

Planning (Regulatory) Committee

Date: **Friday 21 July 2023**

Time: **11am**

Venue: **Council Chamber, County Hall, Martineau Lane,
Norwich. NR1 2UA**

Advice for members of the public:

This meeting will be held in public and in person.

It will be live streamed on YouTube and members of the public may watch remotely by clicking on the following link: [Norfolk County Council YouTube](#)

We also welcome attendance in person, but public seating is limited, so if you wish to attend please indicate in advance by emailing committees@norfolk.gov.uk

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.

Please stay at home if you are unwell, have tested positive for COVID 19, have symptoms of a respiratory infection or if you are a close contact of a positive COVID 19 case. This will help make the event safe for attendees and limit the transmission of respiratory infections including COVID-19.

Members of the public wishing to speak about an application on the agenda, must register to do so at least 48 hours in advance of the meeting. Further information about how to do this is given [below](#). Anyone who has registered to speak on an application will be required to attend the meeting in person and will be allocated a seat for this purpose.

Persons attending the meeting are requested to turn off mobile phones

Membership

Cllr Brian Long (Chair)

Cllr Graham Carpenter (Vice-Chair)

Cllr Stephen Askew

Cllr William Richmond

Cllr Rob Colwell

Cllr Steve Riley

Cllr Chris Dawson

Cllr Mike Sands

Cllr Mark Kiddle-Morris

Cllr Martin Storey

Cllr Paul Neale

Cllr Tony White

Cllr Matt Reilly

Registering to speak:

At meetings of this Committee, members of the public are entitled to speak before decisions are made on planning applications. There is a set order in which the public or local members can speak on items at this Committee, as follows:

- Those objecting to the application
- District/Parish/Town Council representatives
- Those supporting the application (the applicant or their agent.)
- The Local Member for the area.

Anyone wishing to speak regarding one of the items going to the Committee must give written notice to the Committee Officer (committees@norfolk.gov.uk) at least 48 hours before the start of the meeting. The Committee Officer will ask which item you would like to speak about and in what respect you will be speaking. Further information can be found in [Part 2A of the Constitution](#).

**For further details and general enquiries about this Agenda please contact the
Committee Officer:**

Hollie Adams on 01603 223029 or email committees@norfolk.gov.uk

Under the Council's protocol on the use of media equipment at meetings held in public, this meeting may be filmed, recorded or photographed. Anyone who wishes to do so must inform the Chairman and ensure that it is done in a manner clearly visible to anyone present. The wishes of any individual not to be recorded or filmed must be appropriately respected

When the County Council have received letters of objection in respect of any application, these are summarised in the report. If you wish to read them in full, Members can request a copy from committees@norfolk.gov.uk

A g e n d a

1. To receive apologies and details of any substitute members attending

2. Minutes

To confirm the minutes from the Planning (Regulatory) Committee meetings held on 30 June 2023

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3. Declarations of Interest

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. **Any items of business the Chair decides should be considered as a matter of urgency**

5. **FUL/2022/0055 - Land East of Plantation Road, Blofield**

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Report by the Executive Director of Community and Environmental Services

6. **FUL/2021/0007: Land at Oak Field, Watlington Road, Nr Tottenhill Row, Nr Watlington, Kings Lynn, Norfolk: Extraction of sand, gravel and clay and subsequent importation of inert material to achieve a beneficial restoration of the site, together with operation of an inert waste recycling facility and continued use of the plant site; Construction of additional silt lagoon and subsequent removal of sand and gravel (part retrospective) amended description of proposal: Mick George Ltd** **Page 71**

Report by the Executive Director of Community and Environmental Services

Tom McCabe
Chief Executive
County Hall
Martineau Lane
Norwich
NR1 2DH

Date Agenda Published: 13 July 2023



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STANDING DUTIES

In assessing the merits of the proposals and reaching the recommendation made for each application, due regard has been given to the following duties and in determining the applications the members of the committee will also have due regard to these duties.

Equality Act 2010

It is unlawful to discriminate against, harass or victimise a person when providing a service or when exercising a public function. Prohibited conduct includes direct discrimination, indirect discrimination, harassment and victimisation and discrimination arising from a disability (treating a person unfavourably as a result of their disability, not because of the disability itself).

Direct discrimination occurs where the reason for a person being treated less favourably than another is because of a protected characteristic.

The act notes the protected characteristics of: age, disability, gender reassignment, marriage and civil partnership, pregnancy and maternity, race, religion or belief, sex and sexual orientation.

The introduction of the general equality duties under this Act in April 2011 requires that the Council must in the exercise of its functions, have due regard to the need to:

- Eliminate unlawful discrimination, harassment and victimisation and other conduct prohibited by this Act.
- Advance equality of opportunity between people who share a relevant protected characteristic and those who do not.
- Foster good relations between people who share a relevant protected characteristic and those who do not.

The relevant protected characteristics are: age; disability; gender reassignment; pregnancy and maternity; race; religion or belief; sex; sexual orientation.

Crime and Disorder Act, 1998 (S17)

Without prejudice to any other obligation imposed on it, it shall be the duty of the County Council to exercise its various functions with due regard to the likely effect of the exercise of those functions on, and the need to do all that it reasonably can to prevent, crime and disorder in its area.

Human Rights Act 1998

The requirements of the Human Rights Act 1998 must be considered.

The human rights of the adjoining residents 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 are engaged. 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.

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. A refusal 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.

**Planning (Regulatory) Committee
Minutes of the Meeting Held on 30 June 2023
at 11am in the Council Chamber, County Hall**

Present:

Cllr Brian Long (Chair)

Cllr Graham Carpenter (Vice-Chair)

Cllr Mark Kiddle-Morris

Cllr Paul Neale

Cllr William Richmond

Cllr Steve Riley

Cllr Mike Sands

Cllr Martin Storey

Cllr Tony White

Also Present

Hollie Adams

Chris Burgess

Isabel Horner

Nick Johnson

Kate Lawty

Kieran Yates

Committee Officer

Subject Lead (Planning Team)

Children's Services. Registered speaker.

Head of Planning

Senior Planner

Highways development management officer

The Committee held a minute's silence to mark the sad passing of Cllr Barry Duffin, who had been a member of the Committee since he first became a Councillor on Norfolk County Council.

1 Apologies and Substitutions

- 1.1 Apologies were received from Cllr Stephen Askew, Cllr Rob Colwell and Cllr Matt Reilly. Also absent was Cllr Chris Dawson.

2 Minutes

- 2.1 The minutes from the Planning (Regulatory) Committee meeting held on 27 January 2023 were agreed as an accurate record and signed by the Chairman.

3 Declarations of Interest

No declarations of interest were made.

4 Urgent Business

There was no urgent business.

Applications referred to the Committee for determination.

5 FUL/2022/0057 - Wymondham Silfield Primary School, Land South of Rightup Lane, Silfield, Wymondham, NR18 9NB

- 5.1 The Committee received the report setting out an application for the construction of a 2 Form Entry (FE) / 420 place Primary School along with associated vehicular and pedestrian access, car parking, playing fields and landscaping. The site is located within a major new residential area and is part of an approved, mixed-use development which includes outline consent for a new primary school. The main aim is to provide a new primary school to serve the identified need for primary school places resulting from the immediate residential development as well as demand in south Wymondham from other recent housing approvals.
- 5.2 The Planning Officer gave a presentation about the application
- Full details of the planning application were set out in the report
 - The site was located on the south-eastern side of Wymondham town in an area which had major housing and employment growth taking place
 - Wymondham town and the train station was a mile north-west of the site.
 - The west part of the site was previously used for a factory and mill and the east part of the site was previously used for agriculture.
 - Residential properties were found to the north of the site. Land around the site had planning permission in place for major growth and areas to the south, west and north were under construction by house builders.
 - Plans of the site, the proposed school building and proposed landscaping of the site were shown, including tree planting.
 - Photos of the existing site were shown which showed the distance of nearby properties from the site and existing trees which would be removed and those which would be retained.
- 5.3.1 Isabel Horner spoke on behalf of the applicant:
- Silfield was a largescale development adjacent to Wymondham town.
 - The land for the new school was part of a housing development which would see 1000 houses being built. 500 houses had been built in the first phase of development and more than 100 in the second phase.
 - Children's Services began investing in expanding existing schools before the Silfield expansion. The new site would provide community playing fields which would give important infrastructure for the area.
 - Bowick Road primary school could admit 210 pupils, so many children coming into the area for the new development would have to attend schools away from the town using non-sustainable transport options.
 - The outline master plan for housing in the town showed a school and playing field, which was agreed.
 - The design for the school met the standard set out by the Department for Education and reflected the journey towards net zero by including additional photovoltaic (PV) panels.

5.3.2 Committee members asked questions to the speaker:

- A committee member asked if there would be air source heat pumps and why ground source heat pumps had not been pursued as an option. Isabel Horner replied that air source heat pumps were included as part of the application. An evaluation of air source versus ground source heat pumps was carried out which showed challenges with the site related to use of ground source heat pumps such as the site being constrained with a mix of brown and greenfield and considerations related to cost.
- It was confirmed that 100% of the heating of the school would be non-fossil fuel based. The Head of Planning clarified that the council's net zero policy was not a material consideration for planning
- A Member asked what the mature tree, referenced for removal in the planning application, would be replaced with. The planning officer confirmed that some tree groups needed to be removed for construction, but new tree planting outweighed those being removed and would be 2.7 metres high.
- It was confirmed that cycle and scooter racks would be covered.

5.4 The Committee moved on to debate the application:

- A Committee member calculated that there was enough cycle provision for 1 in 8 people using the school, which he felt was not enough if there was an ambition to reduce use of fossil fuel transport. The planning officer clarified that there was also scooter parking provision and an ambition for pupils to walk to the school. The cycle and scooter provision was high compared to other schools of the same size and met the Norfolk Parking Standards for vehicles and cycles.
- Some Committee members queried the merit of the choice of a flat roof noting their concerns about sustainability of the building; the planning officer clarified that it reduced the visual impact of the building on site for nearby residents and allowed for more PV panels to be housed. Another Committee Member noted that the application did not conflict with building regulations for design of this type of building.
- The Chair moved the recommendations as set out, seconded by Cllr Steve Riley.

5.5 The Committee unanimously **AGREED** that the Executive Director of Community and Environmental Services be authorised to:

1. Grant planning permission subject to the conditions outlined in section 11;
2. 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;
3. Delegate powers to officers to deal with any non-material amendments to the application that may be submitted.

5.6 Committee members asked for presentations to be circulated to them before Committee meetings or for a link to the plans be included in the reports. Another Committee Member suggested that including street scenes could be helpful where possible. The Head of Planning **agreed** to look into what would be possible.

The meeting ended at 11:20

Chairman



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Planning (Regulatory) Committee

Item No: 5

Report Title: FUL/2022/0055 - Land East of Plantation Road, Blofield

Date of Meeting: 21 July 2023

Responsible Cabinet Member: N/A

Responsible Director: Tom McCabe, Executive Director of Community and Environmental Services

Is this a Key Decision? No

Proposal & Applicant: Proposed new 420 place (2FE) Primary School with associated works including parking, hard play/hard standing and school playing field - Executive Director, Children's Services, Norfolk County Council.

Executive Summary

Norfolk County Council (NCC) Children's Services is seeking to build a 2FE primary school on a new site to replace the existing 1.0 FE Blofield Primary School which is located on the western side of Plantation Road, Blofield. There is insufficient space available to expand the primary school on the current site to meet the needs of the expanding village, so a replacement primary school is proposed on a new site on the eastern side of Plantation Road.

The school building will provide 14 classrooms and group rooms along with a central library and resource area and a multipurpose hall. A range of ancillary spaces including WCs, changing rooms and storage will also be provided, along with staff and administration areas and a full cook kitchen.

The replacement school site does not currently have a frontage onto Plantation Road and a new access is required to link the school through to the public highway. Planning permission has already been approved for an extension to the neighbouring health centre, which includes a new access road linking to Plantation Road. When approved, provision was made for a link to the new school site as well as the doctor's surgery and, for completeness, this previously approved access road is included in this current proposal.

In accordance with the Council's Constitution, the application is being reported to the Planning (Regulatory) Committee because it is considered to be a departure from the development plan due to its location outside the village boundary and because 37 non-statutory representations have been received, where 29 object or raise concerns about the development.

It is considered that, whilst sited outside the development boundary of the village identified within the Broadland District Council Site Allocations DPD (2016), on balance the proposal would provide necessary improved community facilities which

accords with other policies contained within the development plan and that, in accordance with the National Planning Policy Framework, significant weight should be afforded to the need for an enhanced education provision to cater for the growing needs of the village and catchment area. Conditional full planning permission is therefore recommended.

Recommendations:

That the Executive Director of Community and Environmental Services be authorised to:

- 1. Grant planning permission subject to the conditions outlined in section 11;**
- 2. 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;**
- 3. Delegate powers to officers to deal with any non-material amendments to the application that may be submitted.**

1. Background

- 1.1 Norfolk County Council (NCC) Children's Services is seeking to build a 2FE primary school on a new site to replace the existing 1.0 FE Blofield Primary School which is located on the west side of Plantation Road. There is insufficient space available to expand primary school provision to meet the needs of the expanding village on the current site.
- 1.2 The replacement primary school is proposed on the east side of Plantation Road. It consists of a 1.0-ha parcel of land owned by NCC plus a slightly larger parcel of land, which has been transferred to NCC from Broadland DC. The larger parcel of land (approximately 1.2-ha in size) was subject of a planning obligation that required its provision as open space linked to a housing development by Norfolk Homes. However, Broadland DC have agreed, through a section 106A consent, for the removal of the open space requirement to allow for a future school use.
- 1.3 The replacement school site does not currently have a frontage onto Plantation Road. Therefore, a new access will need to be formed through land in NCC ownership. This land previously had outline planning permission for housing (ref: 2014/1044 – see below).
- 1.4 The new site is close to a health centre / surgery, which has planning permission to expand to meet increased patient demand. As part of the health centre planning approval, permission was granted for a new access road which is to be shared with the new school (ref: 2021/0252 – see below). Although permission for this access road has already been approved, the access road forms part of this current application, for completeness, to show the vehicle access route from the school through to the public highway.
- 1.5 It is intended that some land connected with the existing school site (including the playing field) will be transferred to the Parish Council. However, this does not form part of this current planning application and the future use of the

current Primary School will need to be addressed in separate future application(s) should planning permission be required.

- 1.6 Norfolk County Council (NCC) Children's Services has commissioned NPS to design the new Primary School based on DFE Design Guidance and County Council requirements.
- 1.7 The NCC owned land (both the 1.0 ha portion to be used for the school and the 0.55 ha area between Plantation Road and the school site which will accommodate the access road) has been the subject of several planning applications. The western part of the NCC owned land (outside the site proposed for the Primary School) has had the benefit of outline planning permission (initially granted consent at appeal in 2014) and there is currently an undetermined planning application which seeks to renew this consent. The access from Plantation Road towards the replacement Primary School site was approved as part of the permission granted for the recent health centre /surgery expansion. The eastern portion has had planning permission for a change of use for recreation and community use, which included the siting of a new community building and parking area in the illustrative plans.
- 1.8 There is no relevant NCC planning history for this site but the relevant Broadland District Council planning applications relating to this part of the site are: -
 - 2021/0252 - Medical centre extension and new access road - Approved - 06/05/21
 - 2017/1691/O - Change of use of land to community use / public open space – Approved - 06/04/2018
 - 2017/1692/CU - Residential Development of 14 Dwellings (Outline) - Undetermined
 - 2014/1045 - Change of Use of Land to Community Use / Public Open Space – Approved - 13/08/2014
 - 2014/1044 - Residential Development (Outline) - Approved - 24/09/2014
 - 2012/1420 - Residential development Allowed at appeal - 21/05/2014
- 1.9 Land to the south of the eastern portion of the NCC owned land (including approximately 1.2 ha part of the proposed school site) has the benefit of planning permission granted for residential development at appeal in 2014 (see below). Following this appeal decision, conditions were discharged, and this development is now complete, with the open space required to accompany the development laid out (to meet a planning obligation requirement of Broadland District Council). The relevant planning application relating to this part of the site is: -
 - 2013/0296/F - Erection of 64 Dwellings with Associated Garages and Amenity Work, together with Public Open Space - Allowed at appeal - 16/01/2014

- 1.10 The site falls within the parish of Blofield and is under the jurisdiction of Broadland District Council.

2. Proposal

2.1 SITE

- 2.2 The application site is located on land east of Plantation Road, Blofield and is approximately 100m north of the existing school site on the opposite side of Plantation Road.
- 2.3 The application site is an irregular shaped site measuring 2.23ha. A new vehicle and pedestrian access is shown to Plantation Road and the main, wider part of the site (where the school building is proposed to be located) is set back from Plantation Road by approximately 145m.
- 2.4 To the north of the site is the embankment to the A47 and the road itself (which sits within a cutting). On the top of the embankment, running eastward from Plantation Road, is a public right of way known as Blofield Footpath 4. This footpath continues east, past the application site, before turning south across a field towards Yarmouth Road.
- 2.5 To the east is an undeveloped, open field. Immediately to the south of the wider part of the school site is an area which will remain as public open space linked to the Norfolk Homes development. Further south, beyond this public open space is the Norfolk Homes development, with the closest two storey dwellings located on Farman Way.
- 2.6 To the south west of the main school site is housing on Manor Ridge, which is a mix of single storey and one and a half storey dwellings. The existing car park of the medical practice on Plantation Road is to the south of the narrow part of the application site.
- 2.7 The site is situated within Flood Zone 1 (low risk).
- 2.8 There are no Conservation Areas within Blofield. The nearest listed building is Turret House, a Grade II listed building, which is approximately 165m to the south east of the site on Yarmouth Road.
- 2.9 There are no statutory designated nature conservation sites within 2km of the application site. The closest non-statutory site (Howe's Meadow County Wildlife Site) is 950m to the west on the opposite side of the A47.

2.10 PROPOSAL

- 2.11 Permission is sought for the construction of a new 420 place (2FE) Primary School which comprises the following:
- New two storey stand-alone building (approximately 2386m² of floorspace) to accommodate 14 no. classrooms, group rooms, main hall, dining hall and kitchen, offices, stores and WCs etc.

- New external hard and soft play pitches and play spaces
 - New vehicle access point
 - New staff and visitor car park with 59 no. car spaces (including 3 no. disabled spaces and 5 no. EV charging spaces)
 - New cycle/scooter store for up to 20 no. cycles and 40 no. scooters
 - New standalone substation and related works
 - New standalone electric switchroom and related works
 - Boundary treatment in the form of 2.4m high weld mesh perimeter fencing to the boundary.
- 2.12 The school building is shown to consist of 14 classrooms and group rooms along with a central library and resource area and a multipurpose hall. A range of ancillary spaces including WCs, changing rooms and storage are also shown to be provided, along with staff and admin areas and a full cook kitchen.
- 2.13 The gross internal floor area of the new school building is proposed to be 2386m², and the proposed building is shown to be two storey throughout, other than the plant/kitchen and changing room area which is single storey. The main hall will be a double height space to accommodate an increased internal ceiling height for sports.
- 2.14 The proposed building is of a simple, regular, linear form with a parapet flat roof to the main two storey element of the building. The plans show roof mounted photovoltaics and mechanical ventilation equipment to be installed, which the parapet wall will help to shield from public view.
- 2.15 The school building façade is shown to be clad with Norfolk red facing bricks and glazed aquamarine brick panels to create a distinctive and modern aesthetic. Stand-alone external canopies are provided to parts of the southern elevation of the building to provide covered, shaded areas. The windows, doors and canopies are proposed to be constructed from a combination of turquoise blue and dark grey coloured powder coated aluminium.
- 2.16 The vehicle and pedestrian access points are shown to the west of the site, with the main entrance to the school facing the car park to the north. The submitted elevations show the main entrance to the school clad with full height aquamarine brick panelling so it provides a focal point and can be easily distinguished.
- 2.17 The car parking facilities are located on the northern side of the school building, close to the vehicular access. Vehicle servicing is the western end of the site, closest to the vehicular entrance to the school. Areas of soft landscaping and tree planting are shown to the northern side of the car park and also to the south west of the service area. The hard surfaced play areas are to the south of the school building with soft areas and playing fields to the south east.
- 2.18 There are three trees protected by Tree Preservation Order (TPO) on the site; one to the eastern boundary and two in the central part of the site. These will all be retained along with other existing boundary trees. Some tree groups will need to be removed to accommodate the building and associated works.

- 2.19 The application is supported by a comprehensive range of documents including a Planning Statement, Design and Access Statement, Construction Site Traffic Management Plan, Constructions Considerations Statement, Ventilation and Noise Report, Air Quality Assessment, Flood Risk Assessment and Drainage Strategy, Lighting Assessment, Ground Investigation Report, Landscape Management & Maintenance Plan, Transport Statement, Tree Survey, Tree Protection Plan and Arboricultural Statement, Ecology Survey, BNG Report, Sustainability Statement, Solar Assessment and Data Sheet, and Trial Trench Report.

3. Impact of the Proposal

3.1 DEVELOPMENT PLAN POLICIES

The following policies of the Joint Core Strategy for Broadland Norwich and South Norfolk (adopted 2014) (JCS), Broadland Development Management Plan Document (DPD) (2015), and the Adopted Neighbourhood Plan for Blofield Parish provide the development plan framework for this planning application. The following policies are of relevance to this application:

Joint Core Strategy for Broadland, Norwich and South Norfolk (JCS) Adopted 2011, updated 2014

Policy 1: Addressing climate change and protecting environmental assets

Policy 2: Promoting good design

Policy 3: Energy and water

Policy 7: Supporting communities

Policy 10: Locations for major new or expanded communities in the Norwich Policy Area

Policy 19: The hierarchy of centres

Policy 20: Implementation

Broadland Site Allocations Development Plan Document (DPD), Adopted 3 May 2016

Norwich Policy Area - Key Service Centres

Broadland Development Management Development Plan Document (DPD) adopted in August 2015

Policy GC1 – Presumption in favour of sustainable development

Policy GC2 – Location of new development

Policy GC4 – Design

Policy GC5 – Renewable Energy

Policy EN1 – Biodiversity and Habitats

Policy EN2 – Landscape

Policy EN3 – Green Infrastructure

Policy TS2 – Travel Plans and Transport Assessments

Policy TS3 – Highway Safety

Policy TS4 – Parking guidelines

Policy CSU1 – Additional community facilities

Policy CSU5 – Surface Water Drainage

Blofield Neighbourhood Plan, adopted July 2016

Policy ENV2 - Soft site boundaries and trees

Policy ENV 3 – Drainage

Policy ENV5 – Dark skies

Policy ENV6 – Distinct villages

Policy COM1 – New land for community use

Policy SER1 – Primary School Places

Policy TRA2 – Off-road parking and safe drop-offs

Policy TRA3 – Walking and Cycling

3.2 OTHER MATERIAL CONSIDERATIONS

3.3 The Revised National Planning Policy Framework (NPPF) was published in July 2021 and sets out the Government's planning policies for England and how these should be applied. Whilst not part of the development plan, policies within the NPPF are also a further material consideration capable of carrying significant weight. The NPPF places a presumption in favour of sustainable development. Paragraph 47 states that planning law requires that applications for planning permission be determined in accordance with the development plan unless material considerations indicate otherwise. The following sections are of relevance to this application:

2. Achieving sustainable development;

8. Promoting healthy and safe communities

9. Promoting sustainable transport

11. Making effective use of land

12. Achieving well-designed places

14. Meeting the challenge of climate change, flooding and coastal change

15. Conserving and enhancing the natural environment

16. Conserving and enhancing the historic environment

3.4 Paragraph 48 of the NPPF states, in summary, that local planning authorities may give weight to relevant policies in emerging plans according to the stage of preparation of the emerging plan; the extent to which there are unresolved objections to relevant policies and the degree of consistency of the relevant policies in the emerging plan to the NPPF.

3.5 National Planning Practice Guidance (NPPG) provides supporting information to the NPPF but has lower standing than the NPPF as it is not consulted upon or subject to external scrutiny, unlike the NPPF.

3.6 Whilst not constituting development plan policy, in November 2019, Norfolk County Council adopted an Environmental Policy to support the Council's commitment to foster the environmental, social and economic well-being of the community from an enhanced environment and quality of life. Whilst not carrying the status of development plan policy for planning application determination purposes, as NCC would be both applicant and determining authority, it identifies a key driver for NCC developments and is therefore material to this decision.

3.7 MHCLG National Design Guide (2021)

Ten characteristics reflect the Government's priorities and provide a common overarching framework. These are summarised as:

- Context – enhances the surroundings.
- Identity – attractive and distinctive.
- Built form – a coherent pattern of development.
- Movement – accessible and easy to move around.
- Nature – enhanced and optimised.
- Public spaces – safe, social and inclusive.
- Uses – mixed and integrated.
- Homes and buildings – functional, healthy and sustainable.
- Resources – efficient and resilient.
- Lifespan – made to last

Emerging Development Plan Policy

Policies within emerging plans are capable of being material considerations.

Greater Norwich Local Plan (GNLP)

The JCS plans for the housing and job needs of the area to 2026 and the GNLP will ensure that these needs continue to be met to 2038. The Greater Norwich Local Plan was submitted to the Secretary of State for independent examination on 30 July 2021. It is now at the Local Plan Examination stage. The main hearings were held in February and March 2022. Further hearings on specific topics have been held since the summer and autumn of 2022. A consultation on sites for Gypsies and Travellers ran between 5 June and 3 July 2023.

3.8 CONSULTATIONS

Broadland District Council - No comments or observations to make

Blofield Parish Council – Supportive but seeks assurances/confirmation regarding:

1. The use of green fencing and soft site boundaries will be employed to minimise the visual impact of the school building on surrounding properties.
2. Drainage run-off does not introduce flooding issues for the surrounding properties or the communal land. And specifically, clarification in relation to the following:
 - a. All surface water going to Farman Way; the discussions with Anglia Water are still ongoing so surface water drainage has not yet been agreed, and the Parish Council is aware that local properties have had flooding issues. How will flooding be avoided?
 - b. The application form says it is SUD's and soakaway; this is incorrect. The site is not suitable for soakaways according to the drainage report.
 - c. If there is run-off from the school site into Wyngate area 3 – can you confirm that the Parish Council will not be held responsible if the subsequent increase in water (draining from the school site into the Wyngates area 3, leads to flooding issues on Farman Way and Manor Ridge?
 - d. A trench and bund is to be dug out to allow access across Wyngate 3 to Anglian Water sewer. This will need to be replaced and new hedging replaced. Can you confirm that this is in the work plan?

3. Any lighting poles face toward the school rather than towards the housing.

4. Transport:

The Transport statement says that the average speed of a cyclist is 18km per hour and gives estimated journey times - this seems inappropriate for a primary school. It also says that developments have improved cycle routes within the village but nothing on the main route to school;

The Street, Plantation Road, Woodbastwick Road, Stocks Lane and Brundall Road, all of which are narrow, congested routes so not safe/ideal for young children at 18km per hour. Can this be looked into and addressed? Design and access statement incorrectly note that routes to the school have been improved. The improvements are away from the site e.g., Yarmouth Road cycle path.

Again, the main routes to school - The Street, Plantation Road and Woodbastwick Road, Stocks Lane and Brundall Road, all of which are narrow congested routes, have not been improved.

It refers to the present school route noting it will still be used, but narrow pavements for twice the number of children with no detail of crossing points or wig wags etc. is not a safe plan. So improved transport safety measures are required. Please confirm this will be looked at, and:

a. The Plan says there will be a new crossing point on Plantation Road but there appears to be no detail confirming the type of crossing, whether pelican, toucan, zebra or puffin: This should be a priority and the Parish Council would like urgent confirmation of this, so there is safe crossing to the new school site.

b. The Parish Council also strongly recommend a crossing at the end of Doctor's Road / near the shops, and the addition of wigwags or a similar safety feature near the Plantation Road crossing point.

c. Parking management is required e.g., more parking bays on Plantation Road and The Street, so traffic can still move.

d. There appears to be no improved footpaths or cycle routes included. This is against NPPF112a.

e. A significant improvement is needed to the footpath along the A47 (FP4) which runs adjacent to the school site and directly above the A47. This is often muddy and slippery; it needs to be improved to improve safety.

Finally, in relation to transport, the Plan points out that it has good access to public transport, but buses only run once an hour at best and primary school children do not tend to travel alone on public transport. (The reference to the train station at Brundall has limited relevance as it is meant to be a local school.)

5. Timings: Is the planned opening of the new school still (realistically) September 2024?

6. Native hedge to southern boundary; Please confirm 2m high, set back 500mm from boundary fence which the school will maintain?

7. The southern boundary appears to have moved south. It is now running across the ponds. The parish Council needs space on the north side of the drainage ponds for access to hedging etc.

Would like to highlight:

8. NCC is expecting 531 new homes with an increase in primary school children. Children need nursery provision before primary school, but this has been dropped from the plan and we only have part-time pre-schools that are unable to increase provision. Can this be re-considered?

9. The drop-in event on 17th Jan at 2.15pm at the school – was advertised at very short notice and it appears, only within a close radius of the proposed new school.

Broadland District Council Environmental Health Officer – No objection subject to conditions re: Construction Management Plan; unknown contamination; noise assessment and implementation of remediation scheme.

Lead Local Flood Authority - (third consultation) - No objection conditionally - the LLFA require further information regarding the surface water pump but are satisfied that this information can be secured through a specific and robust condition.

(Second consultation) - Object – more information required

(First consultation) - Object – more information required

Environment Agency – No response received

Anglian Water – No objection – conditionally. There are no assets owned by Anglian Water or those subject to an adoption agreement within the development site boundary; The foul drainage from this development is in the catchment of Whitlingham Trowse Water Recycling Centre that will have available capacity for these flows; the proposed gravity connection is acceptable. We do not require a condition in planning for foul water. The surface water strategy/flood risk assessment submitted with the planning application relevant to Anglian Water is unacceptable due to no discharge rate being provided. We request a condition be applied to the decision notice if permission is granted.

Sport England – Supports – conditionally re: ground conditions assessment; community use scheme

Natural England – No response received

Highway Authority – No objection, conditionally re: provision of parking, turning areas and EV charge points; detailed drawings for the school warning signs; completion of off-site highway improvement works; submission of school travel plan.

County Council Green Infrastructure Officer (Public Rights of Way) – (Second consultation) - no response received

(First consultation) - holding objection - The submitted plans seem to show the alignment of Blofield Footpath 4 in slightly differing locations; require further details as to the route of the fencing when it enters the more open area to the west of the site, for example if the PROW going to be fenced along its full length. The full legal extent of this footpath must remain open and accessible for the duration of the development and subsequent occupation.

County Council Arboricultural and Woodland Officer- No objection -The trees proposed for removal are adequately replanted across the site as detailed

in the landscaping proposals. Tree protection measures for tree T11 have now been provided and the AMS and TPP have been updated with appropriate protection measures.

