

**Applications Referred to Committee for Determination:**

**North Norfolk:**

**C/1/2013/1012:**

**Holt Road, East Beckham, Sheringham, Norfolk**

**Excavation, processing, bagging and sale of sand and gravel:**

**Gresham Gravel Ltd**

Report by the Interim Director of Environment, Transport and Development

**Summary**

The application is for the extraction of 1.6 million tonnes of sand and gravel from land near East Beckham in North Norfolk, over a 17 year period, including site restoration. The proposal includes a processing plant, an aggregate bagging plant, the formation of a new access onto the A148, and progressive restoration to grassland and woodland.

The application must be determined by the Planning (Regulatory) Committee because the application is subject to the Environmental Impact Assessment (EIA) Regulations and also because more than four objections have been received.

Objections have been received from East and West Beckham, Matlaske and Barningham and Upper Sheringham Parish Councils, and a small number of local residents, primarily raising concerns about the impact of additional vehicular traffic on the A148 and the potential for amenity impacts on local people.

The Highway Authority is satisfied that the proposed vehicular access arrangements would ensure that the free-flow of traffic on the A148 would not be compromised, and the level of vehicle movements proposed would be acceptable. No material harm would be caused to neighbouring occupiers, the rural character of the area, or the setting of the Norfolk Coast Area of Outstanding Natural Beauty.

The site is formally allocated for mineral extraction and the proposal is in accordance with development plan policies and national planning guidance. It would contribute towards ensuring a local supply of minerals for future development in North Norfolk and would assist in ensuring the County maintains a sufficient landbank of sand and gravel to meet future needs.

**Recommendation**

It is recommended that the Director of Environment, Transport and Development be authorised to:

- (i) Grant planning permission subject to the conditions outlined in section 12.
- (ii) To discharge conditions where those detailed above require the submission and implementation of a scheme, or further details, either before development commences, or within a specified date of planning permission being granted.
- (iii) Delegate powers to officers to deal with any non-material amendments to the application that may be submitted.

## **1. The Proposal**

- |      |                               |  |
|------|-------------------------------|--|
| 1.1  | Location                      | : Holt Road, East Beckham, Sheringham, Norfolk   |
| 1.2  | Type of development           | : Extraction, processing, bagging and sale of sand and gravel.   |
| 1.3  | Site area                     | : 14.5 hectares (extraction area 9.1 hectares)   |
| 1.4  | Total tonnage                 | : 1.6m tonnes  |
| 1.5  | Annual tonnage                | : 100,000 tonnes   |
| 1.6  | Market served                 | : Cromer, Sheringham, Holt and surrounding areas. Also potentially Norwich, Fakenham and North Walsham.                        |
| 1.7  | Expected Duration             | : 17 years   |
| 1.8  | Plant                         | : Tracked mobile screen, crawler excavator, articulated dumptrucks and wheeled loader.   |
| 1.9  | Hours of working              | : 07.00 – 18.00 Monday to Friday<br>07.00 – 13.00 Saturday   |
| 1.10 | Vehicle movements and numbers | : Approximately 80 HGV movements (40 in, 40 out) and 40 light vehicle movements (20 in, 20 out) per day. All routes from A148. |
| 1.11 | Access                        | : From the A148.   |
| 1.12 | Landscaping                   | : Includes advanced planting, landscaped bunds   |
| 1.13 | Restoration and after-use     | : Grassland and woodland.  |

## **2. Constraints**

- 2.1 There are no planning constraints within the boundary of the site. The site is close to the boundary of the Norfolk Coast Area of Outstanding Natural Beauty (AONB) which is to the north of the A148 and east of Gibbet Lane. There is a Conservation Area approximately 250 metres to the north west of the site, and Sheringham Park registered Historic Park is also to the North West, approximately 1.2 km from the site.

## **3. Planning History**

- 3.1 The site was allocated for minerals extraction within the recently adopted Minerals Site Specific Allocations Development Plan Document which was adopted in 2013 (site MIN 84).
- 3.2 On 23 September 2013 planning permission was granted for the installation of a solar farm development on part of the site. This matter is discussed later in this report.

## 4. Planning Policy

4.1	Norfolk Minerals and Waste Local Development Framework Core Strategy and Minerals and Waste Development Management Policies Development Plan Document 2010-2016 (2011)	:	CS1	Minerals extraction
			CS2	General locations for mineral extraction and associated facilities
			CS3	Waste management capacity to be provided
			CS4	New waste management capacity to be provided
			CS6	General waste management considerations
			CS13	Climate change and renewable energy generation
			CS14	Environmental protection
			CS15	Transport
			DM1	Nature conservation
			DM2	Core river valleys
			DM3	Groundwater and surface water
			DM4	Flood risk
			DM8	Design, local landscape and townscape character
			DM9	Archaeological sites
			DM10	Transport
			DM11	Sustainable construction and operations
			DM12	Amenity
4.2	Norfolk Minerals Site Specific Allocations DPD	:	DM13	Air quality
			DM14	Progressive working, restoration and after-use
4.3	North Norfolk Core Strategy		DM15	Cumulative impacts
			DM16	Soils
		:	MIN 84	Land off Gibbet Lane, East Beckham
			SS1	Spatial Strategy
			SS2	Development in the Countryside
				Environment
			SS4	Economy
			SS5	Norfolk Coast AONB and The Broads
			EN1	Protection and Enhancement of Landscape and Settlement Character
			EN4	Design
			EN6	Sustainable Construction and Energy Efficiency
			EN8	Protecting and Enhancing the Historic Environment
			EN9	Biodiversity and Geology
			EN10	

