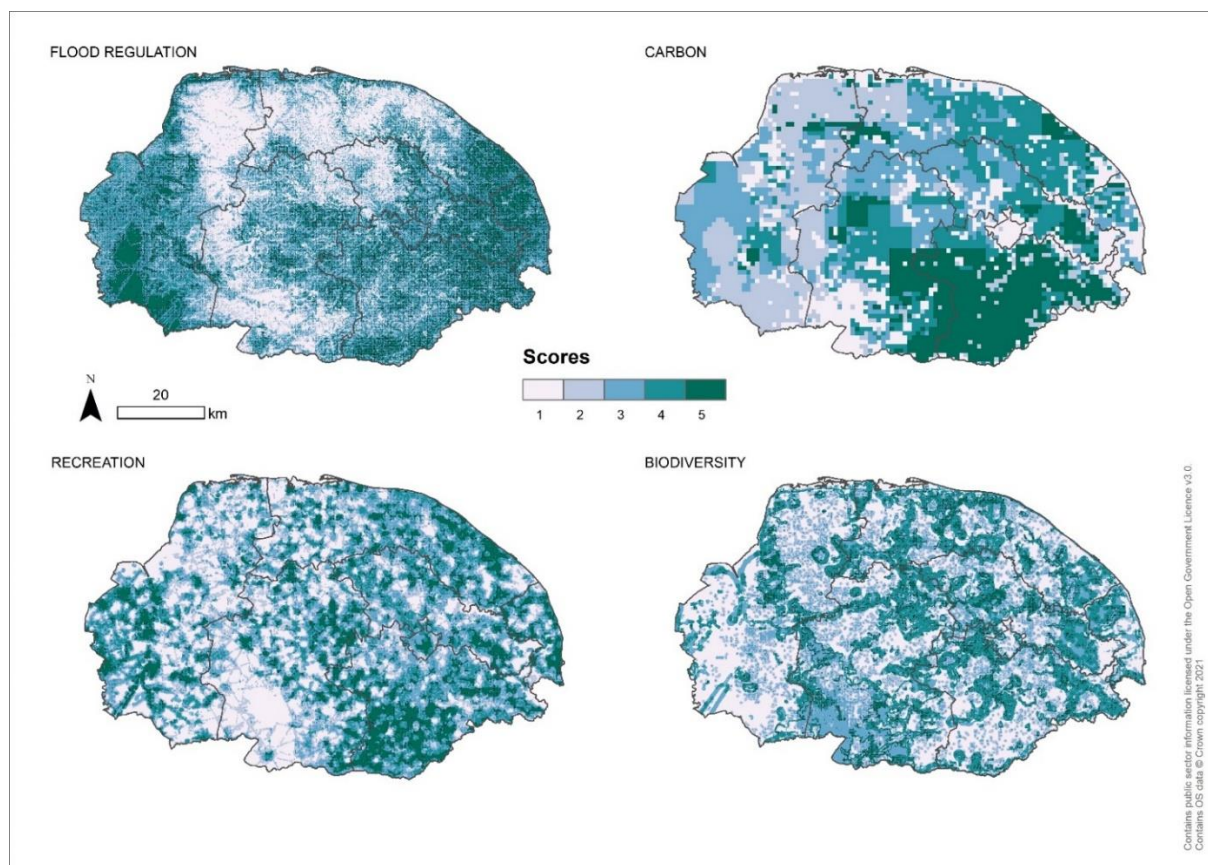


Figure b1. Potential for enhancement to environmental goods and services on a 1-5 scale (5 = greatest potential for enhancement through woodland creation). Mapped at a 1 ha scale (100 m resolution).

Objective (e) identify locations with the greatest opportunity for net benefit at multiple scales

Figure b2 summarises the potential for enhancement across all four criteria at a 100 ha scale (1 km resolution). Much of South Norfolk shows a high potential for enhancement to environmental goods and services. In Breckland, there are some patches of high potential around Dereham and Swaffham and along the border with South Norfolk. In West Norfolk, there are some fragmentary patches of high potential and many areas in the far west are removed entirely by the exclusion layer.

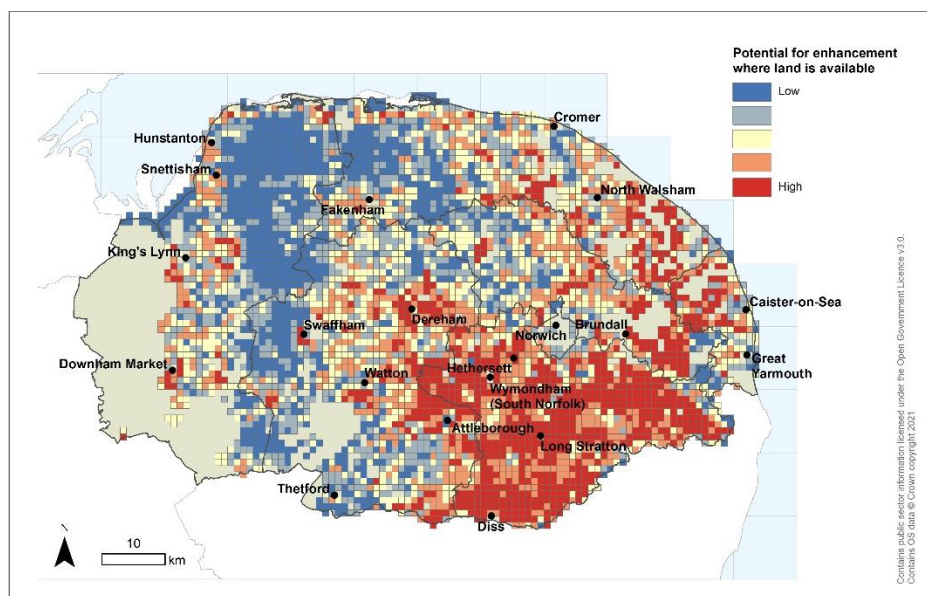


Figure b2. Locations with greatest potential to enhance all selected environmental goods and services at 100 ha scale (1 km resolution). Each criteria is assigned equal importance. (This map is the sum of layers in Figure b1, averaged at 1 km resolution and rescaled to 1 to 5 quantile classification).

Based on 100 m cells, there is 18 000 ha of available land under the highest category of potential (class 5) across all four enhancement criteria. The mean parcel size would be around 4.5 ha. If the top two categories of potential (classes 4 and 5) were considered, there is 53 000 ha of available land (10% of Norfolk), with a mean parcel size of 9 ha, that would also generate net benefits for environment goods and services.

While Figure b2 shows a dominance of potential locations for optimal planting in South Norfolk, Figure b3 shows that large parcels of new woodland can be found in most authorities (excluding Norwich City). Considering only areas with potentially the greatest environmental benefit (class 5), there are nine parcels ≥ 200 ha and two ≥ 400 ha. If the search is expanded to include the top two categories of greatest potential enhancement, and minimum area reduced to ≥ 100 ha, then 'large' areas of woodland could be created in each borough (excluding Norwich City).

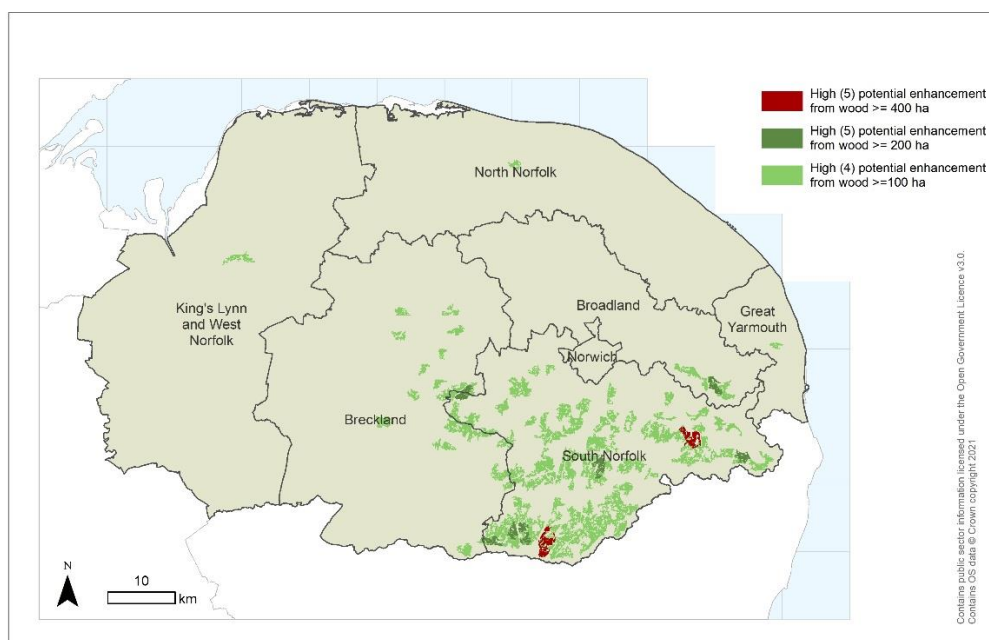


Figure b3. Locations of larger contiguous zones where planting has potential to generate the greatest enhancement to a suite of environmental goods and services.

Processing Notes

Four criteria for enhancement are considered: flood regulation; carbon capture; recreation; and biodiversity. For each criterion, a series of outputs are generated:

Series 1. Maps of individual indicators in original units or classification (20 m and 100 m resolution).

Series 2. Maps of individual indicators adjusted to a 1-5 scale (100 m resolution).

Series 3. Single map of potential for criterion enhancement following planting (1 to 5 scale at 100 m and 1 km resolution)

The following text describes (in brief) how the individual indicators were developed. Series 2 maps (individual indicators adjusted to a 1-5 scale) and Series 3 maps (1 km resolution) are provided for each criterion. An appendix at the end provides the Series 1 maps (i.e. original units or classification).

i) FLOOD REGULATION (four indicators considered)

Indicator 1: Proximity to areas at risk of flooding from surface water (WI1)

Estimate overland travel distance from any cell to the nearest zone at risk from surface water flooding.

Data:

- Environment Agency's Risk of Flooding from Surface water (extent 1 in 30 event)
- Digital elevation model

Analysis: cost-distance surface with elevation as the cost (else Euclidean Distance if cost-distance returns NULL) and flooded areas as the 'source'. Note: overland travel was similar in magnitude to direct distance.