County Council Principal Landscape Architect – No objection conditionally re; tree protection - content with the justification for not submitting an LVIA as part of the application, and broadly agree that impacts have been minimised through layout and design considerations as well as the limited landscape/visual constraints that the site poses. The residential properties bordering the site lie to the west and south have been considered through the design and I am satisfied that unless shown otherwise the impacts would not be unacceptable. Materials listed on elevations and boundary treatments appear acceptable, although we would encourage the inclusion of a wildlife gap on all fencing if possible.

County Council Ecologist – No objection conditionally re: works being carried out in-line with the Ecological Impact Assessment (Norfolk Wildlife Services; November 2022), in particular sections 5.3 and 6 of the assessment and the Biodiversity Net Gain Assessment (Norfolk Wildlife Services; November 2022) including BNG Management and Monitoring Plan (MMP).

County Council Historic Environmental Officer (Archaeology) – No objection. The proposed development will not have any significant impact on the historic environment, and there are no recommendations for archaeological work.

County Council Sustainability Manager – No objection - the application is in line with the ambitions set out by the client with regard to meeting its net zero objectives in relation to its energy footprint.

Norfolk Constabulary – No objection but made comments re: recommend fence and gate system is certified to a minimum of LPS1175 Issue 7 SR1 or Sold Secure Gold Standard; the remote operation of entrance gates and use of CCTV; signposting; car park; bicycle stand design and use of CCTV; bin stores; external lighting; external glazing.

Norfolk Fire and Rescue Service – Fire Safety Officer – No comments received

Norfolk Fire and Rescue Service – Water department - No objection subject to condition re: fire hydrant

Parish Council (Neighbouring) – no comments received

Local Member (County Electoral Division) Cllr Andrew Proctor/substitute Member– no comments received

3.9 REPRESENTATIONS

The application was advertised by means of neighbour notification letters, site notices, and an advertisement in the Eastern Daily Press newspaper. Letters of correspondence have been received from 37 members of the public with 29 of these objecting to the planning application. 8 letters support the principal of the proposal, although some of these raise issues. The grounds of objection, concerns raised and supporting comments are summarised as follows:

- Farman Way is not suitable for further pedestrian or vehicular access. Type 6 Shared Access (approved under Condition 12 (application Ref: 2014/1155). Plan – 1174/ENG/010-S104 Rev B) which is only suitable for serving a small number of residential accesses only
- No new second access footpath link to south
- Farman Way is simply not safe for children; the winding and narrow nature of Farman Way can lead to traffic finding the need to mount the pavement to pass and cars park on pavements resulting in need to walk in the active narrow roadway
- This problem would only be exacerbated by the increase of cars who would use Farman Way to drop off children in the visitor parking bays currently provided making it more dangerous
- If access to a new school was envisaged at the point of determination of the Wyngates development, NCC highways would have asked for a Type 2 road with segregated 2m footpath as a minimum.
- Contrary to Manual for Streets re: segregated footpath access to a primary school
- Three corners of Farman Way loop with blind corners
- NCC Highways are trying to retrospectively improve the footpath network to school which has been considered to be acceptable for a number of years and confirmed as such through the determination of recent residential developments in Blofield (Hopkins and Kier).
- Most parents drive their children to school
- Plantation Road should be the only access
- Impact of traffic on Plantation Road not been considered
- House purchased on the understanding that I was to live in a quiet cul de sac with the primary school to be built on the field at the end with NO access. This was verified by my solicitor at the time & had it not been the case I would not have continued with the purchase.
- Concerns over inconsiderate parking outside my property
- A second access would breach covenants/s106 schedule 1 part 2 clause 2.1 (b)
- A second access at the back of Farman Way is an excellent idea, if you can guarantee cars will not park near there or on the adjacent Wyngates.
- There are no streetlights along Farman Way
- Visitors parking spaces have been provided for the residential development, which would be lost to parking spaces for school users, should the link go ahead.
- A second access point also means that the school will have to provide additional support to man the access point.
- Previously the residents of the Norfolk Homes Wyngates development had been assured by Norfolk County Council both in meetings and in writing that no access link would ever be provided from Farman Way. Not only is the

addition of the link against planning but is ethically wrong after the Council notification to residents that it would not be implemented.

- A viable alternative for a 2nd access would be via The Loke just along from Wyngates
- Fully support a 2nd pedestrian access from the south of the school site, which would be useful for residents and more likely to walk than drive
- There are many residents to the south or south east to whom pedestrian access to the south of the school would be beneficial.
- Cutting off their easier access seems cruel and socially divisive, separating us from the rest of the village and creating a divide. Residents on newer developments already suffer a stigma due to causing growth in the village, this only adds to it.
- Highway safety issues
- Additional traffic on The Street is dangerous
- Walking and Cycling Provision; falls short as sustainable travel by walking and cycling to the proposed school site is not encouraged and is only addressed to and from the new junction at Plantation Road along the new internal access road, a shared 3m wide cycle and footpath route to the front of the site and does not provide safe walking and cycling links to the village or any of the residential areas.
- Not in accordance with NPPF para 112(a) re: priority first to pedestrian and cycle movements
- Not compliant with Principle 8 or 16 from Gear Change: A bold vision for cycling and walking
- Walking and cycling connectivity to the village needs to be addressed fully
- Condition use of playing field prior to first occupation
- If the LPA is minded to grant planning approval, then the equivalent area on the existing school site should be secured for a new multiuse community building, formal and informal recreation space as part of any planning consent.
- Nearby residents should be consulted and considered if and when planning of out of school hours activities take place on the courts and pitches
- Noise concerns during the construction and on completion
- No development on this land for 10 years
- Loss of habitat for bats, herons, pheasants etc
- The village needs a bigger school.
- The proposed site is not the right location, wrong side of village
- Will the school comply with the Dark Skies initiative in Blofield?
- shrubs/trees are planted to further block out the view of the field, which in turn will also deter sight-seeing from the remaining open space
- Communal space used as a dog toilet, place to play football; hit our house and vehicles with footballs
- Using our small estate which we paid a nice premium for as a car park for the school isn't acceptable
- Concern about the proximity to the A47 and associated air pollution, particularly on the developing respiratory systems of young people.
- The level of pollutants in the outdoor areas of the site need considering (as students are outside at break and lunch times) and perhaps some form of internal filtration system to limit the long-term exposure to these pollutants.

- Surface water drainage & flooding
- Where is clean water piped in from?
- Drainage fills tank in communal land that as already failed in heavy rain
- Three ponds shown on plans, but these were dug to hold run-off water and dry at other times
- Plantation Road floods after heavy rain
- Farman Way has been subject to flooding of the highway including internal flooding of a garage and attendance by the fire service. Concerns here are the proposed surface water connection to the sewer in Farman Way and the development drainage being originally designed specifically for a given number of dwellings and not a school. An access link will mean a breach in the bund that was erected to prevent surface water run-off from the open space
- What mitigation is to be provided in terms of Nutrient Neutrality?
- The proposals show a foul connection to Plantation Road, the network being in the catchment of Whittingham waste-water treatment works and the surface water is pumped directly to the sewer in Farman Way. There does not appear to be any staged treatment of flow before entering the existing sewer network
- Site boundary moved further south
- Colour of perimeter fence should be green
- Planting to southern boundary
- Shrubs/trees are planted to further block out the view of the field, which in turn will also deter sight-seeing from the remaining open space
- Neighbour letters did not go to many addresses
- The residents of Farman Way should be re-consulted on any amended layout
- The residents of Manor Ridge have not been consulted even though they will be impacted by the proposals
- Any change to the plans already submitted by NCS & NPS would require the applicant to withdraw the current plans and carry out a full consultation process and proper survey works. Without proper consultation, the plans would be open to a judicial review challenge leading to additional delays.
- Lack of attendance of Norfolk County Council and Broadland District Council to the Blofield Parish Council meeting held on 5th April 2023 shows lack of understanding and disregard of the impact on residents.

3.10 APPRAISAL

1.1 The key issues for consideration are:

- A. Principle of Development
- B. Design/Layout/Sports Pitches
- C. Landscape/ Trees
- D. Amenity
- E. Ecology and Biodiversity Net Gain
- F. Heritage Assets
- G. Transport/Highways
- H. Sustainability
- I. Flood Risk/Drainage
- J. Contamination and Air Quality
- K. Crime Prevention

3.11 **A – Principle of Development**

- 3.12 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”.
- 3.13 Blofield is located within the Norwich Policy Area and is identified as a Key Service Centre in the Joint Core Strategy (Policy 14). The Joint Core Strategy states that Blofield should accommodate 50 houses (as a minimum) and potentially a higher amount as part of the 2,000 units smaller sites in the Norwich Policy Area allowance.
- 3.14 The Site Allocations DPD identifies the areas where development is acceptable in principle through the definition of a settlement limit. In addition, land for development such as land necessary to meet the housing requirements set out in the JCS, is identified as an allocation or in some cases as a specific policy where there is an existing planning permission. Further policies relating to the settlement limits and requirements that may apply are contained in the Council's Development Management DPD.
- 3.15 The Blofield Proposals Map shows four new sites for development around the outskirts of the village. If these sites are developed this would deliver in addition of 330 additional dwellings in the village. Site allocation BLO3 (Specific Policy: Land at Wyngates, Blofield) is approximately 4.5 hectares in size and part of it covers the southern part of this application site. Planning permission 2013/0296 on this allocated site includes 64 dwellings and open space. In this case the majority of the application site for the proposed new school is outside the settlement limit and is not within an allocated site.
- 3.16 Policy GC2 of the Development Management DPD regarding the location of new development refers that outside of the settlement limits ‘development which does not result in any significant adverse impact will be permitted where it accords with a specific allocation and/or policy of the development plan’.
- 3.17 The site is within the Norwich Policy Area (NPA) but outside the Growth Triangle.
- 3.18 The JCS and Site Allocations DPD will be superseded by the Great Norwich Local Plan (GNLP), which is currently at Local Plan Examination stage. The main hearings (Parts 1-3) were held last year in 2022 and additional consultation took place regarding Gypsy and Traveller Sites in January – March 2023. The Part 4 hearing sessions were also held in March 2023.
- 3.19 There are still several stages to go through, including modifications and the Inspectors report, and adoption is anticipated in early 2024. Until this time, the GNLP will not carry full development plan weight.

- 3.20 JCS Policy 7 refers to supporting communities and, in regard to, education it states that provision will be made for sufficient, appropriate and accessible education opportunities for both residents and non-residents, including wider community use of schools, and for new primary schools to serve the major growth locations.
- 3.21 DMDPD Policy CSU1 refers that proposals which improve the range of community facilities and local services within the district will be encouraged where no significant adverse impact would arise. Such proposals may be permitted outside settlement limits where it has been adequately demonstrated that a clearly defined need exists.
- 3.22 The Blofield Neighbourhood Plan (NP) sets out policies developed by the local community to shape development in the parish for the period 2016 to 2036. Within the document the NP contains policies relating to school places and provision, community uses and traffic concerns. Policy COM1 identifies this site as 'other community land' where, 'over time this is likely to include a new multiuse community building, formal and informal recreation space suitable for all ages, a children's play area and car parking'.
- 3.23 NP Policy SER1 seeks to ensure that provision is made for further primary school places, to ensure local children can attend their local school, and to meet the needs of a growing population. Should appropriate land be needed, or additional education facilities on existing school sites be required, these will be supported subject to compliance with other development plan policies.
- 3.24 NP Policy SER2 refers that planning applications that seek to address a shortfall in preschool provision will be supported in order to meet the needs of a growing population.
- 3.25 In terms of specific national guidance, para 95 of the NPPF states it is important that a sufficient choice of school places is available to meet the needs of existing and new communities. Local planning authorities should take a proactive, positive and collaborative approach to meeting this requirement, and to development that will widen choice in education. They should:
- a) give great weight to the need to create, expand or alter schools through the preparation of plans and decisions on applications; and
 - b) work with schools promoters, delivery partners and statutory bodies to identify and resolve key planning issues before applications are submitted.
- 3.26 In this case the development proposes a new, replacement, two storey primary school on a parcel of land immediately to the south of the A47 on the edge of the village.
- 3.27 The planning history of the area shows that NCC owns both the 1.0 ha portion to be used for the school site (the subject of this application) and the 0.55 ha area between Plantation Road and the school site, which will accommodate the access road to the school.
- 3.28 This adjoining site, to the west of the current school site, has been the subject of several planning applications. It had outline planning permission for housing (ref: 2014/1044) which was initially granted consent at appeal in

2014. There is currently an undetermined planning application which seeks to renew this consent (ref: 2017/1692, Broadland DC). The eastern portion has had planning permission for a change of use for recreation and community use (ref: 2017/1691/O).

- 3.29 Land to the south of the eastern portion of the NCC owned land (including 1.23 ha part of the proposed school site) has the benefit of planning permission granted for residential development at appeal in 2014. This part of the site was shown to be used for open space purposes. Following this appeal decision, conditions were discharged, and this development is now complete with the open space required to accompany the development now laid out (to meet a planning obligation requirement of Broadland District Council).
- 3.30 In terms of policy therefore, the proposed school site sits mostly outside the settlement limit for Blofield and partly within an allocated site for an alternative use in the development plan documents. Accordingly, the proposal to locate the school on the application site is considered to constitute a departure from development plan policy and needs to be justified by strong material considerations to overcome policy objection (Policy GC2).
- 3.31 The application has been supported by a Planning Statement which sets out the justification for the proposed new school. This states that within the past 10 years planning permission has been granted for over 400 dwellings in the village (many at appeal), which has significantly added to the increase in demand for school places. Additional permissions are likely to be forthcoming, which will increase demand and need still further.
- 3.32 Based on NCC Planning Obligations Standards multipliers, on average the development of 100 dwellings would result in the demand for over 28 primary school aged pupil places. Based on 400 dwellings, this would result in the need for at least an additional 112 places. As at May 2022, there were 217 pupils on roll (a 1FE school capacity is 210 pupils), which shows that the school roll already exceeds the capacity for a 1FE sized school. The combination of the scale of housing growth taking place in Blofield and the limited space available on the existing school site to accommodate the required school enlargement means there is a need for a new school site.
- 3.33 It is apparent, therefore, that the current school will not be able to respond to the ongoing need for future primary school provision. The physical size of the current site is constrained in terms of its ability to expand the footprint of the existing building or provide the level of hard and soft formal and informal play space associated with this number of pupils. If approved, this proposed development will provide additional choice of school places to meet the needs of existing and new communities (para 95 of the NPPF).
- 3.34 The applicant has reviewed three other sites around the village as a potential school site and this current site was chosen as the preferred option. The applicant has provided information of these considerations within their Planning Statement. In terms of location, it is noted that the proposed site is in proximity to the school it seeks to replace and would be geographically well located in relation to the surrounding development within the village.

- 3.35 In summary, given that the site is partly outside the settlement limits of the village, partly identified for community land purposes (rather than general community use) in the NP, with an approved permission for such use and has already been agreed to be used for open recreation use as part of the planning permission for wider development to the south, the proposed replacement school has been considered as a departure from the development plan. No significant policy changes at either national or local level have been witnessed to consider otherwise.
- 3.36 However, the applicant has provided sufficient information to show there is a justified need for additional school places in this area. The location of the proposed new school site, not far from the existing school site, means it is well located in relation to the surrounding development within the village.
- 3.1 There is also general policy support for community facilities, including JCS Policy 7 and NP Policy SER1. Broadland Development Management DPD Policy CSU1 also highlights that in areas outside of defined settlement limits, a limited range of new development can be accommodated, which includes community facilities. A new primary school would provide new community facilities.
- 3.2 JCS Policy 7 supports development for sufficient, appropriate and accessible education opportunities, where DMDPD Policy CSU1 supports development that improve the range of community facilities and local services outside settlement limits, where it has been adequately demonstrated that a clearly defined need exists and where no significant adverse impact would arise. Additionally, more up to date NP Policy SER1 seeks to ensure that provision is made for further primary school places, to ensure local children can attend their local school, and to meet the needs of a growing population and, should appropriate land be needed, these will be supported subject to compliance with other development plan policies.
- 3.3 Accordingly, in this case regard has been made to the policies of the development plan and it is considered there is a strong public benefit, as supported by NPPF advice (in paragraph 95), to justify a replacement larger school. Development plan policy also encourages community uses in locations that are well related to the surrounding development and which improve the range of community facilities and local services where no significant adverse impact would arise, even outside the settlement limits (Policy CSU1). For this reason, subject to the proposal having no significant adverse impact and is in accordance with other relevant policies of the development plan, the principle of a new, replacement school on this site can be supported.
- 3.4 **B - Design/Layout/Sports Pitches**
- 3.5 Of particular relevance are Policies 2 and 3 of the South Norfolk Joint Core Strategy (JCS) Adopted 2011, updated 2014 and Policies GC4, GC5, CSU3 of the Broadland Development Plan Document 2015 and section 8 of the NPPF (2021).
- 3.6 The application is accompanied by a Design and Access Statement, which sets out the design aims and objectives, approach to building layout,

appearance and the design rationale. Additionally, the submitted Planning Statement refers that the proposed design and layout of the buildings has been carefully devised to respect the context, and the siting of buildings and spaces have been influenced by the site-specific features, opportunities and constraints, notably in relation to topography, access requirements and neighbouring uses /residential amenity.

- 3.7 The proposed site layout plan shows the school located in the northern part of the site, generally distant from most nearby housing to the south. Car parking is concentrated in the northern area closest to the main entrance to the school. The proposal is accompanied by a comprehensive landscaping scheme which responds to the shape of the site and helps to assimilate the school building and the ancillary uses into the landscape.
- 3.8 The proposed main school building is two storey in scale, with a flat roof. In design terms this approach keeps the massing of the built form to a minimum and allows space for the proposed solar panels to be located on the roof. A higher parapet wall to part of the roof will screen the panels and any associated plant from longer views.
- 3.9 The surrounding development is a mix of single, one and a half and two storey dwellings and buildings. Clearly the massing of the school building will not match the domestic scale of the residential properties or the dimensions of the neighbouring doctor's surgery, however, the dimensions of the building are necessary to deliver the required educational use
- 3.10 The proposed school building is shown to be constructed of brick with different coloured brick panels to add interest and break up the elevations. A palette of external materials has been submitted which shows the use of a Norfolk red mix brick for the main two storey building with a darker red/brown mix brick for the single storey kitchen and plant block. A feature panel of aquamarine coloured brick is proposed above the main entrance to provide visual interest and a clear identity for the entrance to the school. Window and door frames are proposed to be a contrasting aquamarine colour.
- 3.11 The choice of brick colours and other external building materials reflects building characteristics found locally and promotes local distinctiveness. The material choices therefore compliment the housing and buildings in the wider area, in line with policy requirements set out in Policy GC4.
- 3.12 In terms of layout, the proposed school building has been based on the 'model school' design and accords with the provisions of DfE Building Bulletin 103 (BB103). At 2386m², the floor area of the school is larger than the range recommended in BB103 (between 2072m² to 2290m²).
- 3.13 The internal layout is shown on the submitted floor plans and includes 14 classrooms and group rooms along with a central library and resource area as well as a multipurpose hall. A range of ancillary spaces including WCs, changing rooms and storage are also proposed, along with staff and admin areas and a full cook kitchen.

- 3.14 The layout provides for two distinct zones on each floor with reception and Key Stage 1 (Years 1 and 2) on the ground floor and Key Stage 2 (Years 3, 4, 5, 6) and a food tech/science/DT classroom on the first floor. The reception classrooms will have direct access to a dedicated covered hard play space. This will be formed of an even tarmacadam surface suitable for informal play and educational activities and fenced as part of the wider school security strategy and to ensure that access is restricted to this particular year group.
- 3.15 The external area proposals, including school playing fields hard and soft playing areas, informal areas and habitat area, have been developed alongside recommendations contained with BB103.
- 3.16 The breakdown of uses across the site show that the overall gross site area exceeds the recommended size for this type of school, although the net site area (useable external area available to pupils) falls under the recommended minimum net site area for a school of this size outlined in BB103 Part B (12,342 m² provided against recommended amount of 14,400 m²). The amount of soft and hard outdoor PE space is below the recommended amount (1,058 m² below) but the hard and soft informal and social area, along with the habitat area exceeds the recommended amount (1,700 m² over). Comments relating to sports pitches are referred to in more detail below.
- 3.17 An educational habitat area is proposed within the root protection area of retained trees on the site to develop microhabitats such as a log or minibeast hotels that accommodate woodlice and millipedes or a stinging nettle leaf that becomes the host plant of a caterpillar. This area will be fenced and gated and allow for full disability access. Details of the installation of a fence in this sensitive area, avoiding use of machinery and restricting ground disturbance, are referred to within the submitted Arboricultural Impact Assessment.
- 3.18 A Landscape Development Strategy has been devised to develop a hierarchy of play and educational spaces that are both practical, accessible and secure. Details are shown on the submitted Landscape General Arrangement Plan and include both hard and soft landscaping elements.
- 3.19 A Management and Maintenance Plan has also been prepared and submitted as part of this planning application, which sets out the planned management and maintenance objectives and operations for the ongoing future protection of the proposed landscape scheme.
- 3.20 Details of all boundary fencing and boundary treatment have also been provided within the submission. These will be a minimum of 2.4m in height and be constructed of appropriately spaced posts and panels of anti-climb weldmesh with no horizontal footholds.

- 3.21 The Parish Council and a third party responder has requested the use of green fencing and soft site boundaries to minimise the visual impact of the school building on surrounding properties. The submitted plans currently show the use of black weldmesh fencing as the principal boundary treatment. It is acknowledged that the use of a dark, recessive green colour for the fencing would fit in with the rural landscape and it is recommended that a condition is imposed seeking a green finish to enhance the visual amenity of the locality.
- 3.22 In terms of policy, Joint Core Strategy Policy 2 makes clear that all development should be designed to the highest possible standards, creating a strong sense of place. DMDPD (2015) Policy GC4 makes clear that new development will be expected to achieve a high standard of design and avoid any significant detrimental impact. Further, para 2.18 refers that development proposals should seek to reinforce local distinctiveness through considering scale, density, massing, height, landscape, layout, materials and access in relation to neighbouring buildings and the local area more generally.
- 3.23 Section 12 of the NPPF seeks well-designed places that function well, are visually attractive, sympathetic to local character, establish or maintain a strong sense of place, optimise the potential of the site to accommodate and sustain an appropriate amount and mix of development and create places that are safe, inclusive and accessible and which promote health and well-being, with a high standard of amenity for existing and future users. Para 134 refers that development that is not well designed should be refused, especially where it fails to reflect local design policies and government guidance on design.
- 3.24 In this regard the proposed school building and layout will provide the necessary community facilities, will function well and respond to local character through sympathetic building materials and will assimilate into the area through the implementation of details shown within the submitted landscaping scheme.
- 3.25 In design terms it is considered that the proposal is compliant with relevant development plan policy, including Policies 2 and 7 of JCS (2014), Policies GC4, GC5, CSU3 of the Broadland Development Plan Document 2015 and section 12 of the NPPF (2021).
- 3.26 Playing/Sports Pitch Provision - In terms of school pitches, and in line with Sports England area requirements, the site can accommodate an external grass sports pitch for primary school ages suitable for mini soccer and 5 aside (37m x 27m including run off (total size 43m x 33m)). Also, an external grass sports pitch for primary school ages suitable for mini soccer (55m x 37m including run off (total size 61m x 43m)). Both pitches can be used as a pitch in winter and for team games and athletics in summer.
- 3.27 The site also includes an area marked out for 100m+ running track, throwing areas etc, and a rounders field, overlapping in summer with the football

pitches. A hard-surfaced multi-use games court (MUGA) is also included to the south of the school building. This area will be laid out as a single dedicated porous tarmac MUGA incorporating thermoplastic line markings for football, netball and mini tennis. It is proposed that the space be enclosed by a 3m high weldmesh ball stop fence and associated gates.

- 3.28 Sport England have been consulted in regard to this planning application. They assess this type of application considering the National Planning Policy Framework (NPPF) and against its own planning objectives, which are to protect the right opportunities in the right places; to enhance opportunities through better use of existing provision; and to provide new opportunities to meet the needs of current and future generations. Sport England support this application, as it is considered to meet objective 3 – to provide new opportunities to meet the needs of current and future generations.
- 3.29 They recommend that two planning conditions are imposed; one seeking the submission of a ground conditions assessment and one seeking the submission of a community use scheme to consider access to outdoor and indoor sports facilities for use by groups outside the school. Sport England has agreed it is not necessary for either of these recommended conditions to be pre-commencement.
- 3.30 Adequate information has been provided to demonstrate that the proposal provision of adequate sports facilities is accords with Policies 5,7 and 8 of the JCS, the preamble to Policy RL1 of the DMP 2015 and the provisions of Chapter 8 of the NPPF.
- 3.31 **C – Landscape /Trees**
- 3.32 Joint Core Strategy Policy 2, Policy EN2 of the Development Plan Document 2015, and Policy ENV2 of the Blofield Neighbourhood Plan are particularly relevant.
- 3.33 The application site is an undeveloped grassed field with a hedge running east west centrally across the site. Within this hedge are two significant oak trees, which are protected by Tree Preservation Order (TPO). A third tree with a TPO is close to the eastern boundary. There is hedgerow planting along the A47 beyond the northern boundary and also some planting beyond the eastern boundary.
- 3.34 Trees - The application has been supported by an Arboricultural Impact Assessment (AIA), containing a Tree Survey, Tree Constraints Plan a Tree Protection Plan and a draft Arboricultural Method Statement. The AIA states that none of the trees within the school site are protected by a TPO and the site is not within a Conservation Area. However, as stated above, three of the trees within the main body of the site (oak trees T6, T9 and T10) are covered by TPO (ref: 2013 No. 15 1210). Each of these trees is shown to be retained and has been carefully incorporated into the layout plan to protect their amenity.

- 3.35 The AIA states there is a Tree Preservation Order (ref: 2012 No.107) on several trees close to the proposed access road which serves the new primary school, but the impact upon these has been considered and found to be acceptable under separate application ref: 2021/0252 (Broadland District Council). These trees are outside the red line of this current application site and no changes are proposed to the line of the road as a result of this proposed development.
- 3.36 The Arboricultural Report confirms that the trees on site are considered to be of moderate to high arboricultural quality, with an expected long retention period. In particular there are good quality mature trees growing within the site and around the boundary. The protected mature oak tree T6 located on the north eastern boundary, and two other protected mature oak trees, T9 and T10, located towards the centre of the site are in good condition with more than 40 years estimated lifespan.
- 3.37 The position of the proposed new primary school has considered the space available around the trees that are to be retained on site. Adequate space will be required for moving plant machinery to construct any foundations, without damaging nearby tree stems and/or roots.
- 3.38 There are two tree groups (G2 and G3 on the Tree Constraints Plan) in the centre of the site which are required to be removed to accommodate the development, and a category U tree which is unsuitable for retention. Group G2 contain C category ash trees (low quality and amenity value) and referred to as holding little arboricultural value and are susceptible to ash dieback. Group G3 are B category sycamore /oak trees (moderate quality) that offer little arboricultural value as individuals but contribute to the tree cover in the area.
- 3.39 However, new planting is proposed to be undertaken, including both trees and hedging. Most of the new tree planting is proposed to the north or south west boundaries with some more centrally located within the reception informal area and the habitat area. Details of the proposed new landscaping is shown on the submitted landscape scheme, which demonstrates that considerably more trees and hedgerow planting is being proposed than will be removed. This will enhance biodiversity and create an attractive educational environment.
- 3.40 The AIA confirms that all other trees on or adjacent to the site will be retained and protected according to British Standards BS5837: 2012 throughout the course of the construction works.
- 3.41 The application has been reviewed by the County Council's Arboricultural and Woodland Officer. Initial concerns regarding the lack of tree protection plans and arboricultural method statement have been rectified. He considers the trees proposed for removal are adequately replanted across the site as detailed in the landscaping proposals.

- 3.42 The County Council's Arboricultural and Woodland Officer requests that the development is carried out strictly in accordance with the requirements of the AIA, Arboricultural Method Statement and Tree Protection Plan, and that the mitigation planting is carried out and managed in accordance with the Proposed Landscape General Arrangement Plan, drawing 107733-HBS-00-XX-DR-L-800 Rev P04 Proposed Landscape and Landscape Management & Maintenance Plan.
- 3.43 Accordingly, it is recommended that this information is secured through planning condition.
- 3.44 Landscape - A Proposed Landscape Plan has been submitted showing the proposed layout of the site, incorporating fencing locations and details, surfacing materials, planting areas and planting schedules. A Landscape Management & Maintenance Plan (LMMP) has also been submitted. This sets out the planned management and maintenance objectives and operations for the ongoing future protection of the proposed landscape scheme and should be considered alongside the Biodiversity Net Gain (BNG) Assessment.
- 3.45 The management and maintenance information contained within the BNG Assessment sets out the prescribed management actions for trees, hedgerows and grassland for years 1 – 5, with broader management aims for the lifetime of the BNG commitment following regular monitoring review. The maintenance schedule in the LMMP is intended to become applicable once the management responsibility for the site is transferred to the client or end user and covers a wider area, including maintenance of hard landscaped areas.
- 3.46 The Principal Landscape Architect has been consulted. She is content with the justification for not submitting an LVIA as part of the application, and broadly agree that impacts have been minimised through layout and design considerations as well as the limited landscape/visual constraints that the site poses.
- 3.47 She noted there are limited publicly accessible points where visual concerns could arise, the primary one being the public right of way to the northern boundary, however with the hedgerow retained, she notes that impacts should be minimal.
- 3.48 She considers that the residential properties bordering the site to the west and south have been considered through the design and is satisfied that the impacts would not be unacceptable. To the south a buffer is created through the community space outside of the school redline boundary, as well as native hedgerow and wildflower mix at the boundary. She notes the school and parking are located towards the northern part of the proposed site and to the west hedgerows and trees have been proposed to minimise any oblique impacts. She considers the placement of the buildings and parking should minimise any wider impacts.

- 3.49 She considers the materials listed on elevations and boundary treatments appear acceptable and would encourage the inclusion of a wildlife gap on all fencing where possible. The 100mm wildlife gap is included on the plans for the perimeter fence.
- 3.50 The details submitted of all hard surfacing materials, boundary treatments and structures including canopies/planters are considered to be appropriate and in keeping and raise no policy conflict.
- 3.51 The Parish Council seeks confirmation that the native hedge to the southern boundary will be 2m high, set back 500mm from the boundary fence and will be maintained by the school. The plans show the first row of hedgerow planting to be set back from the boundary fence by 500mm, whilst the Landscape Management & Maintenance Plan refers to the hedge being allowed to grow to 2m and thereafter maintained at this height.
- 3.52 The proposal is considered to be in accordance with the spatial planning objectives of Policies 1 and 2 of the JCS (2014), Policies EN1 and EN3 of the DMPD (2015), Policy ENV2 of the Blofield Neighbourhood Plan and the objectives of sections 14 and 15 of the NPPF (2021).
- 3.53 **D – Amenity**
- 3.54 Policies 2 and 7 of the JCS (2014), Policy EN4 of DMPD (2015) and sections 8 and 12 of the NPPF (2021) are relevant.
- 3.55 The amenity impacts relevant to this proposal include the visual impact from the development and potential for adverse impacts from outdoor activity and sports noise, lighting and operation of the proposed mechanical extraction and ventilation units.
- 3.56 General – The proposal will result in a new school building, parking area, playing fields and vehicular access being created. The application site is in proximity to existing residential properties to the south western boundary on Manor Ridge and separated from existing residential properties to the south on Farman Way by a band of community space.
- 3.57 The main school building is located towards the northern part of the site, linked by a long access road to the west from Plantation Road. The proposed school building will be between approximately 13 m and 49m from the shared boundary between the school and the gardens of properties on Manor Ridge and an average distance of 95m from the front boundary of properties on Farman Way.
- 3.58 The school building is set approximately 95m off the eastern boundary and the nearest dwellings to the east are yet further away. The A47 is to the north and forms a buffer between the school and any residential properties to the north.