		EN13	Development and Flood Risk Pollution and Hazard Prevention and Minimisation
		CT5	The Transport Impact of New Development
4.4	The National Planning Policy Framework (2012)	: Chapter 3 Chapter 7 Chapter 10 Chapter 11 Chapter 12 Chapter 13	Building a strong, competitive economy Requiring good design Meeting the challenge of climate change, flooding and coastal change Conserving and enhancing the natural environment Conserving and enhancing the historic environment Facilitating the sustainable use of minerals
4.5	Planning Practice Guidance (2014)	:	Minerals

## 5. Consultations

5.1	North Norfolk District Council	:	No objection subject to the conditions recommended by the Environmental Protection Officer being imposed on any approval.
5.2	East and West Beckham Parish Council	:	Object - Concerns about additional traffic on the A148 and potential for long term disruption to residents.
5.3	Beeston Regis Parish Council	:	No comments
5.4	Matlaske and Barningham Parish Council.	:	Object - Concerns regarding impact of additional traffic on A148. Further concerns regarding amount of water that the proposal would use.
5.5	Upper Sheringham Parish Council	:	Strongly object to the proposed new vehicular access onto the A148.
5.6	North Norfolk Environmental Health Officer	:	No objections, conditions recommended to control hours of operation and noise.
5.7	Norfolk Historic Environment Service	:	No objection subject to a condition requiring a Written Scheme of Investigation to be submitted and approved prior to the commencement of development.
5.8	Environment Agency	:	No objections
5.9	Natural England	:	No objections. The proposal is not likely to have a significant effect on Norfolk Valley Fens SAC, Briton's Lane Gravel Pit SSSI or Beeston Regis Commons

SSSI.

- 5.10 Highway Authority (NCC) : No objections – The Highway Authority provided extensive informal advice prior to the submission of this application. Issues in relation to right turn movements on the A148 have been addressed via the proposed off-site highway improvements.
- 5.11 Norfolk Coast Partnership : No objections following receipt of revised Landscape and Visual Assessment. There would be no significant landscape impacts on the setting of the Area of Outstanding Natural Beauty.
- 5.12 Norfolk Wildlife Trust : Fully support the proposals to restore the site to a biodiversity use. Would like to see a new block of woodland planting to replace the area being lost. The exact details should be set out in the restoration plan and agreed with the County Ecologist.
- 5.13 National Trust : The applicants have sought to modify their proposals so as to minimise impact upon the Trust's property at Sheringham Country Park. There are concerns regarding the impact on the flow of traffic on the A148.
- 5.14 English Heritage : No comment
- 5.15 Third parties : 3 letters of objection received. Concerns regarding:
- Noise from operations
  - Noise from traffic.
  - Increased dust levels
  - Highway impact of additional traffic using the A148, and concerns about lorries turning right into quarry from A148.
  - Water usage.
  - Robustness of ecological information submitted with application.
- One letter of comment:
- The 100,000 tonnes per annum extraction rate is unrealistic and will impact on the 16 year planned extraction of the site.
- One letter of support:
- Gresham Farms support the application because lorries will use the main A148 road and not conflict with farm vehicles on minor roads, also support the potential opportunity for price competition on the sales of sand and gravel and the additional jobs that would be created.
- 5.16 County Councillor (Michael Baker) : No comments received.

## **6. Assessment**

### **6.1 Proposal**

- 6.2 The application is for the extraction of 1.6 million tonnes of sand and gravel from 9.5 hectares of land near East Beckham. The proposal includes a processing plant, an aggregate bagging plant, the formation of a new access onto the A148, and progressive restoration to grassland and woodland.
- 6.3 Extraction would be carried out in four phases working from north to south. It is anticipated that the working of each phase would take 3.5 years, with the working of the plant site taking 2 years. The operator aims to extract 100,000 tonnes of mineral per annum over a 16 year period, with a further year to complete extraction.
- 6.4 The site would be screened by a combination of existing woodland and hedgerows, and new landscaped soil bunds. Soils would be removed prior to extraction and replaced upon restoration. Extraction would take place above the water table therefore no water pumping would be necessary. The extraction process would take place using an excavator which loads a dump truck, which transports the mineral to the processing plant where it would be washed and graded for sale.
- 6.5 The processing plant would be sited below ground level within a void following initial excavation and would generally not be visible from the surrounding area due to the woodland and screening proposed. The processing area would comprise two screening sections and a sand separator, an aggregate bagging shed, process water lagoons and product stock area. It would also contain a site office and a weighbridge.
- 6.6 A small section of woodland within Gibbet Plantation would be removed to create a new access for the site onto the A148. This area of woodland would be replanted upon restoration. Off-site highway improvement works would include a new ghost island priority junction to allow eastbound vehicles on the A148 to turn right into the site without blocking following traffic, helping to maintain the free-flow of traffic.
- 6.7 The proposed restoration would comprise a scheme designed to provide biodiversity gain by screening and covering the restored landform in a mosaic of native woodland, scrub, sown and natural colonised acid grasslands and exposed faces to offer a variety of habitats in keeping with the local environment. It is not proposed to import waste as part of the restoration of the site.
- 6.8 In accordance with the County Council's Scheme of Delegation, the application must be determined by the Planning (Regulatory) Committee because the proposal is subject to the Town and Country Planning (Environmental Impact Assessment) Regulations 2011 and also because more than four objections have been received. Further information was sought by the County Council during the course of the application under Regulation 22 of the EIA Regulations (2011) in relation to visual impact, cumulative effects and archaeology.