Classification: Five classes. Based on quantiles of the distribution of values from the distance surface (i.e. grouped into 20% of cells in each class). Shortest distances = 5 (i.e. greatest potential for criterion enhancement); greatest distances = 1.

Indicator 2: On slowly permeable soil

Locations where there are slowly permeable soils and where tree planting may be most effective to increase infiltration and hydrological losses.

Data:

- Environment Agency's Working with Natural Processes (WWNP) Wider Catchment Woodland Potential.

Analysis: Conversion to 100 m binary raster.

Classification: Two classes. Slowly permeable soil = 5 (i.e. greatest potential for criterion enhancement); not slowly permeable soil = 1 (i.e. planting still permitted but lowest potential for criterion enhancement)

Indicator 3: Slope connectivity

To show the movement of water across the surface.

Data:

- Digital elevation model

Analysis: Logarithm of flow accumulation surface to share areas receiving very high overland flow and those receiving very low overland flow. Where flow accumulation surface was zero, slope connectivity surface was set to zero.

Classification: Five classes. Based on quantiles of the distribution of values from the slope connectivity surface (i.e. grouped into 20% of cells in each class). Greatest connectivity = 5 (i.e. greatest potential for criterion enhancement); least connectivity = 1.

Indicator 4: Proximity to priority settlements

Estimate overland travel distance from any cell to the nearest NCC priority settlements.

Data:

- NCC Top 50 Settlements
- Digital elevation model

Analysis: cost-distance surface with elevation as the cost (else Euclidean Distance if cost-distance returns NULL). Note: overland travel was similar in magnitude to direct distance.

Classification: Five classes. Based on quantiles of the distribution of values from the distance surface (i.e. grouped into 20% of cells in each class). Shortest distances = 5 (i.e. greatest potential for criterion enhancement); greatest distances = 1.

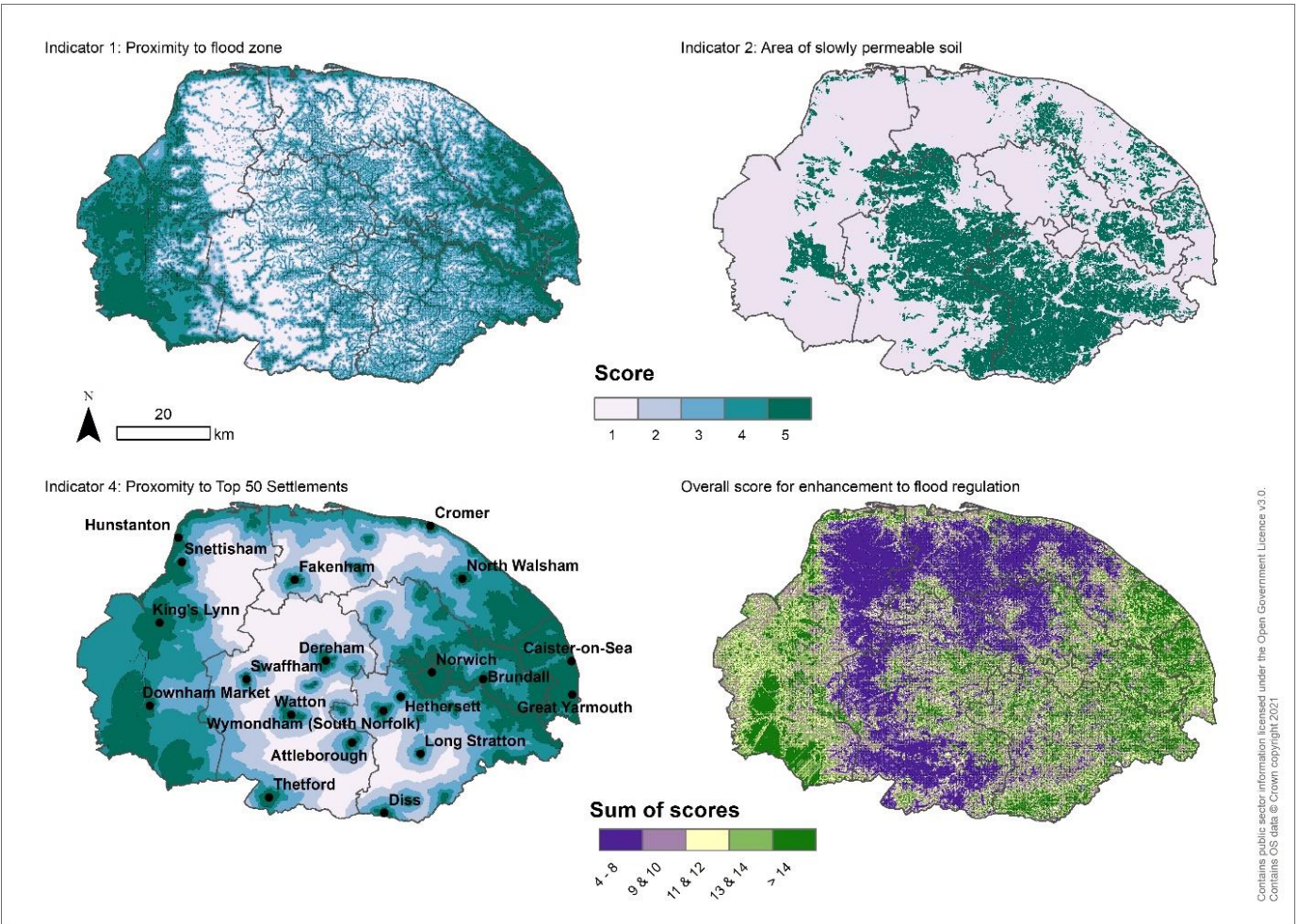


Figure 3. Indicators for enhancement to flood regulation adjusted to a 1-5 scale (5 = greatest potential for enhancement through woodland creation). Mapped on a 100 m resolution. The final panel shows the summed scores across all four indicators. Note: Indicator 3 not shown as only local changes visible at Norfolk extent.

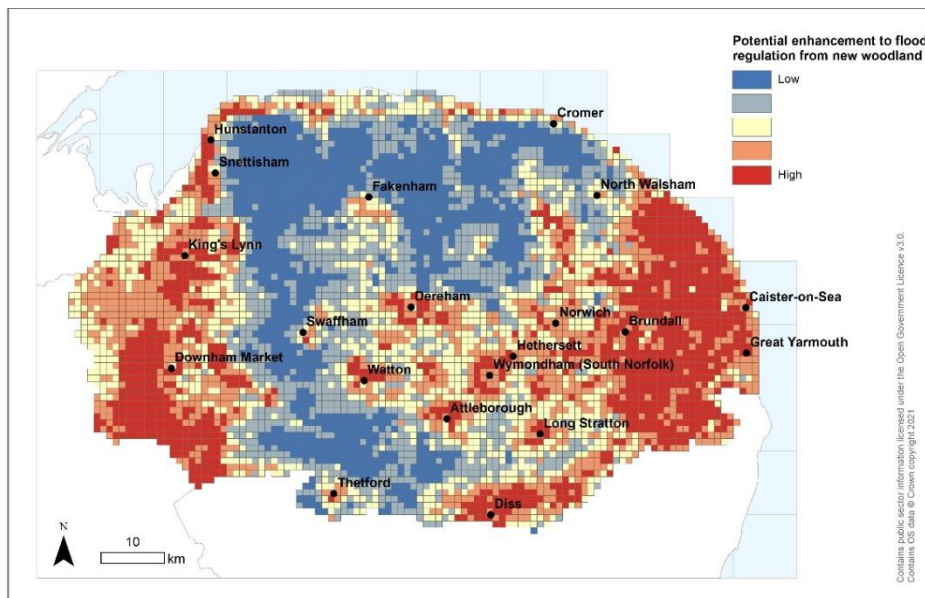


Figure 4. Potential enhancement to flood regulation in 100 ha zones across Norfolk.

ii) CARBON (one indicator considered)

Greatest potential to increase carbon sequestration by planting on soils with lower soil organic carbon content.

Data:

- Topsoil carbon concentration estimates from the Countryside Survey of Great Britain, 2007 using a generalized additive model (Thompson et al., 2020, available via CEH)

Analysis: Largely as original dataset. Some missing values (likely where there is 'no soil' in urban areas), so these cells assigned a prohibitive value (i.e. maximum SOC).

Classification: Five classes. Based on quantiles of the distribution of values from the soil organic carbon content surface (i.e. grouped into 20% of cells in each class). Lowest SOC = 5 (i.e. greatest potential for criterion enhancement); greatest SOC = 1.

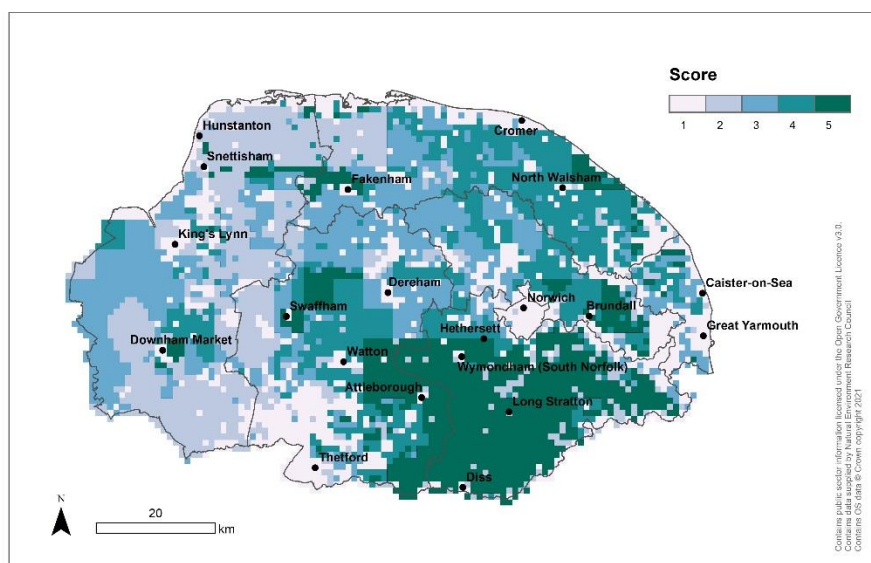


Figure 5. Indicator for enhancement to carbon sequestration adjusted to a 1-5 scale (5 = greatest potential for enhancement through woodland creation). Mapped on a 1 km resolution, as defined by input data.