- 3.59 Given the distances between the proposed new building and the existing dwellings to the south and south west it is not considered that the proposal would cause any significant detrimental impact upon residential amenity in the form of overlooking of windows of habitable rooms and private amenity space, overbearing impact/visual dominance, overshadowing of private amenity space or loss of daylight and/or sunlight to existing windows of habitable rooms.
- 3.60 In terms of outdoor activity, the proposed layout shows the main sports pitches to the south and south east of the school building. Some soft informal play space is located to the northern part of the site, and a habitat area is located just to the north of the retained oak trees towards the centre of the site.
- 3.61 The soft pitches, including football pitch, and running track are located to the southern end of the application site, furthest away from the dwellings on Manor Ridge and more than approximately 50m away from the dwellings on Farman Way.
- 3.62 The proposal shows that the school hard and soft pitches and informal play areas will be close to existing properties. However, it should be noted that the southern part of the application site is already used for community open space so there is already an element of activity on this open part of the site. However, the more formal pitches mean the proposal would likely introduce a degree of noise and activity into an area where existing activity is currently less formal and more likely to be used by small groups or individuals rather than large groups. That said, it is not considered that this arrangement would result in such an increase in general noise and disturbance that would result in a significant detrimental impact upon residential amenity such as to warrant refusal of the development.
- 3.63 During the course of the application third party comment has been made that nearby residents should be consulted and considered if and when planning of out of school hours activities take place on the courts and pitches. However, given that the impact upon neighbour amenity is not considered to be significantly detrimental and that no lighting is proposed to the sports pitches to enable them to be used late at night, it would not appear reasonable or necessary to impose a planning condition for the applicant to consult with neighbours about the ongoing use of the courts and pitches.
- 3.64 Lighting – As referred to above, a lighting assessment has been provided giving details of the types of lighting proposed to the building perimeter, car park area, emergency lighting and pathways. This focuses on preserving the local lighting environment so external lighting will be low source intensity and will be direct downward with no direct upward light, to minimise sky glow.
- 3.65 The Parish Council note that any lighting poles should face toward the school rather than towards the housing. Third party comment has been

received asking if the school will comply with the dark skies initiative that requires new developments to limit impact on dark skies.

- 3.66 In terms of neighbour amenity, the proposed lighting scheme avoids lighting that shines directly into any neighbouring residential properties. Given the layout of the site and its relationship with adjoining residential properties, the position of the lighting units within the site, the type of lighting units proposed and that a timed system will be in place to control the use of the lighting, it is considered that there should be no significantly detrimental impact upon the amenity of the occupants of future properties as a result of the lighting scheme. Neighbourhood Plan Policy ENV5 refers that any new developments should limit impact on dark skies and following consideration of the details submitted, there is no policy conflict in this regard.
- 3.67 The Environmental Quality Team for Broadland Council has been consulted in connection with the proposal. Having reviewed the application documentation, they raise no objection to the proposed development and have no requirements for conditions relating to lighting. It is recommended, however, that to protect amenity, external lighting is limited so that it is only in use between 07:00 and 18:00 Monday to Friday, 07:00 to 13:00 Saturdays and not at all on Sundays or Bank Holidays.
- 3.68 Noise – A Ventilation and Noise Assessment has been submitted in support of the planning application. This refers to the use of a natural ventilation strategy for the south facing classrooms, utilising wind and buoyancy driven crossflow ventilation with high level stacks and low-level window openings. This traditional approach is tried and tested and results in a building that is cheaper to run and maintain than an equivalent mechanically ventilated building and space for plant is not required. The only fans included in this system are low power and mostly used for mixing to eliminate cold draughts, this will keep noise to a minimum.
- 3.69 The classrooms that face the A47 to the north of the site will need to be mechanically ventilated with appropriate attenuation, to ensure road noise does not cause disruption to classes. Additionally mechanical ventilation with heat recovery will be provided to serve the rooms with no windows and large sanitary areas with smaller toilet areas having extract only ventilation.
- 3.70 The new primary school building has been designed to provide heat by means of Air Source Heat Pumps (ASHPs) located in their own dedicated external compound. Data sheets have been provided for noise levels for the ASHPs, which will be programmed to operate during the school opening times 8am until 5pm during weekdays and operate in night set back mode outside of these hours during the heating season. A data sheet based on 75% load has been included to demonstrate likely noise generated outside of occupied hours.
- 3.71 The Ventilation and Noise Assessment concludes that noise generating mechanical plant design will be further developed during detailed design stage (RIBA Stage 4) and will meet BB101 ventilation criteria and be

provided with suitable attenuation to meet BB93 acoustic performance standards and the projects acoustic engineers' recommendations.

- 3.72 Objection has been received from third parties about potential noise during construction. During the construction phase of any project, there is potential for noise and disturbance. A Construction Considerations Statement (CCS) has been submitted to give certainty to any nearby residents of the approach to limit disturbance.
- 3.73 The Environmental Health Officer (EHO) in the Environmental Quality Team for Broadland Council raises no objection, subject to conditions. Given that ASHPs have the potential to have an adverse impact on the adjacent vulnerable receptors, the EHO recommends imposing a condition to provide a noise assessment to determine the levels of noise, both internally and externally, and that the scheme is implemented in accordance with any remediation scheme that is deemed necessary following the assessment. It is recommended that a condition to secure this is imposed with details being provided before development reaches above foundation level.
- 3.74 The EHO also requests a Construction Management Plan is submitted to protect the occupants of existing dwellings surrounding the site from noise, dust and smoke prior to commencement of development. However, information on how the site will be managed to reduce the impact on neighbouring properties and wider environment during the construction / demolition phase of the works is already provided within the submitted Construction Considerations Statement (CCS). Accordingly, a condition securing the implementation of this CCS is recommended to be attached.
- 3.75 Overall, subject to the aforementioned conditions, it is not considered that the proposal would have a significantly detrimental effect on the residential amenity of occupiers of adjacent properties, either during or after construction, and accords with relevant development plan Policies 2 and 7 of JCS (2014), Policy EN4 of the DMPD (2015) and section 8 of the NPPF (2021).

3.76 **E - Ecology and Biodiversity Net Gain**

- 3.77 Policies 1, 2, 10, 20 of the JCS (2014), Policies EN1 and EN3 of the DMPD (2015), and the objectives of sections 14 and 15 of the NPPF (2021) are relevant.
- 3.78 The application has been supported by an Ecological Report (07/11/2022) and a Biodiversity Net Gain Assessment (04/11/2022). The Ecological Report confirms there are no designated nature conservation sites within 2km of the application site. The Report found there to be no impacts on designated nature conservation sites.
- 3.79 The proposal would have a minor negative impact on grassland habitat and native hedgerows. Mitigation and compensation measures are addressed within the BNG report.

- 3.80 The proposal would have a potential minor negative impact to any on-site bat population via light disturbance and loss of potential future roosting. However, this is to be mitigated by adopting a wildlife-sensitive lighting scheme through use of lighting hoods and shields. The retention of the two mature oak trees with bat roost potential will also mitigate potential impacts.
- 3.81 The Report identified a potential for a minor negative impact on local hedgehogs and reptiles, which can be mitigated by fitting any open excavations with escape ramps and having precautionary methods of material storage and movement during the construction phase. Additional mitigation is provided by ensuring the school boundaries are designed to be permeable to wildlife. Boundary fencing is shown to include a 100mm gap at the base to facilitate wildlife such as hedgehogs and other small terrestrial animals to move across the site.
- 3.82 The Report identified the potential for a minor negative impact on on-site nesting birds, which is to be mitigated by the timing of site clearance and/or by watching briefs to confirm nest absence. There is potential for overall site biodiversity enhancement by providing bat roost boxes and bird nest boxes on the new school buildings. A total of 10 bat boxes and 15 bird boxes are proposed to be installed on the new school building.
- 3.83 The Biodiversity Net Gain assessment has calculated the habitat and hedgerow units pre- and post-development and made detailed recommendations to achieve net gain. It is proposed to create an area of neutral grassland within the site boundary, managed to achieve good condition.
- 3.84 The proposal also seeks the retention of as much of the existing hedgerows as possible, and to create new hedgerows on the southern and eastern boundaries. The proposed habitat measures will result in a habitat net gain of 10%. The proposed hedgerow measures will result in a hedgerow net gain of 20%. The net gains in biodiversity units shown to be possible as part of this development meet the current requirements of both NPPF and the Environment Act 2021 for a minimum of 10% BNG. These targets are not yet in place, although are set to be introduced in November this year.
- 3.85 A BNG Management and Monitoring Plan has been provided which seeks to achieve these measures within the target timeframe of habitat delivery. For the Management and Monitoring Plan to succeed, the Principal Contractor (yet to be determined) will need to ensure the correct documents are provided in addition to the information already provided. This includes detailed landscape planting schedules, management proposals, a construction handover checklist, a timetable for implementation and a specification of those responsible for activities. This can be provided in advance through a BNG Implementation Plan, which can be secured by way of a planning condition.

- 3.86 The application has been reviewed by the County Council's Ecologist. The County Ecologist raises no objections to the application, subject to the proposed works being carried out in-line with the Ecological Impact Assessment (Norfolk Wildlife Services; November 2022), in particular sections 5.3 and 6 of the assessment and the Biodiversity Net Gain Assessment (Norfolk Wildlife Services; November 2022) including BNG Management and Monitoring Plan (MMP). Accordingly, it is recommended these are secured by appropriately worded planning conditions.
- 3.87 During the course of the application third party objection has been received to the open site being developed and the loss of habitat for bats, herons and pheasants. However, for the reasons given above, these concerns have shown to be mitigated.
- 3.88 In terms of policy, the applicant has demonstrated that the proposal accords with the provisions of Policies 1, 2, 10, 20 of the JCS (2014), Policies EN1 and EN3 of the DMPD (2015), and the objectives of sections 14 and 15 of the NPPF (2021).
- 3.89 **F – Heritage Assets**
- 3.90 The Planning (Listed Buildings and Conservation Areas) Act 1990 provides specific protection for buildings and areas of special architectural or historic interest. Paragraph 194 of the NPPF states that in determining applications, local planning authorities should require an applicant to describe the significance of any heritage assets affected, including any contribution made by their setting. Paragraph 195 states that local planning authorities should identify and assess the particular significance of any heritage asset that may be affected by a proposal (including by development affecting the setting of a heritage asset) taking account of the available evidence and any necessary expertise.
- 3.91 In this case there are no conservation areas in the village. The nearest listed building is Turret House, a Grade II listed building on Yarmouth Road. This is within 165m of the site boundary, located to the south east, and is separated by existing buildings and properties along Yarmouth Road and Wyngates.
- 3.92 Accordingly, given the separation distances the proposed development raises no issues in regard to its impact on listed buildings or their setting.
- 3.93 In terms of below ground archaeological potential, the proposed development site lies within an area that has already been subject to trial trenching and the findings have been evaluated and submitted in support of this application.
- 3.94 Five No. 50m x 1.80m trenches and five no. 25m x 1.80m trenches were dug and evaluated. The evaluation recorded that the site had previously been in agricultural use. A small number of pits and linear features were present to the west of the site with a single trench to the east containing two more

linear features. The small number of artefacts recovered by the evaluation ranged from prehistoric worked flint through to medieval pottery sherds. Historically the site appears to have been an undeveloped agriculture area on the northern periphery of Blofield village.

- 3.95 The Historic Environment Planning Team has been consulted on the application. Based on currently available information and the information submitted by the application, they confirm that the proposed development will not have any significant impact on the historic environment. They do not make any recommendations for further archaeological work.
- 3.96 The proposed development raises no planning policy issues in regard to heritage assets and is in accordance requirements set out in the paragraphs 189 and 199 of the NPPF.
- 3.97 **G – Transport/ Highways/Access links**
- 3.98 Policies 1, 2 and 6 of the of the JCS (2014), Policies GC4, TS2, TS3 and TS4 of the DMDPD (2015) and Policies TRA1, TRA2 and TRA3 of Blofield Neighbourhood Plan apply. Also, the objectives of the Norfolk Local Transport Plan 2021-2036 and section 9 of the NPPF (2021) are relevant to this proposal.
- 3.99 Access and parking are key issues in any new school proposal. In terms of location the proposed school is in proximity of the existing school it seeks to replace, which is located approximately 100m to the south.
- 3.100 The proposed vehicular and pedestrian access for the new school will be from Plantation Road using a new access road that will also, in part, serve the enlarged surgery facilities to the south. A turning loop is proposed to be created to allow turning and drop off, to seek to limit the demand for car parking on Planation Road. This approach mirrors an approach that has previously been approved on school sites elsewhere (most recently for replacement primary schools in Kings Lynn and Gayton). No pedestrian access is proposed from the south.
- 3.101 These highways works have already been granted consent through the Broadland Council planning application for the Blofield Surgery Medical centre extension and new access road (ref: 20210252). The access road is included in this submission to demonstrate that links to the public highway can be provided.
- 3.102 The application has been supported by a Transport Statement which identifies and describes the transport matters that relate to the proposed development. It considers all transport modes along with public transport infrastructure that impacts upon the proposed development, identifying measures to mitigate the effects of the development if required, and considers methods for encouraging a modal shift towards more sustainable forms of transport.

- 3.103 The Transport Statement confirms that access to the new school will be via a new access road taken from Plantation Road designed and delivered by NCC as part of the adjacent surgery improvements. The new access will provide a turning area adequate for turning of larger vehicles and will include vehicular waiting areas, with footways provided to the north of the carriageway, providing direct pedestrian links to the school.
- 3.104 The works also show the provision of a section of a new offsite footway to the east of Plantation Road linking the existing footway adjacent to the surgery with the school site access. The Transport Statement confirms that developing a singular access for the school and surgery provides a safer crossing of Plantation Road, limiting vehicular/pedestrian conflict.
- 3.105 The Transport Statement has undertaken an analysis of accident data in the locality, which demonstrates that there are no existing local issues relating to highway safety.
- 3.106 Car parking and cycle storage provision is proposed in the northern and western parts of the site. The proposal includes 59 car parking spaces, which includes 3 disabled spaces adjacent to the main school building entrance. Several electric vehicle charging points are also proposed within the car park. A vehicular tracking exercise has been carried out to ensure all necessary vehicular access can be achieved
- 3.107 Combined cycle and scooter parking is contained within a dedicated covered storage facility along the main pedestrian route in the vicinity of the primary pupil entrance gate to encourage walking, cycling and scooting. This will accommodate up to 66 no. cycles and 40 no. scooters.
- 3.108 In terms of public transport, the Transport Statement confirms bus services serving Blofield are currently operated by First Bus and Coast link. Bus routes and provide links to Brundall, Acle, Lingwood, Thorpe St Andrew, Norwich, Cringleford & Wymondham. Bus stops are adjacent to the new school access. Public bus services provide good opportunities to reach the school using non-car travel modes.
- 3.109 Brundall train station is approximately 1.4 miles away from the school, providing links to Norwich, Yarmouth, Ipswich, London and other smaller outlying villages. The Statement confirms that non-car modes of travel are viable and hence the site is sustainably located.
- 3.110 The Parish Council has raised comment regarding the Transport Statement, stating that the cycling information regarding the average speed of a cyclist contained in the document is not appropriate for primary school age children. Also, the Statement points out that it has good access to public transport, but that the buses only run once an hour. They also note that the document says that developments have improved cycle routes within the village, but none of these are on the main route to the school. They refer to the narrow pavements close to the school and request safety measures to the local road

and footpaths. Although not objecting to the proposal they consider the lack of improved footpaths or cycle routes as being contrary to NPPF para112a.

- 3.111 The Highway Authority has been consulted as part of the application process. With regard to the new access loop road, the principle of a loop road, has been considered by their Development Team previously who outlined that this would be a technically acceptable solution. The geometry / layout of the loop has been designed by the Highway Authority as part of the doctors surgery application, with appropriate vehicle tracking and road geometry to cater for the school development.
- 3.112 The access road will be flanked by a 3m footway along the southern side and around the loop (which links to the highway footway network) and will have areas for layby parking and drop off / pick up within the loop.
- 3.113 As part of the new access road (provided as part of the doctors' surgery application), the existing doctors vehicular access will be closed, the footway will be reinstated with an enhanced crossing of Plantation Road provided - (now proposed to be a zebra crossing). The existing 20 mph speed limit on Plantation Road will also be extended to include the new access point and Double Yellow lines provided at the access and on the access road itself.
- 3.114 In addition, appropriate levels of visibility have been secured from the new junction back onto Plantation Road. The vehicular access into the site itself is a simple dropped crossing of the footway to give pedestrians priority. Also the gates have been set back to ensure a vehicle can pull off the road if they are closed.
- 3.115 It should be noted that the Highways Authority has confirmed that the access road (phase 1 & 2), offsite highway works, visibility splay & TROs will need to be in place before the proposed school site is occupied. It is recommended that appropriate worded conditions are imposed to secure this.
- 3.116 In terms of site layout the Highways Authority confirm this is acceptable and the parking provision, including EV and accessibility provision is in line with their adopted parking standards. The parking provision also accords with Development Management Plan Policy TS4 which seeks appropriate parking to reflect the use and location of the proposed development. In order to cater for future demand, the Highways Authority request that the school designates an area for future cycle parking. This can be agreed by condition and can be monitored through the Travel Plan process.
- 3.117 With regard to the proposed pedestrian links, the Highway Authority raised concerns regarding the overall pedestrian links into the site. The proposed Plantation Road (via the new access road), which they consider, given the doubling in size of the school and proximity to new housing to the south of the site, would not achieve ideal permeability in terms of pedestrian links to the site.

- 3.118 To put into context for example, whilst the residential area on Farman Way (which is a highway road) is under 100 metres from the school site (with just community space positioned between the two) no direct pedestrian link is provided. This would mean that any residents who wished to walk to the school would have to travel along Yarmouth Road, Doctors Road, North Street & Plantation Road which is approximately 1 km further.
- 3.119 The same applies to the residential areas to the south of Yarmouth Road, who rather than walking directly along Farman Way into the site would have to follow the above route. The Highway Authority consider such detours are not acceptable and that sustainable links should be maximized where possible.
Some third party comments were also received objecting to the lack of a second pedestrian access which would be contrary to development plan policy and government guidance including 'Gear Change: A bold vision for cycling and walking.'
- 3.120 In response to these comments, the applicant has further explored the issue of a potential second pedestrian access from Farman's Way to the south, across the community space, linking into the school site. The applicant undertook a letter drop with local residents and had direct discussion with Blofield Parish Council (who control the open space over which any footpath would need to cross).
- 3.121 The potential provision of a secondary pedestrian access to the south of the school across the existing community land has generated a high level of objection. Many concerns related to the increased use of an existing informal parking bay along the section of Farman Way adjoining the community land to the north and fears that Farman Way would be used for parking as a drop off point for parents taking children to school. Local residents raised concern that the road network in place was not adequate to serve the additional traffic this might generate. Concern was raised to the use of shared surfaces of Farman Way by vehicles and pedestrians and the implications for pedestrian safety. Concern was also raised to the increased level of activity that would result from the connection with the school.
- 3.122 Following these additional consultation exercises and discussion with the Parish Council the applicant confirms that a pedestrian link to the new school from Farman Way is not practically capable of being delivered in view of the need to cross third party owned land. Blofield Parish Council, as intended landowner of the community space, has confirmed they would not be in agreement to permit a secondary footpath across this land in light of concerns they have about the impact upon the surrounding roads leading to the path, a 3m wide path reducing the area of community land and the ongoing maintenance responsibility for the footpath.
- 3.123 Accordingly, the applicant confirms they are not in a position to offer a secondary access to the south. They have reinvestigated other options to offer more convenient and safe routes from the southern and western parts of the village to encourage sustainable travel choices.

- 3.124 The existing Public Footpath FP4 runs along the northern boundary of the site before extending further east to connect to The Loke and then through to Yarmouth Road in the south. However, the footpath is, in part, unmade, is narrow, unlit and unsuitable for cycles or scooters. The Parish Council has requested this footpath be improved through this application, but the right of way is in third party ownership with no opportunity to enhance the width and surfacing without third party agreement. Additionally, from the junction of Yarmouth Road and Wyngates, the route is only approximately 450 metres shorter than using the tarmacked footways along Doctors Road, North Street and Plantation Road.
- 3.125 At the first round of consultation the Public Rights of Way Officer placed a holding objection to the application, stating that the submitted plans seem to show the alignment of Blofield Footpath 4 in slightly differing locations. She requested further details of the boundary fencing and assurance that the PROW would remain open and accessible for the duration of the development and subsequent occupation. In response the applicant has supplied an amended plan including boundary details and the relationship with the Blofield Footpath 4. This shows that the footpath will remain unaffected by the proposed development. The Public Rights of Way Officer has subsequently been reconsulted, but no response has been received.
- 3.126 In terms of the number of pupils using the new school, the applicant recognises that the figure expands towards 420 pupils in the next few years, so there will be a greater number of pupils arriving at the school on foot. Therefore, in addition to the proposed extension of the 20-mph area on Plantation Road, double yellow line waiting restrictions and footway works secured as part of the previously approved doctor's surgery and access road application, several other pedestrian safety enhancements measures have been identified along North Street and Plantation Road and included in the proposal.
- 3.127 These include the remodelling of the junction of North Street and Plantation Road to narrow its width to increase visibility and to include dropped kerbs for safer crossing. Improvements to the west side of Plantation Road to include the proper maintenance of the boundary hedge to re-provide the full width of the footpath to enhance footpath safety. Also, the creation of a zebra crossing to provide a safe crossing point with dropped kerbs on each side.
- 3.128 Following the submission of this additional information the Highways Authority noted that whilst a link from Farman Way may encourage some car use to the estate, this is likely to be amenity concern rather than a highway safety one and, this concern is far outweighed by the potential for more pupils to walk / scoot to the school from the estates to the south east. However, the Highways Authority now accepts that they could not substantiate an objection to the proposals given that alternative routes are available and subject to the other pedestrian improvement measures proposed.

- 3.129 On balance they accept that the revised mitigation package offers a significant improvement with respect to the walking routes to school and, if the applicant does not have the ability to provide the link, they could not refuse the proposals on this point alone.
- 3.130 They note that all activity both vehicular and pedestrian, associated with the school drop off and pick up for the (expanded) school, will be concentrated at the new access road junction and Plantation Road and could potentially cause a nuisance to local residents. On balance however, they state this is an amenity issue and is unlikely to generate a significant highway safety concern. The Highway Authority state they are, however, committed to work with the school to develop a travel plan to help promote the use of more sustainable modes to access the site.
- 3.131 It is considered that the additional off-site improvement works to the footpaths and the creation of a zebra crossing address the key concerns of the Parish Council and other third party objectors regarding transport safety measures and their concerns that the proposal might be contrary to NPPF para112a .
- 3.132 In terms of policy, DMP Policy GC4 says proposals should pay adequate regard to being accessible to all via sustainable means, including public transport, and should incorporate appropriate infrastructure linking to the surrounding area. A priority for the NP is also to address traffic congestion, especially during school drop off times. Policy TRA2 refers to the need to reduce congestion in school areas and for safe off road drop off points along with an assessment of modes of transport to reduce the need to travel by car. Policy TRA3 encourages walking and cycling through improved facilities including footpath connectivity, safe footpaths and cycle ways.
- 3.133 Para 104 of the NPPF requires that within development proposals opportunities to promote walking, cycling and public transport use are identified and pursued. It also states that patterns of movement, streets, parking and other transport considerations are integral to the design of schemes, and contribute to making high quality places.
- 3.134 On balance it is considered that the plans as originally submitted with no secondary access through to Farman Way are acceptable in policy terms. It is acknowledged that a secondary pedestrian access would have provided a direct link through to the new dwellings on the Wyngate development and would have prevented the need for residents to the south and south east of the school to travel the additional distance via Plantation Road if walking, cycling or scooting. It would have provided a convenient link for users of the school and, in line with local policy and national guidance, it would have encouraged sustainable modes of transport. However, the practical reasons for not pursuing this southern access, which relate to not achieving the required permission across third party land, are noted. The other improvements proposed to the more established pedestrian provision on Plantation Road, including a zebra crossing and junction and footpath

improvements, are welcomed and accord with development plan policy. It is recommended that relevant planning conditions are used to secure these works.

- 3.135 The Highway Authority confirms that the proposed Construction Site Traffic Management Plan submitted by the applicant which outlines the access route, the proposed construction parking arrangement and compound as well as a construction consideration statement is acceptable. A School Travel Plan will be required, and this can be secured by way of a planning condition.
- 3.136 The access, parking and travel arrangements have been considered in the light of the tests set out in the relevant development plan policies including Policies 1, 2 and 6 of the of the JCS (2014), Policies GC4, TS2, TS3 and TS4 of the DMDPD (2015) and Policies TRA1, TRA2 and TRA3 of Blofield Neighbourhood Plan and the objectives of section 9 of the NPPF (2021). The proposal accords with their overarching aims and objectives and, subject to appropriate conditions, can be supported.
- 3.137 **H - Sustainability**
- 3.138 Policies 1, 2 and 3 of the JCS (2014), Policy GC4 of DMPD (2015) and section 8 of the NPPF (2021) are relevant.
- 3.139 JCS Policy 3 seeks to limit energy and water use and states that development proposals over 1000m² of non-residential floorspace should include sources of decentralised and renewable or low-carbon energy, providing at least 10% of the schemes expected energy requirements
- 3.140 The design brief has been to achieve an EPC A+ energy rating by utilising future homes standard fabric performance and low zero carbon / renewable technologies. In light of the NCC aim to reach net zero, the proposed school has been designed to incorporate sustainability features and energy efficiency measures, which have been detailed in the accompanying supporting Sustainability Statement. The proposal incorporates design strategies to mitigate environmental impact, using a 'fabric first', design philosophy with low thermal transmittance and air permeability to reduce heat loss and the demand for energy. Passive design techniques incorporating natural ventilation and daylighting principles are also incorporated to reduce the reliance on mechanically driven ventilation systems and artificial lighting.
- 3.141 A review of options for heating and electricity has resulted in the proposed use of air source heat pumps and photovoltaic panels as the key providers. The proposal also includes an all-electric kitchen, which eliminates the need to use natural gas.
- 3.142 Energy efficient LED lighting will be installed, and absence control will be incorporated where appropriate to switch off the lighting when areas are unoccupied. The power and lighting electricity consumption will be

separately sub-metered to enable the building users to readily identify their energy demand and encourage them to take practical steps to reduce their energy use and operating costs.

- 3.143 Additionally, the Planning Statement highlights the sustainable location of the school, being a short distance from the current primary school site and close to village facilities. It also recognises that there still needs to be car parking provision, and this will provide electric vehicle charging infrastructure to support site users as they switch to zero emission cars.
- 3.144 Matters of sustainable drainage have also been considered and are covered in the drainage section of this report.
- 3.145 The NCC Sustainability Manager has been consulted, who supports the proposal, adding that the design of the school is predicated on mitigating its environmental impact, with the ambition to reduce the operational energy demands thereby leading to a reduction in its carbon impact. Therefore, the design approaches employed will aim to increase both thermal mass and address the impacts of warmer temperatures through passive cooling. The aim is to provide an energy efficient design that reduces energy load, through the application of onsite energy with solar panel arrays, contributing to electricity needs. In addition, an air source heat pump will heat the building, moving away from the reliance on fossil fuels.
- 3.146 He notes that the Planning Statement highlights the importance of supporting sustainable travel alternatives, including providing facilities that support active travel (cycling, walking and scooting) to the school, which will in turn reduce peak flow congestion. Equally, it recognises that there still needs to be car parking provision, however, this will provide electric vehicle charging infrastructure to support site users as they switch to zero emission cars (in line with revised NCC parking guidelines), as availability of EVs improves as we transition to this vehicle technology.
- 3.147 He notes that the Sustainability Statement flags that the client has requested that the building meets Energy Performance Certificate (EPC) A+ levels on energy requirements, and the proposals, including the rationale for discounting those techniques that won't meet it, are clearly outlined. This is supported by the supplied details clarifying the proposed technologies to be employed, as well as the thermal efficiency of the design, which future-proofs it by ensuring the demand side energy requirements remain low. This all contributes to the design working towards meeting the net zero ambitions of the applicant.
- 3.148 It is considered that the proposal accords with the provisions of Policy DM 3.8 of DMPD (2015).
- 3.149 **I - Flood Risk/Drainage**

- 3.150 Policy 1 of the Joint Core Strategy, Policy CSU5 of the Broadland Development Policies Document (2015), Policy ENV3 of the Blofield Neighbourhood Plan and, Section 14 of the NPPF apply.
- 3.151 Flood Risk / Surface Water Drainage – Policy 1 refers to the need or development to be located to minimise flood risk, mitigating any such risk through design and implementing sustainable drainage. Policy 20 encourages sustainable drainage systems (SDS). Policy CSU5 of DPD (2015) states that mitigation measures to deal with surface water arising from development proposals should be incorporated to minimise the risk of flooding on the development site without increasing flood risk elsewhere.
- 3.152 The application site is located wholly within Flood Zone 1 so there is a low risk of flooding. Non-residential educational establishments are identified as ‘more vulnerable’ in the table of Flood Risk Vulnerability Classification as set out in Planning Practice Guidance (PPG). PPG further advises that ‘more vulnerable’ uses are appropriate in Flood Zone 1. On this basis, the proposal is considered acceptable in terms of development within Flood Zone 1.
- 3.153 The application is supported by a Flood Risk Assessment and Drainage Strategy (FRA) and Drainage Strategy Plan. A surface water drainage strategy to manage the surface water runoff serving the new two storey school building and the sports pitches has been produced.
- 3.154 The FRA confirms that the site is at very low risk from all other forms of flooding apart from a small area of surface water flooding, indicated in the surface water flood maps, in the area of the sports field. This is not connected to any flow paths and is likely due to a localised low point so can therefore be discounted. There are no recorded historical flood events that have directly affected the site. The location meets the sequential requirements of the NPPF Guidance requiring development to be located firstly in areas at lowest flood risk.
- 3.155 The NPPF requires the surface water drainage strategy to follow a sustainable (SuDS) approach. The emphasis of SuDS is to first consider source control (i.e., disposal of runoff within the plot boundary, followed by site control (site wide disposal) and then regional control (appropriate for larger development with strategic drainage infrastructure. Where possible the drainage strategy should target a zero runoff from the immediate development area.
- 3.156 Using the surface water hierarchy, the applicant has set out the most appropriate method of surface water management and disposal for this site. Ground investigation has established that there is inadequate infiltration potential within the site. Most of the infiltration tests undertaken failed to drain and the two tests that provided infiltration rates were insufficient for infiltration techniques to be considered. The site is not connected to a wider watercourse network.