### **6.9 Site**

- 6.10 The application site is located in the countryside within North Norfolk, approximately 10km east of Holt, 2km south of Sheringham, 8km west of Cromer and 1km to the north of the village of East Beckham. It comprises arable agricultural fields and woodland immediately to the south of the A148 road that runs between King's Lynn

and Cromer.

- 6.11 The site is 14.5 hectares in size, with the area of sand and gravel extraction limited to 9.5 ha and the rest of the land to be used for access and landscaping. To the north is a belt of woodland and A148 road, to the east a raised reservoir and Gibbet Lane, and to the south and west there is further agricultural land. The site is not within the Norfolk Coast Area of Outstanding Natural Beauty (AONB), however it is close to the boundary, with the AONB being to the north of the A148 and east of Gibbet Lane.
- 6.12 **Principle of development**
- 6.13 A basic principle when assessing planning applications is outlined in Section 38(6) of the Town and Country Planning Compulsory Purchase Act 2004 which states:
- “if regard is to be had to the development plan for the purpose of any determination to be made under the Planning Acts, the determination must be made in accordance with the plan unless material considerations indicate otherwise”.*
- 6.14 In terms of the development plan, the County Planning Authority considers the relevant documents in relation to this application are the Norfolk Minerals and Waste Local Development Framework which includes the Core Strategy and Minerals and Waste Development Management Policies Development Plan Document (DPD) 2010-2016 (the “Minerals and Waste Core Strategy”) and the Minerals Site Specific Allocations DPD, the North Norfolk Core Strategy (2011). Whilst not part of the development plan, policies within the National Planning Policy Framework are also a further material consideration of significant weight.
- 6.15 The principle of development has been established through the formal allocation of the site for mineral extraction within the Minerals Site Specific Allocations DPD, which was adopted by the County Council on 28<sup>th</sup> October 2013. This means that the location of the proposal is acceptable, and complies with Core Strategy Policy CS2. Policy MIN 84 of the Site Specific Allocations DPD sets out a number of requirements in relation to the site, including for:
- a detailed assessment of potential landscape impacts on the AONB and Sheringham Country Park to be carried out
  - suitable screening
  - the site to be worked above the water table
  - satisfactory highway works
  - restoration to nature conservation
  - open faces to be retained for geological study
- 6.16 Guidance within paragraph 144 of the NPPF requires local planning authorities to “give great weight to the benefits of mineral extraction”. Paragraph 145 of the NPPF requires Mineral Planning Authorities to make provision for the maintenance of at least a 7 year supply of Sand and Gravel. Policy CS1 of the Minerals and Waste Core Strategy also sets out the requirement for the sand and gravel landbank to be maintained at between a 7 and 10 year supply.
- 6.17 In April 2014 the landbank of sand and gravel for Norfolk, calculated in accordance with the National Planning Policy Guidance (2014) is 7.84 years. If approved, the

proposal would increase the landbank to 8.78 years worth of supply.

**6.18     Amenity (noise, dust, light pollution etc)**

- 6.19     The nearest residential properties are Rowan House to the north-east and Mill Cottage to the north west, each of which are approximately 200m from the proposed extraction area. Further along the A148 is to the west is Mill House, which is at least 250 metres away, and a small number of dwellings more than 400m away, including Mill Farm. A number of dwellings are situated to the south of the site in the village of East Beckham. These are more than 600m away from the site. In addition Pretty Corner Café and Tea Gardens is situated approximately 200m to the north east of the site, along Pretty Corner Lane.
- 6.20     Three letters of objection have been received from local residents, and three Parish Councils have objected, raising concerns regarding the potential for noise nuisance from the quarry and quarry vehicles, and the potential for dust pollution.
- 6.21     The application is supported by a technical report providing an assessment of the noise from the proposed development. This concludes that noise levels at all nearby sensitive receptors would be within the NPPF noise criterion of less than 10dB(A) above background noise levels, and also within the maximum noise limit of 55dB LAeq, 1h. At Mill House and Rowan House, the predicted noise level of the quarry is below that of noise from the A148 road, and it is anticipated that noise from the extraction site would often be indistinguishable from road traffic noise.
- 6.22     A Dust Impact Assessment Report also accompanied the application. This concludes that the impact of the development in terms of dust pollution would be minimal and well below background levels. The report sets out a detailed dust mitigation strategy and concludes that this, combined with the stand-off to the nearest receptors, intervening vegetation and the enclosed below ground nature of the workings would ensure that the impacts would be minimal and dust nuisance would not arise.
- 6.23     Plant and buildings requiring lighting during the hours of darkness would consist of the weighbridge office, the processing plant and the aggregate bagging shed. The Lighting report submitted concludes that the impact from the use of lighting would be minimal because lighting would not be visible from any nearby receptors, lights would be directed downwards and the duration of use would be limited.
- 6.24     The Environmental Protection Officer at North Norfolk District Council has examined the proposal and raises no objection on the grounds of noise, dust, lighting, or hours of operation. Overall, subject to conditions, it is considered there would be no material harm to the amenities of local residents and the proposal accords with policy DM12 of the Norfolk Minerals and Waste Core Strategy.
- 6.25     Landscape**
- 6.26     The application site is formed of arable fields and carries no landscape designation itself; however the North Norfolk Coast AONB lies immediately to the north of the A148 and east of Gibbet Lane and therefore the application site has the potential to affect its setting. In addition the site is in proximity to Sheringham Park which is