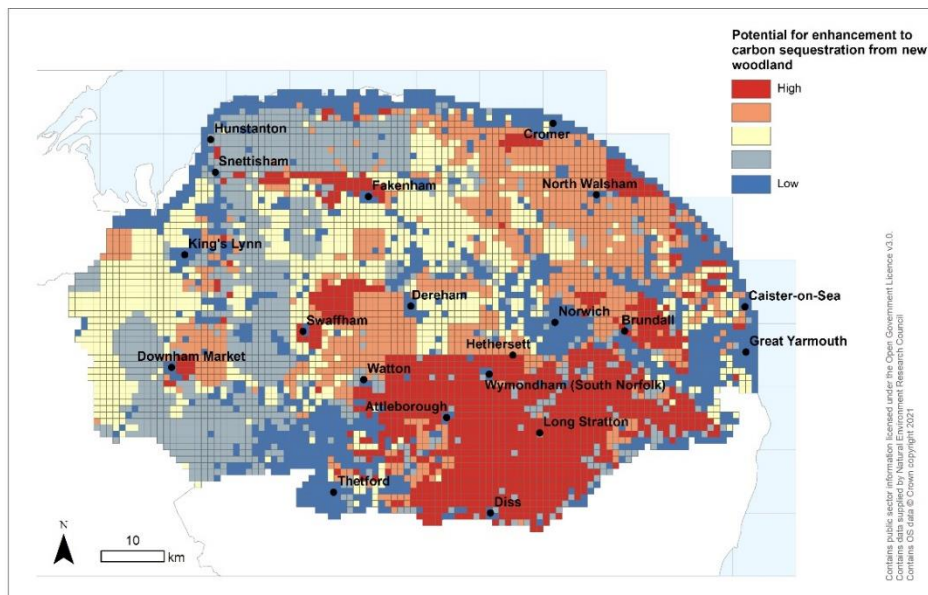


Figure 6. Potential enhancement to carbon sequestration in 100 ha zones across Norfolk.

iii) RECREATION (three indicators considered)

Indicator 1: Proximity to existing woodland

Identify gaps in provision under Woodland Trust Access Standard 17 (Woodland Trust, 2017): “No person should live more than 500 m from at least one area of accessible woodland of no less than 2 ha in size.”

Data:

- Woodland ≥ 2 ha as defined by NIWT and Ancient Woodlands.
- Residential locations as defined by OpenPopGrid (Murdock et al., 2015).

Analysis: Phase 1: Convert woodland layers to 20 m rasters. Join in raster calculator and reclassify to binary 20 m woodland layer. Select regions of woodland greater or equal to 2 ha. Calculate Euclidean distance away from these woodlands. Reclassify to binary raster (≤ 500 m; >500 m). Phase 2: Calculate Euclidean distance away from population surface. Reclassify to binary raster (≤ 500 m; >500 m). Phase 3: compare the two surfaces. Looking for areas within 500 m of people where there is currently no woodland ≥ 2 ha.

Classification: Three classes. No existing woodland provision within 500 m of residential area = 5 (i.e. greatest potential for criterion enhancement); some existing woodland provision = 2; too far from residential areas for people to derive benefit = 1.

Indicator 2: Distance to transport infrastructure

Distance to transport network (all roads, PROW, National Trails, National Cycle Network).

Data:

- Ordnance Survey roads (A roads, B roads, minor roads, local roads and pedestrianised roads)
- Public Rights of Way
- National Trails
- National Cycle Network

Analysis: Euclidean Distance from any of the above.

Classification: Five classes. Based on quantiles of the distribution of values from the distance surface (i.e. grouped into 20% of cells in each class). Shortest distances = 5 (i.e. greatest potential for criterion enhancement); greatest distances = 1.

Indicator 3: Connectivity of sustainable access

Consider where new woodland could be created to maximise the potential for non-motorised access. Connectivity of walk, bike or run access (as above excluding all roads except minor roads).

Data:

- Ordnance Survey roads (minor only)
- Public Rights of Way
- National Trails
- National Cycle Network

Analysis: Calculate the Line Density of the above network.

Classification: Five classes. Based on quantiles of the distribution of values of the connectivity surface (i.e. grouped into 20% of cells in each class). Greatest connectivity = 5 (i.e. greatest potential for criterion enhancement); least connectivity= 1.

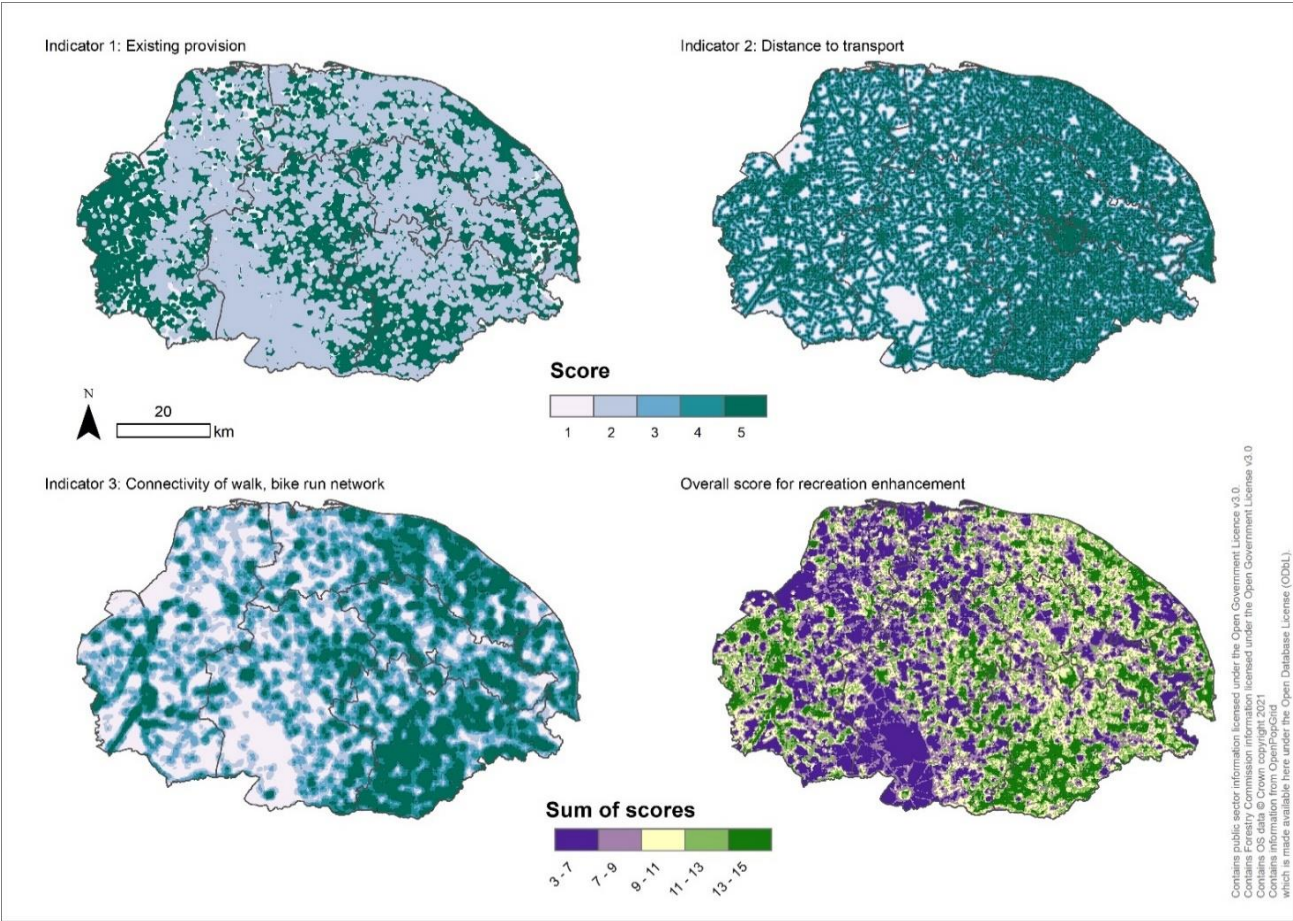


Figure 7. Indicators for enhancement to recreation adjusted to a 1-5 scale (5 = greatest potential for enhancement through woodland creation). Mapped on a 100 m resolution. The final panel shows the summed scores across all three indicators.

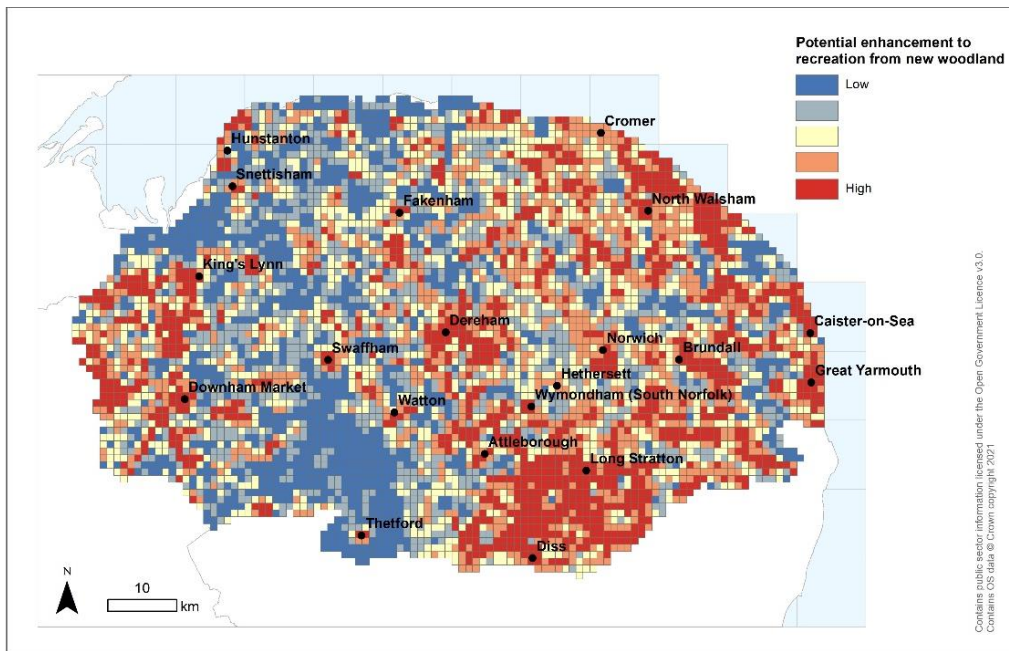


Figure 8. Potential enhancement to recreation in 100 ha zones across Norfolk.

iv) BIODIVERSITY (two indicators considered)

Indicator 1: Areas prioritised for enhancement or expansion by Natural England.