- 3.157 The drainage strategy is therefore based on surface water draining to geo-cellular storage which will be discharged at a controlled rate to the Anglian Water surface water sewer in Farman Way. Storage is designed to accommodate the 100 year + 40% climate change storm event. Discharge is restricted to the existing 1 in 1 year greenfield rate. Permeable paving and filter strips have been incorporated within the car park to ensure there is no adverse impact upon the water environment.
- 3.158 The drainage strategy shows that exceedance flows above the 100 year + climate change storm event will be routed towards the carparking/ access road and sports field areas thus ensuring the new development is protected from flooding. Finished floor levels of the school building will be set at least 150mm above the prevailing ground levels.
- 3.159 The applicant has confirmed that the surface water drainage infrastructure will be privately maintained and has now submitted an updated Maintenance and Management document.
- 3.160 The Lead Local Flood Authority (LLFA) has been consulted on the application. Their initial comments raised objection in the absence of an acceptable Flood Risk Assessment (FRA) and Drainage Strategy. Their concerns related to a need to recalculate microdrainage calculations for the 3.33% AEP event, more detailed discussion into if/how surface water collection and reuse can be included in the drainage design, evidence of engagement and an agreement/agreement in principle from Anglian Water for the connection and discharge rate into the Anglian Water surface water sewer to the south of the development, discussion as to why a pump is required to discharge surface water and evidence that that there is no alternative solution, inclusion of a contributing areas drawing to demonstrate how the impermeable area of the development has been calculated, use of the 1 in 1 year greenfield runoff rate as the controlled discharge rate for the development, further information to demonstrate acknowledgement and compliance with the criteria set out in the four pillars of SuDS design and a sufficiently detailed maintenance and management plan.
- 3.161 In response to the earlier LLFA concerns the applicant has submitted additional details in relation to microdrainage outputs, more information regarding surface water reuse/collection, evidence to confirm that Anglian Water are in agreement with the proposed discharge rate for the site, explanation of why a pump is required due to the level of the existing connection point in Farman Way and distance from the site, meaning a gravity discharge is not possible, updated their discharge rate to the 1 in 1 year greenfield runoff rate (1.8 l/s), supplied information into where the four pillars of SuDS have been met and the limitations and/or difficulties faced when including SuDS components due to the school environment and provided a separate maintenance and management plan for all components of the drainage system.
- 3.162 Following consideration of this additional data, the LLFA now raise no objection, subject to conditions requiring the development to be implemented

only in accordance with the approved plans and drawings, and for an appropriate and robust emergency procedure plan to be in place once the surface water pump becomes operational.

- 3.163 The LLFA has also recommended that an informative be added to the permission relating to the current scheme making minimal use of green/surface SuDS features which would provide greater biodiversity, amenity, and water quality benefits. They would like to see future schemes for all developments of this nature, consider sustainable drainage design from the earliest stages of the design process so that space can be efficiently allotted to such drainage features. However, whilst useful, this is considered generic advice and has no specific relevance to this particular planning application and is not necessary to add this to any permission in this case.
- 3.164 The LLFA has also request an informative be added relating to the need for formal connection approval for the discharge of water into the surface water sewer. It is recommended that this is added to any permission, should it be forthcoming.
- 3.165 Anglian Water has been consulted on the application. Although not objecting to the proposal, they raised concern that no discharge rate had been provided in the drainage strategy and recommend that a planning condition be imposed to secure details of a surface water management strategy prior to commencement of development. However, during the course of the planning application the additional information submitted has now included the discharge rate, which Anglian Water has since confirmed they are in agreement with. Accordingly, there is no longer any need for this condition to be imposed.
- 3.166 Whilst supportive of the application, Blofield Parish Council seeks assurance that the drainage run-off does not introduce flooding issues for the surrounding properties or the communal land. In particular they raise questions about the drainage system, seeking assurance that the Parish Council will not be held responsible if the subsequent increase in water (draining from the school site into the Wyngates area 3), leads to flooding issues on Farman Way and Manor Ridge.
- 3.167 During the course of the application third party objections and concerns have been raised regarding foul sewage, surface water drainage and flooding. Now that the appropriate additional information has been submitted to overcome the earlier LLFA objections, officers are satisfied that there are no outstanding flood risk concerns. The concerns of the Parish Council and third parties about localised flood issues have been addressed.
- 3.168 Concerns about the installation of the drainage system are noted. Whilst it is necessary to ensure an appropriate drainage system is installed and this can be secured by way of planning condition, the details and methods of the off-site installation of the drainage system are already covered by legislation

outside of the Town and Country Planning Acts and it is not necessary to cover these details by way of planning condition.

- 3.169 In summary it is considered that the development would not materially increase the risk of flooding and, subject to the imposition of the conditions requiring development to be implemented only in accordance with the approved plans and drawings and for an emergency procedure plan to be in place for the pumps, the proposal would not be in conflict with the relevant planning policies and objectives of the NPPF.
- 3.170 Groundwater / Foul Drainage -. Foul water is proposed to be disposed of via a private network to the Anglian Water foul sewer in Plantation Road.
- 3.171 Anglian Water has been consulted and they confirm that the foul drainage from this development is in the catchment of Whitlingham Trowse Water Recycling Centre. They confirm the Anglian Water system can accommodate foul sewerage flows and has available capacity to accommodate the new school.
- 3.172 The LLFA has been consulted and they confirm that the amended and additional information submitted during the course of the planning application is sufficient to overcome their initial objections.
- 3.173 Given the above, it is considered that adequate provision has been made to dispose of foul sewage and the proposed development would not cause any adverse effects in terms of groundwater pollution. The proposal accords with the relevant planning policies and is in compliance with the NPPF, Planning Policy Guidance and the Non-Statutory Technical Standards for Sustainable Drainage Systems.
- 3.174 **J – Contamination and Air Quality**
- 3.175 A fundamental principle of sustainable development is that the condition of land, its use and its development should be protected from potential hazards. Para 174 of the National Planning Policy Framework (NPPF) refers that planning decisions should prevent unacceptable risks from pollution and land instability. At a local level, Policy 1 of the JCS, Policies EN4 and GC4 of the DMPD (2015) relating to pollution are relevant.
- 3.176 In support of this current application a new Ground Investigation Report (GIR) has been undertaken by Hamson Barron Smith Limited (Report 23-12-107733/sGIR1, dated June 2022). This report confirms that a Preliminary Land Contamination and Geotechnical Risk Assessment for the site was completed in January 2021 (report reference 01-01-106417/DSR1) and a Ground Investigation Report covering the northern portion of the school site only was conducted in 2021(ref 01-01-106417/ GIR1 dated 13 January 2021).

- 3.177 This latest GIR includes a contamination risk assessment and no contamination has been identified on the site. Therefore, no remedial works are required in connection with contamination.
- 3.178 The Environmental Quality Team for Broadland Council has been consulted in connection with the proposal. Having reviewed the application documentation, they raise no objection. However, they recommend that an appropriately worded planning condition is added to incorporate measures for dealing with unexpected contamination on the site and also the provision of a construction management plan.
- 3.179 Third party objection has been made relating to the proximity to the A47 and associated air pollution, particularly on the developing respiratory systems of young people. Concern that the level of pollutants in the outdoor areas of the site need considering (as students are outside at break and lunch times) and perhaps some form of internal filtration system to limit the long term exposure to these pollutants.
- 3.180 The application has been supported by an Air Quality Assessment, undertaken by RSK Environment Ltd (Report No.: 445042-01 (00), dated 25th October 2022). It considers the existing air quality in the area as well as any potential risk of construction phase impacts and operational impacts.
- 3.181 The proposed layout minimises exposure by placing less sensitive land uses such as access roads and car parking closest to the A47, while the school buildings and playing fields are further south, at a similar distance from the A47 as the existing doctors' surgery and residential properties on Highview Close and North Street.
- 3.182 Air quality monitoring and the estimated background concentrations of nitrogen dioxide and particulate matter (NO₂, PM₁₀ and PM_{2.5}), suggest that no exceedances of any of the relevant air quality objectives are likely, and air quality is likely to be well within the objectives. Overall, the report confirms that the proposed development is not likely to increase exposure to poor air quality and the impact of ambient air quality on the receptors introduced is likely to be insignificant.
- 3.183 The EHO also requests a Construction Management Plan is submitted to protect the occupants of existing dwellings surrounding the site from noise, dust and smoke prior to commencement of development. However, information on how the site will be managed to reduce the impact on neighbouring properties and wider environment during the construction / demolition phase of the works is already provided within the submitted Construction Considerations Statement (CCS). Accordingly, a condition securing the implementation of this CCS is recommended to be attached. No other conditions are considered necessary in regard to air quality in this case.
- 3.184 Accordingly, subject to the implementation of conditions relating to it is considered the proposal accords with the provisions of Policy 1 of the JCS,

Policies EN4 and GC4 of the DMPD (2015) and Para 174 of the National Planning Policy Framework (NPPF).

3.185 K - Crime Prevention

- 3.186 Local authorities are duty bound to adhere to Section 17 of the Crime and Disorder Act 1998 and exercise their functions with due regard to their likely effect on crime and disorder and do all that they reasonably can to prevent crime and disorder.
- 3.187 Chapter 8 of the NPPF states that planning decisions should promote safe and accessible environments where crime and disorder, and the fear of crime, do not undermine quality of life or community cohesion. At a local level, Policy 7 of the JCS states that development will be well designed, to include safe and accessible spaces where crime and fear of crime are minimised. Policy GC4 of DMPD (2015) requires proposals to pay adequate regard to creating safe environments, addressing crime prevention and community safety.
- 3.188 The Design and Access Statement (DAS) makes several references to the school security strategy, confirming that child welfare and security is paramount. The design of the building, including its layout and relationship with outside uses, and the position of security fencing and boundary treatment has been carefully considered in regard to safety and crime prevention.
- 3.189 The Designing Out Crime Officer at Norfolk Constabulary has been consulted and raises no objection to the proposal overall. Supporting comments have been made regarding the provision of security fencing and a gate system of appropriate heights and materials. The inclusion of defensive planting, which clearly defines the site boundaries is also welcomed.
- 3.190 Support is also given to the single in/out vehicle access point, which is easier to monitor, and surveillance of these areas by use of CCTV is encouraged. The Designing Out Crime Officer supports the fact that the waste containers, including those with wheels which can be used for anti-social behaviour, are stored within fenced areas.
- 3.191 Comments about the bicycle and scooter parking being provided in view of occupied school offices and / or classrooms are noted, but they are conveniently located close to the school entrance and in an area where there are windows proposed serving the rear lobby, corridor and the main staircase, which already offer a degree of overlooking. The cycle stores are also visible from the main car park and are also located within securable grounds. The Designing Out Crime Officer notes the bicycle and scooter parking areas will be secured during school hours.
- 3.192 The Designing Out Crime Officer notes that the lighting plan shows all external areas are covered with sufficient levels of lighting and that there are no vulnerable 'dark spots'. More general advice is given about colour coding

of signage which can be helpful in identifying the routes to various school departments. The Designing Out Crime Officer also recommends that for complete reassurance the fence and gate system is certified to a minimum of LPS 1175 Issue 7 SR1 or Sold Secure Gold Standard and refers to the minimum standards recommended for all windows and doors for security purposes.

- 3.193 In summary, it has been satisfactorily demonstrated that crime prevention and security measures have been designed into the proposed school scheme, in order to reduce the opportunities for crime and disorder. There is no conflict with planning policy in this respect.

3.194 **Other matters**

- 3.195 **Nutrient Neutrality** - On 16 March 2022 Natural England wrote to a cohort of 42 councils including the County Council reviewing its position on nutrient neutrality. In this instance the proposed site is located within Natural England's identified Norfolk Catchment Map which includes the nutrient neutrality surface water catchment area for the River Yare. Anglian Water confirm that the development site is served by Whitlingham Trowse WRC, the outfall for which discharges within the Natural England Nutrient Neutrality boundary.

- 3.196 Current guidance states that nutrient neutrality only needs to be considered for development of all types of overnight accommodation including new homes, camping sites etc. However, it can also be a requirement for 'other types of business or commercial development, not involving overnight accommodation, if it has other (non-sewerage) water quality implications'.

- 3.197 Following the 'Advice for development proposals with the potential to affect water quality resulting in adverse nutrient impacts on habitats sites' produced by Natural England, including the supporting information and flow diagrams contained within Annexes A – G, and the information provided by the applicant on drainage matters, it is not considered there are any water quality implications for this proposed development. On this basis, given that the proposal will not have an impact on habitats sites or an adverse effect on the integrity of a habitats site, mitigation is not necessary.

- 3.198 In this instance there are considered no outstanding issues in regard to nutrient neutrality.

- 3.199 **Lack of nursery places** – The Parish Council state that NCC is expecting 531 new homes in the area with an increase in primary school children. Children need nursery provision before primary school Blofield only has part-time pre-schools that are unable to increase provision. They seek the inclusion of a nursey within the current plans.

- 3.200 The applicant states that their initial proposals included a pre-school nursery, but recent analysis has identified there is not sufficient need for such provision to be included in this application. Accordingly, based on the most

up to date information, that element has been omitted from the current proposal.

- 3.201 **Fire hydrants** – Norfolk Fire and Rescue Service have been consulted on this application. The Hydrant Maintenance and Planning Support Officer raises no objection subject to a condition requiring the provision a fire hydrant capable of delivering a minimum of 20 litres per second of water.
- 3.202 In order to ensure adequate water infrastructure provision is made on site for the local fire service to tackle any property fire, it is recommended that a condition be imposed seeking details to be submitted before the development proceeds above foundation level, with installation before the school is occupied. This would be in accordance with the provisions of Policy 7 of the Joint Core Strategy for Broadland, Norwich and South Norfolk (2011), Policy GC4 of the Broadland Development Plan Document 2015 and Chapter 12 of the NPPF (2021).
- 3.203 **Statement of Community Involvement** - The application has been supported by a Statement of Community Involvement (SCI) (contained within the DAS) which confirms that a public consultation event was arranged to give members of the public and any other interested parties the opportunity to view the proposals and put questions to members of the NPS Design Team and Norfolk County Council Children's Services.
- 3.204 The event took place at the current Blofield Primary School between 12:00-18:00 on 4 July 2022. The SCI confirms that attendance by members of the public was high, and comments were made relating to issues of a pedestrian access from Farman Way, the visual impact from Farman Way and the risk of drainage to houses on Manor Ridge.
- 3.205 The Parish Council referred to a meeting at the school held on 17th Jan at 2.15pm which they say was advertised at very short notice and it appears, only within a close radius of the proposed new school. However, this was a separate event which was in addition to the main public consultation event held in July 2022.
- 3.206 These issues have been taken into consideration as part of the planning application design process.
- 3.207 **Appropriate Assessment**
- 3.208 There are no designated nature conservation sites within 2km of the application site. The application has been assessed in accordance with Regulation 63 of The Conservation of Habitats and Species Regulations 2017 and based on the information submitted to the County Planning Authority (CPA), it is considered that, due to both the nature of the development and the distance from the European Sites, the proposal would not have a significant impact on these or any other protected habitat. Accordingly, no Appropriate Assessment of the development is required/or an Appropriate Assessment has been undertaken.

3.209 ENVIRONMENTAL IMPACT ASSESSMENT

- 3.210 The application was screened on receipt and re-screened at the determination stage and it is not considered that the development would have significant impacts on the environment. No Environmental Impact Assessment is therefore required.

3.211 RESPONSES TO REPRESENTATIONS RECEIVED

- 3.212 The application was advertised by means of neighbour notification letters, site notices, and an advertisement in the Eastern Daily Press newspaper in accordance with statutory requirements.
- 3.213 Most of the issues raised have already been addressed in the Appraisal section above. However, the Parish Council has made comment regarding maintenance of their land, hedges and drainage ponds. Whilst the plans show information about the position and proximity of boundaries and planting, the issue of access to land for maintenance will be a matter between land owners and this falls outside planning legislation.
- 3.214 Third party comment that not enough residents were consulted are noted, but the application was advertised by way of a notice in the press, site notices and letters to neighbouring properties. These measures exceed the level of advertising set within the Town and Country Planning Acts.
- 3.215 The Parish Council seek confirmation that the school can still realistically be open by September 2024. Whilst para 95 of the NPPF states it is important that a sufficient choice of school places is available to meet the needs of existing and new communities, the timing of the implementation of a development is not a material consideration to the grant of planning permission.
- 3.216 Third party supporting comments that the village needs a new school are noted.

3.217 INTENTIONAL UNAUTHORISED DEVELOPMENT

- 3.218 Following the Chief Planner's letter of 31 August 2015 to planning authorities, intentional unauthorised development is now a material consideration in the determination of all planning applications received after 31 August 2015. This is therefore capable of being a material consideration in the determination of this application.
- 3.219 In this instance no such unauthorised development has taken place and there are no implications for this current application.

4. Conclusion, Reasons for Decision and Planning Balance

- 4.1 This application for a new primary school on this site has been considered as a departure from development plan policy given the location of the site outside of the village settlement boundary.
- 4.2 The application has been accompanied by a comprehensive range of planning documents to support the proposal. The Planning Statement and DAS show that the current full application seeks to provide the required school places associated with new housing development and the projected need from existing surrounding development in line with the provisions of para 95 of the NPPF.
- 4.3 The key issues to be assessed in the determination of this full application have been addressed above and include matters of access, traffic, pedestrian safety and parking, amenity impacts, design, landscaping and ecology. Sustainability, contamination, archaeology, have also been addressed. The applicant has demonstrated that earlier LLFA concerns relating to flooding and drainage can now be overcome, subject to appropriately worded planning conditions.
- 4.4 The holding objection from the Public Rights of Way Officer (a statutory consultee) has been addressed through the submission of additional details. No other objections from statutory consultees remain in place, subject to the imposition of suitably worded conditions on any grant of planning permission.
- 4.5 There have been a large number of third party representations, mostly objections with some supporting comments. The representations received have been primarily concerned with the potential provision of a second pedestrian link to the school from Farman Way to the south, but this has been reviewed and is not part of the proposal. Other issues raised by neighbours have now either been addressed, clarified or resolved through amendments to the scheme during the course of the application.
- 4.6 On balance, although considered a departure from the development plan in terms of its location outside the settlement boundary, there are development plan policies that support community facilities beyond the boundary where appropriate to do so. Your officers consider the application accords with the development plan in this regard as there is a need to provide school facilities in the locality. It can be considered to be a sustainable form of development in line with the advice set out in the NPPF, subject to implementation of the proposal to comply with relevant planning conditions. There are no other material considerations that indicate that planning permission should not be permitted. Accordingly, conditional planning permission is recommended subject to the conditions set out in Section 11 below.

5. Alternative Options

- 5.1 Members of the Planning (Regulatory) Committee can only resolve to make a decision on the planning application before them whether this is to approve, refuse or defer the decision.

6. Financial Implications

- 6.1 The development has no financial implications from the Planning Regulatory perspective.

7. Resource Implications

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

8. Other Implications

- 8.1 **Legal Implications:** There are no legal implications from the Planning Regulatory perspective.

8.2 **Human Rights Implications:**

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.

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.

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.

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

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.

8.4 **Data Protection Impact Assessments (DPIA):** None

8.5 **Health and Safety implications (where appropriate):**

There are no health and safety implications from a planning perspective.

8.6 Sustainability implications (where appropriate):

This has been addressed in the sustainability section of the report above.

8.7 Any Other Implications:

There are no other implications from a planning perspective.

9. Risk Implications / Assessment

9.1 There are no risk issues from a planning perspective.

10. Select Committee Comments

10.1 Not applicable.

11. Recommendations

11.1 That the Executive Director of Community and Environmental Services be authorised to:

1. **Grant planning permission subject to the conditions outlined below.**
2. **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.**
3. **Delegate powers to officers to deal with any non-material amendments to the application that may be submitted.**

11.2 CONDITIONS:

1. The development hereby permitted shall commence within three years of the date of this permission.
Reason: To comply 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 must be carried out in strict accordance with the application form and the following plans and documents:
 - Drawing No. NPS-ZZ-00-D-A-005 Rev P1, Existing Site Plan, dated 09.11.2022
 - Drawing No. NPS-ZZ -00-D-001 Rev P2 Location Plan, dated 29.11.2022
 - Drawing No. NPS-ZZ-00-DR-A-011 Rev P14, Proposed Site Plan, dated 21.02.2022
 - Drawing No. NPS-ZZ-00-DR-A-019 Rev P1, Proposed Pitch Markings, dated 18.10.2022
 - Drawing No. NPS- DR-A-020 Rev P2, GA Ground Floor Plan, dated 09.11.2022
 - Drawing No. NPS- Z1-00-DR-A-021, Rev P03, GA First Floor Plan, dated 08.12.2022

- Drawing No. NPS- Z1-00-DR-A-023, Rev P02, GA Roof Plan, dated 14.11.2022
- Drawing No. NPS-Z1-ZZ-DR-A-100, Rev P03, Proposed Elevations, dated 08.12.2022
- Drawing No. NPS-ZZ-ZZ-DR-A-120, Rev P1 Proposed Substation and Switchroom Elevations, dated 10.11.2022
- Drawing No. 107733-HBS-00-XX-DR-L-800-P04, Proposed Landscape General Arrangement, dated 21.02.2023
- Drawing No. 3645_101Rev P4, Drainage Layout, dated 10.12.2022
- Drawing No. 107733-HBS-00-XX-DR-L-810-P02, Proposed Site Boundary Treatments & Fencing Systems, dated 20.10.2022
- Drawing No. NPS-ZZ-00-D-C-100 Rev P2 Construction Site Traffic Management Plan, dated 08.12.2022
- Drawing No. NPS-ZZ-00-DR-E-005 Rev P2, External Lighting and Isolines, dated 10.12.2022
- Drawing No. 107733-NPS-ZZ-00-D-E-006, Rev P2, Electrical Services Proposed Site Plan, dated 10.12.2022

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

3. The external materials and finishes used in the construction of the development hereby permitted shall be as detailed on the approved Drawings and as detailed in Section 2 Materials Palette of the Design and Access Statement.

Reason: To ensure the satisfactory appearance of the development, in accordance with Policy 2 of the Joint Core Strategy for Broadland, Norwich and South Norfolk (2011), Policies GC4, GC5, CSU3 of the Broadland Development Plan Document 2015 and Chapter 12 of the NPPF (2021).

4. Prior to the first use of the development hereby permitted visibility splays (at the access road junction with Plantation Road) shall be provided in full accordance with the details indicated on the approved plan. The splay(s) shall thereafter be maintained at all times free from any obstruction exceeding 0.225 metres above the level of the adjacent highway carriageway.

Reason: In the interests of highway safety in accordance with the principles of Policies 1, 2 and 6 of the of the JCS (2014), Policies GC4, TS2, TS3 and TS4 of the DMDPD (2015) and Policies TRA1, TRA2 and TRA3 of Blofield Neighbourhood Plan and the objectives of section 9 of the NPPF (2021).

5. Prior to the first use of the development hereby permitted the proposed access and access road (and cycleway / footway) / on-site car parking / on site footpath / servicing / loading / unloading / turning / waiting area shall be laid out, demarcated, levelled, surfaced and drained in accordance with the approved plan and retained thereafter available for that specific use.

Reason: To ensure the permanent availability of the parking/manoeuvring areas, in the interests of satisfactory development and highway safety in

accordance with the principles of Policies 1, 2 and 6 of the of the JCS (2014), Policies GC4, TS2, TS3 and TS4 of the DMDPD (2015) and Policies TRA1, TRA2 and TRA3 of Blofield Neighbourhood Plan and the objectives of section 9 of the NPPF (2021).

6. The on-site parking arrangement for construction workers outlined on Drawing No. NPS-ZZ-00-D-C-100 shall be implemented throughout the construction period.

Reason: To ensure adequate off-street parking during construction in the interests of highway safety in accordance with the principles of Policies 1, 2 and 6 of the of the JCS (2014), Policies GC4, TS2, TS3 and TS4 of the DMDPD (2015) and Policies TRA1, TRA2 and TRA3 of Blofield Neighbourhood Plan and the objectives of section 9 of the NPPF (2021).

7. For the duration of the construction period all traffic associated with the construction of the development will comply with the Construction Site Traffic Management Plan. In addition, all measures outlined within the statement shall be implemented throughout the construction period.

Reason: In the interests of maintaining highway efficiency and safety in accordance with the principles of Policies 1, 2 and 6 of the of the JCS (2014), Policies GC4, TS2, TS3 and TS4 of the DMDPD (2015) and Policies TRA1, TRA2 and TRA3 of Blofield Neighbourhood Plan and the objectives of section 9 of the NPPF (2021).

8. Notwithstanding the details indicated on the submitted drawings no works above slab level shall commence on site unless otherwise agreed in writing until detailed drawings for the off-site highway improvement works as indicated on Drawing No.(s) NPS-ZZ-00-DR-A-012 Rev P1 have been submitted to and approved in writing by the Local Planning Authority.

Reason: To ensure that the highway improvement works are designed to an appropriate standard in the interest of highway safety and to protect the environment of the local highway corridor in accordance with the principles of Policies 1, 2 and 6 of the of the JCS (2014), Policies GC4, TS2, TS3 and TS4 of the DMDPD (2015) and Policies TRA1, TRA2 and TRA3 of Blofield Neighbourhood Plan and the objectives of section 9 of the NPPF (2021).

9. Prior to the first occupation of the development hereby permitted the off-site highway improvement works (including Public Rights of Way works) referred to in condition 8 shall be completed to the written satisfaction of the Local Planning Authority.

Reason: To ensure that the highway network is adequate to cater for the development proposed in accordance with the principles of Policies 1, 2 and 6 of the of the JCS (2014), Policies GC4, TS2, TS3 and TS4 of the DMDPD (2015) and Policies TRA1, TRA2 and TRA3 of Blofield Neighbourhood Plan and the objectives of section 9 of the NPPF (2021).

10. Use of the development hereby permitted shall not commence until the off-site highway improvement works approved under Highways Project No. PRZ044 (namely extension to the 20 mph speed limit, double yellow line waiting restrictions and footway works on Plantation Road) have been completed to the written satisfaction of the Local Planning Authority.

Reason: To ensure that the highway network is adequate to cater for the development proposed in accordance with the principles of Policies 1, 2 and 6 of the JCS (2014), Policies GC4, TS2, TS3 and TS4 of the DMDPD (2015) and Policies TRA1, TRA2 and TRA3 of Blofield Neighbourhood Plan and the objectives of section 9 of the NPPF (2021).

11. Within 6 months of the first occupation of the development hereby permitted a review of the existing school travel plan shall be submitted to and approved in writing by the County Planning Authority. The travel plan shall be implemented in accordance with the timetables and targets contained therein and shall continue to be implemented subject to any modifications agreed by the County Planning Authority in writing as part of an annual review. The travel plan reviews shall monitor pupil numbers and provide accordingly for the phased development of the future cycle parking.

Reason: To ensure that the development offers a wide range of travel choices to reduce the impact of travel and transport on the environment in accordance with the principles of Policies 1, 2 and 6 of the JCS (2014), Policies GC4, TS2, TS3 and TS4 of the DMDPD (2015) and Policies TRA1, TRA2 and TRA3 of Blofield Neighbourhood Plan and the objectives of section 9 of the NPPF (2021).

12. The development shall be built in accordance with the submitted Flood Risk Assessment and Drainage Strategy (Drainage Strategy Report by BHA Consulting, Blofield New Primary School, Ref: 3645 Rev: V5, Dated: 05 April 2023) and the following additional supporting documents:
 - Surface Water Drainage Maintenance & Management Plan by BHA consulting Blofield New Primary School, Ref: 3645 Rev: V3, Dated: 18 April 2023. The schematic drainage layout adopted must be that demonstrated in the final submitted drainage strategy drawing (Drainage Layout by BHA Consulting Blofield Primary School, Drawing No.: 3645-101 Rev: P11, Dated: 05 April 2023). The approved scheme will be implemented prior to the first use of the development. At the point during construction that the surface water pump becomes operational to manage onsite surface water, an appropriate and robust emergency procedure plan will be in place. This will include clear details of who will be responsible for responding to pump failures during all phases of construction, building handover and for the lifetime of the development, and how the responsible party will be alerted to pump failure both onsite and remotely.

Reason: To prevent flooding in accordance with the provisions of Policy 1 of the Joint Core Strategy, Policy CSU5 of the Broadland Development Policies Document (2015), Policy ENV3 of the Blofield Neighbourhood Plan and National Planning Policy Framework paragraph 167, 169 and 174 by

ensuring the satisfactory management of local flood risk, surface water flow paths, storage, and disposal of surface water from the site in a range of rainfall events and ensuring the SuDS proposed operates as designed for the lifetime of the development.

13. The landscaping scheme hereby permitted (as set out on. Drawing No. 107733-HBS-00-XX-DR-L-800 Rev P04 Proposed Landscape General Arrangement, dated 21.02.23) shall be implemented within the first planting season (October to March), following completion the development. Any plants which, within a period of five years from the completion of the planting, die, are removed or become seriously damaged or diseased, shall be replaced with others of a similar size and species. All planting shall be retained for a period of five years after initial planting has been completed and any trees and shrubs which are substantially damaged, seriously diseased or die, shall be replaced within twelve months of removal or death, with plants of a similar species and size.

Reason: To ensure the satisfactory appearance of the development, in accordance with Policy 2 of the Joint Core Strategy for Broadland, Norwich and South Norfolk (2011), Policies EN1 and EN3 of the DMPD (2015), and Chapter 12 of the NPPF (2021).

14. The development shall be carried out in strict accordance with the Landscape Management & Maintenance Schedule contained within the Landscape Management & Maintenance Plan by Hamson Barron Smith Landscape Architecture ref: 107733 LMMP- Blofield New Primary, Version P02 dated 20.10.22, and the BNG Management and Monitoring Plan (MMP) contained at section 6 of the Biodiversity Net Gain Assessment by Norfolk Wildlife Service, dated 04/11/2022 – Final, unless agreed in writing by the Local Planning Authority.

Reason: To ensure the satisfactory appearance of the development, in accordance with Policy 2 of the Joint Core Strategy for Broadland, Norwich and South Norfolk (2011), Policies EN1 and EN3 of the DMPD (2015) and Chapter 12 of the NPPF (2021).