registered as a Historic Park and Garden, and there is also a conservation area to the north-east.

- 6.27 The site is already reasonably well screened from public view by a combination of existing mature hedgerows and Gibbet Plantation. Landscaped soil screen mounds would be constructed around the boundary of the site which would further reduce the visual impact of operations, and most working/processing would be carried out at a lower level and would not be generally visible from public vantage points. A significant number of new trees and hedgerows would be planted as part of the restoration to a nature conservation after use.
- 6.28 The application is supported by a detailed Landscape and Visual Assessment which concludes that the impact on the AONB and Sheringham Park would be negligible. The report concludes that overall the development proposals would have a minimal impact upon the existing landscape and this would be for a short term and temporary duration. The report emphasises that the restoration proposals would increase habitat diversity and would enhance the landscaping.
- 6.29 The application has been examined by the Landscape Officer at North Norfolk District Council who raises no objection. In addition the North Norfolk Coast Partnership Manager raises no objection in relation to the impact on the setting of the AONB. It is considered there would be no harm to the nearby Conservation Area or Registered Park. The proposal is compliant with policies CS14 and DM8 of the Norfolk Minerals and Waste Core Strategy, which requires the protection of Norfolk's natural and built environments, together with policies EN1 and EN2 of the North Norfolk Core Strategy in relation to impact on the AONB and on the wider landscape.
- 6.30 **Biodiversity and geodiversity**
- 6.31 Policy DM1 of the Minerals and Waste Core Strategy requires the protection of locally designated nature conservation and geodiversity sites, habitats and species identified in biodiversity action plans. Policy EN9 of the North Norfolk Core Strategy also requires development to protect areas of high biodiversity value and to avoid adverse impacts.
- 6.32 There are no internationally designated sites of nature conservation within the site. The nearest site is Norfolk Valley Fens Special Area of Conservation (SAC) which is approximately 1.2km to the north-east. The nearest nationally designated site is Briton's Lane Gravel Pit Site of Special Scientific Interest (SSSI), approximately 1km to the north west. The Gibbet and Marlpit Plantations County Wildlife Site (CWS) forms part of the woodland immediately to the north of the proposed extraction area.
- 6.33 The Phase 1 Habitat Survey observed no clear signs of protected species using the site. The only likely habitat for Great Crested Newts was in the form of two ponds, one of which is 240m from the site, the other being 490m away. Further investigation concluded it was unlikely that newts would be present in the closest pond, and given the distance from the development site it is unlikely there would be harm caused by the development proposal.
- 6.34 The main ecological features that would be disturbed are the area of Gibbet Plantation that would be cleared to form the access, the areas of hedgerows to be removed, and the arable fields that would be disturbed by the extraction process. The Ecological Report recognises that some habitat loss and fragmentation would occur as part of the development. However it is stated that

this would be outweighed in the long term by the benefits of the restoration proposals. No negative impacts on protected species are predicted.