Data:

- Natural England's Habitat Networks Combined Habitats

Analysis: Select four habitat classes (Fragmentation Action Zone; Network Enhancement Zones 1 and 2; Network Expansion Zone) and dissolve. Calculate Euclidean Distance from woodland (all NIWT and ancient wood of any size).

Classification: Two classes. Zone selected for expansion or enhancement = 5 (i.e. greatest potential for criterion enhancement); not selected = 1 (i.e. planting still permitted but lowest potential for criterion enhancement)

Indicator 2: Proximity to existing woodland habitat (any size)

Data:

- Woodland as defined by NIWT and Ancient Woodlands.

Analysis: Select four habitat classes (Fragmentation Action Zone; Network Enhancement Zones 1 and 2; Network Expansion Zone) and dissolve. Calculate Euclidean Distance from woodland (all NIWT and ancient wood of any size).

Classification: Five classes. Based on quantiles of the distribution of values from the distance surface (i.e. grouped into 20% of cells in each class). Shortest distances = 5 (i.e. greatest potential for criterion enhancement); greatest distances = 1.



Figure 9. Indicators for enhancement to biodiversity adjusted to a 1-5 scale (5 = greatest potential for enhancement through woodland creation). Mapped on a 100 m resolution. The final panel shows the summed scores across both indicators (values are grouped by quantile, five classes).

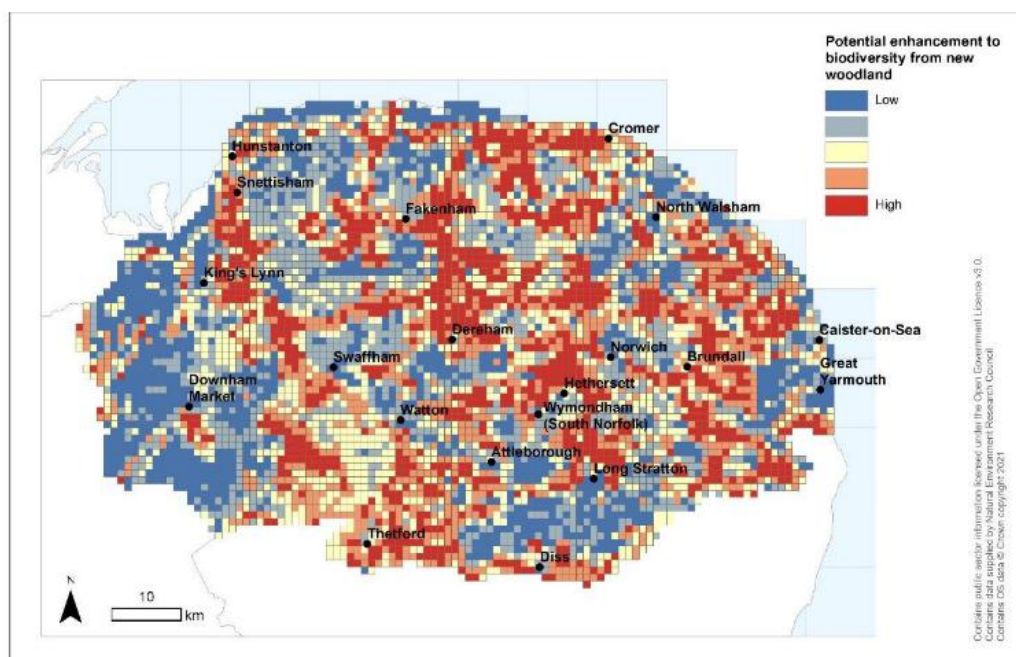


Figure 10. Potential enhancement to biodiversity in 100 ha zones across Norfolk.

Appendix A – Series 1 Individual indicator maps (100 m resolution)

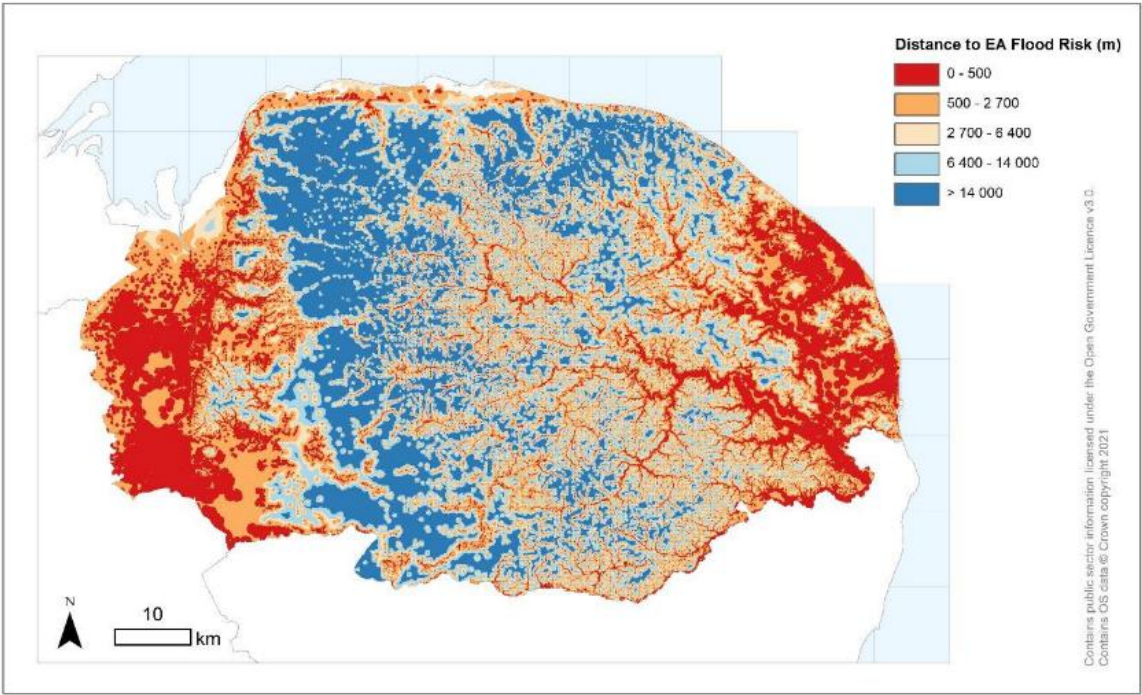


Figure A1. *Indicator W1: Proximity to area defined as at risk of Flooding from Surface water (1 in 30 event)*