15. The approved Arboricultural Impact Assessment for Land off Plantation Rd, Blofield (Primary School), Ref: 2020.221.1- AIA by Norfolk Wildlife Services, dated 20.10.2022 Issue V1, Arboricultural Method Statement for Blofield Primary School Ref: 2021.335.1- Blofield- AMS by Norfolk Wildlife Services, dated 01.02.2023 Issue V2 and Drawing No. 2021.335.1, 2 of 2, Tree Protection Plan, dated 20.10.2022 shall be adhered to and implemented through the construction phases strictly in accordance with the approved details, unless otherwise agreed in writing by the Local Planning Authority.

Reason: To safeguard existing trees and/or hedgerows on site and prevent damage during construction works and in the interests of the visual amenity of the area in accordance with Policy 2 of the Joint Core Strategy for

Broadland, Norwich and South Norfolk (2011), Policies EN1 and EN3 of the DMPD (2015) and Chapter 12 of the NPPF (2021).

16. Notwithstanding the details already submitted, full details of the proposed ecological enhancement measures as set out in section 6 of the Ecological Report: Blofield Primary School, Norfolk by Norfolk Wildlife Services ref: 2021.335, dated 07/11/2022 - Final for the provision of 10 bat boxes and 15 bird boxes, to include finalised specifications and locations on the building, along with a timetable for installation, shall be submitted to and approved in writing prior to their installation.

Reason: In the interests of protecting and enhancing biodiversity, in accordance with UK and European Law and in accordance with Policy 1 of the Joint Core Strategy for Broadland, Norwich and South Norfolk (2011), Policies EN1 and EN3 of the DMPD (2015) and Chapter 15 of the NPPF (2021).

17. The development shall be carried out in strict accordance with the mitigation measures set out in section 5.3 of the Ecological Report: Blofield Primary School, Norfolk by Norfolk Wildlife Services ref: 2021.335, dated 07/11/2022 - Final and the BNG Management and Monitoring Plan outlined in section 6 of the Biodiversity Net Gain Assessment by Norfolk Wildlife Service, dated 04/11/2022 – Final unless agreed in writing by the Local Planning Authority.

Reason: In the interests of protecting and enhancing biodiversity, in accordance with UK and European Law and in accordance with Policy 1 of the Joint Core Strategy for Broadland, Norwich and South Norfolk (2011), Policies EN1 and EN3 of the DMPD (2015) and Chapter 15 of the NPPF (2021).

18. If, during development, contamination not previously identified is found to be present, then no further development shall be carried out in pursuance of this permission until a scheme has been submitted to and approved by the Council as Local Planning Authority detailing how this contamination shall be dealt with in accordance with the remediation scheme as set out above. Only when evidence is provided to confirm the contamination no longer presents an unacceptable risk, can development continue.

Reason: To ensure that risks from land contamination to the future users of the land and neighbouring land are minimised, together with those to controlled waters, property and ecological systems, and to ensure that the development can be carried out safely without unacceptable risks to workers, neighbours and other offsite receptors, in accordance with section 179 of the NPPF, and Policies EN4 and GC4 of the Broadland Development Management DPD 2015.

19. No development above foundation level shall take place on site until a comprehensive noise assessment to determine the level of noise both internally and externally has been completed in accordance with a scheme

to be first agreed in writing by the Local Planning Authority. The written report(s) shall identify and consider the potential impacts on all identified receptors. All investigation and reports must be carried out in accordance with current best practice. Based on the findings of this study, details of whether remediation is required together with a remediation method strategy as appropriate shall be submitted to and approved in writing by the Local Planning Authority.

Reason: In the interests of the amenities of the locality in accordance with plan Policies 2 and 7 of JCS (2014), Policy EN4 of the DMPD (2015) and section 8 of the NPPF (2021).

20. If condition 19 above determined that remediation is required, the development hereby permitted shall be carried out in accordance with the approved noise remediation scheme. Following completion of remediation and prior to first occupation of the dwelling(s), a verification report that scientifically and technically demonstrates the effectiveness and success of the remediation scheme shall be submitted to and approved in writing by the Local Planning Authority.

Reason: In the interests of the amenities of the locality in accordance with plan Policies 2 and 7 of JCS (2014), Policy EN4 of the DMPD (2015) and section 8 of the NPPF (2021).

21. Notwithstanding the details contained within in the Lighting Assessment, the external lighting shall not at any time be on except between 07:00 and 18:00 Monday to Friday, 07:00 to 13:00 Saturdays and not at all on Sundays or Bank Holidays.

Reason: In the interests of amenity of the locality in accordance with Policies 2 and 7 of JCS (2014), Policy EN4 of the DMPD (2015), Policy ENV5 of the Blofield Neighbourhood Plan and section 8 of the NPPF (2021).

22. The construction of the development shall be carried out in accordance with the principles set out in the NPS Group Construction Consideration Statement (CCS) dated 18.10.2022, Version V1. Implementation of the works in accordance with the CCS shall occur throughout each phase of the development.

Reason: In the interests of the amenities of the locality in accordance with Policies 2 and 7 of JCS (2014), Policy EN4 of the DMPD (2015), and section 8 of the NPPF (2021).

23. No development above foundation level shall take place until a scheme has been submitted to and agreed by the Council, in consultation with Norfolk Fire and Rescue Service, for 1 fire hydrant capable of delivering a minimum of 20 litres per second of water. No building shall be occupied until the hydrant serving the property has been provided to the satisfaction of the Council in consultation with Norfolk Fire and Rescue Service.

Reason: To ensure adequate water infrastructure provision is made on site for the local fire service to tackle any property fire in accordance with the provisions of Policy 7 of the Joint Core Strategy for Broadland, Norwich and South Norfolk (2011), Policy GC4 of the Broadland Development Plan Document 2015 and Chapter 12 of the NPPF (2021).

24. No development above foundation level shall take place unless and until:
- a) A detailed assessment of ground conditions of the land proposed for the new playing field land shall be undertaken (including drainage and topography) to identify constraints which could affect playing field quality; and
 - b) Based on the results of this assessment to be carried out pursuant to (a), a detailed scheme to ensure that the playing fields will be provided to an acceptable quality (including appropriate drainage where necessary) shall be submitted to and approved in writing by the Local Planning Authority after consultation with Sport England. The works shall be carried out in accordance with the approved scheme within a timescale to be first approved in writing by the Local Planning Authority after consultation with Sport England.

Reason: To ensure that site surveys are undertaken for new or replacement playing fields and that any ground condition constraints can be and are mitigated to ensure provision of an adequate quality playing field and to accord with Policies 5,7 and 8 of the JCS, the preamble to Policy RL1 of the DMP 2015 and the provisions of Chapter 8 of the NPPF.

25. No development above foundation level shall take place until a community use scheme has been submitted to and approved in writing by the Local Planning Authority, after consultation with Sport England. The scheme shall apply to outdoor and indoor sports facilities and shall include details of pricing policy, hours of use, access by non-educational establishment users/non-members, management responsibilities, a mechanism for review and a programme for implementation. The approved scheme shall be implemented upon the start of use of the development and shall be complied with for the duration of the use of the development.

Reason: To secure well managed safe community access to the sports facility, to ensure sufficient benefit to the development of sport and to accord with Policies 5,7 and 8 of the JCS, the preamble to Policy RL1 of the DMP 2015 and the provisions of Chapter 8 of the NPPF.

26. Notwithstanding the details submitted and shown on the approved plans all weldmesh boundary fencing shall be finished in a dark green colour.

Reason: In the interests of amenity of the locality in accordance with Policies 2 and 7 of JCS (2014), Policy EN4 of the DMPD (2015), Policy ENV5 of the Blofield Neighbourhood Plan and section 8 of the NPPF (2021).

Background Papers

12.1 Planning Application reference: FUL/2022/0055 available here:
<http://eplanning.norfolk.gov.uk/Planning/Display/FUL/2022/0057#undefined>

Officer Contact

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

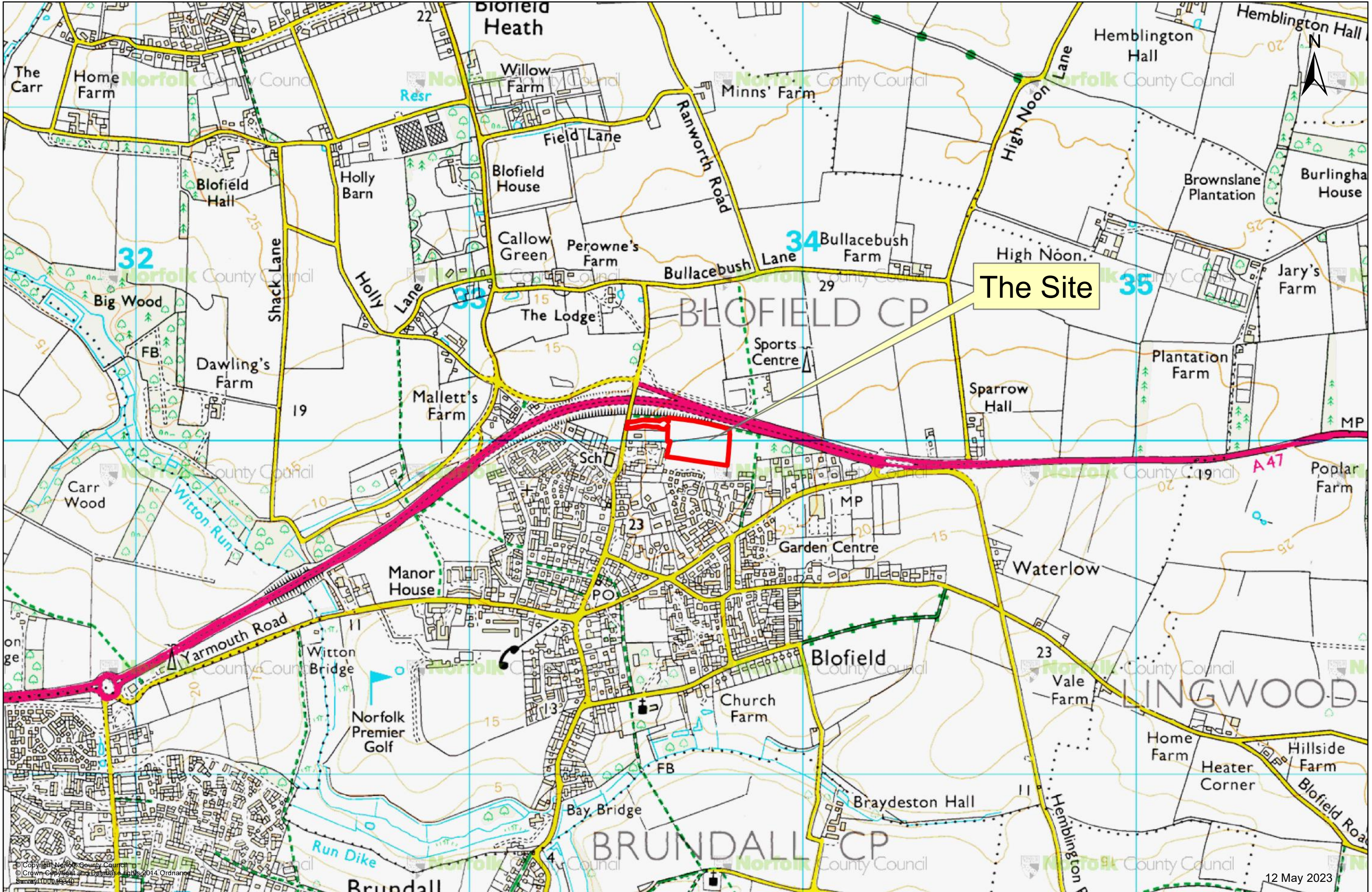
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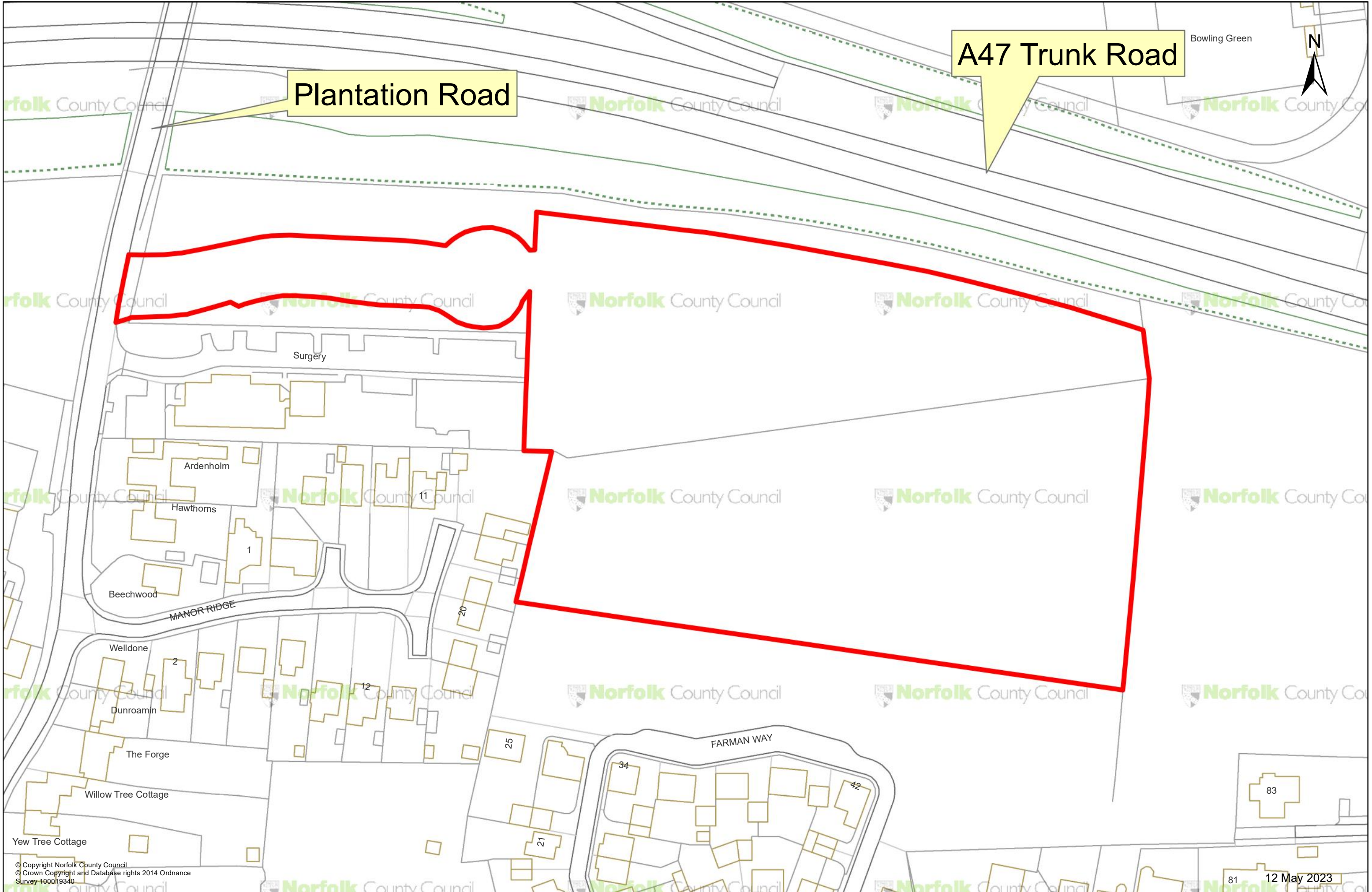


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Blofield Primary School
Location Plan





Blofield Primary School
Site Plan



Planning (Regulatory) Committee

Item No: 6

Report Title: FUL/2021/0007: Land at Oak Field, Watlington Road, Nr Tottenhill Row, Nr Watlington, Kings Lynn, Norfolk: Extraction of sand, gravel and clay and subsequent importation of inert material to achieve a beneficial restoration of the site, together with operation of an inert waste recycling facility and continued use of the plant site; Construction of additional silt lagoon and subsequent removal of sand and gravel (part retrospective) amended description of proposal: Mick George Ltd

Date of Meeting: 21 July 2023

Responsible Cabinet Member: N/A

Responsible Director: Tom McCabe, Executive Director of Community and Environmental Services

Is this a Key Decision? No

Executive Summary

The proposed extension area, the subject of the application, is largely consistent with site MIN 206, which is considered suitable for allocation for sand and gravel extraction in the emerging Minerals and Waste Local Plan. The application is accompanied by an Environmental Statement which concludes that, with appropriate mitigation the proposal can be carried out in an acceptable manner consistent with government advice. The application is part retrospective in nature, with construction of the additional silt lagoon and subsequent removal of sand and gravel having commenced.

Objections and concerns are raised by Tottenhill Parish Council in relation to the potential noise levels of a crusher to be used on the site. No objections have been raised by statutory consultees subject to suitably worded conditions being imposed on any grant of planning permission. Similarly, no objections have been received from members of the public and the basis for reporting the application to this committee is, in accordance with the Council's Constitution because it has been submitted with an Environmental Statement.

The key issues are the principle of development, impacts of the development on residential amenity, landscape and visual amenity, historic environment, biodiversity, highway network, flood risk, groundwater/surface water resources, restoration /

aftercare, protection of agricultural land, safeguarding aerodromes and cumulative impacts.

The environmental impacts of the proposal have been carefully considered. It is considered that the proposal would be in accordance with the policies contained within the development plan and no material considerations sufficient to outweigh the plan have been identified. This is a short summary of the key points in the report

Recommendations: That the Executive Director of Community and Environmental Services be authorised to:

- 1. Grant planning permission subject to a legal agreement in respect of off-site groundwater monitoring and mitigation, and the conditions outlined in section 11;**
- 2. 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;**
- 3. Delegate powers to officers to deal with any non-material amendments to the application that may be submitted.**

1. Background

- 1.1 This report deals with a planning application within the parish of Tottenhill.
- 1.2 Watlington Quarry has been an active site for the production of sand and gravel since the first planning permission was issued in the mid 1960's. Since then a number of further planning permissions, including physical extensions to the quarry, have been granted. As regards the site under consideration, the following applications are relevant:
- 1.3 Planning permission reference C/2/2018/2001 was granted in 2019 for sand and gravel extraction from site MIN 76 – land at West Field, Watlington Road as an extension to Watlington Quarry; the permission requires restoration of the site by 31 December 2023.
- 1.4 Planning permission reference C/2/2018/2002 was granted in 2019 for continued use of the plant site to service the proposed quarry extension (MIN 76), until 31 December 2023:
- 1.5 Planning permission reference C/2/2018/2024 was granted in 2019 for Construction of additional silt lagoon and subsequent removal of sand and gravel and clay; the permission requires restoration of the site by 31 December 2023.
- 1.6 Planning permission reference 18/01691/FM granted in 2019 (by Borough Council of King's Lynn & West Norfolk) for Change of use of former quarry site to a Wildlife Park, Watlington Quarry, Lynn Road, Tottenhill (Watatunga Wildlife Reserve).

2. Proposal

2.1 SITE

- 2.2 The application site relates to Watlington Quarry, located between the villages of Tottenhill and Watlington and comprises the existing mineral processing plant/silt management area (at the northern end of the application site) and the proposed 10.5ha extension area, immediately south of the processing plant. The extension area comprises two relatively flat, agricultural fields, with the easternmost one bisected by a section of the fenced access track between the Watatunga Wildlife Reserve reception/car park and the wildlife reserve itself (to the south). The proposed silt lagoon is located on the northwest part of the plant site between the existing silt lagoons and washing plant, and was formerly used as a mineral stockpile area. The application site occupies a position within countryside of varied character, including the active mineral processing area, extensive former mineral workings, now flooded, woodland and agricultural land. The site is bounded to the north by Watlington Road, to the east partly by the A10, Lynn Road and partly by Watatunga Wildlife Reserve reception/car park, to the south by Whin Common Road, and to the west by woodland and former mineral workings, now flooded.
- 2.3 The extraction area is located some 20m northwest of the settlement of Tottenhill and some 0.8km northeast of the village of Watlington.
- 2.4 The closest residential property to the extraction area is some 45m southeast of the site boundary, with a Public House some 20m to the southeast of the site boundary. There are 15 residential properties within 250m of the site boundary, of which three are within 100m of the site boundary.
- 2.5 The closest residential properties to the plant/stockpiling area are a property some 300m to the north; properties at Tottenhill Row some 350m to the northwest; and a property some 450m east of the site.
- 2.6 Existing vehicular access to the site, which is shared with the Watatunga Wildlife Reserve, is from the north via a purpose-built haul road off Watlington Road, some 160m from its junction with the A10/A134.
- 2.7 Relevant Constraints:

The King's Lynn and West Norfolk LDF Site Allocations and DM Policies Plan shows the site as being located outside a defined development boundary.

The following heritage assets are within 2km of the site:

- Tottenhill Row Conservation Area is 210m west of the site.
- Moat at the Old Rectory, Watlington (Scheduled Monument) is 1.4km southwest of the site

-Moated site of Wormegay Priory (Scheduled Monument) is 1.47km northeast of the site.

-12 no. Listed Buildings, including Grade I LB (Church of St Botolph, Wormegay) which is 1.6km to the east, and Grade I LB (Church of St Peter and St Paul, Watlington) which is 1.15km to the west.

There are two statutory designated sites of national nature conservation importance within 2km of the site: Setchey Site of Special Scientific Interest (SSSI) is located approximately 650m north of the site, whilst River Nar SSSI is located approximately 1.2km north of the site

There are five non-statutory designated sites for nature conservation within 1km of the site: CWS (County Wildlife Site) 385 'Tottenham Village Green' is 160m from the site; CWS 384 'West of Tottenham' is 235m from the site; CWS 387 'Tottenham Row Common' is 238m from the site; CWS 381 'Thieves Bridge Meadow' is 400m from the site; CWS 378 'Runs Wood Meadow' is 525km from the site

2.8 PROPOSAL

2.9 The proposal is for an extension to the existing quarry onto land south of the existing plant site, and construction of an additional silt lagoon and subsequent removal of sand and gravel, involving:

- Extraction of 775,000 tonnes of sand and gravel (750,000 tonnes from extension area and 25,000 tonnes from silt lagoon), at an average annual output of 90,000 tonnes;
- Extraction of potentially some 300,000m³ of underlying Kimmeridge Clay from extension area, used to supply local flood defence works, lining of lagoons and capping of landfill sites etc.;
- Extension area to be worked in six phases with progressive restoration to close to pre-development ground levels through subsequent importation of inert material, to agriculture. In the event that all the clay is removed from the extraction area there would be a total voidspace of some 770,000m³.
- importation of 810,000m³ of inert material to the site, for restoration and recycling (estimated annual input in region of 70,000m³);
- Use of existing plant site for operation of an inert waste recycling facility to process suitable imported material. It is assumed approximately 5% of the total volume of imported material could be suitable to recycle (equating to about 40,000 m³). Processing plant would comprise of a mobile crusher.
- Continued use of existing plant site and silt lagoons for processing and stockpiling of extracted mineral,
- Hours of operation as per existing quarry, i.e. 07.00 – 17.00 Mondays to Fridays; 07.00 – 13.00 Saturdays; No working on Sundays or public holidays.
- expected duration of operations, including restoration, is 11 years.

2.10 Extraction from the proposed extension area would commence in 2023.

- 2.11 The application states that the market served comprises Norfolk and Cambridgeshire.
- 2.12 Proposed vehicular access to the site is via the existing haul road off Watlington Road.
- 2.13 The application also states that prior to extraction of phase 5 (the penultimate phase) that the electricity line which currently runs north to south across phase 5 may need to be diverted to a position where it will not interfere with the proposed operations.
- 2.14 Amended description of the proposal
- 2.15 The application area pursuant to application reference FUL/2021/007 includes a silt lagoon subject of planning permission reference C/2/2018/2024. This permission provides for extraction of some 48,000 tonnes of sand and gravel, and some 50,000 cubic metres of underlying clay in one phase, to enable formation of one lagoon (maximum depth of 18m) for subsequent deposition of silt arising from washing of sand and gravel, together with restoration of the lagoon to reedbed surrounded by species-rich grassland. The permission requires restoration of the lagoon by 31 December 2023.
- 2.16 The working scheme drawing as originally submitted pursuant to application FUL/2021/007 did not explicitly show the lagoon but showed it forming part of a wider existing plant site, stockpile area, site offices and silt settlement lagoons complex, whilst the Restoration Proposals Drawing explicitly showed the lagoon restored to reedbeds, surrounded by species-rich grassland.
- 2.17 A condition of permission reference C/2/2018/2024 requires operations to commence prior to 6 August 2022, upon which date the permission would lapse, and for the operator to notify the CPA in writing of the exact start date. As at 11 October 2022 it was understood that construction of the silt lagoon was underway, and well advanced. In this case, no substantive evidence has been submitted to confirm implementation of the permission prior to 6th August 2022.
- 2.18 Given that the silt lagoon is included within the application area pursuant to application FUL/2021/0007 it was considered appropriate for the applicant to revise the application so as to also include the construction and restoration of the lagoon within the scope of application FUL/2021/007. The application has been amended accordingly and the description of the proposal has also been amended to reflect the above.
- 2.19 The revised proposals for the silt lagoon include a reduction in the maximum depth of working to 3.5m, together with a reduction in the volume of sand and gravel to be excavated to 25,000 tonnes, and no extraction of any underlying

clay. The lagoon would be utilised to manage silt from mineral extracted from the proposed extension area.

- 2.19 Given that the nature, scope and character of the proposal is not changed in a material way and, as will be demonstrated, the impact of the proposal on the locality is not changed in a material way, it was concluded that the changes do not materially alter the basis of the proposal as was originally the subject of advertising. To this end, a fresh application was not requested by the CPA. The proposed amendments have been the subject of advertisement and consultation.

3. Impact of the Proposal

3.1 DEVELOPMENT PLAN POLICIES

The following policies of the Norfolk Minerals and Waste Development Framework Core Strategy and Development Management Policies DPD (2011) (NMWDF), the adopted Norfolk Minerals and Waste Development Framework Mineral Site Specific Allocations DPD (2013/2017); the adopted Core Strategy for King's Lynn & West Norfolk (2011); and the adopted King's Lynn & West Norfolk Site Allocations and Development Management Policies Plan (2016) provide the development plan framework for this planning application. The following policies are of relevance to this application:

Norfolk Minerals and Waste Development Framework Core Strategy and Development Management Policies DPD (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
CS5: General location of waste management facilities
CS6: General waste management considerations
CS7: Recycling, composting, anaerobic digestion and waste transfer stations
CS9: Inert Waste Landfill
CS13: Climate change and renewable energy generation
CS14: Environmental protection
CS15: Transport
CS16: Safeguarding mineral sites and mineral resources
CS17: Use of secondary and recycled aggregates
DM1: Nature conservation
DM3: Groundwater and surface water
DM4: Flood Risk
DM7: Safeguarding Aerodromes
DM8: Design, local landscape and townscape character
DM9: Archaeological sites
DM10: Transport
DM12: Amenity
DM13: Air Quality
DM14: Progressive working, restoration and after-use
DM15: Cumulative impacts

DM16: Soils

Norfolk Minerals and Waste Local Development Framework: Mineral Site Specific Allocations DPD (2013/2017)

Policy SD1: The Presumption in Favour of Sustainable Development
[The extension area is not identified as a site allocation in the DPD]

Borough Council of King's Lynn & West Norfolk – Local Development Framework – Core Strategy (2011)

Policy CS06: Development in Rural Areas
Policy CS08: Sustainable Development
Policy CS12: Environmental Assets

Borough Council of King's Lynn and West Norfolk – Local Development Framework – Site Allocations and Development Management Policies Plan (2016)

Policy DM2: Development Boundaries
Policy DM15: Environment, Design and Amenity
[The application site is not identified as a site allocation in this document]

Neighbourhood Plan

The area in which the site is situated does not have an adopted Neighbourhood Plan or Neighbourhood Plan in preparation

3.2 OTHER MATERIAL CONSIDERATIONS

- 3.3 The Revised National Planning Policy Framework (NPPF) was published in July 2021 and sets out the Government's planning policies for England and how these should be applied. Whilst not part of the development plan, policies within the NPPF are also a further material consideration capable of carrying significant weight. The NPPF places a presumption in favour of sustainable development. Paragraph 47 states that planning law requires that applications for planning permission be determined in accordance with the development plan, unless material considerations indicate otherwise. The following sections are of relevance to this application:

- 2. Achieving sustainable development
- 6. Building a strong, competitive economy
- 9. Promoting sustainable transport
- 12. Achieving well-designed places
- 14. Meeting the challenge of climate change, flooding and coastal change
- 15. Conserving and enhancing the natural environment
- 16. Conserving and enhancing the historic environment
- 17. Facilitating the sustainable use of minerals

- 3.4 National Planning Practice Guidance (NPPG) provides supporting information to the NPPF but has lower standing than the NPPF as it is not consulted upon or subject to external scrutiny, unlike the NPPF
- 3.5 Planning policy with respect to waste is set out in the National Planning Policy for Waste (NPPW) (2014). Additionally, the National Waste Management Plan for England (NWMPE) is the overarching National Plan for Waste Management and is a further material consideration in planning decisions.
- 3.6 Emerging Development Plan Policy
Paragraph 48 of the NPPF states, in summary, that local planning authorities may give weight to relevant policies in emerging plans according to the stage of preparation of the emerging plan; the extent to which there are unresolved objections to relevant policies and the degree of consistency of the relevant policies in the emerging plan to the NPPF.
- 3.7 The County Council is currently preparing a Minerals and Waste Local Plan to extend the plan period to the end of 2038. The pre-submission Publication period, under Regulation 19 of the Town and Country Planning (Local Planning) (England) Regulations 2012, ended in December 2022 and therefore the following policies have been given some weight in the planning balance:

Norfolk Minerals and Waste Local Plan: Publication (2022)

Policy MW1: Development Management Criteria

Policy MW2: Transport

Policy MW3: Climate change mitigation and adaptation

Policy MW5: Agricultural soils

Policy WP1: Waste management capacity to be provided

Policy WP2: Spatial strategy for waste management facilities

Policy WP3: Land suitable for waste management facilities

Policy WP4: Recycling or transfer of inert construction, demolition and excavation waste

Policy WP11: Disposal of inert waste by landfill

Policy WP16: Design of waste management facilities

Policy MP1: Provision for minerals extraction

Policy MP2: Spatial Strategy for minerals extraction

Policy MP6: Cumulative impacts and phasing of workings

Policy MP7: Progressive working, restoration and after-use

Policy MP8: Aftercare

Policy MP11: Mineral Safeguarding Areas and Mineral Consultation Areas

Specific Site Allocation Policy MIN 206 (land at Oak Field, west of Lynn Road, Tottenhill)

- 3.8 King's Lynn and West Norfolk Borough Council is currently undertaking a Local Plan review to extend the plan period up to 2036. The Local Plan Review was

submitted to the Secretary of State in March 2022, and therefore the following policies have been given some weight in the planning balance:

Borough Council of King's Lynn and West Norfolk Local Plan Review: Pre-Submission Stage (2021)

Policy LP04: Development Boundaries

Policy LP19: Environmental Assets- Green Infrastructure, Landscape character, Biodiversity and Geodiversity

Policy LP41: Development in Rural Areas

- 3.9 Whilst not itself a planning policy, Norfolk County Council's Environmental Policy adopted in November 2019 is also material to the decision.