- 6.35 The County Council's Ecologist has examined the application and is satisfied with the conclusions of the Ecology Report. The mitigation proposed is acceptable and follows current legislation and best practice guidance. The fact that the restoration proposals would provide nesting habitat for a wider range of species, including ground nesting birds in the areas of acid grassland is welcomed.
- 6.36 A letter from a local resident raised concerns about the level of information and robustness of the survey work in relation to protected species, however the Council's Ecologist has confirmed that the surveys were carried out by an experienced ecologist, at an acceptable time of year, in line with good practice guidelines and to a level that was proportionate to the level of disturbance proposed at the site. The Ecologist is therefore satisfied that the data gathered and mitigation proposed is appropriate for this particular application and raises no objection. The proposal complies with relevant policies DM1 and EN9.
- 6.37 It is proposed that a geological rock face within the quarry would be retained as a sample exposure for geological study purposes and habitat, in accordance with the requirements of Policy MIN 84 of the Site Allocations DPD.
- 6.38 Appropriate Assessment  
The proposal would not affect the integrity of any internationally protected sites (Special Protection Areas, Special Areas of Conservation) and therefore, in accordance with Regulation 61 of the Conservation of Habitats and Species Regulations 2010, it is considered that the development would not have a significant impact on any protected habitats and accordingly no Appropriate Assessment of the development is required.
- 6.39 **Transport**
- 6.40 Policy CS15 of the Minerals and Waste Core Strategy states that development proposals will be satisfactory in terms of access, providing unacceptable impacts are not caused to the safety of road users and pedestrians, the capacity of the highway network, air quality, and damage to the roadside. Policy DM10 requires applicants to demonstrate that there is suitable highway access and suitable routes to the nearest major road. Policy CT5 of the North Norfolk Core Strategy aims for sustainable transport measures, including safe access to the highway network, and that the volume of traffic generated can be accommodated by the highway network.
- 6.41 Concerns have been raised by objectors regarding the increase in vehicular traffic on the A148 and the potential for congestion caused by vehicles turning right into the site.
- 6.42 The application is supported by a Transport Statement which estimates that the operations would generate approximately 40 HGV and up to 20 passenger/light van two-way vehicle movements per day. This translates to approximately 5 two-way HGV movements per hour with staff arrivals and departures being concentrated around the morning and evening periods. The A148 is a Principal Route on the highway network which is designed to accommodate significant numbers of HGV traffic. The vehicle movements proposed would not adversely affect capacity on the road and direct access onto the A148 would avoid the need to use narrower lanes.

- 6.43 A new “ghost island” priority junction is proposed which would allow vehicles travelling eastbound along the A148 to turn right into the site access without blocking traffic following behind. The design was developed following extensive consultation with NCC Highway Officers. As a result the Highway Officer is satisfied with the proposed off-site highway improvements and raises no objection to the proposal. The highway impacts would be acceptable and the proposal complies with development plan policies CS15, DM10 and CT5.
- 6.44 **Sustainability**
- 6.45 Minerals and Waste Policy CS13 addresses issues relating to climate change and renewable energy generation. Where possible, applicants should aim for the incorporation of renewable or low carbon energy to generate a minimum of 10 per cent of their energy needs. Where this is not considered practicable, appropriate evidence should be provided.
- 6.46 The applicant has submitted a Feasibility and Viability Assessment which investigates the potential for on-site renewable / low carbon energy. The report concludes that it would be technically possible to meet the policy requirement by a mix of solar pv, 13 micro wind turbines and wood fired heating in the office building. However the report states it would not be practicable to provide the turbines and wood fired heating is unlikely to be suitable for health and safety reasons. The report raises concerns about the capital investment costs and uncertain financial incentives, and concludes that the use of renewables may be commercially unviable for this site.
- 6.47 In consultation with the Council's Climate Change Team the findings of the report are accepted.
- 6.48 **Groundwater/surface water & Flood risk**
- 6.49 The application area is within a Ground Water Protection Zone 2. The quarry would be worked dry with excavation taking place above the water table. As a result no dewatering activities are associated with the development.
- 6.50 The site is entirely within Flood Zone 1, the zone of lowest flood risk. A Flood Risk Assessment has been carried out and this concludes that the proposal would not increase flood risk either during the operational phase or following the restoration of the site.
- 6.51 The application has been assessed by the Environment Agency in relation to groundwater, flooding and pollution control measures. No objections are raised however further details in relation to the specific pollution control measures that would be employed are sought by condition.
- 6.52 The proposal complies with relevant policies DM3 and DM4 of the Minerals and Waste Core Strategy which seek to ensure that development does not cause harm to groundwater sources or increase flood risk.
- 6.53 **Protection of best and most versatile agricultural land**
- 6.54 Where development is proposed on agricultural land, Policy DM16 of the Minerals and Waste Core Strategy states a preference for it to be on sites of lower agricultural value, such as grades 3b, 4 and 5. Policy DM16 states further that when development is proposed on agricultural land of grades 1, 2 or 3a, it will only be permitted where provision is made for high standards of soil management during restoration, or where the benefit of restoring the land to another after-use can be

shown to outweigh the loss of the agricultural use of the land.

- 6.55 The majority of the site is grade 3b. A relatively small proportion is designated as grade 3a, amounting to approximately 3 hectares. The land would be restored to a nature conservation after-use and therefore there would be a small loss of the best and most versatile land. The material benefit to biodiversity ensures that the proposal does not conflict with policy DM10.

6.56 **Progressive working, restoration and after-use**

- 6.57 Policy DM14 of the Minerals and Waste Core Strategy requires a scheme of phased working and restoration to be provided and requires sites to be enhanced through restoration. Restoration must be achievable within the proposed timescales and schemes that promote improvements to green infrastructure are supported.

- 6.58 The proposals for phased working described in paragraphs 6.3 and 6.7 are acceptable and accord with policy DM14. A letter has been received from another minerals company in the local area querying the proposed rate of extraction of 100,000 tonnes per annum, stating that it is unrealistic and therefore the timescale for the quarry would be greater than proposed.