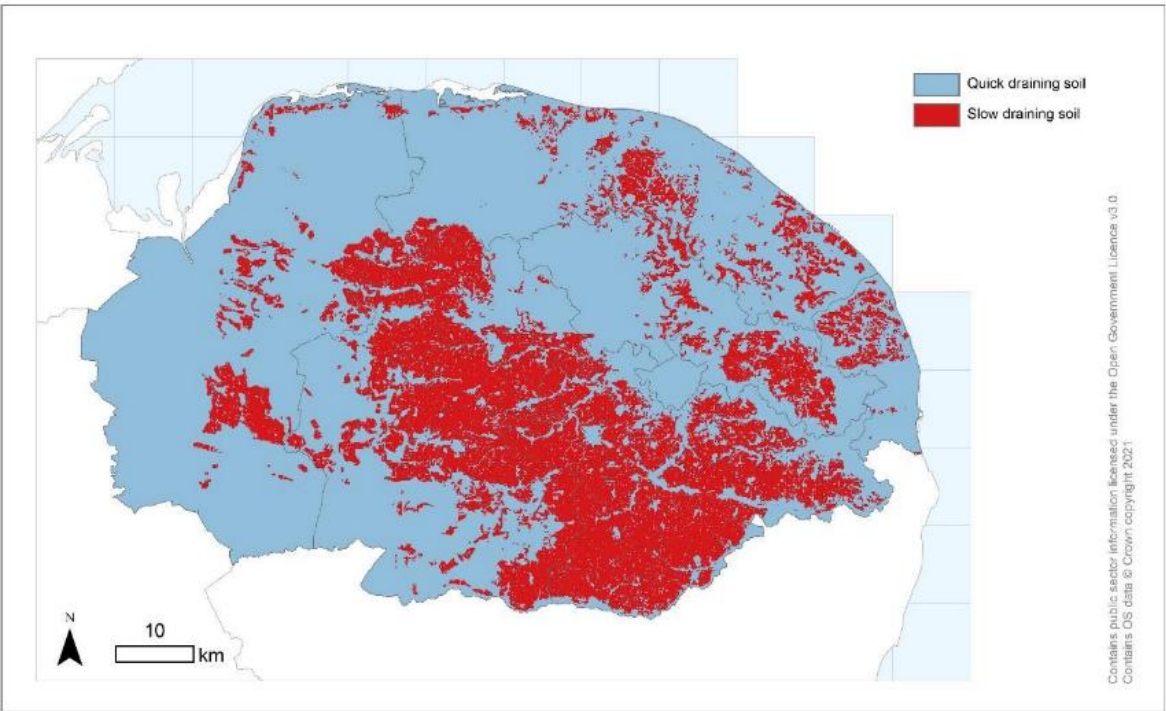


Figure A2. *Indicator W2: On slowly permeable soil*

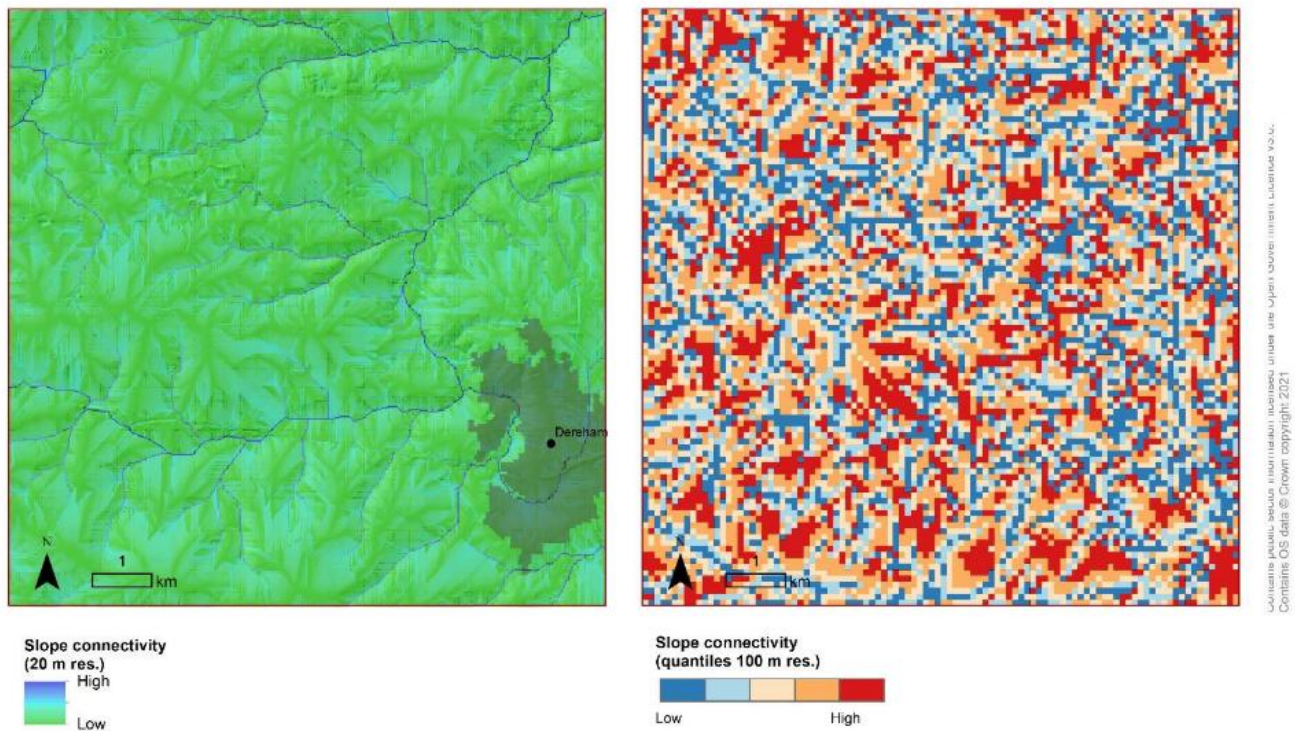


Figure A3. Indicator W3: Areas of high slope connectivity. The left panel shows results from the original analysis (at processing resolution of 20 m). The right panel shows these results resampled to a coarser resolution and classified into five classes (under this ‘quantile’ classification, each class has 20% of the cells across the study area). Both panels are for a 10 km by 10 km subsection of Norfolk near Dereham (OS Tile TG91).

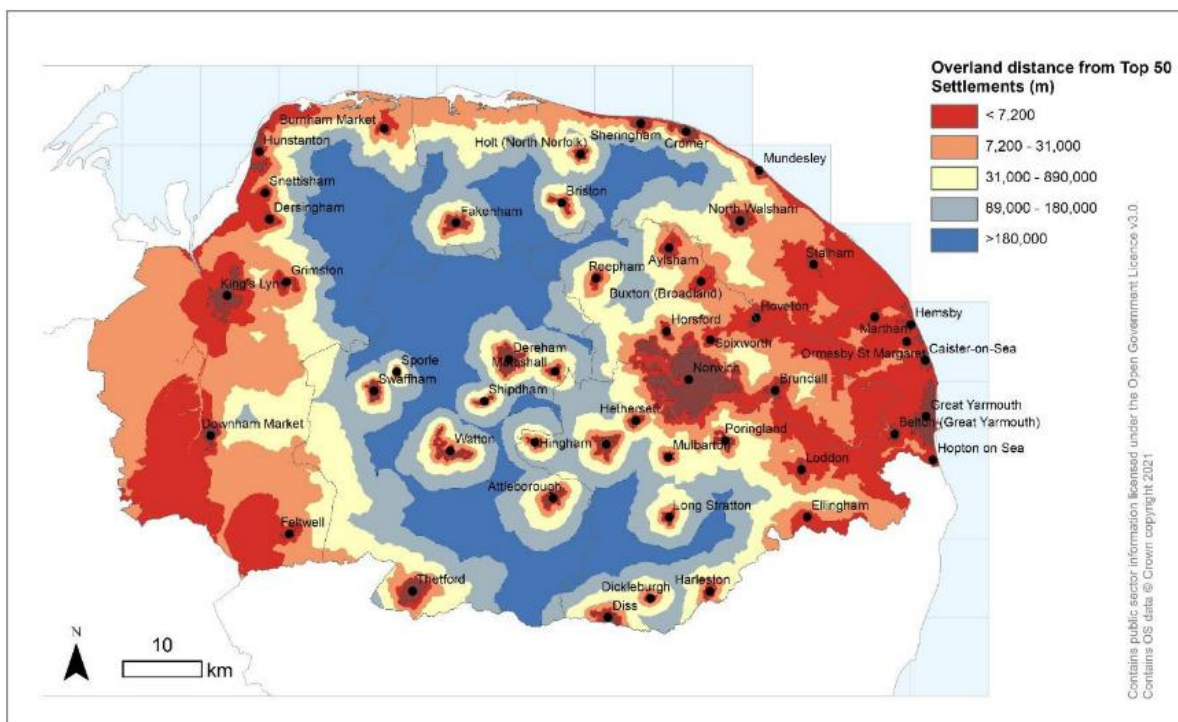


Figure A4. Indicator W4: Proximity to one of the NCC Top 50 Settlements.

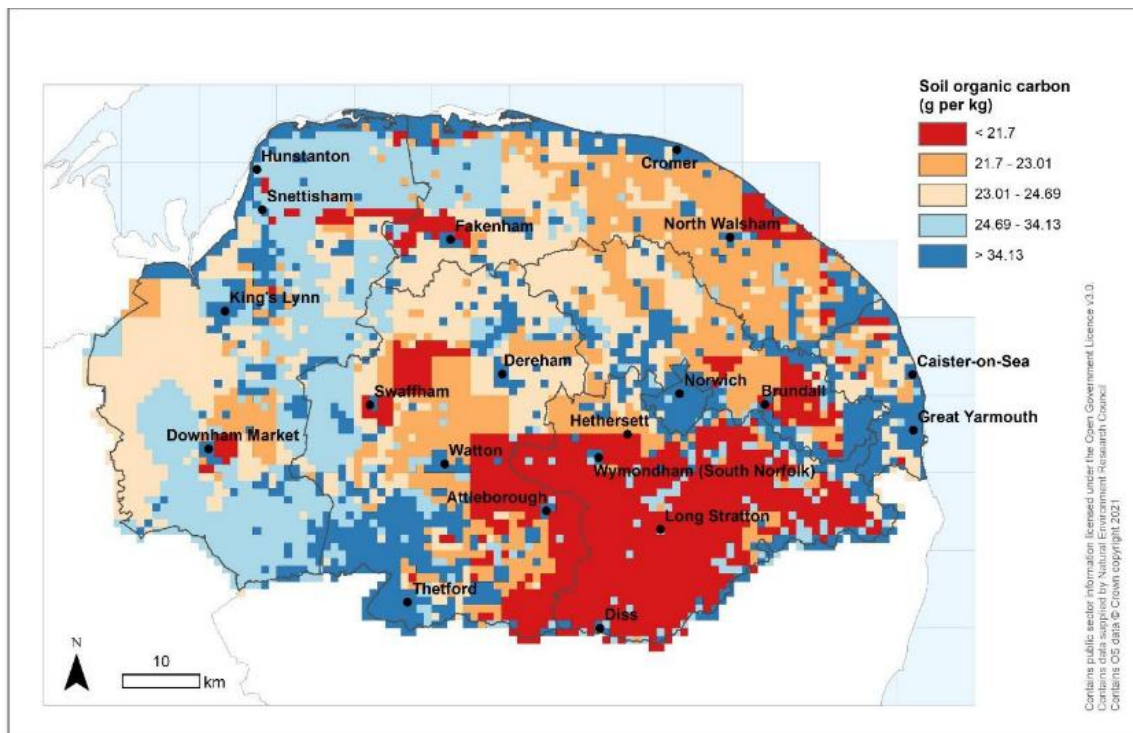


Figure A5 Indicator C1: Lowest soil organic carbon content. The red areas have the greatest potential for increasing carbon sequestration if new woodland is planted.

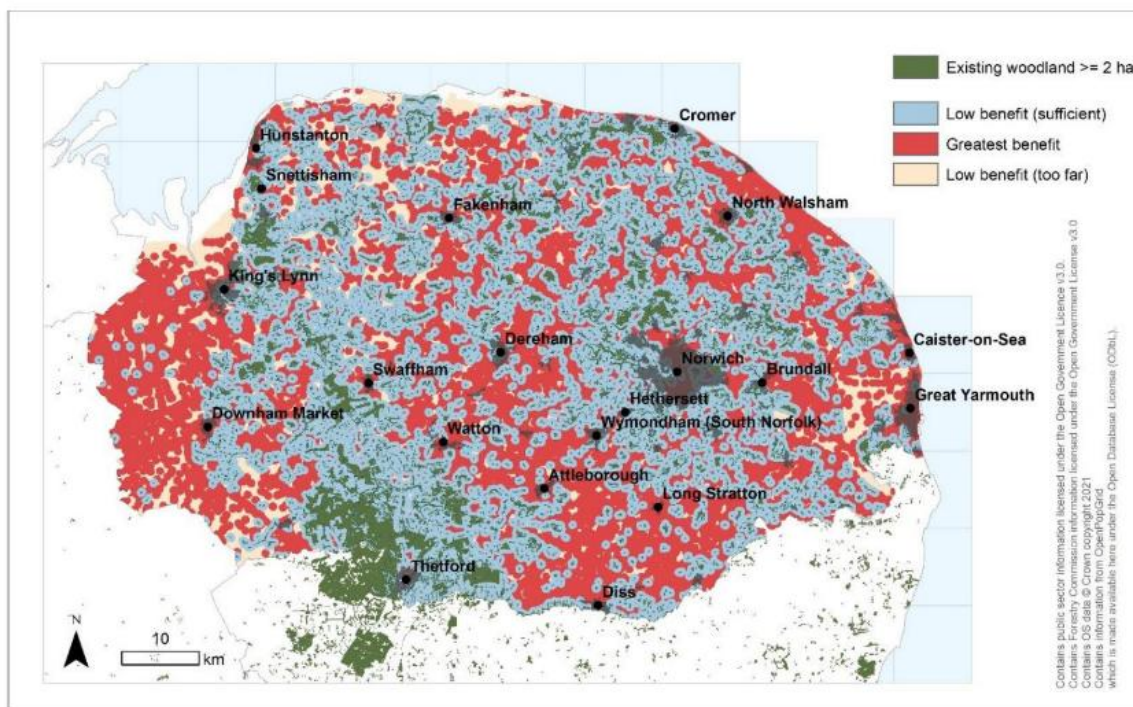


Figure A6. Indicator R1: Consider proximity to existing woodland. The red shaded areas have the greatest potential for new woodland creation. These areas are within 500 m of residential properties yet a minimum of 500 m away from any existing woodland.