3.10 CONSULTATIONS

Borough Council of Kings' Lynn & West Norfolk - Amended application/additional information

No objection, subject to conditions recommended by BCKLWN Environmental Quality Team and Community Safety Neighbourhood Nuisance Team.

Borough Council Community Safety and Neighbourhood Nuisance (CSNN) (EHO) –

Additional information:

Noting contents of LF Acoustics letter dated 25 April 2022, confirm no grounds to object to height of bunding to SE corner of site being 2m in height. However, given that there is not a 200m buffer between land where extraction will occur and nearest dwellings on Whin Common Road (The Coach House is in the region of 75m away), it would be our preference / recommendation for the bund to be constructed to a height of 3m to afford the best possible means of protection.

Recommends conditions in relation to: hours of operation; noise limits; external lighting; Dust Action Plan

Borough Council Scientific Officer, Environmental Quality (EQ) (EHO) –

Additional information:

No objection, subject to condition in relation to air quality assessment for Phase 5.

No comments with regard to contaminated land.

Environment Agency –

Additional information:

No objection, subject to condition relating to annual report of dewatering activities and monitoring.

Request up-to-date additional level data for Watlington Farm Lake and Spring Pit Pond levels be included as appendix to Hydrogeological Impact Assessment (HIA), or within updated HIA with analysis of levels.

Recommend implementing suggested clay barrier to reduce impact of dewatering on Watlington Farm Lake.

Natural England –

Amended application/additional information:

No objection. Confirms that it would be appropriate to specify agriculture as an afteruse; suggest conditions to safeguard soil resources and achieve high standard of agricultural reclamation

Historic England –

No objection

Highway Authority –

Additional information:

Satisfied there are no outstanding highway related concerns. Suggest condition in relation to submitted HGV Management Plan

Defence Infrastructure Organisation –

Amended application:

No safeguarding objections

Lead Local Flood Authority –

No comments to make

East of Ouse, Polver & Nar Internal Drainage Board –

Amended application:

No objection, subject to the following: No construction and planting of trees, shrubs etc. within nine metres of brink, or landward toe of any raised embankment of any drain or watercourse maintained by the Board; Arrangements for disposal of effluent to be approved by E.A.; A satisfactory surface water drainage system within area to be developed; Applicant to ensure satisfactory outfall from area to be developed and to make any necessary arrangements with owners of watercourses leading from applicant's property to the Board's system; Applicant should consider any flood risk as required by the NPPF and associated Technical Guidance; The Board's written consent must be received for discharge of any surface water or treated effluent into any watercourse in Board's catchment area; Details of any proposals for piping of roadside ditches must be submitted to, and approved by, the Board and the Highway Authority, before any work is commenced

County Council Ecologist –

Amended application/additional information:

Recommends conditions in relation to: Construction Environmental Management Plan, Biodiversity Protection Plan, badger and water vole surveys, and lighting.

County Council Arboriculturist –

Amended application/additional information:

No objection, subject to conditions in relation to retained trees, Tree Root Protection Plan and Arboricultural Assessment.

County Council's Landscape & Green Infrastructure Officer –

Additional information:

Supports comments made in relation to trees and stand-off.

Amended application/additional information:

In relation to the Veteran Trees would encourage applicant to look for any additional ways to provide long-term security for these important landscape features. The assessment of the impacts on Landscape Character and Views have been reached on the basis of these trees remaining long-term.

County Council Historic Environmental Officer (Archaeology) –

Original submission:

Proposed development site lies within area rich in cropmarks of field systems and enclosures of unknown dates. There is potential that heritage assets with archaeological interest will be present and their significance will be adversely affected by the development. No objection, subject to conditions in relation to programme of archaeological mitigatory work

UK Power Networks –

Advise that the area of the proposed development is currently traversed by overhead power lines. The developer will need to ensure that any operations in the vicinity of these power lines does not infringe safe working clearances or affect the stability of the structures. If this is not possible, then they will need to arrange with UK Power Networks for the lines to be moved.

HSE – From interrogation of the HSE website it would appear that the development does not lie within the consultation distance of a major hazard site or pipeline.

Norfolk Wildlife Trust – No response received

Norfolk Geodiversity Partnership – No response received

The Open Spaces Society – No response received

Tottenham Parish Council -

Express objection and concern to the potential noise levels of a crusher to be used on the site.

Local Member (Councillor Brian Long: Fincham Electoral Division) – To reserve any comment on this application to the planning committee

3.11 REPRESENTATIONS

The application was advertised by means of neighbour notification letters, site notices, and advertisement in the Eastern Daily Press newspaper. No letters of correspondence were received from the public

3.12 APPRAISAL

In accordance with the County Council's Scheme of Delegation, this application is before the Planning (Regulatory) Committee because the application is accompanied by an Environmental Statement (ES). The Committee's decision must take into account the environmental information contained within the ES, and any representations made about the environmental effects of the developments. Further information was sought by the County Council during the course of the determination of the application under Regulation 25 of the Town and Country Planning (Environmental Impact Assessment) Regulations 2017 in relation to landscape and visual impact, arboriculture, air quality, noise, ecology, highways and traffic, and hydrogeology. The environmental information is described in the following paragraphs, and the representations made are summarised above.

3.13 The key issues for consideration are:

- A. Principle of Development & Need
- B. Landscape & Visual Impact / Design
- C. Amenity
- D. Biodiversity and Geodiversity
- E. Impact on Heritage Assets
- F. Transport
- G. Sustainability
- H. Flood Risk
- I. Groundwater/surface water
- J. Restoration / Aftercare
- K. Protection of Agricultural Land
- L. Safeguarding Aerodromes
- M. Cumulative Impacts

3.14 A – Principle of Development

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”.

3.15 In terms of the development plan and material policy/guidance, the CPA considers the relevant documents in relation to this application are those listed above.

- 3.16 Whilst, the application site is outside of a development boundary identified within the King's Lynn and West Norfolk LDF Site Allocations and DM Policies Plan the Borough Council Core Strategy Policies and LDF Site Allocations and DM policies have not been formulated to specifically address minerals and waste developments and as such the Norfolk Minerals and Waste Local Development Framework: Core Strategy is considered to be the most relevant policy document to be used for assessment of the proposal.
- 3.17 As regards the proposed extension area, the adopted Mineral Site-Specific Allocations DPD (MSSA) contains 26 sand and gravel site allocations to deliver just over 27 million tonnes of aggregate up to the end of 2026. The proposed extension area is not allocated for sand and gravel extraction within the existing adopted MSSA DPD.
- 3.18 The County Council is currently preparing a Minerals and Waste Local Plan (MWLP) to extend the plan period to the end of 2038. In the emerging MWLP Site MIN 206 (land at Oak Field, west of Lynn Road, Tottenhill) has been put forward for allocation: Site MIN 206 is considered suitable for allocation for sand and gravel extraction. Development is considered suitable subject to compliance with the relevant Minerals and Waste Local Plan Policies and Specific Site Allocation Policy MIN 206. The pre-submission Publication period, under Regulation 19 of the Town and Country Planning (Local Planning) (England) Regulations 2012, ended in December 2022. No objections were received to policy MIN206 at the publication stage
- 3.19 Whilst the proposed extraction area is largely consistent with site MIN 206, the southeast corner of the application boundary extends up to the cross-roads junction of the A10 with Whin Common Road, whereas the southeast corner of site MIN 206 is set back from the junction.
- 3.20 The application also provides for construction of an additional silt lagoon and subsequent removal of sand and gravel. The proposed lagoon is located within the existing plant/stockpiling area and would manage silt resulting from processing of sand and gravel, and facilitate extraction of additional sand and gravel reserves.
- 3.21 Policy CS2 of the NMWLDF Core Strategy expresses a clear preference for sites which are close to (within 10 miles) and/or well-related via appropriate transport infrastructure to the urban areas or main towns listed in the policy. Policy CS2 also expresses a preference for extensions to existing sites over new sites. The site is within 4 miles of King's Lynn and 5.5 miles of Downham Market, and well-related to both settlements due to its location adjacent to the A10. Whilst the proposed extension area and lagoon are extensions to an existing site, the NPPG does not support a preference for extensions and states that "the suitability of each proposed site, whether an extension to an existing site or a new site, must be considered on its individual merits.
- 3.22 Policy MP2 of the emerging NMWLP requires that sites for sand and gravel extraction should be located within five miles of one of Norfolk's urban areas

(including King's Lynn) and/or be well-related to the urban areas or main towns via appropriate transport infrastructure.

- 3.23 In principle, therefore, the locations of the proposed extension area and lagoon are considered acceptable in relation to the requirements of Policy CS2 and emerging Policy MP2.
- 3.24 Whilst not part of the development plan, policies within the National Planning Policy Framework (NPPF) are also a further material consideration. Guidance within paragraph 211 of the NPPF requires local planning authorities to "give great weight to the benefits of mineral extraction".
- 3.25 The application also provides for continued use of the existing plant site for processing mineral derived from the new extension area; the principle of the use of the plant site has been established through previous planning permissions.
- 3.26 The application further provides for restoration of the extension area through importation of inert material, together with use of the plant site for operation of an inert waste recycling facility. The application under consideration states that in the event that all the clay is removed from the extraction area there would be a total voidspace of 770,000 m³.
- 3.27 As regards the two proposed waste management elements, Policy CS3 of the NMWLDF CS sets out the general amount of waste management capacity to be provided and Policy CS4 quantifies the additional facilities required in the period to 2026. Whilst the volume of inert landfill/quarry restoration voidspace required by the end of 2026 has been met, the proposed duration of operations would extend beyond the current plan period (to 2026) and, as will be demonstrated elsewhere in this report the proposal is in compliance with other relevant DM policies.
- 3.28 NMWLP emerging policy WP1 sets out that there is currently sufficient capacity to meet the forecast growth in waste. No growth is expected in inert waste over the period to 2038.
- 3.29 Emerging Specific Site Allocation Policy MIN 206 provides for restoration of the extraction void using inert waste materials
- 3.30 It is therefore considered that there would be no conflict with emerging policy WP1.
- 3.31 NMWLDF CS Policy CS5 requires "strategic" and "non-strategic" waste management facilities to be well-related to the main settlements or main market towns listed in the policy. The proposed inert waste recycling facility is a "non- strategic" facility as defined by NMWLDF CS Policy CS5, whilst the policy wording and supporting text do not cover the deposit of waste to land for recovery. Notwithstanding, given that the site is within 4 miles of King's Lynn and 5.5 miles of Downham Market, and well-related to both settlements due to its location adjacent to the A10, the proposal meets the locational requirements for both strategic and non-strategic sites.

- 3.32 NMWLP emerging policy WP2 states that new waste management facilities should be located within five miles of one of Norfolk's urban areas and be accessible via appropriate transport infrastructure.
- 3.33 It is therefore considered, taking into account the above, that this proposal is compliant with adopted policy CS5 and emerging policy WP2.
- 3.34 NMWLDF CS Policy CS6 restricts waste development to specific types of land, including sites at existing mineral workings and landfill sites, but restricted to a temporary permission lasting until the cessation date for the mineral operation or landfill site.
- 3.35 NMWLP emerging Policy WP3 states that, proposals for the recycling of inert construction, demolition and excavation (CD&E) waste at existing sand and gravel workings will only be considered acceptable on a temporary basis and will be restricted to no later than the cessation date for the mineral extraction and at least 12 months prior to the date for restoration to be completed to allow for timely restoration of the land.
- 3.36 In this instance, the proposal includes extraction of sand and gravel, and it is therefore considered, taking into account the above, that this proposal is compliant with adopted policy CS6 and emerging policy WP3.
- 3.37 NMWLDF CS Policy CS7 states that development of new recycling facilities will be considered favourably so long as they would not cause unacceptable environmental, amenity and/or highways impacts. It is considered that, subject to an assessment of these impacts, the proposal would be in compliance with adopted NMWLDF CS policy CS7.
- 3.38 NMWLP emerging policy WP4 states that proposals for recycling of inert CD&E waste at sand and gravel workings will only be acceptable where:
- a) it would enable the restoration of the mineral working at the earliest opportunity;
 - b) the recycling operation is ancillary to the primary land use of mineral extraction at the site; and
 - c) the recycling operation would cease no later than the cessation date for the permitted mineral extraction and at least 12 months prior to the date for restoration to be completed, to allow for timely restoration of the land
- 3.39 In this instance, it is considered that the recycling operation would be ancillary to the primary land use of mineral extraction, and it is therefore considered, that this proposal would be compliant with emerging policy WP4.
- 3.40 As regards restoration of the extension area through importation of inert material, NMWLDF Policy CS9 seeks to restrict new inert waste landfill void space (as distinct from the use of inert material in the restoration of minerals sites, which would normally be conditioned as part of a minerals planning permission)...

- 3.41 NMWLP emerging policy WP11 states that Proposals for additional void space for the disposal of inert waste will only be acceptable where:
- a) the importation of inert waste is required for restoration of a former mineral extraction void;
 - b) there is no acceptable alternative form of waste management further up the waste hierarchy that can be made available to meet the need; and
 - c) the proposals comply with the development management criteria set out in Policy MW1, and;
 - d) the proposals demonstrate that there will be improvements to biodiversity, landscape, the historic environment and/or amenity on restoration, when compared to the baseline prior to landfill.

The landfilling of inert waste that could practicably be recycled will not be acceptable. Conditions will be placed on planning permissions to ensure that only pre-sorted wastes are landfilled.

- 3.42 NMWLP Publication Specific Site Allocation Policy MIN 206 requires submission of a progressive restoration scheme to an agricultural afteruse, together with restoration of the extraction void with imported inert materials only. The supporting text for the emerging policy recognises that due to the expected depth of extraction, restoration to arable is likely to require the use of imported inert material to provide a suitable profile. Given that the emerging policy imposes a requirement for the restoration of the void with inert waste, it is considered that there is no conflict with the aims of policy CS9 or emerging Policy WP11.
- 3.43 Whilst not part of the development plan, National guidance forms a material planning consideration. In this case, *National Planning Policy for Waste* underlines that planning is pivotal in delivering the country's waste ambitions through the principle of "driving waste management up the waste hierarchy", which means that WPAs should always try to ensure that waste is managed by the most effective environmental solution, represented by the highest levels of the waste hierarchy, i.e. prevention, re-use and recycling, followed by recovery, with disposal at the bottom of the hierarchy.
- 3.44 As regards the proposed inert waste recycling facility, this would contribute towards driving waste management up the waste hierarchy.
- 3.45 As regards restoration of the extension area through importation of inert material, given that emerging Policy MIN 206 imposes a requirement for the restoration of the site to be completed in accordance with an approved restoration plan, together with restoration of the extraction void with imported inert materials, it is considered that the proposed restoration activity is a recovery operation rather than a disposal operation.
- 3.46 Overall, the application under consideration would enable the recycling and recovery of waste materials, thereby contributing towards driving waste management up the waste hierarchy.

- 3.47 Therefore, subject to an assessment of potential impacts, including environmental, amenity and/or highways impacts, the principle of the proposed use could be acceptable at this location and would not be out of character for the immediate area.
- 3.48 *Need for new waste management facilities*
- 3.49 As regards quantitative or market need for the proposed inert recycling facility, together with restoration of the extraction void with imported inert materials, given that the proposal is considered to be consistent with the Development Plan, in accordance with *National Planning Policy for Waste*, there is no requirement for the applicant to demonstrate a need for the proposal.
- 3.50 Overall, under these circumstances, it is considered that the proposal would not undermine the aims of both the NMWLDF CS and National Planning Policy for Waste.
- 3.51 Notwithstanding all other material considerations, it is considered that the principle of this development could be acceptable at this location.
- 3.52 *Mineral Supply / Need*
- 3.53 NMWLDF CS Policy CS1 and Section 17 of the NPPF apply. Due weight is given to policy MP1 of the emerging Norfolk Minerals and Waste Local Plan.
- 3.54 As regards the proposed extraction of clay, this mineral is considered to be abundant in Norfolk relative to demand, and there is no requirement to maintain a landbank for this mineral. Any planning application coming forward will be considered on its merits.
- 3.55 As regards proposed extraction of sand and gravel, the proposal will add 775,000 tonnes to the sand and gravel landbank. The extension area is not allocated in the adopted plan (because it was not submitted for consideration), but it was considered suitable to allocate at the Publication stage of the M&WLP (2022) as site MIN 206. As at the end of June 2023, the sand and gravel landbank is between 11 and 12 years. If permitted, this site would add a further 0.5 year to the landbank. Whilst Policy CS1 states that the sand and gravel landbank will be maintained at between 7 and 10 years' supply the latest guidance in the PPG on minerals now makes clear that there is no maximum landbank level and each application for minerals extraction must be considered on its own merits regardless of the length of the landbank. Therefore, this application would ensure the continuing level of supply and maintenance of the landbank and could not be considered to undermine Policy CS1 or national policy.
- 3.56 B - Landscape & Visual Impact
- 3.57 Policies CS14 and DM8 of the NMWLDF CS, KLWNCS Policies CS08 and CS12, KLWN SADMPP Policy DM15 and Sections 12, 15 and 17 of the NPPF

apply. Due weight is given to policies MW1 and WP16, and Specific Site Allocation Policy MIN 206 of the emerging Norfolk Minerals and Waste Local Plan, and Policy LP19 of the emerging King's Lynn and West Norfolk Local Plan.

- 3.58 NMWLP Publication Specific Site Allocation Policy MIN 206 requires: submission of a Landscape and Visual Impact Assessment to include identification of any areas where enhanced screening would be required to mitigate visual intrusion, and retention of enhanced planting in the restoration scheme wherever possible; progressive restoration scheme to agricultural afteruse, with wide field margins and hedgerow planting to provide landscape gains.
- 3.59 The application site is not located within any designated landscape feature. The site is within the landscape character area described as 'Stow Bardolph - Settled Farmland with Plantations' in the King's Lynn and West Norfolk Landscape Character Assessment. The wider area comprises countryside of varied character, including the active mineral extraction area (MN 76), extensive former mineral workings, now flooded, woodland and agricultural land.
- 3.60 As regards the mineral processing plant site and proposed lagoon, this area is surrounded by well-established screening which limits view from outside of the site. As-raised and processed mineral, and imported and processed waste would be stockpiled to a maximum height of 6m.
- 3.61 With exception of the northern part of phase 6 (which currently forms the southwest corner of the existing plant site), the proposed extension area comprises two agricultural fields, which fall very gently to the south, with the easternmost field projecting eastwards up to the A10 (Lynn Road) and southwards to Whin Common Road. The westernmost field (phases 1, 2, 3 and 6), which supports a number of mature trees, is bounded to the north by the plant site, to the east by woodland belts, hedging and Watatunga Wildlife Reserve reception/car park, to the west by woodland belts and flooded former mineral workings, and to the south by a hedge fronting Whin Common Road. The extension area is generally well screened from public viewpoints with exception of the southeastern corner, where a field entrance provides views into the site, whilst intermittent views of the southeast area are obtained from the hedge lined A10.
- 3.62 As regards the policy requirements, the application is supported by a Landscape and Visual Impact Assessment (LVIA), which concludes that the proposal will not have any significant effects on landscape character and visual amenity. The application includes a number of measures to mitigate the landscape and visual impacts of the proposed extension, to include: screening of phase 5 of the extraction area from the adjacent A10 and Whin Common Road, and nearby properties in the form of a shrub planted, maximum 2m high screening mound adjacent the eastern and southern edges of phase 5. The application further provides for screening of the operations from

Watatunga Wildlife Reserve reception/car park area in the form of temporary soil storage mounds (grassed topsoil maximum 3m height / subsoil maximum 5m height) adjacent the western boundary of the car park area. Extracted clay would be stockpiled in the base of the quarry void for a temporary period prior to use, and no higher than the pre-development ground level in that vicinity.

- 3.63 As regards the overhead power lines which currently traverse phase 5, as detailed elsewhere in this report, UK Power Networks comment that the developer will need to ensure that any operations in the vicinity of these power lines does not infringe safe working clearances or affect the stability of the structures. If this is not possible, then they will need to arrange with UK Power Networks for the lines to be moved. Relocation of the overhead lines has not been included within the scope of the accompanying Environmental Statement and therefore planning permission would be required for relocation of the power lines.
- 3.64 During determination of the application, in addition to the restoration commitment initially proposed, the applicant indicated that the landowner is now offering to plant 25 additional broadleaf trees elsewhere on his landholding at the outset. To this end, the 'blue land' (land under the applicant's control) has been extended to reflect the area where trees can be planted. The 'blue land' largely wraps around the northern part of the application site. It is recommended that this additional planting is secured by planning condition.
- 3.65 As regards the proposed silt lagoon, the ES Addendum concludes that there are no above ground operations, except for stockpiling of 'as-raised' aggregate which is a permitted activity within a permitted area and accordingly there can be no additional adverse landscape or visual impacts.
- 3.66 The application is accompanied by an Arboricultural Assessment, which confirms that one low quality/value oak will be removed to facilitate extraction from the extension area, and retained trees and trees close to the site will be protected during the works.
- 3.67 The application also provides for progressive restoration of the extension area close to original levels. With exception of the northern part of phase 6, the extension area would be restored to an agricultural afteruse with conservation headlands and additional native hedgerows within the site. As regards the northern part of phase 6 and the adjoining plant site area, this would be restored to species-rich grassland, with the silt lagoons restored to reedbeds. Given the above, it is therefore considered that the proposals would provide appropriate landscape gains.
- 3.68 The County Council's Landscape Officer has been consulted on the application and whilst not raising objection recommends a condition in relation to planting of the screening bund. In relation to the mature trees within phases 1, 2, 3 and 6 the Officer would encourage the applicant to look for any additional ways to provide long term security for these important landscape

features. The County Council's Arboricultural Officer raises no objection, subject to conditions in relation to retained trees, Tree Root Protection and Arboricultural Assessment.

- 3.69 Overall, it is considered that the proposals will not result in unacceptable adverse impacts on the character and quality of the local landscape. It is therefore considered that the proposals would not be in conflict with the relevant planning policies and NPPF.
- 3.70 *Design*
- 3.71 The proposal provides for continued use of the existing plant site; the existing washing plant and buildings are of a functional design, reflective of this form of development.
- 3.72 C – Amenity
- 3.73 NMWLDF CS Policies CS14, DM12 and DM13, KLWN SADMPP Policy DM15 and Sections 15 and 17 of the NPPF apply. Due weight is given to policy MW1 and Specific Site Allocation Policy MIN 206 of the emerging Norfolk Minerals and Waste Local Plan.
- 3.74 NMWLP Publication Specific Site Allocation Policy MIN 206 requires submission of noise and dust assessments, and a programme of mitigation measures to deal appropriately with any amenity impacts.
- 3.75 The site is not within a designated Air Quality Management Area. The closest residential property to the extension area is some 45m southeast of the site boundary, with a Public House some 20m to the southeast.
- 3.76 Tottenhill Parish Council raise objection and concerns in relation to the potential noise levels of a crusher to be used on the site.
- 3.77 As detailed elsewhere in this report, extraction and restoration of the proposed extension would be phased, in a generally southerly direction. Mineral extracted from the extension area would be transported via articulated dump trucks to the existing plant site, for processing.
- 3.78 As also detailed elsewhere in this report, the extension area will require dewatering; the applicant confirms that the pumps will be diesel powered and they will only work during the operational hours of the quarry.
- 3.79 The proposed recycling facility would be located in the southwest corner of the existing plant site / stockpile area, and would process clean hardcore and concrete. Processing would be undertaken on a periodic basis, typically four times a year, for a two-week period each time
- 3.80 No change is sought to the current consented hours of operation for mineral extraction and processing at the quarry, which are 0700 to 1700 hours Mondays to Fridays and 0700 to 1300 hours Saturdays; No working on Sundays or public holidays.

3.81 *Noise*

- 3.82 As regards concerns raised in relation to noise levels from the crusher, a Noise Assessment has been undertaken in support of the application which evaluates the contribution arising from each stage of the works, comprising of soil stripping, bund formation, mineral extraction, transportation of mineral, dewatering, restoration processes, and plant site operations including recycling. The Noise Assessment includes predicted noise levels at the nearest dwellings. Proposed noise mitigation measures include a 2m high bund to the south east corner of the site between the extraction area and sensitive receptors at Tottenhill, and mobile plant to be fitted with “white noise” / intelligent reversing alarms. The Assessment concludes that noise associated with the operation of the extension area would not result in any adverse noise effects.
- 3.83 As regards construction of the proposed silt lagoon, the ES Addendum concludes that existing plant employed at the quarry will be used to undertake the operations which are no nearer residential properties than current permitted activities.
- 3.84 BCKLWN has considered the application and whilst not having grounds to object to the height of the bunding to the south east corner of the site, comment that it would be their preference / recommendation for the bund to the south east corner of the site to be constructed to a height of 3m to afford the best possible means of protection for the nearest dwellings on Whin Common Road.
- 3.85 As regards BCKLWNs recommendations, Planning Practice Guidance (PPG) states that normal mineral operations should not exceed the background noise level (LA90,1h) by more than 10dB(A) during normal working hours (0700-1900), subject to a maximum daytime limit of 55dB(A) LAeq, 1h. PPG acknowledges that increased temporary daytime noise limits of up to 70dB(A) LAeq 1h for periods of up to 8 weeks in a year at specified noise-sensitive properties should be considered to facilitate site preparation, restoration work and construction of baffle mounds. The applicant’s acoustic consultant has reviewed the calculations and assessment for the property in Tottenhill based upon a 2m high bund in this location and concludes that, “Our assessment and report indicated a 3m high screening bund in this position...The lower bund height would increase the noise levels at the property in Tottenhill marginally, with noise levels predicted up to 49 dB LAeq, 1 hr whilst working Phase 5. This level of noise would remain 6 dB(A) below the proposed noise limit of 55 dB LAeq, 1 hr at this location and thus remain acceptable.”
- 3.86 In addition, the applicant has responded that the 2m height of the bund is proposed for reasons other than acoustic reduction and as the predicted levels are still below the noise criteria levels identified within governmental advice documents there is no reasoned basis for increasing the mound to 3m as suggested [as detailed elsewhere in this report, the application provides for the bund to be shrub planted and provide visual screening of the extraction

area from nearby properties, and for its retention as part of the proposed restoration scheme].

- 3.87 Given that the proposed 2m height of the bund is not so significant as to raise an objection, it is considered that it would be difficult to sustain an objection to the proposal on amenity grounds, and it would not be reasonable or appropriate to request that the height of the bund be increased to 3m.

3.88 *Air Quality*

- 3.89 As regards air quality, the proposals have the potential to cause impacts as a result of fugitive dust emissions arising from the extraction and processing of minerals, and restoration etc., and road vehicle exhaust emissions. An Air Quality Assessment and Dust Action Plan have been submitted in support of the application. The Assessment includes details of stand-offs between extraction operations and nearest sensitive receptors. Proposed dust control measures include seeding of topsoil mounds and spraying of haul roads. The Assessment concludes that the overall significance of fugitive dust effects and road traffic exhaust impacts were predicted to be 'not significant'.

- 3.90 As regards construction of the silt lagoon, the ES Addendum concludes that the material to be excavated will be in a damp state and as such dust will not be an issue.

3.91 *Light pollution*

- 3.92 The application provides for retention of existing external lighting (to a maximum 5m height) around the weighbridge and processing plant site area, such lighting to be downward facing and direct into the site.

- 3.93 BCKLWN have been consulted on the application and raise no objection, subject to conditions in relation to: hours of operation; noise limits; bunding; external lighting; Dust Action Plan, and air quality assessment for Phase 5. It is considered reasonable to condition these matters as part of any consent granted in order to safeguard residential amenity

- 3.94 With regards to the regulation of the proposed importation of inert material to the site for restoration and recycling, in accordance with paragraph 188 of the NPPF and National Planning Policy for Waste, the County Planning Authority (CPA) needs to focus on whether the proposed waste management operation is an acceptable use of land, rather than the control of processes or emissions, and the CPA needs to be satisfied that the facility can in-principle operate without causing an unacceptable impact on amenity by taking advice from the relevant regulation authority (the Environment Agency (E.A.)). However, it is the role of the Environmental Permit (which the waste management activities would also require before they can operate) as issued by the E.A. to actually control emissions/pollutants such as noise, odour and dust through conditions, and Planning Authorities should assume this regime will operate effectively.

- 3.95 The E.A. has been consulted on this application and has made no objection to the development in terms of any potential emissions/pollutants.
- 3.96 To conclude on the amenity issues, whilst mineral extraction and associated development is likely to give rise to local impacts, given the advice of the EHO and EA it is considered that the impact on local amenity would not be such as to be unacceptable. Subject to the afore-mentioned conditions, the development is considered to be acceptable in terms of the relevant planning policies and NPPF.
- 3.97 D – Biodiversity / Geodiversity
- 3.98 NMWLDF policies CS14, DM1 and DM14, KLWNCS Policy CS12, and Sections 15 and 17 of the NPPF apply. Due weight is given to policies MW1 and WP16, and Specific Site Allocation Policy MIN 206 of the emerging Norfolk Minerals and Waste Local Plan, and Policy LP19 of the emerging King's Lynn and West Norfolk Local Plan.
- 3.99 *Biodiversity*
- 3.100 NMWLP Publication Specific Site Allocation Policy MIN 206 requires: a restoration scheme to agricultural afteruse with wide field margins and hedgerow planting to provide biodiversity net gains.
- 3.101 The application site itself carries no particular nature conservation designation. There are two Sites of Special Scientific Interest (SSSI) within 2km of the site, and five no. County Wildlife Sites (CWS) within 1km of the site.
- 3.102 Habitats present within the application site consist primarily of bare ground and arable farmland, with smaller areas of woodland, grassland and scrub, and a number of mature trees and waterbodies. A further 15 waterbodies are located within 250m of the site. The application provides for removal of one low quality/value tree to facilitate extraction.
- 3.103 As regards the policy requirements, with exception of the northern part of phase 6, the proposal provides for restoration of the extension area to agricultural afteruse with conservation headlands and additional native hedgerows within the site, and restoration of the northern part of phase 6 and the adjoining plant site area to species-rich grassland, with the silt lagoons restored to reedbeds.
- 3.104 The application is accompanied by an Ecological Appraisal, Ecological Impact Assessment (EclA), Construction Environmental Management Plan (CEMP): Biodiversity, and Biodiversity Protection Plan. The EclA recommends a number of mitigation measures and enhancement measures (including relocation of any reptiles during ground clearance works and restoration to include a mosaic of habitats). The EclA concludes that, the avoidance and mitigation proposals will

minimise risk of unlawful actions during the construction phase, and ecological enhancements will ensure the site is to be of greater benefit to local wildlife.