- 6.59 The rate of extraction is dependent on a number of factors, including market forces. Whilst it is possible that the anticipated rate would not be achieved, it is considered that the proposal would not be unacceptable if it were to take slightly longer than the 17 years anticipated, and therefore this should not be a reason to refuse the application. A planning application would need to be made to extend the timescale further and this would be considered on its merits.

6.60 **Public Rights of Way**

- 6.61 Although there are a number of public rights of way within the local area, there are none within the application site. No rights of way would be materially affected by the proposal.

6.62 **Cumulative impacts**

- 6.63 Policy DM15 of the Minerals and Waste Core Strategy requires consideration of the cumulative impacts that could arise from proposals in conjunction with other existing, permitted or allocated minerals extraction sites and/or waste management facilities. A Cumulative Impacts Statement was submitted as part of the application and this was later supplemented by further information in relation to any cumulative impacts resulting from the solar farm that was approved after this application was submitted.

- 6.64 The nearest quarry is Beeston Regis Quarry, approximately 1.4 km to the north east, for which land has been allocated within the Minerals Site Specific Allocations DPD for an extension to the mineral working. It is considered the cumulative impacts would be successfully mitigated through the planning process and through planning monitoring and controls. The next nearest quarry is close to Holt, some 8km away, and it is not considered cumulative impacts would arise.

- 6.65 There are no new waste sites proposed in the vicinity of the site, although there is an existing NCC recycling centre approximately 550 metres to the east of the site. This is a relatively small scale operation and it is considered unlikely that

harmful cumulative impacts would occur.

- 6.66 During the consideration of this planning application, planning permission was granted on 23 September 2013 for the installation of a solar farm development on part of the site. The solar farm occupies two separate parcels of land south of the A148, one which overlaps with a small section of the southern area of the proposed mineral working and extends further to the south, the other being on agricultural fields to the west. An analysis of possible cumulative impacts was undertaken on behalf of the applicant, and it was concluded that there would not be significant cumulative impacts. The portion of the solar array which overlaps with the proposed quarry would be removed after approximately 11.5 years to allow the working of Phase 4 (area D).
- 6.67 It is considered that the presence of the solar farm would not preclude the successful implementation of the quarry operations, nor would it lead to any undue cumulative effects. The main potential for cumulative effects would be in terms of visual impact; however the quarry would be well screened and ultimately restored to a landscape which would represent an enhancement of the site. Therefore the proposal complies with policy DM15.
- 6.68 **Archaeology**
- 6.69 In relation to archaeology, Policy DM9 of the Minerals and Waste Core Strategy seeks the submission of a desk based assessment, and where necessary a field evaluation to support applications. Development will only be permitted where it can be demonstrated that it would not adversely affect the significance of heritage assets (and their settings) of national/regional importance.
- 6.70 Additional information was requested by the County Council during the course of the application, and a Geophysical Field Survey was carried out in September and October 2013. The geophysical survey showed some as yet undefined heritage assets in the form of a number of ditch type features, together with what appear to be in-filled natural hollows. Such hollows are frequently a focus for prehistoric activity, and therefore a condition is recommended by the County Archaeologist requiring the submission of a scheme of investigation and post investigation assessment prior to works taking place. The level of information provided complies with the requirements of policy DM9 and the imposition of suitable conditions would ensure there is no material harm to archaeological features.

## **7. Resource Implications**

- 7.1 **Finance:** The development has no financial implications from the Planning Regulatory perspective.
- 7.2 **Staff:** The development has no staffing implications from the Planning Regulatory perspective.
- 7.3 **Property:** The development has no property implication from the Planning Regulatory perspective.
- 7.4 **IT:** The development has no IT implications from the Planning Regulatory perspective.

## **8. Other Implications**

### **8.1 Human rights**

- 8.2 The requirements of the Human Rights Act 1998 must be considered. Should permission not be granted Human Rights are not likely to apply on behalf of the applicant.
- 8.3 The human rights of the adjoining residents are engaged under Article 8, the right to respect for private and family life and Article 1 of the First Protocol, the right of enjoyment of property. A grant of planning permission may infringe those rights but they are qualified rights, that is that they can be balanced against the economic interests of the community as a whole and the human rights of other individuals. In making that balance it may also be taken into account that the amenity of local residents could be adequately safeguarded by conditions albeit with the exception of visual amenity. However, in this instance it is not considered that the human rights of adjoining residents would be infringed.
- 8.4 The human rights of the owners of the application site may be engaged under the First Protocol Article 1, that is the right to make use of their land. An approval of planning permission may infringe that right but the right is a qualified right and may be balanced against the need to protect the environment and the amenity of adjoining residents.
- 8.5 **Equality Impact Assessment (EqIA)**
- 8.6 The Council's planning functions are subject to equality impact assessments, including the process for identifying issues such as building accessibility. None have been identified in this case.
- 8.7 **Legal Implications:** There are no legal implications from the Planning Regulatory perspective.
- 8.8 **Communications:** There are no communication issues from a planning perspective.
- 8.9 **Health and Safety Implications:** There are no health and safety implications from a planning perspective.
- 8.10 **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.