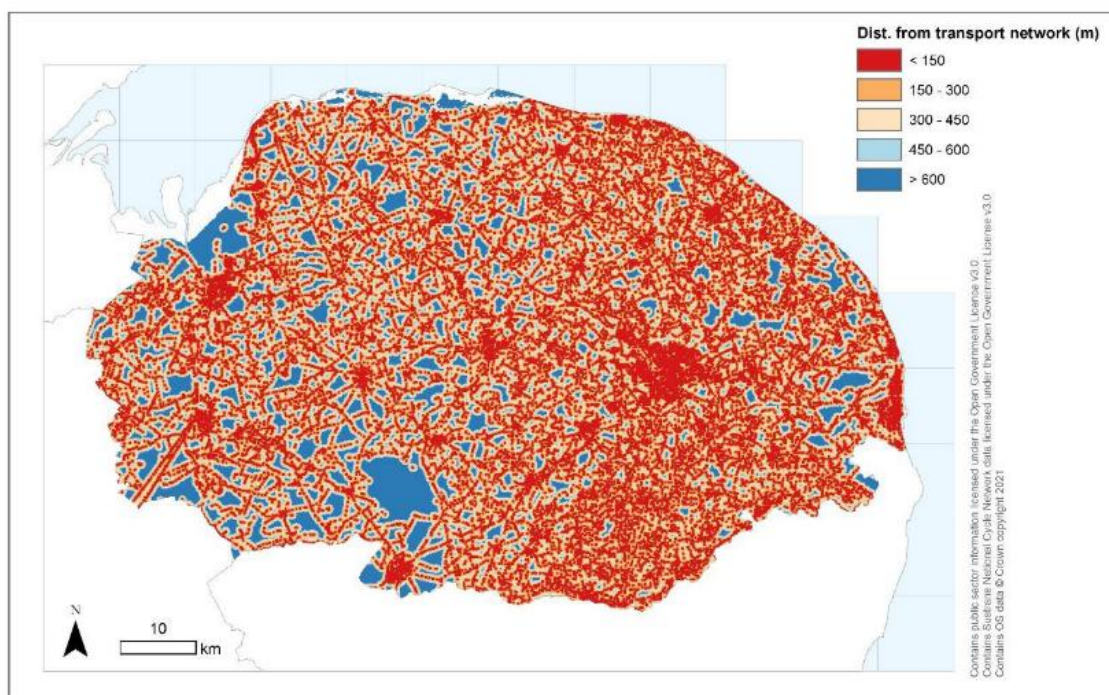


Figure A7. Indicator R2: Distance from transport network. The red shaded areas have the greatest potential for new woodland creation. These areas are closest to roads (all), Public Rights of Way, National Trails or the National Cycle Network.

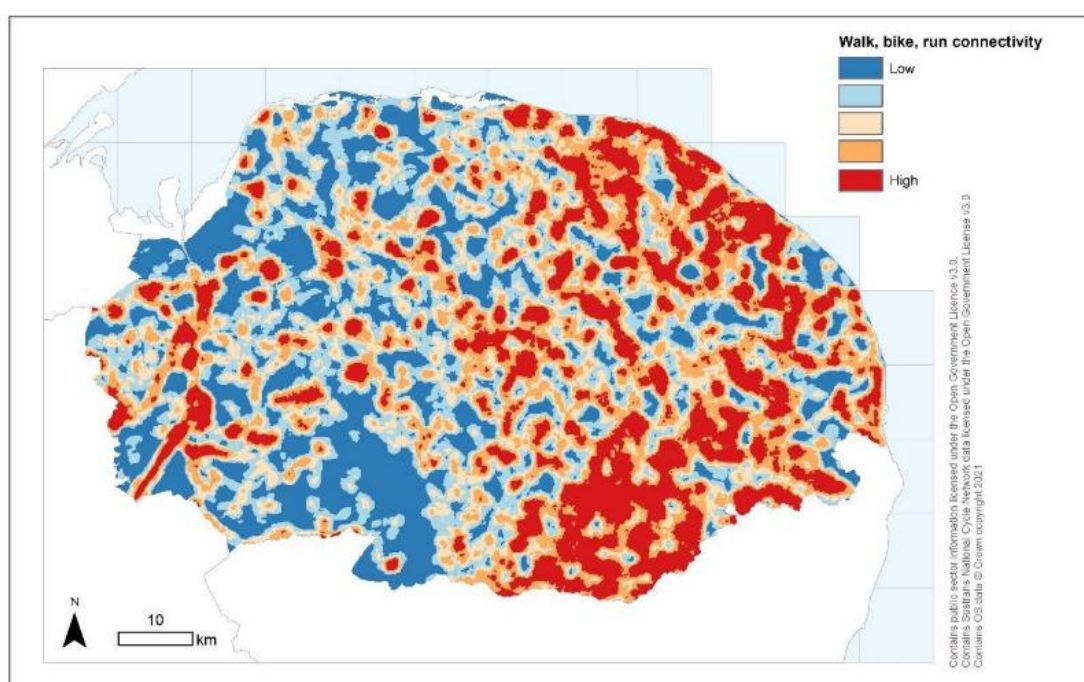


Figure A8: Indicator R3: Non-motorised access (walk, bike, run) accessibility. The red shaded areas have the greatest potential for new woodland creation. These areas have the greatest connectivity of access routes not requiring motorised transport.

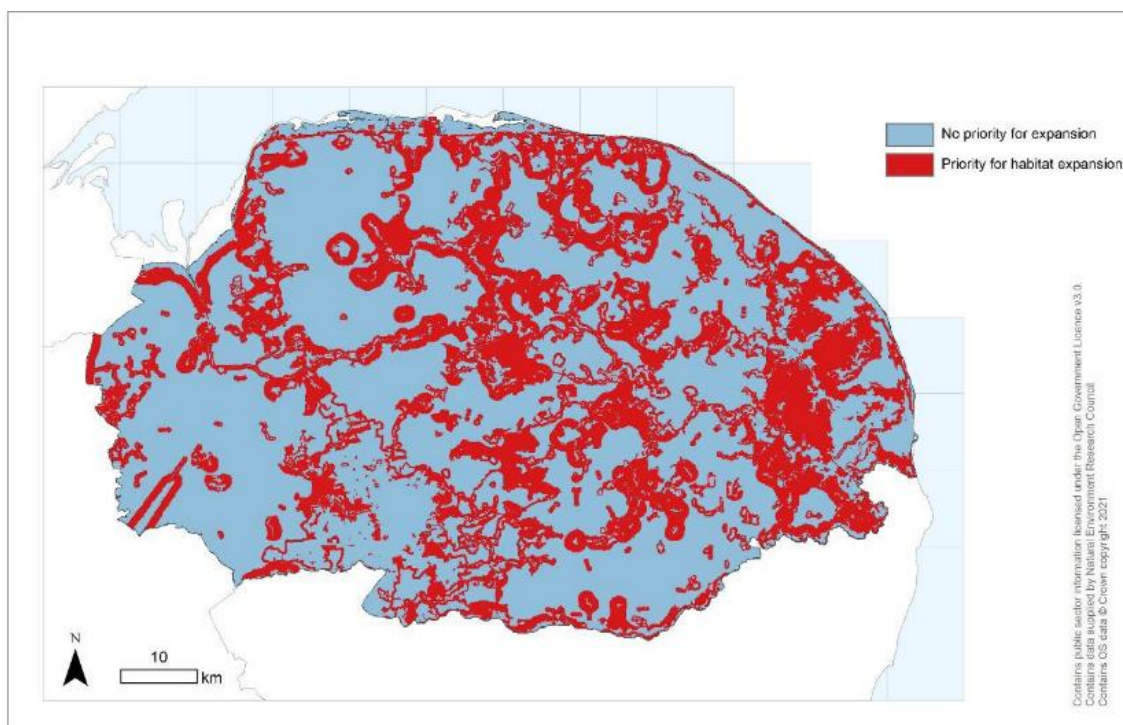


Figure A9: Indicator B1: Habitat expansion zones. The red shaded areas have the greatest potential for new woodland creation. These areas have been prioritised by Natural England for habitat expansion.