- 3.105 As regards the proposed silt lagoon, the ES Addendum concludes that the area is an existing mineral stockpile area continually trafficked by heavy plant and machinery, and accordingly there can be no impacts on ecology
- 3.106 Natural England (NE) has been consulted on the application and raises no objection. The County Council's Ecologist has been consulted on the application and raises no objection, subject to conditions in relation to: CEMP, Biodiversity Protection Plan, badger and water vole surveys, and lighting. Given the requirement for LPAs to conserve and enhance biodiversity when determining planning applications, as detailed at paragraph 180 of the NPPF, this would seem to be a reasonable request.
- 3.107 Given the above, it is therefore concluded that, subject to the afore-mentioned conditions, the proposals would provide appropriate biodiversity gains and are compliant with the relevant planning policies and objectives of the NPPF.
- 3.108 *Geodiversity*
- 3.109 NMWLP Publication Specific Site Allocation Policy MIN 206 requires: opportunities during working for any geodiversity assets to be studied, and if compatible with the landscape and ecology objectives, an open face to be included within any restoration scheme for future scientific study.
- 3.110 With exception of phase 5 of the extension area, the application site is designated as a candidate County Geodiversity Site.
- 3.111 As regards the policy requirements, the application does not provide for retention of an open face. The applicant company has confirmed that it has no issue with exposed faces being studied during the operational phases of the site but, given the fact the proposals are for the quarry to be restored essentially to pre-development contours there are no opportunities to retain any open faces at the post-restoration stage.
- 3.112 Appropriate Assessment
- The site is not situated within 10 kilometres of any Special Area of Conservation (SAC) or Special Protection Area (SPA). The application has been assessed in accordance with Regulation 63 of The Conservation of Habitats and Species Regulations 2017, and based on the information submitted to the County Planning Authority (CPA), it is considered that, due to both the nature of the development and the distance from European Sites, the proposal would not have a significant impact on any protected habitat. Accordingly, no Appropriate Assessment of the development is required.
- 3.113 Nutrient Neutrality

With regards to Natural England's letter of 16 March 2022 concerning nutrient neutrality, the proposed development would not result in a discharge to the

catchment of the River Wensum SAC or any of the SSSIs notified by NE that comprise the Broads SAC/Ramsar. The proposal would therefore not result in an addition to the nutrient load of the designated sites.

3.114 E – Impact on Heritage Assets

3.115 The Planning (Listed Buildings and Conservations Areas) Act 1990, The Ancient Monuments and Archaeological Areas Act 1979, NMWLDF CS policies CS14, DM8 and DM9, KLWNCS Policies CS08 and CS12, KLWN SADMPP Policy DM15, and Sections 16 and 17 of the NPPF apply. Due weight is given to policies MW1 and WP16, and Specific Site Allocation Policy MIN 206 of the emerging Norfolk Minerals and Waste Local Plan.

3.116 NMWLP Publication Specific Site Allocation Policy MIN 206 requires submission of a Heritage Statement and an archaeological assessment.

3.117 *Designated Assets / Non-designated Assets*

3.118 The application site is located some 210m from the eastern margins of the Tottenhill Row Conservation Area, which includes all of the hamlet of Tottenhill Row and its common. In addition, there are two Scheduled Monuments and 12 Listed Buildings within a 2km radius of the site. There are two non-designated heritage assets within 1km of the site, namely Watlington Hall and associated park and garden.

3.119 Existing woodland abutting the western margins of the application site restricts inter-visibility between the proposal and the conservation area. As regards the nearby scheduled monuments, listed buildings and non-designated heritage assets, these are separated from the development site by former quarry workings, woodland, and intervening buildings and mature vegetation.

3.120 The application is accompanied by a Heritage Statement which concludes that the proposed development would not result in any harm to, or loss of, the heritage value of designated heritage assets within 2km of the proposed development, given the nature of the assets, their settings and intervening mature vegetation.

3.121 Historic England has been consulted on the application and raise no objection.

3.123 Given the above, it is therefore concluded that the proposal will not have any adverse impact upon or cause any harm to the significance of any heritage assets and the application is not considered to be in conflict with The Ancient Monuments and Archaeological Areas Act 1979, the Planning (Listed Buildings and Conservation Areas) Act 1990, the relevant planning policies, or the NPPF.

3.124 *Archaeology*

- 3.125 As regards the proposed westernmost field of the extension area, a Geophysical Survey Report and Archaeological Evaluation Report have been undertaken: the archaeological evaluation encountered a relatively low level of archaeological remains. As regards the easternmost field, a Geophysical Survey Report has been undertaken which concludes that, it seems likely that the southern part of the site has some archaeological potential. The application is also accompanied by an Archaeological Written Scheme of Investigation.
- 3.126 As regards the proposed silt lagoon, the ES Addendum states that given the previous disturbed nature of the ground there are no soils to strip.
- 3.127 The County Council Historic Environmental Officer has been consulted on the application and raises no objection, subject to conditions in relation to a programme of archaeological mitigatory work; this would seem to be a reasonable request.
- 3.128 Subject to the afore-mentioned conditions, it is considered that the development would not have any adverse impact on the historic environment and the proposals would not be in conflict with the relevant planning policies and the NPPF

3.129 F – Transport

- 3.130 NMWLDF CS policies CS15 and DM10, and Section 9 of the NPPF apply. Due weight is given to policies MW1, MW2 and WP16, and Specific Site Allocation Policy MIN 206 of the emerging Norfolk Minerals and Waste Local Plan.
- 3.131 NMWLP Publication Specific Site Allocation Policy MIN 206 requires: the existing processing plant site and existing highway access to the A10 to be used.
- 3.132 Mineral extracted from the extension area would be transported via articulated dump truck to the existing plant site, for processing. To gain access to phase 5, a crossing point with appropriate signage will be established across the fenced access track to the wildlife reserve.
- 3.133 As detailed elsewhere in this report, proposed vehicular access to the site is via the existing haul road off Watlington Road. Export of sand and gravel is expected to be undertaken at a rate of 90,000 tonnes per annum; this would, based on a 19 tonnes payload, generate 18 loads out per day (36 HGV movements), which reflects historic HGV movements. Extraction of clay would be on a demand-led basis and its export could, on average, equate to a further 13 loads per day but only for a limited period.
- 3.134 The proposal includes importation of 810,000m³ of inert material to the site, for restoration and recycling. In the event that all the clay is removed from the

extension area there would be a total voidspace of 770,000 m³. Over the life of the site imported material would typically equate to approximately 75,000 m³ per annum or 34 loads per day on average (68 HGV movements). As regards export of recycled aggregate, this would equate to typically two loads per day.

- 3.135 Overall, notwithstanding the fact that the proposal is to backhaul a vast majority of the imported material by the same HGVs exporting mineral from the site, in theory the average daily figure for HGV movements would be 68 in and 68 out.
- 3.136 The current workings are subject to an HGV Management Plan. With exception of local deliveries and occasions when the junction of Watlington Road with the A10 is closed to traffic, all HGVs arriving and departing the site are required to travel directly along Watlington Road to and from the A10. The application under consideration is accompanied by an HGV Management Plan which provides for similar routeing controls.
- 3.137 The accompanying Environmental Statement concludes that, the proposals will have no material adverse impact on the safety or operation of the adjacent highway network.
- 3.138 As regards the proposed silt lagoon, the ES Addendum states that there is no difference in the traffic movements and access arrangement associated with mineral extracted from the lagoon, over those previously approved or subject to the current application.
- 3.139 The Highway Authority has been consulted on the application and raises no objection, subject to imposition of a condition in relation to the submitted HGV Management Plan
- 3.140 To conclude, whilst mineral extraction and associated development is likely to give rise to local impacts in highway terms, it is considered that the proposal will not cause any unacceptable impacts. Subject to the afore-mentioned condition, the development is considered acceptable and compliant with the principles of the relevant planning policies and the NPPF
- 3.141 G – Sustainability
- 3.142 NMWLDF CS policies CS13, DM11 and DM14, NMWDF MSSA DPD Policy SD1, KLWNCS Policy CS08 and sections 2, 14 and 17 of the NPPF apply. Due weight is given to policies MW3 and WP16 of the emerging Norfolk Minerals and Waste Local Plan. Although a material consideration, it is considered that only limited weight should be given to Norfolk County Council's Environmental Policy (2019).
- 3.143 As stated at para. 8 of the NPPF, achieving sustainable development means that the planning system has three overarching objectives, i.e. economic, social and environmental, which are assessed below:
- 3.144 *economic objective*

3.145 As detailed elsewhere in this report, Para 211 of the NPPF requires great weight to be given to the benefits of mineral extraction, including to the economy. The proposed extension area would provide economic and efficiency benefits in the form of being able to utilise the existing plant site at the adjacent quarry. The proposals would also contribute to the local economy by maintaining raw materials supply to the market and through wages, revenue and expenditure.

3.146 *social objective*

The proposals would contribute to the wellbeing of the borough by retaining existing employment at the quarry, as well as enabling employment to be maintained across a range of industries, many of which depend directly upon mineral extraction and waste management for business.

3.147 *environmental objective*

3.148 During the application process additional details relating to renewable energy generation were requested: consideration has been given to the possibility of how the development could generate its own energy from wind power, solar power and incineration of combustible wastes or fuel pellets. All three technologies have been discounted by the applicant due to: the proposed timescale being of insufficient length to obtain a financial return on the investment; and potential for landscape/visual impacts, and noise impacts.

3.149 Although it is disappointing that no measures for renewable energy are being proposed, the arguments put forward by the Applicant are accepted in this instance.

3.150 The proposals would maintain raw materials supply to the local market thereby reducing need to source aggregates and clay from more distant quarries with likely increased carbon emissions.

3.151 The application would result in inert waste materials being recycled and recovered, which would facilitate the management of waste further up the waste hierarchy, and enable a higher proportion of construction materials to be supplied from a recycled source, thereby reducing demand for land-won primary aggregates.

3.152 As detailed elsewhere in this report, it is considered that the proposals would provide biodiversity gains.

3.153 On balance, it is considered that the proposal would make a contribution towards sustainable development and there is not considered to be any unacceptable degree of conflict with the relevant planning policies, the NPPF or NCC's Environmental Policy.

3.154 H – Flood Risk

3.155 NMWLDF CS policies CS13 and DM4, and Section 14 of the NPPF apply. Due weight is given to policies MW1 and MW3 of the emerging Norfolk Minerals and Waste Local Plan.

- 3.156 East of Ouse, Polver & Nar IDB have been consulted on the application and raise no objection, subject to consideration of flood risk as required by the NPPF etc. and provision of a satisfactory surface water drainage system.
- 3.157 The application site lies within Flood Zone 1, which is an area at low risk of flooding. 'Sand and gravel workings' are identified as 'water-compatible development' in terms of Flood Risk Vulnerability, whilst 'waste treatment' is identified as 'less vulnerable'. On this basis, the proposal is considered acceptable in terms of development within flood zone 1.
- 3.158 As regards the proposed extension area, the site has a low probability of surface water flooding, with one small location of surface water pooling in a 1 in 30-year rainfall event which extends to the 1 in 100-year rainfall event. As regards the existing plant site, this contains a number of locations of surface water pooling in a 1 in 30-year rainfall event and 1 in 100-year rainfall event
- 3.159 The application is accompanied by a Flood Risk Assessment (FRA) which advises that during mineral extraction the extension area void will provide enough capacity to attenuate surface water runoff. In the event that the void needs to be emptied of water during elevated periods of rainfall, water would be pumped (via a dual pumped outfall arrangement) into the settlement ponds to the north of the site. As part of the restoration scheme, a 1.1m depth detention pond will be constructed at the site's lowest point, on an area of semi-improved grassland in the southwest corner of the site. Perimeter swales will direct surface water flow towards the detention pond. Surface water would be discharged from the pond via a dual gravity fed outfall arrangement, with low level outfall and high level offtake, to established ponds to the west. The FRA also includes a management and maintenance schedule for the surface water management systems, for the lifetime of the development. Overall, the FRA anticipates that the provision of a formal surface water management system will ensure that potential detrimental impacts on flood risk are suitably mitigated. The Environment Agency has been consulted on the application and raises no objection in relation to flood risk and restoration details.
- 3.160 As regards the proposed silt lagoon, the ES Addendum concludes that the void would not contribute to flood risk potential within the site.
- 3.161 The LLFA has been consulted on the application and has no comments to make.
- 3.162 It is therefore considered, taking into account the above, that the development would not materially increase the risk of flooding and the proposals would not be in conflict with the relevant planning policies and objectives of the NPPF.
- 3.163 I – Groundwater / Surface Water

- 3.164 NMWLDF CS policy DM3, KLWN SADMPP Policy DM15 and Section 15 of the NPPF apply. Due weight is given to policy MW1 and Specific Site Allocation Policy MIN 206 of the emerging Norfolk Minerals and Waste Local Plan.
- 3.165 NMWLP Publication Specific Site Allocation Policy MIN 206 requires submission of a Hydrogeological Impact Assessment:
- 3.166 As detailed elsewhere in this report, there are a number of waterbodies located within the site, together with a further 15 within 250m of the site.
- 3.167 The application advises that the maximum depth of working of the extension area will be 7.5m below ground level, with an average depth of 3.5m, whilst the maximum depth of working of the silt lagoon will be 3.5m. The proposal involves the continued use of the plant site, including silt lagoons. The proposed lagoon would also be utilised to manage silt from mineral extracted from the proposed extension area.
- 3.168 The application is accompanied by a Hydrogeological Impact Assessment (HIA) (2023) which advises that dewatering is expected in the northwest, southwest and southeast areas of the extension area in order to work the mineral dry. The HIA identifies four receptors that are hydraulically linked to the groundwater within the site, namely: 1) the lake some 10m west of the extension area; 2) the lake some 235m east of the extension area; 3) private well at Tottenhill Row some 485m northwest of the extension area; and 4) Spring Pit and spring line some 545m west of the extension area. The HIA concludes that the potential for impact from dewatering is considered very low for all receptors except for the lake to the west. The landowner has subsequently confirmed that the afore-mentioned well no longer exists.
- 3.169 Whilst the likelihood of any impact on local receptors from the groundwater management is considered to be low, the HIA proposes that water level monitoring be conducted at receptors 1, 2 and 4.
- 3.170 The HIA includes a hydrometric monitoring programme and action plan to identify whether any changes observed at the receptors are natural seasonal variations, or whether they are likely due to the dewatering. Should it be concluded the impacts are from dewatering, mitigation measures are proposed to counteract the impacts, in the form of discharge of sufficient dewatering water to the impacted receptor to compensate for the volume of water lost due to the dewatering. Overall, the HIA concludes that, with suitable mitigation measures there is not expected to be a discernible impact on groundwater and surface resources with respect to the quantity of recharge and the quality of the groundwater.
- 3.171 The Flood Risk Assessment further anticipates that the provision of a formal surface water management system will ensure that potential detrimental impacts on water quality are suitably mitigated.

- 3.172 As regards the proposed silt lagoon, the ES Addendum states that the excavations are above the existing water table and, as such, no dewatering is required.
- 3.173 The Environment Agency (E.A.) has been consulted on the application and raises no objection, subject to condition requiring submission of an annual report, including latest data of dewatering activities and monitoring. In their response, the E.A. comment that they agree with the conclusions of the HIA and advise that implementation of the hydrometric monitoring programme will be a requirement under the abstraction licence application and will likely be a condition on the licence, and the action plan will likely need to be added as a condition requirement on the licence.
- 3.174 The E.A. also highlight three County Wildlife Sites (CWSs) (Thieves Bridge Meadow CWS 381, West of Tottenhill CWS 384, and Tottenhill Village Green CWS 385) to the south and east of the proposed site, which could be at risk from the dewatering operations and should be added to the monitoring schedule. The E.A. advise that trigger levels for compensatory discharge should be decided with them.
- 3.175 Water level monitoring will therefore be required at receptors 1, 2 and 4, and the three County Wildlife Sites. Given that receptor 4) Spring Pit and spring line, and CWS 384: West of Tottenhill are owned by third parties it is considered that access to these off-site water bodies for groundwater monitoring should be secured by way of legal agreement.
- 3.176 It is recommended that the advisory comments offered by the E.A. in relation to abstraction and dewatering licencing be attached to the decision notice as an informative, should permission be granted
- 3.177 Subject to the aforementioned legal agreement and condition, it is considered that the proposal would not be in conflict with the relevant planning policies or NPPF
- 3.178 J – Restoration / Aftercare
- 3.179 NMWLDF CS policy DM14 and Section 17 of the NPPF apply. Due weight is given to policies MP7 and MP8, and Specific Site Allocation Policy MIN 206 of the emerging Norfolk Minerals and Waste Local Plan.
- 3.180 NMWLP Publication Specific Site Allocation Policy MIN 206 requires: the site to be phased with other sites in the area so that only one site is worked for extraction at a time; progressive restoration scheme to an agricultural afteruse, with wide field margins and hedgerow planting to provide landscape and biodiversity net gains; and restoration of the extraction void with imported inert materials only.

- 3.181 The application provides for phased, and progressive working and restoration of the extension area.
- 3.182 *Working*
- 3.183 As regards mineral extraction from the proposed extension area, this is expected to commence in 2023. The proposed extension would be divided into six phases in total, which will be worked and restored to pre-development levels on a progressive basis. Working of the extension would commence in the northwest corner and progress generally in a southerly direction.
- 3.184 *Restoration / after use*
- 3.185 As regards restoration, the extension area would be restored close to original ground levels with imported inert material. Given that, as detailed at section 1.7 of the Environmental Statement, the Applicant Company specialise in bulk excavation and waste management in the East Midlands and East Anglia, it is not anticipated that there would be any difficulties in sourcing material for the restoration.
- 3.186 As detailed elsewhere in this report, with exception of the northern part of phase 6 of the extension area, the extension area would be restored to an agricultural afteruse, together with additional native hedgerows and retention of the shrub-planted screening mound adjacent the A10 / Whin Common Road. As regards restoration of the northern part of phase 6 and the adjoining plant site area / silt lagoons, this area would be restored to species-rich grassland and reedbeds.
- 3.187 Given the above, it is considered that the proposals would provide appropriate landscape and biodiversity gains.
- 3.188 The County Council's Landscape Officer and Ecologist raise no objection on restoration or after-use grounds. Natural England confirms that it would be appropriate to specify agriculture as an afteruse.
- 3.189 Overall, it is considered that the proposals accord with the relevant planning policies and the requirements of the NPPF in this respect.
- 3.190 K - Protection of Agricultural Land
- 3.191 NMWLDF CS policy DM16, section 15 of the NPPF and Safeguarding our Soils: A Strategy for England apply. Due weight is given to Policies MW1, MW5, MP7 and MP8, and Specific Site Allocation Policy MIN 206 of the emerging Norfolk Minerals and Waste Local Plan.
- 3.192 NMWLP Publication Specific Site Allocation Policy MIN 206 requires: progressive restoration scheme to agricultural afteruse.
- 3.193 With exception of the northern part of phase 6, the extension area is currently in agricultural use. A Soil Resources and Agricultural Quality of Land Report has been undertaken which has established that, with exception of the northern part of phase 6, the agricultural quality of the extension area is a

combination of Grade 3a and Grade 3b land. As regards the northern part of phase 6, and adjoining plant site and silt lagoons, this is classified as grade 3 agricultural land.

- 3.194 As regards the proposed silt lagoon, the ES Addendum states that given the previous disturbed nature of the ground there are no soils to strip and therefore no impact on soil resources.
- 3.195 As detailed elsewhere in this report, with exception of the northern part of phase 6, the extension area would be restored to an agricultural afteruse, together with additional hedgerows and retention of the shrub-planted screening mound adjacent the A10 / Whin Common Road. The screening mound would be constructed with onsite subsoil. The supporting ES and Planning Statement advise that the working and restoration scheme will ensure that no high quality Grade 3a agricultural land will be permanently lost as part of the proposals. The proposed phased restoration would reduce the length of time taken to restore the site in full, thus ensuring the loss of agricultural land is only temporary.
- 3.196 Natural England has been consulted on the application and whilst not raising objection on soil resource grounds suggest conditions to safeguard soil resources and achieve a high standard of agricultural reclamation.
- 3.197 Given the above, and subject to conditions, it is concluded that the proposal accords with the relevant planning policies, the requirements of the NPPF and Safeguarding our Soils: A Strategy for England.
- 3.198 L - Safeguarding Aerodromes
- 3.199 NMWLDF: Core Strategy Policy DM7 applies. Due weight is given to Policy MW1, and Specific Site Allocation Policy MIN 206 of the emerging Norfolk Minerals and Waste Local Plan.
- 3.200 NMWLP Publication Specific Site Allocation Policy MIN 206 requires: submission of a Bird Hazard Assessment and a Bird Hazard Management Plan if necessary.
- 3.201 The application site is located within the Safeguarding consultation area for RAF Marham. As detailed elsewhere in this report, the restoration proposals for the plant site area includes provision of reedbeds, whilst the restoration scheme for the extension area provides for restoration primarily to agricultural land. The application is supported by a Bird Hazard Management Plan. Defence Infrastructure Organisation has been consulted on the application and raises no safeguarding objections. Given the above, it is therefore considered that the proposals would not be in conflict with the relevant planning policy.
- 3.202 M - Cumulative Impacts
- 3.203 NMWLDF policy DM15 and Sections 9, 14, 15 and 17 of the NPPF apply. Due weight is given to policies MW1 and MP6 of the emerging Norfolk Minerals and Waste Local Plan.

- 3.204 As regards existing permitted uses at Watlington Quarry, these comprise mineral extraction and processing. The nearest other permitted mineral workings are at Wormegay, Pentney, Blackborough End, Leziate and Crimplesham, between 4km and 8km from the site, which are considered sufficient distances to ensure no material cumulative impacts would arise.
- 3.205 As regards the application under consideration, this provides for a physical extension to the existing quarry, continued use of the existing plant site for processing mineral from the proposed extension, importation of inert material to the site for restoration and recycling, and construction of additional silt lagoon and subsequent removal of sand and gravel.
- 3.206 The estimated average annual output of sand and gravel and proposed hours of working are similar to those for the existing quarry. As detailed elsewhere in this report it is considered that the proposal would not cause unacceptable environmental, amenity and/or highways impacts, and no objection has been raised by statutory consultees in relation to unacceptable cumulative impacts.
- 3.207 It is therefore considered, taking into account the above, that the proposals are compliant with the relevant planning policies, and objectives of the NPPF.
- 3.208 Community Liaison
- 3.209 The ES advises that to ensure local communities are fully informed of activities on the site when operational, if requested, it is proposed to establish a Liaison Forum. It is recommended that establishment of a community liaison group is secured by planning condition if it were to be determined that planning permission should be granted

3.210 **ENVIRONMENTAL IMPACT ASSESSMENT**

In accordance with the Town and Country Planning Environmental (Impact Assessment) Regulations 2017 an Environmental Statement has been submitted. The assessment of the matters in the statement is set out above under the headings of: Landscape and Visual Impact; Hydrology and Hydrogeology; Air Quality; Noise; Highways; Nature Conservation; Archaeology and Heritage; Soils

3.211 **INTENTIONAL UNAUTHORISED DEVELOPMENT**

Following the Chief Planner's letter of 31 August 2015 to planning authorities, intentional unauthorised development is now a material consideration in the determination of all planning applications received after 31 August 2015. This is therefore capable of being a material consideration in the determination of this application.

- 3.212 In this instance, construction of the additional silt lagoon and subsequent removal of sand and gravel has commenced.
- 3.213 In this case, the development has taken place on a site outside a defined Green Belt. Whilst regrettable, in this instance it is not felt that the part

retrospective nature of the application would represent a ground for refusing planning permission for this development and minimal weight is given to this in the planning balance.

4. Conclusion, Reasons for Decision and Planning Balance

- 4.1 Planning permission is sought for extraction of sand, gravel and clay as an extension to the existing site, with restoration to agriculture by the importation of inert material, together with operation of an inert waste recycling facility.
- 4.2 As regards objections and concerns raised in relation to the potential noise levels of a crusher to be used on the site, no objection is raised by the Environmental Health Officer or Environment Agency.
- 4.3 The proposal provides for continued use of the existing plant site. In terms of the planning balance, whilst the existing washing plant and buildings cannot be considered 'good design', they are reflective of this form of development, and the development is only for a temporary period. It is further considered that the scale, height and appearance of the development are acceptable in the context of the surrounding area. Overall, it is therefore considered that there will be no material harm caused to the established characteristics and quality of the local area. The Council's Landscape Officer has been consulted on the application and raises no objection on design grounds. On balance, it is considered these are material considerations that outweigh the design shortcomings and the conflict with the relevant planning policies and section 12 of the NPPF
- 4.4 Whilst the proposal does not meet the preference/recommendations of BCKLWN for the bund to the south east corner of the site to be constructed to a height of 3m, PPG states that normal mineral operations should not exceed the background noise level (LA90,1h) by more than 10dB(A) during normal working hours (0700-1900), subject to a maximum daytime limit of 55dB(A) LAeq, 1h. The applicant's acoustic consultant concludes that, "...The lower bund height would increase the noise levels at the property in Tottenhill marginally, with noise levels predicted up to 49 dB LAeq, 1 hr whilst working Phase 5. This level of noise would remain 6 dB(A) below the proposed noise limit of 55 dB LAeq, 1 hr at this location and thus remain acceptable."
- 4.5 In addition, the applicant has responded that the 2m height of the bund is proposed for reasons other than acoustic reduction and as the predicted levels are still below the noise criteria levels identified within governmental advice documents there is no reasoned basis for increasing the mound to 3m as suggested [as detailed elsewhere in this report, the application provides for the bund to be shrub planted and provide visual screening of the extraction area from nearby properties, and for its retention as part of the proposed restoration scheme].

- 4.6 On balance, given that the proposed 2m height of the bund is not so significant as to raise an objection, it is considered that it would be difficult to sustain an objection to the proposal on amenity grounds, and it would not be reasonable or appropriate to request that the height of the bund be increased to 3m.
- 4.7 Whilst the proposed restoration of the site does not provide for retention of an open face within the restoration scheme for future geodiversity study, the site is not owned by the applicant company and no response has been received from the consultation with Norfolk Geodiversity Partnership (NGP). It is further considered that the proposed restoration is acceptable in landscape and biodiversity terms. It is considered these are material considerations that outweigh the shortcomings when assessed against the geodiversity requirements of emerging Policy MIN 206.
- 4.8 Whilst no measures for renewable energy are being proposed, it is considered that the proposal contributes to the achievement of sustainable development in accordance with the NPPF on the basis that: the proposal would provide economic benefits in the form of being able to utilise the existing plant site at Watlington Quarry and contribute to the local economy by maintaining raw materials supply to the market; the proposals would contribute to the wellbeing of the borough by retaining existing employment at the quarry, and enabling employment to be maintained across a range of industries; the proposals would maintain raw materials supply to the local market thereby reducing need to source aggregates and clay from more distant sites, the proposed recycling would facilitate management of waste further up the waste hierarchy and enable a higher proportion of construction materials to be supplied from a recycled source, and the proposals would provide biodiversity gains. On balance, it is considered that the proposal would make a contribution towards sustainable development and there is not considered to be any unacceptable degree of conflict with the relevant planning policies, the NPPF or NCC's Environmental Policy.
- 4.9 The proposed development is considered acceptable and there are no material considerations why it should not be permitted. Accordingly, full conditional planning permission is recommended, subject to the prior completion of a legal agreement.

5. Alternative Options

- 5.1 Members of the Planning (Regulatory) Committee can only resolve to make a decision on the planning application before them whether this is to approve, refuse or defer the decision.

6. Financial Implications

- 6.1 The development has no financial implications from the Planning Regulatory perspective.

7. Resource Implications

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

8. Other Implications

- 8.1 **Legal Implications:** There are no legal implications from the Planning Regulatory perspective.

8.2 **Human Rights Implications:**

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.

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.

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.

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

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.

8.4 Data Protection Impact Assessments (DPIA): None

8.5 Health and Safety implications (where appropriate):

There are no health and safety implications from a planning perspective.

8.6 Sustainability implications (where appropriate):

This has been addressed in the sustainability section of the report above.

8.7 Any Other Implications:

There are no other implications from a planning perspective

9. Risk Implications / Assessment

9.1 There are no risk issues from a planning perspective.

10. Select Committee Comments

10.1 Not applicable.

11. Recommendations

11.1 That the Executive Director of Community and Environmental Services be authorised to:

1. **Grant planning permission subject to a legal agreement in respect of off-site groundwater monitoring and mitigation, and the conditions outlined below.**
2. **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.**
3. **Delegate powers to officers to deal with any non-material amendments to the application that may be submitted.**

11.2 CONDITIONS:

1. The development hereby permitted shall commence not later than three years from the date of this permission.

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 number xx below within 11 years of the date of this permission.

Reason:

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

3. Except as modified by the provisions of:

- the document entitled Regulation 25 response; unreferenced; prepared by Mick George Ltd.; dated February 2022; received 7 February 2022;
- the letter from Mick George Ltd. to Norfolk County Council; dated 29 March 2022; received 29 March 2022;
- the letter from LF Acoustics Ltd. to Mick George.; dated 25 April 2022; received 26 May 2022;
- the letter from Mick George Ltd. to Norfolk County Council; dated 26 May 2022; received 26 May 2022
- the email from MG Planning to Norfolk County Council dated 06 July 2022 09:30hrs
- the letter from Mick George Ltd. to Norfolk County Council dated 29 July 2022, received 29 July 2022
- the letter from Mick George Ltd. to Norfolk County Council dated 22 August 2022, received 22 August 2022
- the letter from Mick George Ltd. to Norfolk County Council dated 2 September 2022, received 2 September 2022
- the letter from Mick George Ltd. to Norfolk County Council dated 19th October 2022, received 19 October 2022
- another condition of this consent,

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

- Drawing No. W8/1/19/01 Rev B; Location Plan; dated 18 October 2022; received 19 October 2022
- Drawing No. W8/1/19/02 Rev C; Existing Features; dated 18 October 2022; received 19 October 2022
- Drawing No. W8/1/19/03 Rev E; Working Scheme; dated 13 October 2022; received 19 October 2022,
- Drawing No. W8/1/19/04 Rev E; Restoration Proposals; dated 13 October 2022; received 19 October 2022,
- Drawing No. W8/1/19/06 Rev A; Cross Sections through Screening Mound; dated 24 May 2022; received 26 May 2022
- Drawing No. W8/1/19/07; Tree Root Protection Plan; dated 27/07/2022; received 29 July 2022
- Drawing No. W8/1/19/08 Rev A; Cross Sections through Retained Trees; dated 1 September 2022; received 2 September 2022
- Planning Statement; unreferenced; prepared by Mick George Ltd.; dated June 2021;
- Environmental Statement Volume I; prepared by Mick George Ltd; dated June 2021

-Environmental Statement Addendum; un referenced; prepared by Mick George Ltd; dated October 2022; received 19 October 2022
-Annexure 4; Flood Risk Assessment V2; reference H8294; prepared by Amber Planning; dated September 2020; sections 5.6 to 5.10 inclusive
-Annexure 5(ii); Arboricultural Assessment; reference L:\10000\10029\ARB\10029AA.doc; prepared by FPCR; dated May 2021

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

4. Within three months of the date of this permission a scheme for infill planting for viewpoints 1 and 2, identified in sections 3.4 and 4.4.2, and shown on Figure 3.3 and pages 31 and 32 of the Landscape & Visual Impact Assessment; reference CW0102-RPT-001E; prepared by Collington Winter Ltd; dated January 2022; received 7 February 2022, shall be submitted to the County Planning Authority for its approval in writing. The scheme shall include details of species, size, numbers, planting and maintenance, and provide for maintenance of all planting until completion of restoration of the site.