## **9. Section 17 – Crime and Disorder Act**

- 9.1 It is not considered that the implementation of the proposal would generate any issues of crime and disorder, and there have been no such matters raised during the consideration of the application.

## **10. Risk Implications/Assessment**

- 10.1 There are no risk issues from a planning perspective.

## **11. Conclusion and Reasons for Grant of Planning Permission**

- 11.1 The application is for the extraction of 1.6 million tonnes of sand and gravel from land near East Beckham in North Norfolk. The proposal includes a processing plant, an aggregate bagging plant, the formation of a new access onto the A148, and progressive restoration to grassland and woodland at a lower level. The site is

allocated for minerals extraction within the Minerals Site Specific Allocations DPD which forms part of the Local Development Framework for Norfolk.

- 11.2 Objections have been received from East and West Beckham, Matlaske and Barningham and Upper Sheringham Parish Councils, and a small number of local residents, primarily regarding the impact of additional vehicular traffic on the A148 and the potential for amenity impacts on local people.
- 11.3 The Highway Authority is satisfied that the proposed vehicular access arrangements would ensure that the free-flow of traffic on the A148 would not be compromised, and the level of vehicle movements proposed would be acceptable. In addition no material harm would be caused to neighbouring occupiers or the rural character of the area due to the mitigation measures proposed.
- 11.4 No objections are raised by the Landscape Officer at North Norfolk District Council and the Norfolk Coast Partnership in relation to the visual impact of the proposal, including the impact on the nearby Area of Outstanding Natural Beauty. Natural England, the Council's Ecologist and Norfolk Wildlife Trust are satisfied that no material harm would be caused to biodiversity, and support the restoration of the land to a nature conservation after-use.
- 11.5 The site is formally allocated for mineral extraction and the proposal is in accordance with development plan policies and national planning guidance. It would contribute towards ensuring a local supply of minerals for future construction in North Norfolk and would assist in ensuring the County maintains a sufficient landbank of sand and gravel to meet future needs. The impacts of the proposal would be successfully mitigated and there are no material considerations why it should not be permitted. Accordingly, full conditional planning permission is recommended.

## **12. Conditions**

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

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

- 2. The development to which this permission relates shall cease and the site shall be restored in accordance with condition 20 by 31 December 2031.

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

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

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

- 4. No operation authorised or required under this permission or under Part 23 of Schedule 2 of the Town and Country Planning (General Permitted Development) Order 1995, including the movement of vehicles and operation of any plant, shall take place on Sundays or public holidays, or other than during the following periods:

07.00 - 18.00 Mondays to Fridays  
07.00 - 13.00 Saturdays.

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

5. Notwithstanding the provisions of the Town and Country Planning (General Permitted Development) Order 1995, as amended, no buildings, plant or machinery, nor structures of the nature of plant or machinery (other than those permitted under this planning permission) shall be erected on the site, except with permission granted on an application under Part III of the Town and Country Planning Act 1990.

Reason: To control possible future development which would otherwise be permitted but which may have a detrimental effect on amenity or safety, in accordance with Policy DM12 of the Norfolk Minerals and Waste Core Strategy DPD 2010-2026.

6. Prior to commencement of the development hereby permitted the vehicular access shall be provided and thereafter retained at the position shown on the approved plan (drawing number 03/005 revision B) in accordance with Norfolk County Councils standard industrial access specification. Arrangement shall be made for surface water drainage to be intercepted and disposed of separately so that it does not discharge from or onto the highway carriageway.

Reason: To ensure satisfactory access into the site and avoid carriage of extraneous material or surface water from or onto the highway, in accordance with Policy DM10 of the Norfolk Minerals and Waste Core Strategy DPD 2010-2026.

7. Prior to commencement of the use hereby permitted any access gate(s), bollard, chain or other means of obstruction shall be hung to open inwards, set back, and thereafter retained a minimum distance of 20 metres from the near channel edge of the adjacent carriageway.

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

8. Prior to the commencement of the operations hereby permitted a visibility splay shall be provided in full accordance with the details indicated on approved plan ref 03/005 Revision B. The splay shall thereafter be maintained at all times free from any obstruction exceeding 1.05 metres above the level of the adjacent highway carriageway.

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

9. No works shall commence on site until the details of wheel cleaning facilities associated with the proposal have been submitted to and approved in writing by the Local Planning Authority in consultation with the Highway Authority.

Reason: To prevent extraneous material being deposited on the highway, in



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

10. Prior to the commencement of the use hereby permitted the approved wheel cleaning facilities referred to in condition 9 shall be provided to the written satisfaction of the Local Planning Authority in consultation with the Highway Authority and thereafter maintained and used as appropriate.

Reason: To prevent extraneous material being deposited on the highway, in accordance with Policy DM10 of the Norfolk Minerals and Waste Core Strategy DPD 2010-2026.

11. Notwithstanding the details indicated on the submitted drawings no works shall commence on site until a detailed scheme for the off-site highway improvement works as indicated on drawing number 03/005 Revision B have been approved in writing by the Local Planning Authority and completed to the written satisfaction of the Highway Authority.