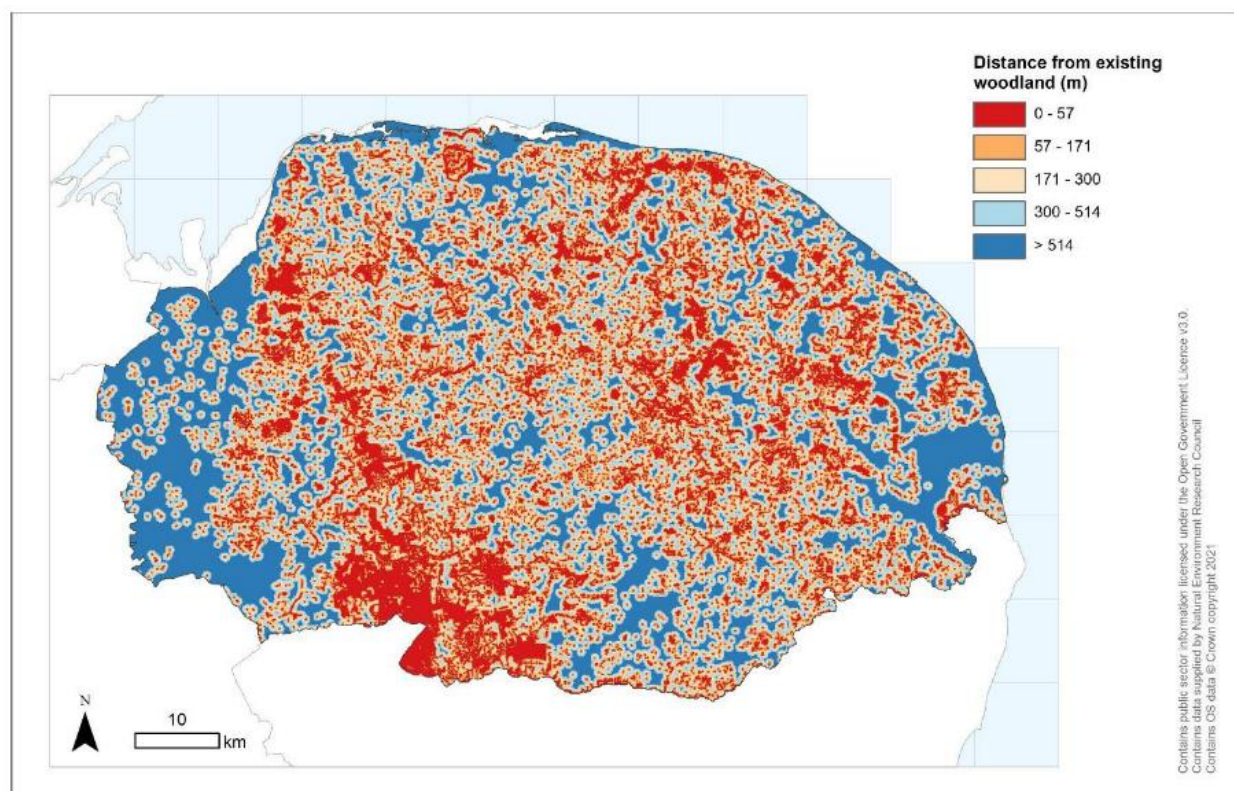


Figure A10: Indicator B2: Distance from existing woodland. The red shaded areas have the greatest potential for new woodland creation. These areas are closest to existing woodland.

Charlotte Watts

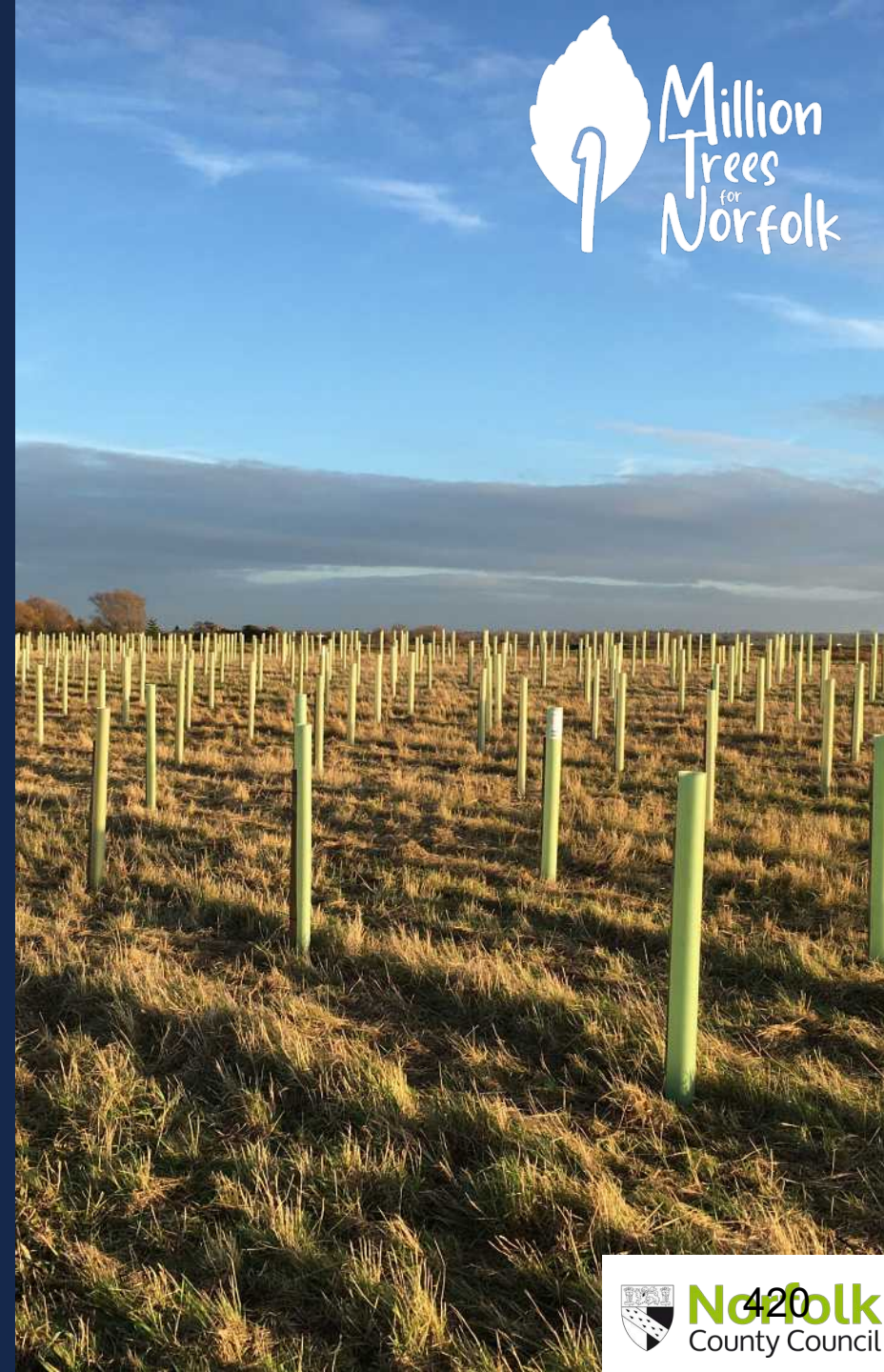
Lead Projects Manager (Delivery – Green Spaces)

1 Million Trees for Norfolk

Update and target plan

March 2023

Appendix B

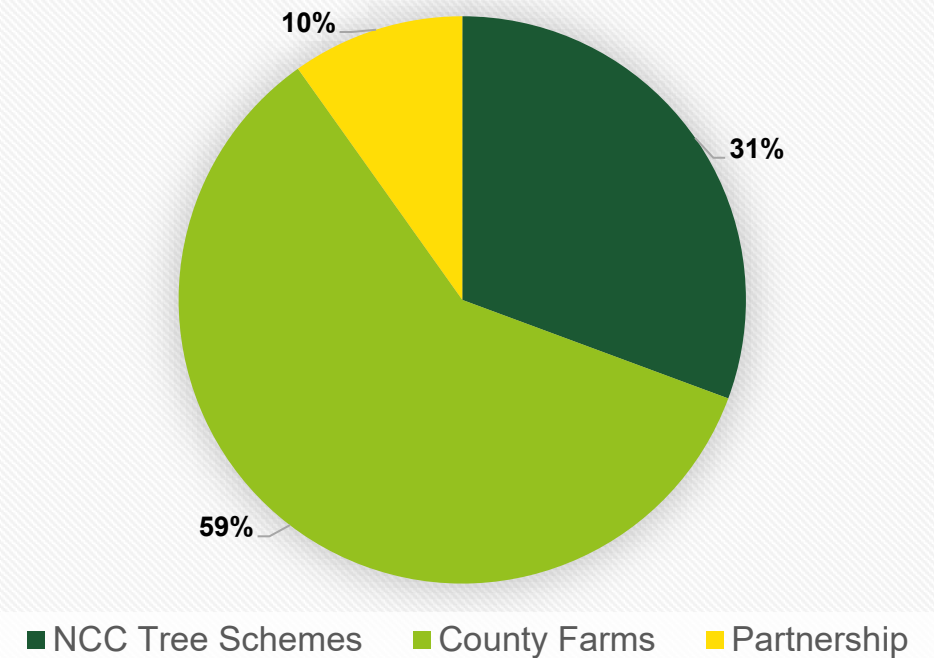


Planting Progress



| Planting Season | Totals |
|-----------------------|-----------------------|
| 2020 / 2021 | 26,338 (County Farms) |
| 2021 / 2022 | 69,550 (Mixed) |
| 2022 / 2023 (planned) | 113,465 (Mixed) |
| Total | 209,353 |

Planting type split to March 2023



Solutions



1) Increase delivery through partnerships

- Less control, partners without same time pressures, increased risk

2) Increase planting on County Farms

- Current reliance on hedgerow
- Implications on tenancies
- Implications on land use

3) Purchase land specifically for woodland creation



Strategic Woodland Creation



- An opportunity to increase tree planting to meet our 1M tree commitment on-time.
- Aligns with NCC's Environmental Policy, with potential to deliver many benefits:
 - Biodiversity,
 - Recreation,
 - Water quality,
 - Reduced flooding.
 - Carbon capture and storage
- An opportunity to secure a long-term income stream, from carbon and biodiversity credits.
- Self sustained, financial mechanisms exist to support continuity and success of tree planting (e.g. EWCO).