The planting shall be carried out in the first available planting season (October to March) following the commencement of operations.

Reason: To protect the amenities of the surrounding area, in accordance with Policies CS14 and DM12 of the Norfolk Minerals and Waste Core Strategy DPD 2010-2026.

5. Within three months of the date of this permission a scheme for the planting of 25 broadleaf trees on land under the applicant's control shall be submitted to the County Planning Authority for its approval in writing. The scheme shall be in accordance with the principles detailed in the letters from Mick George Ltd to the County Planning Authority dated 2 September 2022 and 19th October 2022, and shown on Dwg No. W8/1/19/01 Rev B; Location Plan; dated 18/10/22; received 19 October 2022, and shall include details of species, size, numbers, spacing, planting and protection, and ten year maintenance specification.

The approved scheme shall be implemented in the first available planting season (October to March) following the commencement of operations.

Reason: To ensure the satisfactory appearance of the development, in accordance with Policy CS14 of the Norfolk Minerals and Waste Core Strategy DPD 2010-2026.

6. Within three months of the date of this permission, the applicant shall submit a scheme for approval in writing by the County Planning

Authority detailing the establishment of a local liaison group to include representation from the site operator, Norfolk County Council, Borough Council of King's Lynn & West Norfolk Environmental Health Team, Tottenhill Parish Council and local residents. The scheme shall include its objectives, membership, frequency and location of meetings and arrangements for the publication of minutes.

Liaison group meetings shall be held in accordance with the approved scheme for the duration of the development.

Reason: To provide a forum for discussion between the quarry operator, the County Planning Authority, Borough Council and the local community which will provide an opportunity to identify and remedy any impacts of quarrying on the community.

7. Notwithstanding the approved documents, within six months of the date of this permission an aftercare scheme specifying such steps as may be necessary to bring the land to the required standard for use for agriculture and biodiversity habitat shall be submitted to the County Planning Authority for its approval in writing. 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.

8. Notwithstanding the provisions of the submitted Ecological Impact Assessment, reference CW20-344 RPT 001, prepared by Collington Winter Environmental, dated July 2022, received 6 September 2022, prior to the commencement of operations in each of the phases of the development hereby approved (including soil stripping and soil storage), as identified on Drawing no. W8/1/19/03 Rev E; Working Scheme; dated 13 October 2022; received 19 October 2022, an updated survey for Badgers shall be undertaken and the findings of the survey and any additional mitigation measures proposed shall be submitted to the County Planning Authority for its approval in writing.

The mitigation measures shall be adhered to and implemented through each of the mineral phases strictly in accordance with the approved details

Reason:

To identify and ensure the survival and protection of species protected by legislation that could be adversely affected by the development, in accordance with Policy CS14 of the Norfolk Minerals and Waste Core

Strategy DPD 2010-2026, and paragraph 180 of the National Planning Policy Framework (NPPF) (2021).

9. Notwithstanding the approved plans and documents, within three months of completion of soil handling operations in any calendar year, a report shall be submitted to the County Planning Authority for its approval in writing detailing:

- The area stripped of topsoil and subsoil;
- The location, contours and volumes of each soil storage mound; the soil types and units contained within the mounds together with details of the type of plant used to strip/store those soils;
- Those areas from which it is proposed to strip soils in the forthcoming year; and
- Details of the forthcoming year's soil replacement programme including proposed restored soil profiles

Replacement of soils shall only be carried out in accordance with the approved details.

Reason:

To safeguard soil resources and achieve a high standard of agricultural reclamation, in accordance with Policy DM14 of the Norfolk Minerals and Waste Core Strategy DPD 2010-2026.

10. No development shall take place other than in accordance with the submitted Construction Environmental Management Plan (CEMP): Biodiversity; unreferenced; dated October 2022; received 26 October 2022, and Dwg No. W8/1/19/09; Biodiversity Protection Plan; dated 18 October 2022; received 26 October 2022.

Reason: In the interests of protecting biodiversity, in accordance with UK and European Law, and Policy CS14 of the Norfolk Minerals and Waste Core Strategy DPD 2010-2026

11. No development shall take place other than in accordance with the Specification for Archaeological Works; Watlington Quarry; reference PC528a; prepared by Phoenix Consulting Archaeology Limited; dated 14 September 2021; received 22 August 2022.

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

12. Each phase of mineral to which this permission relates shall not be extracted until the site investigation has been completed for that phase in accordance with the programme set out in the archaeological written scheme of investigation approved under condition (xx), and hard copies of an approved interim report on that phase have been

submitted to the County Planning Authority and County Historic Environment Record.

Prior to commencement of restoration of the final phase of mineral, provision shall be made for post-investigation assessment, analysis, publication and dissemination of results, and archive deposition shall be secured in accordance with the programme set out in the archaeological written scheme of investigation approved under condition (xx).

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

13. Prior to the commencement of operations in Phase 5 of the development hereby permitted, identified on Drawing no. W8/1/19/03 Rev E; Working Scheme; dated 13 October 2022; received 19 October 2022, an Air Quality Assessment for phase 5 shall be submitted to and approved in writing by the County Planning Authority. The assessment shall be in accordance with best practice guidance and include:

- review of any dust complaints arising from earlier mineral extraction phases of the development hereby permitted; and
- details of an air quality monitoring scheme, where monitoring is required pursuant to the assessment

Operation of the development shall be carried out strictly in accordance with the approved assessment.

Reason: To prevent unacceptable risk from air pollution, in accordance with Policy DM12 of the Norfolk Minerals and Waste Core Strategy DPD 2010-2026.

14. Prior to the commencement of operations in phase 5 of the development hereby permitted, identified on Drawing no. W8/1/19/03 Rev E; Working Scheme; dated 13 October 2022; received 19 October 2022, the scheme for crossing of the wildlife park access track shall be implemented in accordance with the details identified in paragraph 3.2.13 of the Environmental Statement, Volume I, dated June 2021, and section 7. Working Scheme detail of the document entitled Regulation 25 response; prepared by Mick George Ltd.; dated February 2022; received 7 February 2022, and shown on Drawing No. W8/1/19/05; Signage at Wildlife Park Access Track Crossing; dated 25/01/2022; received 7 February 2022. The development shall thereafter only be carried out in accordance with the approved scheme.

Reason:

To safeguard users of the wildlife park access track

15. Prior to the commencement of mineral extraction from phase 5 of the development hereby approved, identified on Drawing no.

W8/1/19/03 Rev E; Working Scheme; dated 13 October 2022; received 19 October 2022, the screening mound along the eastern and southern boundaries of phase 5, as shown on Drawing Nos. W8/1/19/03 Rev E; Working Scheme, and W8/1/19/06 Rev A; Cross Sections through Screening Mound; dated 24 May 2022; received 26 May 2022 shall be constructed, and thereafter retained.

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. In the first available seeding season following construction of the screening mound subject of condition xx, the mound shall be seeded with grass in accordance with the details set out in paragraph 13 of the letter from Mick George Ltd. to Norfolk County Council, dated 29th July 2022; received 29 July 2022, and

in the first available planting season following construction of the screening mound, planted in accordance with the details set out in paragraphs 13 to 19 inclusive of the letter from Mick George Ltd. to Norfolk County Council, dated 29th July 2022; received 29 July 2022.

Any plants which, within a period of five years from the completion of the planting die, are removed or become seriously damaged or diseased, shall be replaced in the next available planting season with others of a similar size and species.

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

17. Prior to the commencement of any restoration works to the settlement lagoons P2 and P3 detailed within paragraph 5.12.2 of the Ecological Impact Assessment; reference CW20-344 RPT 001; prepared by Collington Winter Environmental Ltd; dated July 2022; received 6 September 2022, and as identified on Drawing no. 9102-E-03 Rev A; Phase 1 Habitat Plan of the Ecological Appraisal; reference K:\9100\9102\ECO; prepared by FPCR Environment and Design Ltd; dated August 2020, an updated survey for water voles shall be undertaken and the findings of the survey and any additional mitigation measures proposed shall be submitted to the County Planning Authority for its approval in writing.

The mitigation measures shall be adhered to and implemented throughout the restoration of the lagoons strictly in accordance with the approved details

Reason:

To identify and ensure the survival and protection of species protected by legislation that could be adversely affected by the development, in

accordance with Policy CS14 of the Norfolk Minerals and Waste Core Strategy DPD 2010-2026, and paragraph 180 of the National Planning Policy Framework (NPPF) (2021).

18. From the date of this permission the operators shall maintain records of their monthly input of waste and shall make them available to the County Planning Authority at any time upon request. All records shall be kept for at least 12 months.

Reason:

In order that the County Planning Authority can monitor the input of waste, to protect the amenity of the area, in accordance with Policy DM12 of the Norfolk Minerals and Waste Core Strategy DPD 2010-2026.

19. No waste materials shall be imported to the site other than in accordance with the restoration scheme and recycling operations detailed in the application. Nothing other than dry, inert, non-contaminated solid waste shall be brought onto the site. There shall be no acceptance of any hazardous waste (as defined within the European Waste Catalogue).

Reason:

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

20. No waste or other material shall be brought onto the site except that which is to be disposed of / managed in accordance with this permission. There shall be no other handling, storage, treatment or transfer.

Reason:

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

21. The sand and gravel wash plant hereby permitted shall be used solely for processing mineral derived from the site and the adjacent extension area approved under application reference C/2/2018/2001, and for no other purpose.

Reason:

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

22. Except as modified by the provisions of the document entitled Regulation 25 response; unreferenced; prepared by Mick George Ltd.; dated February 2022; received 7 February 2022, and the letter from

Mick George Ltd. to Norfolk County Council dated 29 July 2022:
Phasing Image - Phase 5, no operation shall take place except in accordance with the phased scheme of working shown on Drawing no. W8/1/19/03 Rev E; Working Scheme; dated 13 October 2022; received 19 October 2022, and the principles detailed and shown in paragraphs 3.2.5 to 3.2.14 inclusive of the Environmental Statement, Volume I, dated June 2021.

Reason:

To ensure orderly working to protect the amenity of residential properties, in accordance with Policy DM12 of the Norfolk Minerals and Waste Core Strategy DPD 2010-2026.

23. With the exception of noise emitted from the site from temporary operations including soil stripping, formation and removal of soil storage mounds and screening bunds, and restoration works, the noise levels at the noise-sensitive properties identified within Section 4.1 and shown on Figure 1: Noise Monitoring Locations of Annexure 3 Noise Assessment, dated August 2020 shall not exceed the levels stated below:

Location	Noise limit
Dwellings in Tottenhill	55dB(A) LAeq, 1 hour, (free field)
The Kennels	46dB(A) LAeq, 1 hour, (free field)
Dwellings in Tottenhill Row	48dB(A) LAeq, 1 hour, (free field)

For temporary operations at the site, including soil stripping, formation and removal of soil storage mounds and screening bunds, and restoration works the noise level measured at any of the noise-sensitive properties identified within Section 4.1 and shown on Figure 1: Noise Monitoring Locations of Annexure 3 Noise Assessment, dated August 2020 shall not exceed 70dB(A) LAeq, 1hour (free field). Temporary operations shall not exceed a total of eight weeks in any 12 month period.

Noise levels at other times, and in areas of the site excluded from Phases 1 to 6 as identified on Drawing no. W8/1/19/03 Rev E; Working Scheme; dated 13 October 2022; received 19 October 2022, shall be limited to a level of 42 dB LAeq, 1hr at noise sensitive receptors as identified within Section 4.1 and shown on Figure 1: Noise Monitoring Locations of Annexure 3 Noise Assessment, dated August 2020.

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 vehicle, plant, equipment and/or machinery shall be operated at the site unless it has been fitted with and uses an effective silencer. All

vehicles, plant, equipment and/or machinery shall be maintained in accordance with the manufacturer's specification at all times.

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.

25. No vehicles and/or mobile plant used exclusively on site shall be operated unless they have been fitted with white noise / non-tonal reversing alarms to ensure that, when reversing, they do not emit a warning noise that would have an adverse impact on residential or rural amenity.

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.

26. Measures shall be taken to prevent dust nuisance and sand blow caused by the operations, including spraying of road surfaces, plant area and stockpiles, and otherwise in accordance with approved Appendix A - Dust Action Plan; unreferenced; prepared by Mick George Ltd.; dated April 2022; received 26 May 2022.

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.

27. No operation authorised or required under this permission or under Part 17 of Schedule 2 of the Town and Country Planning (General Permitted Development) (England) Order 2015, including the movement of vehicles and operation of any plant, shall take place on Sundays or public holidays, or other than during the following periods:
07.00 - 17.00 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.

28. No material shall be stacked or deposited within the stockpile and crushing areas shown on Drawing No. W8/1/19/03 Rev E; Working Scheme; dated 13 October 2022; received 19 October 2022 such that its height exceeds six metres above its base level, and in accordance with the details set out within paragraphs 3.2.3 and 3.2.4 of the Environmental Statement, Volume I, dated June 2021.

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.

29. No clay shall be stacked or deposited on the site other than in accordance with the provisions of paragraph 3.2.8 of the Environmental Statement, Volume I, dated June 2021 and paragraph 9 of the letter from Mick George Ltd. to Norfolk County Council, dated 29 March 2022, and as shown on Drawing No. W8/1/19/03 Rev E; Working Scheme; dated 13 October 2022; received 19 October 2022.

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.

30. Notwithstanding the provisions of paragraph 3.4.8 of the Environmental Statement, Volume I, dated June 2021, in the first available seeding season following formation, all storage mounds of topsoil and subsoil within phase 6 of the development shall be seeded to grass and the sward shall be managed and kept free of weeds throughout the period of storage.

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.

31. In the event that it is necessary to store stripped soils on any part of the site other than in the screening mound on phase 5 working area, and topsoil and subsoil storage mounds on phase 6 working area, as indicated on Dwg No. W8/1/19/03 Rev E; Working Scheme; dated 13 October 2002, no soil storage mound shall be constructed on the site such that it would be visible from the A10, Lynn Road or C54, Whin Common Road

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.

32. Prior to April 1 of each year an annual groundwater monitoring report shall be submitted to the County Planning Authority for its approval in writing. The report shall include latest data of dewatering activities and monitoring during the preceding calendar year (1 January to 31 December).

Reason

To ensure ongoing dewatering activities are satisfactorily monitored and sufficient data is submitted to assess the potential risk posed to the

water environment, in accordance with Policy DM3 of the Norfolk Minerals and Waste Core Strategy DPD 2010-2026, and paragraph 174 of the National Planning Policy Framework (2021).

33. Upon completion of extraction from phase 1 of the working, as identified on Dwg No. W8/1/19/03 Rev E; Working Scheme; dated 13 October 2022; received 19 October 2022, a clay barrier shall be installed against the western excavation face of the phase in accordance with the principles detailed in section 7.1 of the Hydrogeological Impact Assessment; reference K0438-BLP-ENV-R-001; prepared by ByrneLooby; dated March 2023; received 28 March 2023.

Reason To reduce further impact of the dewatering on the Watlington Farm Lake and spray irrigation abstraction licence, in accordance with Policy DM3 of the Norfolk Minerals and Waste Core Strategy DPD 2010-2026.

34. Upon completion of extraction from phase 2 of the working, as identified on Dwg No. W8/1/19/03 Rev E; Working Scheme; dated 13 October 2022; received 19 October 2022, a clay barrier shall be installed against the western excavation face of the phase in accordance with the principles detailed in section 7.1 of the Hydrogeological Impact Assessment; reference K0438-BLP-ENV-R-001; prepared by ByrneLooby; dated March 2023; received 28 March 2023.

Reason To reduce further impact of the dewatering on the Watlington Farm Lake and spray irrigation abstraction licence, in accordance with Policy DM3 of the Norfolk Minerals and Waste Core Strategy DPD 2010-2026.

35. Upon completion of extraction from phase 3 of the working, as identified on Dwg No. W8/1/19/03 Rev E; Working Scheme; dated 13 October 2022; received 19 October 2022, a clay barrier shall be installed against the western excavation face of the phase in accordance with the principles detailed in section 7.1 of the Hydrogeological Impact Assessment; reference K0438-BLP-ENV-R-001; prepared by ByrneLooby; dated March 2023; received 28 March 2023.

Reason To reduce further impact of the dewatering on the Watlington Farm Lake and spray irrigation abstraction licence, in accordance with Policy DM3 of the Norfolk Minerals and Waste Core Strategy DPD 2010-2026.

36. The approved surface water drainage system for the site shall be managed and maintained for the lifetime of the development in accordance with the provisions of Section 5.10: Management and Maintenance Responsibility and Table 011: Drainage Inspection and

Maintenance Schedule of Annexure 4, Flood Risk Assessment v2; reference H8294; prepared by Amber Planning; dated September 2020.

Reason: To ensure the effective management and discharge of flood and surface water, in accordance with Policy DM4 of the Norfolk Minerals and Waste Core Strategy DPD 2010-2026.

37. There shall be no vehicular access to the permitted site except from Watlington Road, as shown on Dwg number W8/1/19/01 Rev B, Location Plan, dated 18/10/22, received 19 October 2022.

Reason:

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

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

Reason:

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

39. For the duration of the permission hereby approved, the development shall not operate except in strict accordance with the submitted HGV Management Plan, prepared by Mick George Ltd.; undated; received 7 February 2022 for the routing of HGVs to and from the site.

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

40. The directional vehicle signage erected at the site entrance pursuant to condition no.17 of planning permission reference C/2/2000/2022 and put forward by way of photographic evidence in support of the planning application shall be retained and maintained for the duration of the operation hereby permitted.

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

41. No external lighting shall be installed on the site except in accordance with the provisions of paragraphs 3.8.1 and 3.8.2 of the Environmental Statement, Volume I, dated June 2021. The lighting shall not be used at night when the quarry is not operational.

Reason:

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

42. All external lighting shall be operated in accordance with the general lighting control measures as outlined in paragraph 5.2.1 of the Ecological Impact Assessment; reference CW20-344; prepared by Collington Winter Environmental Ltd; dated July 2022; received 6 September 2022.

Reason:

In the interests of protecting biodiversity, in accordance with Policy CS14 of the Norfolk Minerals and Waste Core Strategy DPD 2010-2026, and paragraph 180 of the National Planning Policy Framework (2021).

43. Except as modified by the provisions of paragraph 12 of the letter from Mick George Ltd. to Norfolk County Council dated 29 July 2022, the restoration of the site shall be completed within 11 years of the date of this permission, in accordance with the submitted scheme shown on Drawing number W8/1/19/04 Rev E; Restoration Proposals; dated 13 October 2022; received 19 October 2022, and the provisions of:
-section 4.2 Restoration Features and paragraph 5.3.3 of the Environmental Statement, Volume I, dated June 2021, and
-in so far as they relate to Phase 2: Restored Landform, sections 5.6 to 5.9 inclusive, Environmental Statement Volume II Annexure 4: Flood Risk Assessment v2; reference H8294; prepared by Amber Planning; dated September 2020.

Reason:

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

44. All planting, seeding or turfing comprised in the approved details of restoration landscaping shall be carried out in the first planting and seeding season following the completion of each phase of the development, and any trees or plants which within a period of 5 years from the completion of the development die, are removed or become seriously damaged or diseased shall be replaced in the next planting season with others of similar size and species.

Reason:

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

45. All soil handling operations shall be carried out in accordance with the methodology detailed within sections 3.4 and 4.2.1 of the Environmental Statement, Volume I, dated June 2021, and the Institute

of Quarrying publication 'Good Practice Guide for Handling Soils in Mineral Workings' (July 2021).

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.

46. Handling, movement and re-spreading of topsoil and subsoil shall not take place except when the soils are in a suitably dry and friable condition, and in such a way and with such equipment as to ensure minimum compaction. (No handling of topsoil and subsoil shall take place except between 1st April and 31st October unless otherwise agreed in writing beforehand by the County Planning Authority.)

Reason:

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

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

Reason:

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

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

Reason:

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

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

Reason:

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

50. No topsoil or subsoil shall be taken off the site.

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.

51. The final one metre of fill shall be free of materials likely to interfere with final restoration, drainage or subsequent after-use.

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.

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

Reason:

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

53. The final layers of material shall be levelled and graded in accordance with Drawing number W8/1/19/04 Rev E; Restoration Proposals; dated 13 October 2022; received 19 October 2022 to conform with the contours of adjoining undisturbed land.

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.

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

Reason:

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

55. On those areas to be restored to an agricultural afteruse, all stones and deleterious materials in excess of 15cm in any dimension which arise from the ripping of the subsoil and topsoil shall be removed from the site.

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.

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

Reason:

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

57. Where differential settlement occurs during the restoration and aftercare period the operator, where required by the County Planning Authority, shall fill the depression to the final settlement contours with suitable material to a specification that has been agreed with the County Planning Authority.

Reason:

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

12. Background Papers

- 12.1 Planning Application reference: FUL/2021/0007 available here: eplanning.norfolk.gov.uk/Planning/Display/FUL/2021/0007
- 12.2 Norfolk Minerals and Waste Development Framework Core Strategy and Minerals and Waste DM Policies DPD (2011) [Core Strategy and Minerals and Waste Development Management Policies Development Plan Document 2010-2026 \(norfolk.gov.uk\)](#)
- 12.3 Norfolk Minerals and Waste Development Framework Mineral Site Specific Allocations DPD (2013/2017) [Norfolk Minerals and Waste Development Framework](#)
- 12.4 Core Strategy for King's Lynn & West Norfolk (2011) [Complete Core Strategy 2011 \(9\).pdf](#)
- 12.5 King's Lynn & West Norfolk Site Allocations and Development Management Policies Plan (2016) [SADMP Plan Adopted 2016 \(12\).pdf](#)
- 12.6 National Planning Policy Framework (NPPF) (2021) [National Planning Policy Framework \(publishing.service.gov.uk\)](#)

- 12.7 National Planning Practice Guidance (NPPG) [Planning practice guidance - GOV.UK \(www.gov.uk\)](https://www.gov.uk/guidance/planning-practice-guidance)
- 12.8 National Planning Policy for Waste (NPPW) (2014) [National planning policy for waste - GOV.UK \(www.gov.uk\)](https://www.gov.uk/guidance/national-planning-policy-for-waste)
- 12.9 National Waste Management Plan for England (NWMPE) [Waste Management Plan for England \(publishing.service.gov.uk\)](https://publishing.service.gov.uk/guidance/2020-07-20-national-waste-management-plan-for-england)
- 12.10 Norfolk Minerals and Waste Local Plan: Publication (2022) [Norfolk Minerals and Waste Local Plan Publication - May 2022](#)
- 12.11 Borough Council of King's Lynn and West Norfolk Local Plan Review: Pre-Submission Stage (2021) [Local Plan Review Pre-Submission Stage 2021 - Details - Keystone \(objective.co.uk\)](https://objective.co.uk/local-plan-review-pre-submission-stage-2021-details)
- 12.12 Norfolk County Council Environmental Policy (2019) [Norfolk County Council's Environmental Policy](#)

Officer Contact

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

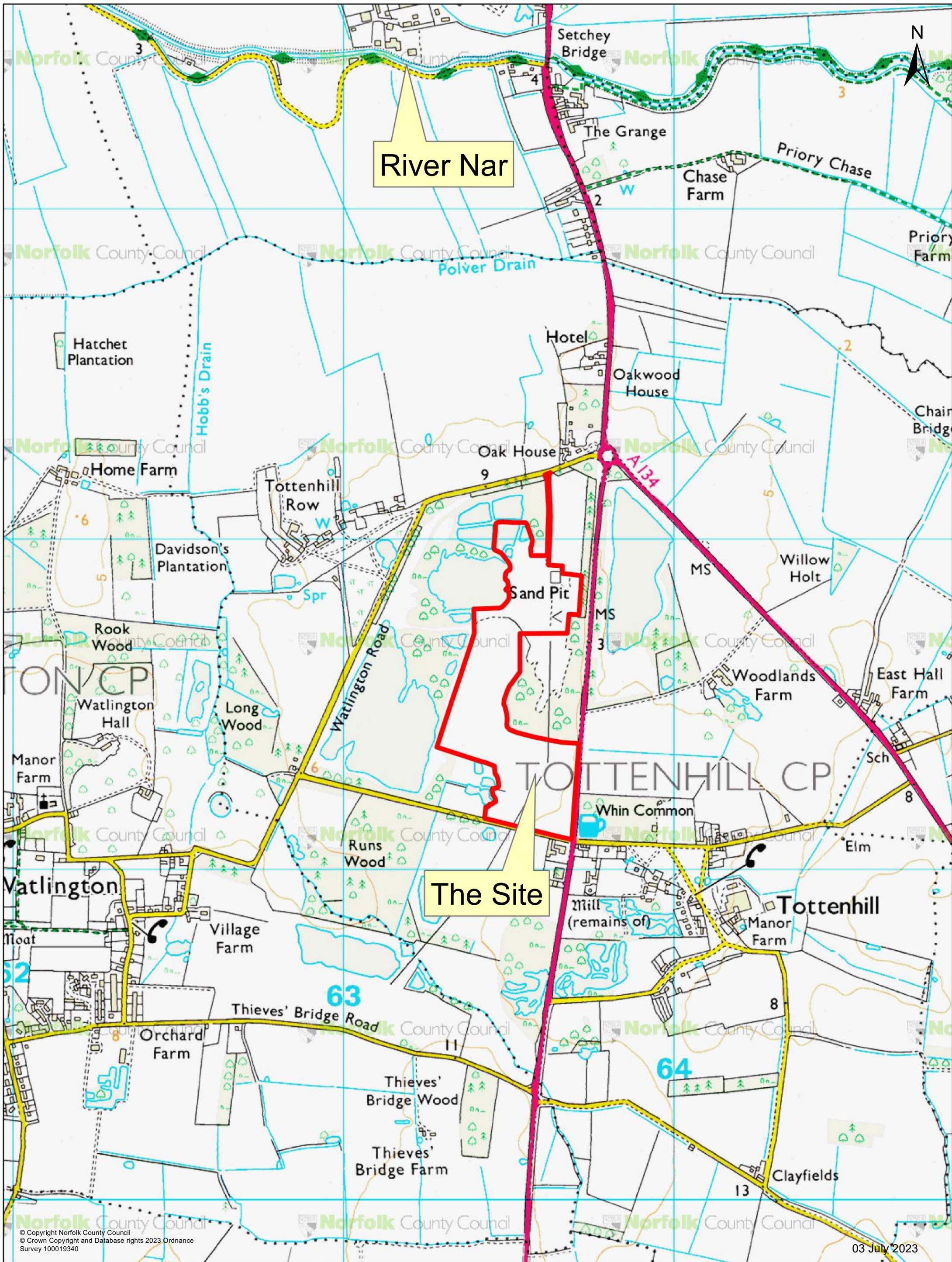
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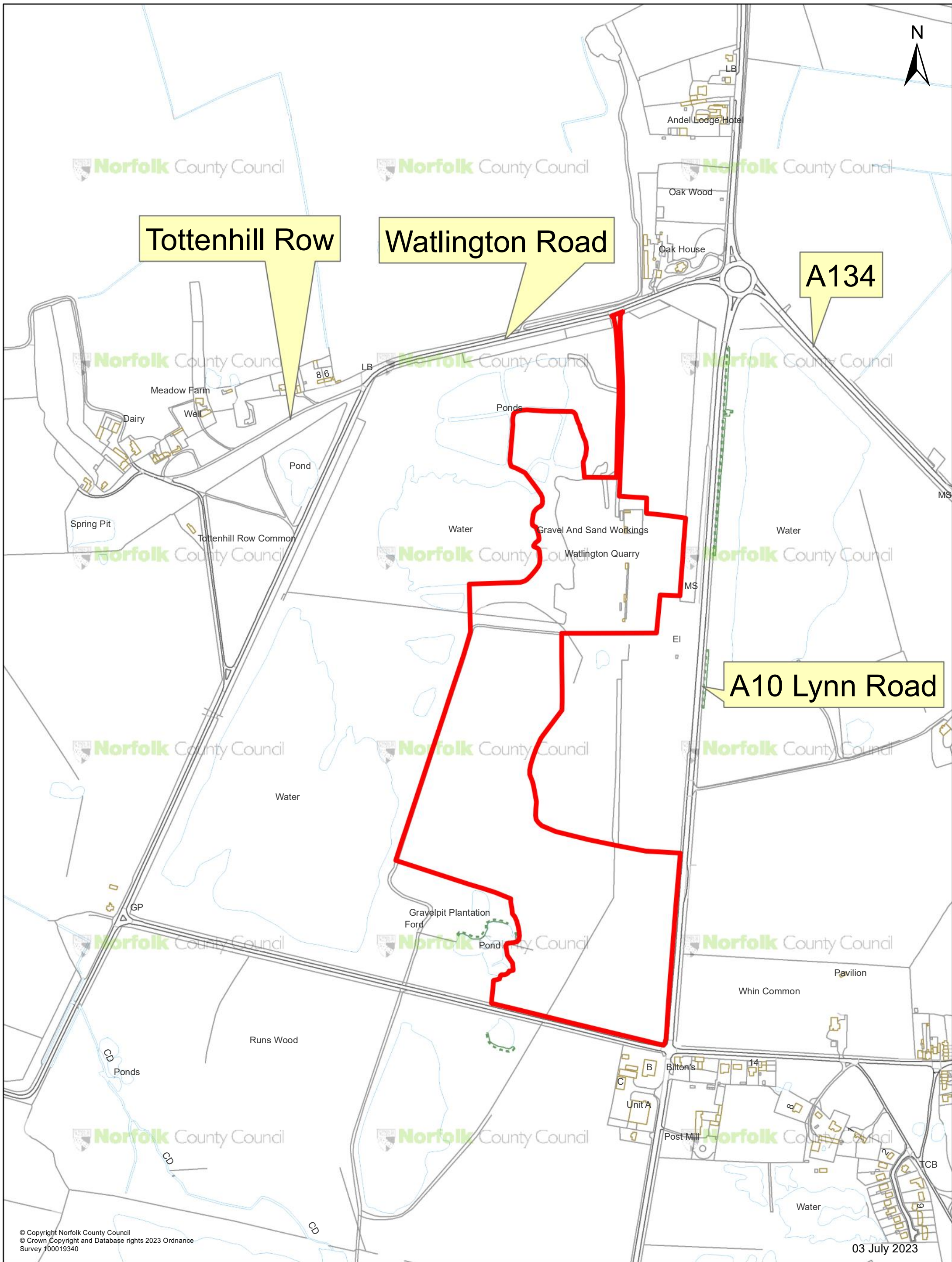


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03 July 2023

Watlington Location Plan





Watlington Site Plan