Reason: To ensure that the highway improvement works are designed and provided to an appropriate standard in the interest of highway safety and to protect the environment of the local highway corridor, in accordance with Policy DM10 of the Norfolk Minerals and Waste Core Strategy DPD 2010-2026.

12. No development shall take place until a scheme of pollution prevention measures has been submitted to and approved by the County Planning Authority in consultation with the Environment Agency. Development shall thereafter be carried out in accordance with the approved scheme.

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

13. No development shall commence until an Archaeological Written Scheme of Investigation has been submitted to and approved by the local planning authority in writing. The scheme shall include an assessment of significance and research questions; and

- a) The programme and methodology of site investigation and recording
- b) The programme for post investigation assessment
- c) Provision to be made for analysis of the site investigation and recording
- d) Provision to be made for publication and dissemination of the analysis and records of the site investigation
- e) Provision to be made for archive deposition of the analysis and records of the site investigation
- f) Nomination of a competent person or persons/organization to undertake the works set out within the Written Scheme of Investigation

Development shall take place in accordance with the approved scheme.

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

14. No operations shall take place until the Archaeological Site Investigation and Post Investigation Assessment has been completed in accordance with the programme set out in the Written Scheme of Investigation approved under condition 13 and the provision to be made for analysis, publication and dissemination of results and archive deposition has been secured.

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

15. No operations shall take place until a scheme of landscaping has been submitted to and approved in writing by the County Planning Authority. The approved scheme shall be implemented during the first planting season following the date of planning permission or such other period agreed in writing with the County Planning Authority. The scheme shall include details of size, species and spacing of trees, hedges and shrubs, arrangements for their protection and maintenance, and details of the construction and maintenance of the soil bunds. It shall make provision for:

- (a) the screening of the operations by trees, hedges and soil bunds;
- (b) the protection and maintenance of existing trees and hedges which are to be retained on the site;
- (c) re-seeding and re-planting where failures or damage occur within a period of five years from the date of planting; and,
- (d) the replacement of any damaged or dead trees with trees of similar size and species at the next appropriate season.

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

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

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

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

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

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

Reason: To protect the amenities of residential properties and the surrounding area,

in accordance with Policy DM12 of the Norfolk Minerals and Waste Core Strategy DPD 2010-2026.

19. No stockpiles of materials shall be stacked or deposited on the site such that its height exceeds 4 metres above its base level.

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

20. Within six months of the date of this permission a scheme of restoration in accordance with the principles shown on the drawing titled 'East Beckham Quarry Restoration Proposals', shall be submitted to the County Planning Authority for its approval in writing. The said scheme shall include details of:

- (a) dates for the starting and completion of each phase of restoration;
- (b) a maximum area of disturbed land which at any time is unrestored;
- (c) contours of the restored land shown by plans and sections;
- (d) the provision to be made for drainage of the site;
- (e) areas to be seeded or planted with trees, including provision for re-seeding and re-planting during the following planting season where such action is necessary as a result of any failure which occurs within a period of five years from the date of initial planting;
- (f) details of tree species to be planted;
- (g) bank profiles and batters.

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

21. An aftercare scheme specifying such steps as may be necessary to bring the land to the required standard for use for wildlife habitat shall be submitted for the written approval of the County Planning Authority in writing not later than 6 months from the date of this permission. The aftercare scheme as may be so approved, shall be implemented over a period of five years following the completion of restoration, or in the case of phased restoration, in stages of five years duration dating from each completed restoration phase.

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

22. Noise emitted from operations excluding soil stripping, the construction and removal of baffle mounds, soil storage mounds and spoil heaps shall not exceed the following maximum noise levels at the following properties:

- Mill Cottage, 55dB(A) LAeq, 1h (free field)
- Rowan House, 55dB(A) LAeq, 1h (free field)
- Abbey Farm, 42dB(A) LAeq, 1h (free field)

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

23. Noise from the approved development at any noise sensitive premises in relation to soil-stripping, the construction and removal of baffle mounds, soil storage mounds and spoil heaps shall not exceed 60dB(A) LAeq 1h (free field) as measured at any nearby noise sensitive receptor.

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

24. No reversing beepers or other means of audible warning of reversible vehicles shall be fixed to, or used on, any site vehicles, other than those which use white noise.

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

## Recommendation

It is recommended that the Director of Environment, Transport and Development be authorised to:

- (i) Grant planning permission subject to the conditions outlined in section 12 above.
- (ii) Discharge conditions where those detailed above require the submission and implementation of a scheme, or further details, either before development commences, or within a specified date of planning permission being granted.
- (iii) Delegate powers to officers to deal with any non-material amendments to the application that may be submitted.

## Background Papers

Norfolk Minerals and Waste Local Development Framework Core Strategy and Minerals and Waste Development Management Policies DPD 2010-2016 (2011)

Norfolk Minerals Site Specific Allocations DPD (2013)

North Norfolk Core Strategy (2011)

National Planning Policy Framework (2012)

Planning Practice Guidance (2014)

## Officer Contact

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

Name	Telephone Number	Email address
Robert Webb	01603 228959	robert.webb@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 and ask for Robert Webb or textphone 0344 800 8011 and we will do our best to help.