Holt Country Park

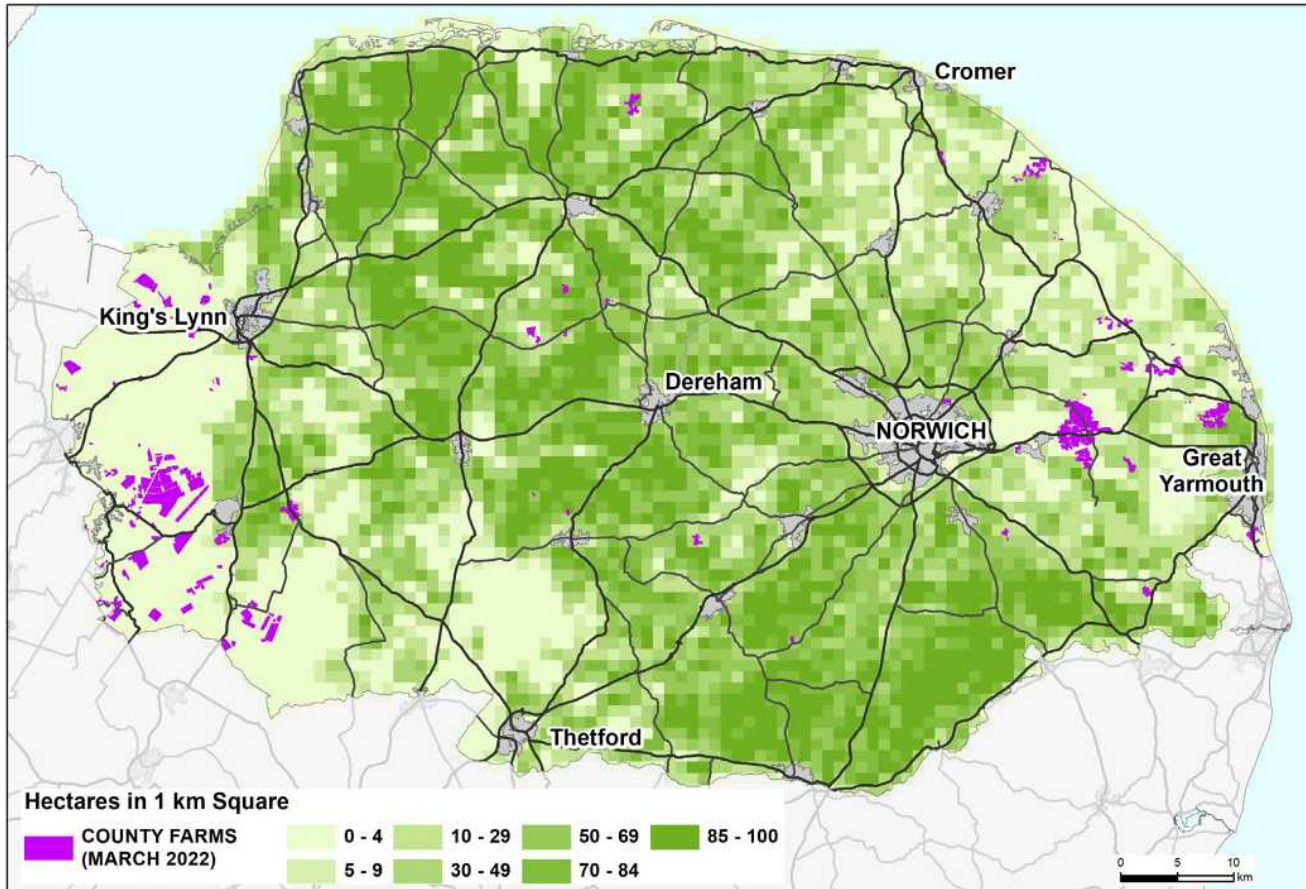
Contribution to Local Policies and Strategies



- 1M trees: speed progress
- Better together for Norfolk: building a greener, more resilient future
- Net Zero: offsetting own emissions but also could sell the carbon credits in voluntary markets

Help to meet NCC and national environment policy targets and delivery of Climate Action Plan for Norfolk.

Land Purchase Based on Evidence Mapping

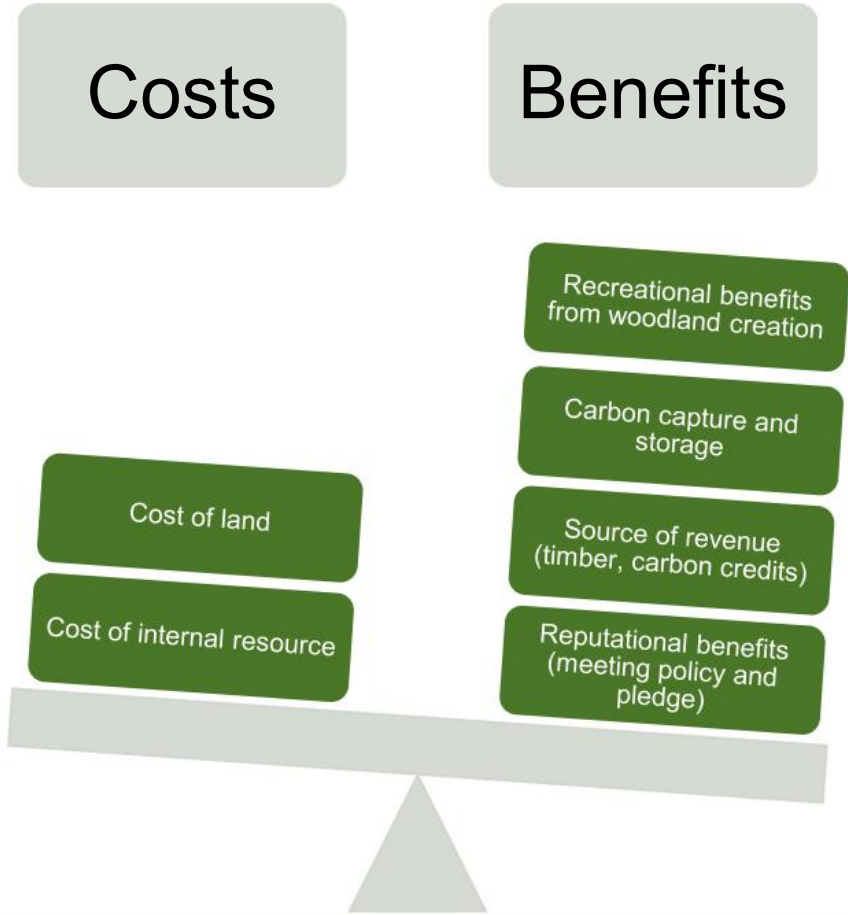


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Previous work by the UEA conducted in 2021 showed that about 59% of Norfolk is excluded by at least one constraint, the most important factors being ALC 1 & 2 (25% excluded), Protected or Designated Areas (17% excluded) and Peat Soils (14% excluded).

Higher availability runs in a NW to SE band across Norfolk (small County-farm estate).

Summary



| Example trees planted, land requirements and carbon | | |
|---|---------|---------|
| Number of trees planted | 250,000 | 500,000 |
| Land required for additional planting (c. 1,500 trees per ha) | 167 | 333 |
| Potential tCO2 captured by additional trees up to 2050 | 112,000 | 224,000 |

Infrastructure and Development Select Committee

Item No: 12

Report Title: Forward work programme

Date of Meeting: 17 May 2023

Responsible Cabinet Member: N/A

Responsible Director: Tom McCabe (Executive Director, Community and Environmental Services)

Executive Summary

This report sets out the Forward Work Programme for the Committee, to enable the Committee to review and shape it.

Action Required

The Select Committee is asked to:

1. Review and agree the Forward Work Programme for the Select Committee set out in Appendix A.

1. Background and Purpose

- 1.1 This report sets out the Forward Work Programme for the Select Committee to enable the Committee to review and shape it.

2. Proposal

2.1 Forward Plan

The current Forward Work Programme for the Select Committee is set out in Appendix A, for the Committee to use to shape future meeting agendas and items for consideration.

2.2 Member Task and Finish Groups

The Select Committee previously agreed that, to help ensure a manageable workload, there will be no more than two Member Task and Finish Groups

operating at any one time. There is currently one active Group – the Task and Finish Group looking at the subject ‘providing Highways and Transport Development Management Advice to Local Planning Authority’s in Norfolk’.

3. Impact of the Proposal

- 3.1 The Forward Work Programme enables the Select Committee to shape agendas for future meetings so that they contain items which the committee considers are the most important for them to consider.

4. Evidence and Reasons for Decision

- 4.1 As above.

5. Alternative Options

- 5.1 The Committee can amend and shape the Work Programme.

6. Financial Implications

- 6.1 None.

7. Resource Implications

- 7.1 **Staff:** None.

- 7.2 **Property:** None.

- 7.3 **IT:** None.

8. Other Implications

- 8.1 **Legal Implications:** None.

- 8.2 **Human Rights Implications:** None.

- 8.3 **Equality Impact Assessment (EqIA) (this must be included):** N/A

- 8.4 **Data Protection Impact Assessments (DPIA):** N/A

- 8.7 **Any Other Implications:** None.

9. Action Required

The Select Committee is asked to:

1. Review and agree the Forward Work Programme for the Select Committee set out in Appendix A.

10. Background Papers

11.1 None.

Officer Contact

If you have any questions about matters contained within this paper, please get in touch with:

Officer name: Sarah Rhoden
Telephone no.: 01603 222867
Email: sarah.rhoden@norfolk.gov.uk



If you need this report in large print, audio, braille, alternative format or in a different language please contact 0344 800 8020 or 0344 800 8011 (textphone) and we will do our best to help.

Forward Work Programme – Infrastructure and Development Select Committee

Draft agendas for the next three meetings.

| Report title | Reason for report |
|---|--|
| 12 July 2023 meeting | |
| Policy and Strategy Framework – annual review | To enable the Select Committee to understand the relevant policies and strategies aligned this Committee. |
| Highway and Transport Network Performance | To consider the performance of the network and identify any priorities to be considered as part of the annual review of the Transport Asset Management Plan (TAMP) in the light of this performance. |
| Performance of key highways contracts | To review the performance of key contracts for the highways service, including customer service. |
| Local Transport Plan | To report on the guidance and our proposals for updating LTP |
| Forward Work Programme | To review and shape the Select Committee's forward work programme. |
| 13 September 2023 meeting | |
| NCC Apprenticeship Strategy | To review and consider the proposed strategy and action plan |
| Creating Community Spaces: Norfolk's Library, learning and community hubs | To provide an update on the Kings Lynn Multi User Community Hub and the Great Yarmouth Library and Learning Centre projects |
| Forward Work Programme | To review and shape the Select Committee's forward work programme. |
| 15 November 2023 meeting | |
| Forward Work Programme | To review and shape the Select Committee's forward work programme. |
| CES Compliance and Enforcement Policy – Annual Review | To approve any changes to the policy |
| Waste Services Review | To review performance |
| Transport Asset Management Plan (TAMP) | To consider proposed amendments and updates for the TAMP |